

## South Somerset District Council

**Minutes** of a meeting of the **Regulation Committee** held in the **Council Chamber, Council Offices, Brympton Way, Yeovil. on Tuesday 17 July 2018.**

(10.00 am - 1.45 pm)

**Present:**

**Members:** Councillor Peter Gubbins (Chairman)

Clare Aparicio Paul	Angie Singleton
Tony Capozzoli	Nick Weeks
Mike Lock	Colin Winder
Tony Lock	Carol Goodall
David Recardo	Dean Ruddle
Sylvia Seal	Linda Vijeh

**Officers:**

Jo Boucher	Case Services Officer (Support Services)
Paula Goddard	Legal Specialist
Marc Dorfman	Senior Planning Adviser
Andrew Gunn	Area Lead (West and North)
John Millar	Planning Officer

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**18. Minutes (Agenda Item 1)**

The minutes of the Regulation Committee held on 17<sup>th</sup> April 2018 copies of which had been circulated, were agreed as a correct record and signed by the Chairman.

**19. Apologies for Absence (Agenda Item 2)**

Apologies of absence were received from Councillor Mike Best who was substituted by Councillor Carol Goodall, Councillor Neil Bloomfield who was substituted by Dean Ruddle and Councillor Martin Wale who was substituted by Councillor Linda Vijeh.

**20. Declarations of Interest (Agenda Item 3)**

There were no Declarations of Interest.

**21. Public Question Time (Agenda Item 4)**

There were no questions from members of the public.

**22. Planning Application 18/01257/REM - The Trial Ground (Land OS5949) Somerton Road Langport (Agenda Item 5)**

***Application Proposal: The erection of 80 No. dwellings including associated public space an all other associated works (Reserved matters application following approval of 13/03483/OUT)***

The Planning Officer presented the application as detailed in the agenda and with the aid of a power point presentation showed the site and proposed plans. He reminded members that a scheme for 94 dwellings on the same site had previously been considered by the Area North Committee, which members had resolved to refuse.

He referred to the key considerations of the application, that being the Highway safety, design and appearance, loss of the beech hedge and Local Amenity. He noted the current proposal now met the requirements for the width of the estate roads and that since outline approval the addition of a crossing point near the new access was now proposed.

He said careful consideration had been given to the types of material used with dwellings situated to the northern edge of the site and being reconstructed stone to respond better to the more sensitive frontage. He confirmed these dwellings would be located some 50-60 metres from the listed buildings at the Kelways site.

The Planning Officer acknowledged that much correspondence had been received regarding the avenue beech hedge and wishes from the local community for it to be retained. However the Landscape Architect and Tree Officer considered it not worthy of retention and that ecology surveys had been carried out and satisfied appropriate conditions were in place.

He also acknowledged concern of the existing resident accessing his property opposite the site, and whilst appreciated this was a difficult situation, access of the site had already been approved at outline stage. He therefore concluded that after considering all of the responses and advice, as outlined in the agenda report, his proposal was to approve the application subject to the conditions as set out in the agenda report.

Andy Nellis, Highways consultant reiterated the comments made regarding the access of the site and confirmed that this stage was to review the proposed estate road layout which had been considered acceptable.

One member of the Huish Episcopi Parish Council and three members of the public spoke in objection to the application. Their comments included:

- The detailed proposal lacks imagination and character.
- Concerns about additional traffic and impact on the local schools and the surgery.
- This scheme would exceed the housing target for the area by well over one hundred houses.
- The Trial Ground is a unique site directly opposite the historic Old Kelways building.
- The context with Old Kelways is important and to preserve that context the central hedge avenue, which is a prominent landscape feature, should be retained.
- Proposal is too close to, and will have an impact on, the nearby listed building, and is contrary to national and local policies regarding protection of heritage assets.
- Believe a site visit should be taken before any decision is made to appreciate the unique location of the site.
- Concern regarding the impact and highway safety of the road network which is currently inadequate and these problems will only be exacerbated by the development.

