

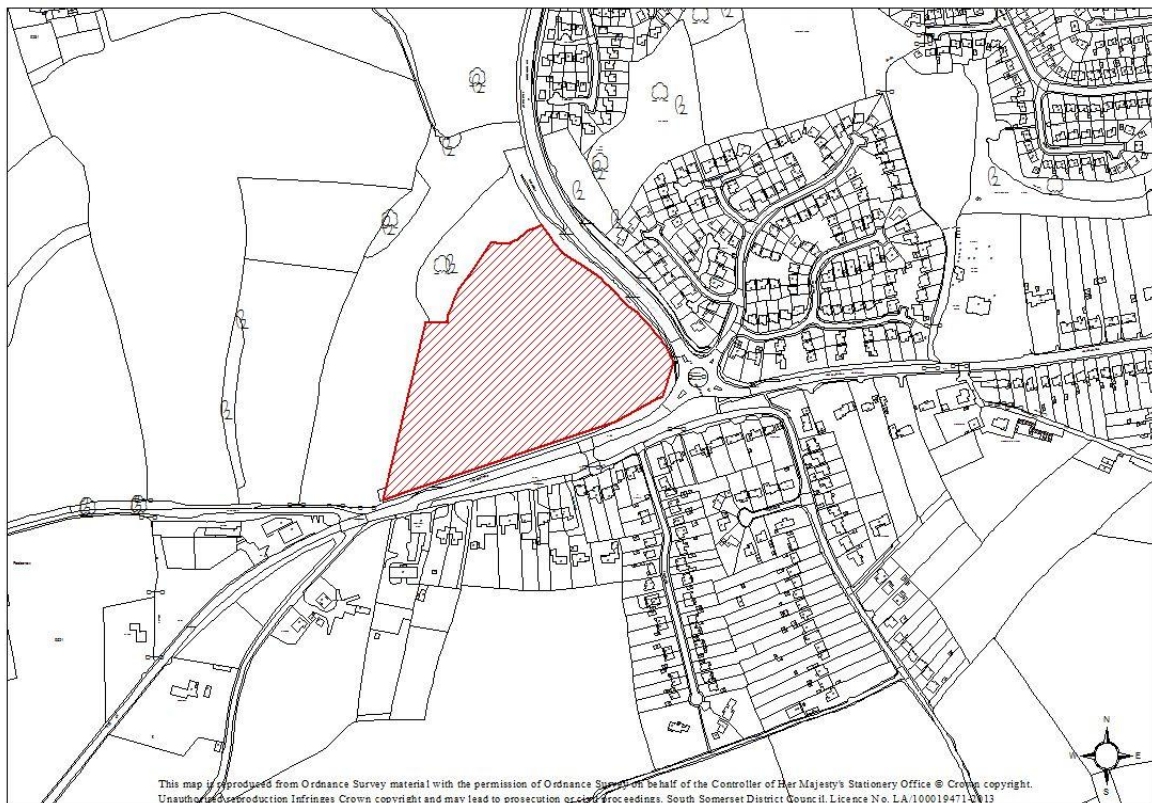
Officer Report On Planning Application: 13/01869/OUT

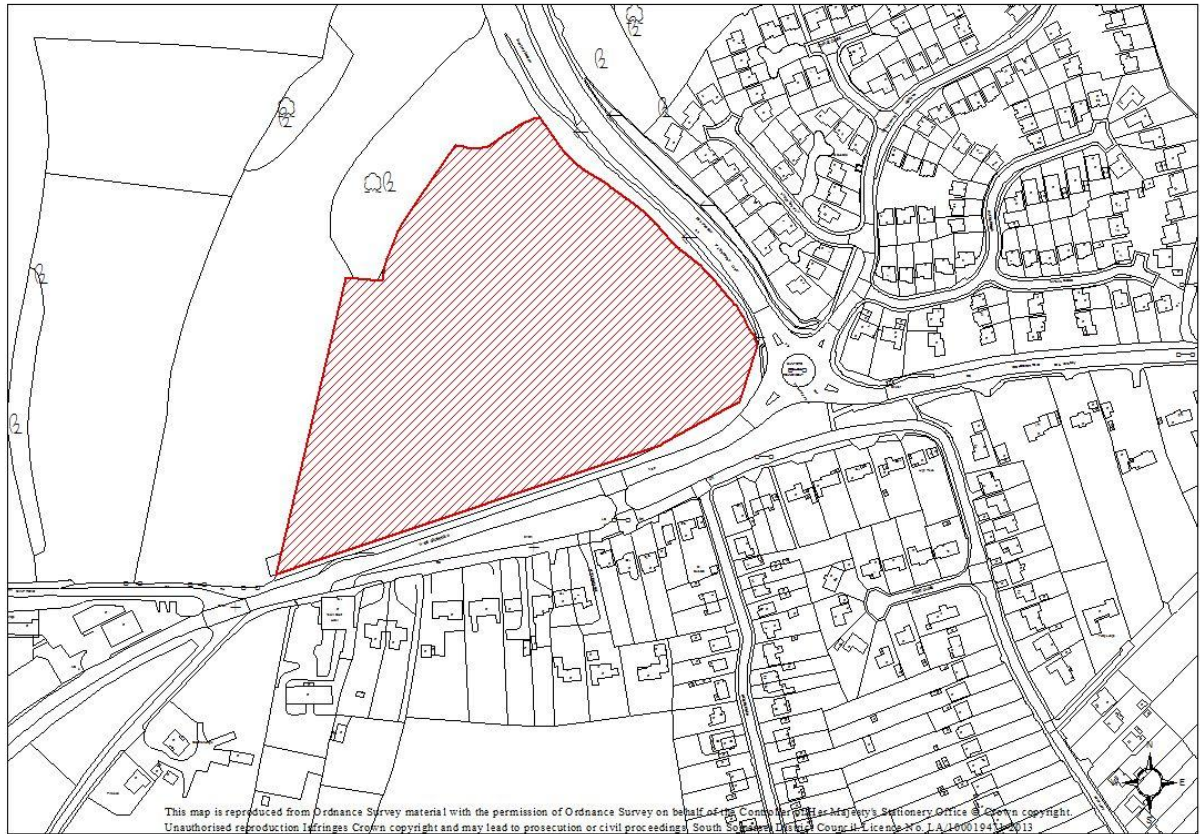
Proposal :	Residential development, associated landscaping, open space and new vehicular access. (GR 353436/114512)
Site Address:	Land Adj Bunford Hollow Roundabout West Coker Road Yeovil
Parish:	West Coker
COKER Ward (SSDC Member)	Cllr G Seaton Cllr Cathy Bakewell
Recommending Case Officer:	Simon Fox Tel: (01935) 462509 Email: simon.fox@southsomerset.gov.uk
Target date :	2nd August 2013
Applicant :	Abbey Manor Group
Agent: (no agent if blank)	Boyer Planning Ltd 1B Oak Tree House Oak Tree Court Mulberry Drive Cardiff Gate Business Park Cardiff CF23 8RS
Application Type :	Major DwlgS 10 or more or site 0.5ha+

