# Officer Report On Planning Application: 16/05500/OUT

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| **Proposal :** | Outline application for residential development for up to 400 dwellings with associated access. |
| **Site Address:** | Land South West Of Canal Way, Ilminster. |
| **Parish:** | Ilminster |
| **ILMINSTER TOWN Ward (SSDC Members)** | Cllr C Goodall<br>Cllr V Keitch |
| **Recommending Case Officer:** | Andrew Gunn<br>Tel: (01935) 462192 Email: andrew.gunn@southsomerset.gov.uk |
| **Target date :** | 10th April 2017 |
| **Applicant :** | Persimmon Homes SW & Somerset County Council |
| **Agent:**<br>**(no agent if blank)** | |
| **Application Type :** | Major Dwlgs 10 or more or site 0.5ha+ |

**REASON FOR REFERRAL TO REGULATION COMMITTEE**

This application has been referred to the Regulation Committee with a recommendation of refusal from Area West Committee for the following reason:

*The applicant has failed to demonstrate that the proposed scale of growth which significantly exceeds the Local Plan targets will not have an adverse impact upon local infrastructure and amenity.*

**Application update**

Since the meeting of the Area West Committee held on the 16th August 2017, the applicant has submitted a Briefing Note. This outlines the key issues and the applicant's response to the objections raised by the Town Council and local residents. Plus, additional plans that illustrate highway layout, landscape and ecology, green infrastructure and surface water details. It must be stressed that these are indicative plans only; however these detail how certain aspects may be implemented on site. The layout of the scheme is not being sought for approval at this stage. Detailed matters including the layout will need to be subject to either a reserved matters application (provided the outline consent is approved) or a full planning application.

Following concerns raised by Area West members about the highway impacts of the development, the Council's Highway Consultant has provided an assessment of the highway related issues. He concludes that the development is acceptable from a highway perspective. The Case Officer will outline the main highway points addressed by the Council's Highway consultant at the Regulation Committee. His full response is available on the Council's website.

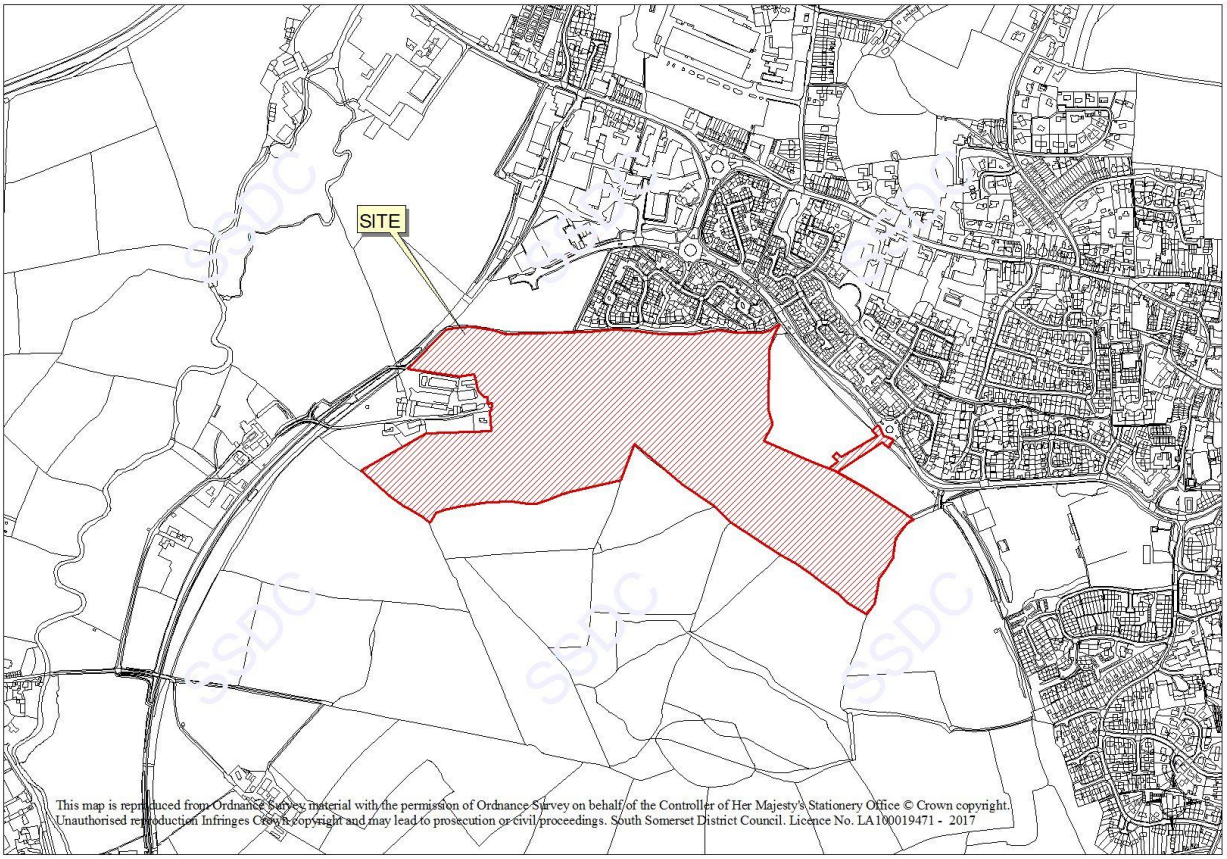
An officer from the County Highway Authority will be in attendance at the meeting.

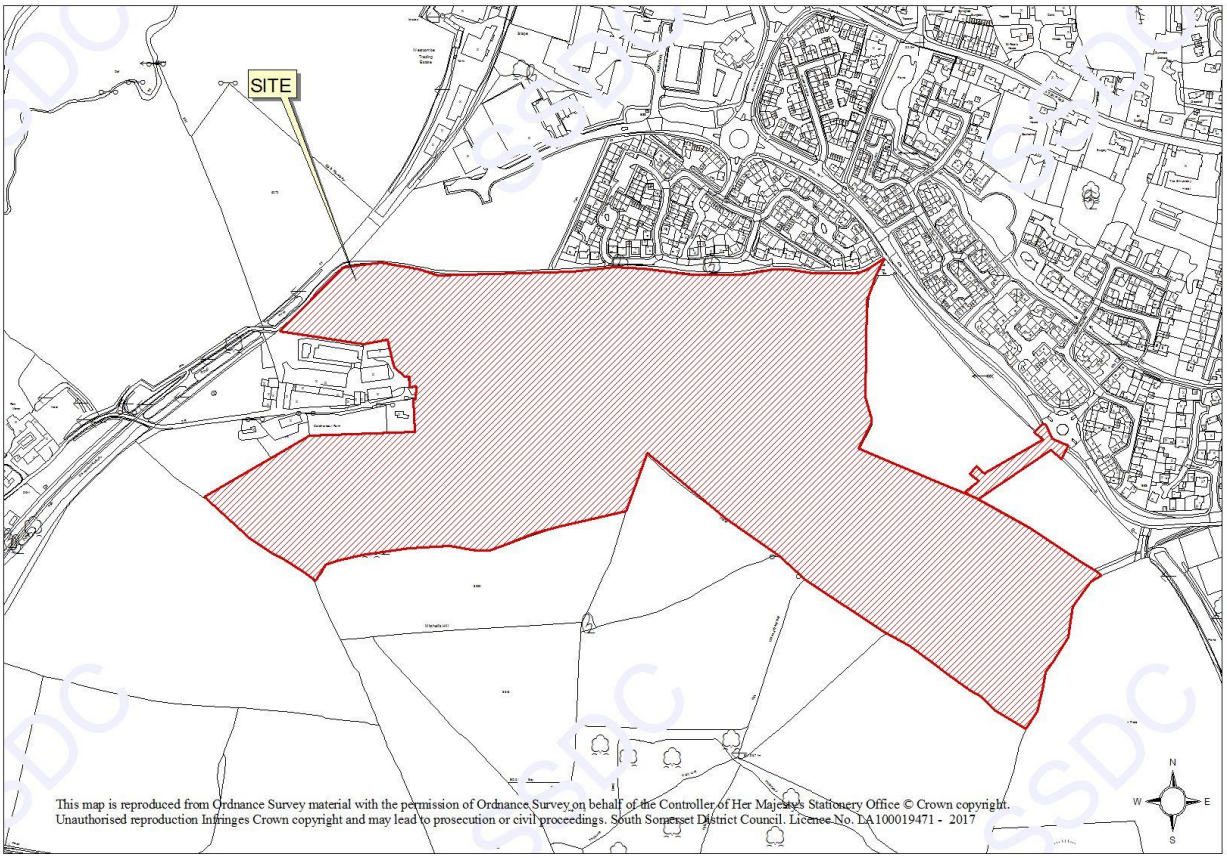
A further 24 letters/emails have been received since the Area West Committee meeting raising objections to the proposed development. These reflect the issues and concerns previously raised and summarised in the Area West committee report, which is included in full below.

