

## Officer Report on Planning Application: 18/00688/OUT

<b>Proposal :</b>	Residential development comprising the erection of up to 50 dwelling houses and formation of access.
<b>Site Address:</b>	Land South Of Church Street, Merriott TA16 5QP
<b>Parish:</b>	Merriott
<b>EGGWOOD Ward (SSDC Member)</b>	Cllr Paul Maxwell
<b>Recommending Case Officer:</b>	Andrew Gunn Tel: (01935) 462192 Email: andrew.gunn@southsomerset.gov.uk
<b>Target date :</b>	29th May 2018
<b>Applicant :</b>	Lord Cameron & Mr and Mrs Webb
<b>Agent: (no agent if blank)</b>	Greenslade Taylor Hunt, Winchester House, Deane Gate Avenue, TAUNTON TA1 2UH
<b>Application Type :</b>	Major DwlgS 10 or more or site 0.5ha+

### REASON FOR REFERRAL TO REGULATION COMMITTEE

The application was considered by the Area West Committee on the 17th October 2018. Members were minded to refuse the application for the following reason:

The proposed scheme by reason of its siting and location, would result in an unsustainable form of development, at an unacceptable scale which would undermine the Local Plan hierarchical strategy, would create a harmful landscape impact and harmful impact on ecology, and have an adverse impact on Merriott First School by taking it over its capacity. The scheme would therefore be contrary to Policies SD1, SS1, SS2, SS6, TA4, HW1, EQ2, and EQ4 of the South Somerset Local Plan and Chapters 2, 15 and 16 of the National Planning Policy Framework.

In accord with the Council's Scheme of Delegation, the final determination will be made by the Regulation Committee. The full copy of the original officer report is attached below.