- Discrimination on the local residents as will have an adverse impact on local resident's amenity and having a severe impact on the quality of life of a nearby resident.
- Lack of trust with the developer and local residents and that the Council had a duty of care to ensure the information provided is truthful and accurate.
- The access from the site needs careful consideration as well as access into it. The access proposals are not safe and there must be alternative solutions.
- Many people have signed a petition for the beech hedge avenue to be retained, and reference to biodiversity and local policies.

The agent then addressed the committee and noted this application followed a previously refused application for 94 dwellings. She believed this was a much enhanced scheme with improved parking facilities. She appreciated the concerns regarding the beech hedge but that officers needed to make a judgement and noted the earlier comments that the hedge was not worthy of retention. She believed the scheme was sympathetic to the historic buildings to the north of the site and that the proposed material would reflect the local area.

In response to questions from members, the Planning Officer, Senior Planning Advisor and Highways Consultant said that:

- The proposed garages met the required specifications and that this proposal has improved parking facilities and garages located between properties, thereby reducing the number of cars parking on the streets. This layout meets the Highway Authority's standard conditions.
- Specific checks to garages would not be carried out at construction stage, however checks are carried out with regard to the highway network under a Section 38 agreement. This agreement is between the developer and the Highway Authority and we as a planning authority have no involvement in it.
- Should any conditions not be met by the developer these would be enforceable by us the planning authority.
- Since outline permission had been approved, concerns have been raised for the ability of the neighbouring residents to cross the road. However, it is within the gift of the Local Authority to require a condition or appropriate legal agreement to ensure the access is designed appropriately and therefore members are advised that any concerns can be protected. Persimmon have confirmed that they are happy to agree to appropriate changes to the proposed crossing.
- Confirmed 80 dwellings had already been approved on this site at outline stage.

Ward member, Councillor Clare Aparicio Paul, acknowledged that the principle of development was already established, but noted the proposal was clearly not wanted locally in the current format. She said there had been much engagement regarding the application and that some concerns had not been resolved such as the retention of the hedge and footpath, entrance traffic flows and minor design amendments. She said there was a duty of responsibility that these outstanding issues should be resolved before any determination of the application and believed that the current scheme was of poor quality and design and would not support the application.

During a lengthy discussion varying views were expressed including:

- Appreciated the width of the road had now been made wider to 5 metres, however still had concern regarding the road layout within the development.

- The proposed tandem parking would only encourage more roadside parking which will make it difficult for emergency and refuse vehicles to manoeuvre.
- The scheme lacks imagination and character with small houses and of poor design with inappropriate materials.
- The hedge is important and could be regenerated in part.
- The access needs to be improved as neighbours should not be adversely effected or disadvantaged by this development.
- The principle of development had already been established and although appreciate concerns raised, noted the highways authority were satisfied with the improved width of the road and that the beech hedge did not warrant retention.
- Should the beech hedge be retained this could increase the density of the scheme and have a detrimental effect on the layout.
- Acknowledged all statutory consultees had raised no objections to the proposal and therefore cannot see any substantial reason to refuse the application.
- Acknowledged the design of the scheme could be improved, however there were many developments within the district with the same car parking issues.
- Should permission be granted, assurance given that the roads be of adoptable standard and that the proposed sustainable drainage system be suitably managed and maintained.
- Should permission be granted, assurance be given that swallow and swift boxes are to be provided on site. In respect to this request, it can be confirmed that the provision of bird boxes at an average rate of one box per unit is part of the mitigation measures to be secured in the detailed Landscape and Ecological Management Plan (LEMP) required by condition 04. Specific details of the type and number of boxes will be required when discharging this condition.

The Senior Planning Advisor, informed members that appropriate conditions are in place requiring the agreement of the final detailed drainage scheme, along with details of future ownership and maintenance before works can commence onsite.

He also confirmed that a Grampian condition could be imposed to ensure that the eastern access has been designed to provide reasonable and appropriate vehicular and pedestrian access to the site, and for local residents whose own vehicular access is opposite the application site.

Following a further discussion, it was then proposed and subsequently seconded that planning permission be approved as per the officer's recommendation with additional conditions to be imposed with regard to the following:

1. Ensure consideration is given to the design of the eastern access to the site to ensure reasonable and appropriate vehicular and pedestrian access in relation to the site and neighbouring entrance.
2. Ensure the inclusion of electric charging points within the development
3. Ensure appropriate highway future responsibility, management and maintenance, particularly in the event of the County Highway Authority not adopting the roads.