**REASON FOR REFERRAL TO COMMITTEE**

This application is referred automatically to Area West Committee as it is a proposal for up to 400 homes and therefore is required to be determined by committee.

## SITE DESCRIPTION



The application site is located towards the south west side of Ilminster, on the southern side of Canal Way. It currently comprises agricultural land and sits to the west of the medical centre with residential properties to the north. Coldharbour Farm is located to the west with further agricultural land/fields to the south. The fields are bounded by hedgerows with a number of mature trees located sporadically throughout the site.

A public footpath runs from Coldharbour Farm to the west heading eastwards along a track. Part of the parish boundary between Ilminster and Donyatt runs along this boundary. The right of way then dissects the field to the south of the proposed school field leading to the pedestrian and vehicular access from Canal Way. A section of the right of way also heads northwards towards Adams Meadow.

**PROPOSAL**

This application (as revised) seeks outline consent for the erection of up to 400 dwellings with associated vehicular and pedestrian access on land at Canal Way, Ilminster. Access only is sought for approval at this stage with detailed matters in respect of layout, scale, appearance and landscaping reserved for a future planning application.

The scheme proposes 1 point of vehicular access from Canal Way utilising the existing access serving the medical centre. A vehicular access for emergency vehicles only will be provided further to the west along the northern boundary into Adams Meadow.

A field adjacent to Canal Way and to the west of the vehicular access is proposed for the replacement Greenfylde School. Vehicular access into the school will be provided from the access road that serves the residential development. This outline scheme does not seek permission for the school; this would be subject to a separate application. The highway scheme includes 2 zebra crossing points, one to be located between the medical centre and school access with a second to be provided to the west of the roundabout on Canal Way. Technical changes will be made to the access road to accommodate the proposed development.

The scheme proposes a football pitch in an area of land in the south east corner, adjacent to the existing playing field. In addition, as amended, a field to the south of the pitch and proposed residential properties will be dedicated as an area of open space/wildlife mitigation and, subject to agreement, will be transferred to the Town Council or a management company. The scheme also proposes on site play and youth facilities along with enhancement of the facilities at the recreation ground. Existing hedgerows will largely be retained with small sections removed within the site to accommodate the internal access roads.

The application has been accompanied by a range of supporting documents including the following:

- Ecological Appraisal
- Archaeological Report
- Design and Access Statement
- Planning Statement
- Flood Risk Assessment
- Landscape Appraisal
- Transport Assessment + an Addendum Transport Assessment
- Travel Plan
- Geotechnical and Contamination Assessment Report

Plans submitted with the application include a location plan, masterplan, and a landscape masterplan. It should be noted that whilst the latter 2 plans show an indicative layout for the scheme, approval for the layout of the development is not being sought at this stage.

## HISTORY

16/01095/EIASS - Residential Development of up to 465 dwellings, new school, public open space, formal sports area, landscaping and access. EIA not required.

No planning applications have been submitted on this site prior to the current application.

## 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,

Relevant Development Plan Documents

South Somerset Local Plan (Adopted 2015)
PMT3 - Direction of Growth for Ilminster
SD1 - Sustainable Development
SS1 - Settlement Strategy
SS5 - Delivering New Housing Growth.
SS6 - Infrastructure Delivery.
HG3 - Provision of affordable Housing.
HG5- Achieving a mix of Market Housing
TA4 - Travel Plans
TA5 - Transport Impact of New Development
TA6 - Parking Standards
HW1 - Provision of Open Space, Outdoor Playing Space, Sports, Cultural and Community Facilities in new Development
EQ1 - Addressing Climate Change in South Somerset
EQ2 - General Development
EQ4 - Biodiversity

Other Relevant Documents/ Material Considerations
National Planning policy Framework
Achieving Sustainable Development
Core Planning Principles
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

Somerset County Council Parking Strategy

## CONSULTATIONS

**Ilminster Town Council:**
Taking into account the comments from other consultees, members of the public and the discussions, comments and issues raised during the meeting it was RESOLVED to recommend refusal on the grounds of:

(I) The impact of additional vehicular movements that would be generated by the development without enhancement of the existing transport infrastructure
(II) Lack of robust travel information especially walking distances
(III) Lack of information about the Appearance and Character of the proposed dwellings
(IV) Lack of infrastructure to support the development
(V) Impact on the environment
(VI) Impact on existing rights of way
(VII) Impractical emergency vehicle access
(VIII) Over development of the site

A full transcript of the minutes is available to view on the Council's website.

**Donyatt PC:**
The Council did not support this application on the following grounds:

- The Council is extremely concerned that the sprawl of the urban development of Ilminster town is encroaching into Donyatt which is a small village
- It is essential that a clear demarcation is maintained between the boundaries of Iminster and Donyatt to retain separate identities with a separation zone between the two communities.
- The two amenity fields should be excluded from the plan as they are within Donyatt plus there are no plans to maintain them
- Adverse impact on Herne Hill
- There are four Public Rights of Way that go across the site but only two are mentioned on the plans.
- Trees with TPO's have not been shown
- The Council consider that 450 more dwellings is over development for Ilminster with its present amenities. This could seriously affect Donyatt residents as Ilminster is the nearest town for essential facilities. (Schools, Health Care, Supermarkets etc)
- The Council know that it is difficult to get a timely doctor's appointment now.
- The Council understand that the proposed new school, which will replace the current school, will not have the capacity to cope with the children living in 450 additional dwellings
- Attenuation pond is sited next to the proposed school with the obvious risk of health and safety problems

**Highways England (HE): (summary of original comments)**
HE operates and maintains motorways and major A roads. Accordingly, in this case, they have advised on the impact of development upon the A303.

HE originally recommended that planning permission is not granted for a period of 3 months in order to provide the applicant sufficient time to address outstanding HE concerns and to protect the operation and safety of the A303. HE agreed with most of the analysis outlined in the Transport Assessment undertaken by the applicant's consultant. However, further work was required in regard to the impact of the development on both the Southfields and Hayes End Roundabouts.

Further highway modelling work and assessments have now been undertaken by the applicant. HE have assessed this and are now content with the analysis. Their holding objection has now been withdrawn and no objection raised.

**County Highway Authority (HA): (summary of original comments - Feb '17)**
Having reviewed The Transport Assessment, the HA raised concerns about the scheme in regard to trip generation and the absence of any junction modelling outputs. It was concluded that the trip generation modelling would give an under estimate of traffic on the road network; this would affect the volume of traffic on the network and cause a detriment to the operation of junctions. The HA also

advised that the proposed Shudrick Valley proposal should be included in the assessment. The HA also raised safety concerns in regard to the proposed access and interaction with the doctors surgery. If the above concerns are not satisfactorily addressed, the HA would recommend refusal of the application.

