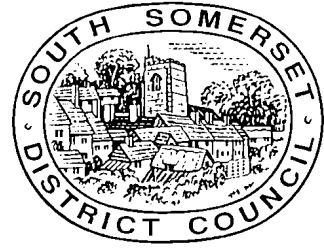


South Somerset District Council
Notice of Meeting



Regulation Committee

Making a difference where it counts

Tuesday 21st August 2018

10.00 am

**Council Chamber
Council Offices
Brympton Way
Yeovil BA20 2HT**

(disabled access and a hearing loop are available at this meeting venue)



The public and press are welcome to attend.

If you would like any further information on the items to be discussed, please ring the Agenda Co-ordinator, **Jo Boucher, Case Services Officer (Support Services) - 01935 462011**, website: www.southsomerset.gov.uk

This Agenda was issued on Friday 10th August 2018.

Alex Parmley, Chief Executive Officer

This information is also available on our website
www.southsomerset.gov.uk



INVESTORS IN PEOPLE

Regulation Committee Membership

The following members are requested to attend the meeting:

Chairman: Peter Gubbins
Vice-chairman: Angie Singleton

Clare Aparicio Paul
Mike Best
Tony Capozzoli
Anna Groskop

Mike Lock
Tony Lock
David Recardo
Sylvia Seal

Martin Wale
Nick Weeks
Colin Winder

Any maps contained within this document are reproduced from/based upon Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office ©, Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Ordnance Survey mapping/map data included within this publication is provided by South Somerset District Council under licence from the Ordnance Survey in order to fulfil its public function to undertake its statutory functions on behalf of the district. Persons viewing this mapping should contact Ordnance Survey copyright for advice where they wish to licence Ordnance Survey mapping/map data for their own use. South Somerset District Council - LA100019471 - 2018.

Information for the Public

Public Participation at Committees

This is a summary of the Protocol adopted by the Council and set out in Part 3 of the Council's Constitution.

Public Question Time

The period allowed for participation in this session shall not exceed 15 minutes except with the consent of the chairman of the committee. Each individual speaker shall be restricted to a total of three minutes.

Planning Applications

Comments about planning applications will be dealt with at the time those applications are considered, rather than during the Public Question Time session.

Comments should be confined to additional information or issues, which have not been fully covered in the officer's report. Members of the public are asked to submit any additional documents to the planning officer at least 72 hours in advance and not to present them to the Committee on the day of the meeting. This will give the planning officer the opportunity to respond appropriately. Information from the public should not be tabled at the meeting. It should also be noted that, in the interests of fairness, the use of presentational aids (e.g. PowerPoint) by the applicant/agent or those making representations will not be permitted. However, the applicant/agent or those making representations are able to ask the Planning Officer to include photographs/images within the officer's presentation subject to them being received by the officer at least 72 hours prior to the meeting. No more than 5 photographs/images either supporting or against the application to be submitted. The Planning Officer will also need to be satisfied that the photographs are appropriate in terms of planning grounds.

At the committee chairman's discretion, members of the public are permitted to speak for up to 3 minutes each and where there are a number of persons wishing to speak they should be encouraged to choose one spokesperson to speak either for the applicant or on behalf of any supporters or objectors to the application. The total period allowed for such participation on each application shall not normally exceed 15 minutes.

The order of speaking on planning items will be:

- County Council, Town or Parish Council Representative
- Objectors
- Supporters
- Applicant and/or Agent

Ward members, if not members of the Regulation Committee, will speak after the town/parish representative.

If a member of the public wishes to speak they must inform the committee administrator before the meeting begins of their name and whether they have supporting comments or objections and who they are representing. This must be done by completing one of the public participation slips available at the meeting.

In exceptional circumstances, the Chairman of the Committee shall have discretion to vary the procedure set out to ensure fairness to all sides.

If a Councillor has declared a Disclosable Pecuniary Interest (DPI) or a personal and prejudicial interest

In relation to Disclosable Pecuniary Interests, a Councillor is prohibited by law from participating in the discussion about the business on the agenda that relates to this interest and is also required to leave the room whilst the relevant agenda item is being discussed.

Under the new Code of Conduct adopted by this Council in July 2012, a Councillor with a personal and prejudicial interest (which is not also a DPI) will be afforded the same right as a member of the public to speak in relation to the relevant business and may also answer any questions, except that once the Councillor has addressed the Committee the Councillor will leave the room and not return until after the decision has been made.

Recording and photography at council meetings

Recording of council meetings is permitted, however anyone wishing to do so should let the Chairperson of the meeting know prior to the start of the meeting. The recording should be overt and clearly visible to anyone at the meeting, but non-disruptive. If someone is recording the meeting, the Chairman will make an announcement at the beginning of the meeting.

Any member of the public has the right not to be recorded. If anyone making public representation does not wish to be recorded they must let the Chairperson know.

The full 'Policy on Audio/Visual Recording and Photography at Council Meetings' can be viewed online at:

<http://modgov.southsomerset.gov.uk/documents/s3327/Policy%20on%20the%20recording%20of%20council%20meetings.pdf>

Regulation Committee

Tuesday 21 August 2018

Agenda

Preliminary Items

1. Minutes

To approve the minutes of the meeting held on 17th July 2018.

2. Apologies for Absence

3. Declarations of Interest

4. Public Question Time

5. Planning Application 18/01071/S73A - Land rear of 18 to 24 Westcombe, Templecombe (Pages 6 - 14)

6. Planning Application 18/00650/OUT - Knights Templar Court Nursing Home, Throop Road, Templecombe (Pages 15 - 28)

7. Date of Next Meeting

The next scheduled meeting of the Regulation Committee will be held on Tuesday 18th September 2018 at 10.00am. However this meeting will only take place if there is business to conduct.

Agenda Item 5

Officer Report on Planning Application: 18/01071/S73A

Proposal :	Section 73a application to vary condition 2 (approved plans) of planning approval 09/03037/FUL to allow for revised plans, to replace on Plot 1 a single storey dwelling with a two storey dwelling.
Site Address:	Land Rear Of 18 To 24 Westcombe Templecombe
Parish:	Abbas/Templecombe
BLACKMOOR VALE Ward (SSDC Member)	Cllr William Wallace Cllr Hayward Burt
Recommending Case Officer:	Alex Skidmore Tel: 01935 462430 Email: alex.skidmore@southsomerset.gov.uk
Target date :	3rd July 2018
Applicant :	Mr R Thorner
Agent: (no agent if blank)	Mr Steven Moyse Lake View Lower Charlton Trading Estate Martins Lane SHEPTON MALLET BA4 5QE
Application Type :	Major Dwlgs 10 or more or site 0.5ha+

REASON FOR REFERRAL

The Area East Committee considered this application on 11th July 2018 and resolved to refuse the application for the following reason:

- The proposed alterations to plot 1 would, by reason of their resultant height, size, and position, result in an unacceptable impact on the residential amenity of the occupiers of neighbouring properties by way of overlooking and the resultant loss in privacy, contrary to policy EQ2 of the South Somerset Local Plan (2006-2028) and the policies contained within the National Planning Policy Framework