On being put to the vote this was carried by 7 votes in favour, 6 against and 0 abstentions. .

**RESOLVED:**

That planning application reference **18/01257/REM** be approved subject to:-

01. Notwithstanding the local concerns, the proposed development of 80 houses proposed in this sustainable location is considered to be acceptable by reason that it respects the character and appearance of the area and would not be harmful to the setting of local heritage assets, general visual amenity, residential amenity, ecology, archaeology or highway safety, without compromising the provision of services and facilities in the settlement, and provides for appropriate drainage mitigation. As such the proposal complies with the policies of the South Somerset Local Plan (2006-2028) and the aims and objectives of the National Planning Policy Framework.

**SUBJECT TO THE FOLLOWING:**

01. The development hereby permitted shall be carried out in complete accordance with the following approved plans: 110 P3, 111 P2, 120 P6, 121 P3, 140 P3, 500-1 P4, 500-2 P4, 501-1 P3, 501-2 P3, 501-3 P3, 501-4 P3, 501-5 P3, 502-1 P3, 503-1 P3, 503-2 P3, 504-1 P3, 504-2 P3, 505-1 P1, 506-1 P1, 507-1 P1, 508-1 P3, 508-2 P3, 509-1 P1, 509-2 P1 and 510-1 P23.

Reason: For the avoidance of doubt as to the development authorised and in the interests of proper planning.

02. Details of the following shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of each element of the proposal respectively;

- a) details of materials (including the provision of samples where appropriate) to be used for the external walls and roofs, including details of roof verge finishes;
- b) panels of brickwork and stonework shall be provided on site for inspection;
- c) details of the recessing, materials and finish (including the provision of samples where appropriate) to be used for all new windows (including any roof lights) and doors;
- d) details of position and colour finish of meter cupboards, gas boxes, rainwater goods, soil and waste pipes (soil and waste pipes are expected to be run internally).

Once approved such details shall be fully implemented and thereafter shall not be altered without the prior written consent of the Local Planning Authority.

Reason: In the interests of visual amenity, in accordance with policies EQ2 and EQ3 of the South Somerset Local Plan (2006-2028) and the provisions of chapters 7 and 12 of the National Planning Policy Framework.

03. No consent is hereby granted for the landscaping scheme as submitted. No development shall be carried out on site unless there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of the development, as well as details of any changes proposed in existing ground levels; all planting, seeding, turfing or earth moulding comprised in the approved details of landscaping shall be carried out in the first planting and seeding season after the development hereby permitted is first brought into use; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall

be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of visual amenity, in accordance with policy EQ2 of the South Somerset Local Plan (2006-2028) and the provisions of chapter 7 of the National Planning Policy Framework.

04. The development hereby permitted shall not commence until a detailed Landscape and Ecology Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority, covering the avoidance, mitigation and compensation measures detailed in Section 8 of the submitted Ecological Impact Assessment (prepared by Green Ecology - dated November 2017). The approved scheme shall be implemented in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

Reason: For the conservation and protection of legally protected species, for the enhancement of biodiversity and for the protection of amenity of future owners/occupiers of the site and neighbours, in accordance with policy EQ4 of the South Somerset Local Plan, the provisions of chapter 11 of the NPPF, and to ensure compliance with The Wildlife and Countryside Act 1981 (as amended).

05. 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, in accordance with policy TA5 of the South Somerset Local Plan (2006-2028) and the provisions of chapter 4 of the National Planning Policy Framework.

06. 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 policy TA5 of the South Somerset Local Plan (2006-2028) and the provisions of chapter 4 of the National Planning Policy Framework.

07. The gradients of the proposed drives to the dwellings hereby permitted shall not be steeper than 1 in 10 and shall be permanently retained at that gradient thereafter at all times.

Reason: In the interests of highway safety, in accordance with policy TA5 of the South Somerset Local Plan (2006-2028) and the provisions of chapter 4 of the National Planning Policy Framework.

08. Parking spaces shall be provided in accordance with details indicated within the approved plans, unless otherwise agreed in writing by the Local Planning Authority. The approved spaces shall be provided before each dwelling to which they relate are first occupied and shall not be used other than for the parking of vehicles in connection with the development hereby permitted.