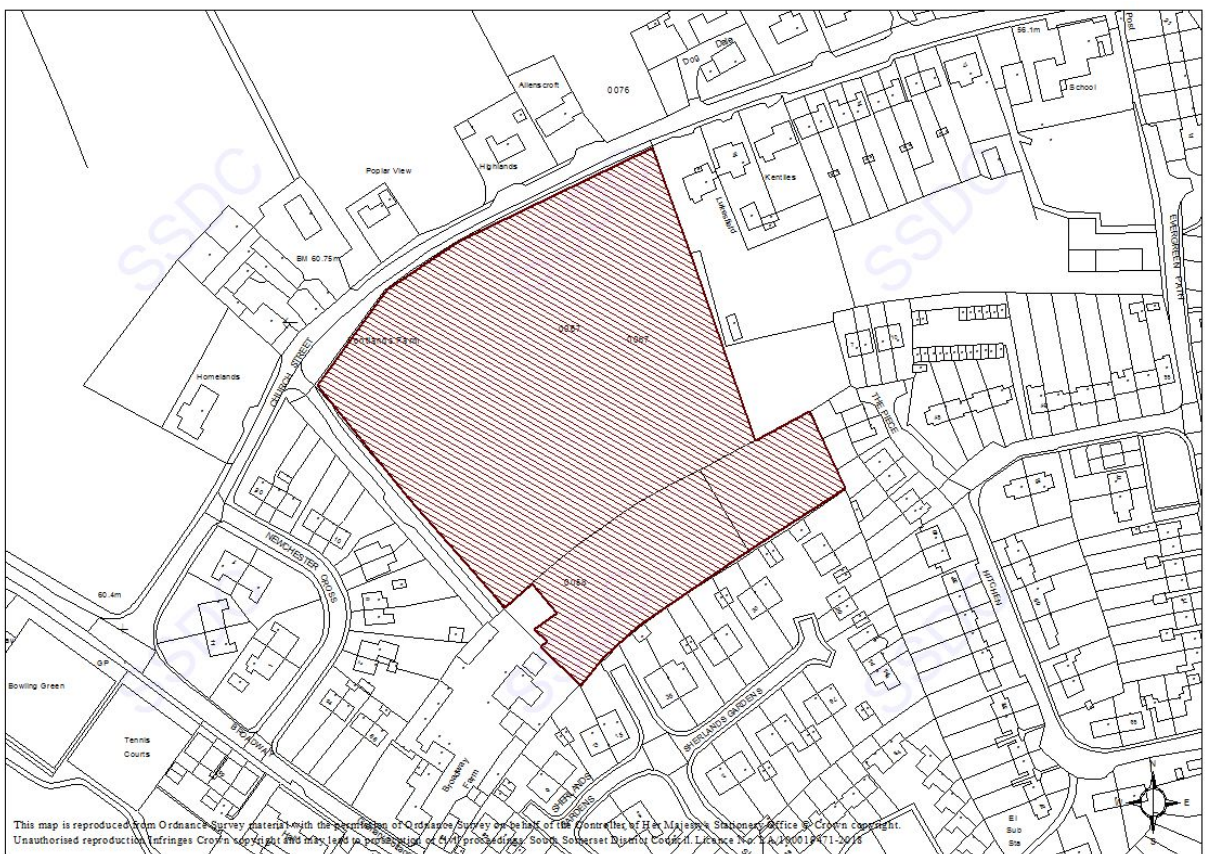
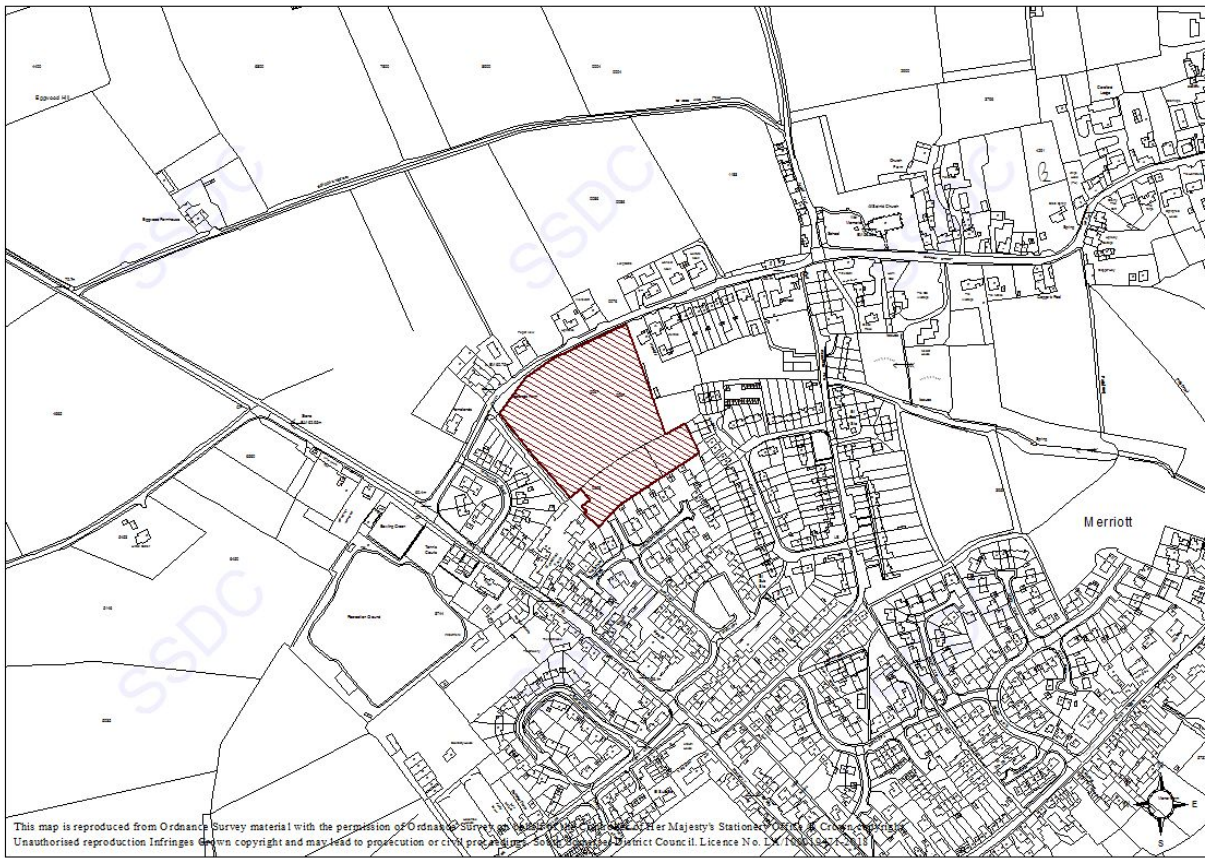
### REASON FOR REFERRAL TO COMMITTEE

The application is referred to the Area Committee at the request of the Area West Team Leader, after consultation with the Ward Member and Chair, in the public interest for discussion regarding the level of development proposed in a rural settlement.