Reason for Referral to Committee

This application has been referred for Committee consideration at the request of the Development Manager in accordance with the scheme of delegation and with the agreement of the Chairman due to the fact the application constitutes a major development and a departure from the local plan.

Site Description and Proposal





The application site lies within West Coker parish and comprises an almost triangular agricultural field bordered by residential development at West Coker Road to the south, Bunford Hollow/Watercombe Lane to the east and by open countryside to the north and west.

Amounting to 4.26ha, the site, known as Bunford Heights, is relatively flat as far as the northern/western edge which falls away to an attractive coombe. Distant views can be achieved here through the open boundary to open countryside. A small woodland area is evident wrapping around the northern boundary, a linear woodland is evident to the east and to the south is hedging and trees.

A public footpath (Y 29/20) runs along the eastern/northern edge and through the woodland connecting West Coker Road to Bunford Hollow/Watercombe Lane.

Whilst the site is currently outside the development limit as defined in the 2006 Local Plan, the emerging Local Plan identifies Yeovil as the prime focus for development in South Somerset. In order to develop 7,441 new homes in the town, the plan proposes an expansion of the urban area to the south and west. The application site is identified as a future direction of growth alongside the more significant sustainable urban extension. A planning policy statement and landscape assessment have been submitted to support the application.

This application, made in outline with all matters reserved for later approval except means of access, seeks to develop the site for residential purposes in the region of 80 dwellings. The application includes an illustrative masterplan. In detail the scheme seeks:

- To provide 35% affordable housing,
- To form a vehicular access from West Coker Road, including the creation of right-hand turns into the site and Nash Lane (a transport assessment and a travel plan have been submitted to support the application),
- To apply to move the speed limit further west to the Camp Hill/Holywell junction (subject to separate consent),
- To provide a Locally Equipped Area for Play (LEAP),
- To provide space for youth facilities and casual play,
- To provide two distinctive areas of public open space,
- retain prominent mature trees (a tree survey has been submitted to support the application),
- To divert the public right of way (subject to separate consent).

The applicant has also submitted the following documentation in support of the application:

- Landscape Assessment
- Flood Risk Assessment
- Drainage Strategy
- Ecology Report
- Air Quality Report
- Noise Survey
- Ground Investigation
- Utilities Appraisal

A small convenience store is located within the nearby service station to the east and this proposal includes improving general pedestrian cycle access to this local facility. The same links will also improve access to the bus stop located on the north side of West Coker Road near the Camp Hill/Holywell junction.

The applicant has held two public consultation events and a statement of community involvement has been submitted with the application.

HISTORY

No relevant history.

Attention is however directed to another current application in the vicinity, land rear of the Yeovil Court Hotel, ref 13/01791/OUT, to develop the site for residential purposes in the region of 140 dwellings.

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.

In March 2012 the existing national Planning Policy Statements and Guidance Notes (PPS's and PPG's) were superseded by the publication of the National Planning Policy Framework.

National Planning Policy Framework - March 2012

Core Planning Principles

Chapter 4 - Promoting Sustainable Transport

Chapter 6 - Delivering a Wide Choice of High Quality Homes
Chapter 7 - Requiring Good Design
Chapter 10 - Meeting the Challenge of Climate Change, Flooding and Coastal Change
Chapter 11 - Conserving and Enhancing the Natural Environment
Chapter 12 - Conserving and Enhancing the Historic Environment
Annex 1 - Implementation

The Secretary of State confirmed The Regional Strategy for the South West (Revocation) Order 2013 on 20 May 2013. This had the effect of revoking the Regional Strategy for the South West and the partial revocation of the Somerset and Exmoor National Park Joint Structure Plan (all policies except policy 6 - Bristol/Bath Green Belt).

The development plan comprises the saved policies of the South Somerset Local Plan.

The policies of most relevance to the proposal are:

South Somerset Local Plan (adopted April 2006):

ST3 - Development Areas
ST5 - General Principles of Development
ST6 - The Quality of Development
ST8 - Sustainable Construction
ST10 - Planning Obligations
EC1 - Protecting the Best and Most Versatile Agricultural Land
EC3 - Landscape Character
EC8 - Protected Species
EH8 - Historic Parks and Gardens
EP1 - Pollution and Noise
EU4 - Water Services
TP1 - New Development and Pedestrian Provision
TP2 - Travel Plans
TP5 - Public Transport
HG4 - Housing Densities
HG7 - Site Targets and Thresholds
CR2 - Provision for Outdoor Playing Space and Amenity Space in New Development
CR3 - Off-Site Provision
CR4 - Amenity Open Space
CR9 - Public Rights of Way and Recreation Routes

Other

Somerset County Council Parking Strategy (March 2012)

CONSULTATIONS

West Coker PC:

No objections but would prefer to the footpath moved further away from the roundabout.

Yeovil Town Council (neighbouring parish):

Noted.

East Coker Parish Council (neighbouring parish):

- The proposed development is on high ground and will spoil the landscape and be visible for miles.

- The West Coker Rd. (A30) is already very busy especially at the Bunford Lane /A30 roundabout, any additional traffic at peak times will make for worse congestion and safety hazards.
- Any further encroachment into open countryside should be avoided and this application should be refused until the outcome of the New Local Plan currently under consideration.