AREA EAST COMMITTEE REPORT

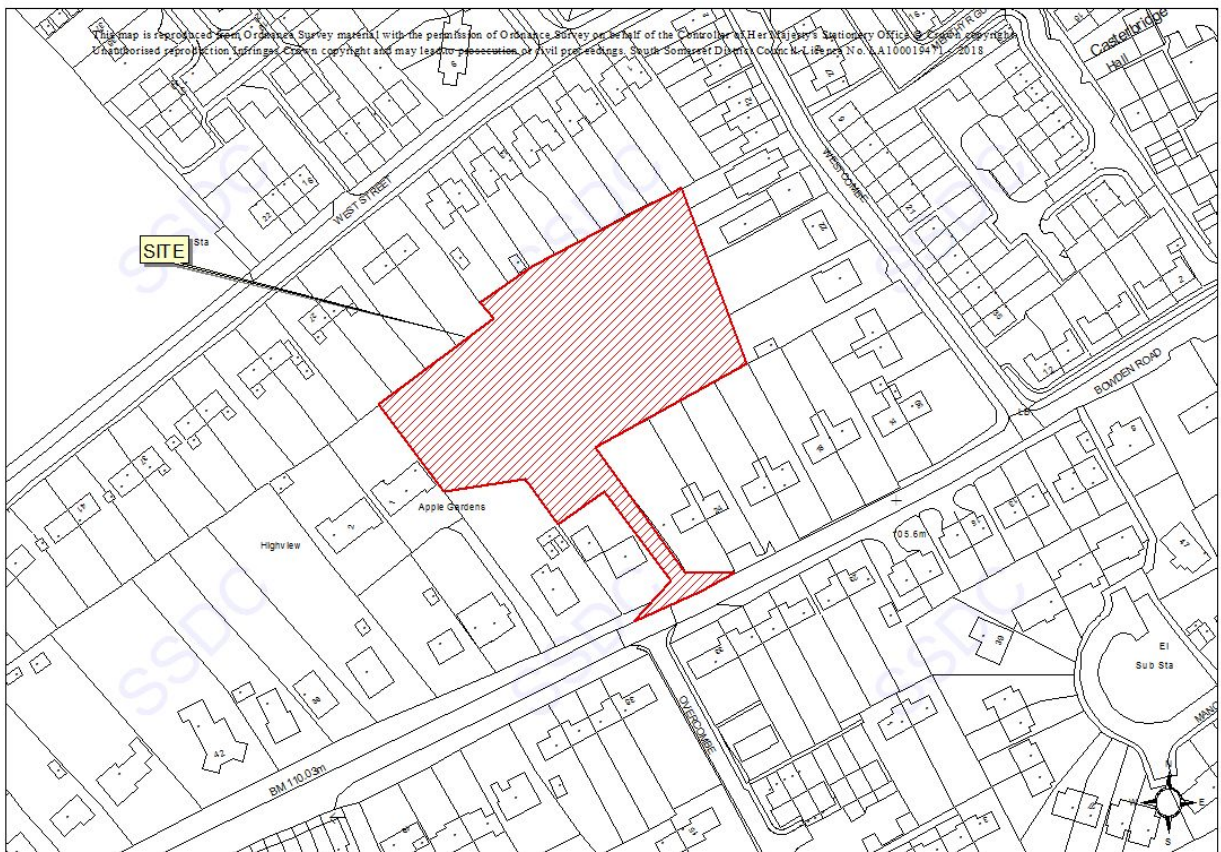
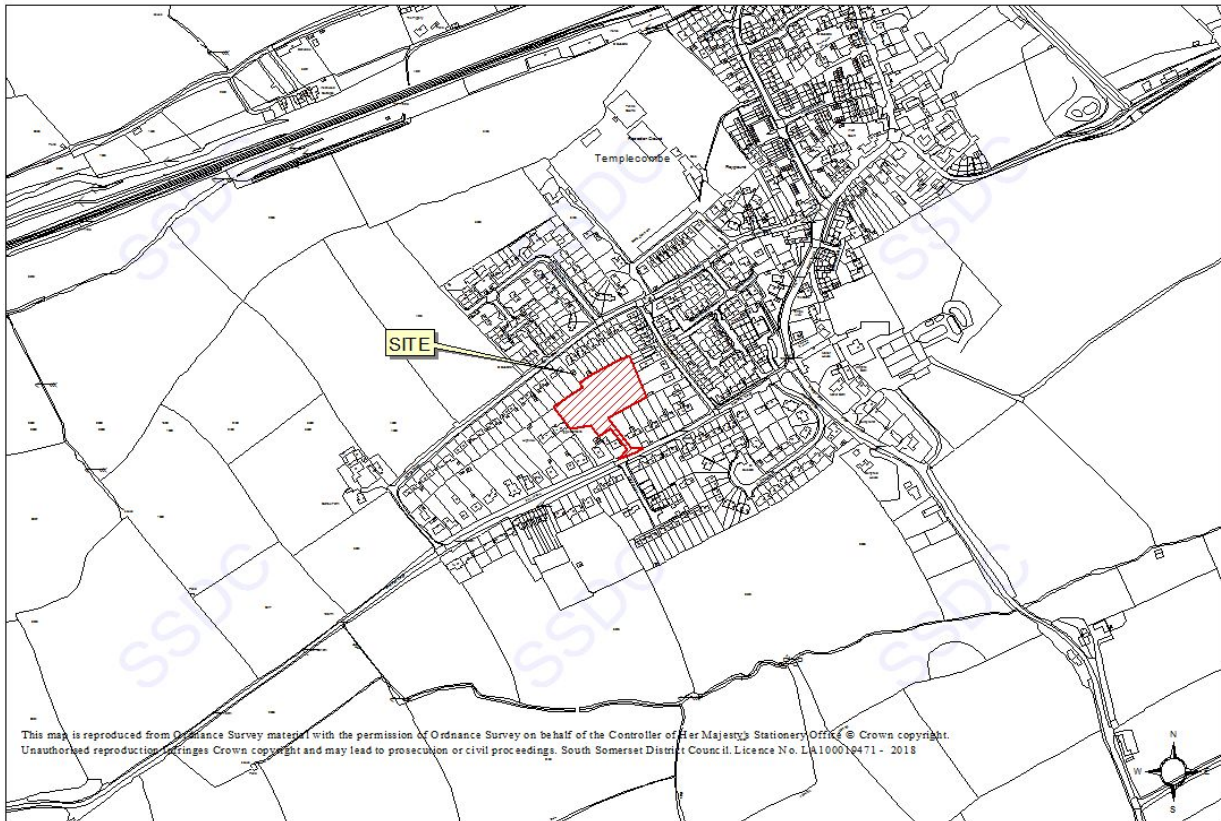
REASON FOR REFERRAL

The application has been referred to Area East Committee at the request of the Ward Members and with the agreement of the Area Chair to allow the local concerns raised during the course of the application, in particular the impact the proposal will have upon the amenity of surrounding properties, to be considered further.

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

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

SITE DESCRIPTION AND PROPOSAL



This application is seeking to vary the approved plans condition (condition 2) of planning approval 09/03037/FUL, and subsequent Section 73 applications 11/02147/S73 and 16/03330/S73A, in order to amend Plot 1 from a single storey bungalow to a two-storey dwelling. The application follows a previous Section 73 application (17/04047/S73a) which sought to amend Plots 2 and 3 from single storey bungalows to two-storey dwellings. This application was refused earlier this year for reasons relating to harm to neighbour amenity and inappropriate and unusable parking layout.

The original consent for this site was application 09/03037/FUL which granted permission for the erection of thirteen dwellings, which included a mixture of two-storey and single-storey houses. This original scheme has since been varied by two separate Section 73 applications, the first of which was approved in 2011 (11/02147/S73) and permitted amendments to the site plan including changes to the positions of Plots 1, 2 and 3. The second Section 73 (16/03330/S73A) application permitted changes to the approved plans and floor level details in order to address final road and drainage issues and to make some slight changes to the fenestration detailing of a number of the plots.

The works to the development are now at an advanced stage with a number of the approved dwellings now complete and being occupied. The application site is former garden land that belonged to several neighbouring properties. The site is a relatively flat and level with adjacent development and is surrounded by residential properties to all sides including bungalows to the west (known as Collingham Close) immediately to the rear of Plots 1,2 and 3, a bungalow to the north and two-storey dwellings to the east and south. An access road to serve the development runs between 26 and 28 Bowden Road.

HISTORY

17/04047/S73a: Application to vary condition 2 (approved plans) of planning approval 09/03037/FUL, 11/02147/S73 and 16/03330/S73a to substitute with revised plans. Refused at Committee for the following reason:

01. The proposed alterations to plots 2 and 3 would, by reason of their resultant height, size, and position, result in an unacceptable impact on the residential amenity of the occupiers of neighbouring properties by way of overlooking and the resultant loss in privacy, contrary to policy EQ2 of the South Somerset Local Plan (2006-2028) and the policies contained within the National Planning Policy Framework.
02. The proposed alterations to plots and 2 and 3 would, by reason of the increase in size and numbers of bedrooms, result in an inappropriate and unusable parking layout contrary to policies TA5 and TA6 of the South Somerset Local Plan and the policies contained within the National Planning Policy Framework.