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



The application site comprises 2 pieces of agricultural land located on the southern side of Church Street, towards the north western side of Merriott. The site totals 2.12 hectares and is bounded by a mix of hedgerows and fencing. The site is surrounded on all sides by residential development along with a farm on the northern side of Church Street. The site is not located within or adjacent to the Conservation Area. The southern corner of the site adjoins the curtilage of listed Broadway Farm.

## **PROPOSAL**

This application as originally submitted sought outline consent for up to 50 dwellings and formation of an access onto Church Street. Permission for all other detailed matters including appearance, layout, scale and landscaping would be sought at reserved matters stage. This is a separate application that is submitted following the grant of outline consent. However, following the submission of Highway Authority comments, the agent has removed access for approval at this outline stage. Accordingly, it is only the principle of erecting 50 dwellings that is now being assessed.

The application has been supported by a Design and Access Statement, a framework Travel Plan, Transport Assessment, Community Engagement Statement, a Flood Risk Assessment and Drainage Strategy, Landscape Statement, Ecological Appraisal, and a Planning Statement.

## **HISTORY**

No relevant recent planning application history.

## **POLICY**

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

### Relevant Development Plan Documents

South Somerset Local Plan (Adopted 2015)

SD1 - Sustainable Development

SS1- Settlement Strategy

SS2 - Development in Rural Settlements

SS5 - Delivering New Housing Growth

SS6 - Infrastructure Delivery

HG3 - Provision of Affordable Housing

TA4 - Travel Plans

TA5 - Transport Impact of New Development

TA6 - Parking Standards

HW1 - Provision of Open Space, outdoor playing space, sports, cultural and Community Facilities in New Development

EQ2- General Development

EQ3 - Historic Environment

EQ4- Biodiversity

The land was designated in the previous adopted South Somerset Local Plan as a 'No Development Area'. The Village plan also states that this site should not be developed. Land usually allocated in the local plan as such included school playing fields, recreation grounds and other areas of open space within towns and villages. Development would be generally resisted unless a special community,

education or recreation need was identified. However, this policy was not taken forward into the current adopted local plan. Accordingly, each application on formerly designated 'No Development Areas' are to be treated on their own merits. It is understood that this site had been identified some time ago as a possible additional recreation ground. However, this has not come forward and facilities provide elsewhere.

#### Other Relevant Material Considerations

National Planning Policy Framework (2018)

Chapter 2 - Achieving sustainable Development

Chapter 5 - Delivering a sufficient supply of homes

Chapter 12 - Achieving well designed places

Chapter 15 - Conserving and Enhancing the Natural Environment

Chapter 16 - Conserving and Enhancing the Historic Environment

Somerset County Council Adopted Highway standards.

Merriott Village Plan

Merriott Housing Needs Survey (2018)

## CONSULTATIONS

### Merriott Parish Council:

MPC recommends refusal on the following grounds:

1. Merriott is defined as a rural settlement in the current local plan. It is not identified for specific development growth unless certain provisions benefiting the community are made;
  - a) increased employment opportunity;
  - b) improved community facilities and services; and
  - c) supply of identified housing needs.

This proposal does not meet any of these conditions.

2. Street scene

The meadow, hedge and verge form a very important part of the street scene being the only open land visible from the perimeter roads of the village.

### Highway Authority: (summary)

No objection raised to either the principle (scale) of this development nor to the principle of the proposed simple priority access onto Church Street. However, insufficient detail has been submitted in regard to the technical details of the access including the width of the access road, footways, pedestrian crossing points and kerblines radii at the access. Visibility splays also need to be shown for pedestrians or cyclists along with the width of the new footway along Church Street. Parking provision is shown at an average of 2 spaces per dwelling. It is not clear if the applicant intends to provide sufficient off street car parking within the development.

Advice is also given in terms of drainage and design of the estate roads. A list of conditions are recommended.