County Highway Authority: (HA) (summary of revised comments (April '17) following submission of additional information)

The Highway Authority retained concerns about the development and formally objected to the scheme for 2 reasons, namely 1) safety concerns in regard to the formation of the second access together with conflicting traffic movements onto and from Adams Meadow, and in regard to the cycleway/bridleway and the public right of way, and 2) The restricted width, alignment and current layout of Adams Meadow is not considered suitable to serve as a means of access to the proposed development.

The Highway Authority also sought changes to the alignment, width and visibility into the doctor's surgery and controlled crossings across Canal Way as well as the access road into the site. A crossing point is also required along the spine road where the public rights of ways cuts through the estate. Comments were also made in regard to the design of the internal estate road, in particular to the relationship with the secondary access road into Adams Meadow.

County Highway Authority: (HA) (summary of revised comments (June '17) following submission of further information in response to the Highway Authority's objection)

The Highway Authority has withdrawn its objection to the scheme.

Details have been provided in respect of 2 zebra crossings on Canal Way and along the access road between the entrance to the medical centre and proposed entrance to the school site. The Highway Authority have requested that these zebra crossings are in place before the first occupation of 25 dwellings or the school is first brought into use. A crossing point is also provided across the right of way. The secondary access is only proposed for emergency vehicles, rather than as a secondary access for all users. The Highway Authority have accepted this position, given that the internal layout avoids a single spine road running the whole length of the development. Advice is given on the specification of the internal roads. This would be dealt with at any reserved matters stage. No objection is raised subject to conditions.

**Landscape Officer:**
If I have understood the scope of this application correctly, the proposal seeks consent for development of approx. 450 dwellings, with all details reserved other than the prime access to the site. Looking purely at the principle of development, the site has already been appraised as being an area suitable for residential growth by the local plan, and the approved 'direction of growth' was in part informed by the findings of the peripheral landscape study (PLS) of Ilminster, which was undertaken during November 2007. This study reviewed the town's immediate surrounds with the objective of identifying land with a capacity for development, looking both at the character of the land at the town's edge, and its visual profile. For the detailed evaluation I would refer you to; http://www.southsomerset.gov.uk/planning-and-building-control/planning-policy/evidence-base/district-wide-documents/peripheral-landscape-studies/

The outcome of the PLS is represented by 'figure 5 - landscape capacity', which is a graphic summary of the preceding evaluation. Fig 5 indicates that the fields that are the subject of this application, are evaluated as having both a high and moderate-high capacity to accommodate built development. Consequently the principle of development in this location is considered to be acceptable from a landscape standpoint, and there is no issue with the main point of access. Whether or not the land has the capacity to accommodate 450 houses however, is a moot point.

Whilst this is an outline proposal, a suite of supporting documents has been submitted, including a landscape appraisal (LA) and masterplan. The LA proposes that development be limited to the lower area of the site, to be contiguous with other modern development to the north of the site, whilst the rising land to the southwest is allocated as open space, to limit visual effects. It further proposes the provision of street trees; landscape buffers; green corridors and open space to be introduced within and at the development's margins, to break-up and buffer development form. It concludes that the development-impact upon both the character and visual amenity of the site and its immediate surrounds, is then capable of reduction through such landscape mitigation, over time.

Clearly, placement of the housing on land of lower elevation and alongside the existing residential edge is logical, as is the proposed approach to landscape mitigation. I am not persuaded however, that this is borne out by the landscape masterplan, not only because the level of landscape provision appears limited, but also because the schematic residential layout does not appear to have been informed by the landscape appraisal. Neither do I see a landscape plan that relates to the ecology report's mitigation proposals, to suggest that there is further work to be done.

An indicative residential layout has been offered, though as I understand it, this does not require consideration as part of the current application proposal. However, there are layout issues that I have previously raised at pre-application, which are yet to be addressed, and these should stimulate changes to the layout, and there may be a subsequent impact upon numbers. In brief, these issues follow. Where I have sought to identify and locate specific elements within the scheme, I have referred to housing blocks 1-4 referring to the 4 field parcels running east (1) to west (4).

In relation to the general layout.

1) I understand the general approach to parcel the development into 4 basic residential blocks, as determined by the retention of the existing field boundaries. However, other than a 'green wedge' between parcels 2 and 3, there is limited 'breathing space' within the residential part of the site, with the densities generally appearing tight, and crammed in places. I see little 'sense of place' evident in the housing layout, and I do not see any substantive differentiation across the layout. Much of the scheme comprises tightly-packed units with a heavy reliance upon parking to the fore of the plot. There is little sense of hierarchy, and more needs to be done to engender characterisation, and to create well-defined streets, and civic spaces within the layout.

2) Whilst I welcome the central green corridor between housing blocks 2 and 3, I consider the space between blocks 1 and 2; and 3 and 4, to be too narrow, and to require widening, to enable pedestrian access on both sides of the hedge (which also enables a consistency of hedge maintenance) and to allow for meaningful tree planting that will assist in breaking-up the housing mass as viewed from raised areas of land to the south. I would particularly advise that the east edge of block 2 is pulled well back from its eastern hedge boundary throughout, to enable an open corridor to be formed.

3) I note the area of rising land to the SW being offered as 'strategic POS'. However, if the offer is considered to balance the dense arrangement of the housing layout, then I would question if the balance is acceptable, better that we see a less dense, more diverse housing layout without this extra land. If this open space is to come forward, then we should see clear public access arrangements woven in; ecology and access issues reconciled by thoughtful design; and landscape enhancement being an integral component of this open area.

More detailed points:

4) Whilst I have no issue with the principle of some parking to the fore of plots, there are areas where long lines of frontage parking are indicated, which creates an over-wide space that is dominated by parked cars and driveways. More work is needed to break up such areas, not only by planting and walling, but in places, by bringing house units closer to the back of the pavement, to create a

narrowing effect, and thus break-up the long lines of parking.

5) To serve the site off a single-point of access is not good urban design. I would advise a stronger vehicular link between parcel 4 and the most recent Persimmon site to the immediate north to enable greater permeability.

6) There are locations at some of the corners of the housing blocks, e.g; SW corner of block 3; SE corner of block 3; SW corner of block 1, where an individual house projects beyond the general building line, to 'squeeze' the adjacent open space, and limit the vista, and I would advise such plots are removed from the scheme.

7) All 4 blocks should express a southern frontage, with the intervening land between frontage access and the hedgerow providing a green corridor with planting and pedestrian linkage.

8) Greatest public perception of the site will be gained from Herne Hill, and in this respect, the southern frontage of blocks 1; and an amended southern frontage to block 2, should be laid out to avoid too great a massing effect, and arranged to help provide incident, and enable the introduction of street trees. Side garaging/parking can be integrated to assist the break-up of too solid a frontage.

In summary, I consider the prime expression of this current layout to be too akin to a singular large housing estate, which does not encourage the perception that this could be a development that is rich and varied in its offer of housing and public space, and there is more fundamental work that needs to be done if this proposal is to match the projected quality of the appeal proposal to the east of the town (for 220 houses). I trust that a more detailed masterplan will offer some comfort on these matters, and to that end, if you are minded to approve this outline application, I'd suggest that the following is conditioned for approval prior to any submission of a Reserved Matters application.

(a) a design code for the development;
(b) a detailed masterplan for the whole site, including outline landscape treatment, and;
(c) a public space proposal, inclusive of access detail, and site management prescriptions.

**County Education:**
As you are aware the Greenfylde First school is located on a constrained site and cannot sustain any further expansion. The accumulative effect of developments coming forward in the area will necessitate the need to expand Greenfylde and this is not achievable in its current location so relocation of Greenfylde is very likely. This development will also bring forward the need for an additional 52 middle school places.

The proposed development is within the catchment Swanmead Middle School. This school will need to be expanded to accommodate these additional numbers. Therefore the Authority will be seeking education contributions towards provision of the additional school places that will be required should this development be approved.