Highways Authority (Somerset CC):

The HA was consulted on this application but at the time of writing this report no formal written comments had been received. It is understood the HA did engage in pre-application discussions with the applicant's highway consultant and verbally the HA has said there are likely to be few issues with the scheme. A verbal update will be given.

SSDC Planning Policy:

"The proposal is located outside the development area set out in 'saved' policy ST3 of the Local Plan (adopted 2006). However, the Council currently only has a housing land supply of 4 years 10 months (as at March 2012). The National Planning Policy Framework (para 49) states that "relevant policies for the supply of housing should not be considered up to date if the local planning authority cannot demonstrate a five year supply of housing land," thereby invoking the presumption in favour of sustainable development in the NPPF, para 14. An appeal decision at Chard in November 2012 (APP/R3325/A/12/2176355) held that policy ST3 should be afforded some weight as it is in line with the general thrust of the NPPF, but noted that due to the age of the local plan and lack of five year housing land supply, para 14 of the NPPF is a material consideration of substantial weight.

Para 14 of the NPPF states permission should be granted unless:

- Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits; or
- Specific policies in the NPPF indicate development should be restricted.

The proposal is located on the edge of Yeovil which is the most sustainable settlement in the District, and it will need to be considered whether the adverse impacts would significantly and demonstrably outweigh the benefits of additional housing. A judgement on this, and the potential restriction of specific NPPF policies, should be made in light of the responses of consultees".

The site is located with the direction of growth for the Yeovil Sustainable Urban Extension (SUE) within the emerging local plan. Although at an advanced stage given the Inspector's preliminary findings little weight can be placed upon the proposed location of the SUE at this stage. Emerging policies to support the SUE include high sustainability objectives and Garden City principles.

The proposal is located on best and most versatile agricultural land and the applicant has not addressed the issue of agricultural land quality as required in the NPPF.

It is not felt prematurity (that would prejudice the emerging local plan) could be justified despite the Inspector's comments.

"Overall, the proposal is contrary to 'saved' policy ST3 of the adopted Local Plan but the current lack of a 5 year housing land supply means that there must be significant reasons to object to the scheme. Although the location is consistent with the latest version of the emerging Local Plan, this cannot be given much weight in light of the Inspector's preliminary findings as explained above. Therefore, I do not raise a planning policy objection against the principle of development, subject to the applicant addressing the issue of agricultural land quality and there being no significant adverse impacts raised by other consultees".

SSC Archaeologist:

"The site lies within an area of high archaeological activity ranging from Bronze Age cremation burials (to the north of the proposal site), a Roman settlement to the south and a barrow cemetery to the west. Therefore the proposal has very high potential to impact on reasonably significant heritage assets. However, there is currently insufficient information contained within the application on the nature of any archaeological remains to properly assess their interest.

For this reason I recommend that the applicant be asked to provide further information on any archaeological remains on the site prior to the determination of this application. This is likely to require a desk-based assessment and a field evaluation as indicated in the National Planning Policy Framework (Paragraph 128)".

SSDC Conservation Officer:

Verbal discussion, happy to defer judgment upon setting of the RP&G to SSDC Landscape Architect in consultation with English Heritage.

English Heritage:

"We note that the proposed location of the development lies in proximity to a number of designated heritage assets. These include:

- The Scheduled Monument at Chessels Roman villa (ref. 1006186);
 - The Grade II* Registered Park and Garden of Brympton d'Evercy (ref. 1000506);
- and

- Buildings Listed at Grades I, II* and II located within the Brympton d'Evercy park.

We therefore consider that the application has the potential to impact on the setting (and therefore the significance) of these designated assets.

We have considered carefully the documentation submitted with the application and our records of the heritage assets in this locality and have come to these conclusions:

1. We do not believe that the proposals would result in a significant impact to the setting of the Scheduled Monument (Chessels Roman villa) as there is no intervisibility between the proposed site and the Scheduled Monument;
2. There appears to be some degree of intervisibility between the proposed site and parts of the Registered Park and Garden, and possibly also some of the Listed Buildings contained within the Park. Our impression at the moment is that any impacts to the setting of the assets noted above would be relatively minor due to the distance between the assets, the local topography and the screening by existing trees and boundaries".

Further information required with respect to issue 2 in the form of an addendum to the Landscape Assessment.

Upon receipt of landscape assessment addendum:

Comments awaited.

SSDC Landscape Architect:

"The site falls within the scope of the peripheral landscape study, where it was found to be sufficiently well related to the town's edge, to have a capacity for development. This potential is explored further by the landscape assessment submitted by the applicant, and in general I concur with its findings, that the site can readily accommodate development providing the sensitivities of the site are respected. I would define these sensitivities as the careful arrangement of development along with appropriate planting mitigation where the site faces Brympton d'Evercy; the retention of the woodland that wraps around the north face of the site; similarly, the retention of the tree and shrub belt that acts as buffer between the site and Bunford Hollow; and a suitable frontage

incorporating open space to 'mirror' the character of the land to the opposite side of the West Coker Road.

The illustrative masterplan is further developed from earlier iterations, and I am satisfied that its proposed arrangement of the residential areas, in relationship with the suggested locations of proposed open space, planting mitigation; and management of existing woody vegetation, has the potential to deliver a suitable and appropriate development layout".

Two issues with the indicative design are highlighted but otherwise a landscape masterplan should be conditioned.

Upon receipt of landscape assessment addendum:

The brief of EH has been fulfilled, it indicates that there is minimal intervisibility between the site and Brympton HP&G and there is scope to mitigate what little of the site will theoretically be seen. From the HP&G the site will be seen alongside established development form.

Strategic Housing:

Current policy requires 35% affordable housing split 67:33 in favour of social rent with access to further public subsidy. Based on 80 dwellings this would require 28 units to be affordable 19 social rent and 9 shared ownership or other intermediate solutions - 1x5bed, 1x4bed, 8x3bed, 12x2bed and 6x1bed). The affordable units should be pepper potted throughout the site.

SSDC Ecologist:

General agreement with the findings of the extended phase 1 ecological assessment.