### Landscape:

The application site lays to the south side of Church Street (west end) and is currently pasture land, bounded by a native hedgerow to the north, and divided by a further hedge toward the southern extent of the site. Whilst the site has a value as an open field within the curtilage of the village, residential form lays to 3 sides, whilst to the north of Church Street, a dilute mix of farmstead and dwellings with intervening open space, contribute toward providing a clear built context, and a high degree of visual enclosure. Unlike open land within the village to the east, this site has little correspondence to either

the development of the upper and lower areas of the settlement, or the village conservation area.

The proposal indicates a development layout of circa 50 houses, accessed off Church Street, which broadly ties with the rectilinear pattern of both the site, and the general housing layouts around it. A landscape statement (LS) is submitted with the application, which considers the site to have few landscape features of value; to be set within the wider context of the village; and to be visually contained, with most views of the site available only from its immediate surround, with no wider views from the surrounding countryside, other than partial glimpses from Bowood Lane to the north. The LS concludes that with appropriate landscape mitigation measures, and careful choice of materials and housing design, the overall visual impact is assessed to be low. I do not contend that assessment.

On balance, whilst this is a sizeable development for a village settlement, the site is well-integrated with village form, and the landscape effect of development impact, whilst likely to be adverse, will be low. I believe there is some fine-tuning of the layout that can be undertaken, to bring a bit more variation to the scheme, and open space provision needs to be greater, but the prime expression of frontage to Church Street, and a dilution in housing density to the east side, I agree to be appropriate. Consequently I do not consider the weight of landscape impact to be sufficient to oppose this application.

**Horticultural Officer: (summary)**

0.19 hectares (h/a) of informal open space is sought which exceeds the 0.7 h/a shown on the indicative layout plan. On site provision would be required for 50 + dwellings but an off site contribution sought for 49 dwellings or below.

**Conservation Officer:**

The farm house to the main road is listed. The farm buildings to the rear which were ancillary to this have been converted and a new house built to the east.

The main significance of the house is in the fabric, but the land to the rear would have had some slight significance in that it related to the house as the farm. Overall I consider the impact of this new build to be negligible and to that end I have no objections.

**Ecologist: (summary)**

The Ecologist doesn't consider there to be any significant wildlife or biodiversity constraints against the proposed development. There are no badger setts on site although there is evidence of badger activity across both of the fields, possibly to gain access to residential gardens and artificial food sources ie bird feeders or feeding by householders. Conditions are recommended to check for setts prior to commencement of ground works, in regard to reptiles and for biodiversity enhancement.

**Somerset Wildlife Trust: (summary)**

In general agree with the findings of the Ecological Assessment report, in particular the recommendations for mitigation and enhancement.

**Crime Prevention Design Advisor:**

No objection but has provided design advice in respect of avoiding blank gable walls abutting public space, a barrier to prevent vehicular access into Granary Barton, and provision of gated alleyways close to the front elevations.

**Housing Development Officer: (summary)**

Seek 35% (17 houses) as Affordable Housing with a split of 80:20 social rent / intermediate product. A mix of 6 x 1bed, 7 x 2 bed , 3 x 3 bed and 1 x 4 bed parlour house. Internal space standards are provided. The properties should be pepper potted throughout the site and phasing agreed.

**Wessex Water: (summary)**

No objection raised but provide advice in terms of foul and surface water drainage connection and water

infrastructure.

### **Local Lead Flood Authority (summary)**

No objection raised. The LLFA have sought information from the applicant and these details will be subject to a condition.

### **County Education:**

This application is in the 1st School catchments area of Merriott 1st school, Maiden Beech Academy (Middle school) and Wadham Upper School.

Our new pupil yields show that 50 dwellings in this location will generate 12 1<sup>st</sup> school children, 8 middle school children and 5 upper school children. The Middle school and upper schools have enough capacity at present to accommodate more pupils, however Merriott 1st school is currently over capacity, and this application will exacerbate the problem. Therefore SCC request education contributions so that the school will be able to adequately accommodate the children from this development.

Current build costs per pupil for 1st schools are £17,074, therefore  $x 12 = £204,888.00$ . SCC request a total of £204,888.00 in education contributions for 50 dwellings on this site.

## **REPRESENTATIONS**

30 letters/emails have been received raising objections to the scheme. 1 letter has been received not raising a direct objection but made comments in respect of the need for bungalows adjacent to existing bungalows.