Reason: In the interests of highway safety, in accordance with policies TA5 and TA6 of the South Somerset Local Plan (2006-2028) and the provisions of chapter 4 of the National Planning Policy Framework.

09. There shall be an area of hard standing at least 5.5 metres in length (as measured from the nearside edge of the highway to the face of the garage doors), where the doors are of a roller shutter/sliding/inward opening type.

Reason: In the interests of highway safety, in accordance with policy TA5 of the South Somerset Local Plan (2006-2028) and the provisions of chapter 4 of the National Planning Policy Framework.

10. There shall be an area of hard standing at least 6 metres in length (as measured from the nearside edge of the highway to the face of the garage doors), where the doors are of an up-and-over type.

Reason: In the interests of highway safety, in accordance with policy TA5 of the South Somerset Local Plan (2006-2028) and the provisions of chapter 4 of the National Planning Policy Framework.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order), the use of any garage hereby permitted, as part of this development shall not be used other than for the parking of domestic vehicles and not further ancillary residential accommodation, or any other purpose whatsoever.

Reason: In the interests of highway safety, in accordance with policies TA5 and TA6 of the South Somerset Local Plan (2006-2028) and the provisions of chapter 4 of the National Planning Policy Framework.

12. No development approved by this permission shall be occupied or brought into use until a scheme for the future responsibility and maintenance of the estate roads, footways, and associated highway works and infrastructure, has been submitted to and approved in writing by the Local Planning Authority. The approved highway works shall be completed and maintained in accordance with the details and timetable agreed.

Reason: To ensure adequate management and maintenance of the highway network, whether or not the highway network is adopted, in the interests of highway safety, in accordance with policy TA5 of the South Somerset Local Plan (2006-2028) and the provisions of chapter 4 of the National Planning Policy Framework.

13. The proposed new residential development shall include 16amp electric charging points for electric vehicles, accessible to all residences, details of which shall have been submitted to and approved in writing by the Local Planning Authority, as required by Policy TA1 (ii) (low carbon travel) of the adopted South Somerset

Local Plan and paras 35, 93 and 94 of the NPPF. Once approved, such details shall be completed and maintained in accordance with the details and timetable agreed.

Reason: To ensure that the development is resilient and sustainable in accordance with policy TA1 of the South Somerset Local Plan (2006-2028) and the provisions of chapters 4 and 10 of the National Planning Policy Framework.

14. No works shall commence on any dwelling on the development site until details of reasonable and appropriate vehicular and pedestrian access along Field Road between the A378 (Somerton Road) and the property known as Diamond Court, have been designed and approved in writing by the Local Planning Authority.

Reason: In the interests of reasonable and appropriate highway and pedestrian access and safety in with policies TA5 and EQ2 of the South Somerset Local Plan (2006-2028) and the provisions of chapter 4 of the National Planning Policy.

**Informatives:**

01. The applicant/developer is reminded that the conditions and informatives imposed on outline planning permission 13/03483/OUT still apply, unless otherwise superseded by any of the conditions imposed on this reserved matters planning permission. Outstanding matters include provision of full drainage details, which have not been approved as part of this reserved matters consent. Regard should also be given to the requirements of the Section 106 Agreement, dated 28th August 2015, accompanying the aforementioned outline consent.
02. Development, insofar as it affects a right of way should not be started, and the right of way should be kept open for public use until the necessary (diversion/stopping up) 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.
03. 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.
04. The provision of the highway works will require a suitable legal agreement and contact should be made with the Highway Authority well in advance of commencing the works so that the agreement is complete prior to starting the highway works.
05. Reptiles (particularly slow worms) are present on the site and could be harmed by construction activity, contrary to legislation (Wildlife and Countryside Act 1981), unless appropriate precautionary measures are employed. Suitable measures could include appropriate management of the vegetation to discourage reptiles away from areas of risk, reptile exclusion fencing, and/or translocation of animals from the site. An ecological consultant should be commissioned to undertake further reptile specific survey and provide site specific advice.