16/03330/S73a: Section 73a application to amend conditions 2 (approved plans) and 9 (finished floor levels) of planning approval 09/03037/FUL following level changes arising from final road and drainage designs. Permitted.

11/02147/S73: Application to vary condition 2 of planning approval 09/03037/FUL (revised site plan). Permitted.

10/02561/FUL: Erection of six bungalows with garages on former garden land (revised application). Pending consideration.

09/03037/FUL: The erection of thirteen dwellings. Permitted April 2010.

08/04307/FUL: Erection of six dwellings on former garden land. Application withdrawn 2008.

06/01540/FUL: Erection of a bungalow with detached garage. Permitted 2006.

05/02627/FUL: Alterations to garages for plots 9 and 10. Permitted 2005.

03/01480/FUL: Erection of twelve dwellings and access road. Permitted 2003.

01/00341/OUT: Erection of fourteen dwellings. Refused 2001.

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11, 12, and 14 of the NPPF states that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise.

For the purposes of determining current applications the local planning authority considers that the adopted development plan comprises the policies of the South Somerset Local Plan 2006 2028 (adopted March 2015).

Policies of the South Somerset Local Plan (2006-2028)

SD1 - Sustainable Development

SS2 - Rural Settlements

SS6 - Infrastructure Delivery

HG4 - Provision of Affordable Housing - Sites of 1-5 Dwellings

TA5 - Transport Impact of New Development

TA6 - Parking Standards

HW1 - Provision open space, outdoor playing space, sports, cultural and community facilities in new development

EQ2 - General Development

EQ4 - Biodiversity

National Planning Policy Framework

Part 4 - Promoting sustainable transport

Part 6 - Delivering a wide choice of high quality homes

Part 7 - Requiring good design

Part 8 - Promoting healthy communities

Part 10 - Meeting the challenge of climate change, flooding and coastal change

CONSULTATIONS

Templecombe Parish Council: Object. Made reference to their comments for the previous application namely:

- The replacement of a single storey dwelling with a two-storey dwelling on plot 1 is not acceptable. This will result in the proposed dwelling overlooking the neighbouring property and result in a loss of privacy.
- The Parish Council understood that there was a specific need for bungalows within the area highlighted in advice given for Slades Hill.

County Highways: Referred to their standing advice.

SSDC Highway Consultant: If the proposed alteration increases the number of bedroom within the dwelling the on-site parking provision should accord with the optimum standards set out in the Somerset Parking Strategy.

REPRESENTATIONS

Written representations have been received from six adjacent households raising the following objections and concerns:

- The development was approved as a mixed development of single and two storey houses, there is now a creep in house heights. The density of the housing is too high for the location and the access road (which is a narrow road onto a narrowish road, opposite a narrow road). Increasing the number of potential residents will make this worse.
- If the property needed to be two-storey then this should have been applied for at the outset.

- The developer has made a mess of 28 Bowden Road's boundary fence.
- A two-storey dwelling would be obstructive and block our view (30 Bowden Road). Despite the changes to the design, with obscure glass windows facing our property and roof windows, our property can still be overlooked.
- The proposed building is encroaching upon our neighbour's land and therefore does not have the required space to be built.
- We hope this will be the last application and shall be glad when all the noise and traffic finally ceases.
- I purchased my property (6 Collingham Close) on the understanding that the left hand of the development would be three detached bungalows (not houses) which was visually acceptable and gave a more open aspect and balance to the small development. Their replacement with two-storey dwellings would make a significant impact both visually and practically.
- The house will block most of the natural light from our garden (28 Bowden Road) from 3pm onwards. We will have no privacy in our garden. The upper rear windows will have clear visibility across one half of our garden and the front windows would have a clear view over the other half. We have had no privacy over the last two years due to builders overlooking our garden. The house will also destroy any outlook we currently have.
- Plot 1 is drawn into our boundary by 1.4m (28 Bowden Road). The developer is summoned in court in November to defend their actions having already destroyed parts of our property. We have a letter from the developers solicitor stating they will not construct a house within our rear boundary, therefore this application is a complete waste of time and resources.
- The land was sold purely on the basis that bungalows would be built here.
- We bought plot 7 due to its proximity to our son who lives at 28 Bowden Road and because it guaranteed to be in line of sight in case of emergency.
- The developer must be made to honour their agreement made years ago when buying the land and build the approved development which we all liked and paid good money to enjoy.

CONSIDERATIONS

Planning permission for the erection of 13 dwellings on this site, including a mix of bungalows and two-storey houses, was granted in 2010 under application 09/03037/FUL. The current application follows several previous Section 73 applications that permitted various minor amendments to the original scheme, including alterations to some of the fenestration details and internal floor levels and agreement of some of the detailed condition details. The application also follows application 17/04047/S73a which sought to amend Plots 2 and 3 from single storey bungalows to two-storey dwellings, however, this application was refused earlier this year for reasons relating to harm to neighbour amenity and inappropriate and unusable parking layout.

The key considerations with regard to this current scheme is the impact the proposal will have upon the visual amenity and the character and quality of the overall development and upon the residential amenities of neighbouring properties and highway safety.

Visual amenity

The approved development comprises a mix of two-storey and single storey dwellings and is surrounded by a mixture of two and single storey dwellings. It is considered that the proposed amendment to Plot 1 to change it to a two-storey dwelling, will be in keeping with the wider scheme as well as surrounding existing development and to therefore cause no new substantive harm to visual amenity or the character of the area.

Residential amenity

Objections have been raised by both the Parish Council and a number of surrounding householders raising concerns that the proposal will result in harm to neighbour amenity with particular concerns relating to loss of privacy and loss of light to their homes.

The raising in height of Plot 1 will undoubtedly result in it having a more imposing presence to the immediate neighbours than if it were single storey however due to its juxtaposition with surrounding properties and the intervening distance it is not considered to cause any substantive overbearing concerns. It is noted that the occupiers of 28 Bowden Road are concerned that this will adversely affect their outlook and cause them loss of light. Again it is accepted that this will impact on their outlook and may in the height of summer take away a very limited amount of light to their garden close to sunset, however, due to the open aspect to either side of their garden and the fact that Plot 1 sits to the north of them will ensure that the increased height of this unit will not impact on them substantively in this way.

The occupiers of 28 Bowden Road have also raised concern that the revised design and height of Plot 1 will result in loss of privacy to their property, in particular to their rear garden. There are no openings proposed within the south elevation of the new dwelling and as such this revised proposal will not result in any new direct overlooking or loss of privacy issues to this neighbour.

The addition of a first floor does with first floor openings to the front and rear does have the potential to increase overlooking of the private rear garden areas associated with No's 30 and 26 Bowden Road. In regard to No 30, it is noted that there are numerous mature trees (a mix of deciduous and evergreen) growing within their garden along the rear boundary of Plot 1 which blocks much of the view of the far end of No 30's rear garden during the summer months and to a lesser degree in the winter months and in any case does not appear to directly overlook any private seating area. Whilst the proposal will afford some views towards the rear of the house at No 30 these are very oblique and as such are not considered to constitute a demonstrable loss of amenity to this neighbour. With regard to No 26, such views are across a public highway and due to the intervening distance, and oblique nature of the views to the more private area towards the rear of the house, the proposal is also not considered to cause any demonstrable loss of privacy to this neighbour.

Due to the position of the plot, its layout, design and intervening distance this revised proposal is not considered to cause any new demonstrable harm to any other neighbouring property.

Parking and highway safety

The proposed amendments will amend Plot 1 to a three-bedroom house, which under the County Parking Strategy should be served by a minimum of 2.5 parking spaces, i.e. 3 parking spaces. The scheme as initially submitted had a poor parking layout with substandard parking spaces, however, amended plans have since been submitted fully addressing this concern and ensuring that the parking provision and layout accords with the highway authority's standing advice. The proposal is therefore not considered to give rise to any substantive highway safety concerns.