A summary of the objections is outlined below:

- Density too high design of properties not in keeping
- No need for additional housing in the village
- Proposal higher than the HEELA figure
- Harm to the character of the village
- Contrary to No Development Area
- Inadequate parking provision
- Parking will occur on an already busy Church Street
- Traffic assessment inadequate and misleading
- Concern regarding surface water drainage
- Low water pressure
- Harmful impact on local road network
- Significant recent development in the village
- Slow sales for new development
- Private road at Granary Barton must not have any access
- Harmful impact on local infrastructure/ local facilities can't cope
- Lack of local facilities
- Impact on listed buildings
- Scale of development too high for the village
- Harmful impact on adjoining properties/ loss of privacy
- Need bungalows
- Inadequate public consultation
- Should develop brown field areas first.
- Harmful impact to wildlife
- Not taken account of the housing need survey
- Bus services have been cut

A letter has also been received from the Campaign for the protection of Rural England (CPRE) raising a strong objection to the proposal. The main points raised are that the spatial distribution strategy of the Local Plan is being constantly undermined with developments in rural settlements, the local plan figure for rural settlements outlined in the Local Plan has been exceeded, (2531 completions/permissions compared with 2,242 in the Local Plan and the lack of a 5 year housing supply does not mean that all development proposal are acceptable.

## **CONSIDERATIONS**

The application, as amended, seeks outline consent with all detailed matters reserved for future approval. Accordingly, it is the principle of residential development that is the main consideration. Detailed matters in regard to the vehicular/pedestrian access, appearance, landscaping, layout, scale and design of the houses would be assessed as part of any subsequent separate reserved matters application, subject to outline approval being granted.

### **Principle of development**

Merriott is classed as a rural settlement in the adopted South Somerset Local Plan where development is strictly controlled. Development should be limited to that which provides 1 or more of the following (Policy SS2): employment opportunities, community facilities and/or meets housing need, particularly affordable housing. The adopted Local Plan seeks to direct most of the housing growth towards Yeovil, the market towns and rural centres. However, it does expect housing to be delivered within the rural settlements and provides a target of at least 2,242 homes across all the rural settlements. It is accepted that the Council's settlement hierarchy forms the basis of the Local Plan in regard to the distribution and spread of housing, and is designed to take advantage of employment and service opportunities in the larger settlements.

Merriott does benefit from a range of local services and facilities including a garage, a post office, a petrol station, butcher, a pub and social club, village hall, a church, a pharmacy, a primary school, pre-school and play/sports facilities. On this basis, the village clearly meets the criteria under Policy SS2 of the Local Plan for allowing development in rural settlements. Whilst, as with many rural areas, employment opportunities are low, and public transport provision is poor, people are increasingly either running businesses from home or working from home with a reduced need to travel to a main office. Taking into account the facilities available in the village, it is considered to be a settlement as being a sustainable location appropriate for development. On this basis, and taking account of a number of appeal decisions in other smaller rural settlements within the district with fewer facilities, where Inspectors have accepted residential development, the principle of residential development is considered to be acceptable. The key consideration in this case is whether the proposed number of dwellings are acceptable, taking into account the site individually and the cumulative number of dwellings completed and consented over the plan period.

It should also be noted that whilst Policy SS2 has to be taken into account, insofar as parts of the policy are considered to be a housing constraint policy, due to the Council's current lack of a 5 year supply of housing, only limited weight can be attached to Policy SS2.

As the principle is accepted, an assessment therefore now has to be made as to whether any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits of the scheme. In this case, the benefits of the scheme would be the provision of housing, including affordable dwellings, economic benefit during construction and the spend of new occupants in the village. In addition, money from the Community Infrastructure levy, of which 15% will go to Merriott Parish Council.

### **Housing Need/Local Plan housing strategy**

Objections have been received to the application on the basis that there is no proven housing need for

this scale of development in Merriott. In addition, the Parish Council has recently undertaken its own housing needs survey. 1,000 surveys were distributed with 278 being returned hence a return rate of 28%. In summary, the published report states that there is an expressed need for 10 intermediate houses in Merriott but insufficient evidence to verify this. In regard to the provision of affordable housing, 24 households/individuals within a household expressed strong links to the village and felt they may need affordable housing in the parish of Merriott. 3 of these respondents are currently registered on Homefinder Somerset.