06. The applicant is advised that prior to works commencing onsite Land Drainage Consent is required under section 23 and 66 of the Land Drainage Act 1991, from the Parrett Drainage Board for any construction in or within 9m of a watercourse and for the introduction of additional flow into a watercourse in the Board's District.

(voting: 7 in favour, 6 against and 0 abstentions)

**23. Planning Application 16/02874/FUL - Land Adjoining Holbear Forton Road Chard (Agenda Item 6)**

***Application Proposal: The erection of 315 No. dwellings with associated access and infrastructure and provision of off site playing pitches.***

The Area Lead Planner presented the application as detailed in the agenda and with the aid of a power point presentation showed the site and proposed plans. He reminded members that the principle was supported by the Chard local plan to provide homes within the area and associated infrastructure.

He explained the concept of the distributor road and of individual development sites within Chard each bringing forward a section of the road at various stages, with this development providing an element of this highway structure. He noted the central junction in Chard is at capacity in terms of road use, and therefore to alleviate these issues, this scheme would help to provide alternative highway infrastructure. He also noted that the application had been amended to provide only one vehicular access from Tatworth Road which addressed concerns about the highway impact of the scheme.

The Area Lead Planner acknowledged this development had come forward earlier than outlined in the Chard local plan. He recognised the Chard central junction is at overcapacity and that this will clearly add to the overall traffic, however the Highways authority had undertaken a transport assessment and do not consider this development would have a severe impact, and on this basis, find the scheme acceptable.

He highlighted the key considerations explaining the site is within Chard Local plan, that highway concerns have been fully assessed and considered acceptable and amendments have been made to the proposed dwellings situated at the boundary edge in relationship to the existing houses at Holbear. He said the overall density of the site does not exceed policy guidelines and that the proposed distributor road running through the site, although debatable, was considered acceptable. He noted the site was located within flood zone 1 which was classed as low risk and although the site suffered from some surface water the appropriate drainage system would be included and the Environment Agency and Lead Flood authority had raised no objections.

The Area Lead Planner explained that provision for an offsite playing pitch had been identified and that the Sport & Leisure team considered this option acceptable and that for viability reasons CIL (Community Infrastructure Levy) would not be charged on Chard Regeneration sites.

He therefore concluded that after considering all of the responses and advice, as outlined in the agenda report, his proposal was to approve the application subject to the conditions as set out in the agenda report.

The Senior Planning Advisor then proceeded in detail to explain to members the four main reasons for refusal as resolved by the Area West Committee and set out in the agenda report.

The Area Lead Planner, Senior Planning Advisor and Highways consultant responded to members' questions on points of detail which included the following:

- The internal space of the garages was in accordance with the car parking standards set by the County Council.
- Confirmed the location of the emergency access and the turning head to the north of the site.
- Clarified the information given regarding road tolerances including the acceptable movements of refuse vehicles.
- Confirmed a travel assessment had been carried out by the developer and that the Highway authority had independently assessed and confirmed that these conclusions are robust.
- Acknowledged the concerns regarding the traffic impact and that whilst this development would create additional congestion within Chard this development was not wholly responsible for the increase in traffic and therefore not severe enough to warrant refusal on traffic impact grounds.
- Elements of the internal road layout still need to be revised in order to meet the Highway authority's adoption standards.
- This application provides a provision for offsite playing pitch located at the adjacent Forton Rangers Football Club, and given that finding suitable land for pitches proves very difficult in this area this is considered acceptable.
- The scheme although located on the edge of the town centre is considered to be in sustainable location and provide the necessary affordable homes to maintain and encourage regeneration of the town.
- There was a condition to cover flooding, drainage, sewerage and impact from rainwater. If members were minded to approve the application the condition could be amended to ensure all issues were covered.
- If members were minded to approve the application a condition could be imposed to ensure appropriate phasing of the development of the site and road network.
- Confirmed pedestrian access links into the site would be made via the main Forton Road entrance for existing local residents. There were no other access links into the site.
- Explained a 'memorandum of understanding' with the developer to discuss and maintain the overall phasing of the distributor road. However there was no legal agreement in place to ensure the rest of the road network would come forward.