Other matters

There has been a claim that the position of Plot 1 encroaches on to land belonging to the neighbour at 28 Bowden Road, although it is unclear how this is the case as the redline area for the site has not changed from the original application and the dwelling clearly sits within the redline area. It should be noted however that the granting of planning consent does not then grant the right for a development to encroach upon someone else's land without the separate agreement of that third party.

Several neighbours have also objected on the basis that they bought their properties with the understanding that this plot would be single storey. Whilst there may have been legal restrictions of this nature that formed part of the sales agreement for their properties, such restrictions are wholly separate to the planning system and as such should not influence the outcome of this application. It should be noted however that should this application be approved then the resulting permission does not override such legal matters, rather they will still need to be resolved separately between the relevant parties through the appropriate legal channels.

CIL (Community Infrastructure Levy) and S106 contributions

The original 2009 permission included a Section 106 Agreement which secured a financial contribution

towards sports, arts and leisure facilities, due to the size of the development and the local plan policies at the time there were no affordable housing obligations. This S106 Agreement is still current and due to the clause set out under paragraph 1.14 it continues to apply to any subsequent amendments or modifications to the original consent, including the current application. The additional floor area that will result from this application, should it be approved, will be liable for CIL. A CIL liability form (Form 0) has been provided with the application.

Conclusion

For the reasons set out above, the proposed amendments are not considered to give rise to any new demonstrable harm to visual amenity, residential amenity, highway safety or other environmental concerns. The application is therefore recommended for approval.

RECOMMENDATION

Grant consent for the following reason:

The proposed development, by reason of its context, density, scale, layout, design and materials, respects the character of the area, causes no demonstrable harm to visual amenity, residential amenity or highway safety and is considered to constitute an appropriate sustainable form of development that accords with the aims and objectives of policies SS2, SS6, TA5, TA6, HW1, EQ2, EQ4 and EQ5 of the South Somerset Local Plan and the provisions of the National Planning Policy Framework.

SUBJECT TO THE FOLLOWING:

01. The development hereby permitted shall be carried out in accordance with the following approved plans numbered F1325/217S, F1325/205E, F1325/216, F1325/212C, F1325/214C, F1325/215, F1325/200B, F1325/203B, F1325/206C, F1325/207C, F1325/208C and F1325/210C.

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

02. The external wall, roof and chimney materials, the materials and external finish for all external windows and doors, internal and external boundary treatments and surfacing materials for the access drive, paths, turning and parking areas shall accord with those detailed agreed under discharge of condition application 13/00878/DOC, unless otherwise agreed in writing by the local planning authority.

Reason: To safeguard the character and appearance of the area to accord with policy EQ2 of the South Somerset Local Plan.

03. Prior to any other works commencing in respect of the development hereby permitted the visibility splays shown on drawing no. F1325/217D shall be provided in full and shall thereafter be permanently maintained in this fashion.

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

04. 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.

05. At the proposed access there shall be no obstruction to visibility greater than 300mm above adjoining road level within the visibility splays shown on the submitted plan F1325/217D, such visibility splays shall be permanently retained and maintained thereafter.

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

06. The foul and surface water drainage details to serve the development shall accord with the details set out on drawing number F1325/225B received 29/07/2016, unless otherwise agreed in writing by the local planning authority. Such approved drainage details shall be completed and become fully operational before the development hereby permitted is first brought into use. Following its installation such approved scheme shall be permanently retained and maintained thereafter.

Reason: To ensure the site is adequately drained to accord with policy EQ7 of the South Somerset Local Plan.

07. The development shall be carried out in accordance with the internal ground floor levels set out on drawing number F1325/217S, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of residential and visual amenity to accord with policy EQ2 of the South Somerset Local Plan.

08. The development shall be carried out in accordance with the landscaping scheme detailed on drawing number J46-01A received 31/01/2013. All changes to existing ground levels and all planting, seeding / turfing comprised in the approved details shall be carried out in the first planting and seeding season following the first occupation of the dwellings or the completion of the development, whichever is the sooner. 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: To safeguard the character and appearance of the area and to protect the trees on the site subject to a Tree Preservation Order to accord with policy EQ2 of the South Somerset Local Plan.

09. The tree protection measures detailed on drawing number J46/-01A received 31/01/2013 shall be implemented and kept in place until the approved development is completed, unless otherwise agreed in writing by the local planning authority.

Reason: To protect the trees on the site subject to a Tree Preservation Order to accord with policy EQ2 of the South Somerset Local Plan.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no fences, gates or walls shall be erected within the curtilage of any dwellinghouse forward of any wall of that dwellinghouse which fronts onto a road.

Reason: To safeguard the character and appearance of the area to accord with policy EQ2 of the South Somerset Local Plan.

11. Prior to plot 16 (as identified on drawing number F1325/217D received 19/07/2016) being first brought into use the first floor window in the south elevation shall be fitted with obscure glass (and fixed closed) and shall be permanently retained and maintained in this fashion thereafter.

Reason: In the interest of residential amenity to accord with policy EQ2 of the South Somerset Local Plan.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), there shall be no openings within the south elevation of Plot 1 without the prior express grant of planning permission.

Reason: In the interest of residential amenity to accord with policy EQ2 of the South Somerset Local Plan.

Informatives:

01. The applicant is reminded that no consent is hereby granted for the installation of Air Source Heat Pumps (ASHPs). If the applicant wishes to install such equipment without the need for planning permission it will need to comply with the requirements of Class G, Part 14, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015.
-

Agenda Item 6

Officer Report on Planning Application: 18/00650/OUT

Proposal:	Demolition of the existing buildings and the erection of 19 No. dwellings with associated access and parking (outline application)
Site Address:	Knights Templar Court Nursing Home, Throop Road, Templecombe
Parish:	Abbas/Templecombe
BLACKMOOR VALE Ward (SSDC Member)	Cllr William Wallace Cllr Hayward Burt
Recommending Case Officer:	Jeremy Guise Tel: 01935 462645 Email: jeremy.guise@southsomerset.gov.uk
Target date:	18th June 2018
Applicant:	Lawsh One Ltd
Agent: (no agent if blank)	Mr Chris Miell, Pure Town Planning Suite 7 Pine Court 36 Gervis Road Bournemouth BH1 3DH
Application Type :	Major DwlgS 10 or more or site 0.5ha+

REASON FOR REFERRAL

The Area East Committee considered this application on 11th July 2018 and resolved to refuse the application for the following reason:

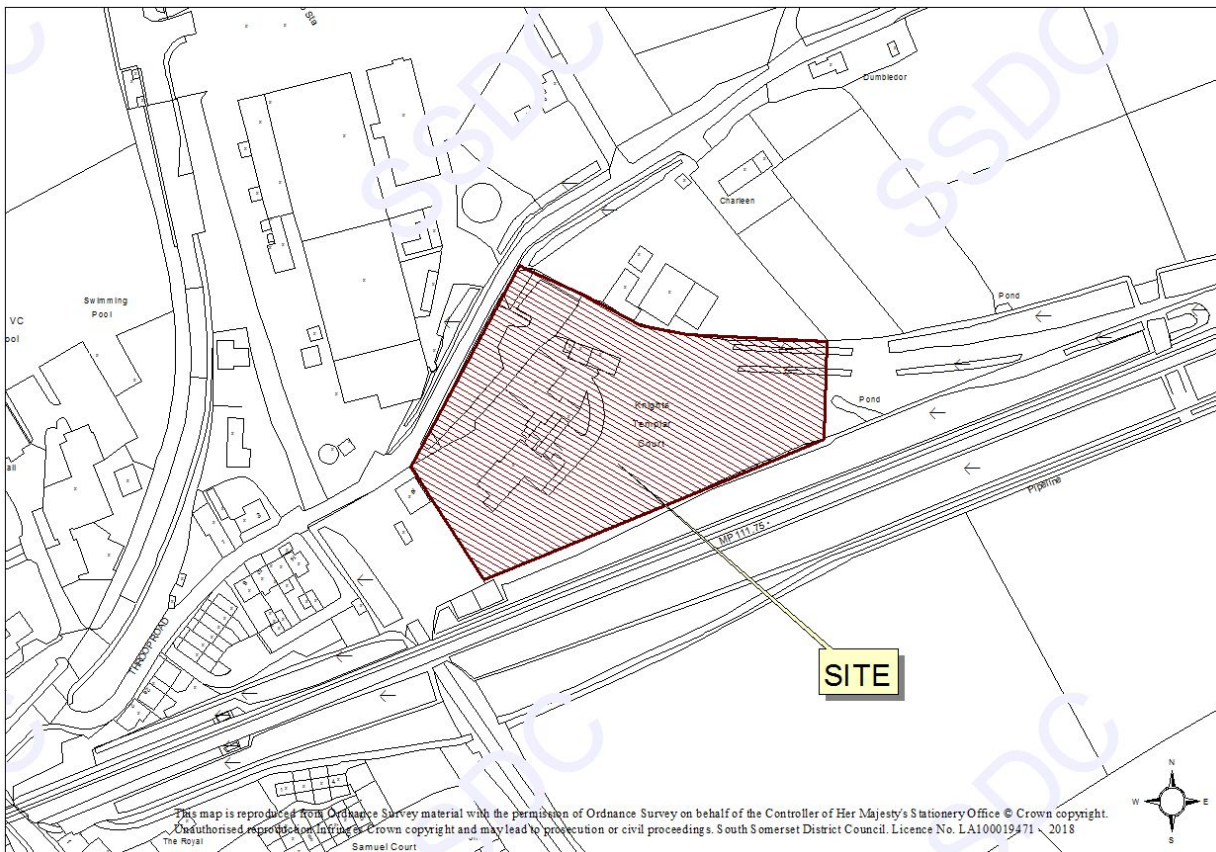
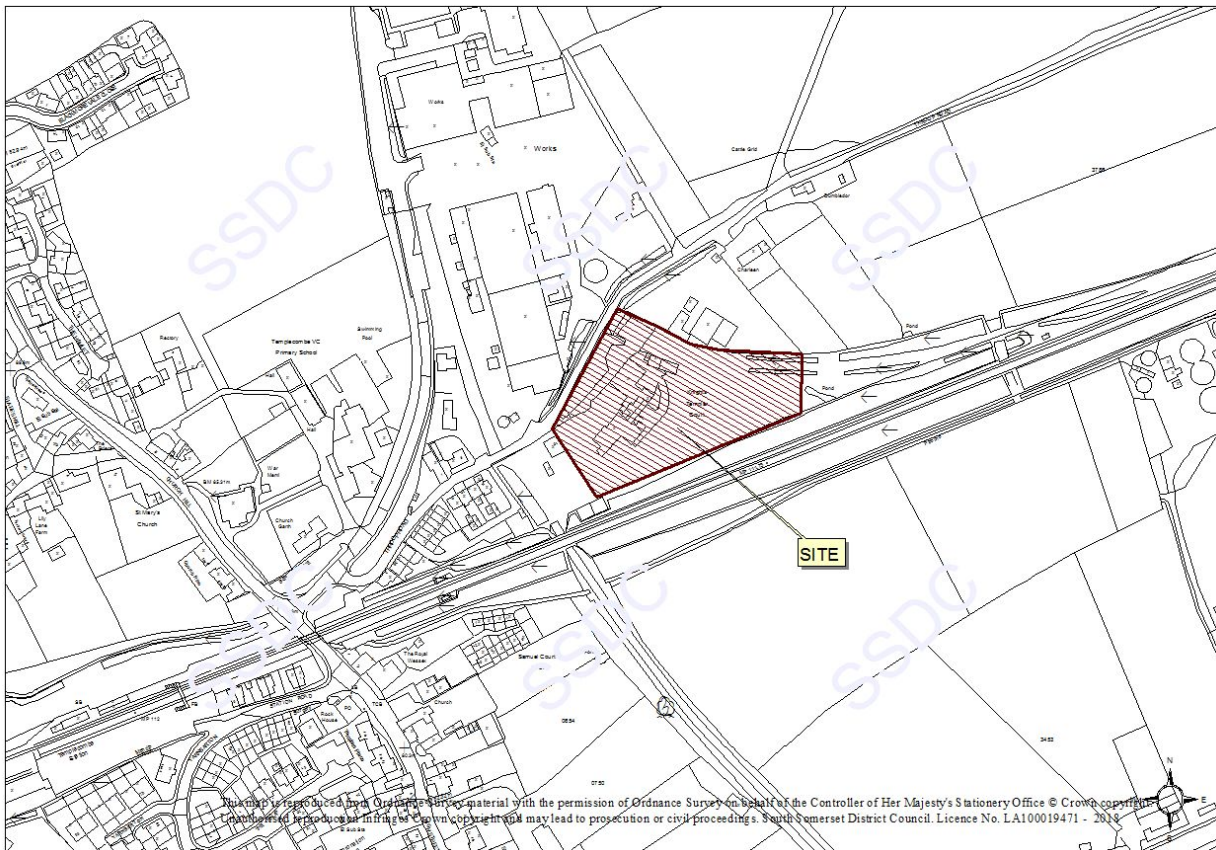
- (1) The proposal fails to address the requirements of the Templecombe settlement and would add to pressures on local services. As such it is contrary to policy SS2 of the adopted South Somerset Local Plan.
- (2) The proposal fails to provide pedestrian and cycle access and would compromise the safety of the local road network. As such it is contrary to policy TA5 (ii) and (iii) of the adopted South Somerset Local Plan including, should the scheme eventually be approved, strengthened conditions on water capacity; sewage management and anti - flooding.

AREA EAST COMMITTEE REPORT

REASON FOR REFERRAL

This application has been called to East Area Planning Committee at the request of ward members and with the agreement of the chairman, due to the size of development, objections and concerns about highway access and compliance with policy TA5.

SITE DESCRIPTION AND PROPOSAL



The application site is a roughly triangular shaped piece of land, accessed from the west off Throop Road. It is approximately 0.93ha in size, located in a 'bowl' of lower land to the north of the London Waterloo to Exeter railway line and on the eastern fringes of Templecombe.

The site has been vacant since June 2017, but was previously occupied by the Knights Templar Court Nursing Home and its landscaped grounds (Use class category C2). The nursing home premises comprises of: a late eighteenth / early nineteenth century stone built house, in the centre north of the site, and a series of linked modern extensions located mainly in the south east. There is a brick built outbuilding dating from the late nineteenth century located immediately to the rear of the stone house, otherwise the landscaped grounds are interspersed with a number of small ornamental and garden trees. These are concentrated along the railway embankment that rises to the south and, in the form of a line of tall, dense firs adjacent to Throop Road that screen the industrial buildings to the north.

The surrounding area is mixed character. There is residential property to the west, including No.18 the neighbour immediately to the west, whose garden abuts the western boundary and has windows that outlook onto the site. To the north west, screened by the firs, is the Thales factory complex whilst to the north east the track bed of former railway line defines the site.

Outline planning permission is sought for the demolition of existing buildings and the erection of 19 dwellings. The application is submitted in outline at this stage with the principle and access to be considered at this stage leaving appearance, landscaping layout and scale to be considered at the reserved matters stage, should planning permission be granted.

An illustrative plan showing two small terraces in the centre and pairs of detached and semi-detached in the north of the site accompanies the application.

The application is accompanied with a suite of supporting documents: planning statement prepared by Pure Planning; a Transport Statement Prepared by JPC Highway Consultants, and an Extended Phase 1 Habitat Survey prepared by Abbas Ecology. The planning statement concludes and summarises the case as follows:-

The application seeks outline planning permission with some matters reserved for the erection of up to 19 dwellings with associated access and parking in Knights Templar Court, Throop Road, Templecombe.

The LPA do not have a 5 year housing supply and therefore the presumption in favour of sustainable development has been triggered and existing policies relating to the supply of housing are out-of-date. The site is located within a rural settlement, which is considered an appropriate location for additional residential development

The proposal would deliver economic, social and environmental benefits through the reuse of previously developed land and provision of on-site affordable housing and therefore is considered to represent sustainable development.