The Housing Needs Survey provides useful evidence as to the housing needs in the village. However, this must be set against the context of the overall housing needs for the district. As outlined above, whilst Policy SS2 seeks to strictly control development, rural settlements are expected to contribute to meeting the district's overall housing needs. It is not considered that it would be reasonable to refuse this application simply on the basis that there is no housing need. There is clearly a housing need in the district and the Council are currently not able to demonstrate that it is meeting its housing targets. Indeed, the housing supply position has worsened with the most recent report stating that the Council currently has a 4 year supply, compared with the previous figure of 4.2 years. Accordingly, as a housing constraint policy, the NPPF advises that such policies are considered out of date and can only be afforded limited weight in the decision making process.

Given this context, the next assessment is whether the adverse impact of approval of this scale of development would significantly and demonstrably outweigh the benefits. Major new residential developments have been approved in Merriott in recent years, in particular 24 units at Moorlands, Tail Mill with 45 and Shiremoor with 30. Moorlands is nearly complete but it is understood that work has stopped at Tail Mill due to poor sales. Shiremoor currently has outline consent with a pending application for 39 units and has not commenced. In total, as at 31st March 2018, there have been 58 completions and 84 commitments (ie sites with planning permission but yet to commence). This gives a total of 142. The latter would largely be made up of Shiremoor and Tail Mill. The benefits of this scheme would be the provision of housing, including affordable dwellings, economic benefit during construction and the spend of new occupants in the village. In addition, money from the Community Infrastructure Levy, of which 15% will go to Merriott Parish Council. A footway is also proposed to run across the whole of the site frontage, an issue that had been identified in the Village Plan to help with safety for pedestrians walking along Church Street.

In terms of assessing the scale of growth, the scheme would add to the 142 already consented giving a figure of 192. This would exceed the housing figures for Stoke Sub Hamdon and Ilchester which are classed as rural centres and in the tier above Merriott. The next tier of settlements above rural settlements in the local plan are the 6 rural centres and these generally have a target of 200 plus dwellings. However, Stoke sub Hamdon, whilst included as a rural centre has a housing figure of only 51 to reflect its smaller scale and nature. Ilchester with 141 but has major constraints due to archaeology and airfield noise restrictions. Therefore the total of 192 would sit below the 200 dwellings plus of the other 4 rural centres. Therefore, on balance, it is not considered that the hierarchical strategy of the local plan would be significantly harmed by this proposed development.

The Council are currently in the early stages of reviewing the adopted Local Plan. An Issue and Options document was published for consultation towards the end of 2017. One of the possible options is to provide a new tier within the settlement hierarchy that would give some of the current rural settlements an enhanced role. However, this is at an early stage with the Preferred Options yet to be published. Accordingly, no settlements have been identified yet with an enhanced role, and thus it is not considered to be a material consideration at this stage.

### **Highways/Parking**

The Highway Authority has assessed the highway impacts of this scheme and do not raise an objection to the scale of the proposed development nor to the principle of a priority vehicle access onto Church Street. The scheme originally sought approval for the proposed access but following the request for



additional information from the Highway Authority as outlined above, the agent agreed to remove the access from the outline application. Accordingly, this will, now be assessed at any reserved matters stage.

The indicative layout submitted with the application shows provision for an average of 2 parking spaces per dwelling. This would be below the adopted parking standards and the Highway Authority have raised a concern that insufficient parking may lead to on street parking with potential road safety hazards. Details of the layout, including parking arrangements however, are not due for consideration at this stage, rather to be assessed with any subsequent reserved matters application.

### **Ecology**

The application was supported by an ecological appraisal which has been assessed by the Council's Ecologist. As outlined above, the Ecologist doesn't consider there to be any significant wildlife or biodiversity constraints against the proposed development. Conditions are recommended to check for setts prior to commencement of ground works, in regard to reptiles and for biodiversity enhancement.

### **Flooding/Drainage**

Concern has been raised by local residents about flooding and drainage of the site. Whilst it not disputed that there may be local drainage/flooding issues, this scheme is not expected to resolve current issues but to ensure that an appropriate drainage system is installed and that it does not create additional flooding elsewhere. A Flood Risk and drainage Strategy report has been submitted. The site is wholly located in Flood Zone 1 which means that the site is at low risk from sea or river flooding. As mentioned by local residents, the Flood Risk Assessment report does mention record of flooding in the surrounding area although there are no details about the extent or magnitude of these events. However, this site has to ensure that it provides appropriate drainage and does not create flooding problems outside of the site.