- 16 pre-school places at @ £14,175* per place = £226,800
- 65 first school places @ £14,175* per place = £921,375
- 52 middle school @ £17,766* per place = £923,832

*These figures have been reviewed using June 2016 confirmed BCIS General Building Cost Index figure.

**Officer comment:**
Further to the submission of the above comments, the County have advised that approval of this development would necessitate the need for a new First School. Designs and delivery of the school are being prepared to coincide with any approval for the residential scheme. As advised earlier in this report, the school will be located on land adjacent to and fronting Canal Way, to the north west of the

medical centre.

**Lead Flood Authority: (summary)**
No objection subject to a condition seeking submission of a surface water drainage scheme based on sustainable drainage principles, along with details of implementation and lifetime maintenance.

**County Archaeologist:**
I have been contacted by AC Archaeology who have submitted a trial trench evaluation strategy which I have agreed. This evaluation will provide sufficient information to assess the significance of archaeological remains on the site as indicated in the National Planning Policy Framework (Paragraph 128). Until the evaluation has taken place and a report submitted this application should not be determined.

**Archaeology Update:**
The results of the archaeological trial trench evaluation have now been submitted as requested by the County Archaeologist. The results of which have proved negative with no evidence for any settlement type archaeological activity in the trenches and no finds recovered. The County Archaeologist is satisfied with the findings and no further archaeological work required.

**Environmental Health Officer:**
No objection to the application. A condition is sought in regard to reporting and, if required, stopping development and remediation if any signs of pollution are found.

**Natural England: (summary)**
No objection. Natural England are satisfied about the great crested newt mitigation which follows pre-application advice. However, advise that this does not guarantee a license will be issued as this is subject to a separate process and considered in its own right. Provide advice on protected species and green infrastructure/biodiversity enhancements.

**Ecologist:**
I've noted the Ecological Appraisal (Green Ecology, Nov 16) and I've visited parts of the site. I raise the following concerns.

1. Site layout and insufficient dormouse mitigation along the southern boundary

Evidence of dormouse was recorded in the East boundary hedge (adjacent to the existing sports fields). I agree with the Ecological Consultant's statement that it is 'considered likely that they use hedgerows and woodland throughout the site.'
Dormice are a European Protected Species and a Section 41 'Priority Species' for the conservation of biodiversity (Natural Environment and Rural Communities Act 2006).

Therefore, any planning proposal/approval must:
a) be able to demonstrate maintenance of favourable conservation status to satisfy obligations under the Habitats Regulations 2010, and
b) satisfy NPPF and Local Plan Policy EQ4.

Dormice are very reluctant to cross open ground and therefore require good habitat connectivity to ensure their conservation. Within the site and surrounding areas, dormice will be restricted to the network of hedges and small woodlands. I agree with the ecological consultant that one of the potential impacts upon dormice could be cat predation. This is likely to be a greater risk closer to houses. Fragmentation of habitat (by estate roads passing through hedges) is likely to be another significant impact that will likely leave many of the retained hedges, particularly in the northern half of the site, no longer suitable for use by dormice. I therefore consider the habitat loss for dormice could effectively be significantly greater than the 100m stated in the Ecological Appraisal (Table 9), and

advise compensation habitat for such loss should be provided.

A layout that gives more buffering space alongside hedges would be appropriate throughout the site. However, I consider it to be particularly important along the southern boundary of the development. With dormouse evidence in the east of the site, and proposed dormouse compensation planting in the west of the site, I consider provision of a strengthened (wider) dormouse habitat corridor running east-west along the southern boundary, to be an important element of dormouse mitigation.

I suggest the current layout, particularly the proximity of housing to the south boundary hedge in the second field from the east, to be detrimental to establishing a strong east-west dormouse habitat corridor, and could represent grounds for refusal.

2. Retention of Eastern boundary hedge not shown on Landscape Masterplan

I note the Landscape Masterplan doesn't show retention of the Eastern boundary hedge, and I wonder if it is planned to remove this in order to better link the proposed new football pitch with the existing pitches? This would be a cause of concern as this is the hedge where evidence of dormouse was recorded.

Removal of this hedge would increase the amount of dormouse habitat loss and hence increase the amount of dormouse compensation habitat that will need to be provided.

Please could clarification be sought on this matter.

3. Wildlife mitigation and compensation areas aren't shown on the Landscape Masterplan

I suggest confirmation of compensation areas for European Protected Species (dormouse and great crested newt), and identification of such on development plans (e.g. landscape masterplan), should be provided to help demonstrate that sufficient compensation is feasible and not in conflict with other open space uses. This will be necessary to help demonstrate meeting of the Habitats Regulations test of maintaining favourable conservation status (necessary before planning permission can be granted).

Officer comment: The applicant is ware of the comments raised by the Council's Ecologist. Having discussed with the Ecologist, it is proposed to condition a detailed masterplan and detailed layout plans for the whole of the application site which will expect to address the points raised above. In regard to the question about the eastern hedgerow, this is not being removed.

In addition, the case officer was asked about the impact of the development on polecats on site. Having raised this with the ecologist, he has advised that the loss of farmland and polecat habitat is very unlikely to be sufficient to have a significant impact on the conservation and continued recovery of the local polecat population. With the majority of hedges being retained, the risk of direct harm to a polecat den is very small.

**Somerset Wildlife Trust:**
In general, support the findings of the submitted ecology report, in particular the recommended mitigation and compensation measures. Also, seek that the design of internal boundaries between properties are designed to allow passage of small animals.

**Tree Officer: (summary)**
Objects to the application due to the proximity of proposed dwellings to the root protection areas of retained trees. Also, outlines practical concerns about the proximity of trees to houses.

**Officer comment:**
Whilst layout plans have been submitted, these are indicative only. Access only is being sought for

approval at this stage whilst details of the layout would be submitted as part of any subsequent reserved matters application. The applicant is aware of the points raised by the Council's Arborist and will need to be taken into account when any detailed layout is being sought for approval.

**Climate Change Officer:**
The majority of dwelling in this proposal have reasonably well orientated uncluttered roof space that would enable installation of photovoltaic arrays, either at the time of construction or at a later date. However, the layout could be improved within the constraints of the site to provide a greater number of dwellings with south facing roof space. It is very likely that future residents will want to install photovoltaic arrays roof space in the near future (if the developer does not install them during construction). Prices as of January 2017, when levelised over 20 years, provide electricity at less than 2p/kWh without subsidy. Prices are expected to fall still further, making PV a very attractive proposition, especially when combined with battery storage to time shift PV generated electricity to the evening.

I note that the building fabric will be particularly energy efficient and this is welcome. However, prevention of sterilisation of roof areas from PV installation is an equally important aspect of sustainability and conversations with the developer at this outline stage to consider this issue during the reserved matters stage would be worthwhile.

**Housing Development Officer: (summary- based on 400 dwellings.)**
Seek 35% affordable houses which equates to 140 dwellings. The tenure split will be 112 for social rent and 28 other intermediate solutions. A mix of dwelling sizes has been sought - 32 x 1 bed flats/houses, 58 x 2 bed flats/houses, 46 x 3 bed, 2x 4 bed and 2 x 4 bed parlour house. Appropriate trigger points for the delivery of the affordable homes will need to be agreed along with minimum space standards. It is also requested that the units are pepper potted throughout the site. The numbers of 1, 2 and 3 beds can be varied once the final house numbers are confirmed, but I will insist the number of 4 beds are preserved.

**Horticulture Officer: (summary)**
Based on a scheme of 450 homes, the amount of informal open space sought is 1.75 hectares. The indicative layout shows provision of open space in excess of that required. Whilst no objection is raised to the amount of open space, improvements are sought to the design and siting of the open space to establish better links throughout the whole development and to provide smaller pockets of open space with a central green area in each of the different areas of the development. The LEAP and NEAP on opposite sides of the road should be avoided.