There is a main badger set with an annexe and outlier setts along the north east boundary. The development is unlikely to impact on the badgers but there will be a moderate risk of significant damage and disturbance by badgers to domestic gardens. A badger proof fence is suggested along this boundary.

The route of the diverted right of way should take into account the presence of the badger setts.

Dormice surveys are on-going. Dormice could potentially be present along the boundaries of the site and it is strongly recommended the survey is completed prior to a detailed application being submitted, to be secured by condition.

If dormice are present and if the south boundary hedge will be removed, then an assessment against the three derogation tests of the Habitats Regulations 2012 will be a legal requirement in the determination of this application. Permission can only be granted if all three derogation tests are satisfied.

Somerset Wildlife Trust:

SWT support the recommendations within the extended phase 1 ecological assessment. Native planting will have additional benefits for wildlife. Future householders should be advised of potential intrusion by badgers and whilst the badger proof fence is welcome it may be sensible to completely separate the wood land boundary and the gardens of the adjacent housing. Bird boxes within the development are recommended.

SSDC Tree Officer:

The oaks and hawthorn on the southern boundary are worth retention for screening and amenity value. The large verge opposite provides an opportunity to radically improve the amenity and distinctiveness of one of the main entrances into town.

The steep embankment on the eastern side is a neglected linear woodland which require management prior to the introduction of residential development.

A beech tree in the corner nearest the roundabout has not been picked up by the survey and should be retained.

The northern boundary has a mature neglected woodland adjoining. Again management is required if introducing a residential development.

Tree protection, management and planting details should be addressed at the reserved matters stage.

SSDC Rights of Way Officer:

"This looks like a good scheme for the reasons stated, leaves the new route in countryside or potential green corridors out of this development site and also removes the potential hazard of badger setts in the copse near the recorded route".

SSDC Community, Health and Leisure Service:

Space for on-site outdoor play and youth facilities is shown on the indicative plan. Financial contributions to equip these areas are sought:

- Equipped play space contribution of £68,817.45 with a commuted sum of £39,750.05; Trigger Point for contribution = Occupation of 20 dwellings,
- Youth facilities contribution of £13,512.58 with a commuted sum of £4,995.84; Trigger Point for contribution = Occupation of 20 dwellings,

In the case of other categories of provision financial sums to cater for off-site provision (new provisions or enhancements of existing facilities) are sought.

Categories of provision and levels of contribution include:

- Playing pitches contribution of £31,744.83 with a commuted sum of £22,651.47 (dedicated to the enhancement of existing pitches at West Coker Recreation Ground or the enhancement of existing pitches or the provision of new pitches at East Coker Recreation Ground or in Yeovil); Trigger Point for contribution = Occupation of 40 dwellings,
- Changing room contribution of £64,451.87 with a commuted sum of £5,184.99 (dedicated to the provision of new changing rooms as part of a project to develop a new community hall/changing room facility at West Coker Recreation Ground); Trigger Point for contribution = Occupation of 40 dwellings,
- Community hall contribution of £123,375 (dedicated to the community hall element of the project to develop a new community hall/changing room facility at West Coker Recreation Ground); Trigger Point for contribution = Occupation of 40 dwellings,
- strategic off-site provisions in Yeovil; Trigger Point for contribution = Occupation of 60 dwellings:
 - swimming pool - £29,584.20
 - sports hall - £48,497.15
 - indoor tennis courts - £18,961.74
 - synthetic turf pitches - £6,432.33
 - theatre and arts centre-Octagon Theatre - £25,043.53

Commuted sums relate to a 10-yr maintenance period for the facility.

Should the corresponding infrastructure not be provided within:

- A 5 year period (equipped play space, youth facilities and community halls provision); or
- A 10 year period (all other categories of provision),

The individual contribution may be reclaimed.

The overall contribution totals £508,033.06 (or £6,350.41 per dwelling). This will be index linked. This total also includes a 1% Community, Health and Leisure Service Administration fee (£5,030). An additional Legal Services fee and separate S106 Monitoring fee will also be applicable.

SSDC Open Spaces Officer:

"I have no objections to this outline application but I am mindful of policy CR2 and the Design Guide Addendum which will need to be adhered to at the reserved matters stage".

SSDC Environmental Protection Officer:

Concern regarding noise exposure to dwellings due to road traffic noise. The predicted exposure levels indicate that the properties closest to Bunford Lane and the A30 will be affected most. Other dwellings deep into the estate are likely to be sheltered from the noise and not greatly affected. It is important to protect outdoor and indoor residential amenity of future residents as far as possible. Condition proposed for a scheme of sound insulation.

SCC Education:

A general overview of school places in the area in given. The development would bring about the need for additional primary school places and secondary school places and so a financial contribution is sought. In the case of primary school places (based on 80 dwelling) this is £196,112 and for secondary school places this is £203,159 with provision for pro-rotta calculations if dwelling numbers increase or decrease at reserved matters stage.

Wessex Water:

Foul drainage options to be discussed. Surface water disposal via SUDs arrangement. There is limited capacity in the local water supply network to serve the proposed development. Further discussions are needed with the applicant with off-site works potentially required to ensure adequate water pressure is maintained.

Environment Agency:

No objections subject to conditions and informatives relating to:

- A scheme for surface water run-off based on the submitted FRA
- Contamination risk
- Sustainable construction
- Pollution prevention during construction
- Waste management

SSDC Technical Services:

"The drainage strategy set out in the drainage report and the FRA identify use of soakaway drainage for roof water and attenuated flows from highways. This strategy is satisfactory but details will be required for approval in due course".

No comments have been received from the Garden History Society, Somerset Waste Partnership, Yeovil Chamber of Trade and NHS Primary Care Trust.

REPRESENTATIONS

Neighbouring properties to the site have been notified. A press advert has been placed and 2 site notices have also been displayed (major development).

3 representations have been received; a summary of comments:

- Existing tall trees must be kept in place on edge of site along A30 and roundabout, along with hedges already place.

- Although 40mph the road between the Bunford Hollow roundabout and the White Post Garage is a fast stretch of road and many accidents have occurred at these junctions.
- This proposal will increase traffic and tailbacks already exist. This may delay emergency vehicles.