The indicative plans show that a proposed could be delivered which would integrate satisfactorily with the character and appearance of the area, whilst protecting against harm to the amenities of neighbouring properties and highway safety .

The applicant therefore considers there are no adverse impacts to the scheme and certainly none which would significantly and demonstrably outweigh the benefits of the proposed planning consent.

The existing stone house is attractive and makes a positive contribution to the character of the area. It can be considered as an undesignated heritage asset.

During the course of consideration of the applicant's agent has been asked to consider whether it can

be retained and incorporated as a feature into the proposal.

The applicant's agent has declined to retain the building for the following reasons:-

- *The existing property suffers from damp and repair work would be very expensive.*
- *The existing property has uneven floor levels and low head height throughout the building therefore would be likely inappropriate for occupation by disabled and elderly occupiers.*
- *The existing property has been heavily internally and lacks heritage value.*
- *The modern external alterations also detract from the site's heritage value. In our view, if the building had significant heritage value and was in good order, given its age, it would have been statutory listed by Historic England.*
- *If the building was retained, the garden areas for the converted units would be north facing, this is something we've tried to minimise with our layout. I note that the climate change mitigation officer sought to minimise north facing gardens within her consultation response.*
- *The converted units would be cramped and provide a poor standard of living for occupants and the development would unlikely to meet the Government's minimum space standards.*
- *The conversion of the building would significantly increase development costs, which may impact on the scheme's viability and the provision of much needed new-build affordable housing.*

HISTORY

Ref. 06/02840/OUT Erection of 20 bed extension to care home conditional planning permission granted 20/10/2006 (Not built)

Ref. 02/00826/FUL The demolition of outhouse and erection of two storey extension conditional planning permission granted 29/04/2002

Ref. 01/02501/OUT The erection of a two storey 20 bedroom nursing home (renewal) conditional planning permission granted 9/11/2001

Ref. 98/00728/OUT The erection of a two storey 20 bedroom nursing home (renewal) conditional planning permission granted 16/10/1998

Ref. 94/02199/OUT The erection of a two storey 20 bedroom nursing home (outline renewal) conditional planning permission granted 31/03/1995

Ref. 90/02519/OUT Erection of two storey 20 bedroom nursing home conditional planning permission granted 02/05/1991

Ref. 90/02518/FUL The erection of a single storey extension to elderly persons rest home /nursing home conditional planning permission granted 09/05/1990

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 6, 7, 8 and 11 of the NPPF state that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise.

For the purposes of determining current applications the local planning authority considers that the adopted development plan comprises the policies of the South Somerset Local Plan 2006 2028 (adopted March 2015).

The policies of most relevance to the proposal are:

Policies of the South Somerset Local Plan (2006-2028)

Policy SD1 - Sustainable Development

Policy SS1 - Settlement Strategy
Policy SS2 - Development in Rural Settlements
Policy SS7 - Previously Developed Land
Policy EQ1 - Addressing Climate Change in South Somerset
Policy EQ2 - General Development
Policy EQ3 - Heritage
Policy EQ4 - Biodiversity
Policy TA5 - Transport Impact of New Development
Policy TA6 - Parking Standards
Policy HG3 - Provision of Affordable Housing
Policy HG5 - Achieving a Mix of Market Housing
Policy HG6 - Care homes and specialist accommodation

National Planning Policy Framework

Chapter 6 - Delivering a wide choice of high quality homes
Chapter 7 - Requiring Good Design
Chapter 8 - Promoting healthy communities
Chapter 11- Conserving and enhancing the natural environment

Other Material Considerations

Somerset County Council Parking Strategy

CONSULTATIONS

Abbas / Templecombe Parish Council - Members discussed the applications and made the following observations-

- There seemed to be some inconsistencies with regard to mains sewer or septic tank. The application refers to main sewer but previous applications on the property refer to septic tank. It is believed that the sewage is pumped from the site to the main sewer. It is acknowledged that pumping stations are now owned and managed by Wessex Water.
- It was felt that the loss of the property as a care home is detrimental in view of an aging population and a shortage of care homes.
- Density of dwellings. Expansion is welcomed but not to this density and it is noted there are only three affordable dwellings included in the application.
- Access to site is restricted currently by parked vehicles and there is no inclusion of a footpath from the site.
- No prior public consultation.
- It is noted that Doctor's Surgery and School is now full and there is no pub. It is questioned whether the infrastructure could cope. Under the Local Plan Templecombe are committed to 108 properties, taking into account the Slades Hill development and current development in the Village of 25 properties that leaves a total of 8 outstanding.
- It is felt there is natural growth in the Village, is there a market for a further increase in the capacity of properties?

The following response is submitted:-

The Members have reservations on the number of properties. The Parish Council are concerned with both the density of the dwellings within the site, the fact that only three affordable dwellings would be generated as a result of the inclusion of former dwellings on the site in the overall calculation and also the limited space for additional visiting traffic to the site in addition to any residents cars. The number of properties would have an impact on the Village infrastructure and it is felt access to and from the site is not adequate. The Parish Council are concerned that the development would need to be accessed down a narrow lane with poor visibility and a small bridge and further restricted by existing on road parking and where there is no footpath linking the proposed site to the rest of the Village in order to encourage anything other than private vehicle access. It is also considered that the sewage system

may not be sufficient for an application of this extent. It is considered that the application is currently in an inappropriate form.

County Highway Authority - The applicant should be aware that the internal layout of the site will result in the laying out of a private street, and as such under Sections 219 to 225 of the Highways Act 1980, will be subject to the Advance Payments Code (APC). This will include any private roads/drives that serve more than 2 dwellings.

The planning application is for 19 dwellings on a site with the existing use of a nursing home. According to TRICS, the average dwelling generates 6-8 vehicle movements per day, which would represent approximately 152 vehicle movements per day. This likely will represent an increase in the level of vehicle movements.

Throop Road, has a 20mph speed limit in place and from my onsite observations, it was apparent that vehicle speeds were consistent with this. It must be remembered that although narrow along this stretch, there is an existing class use that would generate its own level of vehicle movements.

The access to the site is already in place and it must be noted that although the access onto Throop Road from the proposal is not ideal due to the restricted visibility to the North East, Throop Road is a not through road serving existing dwellings and farms and it is likely that there will not a significant level of vehicle movements from this direction. Again, it must be remembered that the site has an existing use that would generate vehicle movements already.

The applicant has provided an indicative layout of the internal layout and in its current form, the internal roads are not to an adoptable standard. Should that applicant wish for the internal roads to be adopted then before any future submission the applicant should consult with 'Estate Roads in Somerset - Design & Guidance Notes' to establish these requirements. As already mentioned, the applicant should be made aware that it is likely that APC will apply.

The parking levels will be dealt with at the Reserved Matters Stage of this planning application however, these would need to be in line with the Somerset Parking Strategy (SPS). Templecombe is in Zone B of the SPS and for a 1 bedroomed dwelling 1.5 spaces would need to be provided, for a 2 bedroomed dwelling, 2 spaces provided, for a 3 bedroomed dwelling 2.5 spaces provided and for a 4 bedroomed dwelling 3 spaces provided. The SPS also sets out the appropriate level of bicycle parking that must be provided where there should be sufficient space for one bicycle per bedroom. Electric Vehicle Charging points must also be considered as well as any garage dimensions which for a single garage are 3x6 metres and for a double garage 6x6 metres.

The applicant should note that it is an offence for water or detritus to be discharged onto the highway under the Highways Act (1980) and water must not be allowed to be discharged under any circumstance. The applicant must not also assume that connections to any existing highway drains and gullies can be made. Should the applicant wish to use soakaways, then these must be located more than 5.0m from any existing or proposed highway.

Taking the above into account, the Highway Authority does not wish to raise an objection to the planning application, subject to an appropriate Travel Plan being secured within the S106 legal agreement.

SSDC Highways Consultant On the basis that the site is located in the town centre within easy / comfortable access to nearby public car parks, no highways objections is raised.