**Officer comment:**
The applicant is aware of the above comments. The whole layout of the scheme would be subject to a reserved matters application provided outline consent is granted. It will be expected that the comments and advise of the horticulture officers is taken into account in any subsequent reserved matters application. A masterplan shall be sought as a condition and this will be expected to show the areas of open space and links within the development.

**Leisure Policy Officer:**
Based on a scheme of up to 450 dwellings, total contributions have been sought totalling £1,424,672. This is split as follows:

- Equipped play space - £229,176 + £132,376 (commuted sum) - on site NEAP.
- Equipped play space - £152,784 + £88,250 (commuted sum) - off site contribution towards enhancing the equipped play area at the recreation ground.
- Youth facilities - £74,999 +£27,729 (commuted sum) - on site provision of floodlit multi-use games area.
- playing pitches - £207,128 + £125,723 (commuted sum) - 1 on site pitch.

- changing rooms - £357,729 +£28,778 (commuted sum) - towards new/refurbished cricket changing rooms at the recreation ground.

Community halls, theatres/art centres, swimming pools, indoor tennis centres and sports hall all to be funded through the Community Infrastructure Levy. No contribution sought towards artificial grass pitches.

**Sport England: (summary)**
No objection.
Advise that the development will create a demand for sporting provision and that the developer should make a contribution towards meeting this demand through the provision of on site and/or where required off site facilities. The level and nature of such facilities should be informed by up to date sports facilities and playing pitch strategies and other relevant needs assessments. They provide advice on playing pitches and associated infrastructure along with making people more active.

**Wessex Water:**
As identified within the FRA submitted with the application (WYG, August 2015) hydraulic modelling will be required to confirm the capacity of the existing foul network to accept foul flows and to identify any required improvement works. As such, if the Local Planning Authority decides to grant consent to the proposed development, we require the following planning condition to be imposed to ensure that a drainage strategy for the site is agreed. This is necessary to ensure that the proposals do not increase the risk of downstream flooding and pollution.

**Officer comment:** Submission of a foul water drainage strategy is required via condition.

**Somerset Drainage Boards Consortium:**
No objection subject to a condition in respect of surface water drainage works.

**CPRE: (summary)**
Object to the application due to the harmful cumulative impact of development in Ilminster, particularly when taking into account the Shudrick Valley scheme. This should also be taken into account in an EIA assessment. Raised concern that cumulative impact not taken into account. Also suggest waiting for the outcome of the Shudrick case before determining this application.

**Officer comment:**
Having given the cumulative impact further assessment, it is not considered that the cumulative impacts would give rise to significant environmental effects necessitating an Environmental Assessment. In any case, the Shudrick scheme has been dismissed following an appeal and is therefore not being developed.

**Crime Prevention Design Advisor:**
Despite being an outline application I would urge that consideration is given to gating the many alleyways that are shown on the masterplan. The gating should be as close to the entrance of the alleyway and where it accesses more than one property then access control will be required

The issue of garden gates has been discussed previously with Persimmon but my stance is that they should be included on all properties as a basic protection to the property boundary to prevent unauthorised access to the garden and house.

**County Rights of Way:**
I can confirm that there are public rights of way (PROW) recorded on the Definitive Map which runs through and adjacent to this proposed development I have attached a plan of these for your information.

Specific Comments:
Public footpath CH 11/3 will be obstructed by the development and thus will require a diversion, or a revision of the current proposed layout. An informative note should be added to any permission that may be granted in relation to the need for a diversion. Public footpath CH 11/4 runs through the site adjacent to two hammerheads, and may be affected by the proposal. However, any diversion proposal for CH 11/3 may present an opportunity to regularise the definitive line of CH 11/4 to that which is walked on the ground, as the two appear to vary, (subject to a site visit). Public footpath CH 11/2 would appear to have been catered for within the layout, albeit this will need closer checking at the REM stage in terms of ensuring that the width is not being encroached upon. The spine road will cut across footpath CH 11/2 and will, one assumes, be subject to later technical approval and potential adoption, which should address any concerns regarding visibility and dropped kerbs etc, for those using the footpath.

Public bridleway CH 32/25 also appears to be affected by a road linking to Adams Meadow. It is not clear what the intention is for this link, but whatever the intention there will need to be consideration for the use of public bridleway in terms of the detailed design.

Throughout the site there are several links/ open space running North - South which are beneficial to local residents. If there is any intention for the ownership of these areas to be transferred to a private company, then there may be some value in terms of seeking linking paths, albeit, as Highway Authority, we would want to be involved in any such discussions. To facilitate connectivity it is requested that some breaks in the hedgeline between the residential areas and public footpath CH 11/3 are provided. I have discussed school access with colleagues and the intention is to have only one site entrance to the school, which is the one as indicated on the site plans.

Generic Comments:
Any proposed works must not encroach on to the widths of the public rights of way.
Development, insofar as it affects the rights of way should not be started, and the rights of way should be kept open for public use until the necessary (stopping up/diversion) Order has come into effect. Failure to comply with this request may result in the developer being prosecuted if the path is built on or otherwise interfered with.

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

**REPRESENTATIONS**

26 letters/emails have been received raising the following objections.

- Accept town needs to grow but this is not the most sutiable site.
- Should use existing redundant sites first - Powermatic and Horlicks.
- Persimmon have a monopoly on new development in the town. Why have they been chosen?
- Too many houses proposed
- If allowed, the number of houses would far exceed local plan requirement of 496.
- One access and emergency access will create safety issues - should create a new access onto Swanmead Drive
- Where are people going to work?
- Increase in traffic on local roads - improvements to A303/A358 have not taken place

- Local service and facilities would not be able to cope
- Local GP services struggling
- Local schools will not be able to cope with the additional children- would Persimmon build a new school?
- Wrong to build on agricultural land
- Lack of parking spaces in the town
- Character of Herne Hill would be harmed
- Loss of views of the countryside
- The setting of the well used cycle path will be harmed
- Don't agree that 30% of people would walk into town
- Lack of parking/visitor spaces
- Impact on wildlife
- New homes would be out of character with traditional homes in Ilminster
- Drainage and other issues/ problems experienced on persimmon housing site opposite.
- Will drainage proposal be adequate for this development?
- Too many 2/3 bed homes- need larger 4 bed homes
- Congestion along Canal Way

4 letters/emails have been received making the following observations/comments:
- Asked about the impact of construction traffic on local residents and how long the Council keep plans.
- Refers to the poor bus services and that if these were better, less car use would occur. Figures for the 30 service is not correct and may change again.
- Development would mean a huge amount of traffic travelling through the Adams Meadow housing area.
- Road would cut through the cyclepath, thus raising safety issues for users - agree with connecting paths but not the road. Other options for the road should be considered.
- Support the proposed development in general, welcome retention of trees, wildlife corridors, amenity space and space for a new school.
- Raised the issue of providing additional off road parking spaces due to numbers of cars parked on roads in the local area.
- Suggested relocating second access further along Canal Way.

**CONSIDERATIONS**

**Principle of development**
Ilminster is classified as a Primary Market Town in the adopted South Somerset Local Plan, one of 4 such towns in the district. These 4 towns sit below Yeovil in the settlement hierarchy. Therefore, as one of the largest settlements in the district and, in accordance with its important housing, employment, retail and community role, and close proximity to major road links, the Local Plan has allocated 496 dwellings in Ilminster over the plan period (2006-2028). To accommodate this level of housing growth, a Direction of Growth has been identified to the south west of the town, on the southern side of Canal Way.

The application site is located within this Direction of Growth and, therefore, is in principle an area of land that the Council has identified as being acceptable to meet identified housing needs over the plan period. On this basis, there is no objection to the principle of housing on this site. Members will recall that this site along with another option at Shudrick Valley was subject to a Local Plan Examination; the outcome of which was that the Local Plan Inspector clearly found the Canal Way site to be the preferred option. Moreover, in dismissing a planning appeal in January 2017 against a proposed

development in the Shudrick Valley for 220 houses, the appeal Inspector referred to the fact that an application has been received within the Direction for Growth as part of his overall assessment, and was one of the decisive factors for dismissing that appeal.