CONSIDERATIONS

The application raises numerous issues, each will be considered here in turn. This is an outline application for approximately 80 dwellings with all matters except means for vehicular access, reserved for future approval. As such many matters of detail including design, specific layout and residential amenity are those issues not able to be examined at this stage.

Principle of Development

The proposal is located outside the development area set out in 'saved' policy ST3 of the Local Plan (adopted 2006). However, as the planning policy team has confirmed as of March 2012 the Council only had a housing land supply of 4 years 10 months. The National Planning Policy Framework (para 49) states that "relevant policies for the supply of housing should not be considered up to date if the local planning authority cannot demonstrate a five year supply of housing land", thereby invoking the presumption in favour of sustainable development in the NPPF, para 14.

Paragraph 14 of the NPPF is therefore a material consideration of substantial weight. It states permission should be granted unless:

- Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits; or
- Specific policies in the NPPF indicate development should be restricted.

The comments of East Coker are acknowledged but the proposal is located on the edge of Yeovil which is the most sustainable settlement in the District. It is acknowledged that the proposal is contrary to 'saved' policy ST3 of the adopted Local Plan but the current lack of a 5 year housing land supply means that there must be significant reasons to object to the scheme and it will need to be considered whether any adverse impacts would significantly and demonstrably outweigh the benefits of additional housing.

The Planning Policy Team has highlighted that the Yeovil West ALC map identifies the application site as Grade I agricultural land. It was commented that the applicant had failed to recognise this and justify its loss in accordance with Policy EC1 of the Local Plan. The agent has since commented, "Analysis of the periphery of Yeovil identifies that much of the land adjoining this settlement is best and most versatile agricultural land [Grades 1, 2 and 3a]. You will be aware that through the Local Plan Examination, the District Council accepted that the spatial strategy that supports development at Yeovil would necessitate the development on best and most versatile agricultural". It is true to say that the site has been identified as part of the direction of future growth for Yeovil and therefore, has, by default accepted and justified the loss of such land and the opportunities to use poor quality land are very limited.

It is therefore a matter of assessing potential impacts within this application, which seeks outline consent with all matters reserved except means of access.

Layout, Landscape Impact

The application site does represent a natural rounding off to the south west of Yeovil's urban area and is a flat site adjacent to a steep sided coombe. To the north is land with approval for new commercial development. Save for the public right of way that crosses through it the site is well hidden from other public vantage points by existing planted boundaries on the east and southern sides and by the wooded area to the north/northwest. The Landscape Assessment confirms the site 'is a logical extension of Yeovil's built form' and this view is accepted by the Landscape Architect.

With the built form of the development to be proposed and agreed via the reserved matters application there are no specific aspects to assess, however the Design and Access Statement does indicate the site would accommodate mostly two-storey development with some three storey units to act as focal points. The indicative masterplan also shows the areas of public open space, the equipped play areas, and the area of casual play to the western where the best views can be enjoyed outwards but also where the site is marginally more exposed to distant views inwards. The Landscape Architect has already identified that the built form along the western edge will need careful consideration in terms of precise siting, mass and scale.

The application has been made on the basis that the site would accommodate approx. 80 dwellings at approx. 33 dwellings per hectare. It is not intended to restrict the number of dwellings by condition, rather to assess the final number at the reserved matters stage as the breakdown of apartments and dwellings will then be known. It is noted the transport assessment tested 92 dwellings.

The historic park of Brympton d'Evercy is just under 1km to the west of the site. The Historical Assessment of Yeovil Periphery (July 2010) notes that the park and gardens of Brympton d'Evercy are Grade II* listed and were originally laid out in the 17th Century. The pleasure grounds are described as extending to 9 hectares and the park to around 36 hectares. Brympton House is Grade I listed. Whilst the wider area is considered highly sensitive in terms of both the receiving landscape and the setting of historic assets only the western tip, where the open space is proposed, falls within the visual envelope of the Historic Park and Garden. This is mostly due to the existing wooded area to the north/north west. Proposed planting along the western edge would also provide a robust and defensible edge to the expanded settlement and one that reflects local landscape character.

In light of comments made by English Heritage during the course of the application a further assessment was made regarding the impact on the Historic Park and Garden and the degree of intervisibility. English Heritage has been asked to assess the addendum and although an initial reaction was positive no formal comments have been received. Based on the initial reaction and the comments of the Landscape Architect, on whose view English Heritage were taking note it is considered reasonable to proceed on the basis that there is no issue here.

Notwithstanding the comments of East Coker Parish Council, it is considered the site can be developed, if in the spirit of the indicative masterplan, in a manner to safeguard the setting of the Historic Park and Garden and the wider landscape in general in accordance with the NPPF and Local Policies ST5, ST6, EC3 and EH8.

In terms of layout the application has been accompanied by a noise assessment which identifies road noise as a constraint. The Environmental Protection Officer has reviewed the assessment and has concluded that the imposition of a condition requiring a sound

insulation scheme should be submitted with the application for reserved matters. It is considered this approach will safeguard residential amenity and accord with local plan policies ST6 and EP1.

Archaeology

Although not shown as an area of archaeological interest within the Local Plan the County Archaeologist has requested further information prior to determination. It is said the site lies within an area of high archaeological activity ranging from Bronze Age cremation burials (to the north of the proposal site), a Roman settlement to the south and a barrow cemetery to the west. The proposal, therefore, has very high potential to impact on reasonably significant heritage assets.

To fulfil the requirements of the NPPF the applicant has commissioned a geophysical survey and a Written Scheme of Investigation is being compiled. The applicant's intention is to carry out further field investigation subject to a condition, but without the Written Scheme of Investigation being submitted to the County Archaeologist and without his agreement to the imposition of further field investigation by condition it may be the case that the matter is not satisfactorily resolved at the time of the committee meeting and therefore the recommendation reflects this.

Highway Implications

The application is supported by a Transport Assessment. No formal comments have yet to be received from the Highway Authority. However, pre-application discussions did take place between the applicant's highway consultant and the Highway Authority and during the course of the application the Highway Authority, through verbal discussions, have not alluded to any substantive issues. On this basis it is fully expected that no issues will arise but conditions may be suggested and these will be orally updated.