SSDC Housing Development Officer (Rural) - Policy requires 35% affordable housing; the new Strategic Housing Market Assessment (SHMA) published in October 2016, indicates a split of 80:20 social rent: intermediate product. Taking into account the vacant building floor space already detailed in the planning application, I concur with the calculations detailed which equates to 3.35 units. We will count this as 3 units which we would expect to be provided for social rent and the remaining 0.35 of a

dwelling to be provided as a commuted sum.

I would like to propose the following property mix:

2 x 1 bed house/flat/bungalow	(2 person)
1 x 2 bedroom house or bungalow	(4 person)

I would expect the affordable units to be pepper potted throughout the site, that the units are developed to blend in with the proposed housing styles and prefer the dwellings to be houses/bungalows or if flats have the appearance of houses.

These affordable dwellings will form an integral and inclusive part of the layout.

I have detailed below our prevailing minimum internal space standards which should also be adhered to:

1 bedroom flat	2 Person	47 sqm	
2 bedroom flat	4 Person	66 sqm	
2 bedroom house	4 Person	76 sqm	(86 sqm if 3 storey)
3 bedroom house	6 Person	86 sqm	(94 sqm if 3 storey)
4 bedroom house	8 Person	106 sqm	(114 sqm if 3 storey)
4 bedroom parlour house	8 Person	126 sqm	(134 sqm if 3 storey)

We would expect the s106 agreement to contain appropriate trigger points to guarantee that some of the affordable housing provision is delivered in the event that the site gains permission but is only ever partially built out.

The s106 should also include a schedule of approved housing association partners for delivery of the affordable units: Livery Housing; Magna Housing; Stonewater Housing and Yarlinton Housing Group.

SSDC Environmental Health - Have no comments in respect of this application.

SCC Archaeology - As far as we are aware there are limited or no archaeological implications to this proposal and we therefore have no objections on archaeological grounds.

REPRESENTATIONS

A petition style letter of has been received from six neighbouring properties in Throop Road and a letter. The letter does not raise objection in principle to residential re-development of the site raises objections / concerns about the proposal on the following grounds:-

- Throop Road is single lane, unsuitable for more traffic.
- Two parking spaces per dwelling is insufficient provision. Visitor / delivery vehicle parking not considered.
- Will add to pressure on junction Throop Road with A357 from Thales and the primary school.
- Concern about the effect upon limited services in Templecombe – school, shops, public house.
- Could be problems connecting to a sewer.
- This site would be a great loss to our community as it is and has been the only old folks/nursing home in the immediate vicinity.
- The surrounding roads, Throop Road and School Lane and the main A357 are a hive of activity being used extensively by the local school, church and Thales factory. There are hundreds of cars and lorries each day. A development of houses in the planned site would add a great strain on this area especially as we have no pavements in Throop Road which is very narrow.
- I understand that another proposed development on the entrance to our village for 70 houses has been ongoing for several years therefore further development of this nature cannot be

required when no houses have been built i.e. no demand.

- I have lived in Templecombe for 18 years and to my knowledge around 100 houses have been built on brownfield or additional sites during this time. I feel we are at a maximum considering the lack of amenities. We have a railway Station which is great but only one shop/post office. The doctors' surgery is full as is the school.

CONSIDERATIONS

Principle of Development

Planning Consideration

Given the increasing need for care homes and other specialist accommodation in South Somerset during the plan period 2008-2028 (SHMA quoted para. 10.41 of the Local Plan) concerns about the loss of this care home use are evidenced and understandable. Nevertheless there is no policy to underpin and require their retention. Policy HG6: Care houses and specialist accommodation focuses entirely on proposals for new care homes and is silent on the issue of retention of existing homes.

In such circumstances there is not a policy framework to require the retention of the existing nursing home. Residential, redevelopment is an acceptable alternative.

The proposal is for 19 dwellings on a site of 0.93ha. This provides for a density of 20.4 dwellings per hectare. A density of 20 units per hectare is well within acceptable perimeters for a site located in a large village with reasonably good services and public transport connections, train station, bus route etc.

As previously developed land, also known as 'brownfield' Policy SS7 - Previously Developed Land is a relevant consideration. It states:

The Council will encourage early development of previously developed land. A minimum target of 40% of new development should be on previously developed land and a 5-year land supply shall apply.

South Somerset District Council (SSDC) Local Plan seeks to concentrate the bulk of new development in existing settlements in order to: take advantage of employment and service opportunities available in these places, minimise the infrastructure investment required across the district and increase the level of self-containment.

Policy SS1, Settlement Strategy, establishes a settlement hierarchy with Yeovil, as the most populous settlement in the district at the top down to named small towns and larger villages. The final paragraph of policy SS1 states:-

Rural Settlements will be considered as part of the countryside to which national countryside protection policies apply (subject to the exceptions identified in policy SS2)

Policy SS2: Development in Rural Settlements states:-

Development in Rural Settlements (not market towns or Rural Centres) will be strictly controlled and limited to that which:

- *Provides employment opportunities appropriate to the scale of the settlement; and/or*
- *Creates or enhances community facilities and services to serve the settlement; and/or*

Meets identified housing need, particularly for affordable housing

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

Proposals should be consistent with relevant community led plans, and should generally have the

support of the local community following robust engagement and consultation.

Proposals for housing development should only be permitted in Rural Settlements that have access to two or more key services listed in Paragraph 5.41

Para 5.41 states:-

It is important to ensure that the occupiers of new homes in Rural Settlements are able to live as sustainably as possible by having easy access to basic facilities that provide for their day needs. Therefore, new housing development should be located in those Rural Settlements that offer a range (i.e. two, or more) of the following services, or that provide these within a cluster of settlements:-

*Local convenience shop;
Post office;
Pub;
Children's play area shorts pitch;
Village hall/ community centre;
Faith facility; and
Primary school.*

Templecombe is a large village which provides a good range of services, but is not a rural centre named in Policy SS1. It therefore satisfies the technical requirements paragraph 5.41.

However, SSDC cannot currently demonstrate a 5 year land supply and policies SS1 and SS2 cannot be considered up to date and awarded full weight in considerations. Where this occurs paragraph 14 of the National Planning Policy Framework (NPPF) comes into consideration

The relevant part states:-

[14 At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development which should be seen as a golden thread running through both plan-making and decision-taking.

Where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole;

Specific policies in this Framework indicated development should be restricted.

NPPF Para 111 'Planning policies and decisions should encourage the effective use of land by re-using land that has been previously developed (brownfield Land) provided that it is not of high environmental value. Local Planning authorities may continue to consider the case for setting a locally appropriate target for the use of brownfield land.

The indicative layout submitted with the application adequately demonstrates that the amount of development applied for can be accommodated on the site. The layout has a number of weaknesses in terms of use of garage courts, relationship to the neighbouring house and efficiency of the road arrangements, but there is scope within the available space to resolve these issues at the reserved matters stage.

Policy HG3, Provision of affordable housing, sets a housing target of 35% affordable housing units for developments of over 6 dwellings or 0.2ha in rural settlements.

The Parish Council's disappointment that only 3 (16%) of the proposed 19 dwellings are proposed as affordable units is understood and shared. However, the 'Vacant Building Credit', cited by the applicant's agent as justification for this, is a material planning consideration, brought in by the government to

promote the re-development of vacant brownfield sites. A section 106 legal agreement to secure the provision of three affordable units and a financial contribution of 1.5% (16%+1.5%=17.5% affordable housing which represents 35% affordable housing divided by 2 - the Vacant Buildings Credit)

At this outline application stage the mix of house types and sizes is unknown. The Council wishes to see a mix of market house types and sizes that reflect its Policy HG5 objectives. Policy HG5, Achieving a mix of market housing states:-

A range of market housing types and sizes should be provided across the district on large sites that can reasonably meet the market housing needs of the residents of South Somerset. The mix should contribute to the provision of sustainable and balanced communities.

Paragraph 10.36 of the supporting text makes clear that the requirement is that three quarters of the units in a development should be 2 and 3 bedroom sized units.

A condition to ensure that the dwelling mix reflects these requirements is considered appropriate at this outline application stage.

Visual Amenity

The site is currently occupied by buildings associated with the former residential care home use: the original house, dating from the late 18th early 19th Century, and modern extensions. There is also a brick outbuilding situated on the north eastern side of the site which appears to have been used for storage.