**Number of proposed dwellings/scale of growth.**
Whilst the principle of development is acceptable, and the application is located in the Direction for Growth, it does not necessarily follow that any number of houses sited within and absorbing the whole of the Direction of Growth would be acceptable. An assessment has to be made as to whether the proposed number of units are acceptable taking into account the local plan strategy and the wider impact of the development on the town's infrastructure, service and facilities. It is also important to have regard to appeal decisions elsewhere in the district where the numbers of houses and scale of growth have been one of the key issues.

The current scheme seeks outline consent for up to 400 dwellings. In regard to meeting the housing requirements for Ilminster, housing completions and commitments up until the end of March 2017 are 264 dwellings completed with 120 commitments (ie those with planning permission but yet to commence). This gives a total of 384 within the current plan period. It should be noted that 72 of the committed dwellings are those on one site (former Powrmatic) with permission lapsing in January 2018. Accordingly, this would potentially give a figure of 784 for Ilminster or 58% over the local plan figure of 496. Without the Powrmatic site, this would reduce to 712 or just under 44% over the local plan requirement.

The Council is not currently able to demonstrate a 5 year supply of deliverable housing sites. Accordingly, there is a presumption in favour of development provided that there are no adverse impacts that would significantly and demonstrably outweigh the benefits of the scheme. It is important to note that the lack of a 5 year supply is a district wide issue, and even though a certain settlement may be performing well in terms of meeting its own housing needs/local plan number, it does not mean that additional housing cannot be accommodated within that settlement.

It is important to note that the local plan figure of 496 is not a maximum housing figure. However, proposed housing developments that would take the town's housing numbers significantly over that number have to carefully assessed. In this case, the application has been assessed by a range of different consultees and service/infrastructure providers. Importantly, none of the service/infrastructure providers have either raised an objection to the development or have maintained an objection following submission of further information.

In addition, it is also important to have regard to appeal decisions in the district where the number of dwellings being sought is significantly over the local plan number. On the whole, Inspectors have allowed settlements to grow beyond the local plan number unless there are significant adverse impacts of approving such schemes. One of the most recent and relevant decisions is in regard to Ansford/Castle Cary where 2 sites were approved taking the housing provision to approximately 56% over the local plan number. Thus, a similar figure to Ilminster but in a smaller settlement than Ilminster.

Another relevant consideration in respect of the scale of growth for the town is the current local plan review. A review was sought by the Local Plan Inspector within 3 years of the adoption of the local plan. The currently adopted local plan runs from 2006-2028. The local plan review will extend the local plan timescale by another 6 years ie from 2014 to 2034. Additional housing across the district will be required, and given Ilminster's status as one of the district's largest towns, is very likely to be expected to take its share of the housing requirements. Clearly, the actual position has yet to be decided and would be subject to a thorough process and public consultation. Thus, whilst this should only be afforded limited weight in the overall planning balance in regard to determining this application, it is clear that this application site in seeking up to 400 homes can absorb some or all of the additional housing that may be required/concluded as part of the local plan review.

On the basis of the above, the principle of development is accepted. The following section examines the key issues and importantly assesses whether on the basis of the Council's current lack of a 5 years supply of housing, there are any significant adverse impacts that would warrant a refusal of the proposal.

**Highways**

This outline application seeks consent for the vehicular and pedestrian access arrangements. As outlined above in this report, the Highway Authority had raised an objection to the proposals particularly in regard to safety issues arising from the use of the existing access from Canal Way, which currently serves the medical centre. However, following the submission of further details from the applicant, in particular the introduction of 2 zebra crossings, a crossing point over the right of way and other technical changes to the access road, the Highway Authority are now satisfied that these measures will provide a safe means of access for all users.

In regard to the secondary access that will run into Adams Meadow, this access is only proposed for emergency vehicles, rather than as a secondary access for all users. The Highway Authority had objected on the basis that the estate road within Adams Meadow is not suitable to act as an access route to serve the development. On the basis that this is not the case, the Highway Authority have also withdrawn their objection to this issue.

In regard to wider vehicle impacts of the development on the local road network outside of the site, the Highway Authority had originally raised concerns about trip generation and the absence of any junction modelling outputs. Following discussion and advice from the Highway Authority, further work was undertaken by the applicant and an updated Transport Statement was submitted. This provided further information in regard to the impact on the Riec-sur-Belon Way /Canal Way roundabout and the Station Road / Riec-Sur-Belon Way roundabout. The Highway Authority are satisfied that the scheme would not result in capacity issues on the local highway network. Moreover, the Travel Plan would seek to reduce the traffic impact.

Following concern from the Town Council in regard to the validity of the traffic data informing the traffic analysis within the Transport Assessment, the applicant commissioned a new set of site surveys to provide a comparison exercise to be undertaken. New surveys were undertaken at a number of key local junctions in the town. A Technical Note was submitted which sets out the results of this comparison exercise. It concludes that the original traffic surveys, and consequently the findings of the Transport Assessment, remain valid.

In addition, as outlined earlier in this report, Highways England had originally placed a holding direction on the application as they sought information from the applicant about the impact of the development on the Southfields and Hayes End Roundabouts. Following the submission of additional modelling information, Highways England were satisfied that the development would not create any capacity issues on the main A roads and trunk roads and withdrew their objection.

Concern has been raised by many local residents that the local highway infrastructure would not be able to cope with the additional traffic created by this development. Those concerns have been carefully assessed as part of the overall assessment of the impact of this proposal. The highways impact has been carefully assessed by the Highway Authority and Highways England. Following the submission of the various highway documents and highway safety proposals as outlined above, both are satisfied that the development would not be detrimental to highway safety and that the local roads along with the nearest A roads and major trunk roads will be able to satisfactorily accommodate the additional traffic. On this basis, it is not considered that there are any adverse highway related issues that warrant refusal of the application.

In regard to parking provision, this would be determined as part of any reserved matters application.

**Flooding/Drainage**
The site is located entirely within Flood Zone 1. This is defined as an area where there is less than 0.1% (1 in 1000 year) probability of flooding from rivers or sea. Due to the size of the application site exceeding 1 hectare, the applicant commissioned and submitted a Flood Risk Assessment. This confirmed the relevant flood zone and that there are no recorded river flooding incidents within the site.

In regard to the risk of flooding from surface water, the vast majority of the site sits outside of the Environment Agency's map showing areas at risk of flooding from surface water. A small section along the edge of the northern boundary of the site is included and it is recommended to keep houses away from this area. Indeed, the indicative layout proposes a balancing pond in this area. In respect of groundwater flooding, there are no recorded such events on site; the report does advise that before any detailed design work that boreholes are installed to monitor groundwater levels.

As per more recent guidance, it is likely that rainfall will increase and hence an increase of 30% is required to take into account climate change. The surface water drainage scheme has been designed to take this increase into account.

Due to the predominance of clay within the site, soakaways are not considered to be an appropriate method of surface water drainage. During the officer site visit, it was noted that there was an area of standing water towards the northern edge of the site. This would confirm the findings of the applicant's geotechnical study. However, it should be noted that the site is currently not attenuated and that the scheme proposals will seek to ensure that surface water is dealt with appropriately in accordance with specialist advice.

Pipes will be installed to take surface water runoff to the attenuation areas on site ie to attenuation basins and underground tanks. These will be located along the site's northern boundary which will from part of the applicant's proposals for a green corridor. In regard to foul drainage, a foul gravity sewer will be installed which will discharge to the existing Wessex Water sewage pumping station to the north east of the site.

Importantly, details for the management and maintenance of all the drainage features shall be conditioned and submitted as part of any reserved matters applications. Adoption of these features will be offered to Wessex Water. The Lead Flood Authority and Wessex Water have assessed these works and have not raised any objections subject to conditions. These will cover the design and maintenance of the drainage systems. On the basis of the above, it is considered that the development can be served by a satisfactory system of surface and foul water drainage and would not increase the risk of flooding elsewhere.