The Flood Risk Assessment and Drainage report concludes that the ground conditions provide relatively low permeability and is not suitable for the adoption of soakaway drainage. Off site discharge combined with on-site attenuation is concluded as the most suitable drainage solution at the site. The preferable solution would to discharge into the sewer or suitable outfall. An underground storage tank that would control discharge at an agreed rate during storm periods is suggested to ensure discharge is not increased from the present situation. The Local Lead Flood Authority have requested various details and these will be conditioned.

### **Residential amenity**

Concern has been raised that the scale and design of some of the proposed dwellings would result in overlooking and loss of privacy, particularly in regard to the occupiers of the bungalows in Sherlands Gardens. The impact of a new development on the amenity of all adjacent occupiers is a very important consideration. In this case, the details of the scheme including layout and design of the dwellings have not been sought for approval at this stage. The assessment of the relationship between new and existing dwellings would be undertaken at reserved matters stage.

### **Landscape**

The application has been supported by a Landscape Statement which has been assessed by the Landscape Officer. As can be noted by his assessment outlined above in this report, he does not disagree with the findings that with appropriate landscape mitigation measures, and careful choice of materials and housing design, the overall visual impact is assessed to be low. Whilst the site has a value as an open field within the curtilage of the village, residential properties fully surround the site on 3 sides, with a farm and a less dense form of residential development on the northern side of Church Street. The site has few landscape features of value and is visually contained, with most views of the site available only from its immediate surround, with no wider views from the surrounding countryside, other than partial glimpses from Bowood Lane to the north. For these reasons, it is not considered the weight of landscape impact to be significant to warrant refusal.

## **Heritage**

The site is not located within nor does it adjoin the Conservation Area. Due to the distance from the Conservation Area, it is not considered that the proposed development would have any adverse impact on the setting of the Conservation Area. The Conservation Officer does not raise an objection in this regard. In respect of listed buildings, the closest listed property is Broadway Farmhouse which is located to the south west of the site. As stated by the Conservation officer, the farm buildings to the rear which were ancillary to the main house have been converted and a new house built to the east. The main significance of the house is in the fabric, but the land to the rear would have had some slight significance in that it related to the house as the farm. Overall, the Conservation Officer considers the impact of this new build to be negligible and has no objections. Careful consideration will be given to the layout of the scheme in the south western corner to ensure that it respects the setting of the listed building.

## **Other matters**

Comments have been received that brownfield sites should be used first before greenfield sites. The former nursery site (Scotts Nurseries) has been mentioned. Whilst the Council would support the principle of reusing brownfield sites, no application has been submitted by the landowners for development of this site. The Council can only assess the merits of those applications that have been submitted.

Both the supporting documents and a local resident have made reference to the fact that this site is identified within the Council's Housing & Economic Land Availability Assessment (HELAA). The HELAA is a technical and theoretical assessment of sites which could potentially contribute towards the future supply of housing and employment land within the local plan area. However, it is important to note that no policy weight is attached to its inclusion in HELAA nor does it imply that planning permission will be granted.

Comment has been received that no access should be permitted from the site into Granary Barton Close, a private drive which runs along the western boundary of the site. It is not known whether there are any current access rights for the application site landowner to use this private drive to access the site. Notwithstanding that position, a condition will be imposed on any consent to ensure that no vehicular access can be gained from the

## **SECTION 106 PLANNING OBLIGATION**

The application be approved subject to:

a) The prior completion of a section 106 planning obligation (in a form acceptable to the Council's Solicitor(s) before the decision notice granting planning permission is issued, the said planning permission to cover the following terms/issues:

- 1) The provision of 35% affordable housing with a split of 80:20 rent /intermediate product;
- 2) Contribution towards the provision of sport, play and strategic facilities,
- 3) Contribution of £204,888.00 towards education provision;
- 4) Submission of a Travel Plan; and
- 5) Provision and maintenance of open space;

## **COMMUNITY INFRASTRUCTURE LEVY**

The application is CIL liable. This would be charged at 40 per sqm. 15% of the total received would go to the Parish Council.

## **RECOMMENDATION**

Grant permission.