The proposal seeks to create a vehicular access off West Coker Road, it would be located approx. 70m to the west of the junction with Nash Lane and approx. 175m from the roundabout. To facilitate access into the site and enhance access to Nash Lane right turn lanes would be created and the carriageway widened locally to three lanes. In tandem with this is a proposal to extend the 30mph speed limit past the site and further west past the White Post Garage. The comments of West and East Coker Parish Council's regarding the highway matters are noted, but the point of access is deemed to be the best location given the options available.

In addition to the vehicular access the proposal shows improved pedestrian connectivity on a east-west axis along West Coker Road from the roundabout across the frontage of the site in the form of a footway/pavement link to the White Post Garage. The garage contains a well-stocked convenience shop and at present has very poor and potentially unsafe pedestrian access. The footway/pavement will also take in and improve access to the bus stop which is on the east bound carriageway and itself will be upgraded. During the course of the application a request was made to improve pedestrian linkage on a north-south axis across West Coker Road. The revised indicative plan and a separate plan showing the access arrangements now show such a crossing point via a pedestrian central refuge island close to the proposed new vehicular access. The crossing point will be linked to Nash Lane through the existing verge via a short pathway. An additional stretch of pavement on the site side has also been provided to link this point to the bus-stop and is seen as a real benefit all round.

The application has been accompanied by a draft residential travel plan and but as stated comments from the HA are awaited in order to conclude the proposal is in accordance with the NPPF and local plan policies ST5, TP1, TP2 and TP5.

Affordable Housing

The comments of the Strategic Housing Team are noted and the requirement for 35% affordable housing is justified by policy HG7 of the Local Plan. Whilst an indicative tenure split and dwelling size break-down is given the planning obligation will have to cater for various parameters including the securing of grant (public subsidy) and the overall dwelling numbers at the reserved matters stage. The specific location of affordable units will be assessed/determined during the reserved matters stage.

Trees

Whilst the majority of the site is an open field, it is bound by hedging and trees. Along the southern boundary adjacent to West Coker Road is a hawthorn hedge partially dominated by a line of cypress trees inclusive of several oaks and a beech. The open/fenced western boundary also has a couple of oaks within it, and the woodland area to the north/north-west includes sycamore, oak, ash, beech, hawthorn, hazel, elm and elder. Along the steep bank to Bunford Hollow on eastern boundary is a linear group of sycamore, hazel, holly, elder, oak, field maple and beech.

At pre-app stage the applicant was advised to ensure a management strategy was devised to ensure the woodland area and the eastern boundary was considered in light of the proposed residential development. A scheme which responds to the intended development will ensure residential amenity is preserved. The solution is to ensure a scheme is submitted with the reserved matters application informed by the final layout. Where retained, hedges and trees will require individual protection measures to be secured by condition.

The applicant has also made a commitment to include the wide highway verge on the south side of West Coker Road as part of the site for the basis of landscaping, with the long-term view of creating an avenue effect with retained and deliberate new planting.

Wildlife

An extended phase 1 ecological assessment has taken place and has identified badger setts and potential bat roosting habitat in the north/north-west woodland. It was considered the site had low to negligible potential to support other protected species such as slow-worm, great-crested newts and dormouse. The Ecologist noted that dormouse nest tube surveys were on-going and suggested a condition whereby a dormouse survey should be completed before the submission of a reserved matters application. The applicant's ecologist has now confirmed that the results of that survey showed no dormouse activity and concludes that 'the species is absent from the habitat bordering the development site'.

As such given the comments of the Council's Ecologist there is no need to assess against the Habitats Regulations.

Methods to mitigate potential impacts have been suggested. It goes on to say that the indicative landscaping proposal have the potential to provide ecological benefit. It is considered the proposal complies with the NPPF and policy EC8 of the Local Plan.

Drainage

Even though the site and surrounding area is shown in Flood Zone 1 and so not at risk from fluvial flooding, the application has been supported by a Flood Risk Assessment and drainage strategy due to the size of the site.

No objections have been raised by the Council's Technical Engineer or the EA. With no evident issues at this stage it is felt appropriate to request a full scheme of surface water drainage to be submitted as part of the application for reserved matters. It is considered the proposal complies with the NPPF and policy EU4 of the Local Plan.

Sustainable Construction:

The comments of the SSDC Planning Policy Team refer to emerging policies concerning sustainable construction given the site will be considered part of the Sustainable Urban Extension. With the adoption of the Local Plan now suspended, those policies can only be given very limited weight. Saved policy ST8 requires energy conversation to have been fully considered in the design, orientation and layout. At this outline stage some of those are unknown however the applicant has pointed out that the affordable housing element (35%) will be built to Code 3/4 of the Code for Sustainable Homes as required by the HCA. Otherwise the open market houses will be built to Part L of the Building Regulations. In addition the application has stated other measures that will be implemented. It is proposed to ensure these elements are incorporated, alongside that of orientation and design, in the application for approval of reserved matters.

Play, Sport and Open Space Provision

The current indicative plan shows the provision of a Locally Equipped Area for Play (LEAP), space for youth facilities and casual play and provision of two distinctive areas of public open space. The LEAP, provided in accordance with local plan policies CR2 and CR3, will serve the development and most probably children from just outside the site, as the nearest other equipped play facility is at Yew Tree Park on Lysander Road. Concerns have been raised by the SSDC Community, Health and Leisure Team concerning the location of the LEAP and Youth facilities relative to the A30. In response the indicative plan has been amended to remove a direct link into the site from the south-west corner and those facilities will now be sited behind secure boundaries.

Financial sums for various categories of off-site provision have been sought, in line with local plan policies ST10, CR2 and CR3, as detailed in the consultation response from SSDC Community, Health and Leisure. The figures given are based on the indicative number of 80 dwellings and so until final numbers are known at the reserved matters stage it is important to secure a clause in the planning obligation that means a pro-rata sum is received if the final housing numbers are above or below that 80 figure.