Accordingly, it is not considered that there are any grounds to refuse the application in respect of flooding or drainage issues.

**Rights of Way**
Public footpaths run both within and on the boundary of the site. A public bridleway also runs through the site. Based on the indicative layout, sections of these public rights of way will be directly affected by the scheme and some sections will need to be diverted. The Rights of Way Service Manager at the County Council has not raised an objection to the scheme and has advised about the need to apply for the necessary diversion order(s).

**Residential Amenity**
Given the location and relationship of the site in regard to existing dwellings, it is considered that a layout can be achieved that would not cause any adverse harm to the amenity of existing residential occupiers. A construction management plan can be secured via a condition to ensure that the impact of construction work and deliveries etc is satisfactorily mitigated.

**Landscape/Trees**
The Landscape officer has not raised an objection in principle to the development of the site on landscape grounds, accepting that the site is included in the local plan as a Direction of Growth and noting that the Peripheral Landscape Study found that the site has the capacity to take development. A number of points/concerns have been raised in regard to the indicative layout details submitted. However, as approval of the layout is not being sought at this stage, the applicant has been made aware of the points and will need to be addressed at the reserved matters stage. 3 conditions have been recommended in respect of:
1) a design code for the development;
2) a detailed masterplan for the whole site, including outline landscape treatment, and;
3) a public space proposal, inclusive of access detail, and site management prescriptions.

Concerns have been raised about the impact of the development upon the setting of Herne Hill. This has been carefully assessed by the council's Landscape officer who has not raised an objection on these grounds. Moreover, the impact upon the setting of Herne Hill was assessed as part of the local plan process. In addition, the extent of housing development will be limited to the first row of fields that run parallel with existing housing. Development will not extend further south beyond the hedgerow that is adjacent to the track/right of way that runs from Coldharbour Farm. Whilst built form would come closer to Herne Hill than at present, development will be restricted to the lower lying fields. For these reasons, it is not considered that the development would adversely harm the setting of Herne Hill.

The Council's Arborist has raised an objection due to the close proximity of dwellings to trees within the site and the associated issues that this raises. However, these comments are based on the indicative layout plan submitted with the application. The applicant is aware of those concerns and will need to be satisfactorily addressed as part of the layout details when any subsequent reserved matters application is submitted.

**Ecology**
The applicant submitted an Ecological Appraisal with the application and this has been reviewed by the Council's Ecologist. The applicant has undertaken a number of ecological site surveys to establish the position in regard to habitats and species present on the site, the implications of development and appropriate mitigation. The site contains species rich hedgerows, mature trees, scrub, and a pond. Species on site include breeding birds, badgers, great crested newts, butterflies, reptiles, dormice and bats. The mitigation includes a 5 hectare mitigation area/open space with new planting in this area and throughout the site, new ponds and grassland, protection of habitats/trees during construction, wildlife corridors, translocation of great crested newts to a new pond, buffer zones around badger sets and a landscape and ecology mitigation plan.

The Council's ecologist had raised concerns about particular aspects of the proposals. Having discussed those with the case officer, it was confirmed that the layout provided is only indicative and will need to be changed to address the issues raised, particularly in terms of providing adequate buffering for dormice from development and a wider corridor to support and link with the new mitigation planting. In addition, the eastern hedgerow will be retained. A site wide masterplan will be required to be submitted as part of the reserved matters application(s) and this will include a landscape masterplan to include wildlife mitigation and compensation areas. The area of land to the south of the built development will be used to provide mitigation in addition to the mitigation within the site as outlined above. On this basis, it is considered that the ecological impacts of the development can be adequately secured.

**Archaeology**
The County Archaeologist is satisfied with the findings of trial trenching on site which proved negative with no evidence for any settlement type archaeological activity in the trenches and no finds recovered. No further archaeological work is required. On this basis, there are no archaeological grounds to refuse the application.

**Planning Obligations and Community Infrastructure Levy**
Planning obligations have been sought from the Housing, Education, Sport and Play, Open Spaces and Highway officers. The specific requests have been outlined above in this report. In addition, the Community Infrastructure Levy will be liable on this development at a rate of £40 per sqm for every dwelling. An exemption can be applied to the affordable housing. The applicant is fully aware of the obligations and has not raised any viability issues to date. Accordingly, it is expected that the development will provide a fully policy compliant scheme in respect of planning obligations.

In particular regard to education provision, the County have advised that approval of this development would necessitate the need for a new First School. Greenfylde First School is at full capacity and the design and delivery of the school are being prepared to coincide with any approval for the residential scheme. As advised earlier in this report, the school will be located on land adjacent to and fronting Canal Way, to the north west of the medical centre. Persimmon are providing access to the school but planning approval for the school would be subject to a separate application.

Concern has been raised about the inability of the town's infrastructure to cope with the proposed development. All of the key infrastructure providers have been consulted about these proposals and all apart from the health authority have commented. None of those who have responded have any objection to the scheme. It is acknowledged that there is a national issue with regard to GP recruitment. However, this matter is likely to apply wherever new houses are to be built across the country and needs to be addressed at national level. It is not a direct matter that developers can resolve, although, as with other service providers, there was nothing to stop the health authority from requesting planning obligations to mitigate the impact of the development. However, none have been requested.

**Other issues**
In regard to the concern about the lack of information regarding the appearance and character of the dwellings, the Design and Access statement outlines that the scheme would be reflective of local vernacular. However, the scheme has been submitted in outline; details in respect of the design/layout and materials of the dwellings would be dealt with at any reserved matters stage.

Comments and concerns have been raised about Somerset County Council's decision to agree a deal with Persimmon for their land. It should be made clear that this is not a material planning consideration and not relevant to the assessment of the planning merits of this application.

Donyatt PC commented that the area of open space should be excluded from the plans as these are located within the Donyat parish. This area of land has been removed from the application and has been re-sited to the south east of the new dwellings adjacent to the existing recreation area.

**Overall assessment and conclusion**
It is considered that the principle of residential development on this site is acceptable. Ilminster is an appropriate place for development and the site falls within the Direction of Growth in the adopted local plan. It was considered a sustainable location by the Local Plan Inspector with good access to a range of services and facilities. The scheme will make an important contribution towards meeting the district's housing needs, including 35% affordable housing, plus contributions towards education, play and sport facilities. Having assessed all of the responses and advice, as outlined in this report, it is not considered that there are any adverse impacts that significantly and demonstrably outweigh the benefits of the scheme. On this basis, the scheme is recommended for approval.

**SECTION 106 PLANNING OBLIGATION**

The application be approved subject to:

a) The prior completion of a section 106 planning obligation (in a form acceptable to the Council's Solicitor(s) before the decision notice granting planning permission is issued, the said planning permission to cover the following terms/issues:
    1) The provision of 35% affordable housing with a split of 80:20 rent /intermediate product;
    2) Contribution towards the provision of sport, play and strategic facilities,
    3) Contribution towards education provision;
    4) Submission of a Travel Plan;
    5) Provision and maintenance of open space; and
    6) Provision and maintenance of compensatory ecological habitat.

**RECOMMENDATION**

Grant permission

01. It is considered that the proposed scheme would provide a sustainable development with good access to a range of services and facilities. It will make an important contribution towards meeting the district's housing needs, including 35% affordable housing, it would provide a safe means of vehicular and pedestrian access, would not adversely harm residential amenity, ecology or the local landscape and would satisfactorily mitigate for surface and foul water drainage. The proposal is in accord with PMT3, SD1, SS1, SS5, SS6, HG3, HG5, TA4, TA5, TA6, HW1, EQ1, EQ2 and EQ4 of the adopted South Somerset Local Plan, the Core Planning Principles and Chapters 6, 7, 8, 10 and 11 of the National Planning Policy Framework.