The modern extensions and outbuilding are of little architectural merit, but the original house is visually quite pleasant and could be considered an undesignated heritage asset. Stripped of its modern and refurbished it has some merit and could become a centrepiece linking the proposed residential development to its past. This has been suggested to the applicant's agent, and considered. The response is that many of the internal fittings have been removed and the building is in a poor state of repair. The applicants do not want to retain it. As an undesignated heritage asset it cannot be retained, short of nomination for listing. The building is not considered to be of sufficient merit to justify nomination for listing. It is therefore accepted that it can be demolished.

The site sits in a 'bowl' of lower land and is inconspicuous from the wider area. The Exeter to Salisbury rail line railway embankment cuts off all views to the south. There will be glimpses of the site through the embankment trees from passing trains. Throop Road continues beyond the site entrance on higher land to the north. Currently views into the site from this direction are screened by a line of thick fir trees. But even if these were subsequently to be removed, the wider landscape means that there is scope for a quality design to come forward without many constraints.

The illustrative plan that accompanies the application is considered to have several weaknesses. The layout could be improved resulting in larger gardens and less road space; parking could be better related to existing property and the relationship with the closet neighbour could be better. But it is only illustrative, intended to demonstrate that the quantum of development sought can be accommodated on the site. Further details, including layout, design and appearance, would need to be submitted, considered and approved at reserved matters stage should this outline proposal be permitted. In that respect, the illustrative plan is considered to be fit for purpose. It adequately demonstrated that the amount of development can be accommodated on the site and provides a framework for a more detailed design at reserved matters stage.

The usual suite of conditions attached to an outline permission requiring submission and approval is recommended.

As such, the impact on visual amenity is considered to be acceptable in accordance with the policies of the South Somerset Local Plan.

Residential Amenity

There is just one residential property in the immediate vicinity of the site: No. 18 Throop Road. It has windows facing towards the site and the whole of its eastern rear garden boundary. Currently the windows look out onto the tranquil grounds of the former nursing home and the garden abuts the landscaped grounds. Whilst the planning system does not normally protect private views, the aspect of these windows and the quiet character of the rear garden could be compromised by a layout that resulted in building mass close to the boundary or introduced traffic and noise into the area immediately adjacent to the rear garden. However, the proposal is for a relatively low density residential development. There is considered to be scope to design a scheme that addresses these issues. Consequently it is not considered that the proposal would have any significant impact on the residential amenity of any adjoining occupiers in accordance with policy EQ2 of the South Somerset Local Plan.

Highways

The highway authority is satisfied that Throop Lane is capable of coping with the increase in traffic associated with the proposed development and that there is scope within the site to accommodate parking to the appropriate standard for zone B (amber) accessibility area (1.5, 2, 2.5 and 3 spaces - depending on house size in relation to bedrooms). There is also scope to incorporate the low carbon travel provisions - bicycle storage and electric charge points). In terms of sustainability Templecombe is a large village with a train station and regular bus service

As such, it is considered that there will be no adverse impact on highway safety and the proposal is in accordance with policies TA5 and TA6 of the South Somerset Local Plan.

Conclusion

The loss of the existing authorised care home use is regrettable, but in the absence of a policy framework to require its retention it is not possible to withhold planning permission on the grounds that the proposed use would result in loss of a care home. Similarly, the existing last eighteenth / early nineteenth century house, which forms the core of the disused care home complex and can be considered as an undesignated heritage asset, is not protected by any listed status and can, in the absence of a willingness on the part of the applicant to retain it be demolished.

The site is previously developed land within the settlement boundary of Templecombe. Templecombe is considered to be a sustainable settlement, a large village with a range of facilities and transport connections. Residential development is an acceptable alternative land use to the care home.

The site is approximately 0.93ha in size with few constraints. The development of nineteen units at a density of 20.4 units per hectare is not considered excessive. Whilst there are some reservations in relation to some of the details in the illustrative plan that accompanies the outline application, it does demonstrate that 19 units can satisfactorily be accommodated on the site and provides a robust framework for the drafting and consideration of reserved matters details.

The reduction in the amount of affordable housing, on account of the previously developed land status, is a national provision over which SSDC does not have discretion.

RECOMMENDATION

Resolve to grant conditional planning permission, in accordance with the condition schedule set out below, subject to:-

- The applicant entering into a Section 106 legal agreement, or equivalent, to:-
- Secure three affordable housing units
- A contribution towards affordable housing
- Travel Plan

01. The principle of residential development on this vacant brownfield site within Templecombe village is considered to be acceptable. The illustrative plan, that accompanies this outline permission, demonstrates that 19 dwellings at a density of 20.4 units per hectare can be accommodated. The proposal utilises the existing access off Throop Road, which is considered capable of serving the proposed development.

Other matters: appearance, landscaping layout and scale are to be considered at the reserved matters stage. As such the proposal is considered to be in accordance with the aims and objectives of Policies SS1, SD1, EQ2, EQ3, TA5, and TA6 of the South Somerset Local Plan and the aims and provisions of the NPPF

SUBJECT TO THE FOLLOWING:

01. The development hereby permitted shall be carried out in accordance with the following approved plans: 4109/2 unnumbered first floor plan of existing 2883/7B 410/AS10; 4307/01; 4307/02; 4307/03; 4307/04; 4307/05; 4307/07; 4307/08; 4307/09; Unnumbered tree plan and LDS/14649-TP1 received 19 March 2018.

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

02. Details of the layout, appearance, landscaping, and scale (herein after called the 'reserved matter') shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.

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

03. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiry of three years from the date of this permission or not later than 2 years from the approval of the last reserved matters' to be approved.

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

04. No development shall commence unless a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved plan. The plan shall include:

- Construction vehicle movements;
- Construction operation hours;
- Construction vehicles routes to and from site;
- Construction delivery hours;
- Expected number of construction vehicles per day;
- Car parking for contractors;
- Specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice;
- A scheme to encourage the use of public transport amongst contractors; and
- Measures to avoid traffic congestion impacting upon the Strategic Road Network

Reason: In the interests of highway safety and in accordance with Policy TA5 of the South Somerset Local plan

05. The proposed residential development shall provide a mix of house types and sizes. At least 12 of the 16 market dwellings shall be either 2 or 3 bed roomed units unless otherwise agreed in writing by the Local Planning Authority.

Reason: The Local Planning Authority wishes to ensure that that a range of market housing types and sizes are provided across the district as required by Policy HG5: Achieving a mix of market housing of the adopted South Somerset local Plan and paragraph 50 of the NPPF.

06. The proposed new residential development shall include 16amp electric charging points for electric vehicles, accessible to all residences, as required by Policy TA1ii low carbon travel of the adopted South Somerset Local Plan and paras 93 and 94 of the NPPF.

Reason: To ensure that the development is resilient and sustainable in accordance with Policy TA1, low carbon travel, of the adopted South Somerset Local Plan.

07. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015, and any successors no development in Classes A, B, C and D of part 1 Schedule 2 shall take place without the prior permission in writing of the local Planning Authority.

Reason: To maintain the aesthetic integrity and residential amenity of the development and preserve the amenities of the neighbouring residential property.

08. 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: To ensure satisfactory highways are put in place to serve the development.

09. The proposed roads, including footpaths and turning spaces where applicable, shall be constructed in such a manner as to ensure that each dwelling before it is occupied shall be served by a properly consolidated and surfaced footpath and carriageway to at least base course level between the dwelling and existing highway.

Reason: To ensure satisfactory pedestrian access is provided to every dwelling in the development.

10. At the proposed access there shall be no obstruction to visibility greater than 600 millimetres above adjoining road level within the visibility splays shown on the submitted plan. (Drawing No 4307/07). Such visibility splays shall be constructed prior to the commencement of the development hereby permitted and shall thereafter be maintained at all times.

Reason: To ensure the provision of a safe access to the development.

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

Reason: To prevent its discharge of surface water onto the highway.

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: To minimise the disruption to neighbouring residences and businesses from construction traffic during the implementation of this planning permission.