Public Right of Way

A public right of way currently runs from the A30 near the bus stop along the western fenced boundary, through the woodland area to a point on Bunford Hollow. There are no onward connecting paths on either a southerly or northerly direction but the route itself provides a good vantage point for westerly views and cuts the corner where the roundabout is located. In order to maximise the use of the path for recreational users whilst also mindful of other pathways and pavements connected to the development that are likely to be provided it has been suggested that the right of way be diverted into the coombe and to pass along the bottom, to the north, of the woodland area. This will also safeguard the badger setts and remove the possibility of footpaths to the rear of future residential properties. Furthermore connectivity with the Bunford Business Park, which already has approval, has been reviewed. When travelling north the current footpath

discharges out onto three lanes of the busy Bunford Hollow and by moving this point further north it is felt that the potential for crossing is enhanced where there are only two lanes and vehicles speeds are not so high. It is considered the proposed diversion will be equally convenient to users in accordance with CR9. The Rights of Way Officer has agreed this is a reasonable way forward, subject to a separate diversion application.

Planning Obligations and Viability

As detailed elsewhere in this section planning obligations are sought for affordable housing, education and play, community and sporting facilities. These will be secured by a planning obligation under Section 106 of the Planning Act. All contributions will be fixed with a clause to ensure sufficient additional pro-rata sums are secured if housing numbers go up (or down) from the approximate figure of 80.

At the time of writing this report no indication had been made regarding the viability of the development given the levels of contribution sought.

Environmental Impact Assessment

The proposal falls within the scope of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. Accordingly, the Local Planning Authority is required to make a formal screening decision as to the requirement for Environmental Impact Assessment because of the nature of the proposed development and the fact that the site area exceeds 0.5 hectares.

The basic test of the need for Environmental Impact Assessment in a particular case is the likelihood of significant environmental effects on the environment. Regulation 7 requires in any event the LPA to adopt a screening opinion if it believes the application might constitute EIA development as if a screening request had been made under Regulation 5(1).

The application is supported by a suite of environmental based reports and assessments and as such the Local Planning Authority has not required the applicant to submit an Environmental Impact Assessment in support of this application.

Conclusion

With the exception of archaeology and highways there are no outstanding issues that cannot be adequately controlled by planning condition or planning obligation.

RECOMMENDATION

Grant planning permission for the following reason subject to receipt of no adverse comments regarding archaeology and highways, 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 obligation to cover the following:
 - (i) The provision of Affordable Housing comprising 35% affordable housing split 67:33 in favour of social rent with access to further public subsidy. Based on 80 dwellings this would require 28 units to be affordable 19 social rent and 9 shared ownership or other intermediate solutions - with an indicative mix of 1x5bed, 1x4bed, 8x3bed, 12x2bed and 6x1bed, all to the satisfaction of the Council's Strategic Housing Manager;
 - (ii) Community, Heath Service and Leisure contributions towards outdoor playing space, sport and recreation facilities (as detailed in the consultations section of this report), all to the satisfaction of the Council's

- Community, Health and Leisure unit based on a formula of £5,317.89 per dwelling;
- (iii) The provision of the on-site LEAP and youth facilities, capital revenue contributions for developing and maintaining the facilities, with appropriate trigger points;
 - (iv) The provision of landscaping and open space to include:
 - a) Design standard (SSDC Landscape Design - A Guide to Good Practice and the Addendum thereto).
 - b) Maintenance period
 - c) Street trees
 - d) Commuted sums
 - e) Transfer
 - (v) Enhancement of the bus stop (raised kerbs and DDA compliant) and provision of a bus shelter at the existing bus stop on West Coker Road, with a commuted sum for maintenance of the shelter;
 - (vi) Residential travel plan and sustainable travel incentives;
 - (vii) Education contribution towards to the provision of primary school places based on the formula of 30 places per 150 dwellings @ £12,257 per place with appropriate trigger points;
 - (viii) Education contribution towards to the provision of secondary school places based on the formula of 30 places per 210 dwellings @ £18,469 per place with appropriate trigger points;
 - (ix) Index linking of all financial payments, and
 - (x) A planning obligation monitoring fee (20% of the planning fee).
- (b) The imposition of the planning conditions set out below on the grant of planning permission.
01. The Council cannot demonstrate a 5-year housing land supply. Yeovil is an appropriate location for this level of development and the site is suitable in terms of its relationship to the town and its services and can be developed without causing unacceptable harm to the setting or functioning of the town. Despite being Grade I agricultural land the proposal, in outline, by reason of its location on the periphery of a sustainable settlement, its juxtaposition with existing built form and its scale represents an appropriate and logical rounding-off where a development could result that would not cause demonstrable impact upon residential amenity, highway safety or upon the character and appearance of the area, or setting of the Brympton d'Evercy Registered Historic Park and Garden subject to the approval of Reserved Matters and would not foster growth in the need to travel, in accordance with the aims of objectives of the National Planning Policy Framework, and policies ST3, ST5, ST6, ST8, ST10, EC1, EC3, EC8, EH8, EP1, EU4, TP1, TP2, TP5, HG4, HG7, CR2, CR3, CR4 and CR9 of the South Somerset Local Plan (adopted April 2006).

SUBJECT TO THE FOLLOWING:

01. Approval of the details of the layout, scale, appearance and landscaping of the site (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority in writing before any development is commenced. Application for approval of the reserved matters shall be made to the Local Planning Authority not later than the expiration of three years from the date of this permission. The development hereby permitted shall be begun, not later than the expiration of two years from the final approval of the reserved matters or, in the

case of approval on different dates, the final approval of the last such matter to be approved.

Reason: In accordance with the provisions of S92 (2) Town and Country Planning Act 1990 (as amended by S51 (2) Planning and Compulsory Purchase Act 2004).

02. The vehicular access hereby permitted shall be laid out in accordance with Drawing No.12604/T04 RevC (Hydrock Consultants, Proposed Vehicular Access Arrangement).

Reason: In the interests of highway safety to accord with policy ST5 of the South Somerset Local Plan (adopted April 2006).

03. The application for approval of the reserved matters shall indicate:
- a) Materials to be used for the external walls and roofs;
 - b) Materials to be used for rainwater goods;
 - c) The design (including joinery details where appropriate), type of material, plus proposed colour and finish of all windows and doors plus recesses;
 - d) Details of eaves/verges;
 - e) Location and design details of all vents, flues and meter boxes;
 - f) Details of all internal and external boundary treatments; and
 - g) The surfacing materials (and drainage details thereof) of all areas of hardstanding incl. driveways.