Councillor Andrew Turpin, Ward member then addressed the committee and raised a number of concerns and felt that a decision on this application should not be made until further information was presented on a number of issues. These included:

- The relief road was very important to the town and felt this should be completed before any development takes place.
- Concern regarding the lack of travel plan and highway safety for pedestrians and cyclists to and from the site.
- The sewerage and flooding problems already in the area would only be exacerbated by this development.
- Endorsed the reasons for referral as agreed by the Area West Committee.

Councillor Dave Bulmer, adjacent Ward member also raised concerns regarding the existing traffic congestion at the main Chard junction which was already over capacity.

He felt this development was well ahead of time and accordingly, due to the lack of the completed distributor road, this development would have a severe impact on the existing road network within the area. He believed this development could be vastly improved both by design and layout and was fundamentally flawed. He welcomed the provision of the playing pitch but considered the lack of adequate pathway links from the site to be extremely dangerous to pedestrian users wishing to access these pitches.

One member of the Tatworth & Forton Parish Council and three members of the public spoke in objection to the application. Their comments included:

- Concern regarding the proposed drainage scheme and whether this was adequate.
- This proposal would only exacerbate the flooding issues in the area.
- Should learn from previous developments and make sure the same issues do not reoccur.
- Lack of employment opportunities.
- Site is poorly located and concern for local children accessing the proposed play areas.
- Significantly increase the levels of traffic in the area with local roads unable to cope.
- Not appropriate to place heavy goods vehicles on the estate roads.
- Site is poorly located.
- Density too high.
- Poor quality of layout and design and have a harmful impact on the amenity of existing dwellings.
- Insufficient parking.
- Severe impact on local services including schools and doctors surgery unable to cope.
- Development out of character with the area.
- The scheme is not in accordance with the phasing of the Chard local plan.
- Not against development but this proposal does not enhance the area or provide high quality housing.
- A number of concerns still unanswered and that a decision on this application should not be made until further information was presented on a number of issues.

The agent then addressed the committee and referred to changes that have been made to this application following comments received. These included:

- Number of plots decreased from 323 to 315.
- Parking layout has been changed to break up the block parking within the street scene, adding more character.
- Entrance access has been altered.
- LEAP now being provided.
- Less proposed dwellings backing onto Holbear Grange.

She confirmed the financial contributions toward local facilities and the transfer of land for the provision for the off-site sports pitch. She said the drainage scheme was acceptable and would provide an effective water management strategy and controlled surface water and therefore believed that significant amendments had been made to this application.

During the discussion, members raised several comments with regard to the application. These included:

- Believed there were many issues still outstanding and could not make an informed decision on the application until all information had been presented.
- Disappointed that the developer had not taken into account the issues of the local community.
- Concern with regard to the phasing of the works in particular the reassurance that the distributor road would be completed.
  - The lack of adequate pathway links from the site deemed to be extremely dangerous to pedestrian users wishing to access proposed play areas.
  - Poor neighbourhood links to local facilities and sports pitches.
  - Poor quality layout and design not in keeping with the character of the area.
  - Density too high.
  - Appreciate Chard is in need of housing.
  - Believe the proposed road is neither an estate road nor distributor road.
  - Questioned the benefits of the relief road running through the estate compared to it being located around the outskirts of the development.
  - Traffic in this location is already severe and questioned the Highway authority's basis for approval to the scheme.
  - Concern whether the drainage provision has been designed in accordance with best practice and local authority requirements.

The Senior Planning Advisor responded to members' questions and confirmed that:

- Condition 19 would ensure an appropriate sustainable drainage scheme would need to be approved before any development commenced on site.
- Should members be minded to approve the application an additional condition could be imposed:

"No development approved by this permission shall be occupied or brought into use until a scheme for the future responsibility and maintenance of the estate roads, footways, and associated highway works and infrastructure, has been submitted to and approved in writing by the Local Planning Authority. The approved highway works shall be completed and maintained in accordance with the details and timetable agreed.

Reason: To ensure adequate management and maintenance of the highway network, whether or not the highway network is adopted, in the interests of highway safety, in accordance with policy TA5 of the South Somerset Local Plan (2006-2028) and the provisions of chapter 4 of the National Planning Policy Framework"

Following a further short debate, members believed there were a number of issues still outstanding before any informed decision could be made and supported a deferral of the application for the reasons as read out by the Senior Planning Advisor as follows:

1. Noted and supported in principle, the four main reasons of concern already established by the Area West Committee as set out in the agenda report.