01. The proposed scheme will result in a sustainable form of development that would make a valuable contribution towards meeting the Council's housing needs, including affordable housing, would not harm residential amenity, would provide a safe means of vehicular access, and would not harm ecological interests nor heritage assets. The scheme is in accord with Policies SD1, SS1, SS2, SS5, SS6, HG3, HG5, TA4, TA5, TA6, HW1, EQ1, EQ2, EQ3 and EQ4 of the South Somerset Local Plan and Chapters 2, 8, 12, 14, 15 and 16 of the National Planning Policy Framework.

**SUBJECT TO THE FOLLOWING:**

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

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

02. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

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

03. The development hereby permitted shall not be commenced until particulars of the materials (including the provision of samples where appropriate) to be used for external walls and roofs have been submitted to and approved in writing by the Local Planning Authority.

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

04. All reserved matters shall be submitted in the form of one application to show a comprehensive and coherent scheme with respect to design, layout, plot boundaries, materials, scale, vehicular and pedestrian access arrangements, drainage and landscaping.

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

05. The development hereby permitted shall not be commenced until 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 following the occupation of the building or the completion of the development, whichever is the sooner; 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: To protect the amenity of the area to accord with Policy EQ2 of the South Somerset Local Plan.

06. The development hereby approved shall be carried out in accordance with the following approved plans:

Drawing numbers: 2526-PL-01 (Location Plan).

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

07. No development shall commence unless a Construction Environmental 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 vehicular routes to and from site;
  - Construction delivery hours;
  - Expected number of construction vehicles per day;
  - Car parking for contractors;
  - measures to prevent dust, mud or other debris from being deposited on the public highway;

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 local amenity to accord with Policies EQ2 and TA5 of the South Somerset Local Plan.

08. The reserved matters application shall include foul and surface water drainage details to serve the development, to include the details /information as required by the Local Lead Flood Authority in their letter dated 19th April 2018. Before any development commences on site, these drainage details shall have been approved by the Local Planning Authority and 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 in accordance with details submitted and approved.

Reason: To ensure that the site is adequately drained in accordance with the National Planning Policy Framework.

09. The proposed estate roads, footways, footpaths, tactile paving, cycleways, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car, motorcycle and cycle parking, and street furniture shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing before their construction begins. For this purpose, plans and sections, indicating as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority.

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

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

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

11. In the interests of sustainable development none of the dwellings hereby permitted shall be occupied until a network of cycleway and footpath connections has been constructed within the

development site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

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

12. None of the dwellings hereby permitted shall be occupied until a scheme of street lighting has been installed within the site in accordance with a design and specification to be approved in writing by the Local Planning Authority.

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

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

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

14. No part of the development hereby permitted shall be occupied or brought into use until the construction of suitable vehicular and pedestrian access to the development has been carried out in accordance with a design and specification to be approved in writing by the Local Planning Authority. The scheme shall be fully implemented in accordance with the approved details prior to first occupation, unless otherwise agreed in writing by the Local Planning Authority.

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

15. No part of the development hereby permitted shall be occupied or brought into use until the construction of a footway on the southern side of Church Street from the existing footway to the east of the site boundary with Church Street, across the site frontage with Church Street and onwards on the south side of Church Street to the junction of Church Street with Newchester Cross has been carried out in accordance with a design and specification to be approved in writing by the Local Planning Authority. This scheme shall be fully implemented prior to first occupation with the approved details unless otherwise agreed in writing by the Local Planning Authority.

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

16. Prior to (and within 2 months of) commencement of each significant stage of ground works, an update survey for badger setts will be undertaken by a competent person, and if they are present within 30 metres (including on adjoining land) of the area of activity, the works shall not commence until a method statement for the protection of badgers has been produced and necessary Natural England license have been obtained. The method statement shall be implemented in full.

Reason: For the conservation and protection of legally protected species and to ensure compliance with the Wildlife and Countryside Act 1981, and the Protection of badgers Act 1992.

17. The development hereby permitted shall not be commenced (including any ground works or site clearance) until a survey to determine the presence/absence of slow worms, plus if present, a mitigation plan or method statement detailing measures to avoid harm to slow worms has been

submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in accordance with the approved details and timing of the mitigation plan/ method statement, unless otherwise approved in writing by the Local Planning Authority.

Reason: To accord with Policy EQ4 of the South Somerset Local Plan and compliance with the Wildlife and Countryside Act 1981.

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