Reason: To maintain the character and appearance of the area to accord with policies ST5 and ST6 of the South Somerset Local Plan (adopted April 2006).

04. The application for approval of the reserved matters shall include details of the finished floor levels and resulting ridge heights of the buildings to be erected on the site.

Reason: In the interests of the visual and residential amenity of the area, in accordance with policies ST5 and ST6 of the South Somerset Local Plan (adopted April 2006).

05. The application for approval of the reserved matters shall make provision for a scheme of badger proof fencing within residential boundaries adjoining the woodland areas to the east and north of the site. The scheme shall include details of materials, height above ground and depth below ground, and a plan of the location and extent of fencing. The fencing shall be installed in accordance with the approved details.

Reason: For the protection of residential amenity from significant nuisance problems caused by badgers to accord with the National Planning Policy Framework and policy EC8 of the South Somerset Local Plan (adopted April 2006).

06. Prior to commencement of each significant stage of ground works, an updated survey for badger setts will be undertaken by a competent person, and if any 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 any necessary Natural England licences have been obtained. The method statement shall be implemented in full.

Reason: For the conservation and protection of legally protected species to accord with the National Planning Policy Framework and policy EC8 of the South Somerset Local Plan (adopted April 2006).

07. The application for approval of the reserved matters shall include a detailed surface water run-off management scheme. Unless otherwise agreed by the Local Planning Authority, the proposed surface water drainage scheme shall accord with section 5.2 and Appendix D of the submitted Hydrock Flood Risk Assessment dated April 2013. The submitted details shall also clarify the intended future ownership and maintenance provision for all drainage works serving the site. The approved scheme shall be implemented in accordance with the approved programme and details.

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal to comply with the National Planning Policy Framework.

08. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with and obtain written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: The National Planning Policy Framework paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution.

09. The application for approval of the reserved matters shall include a sound insulation scheme to mitigate traffic noise identified in the submitted Noise Assessment (SPL Acoustics-March 2013). Thereafter the scheme shall be fully implemented as part of the development and following its installation shall be permanently retained and maintained. The agreed scheme shall detail the following:

- Size and position of acoustic barriers.
- Predicted effectiveness of acoustic barriers.
- Maintenance arrangements of acoustic barriers.
- Orientation and layout of dwellings.
- Sound insulation measures of individual dwellings.
- Predicted effectiveness of sound insulation measures in individual dwellings.

Reason: To safeguard residential amenity to accord with policies ST6 and EP1 of the South Somerset Local Plan (adopted April 2006).

10. The application for approval of the reserved matters shall include a strategy for the long-term management of the wooded areas to the east and north/north-east of the site.

Reason: To ensure landscape features are suitably managed in close proximity to residential development so as to avoid liveability issues and neighbour resentment to accord with policy ST6 and EC3 of the South Somerset Local Plan (adopted April 2006).

11. The application for approval of the reserved matters shall include the following tree protection and planting details:
- a) A layout plan of the below-ground drainage & services to be installed;
 - b) A Tree Survey, Tree Protection Plan and Arboricultural Method Statement relating to all retained trees and hedges on or adjoining the site, so as to conform to British Standard 5837: 2005 - Trees in relation to construction; which shall include:
 - i. A layout and specification of tree and hedge protection fencing
 - ii. Special protection and engineering measures for required access, installation of built structures, below-ground services, drainage and hard-surfacing within the Root Protection Areas of retained trees
 - iii. A schedule of compliance-monitoring for the duration of the construction phases of the development (inclusive of landscaping & dismantling of tree protection fencing)

Upon approval by the Local Planning Authority, the tree protection scheme shall be implemented in its entirety for both the duration of the construction of the development.

Reason: To preserve the health, structure and amenity value of retained trees to comply with the National Planning Policy Framework.

12. The application for approval of the reserved matters shall include
- a) Measures to promote sustainable construction based on the undertaking made in the letter dated 22 July 2013.
 - b) A strategy for the storage and collection of domestic recycling and refuse. Such a scheme shall include the locations of collection points (communal if necessary).

Reason: To promote sustainable construction as advocated by the National Planning Policy Framework.

13. No development shall be undertaken until the access generally in accordance with Drawing No.12604/T04 RevA (Hydrock Consultants, Proposed Vehicular Access Arrangement) has been implemented in accordance with detailed specifications to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety, in accordance with policy ST5 of the South Somerset Local Plan (adopted April 2006).

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

Reason: In the interests of highway safety, in accordance with policy ST5 of the South Somerset Local Plan (adopted April 2006).

15. The development hereby permitted shall not commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include pollution prevention measures, construction vehicle movements, construction operation hours, construction vehicular routes to and from site, construction delivery hours, expected number of construction vehicles per day, car parking for contractors, specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice. The development shall be carried out strictly in accordance with the approved Construction Management Plan.

Reason: In the interests of highway safety and residential amenity to accord with policies ST5 and ST6 of the South Somerset Local Plan (adopted April 2006).

Informatives:

01. The applicant is advised that depending on the size of the proposed dwellings at the reserved matters stage the respective number of parking spaces and requirements for bicycle storage shall be determined in accordance with the Somerset County Council Parking Strategy (March 2012), or any subsequent strategy that revokes it.
02. Landscaping is a reserved matter and the applicant is advised that within the scheme of landscaping proposed a scheme of tree planting detailing the successful establishment of container-grown trees, their sizes, locations, species and timing of planting be included.
03. The applicant is advised to note the recommendations contained within the Extended Phase 1 Ecological Assessment and demonstrate their execution in the application for reserved matters.
04. The applicant is advised to consult a suitably qualified ecologist at an early stage when working up the layout of the development at the reserved matters stage so that the impact on badgers can be fully considered.
05. The applicant is reminded of the letter to the LPA from the Environment Agency dated 05 June 2013 in which advice is given regarding flood risk, sustainable construction, pollution measures during development and waste management. A copy of this letter is viewable on the planning application file.