In addition the Committee had concerns about the following issues, which it requested the applicant and officers examined further:

2. Need for further exploration of better pedestrian links between the proposed development and sports facilities.
3. Need to examine a phasing condition to insure the scheme is developed on good design principles and better supported the ultimate delivery of the distributor road.
4. Importance of the maintenance and management of highways whether or not roads are to be adopted
5. Need for an additional condition with regard to electric charging points.
6. Need for an ecology condition to safeguard wildlife.
7. Consider the further exploration of a study into the traffic management options in Chard centre, to help deal with increased traffic over the plan period, including from the proposed development, as more planned homes come forward.

The Senior Planning Advisor also explained to members that the applicant does retain their rights for appeal and should negotiations not be acceptable they still have the right for non-determination of the application.

He also noted the request that ward members be fully consulted on these discussions and that when the application is brought back to committee all issues raised are fully explained and can easily identifiable for comparison.

Members were also advised that should they be minded to defer this application it would then go back to the Area West Committee for determination.

It was then proposed and subsequently seconded that the application be deferred for the reasons previously stated by the Senior Planning Advisor. On being put to the vote this was carried unanimously.

**RESOLVED:**

- A. That Planning Application 16/02874/FUL be deferred for the following 4 main reasons:**
1. The design of the proposed layout of the new homes and proposed distributor road is out of character with its neighbouring settlement design and its location at the southern edge of Chard town. The proposed road nether satisfies the design of an effective distributor road i.e. to carry large volumes of both access and bypass traffic, nor of an estate road, which should provide protected and calmed access to homes. REASON: This is contrary to Policy EQ2 and TA5 of the South Somerset Local Plan.
  2. The design of the distributor road is not commensurate to the amenity of new occupiers. A significant number of the proposed dwellings (100 out of the total of 315 homes) are proposed to front onto the distributor road which by definition will carry large volumes of traffic. The design and layout would also require occupants to cross the distributor road to access the public open space. REASON: The proposal is therefore contrary to Policies EQ2, and TA5 of the South Somerset Local Plan.
  3. The proposed development fails to take the opportunity to improve the character and quality of the local area due to the poor layout and house designs. REASON: Therefore, it does not constitute good design and is contrary to Policies EQ2 and Chapter 7 (para 64) of the NPPF (Requiring Good design).

4. The proposed development would be brought forward in an earlier phase than outlined in the Chard Regeneration Plan. Accordingly, due to the lack of the completed distributor road connecting the application site to the north with the A30, it would create a severe highway impact on the local road network, particularly causing severe congestion at the central Convent Junction. REASON: This is contrary to PMT1 and PMT2 of the South Somerset Local Plan.
- B. In addition Committee also asked the Applicant and Officers to consider and seek to resolve the following related planning matters:**
5. Need for further exploration of better pedestrian links between the proposed development and sports facilities.
  6. Need to examine a phasing condition to insure the scheme is developed on good design principles and better supports the ultimate delivery of the proposed distributor road.
  7. Importance of the maintenance and management condition for highways and associated infrastructure whether or not roads are to be adopted
  8. Need for an additional condition with regard to electric charging points.
  9. Need for an ecology condition to safeguard wildlife.
  10. Consider the options for an additional study into the traffic management options in Chard centre, to help deal with increased traffic over the plan period, including from “this proposed development”, as more planned homes come forward.

REASON: To ensure that any scheme that comes forward for determination, more fully addresses all the policies in the South Somerset Local Plan, in particular EQ2, TA5, PMT1 and 2.

**C. Ward members to be involved in discussions and timetable on any revised application.**

REASON: To ensure that any scheme that comes forward for determination, more fully addresses all the policies in the South Somerset Local Plan.

(voting: unanimous)

**24. Date of Next Meeting (Agenda Item 7)**

The next scheduled meeting of the Regulation Committee will be on Tuesday 21<sup>st</sup> August 2018 at 10.00am.

.....  
 Chairman  
 .....  
 Date