**SUBJECT TO THE FOLLOWING:**

01. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

    Reason: To accord with the provisions of Article 4 (Article 5) of the Town and Country Planning (Development Management Procedure) Order 2015.

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.

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

03. For each phase of development, approval of the details of the layout, scale, external appearance, internal floor levels of the building(s), the means of access thereto and residential boundary treatments, shall be obtained from the Local Planning Authority before any development is commenced.

    Reason: To accord with the provisions of Article 4 (Article 5) of the Town and Country Planning (Development Management Procedure) Order 2015.

04. The proposed estate roads, footways, footpaths, tactile paving, cycleways, bus stops/bus lay-bys, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car, motorcycle and cycle parking, and street furniture shall be

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

Reason: In the interests of highway safety to accord with Policy TA5 of the South Somerset Local Plan.

05. 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 to accord with Policy TA5 of the South Somerset Local plan.

06. No work shall commence on the development site until works to the roundabout on Canal Way, changes to the access to the doctors surgeries and first part of the spine road, providing access to the school (as shown generally in accordance with drawing number: 28326/5503/001) have been carried out in accordance with a design and specification to be approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety to accord with Policy TA5 of the South Somerset Local Plan.

07. There shall be no commencement of development until details of the new zebra crossings have been submitted to and approved in writing by the LPA; with no occupation of the school or 25 dwellings (whichever is the soonest) until the works have been carried out in accordance with the approved design and specification.

Reason: In the interests of highway safety to accord with Policy TA5 of the South Somerset Local Plan.

08. Details of the emergency access (as shown generally in accordance with drawing number: 28326/5503/002) shall be submitted to and approved in writing, prior to the commencement of any dwelling within that phase of development. The emergency access shall then be fully constructed in accordance with the approved design and specification.

Reason: In the interests of highway safety to accord with Policy TA5 of the South Somerset Local Plan.

09. Before any work is commenced a programme showing the phasing of the development shall be submitted to and approved in writing by the Local Planning Authority and the development shall not proceed other than in accordance with the approved programme.

Reason: In the interests of highway safety to accord with Policy TA5 of the South Somerset Local Plan.

10. In the interests of sustainable development none of the dwellings hereby permitted shall be occupied until a network of cycleway and footpath connections has been constructed within the development site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority in accordance with the approved phasing plan.

Reason: In the interests of highway safety and to promote sustainable modes of travel to accord with Policy TA5 of the South Somerset Local Plan.

11. No work shall commence on the development site until an appropriate right of discharge for surface water has been obtained before being submitted to and approved in writing by the Local Planning Authority. A drainage scheme for the site showing details of gullies, connections, soakaways and means of attenuation on site shall be submitted to and approved in writing by the Local Planning Authority. The drainage works shall be carried out in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.

    Reason: In the interests of highway safety to accord with Policy TA5 of the South Somerset Local Plan.

12. The development hereby permitted shall not commence until a Construction Traffic 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 and a scheme to encourage the use of public transport amongst contractors. The development shall be carried out strictly in accordance with the approved Construction Traffic Management Plan.

    Reason: In the interests of highway safety and to mimimise the impact of construction activities on local residents to accord with Policy TA5 and EQ2 of the South Somerset Local Plan.

13. The dwellings hereby permitted shall not be occupied until parking spaces in accordance with SCC parking strategy has been provided in a position approved by the Local Planning Authority. The said spaces and access thereto shall be properly consolidated and surfaced, and shall thereafter be kept clear of obstruction at all times and not used other than for the parking of vehicles or for the purpose of access.

    Reason: In the interest of highway safety to accord with Polciy TA5 of the South Somerset Local Plan.

14. For each phase of the development, no development hereby permitted shall be commenced until particulars of the materials (including the provision of samples where appropriate) to be used for external walls, roofs and rainwater goods have been submitted to and approved in writing by the Local Planning Authority.

    Reason: To protect the amenity of the area to accord with Policy EQ2 of the South Somerset Local Plan.

15. In this condition 'retained tree' means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs a) and b) below shall have effect until the expiration of (IN) from the date of occupation of the building for its permitted use.
    a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).
    b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

Reason: To protect trees during construction of the development.

16. In the event that any signs of pollution such as poor plant growth, odour, staining of the soil, unusual colouration or soil conditions, or remains from the past industrial use, are found in the soil at any time when carrying out the approved development it must be reported in writing within 14 days to the Local Planning Authority (LPA). The LPA will then consider if the findings have any impact upon the development and development must be halted on that part of the site. If the LPA considers it necessary then an assessment of the site must be undertaken in accordance with BS10175. Where remediation is deemed necessary by the LPA a remediation scheme must be submitted to and approved in writing by the LPA and then implemented in accordance with the submitted details.

Reason: To protect the health of future occupiers of the site from any possible effects of contaminated land, in accordance with the NPPF.

17. The development shall not be commenced until a foul water drainage strategy is submitted and approved in writing by the local Planning Authority in consultation with Wessex Water acting as the sewerage undertaker
- a drainage scheme shall include appropriate arrangements for the agreed points of connection and the capacity improvements required to serve the proposed development phasing
- the drainage scheme shall be completed in accordance with the approved details and to a timetable agreed with the local planning authority.

Reason: To ensure that the development is adequately drained to accord with ther NPPF.

18. The development hereby approved shall be carried out in accordance with the following approved plans:
Drawing numbers: 2016 - ILLM P2, 28326/5503/001/A and 28326/5503/002.

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

19. No development shall be commenced until details of the surface water drainage scheme based on sustainable drainage principles together with a programme of implementation and maintenance for the lifetime of the development have been submitted to and approved in writing by the Local Planning Authority. The drainage strategy shall ensure that surface water runoff post development is attenuated on site and discharged at a rate and volume no greater than greenfield runoff rates and volumes. Such works shall be carried out in accordance with the approved details.

These details shall include: -

- Details of phasing (where appropriate) and information of maintenance of drainage systems during construction of this and any other subsequent phases.
- Information about the design storm period and intensity, discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance (6

metres minimum), the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters.

- Any works required off site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant).
- Flood water exceedance routes both on and off site, note, no part of the site must be allowed to flood during any storm up to and including the 1 in 30 event, flooding during storm events in excess of this including the 1 in 100yr (plus 40% allowance for climate change) must be controlled within the designed exceedance routes demonstrated to prevent flooding or damage to properties.
- A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by an appropriate public body or statutory undertaker, management company or maintenance by a Residents' Management Company and / or any other arrangements to secure the operation and maintenance to an approved standard and working condition throughout the lifetime of the development

Reason: To ensure that the development is served by a satisfactory system of surface water drainage and that the approved system is retained, managed and maintained in accordance with the approved details throughout the lifetime of the development, in accordance with paragraph 17 and sections 10 and 11 of the National Planning Policy Framework, Paragraph 103 of the National Planning Policy Framework and the Technical Guidance to the National Planning Policy Framework (March 2015).

20. The first reserved matters application to be submitted shall include the following details:

a) a design code for the development;
b) a detailed masterplan for the whole site, including outline landscape treatment, and;
c) a public space proposal, inclusive of access detail, and site management prescriptions.
d) compensation habitat for the loss of dormice habitat and great crested newt.
e) an appropriate dormouse habitat corridor running east -west along the southern boundary

Reason: To ensure that a satisfactory design and layout is achieved and appropriate ecological mitigation is secured to accord with Polices EQ2 and EQ4 of the South Somerset Local Plan.

**Informatives:**

01. In regard to condition no 20, the applicant is strongly advised to enter into discussions with the Local Planning Authority prior to the submission of any reserved matters application.

02. In regard to the highway works, the applicant is advised to contact the Highway Authority as soon as practicable in order that the appropriate legal agreement can be completed prior to the commencement of highway works.

03. Please be advised that subsequent full or reserved matters approval 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