

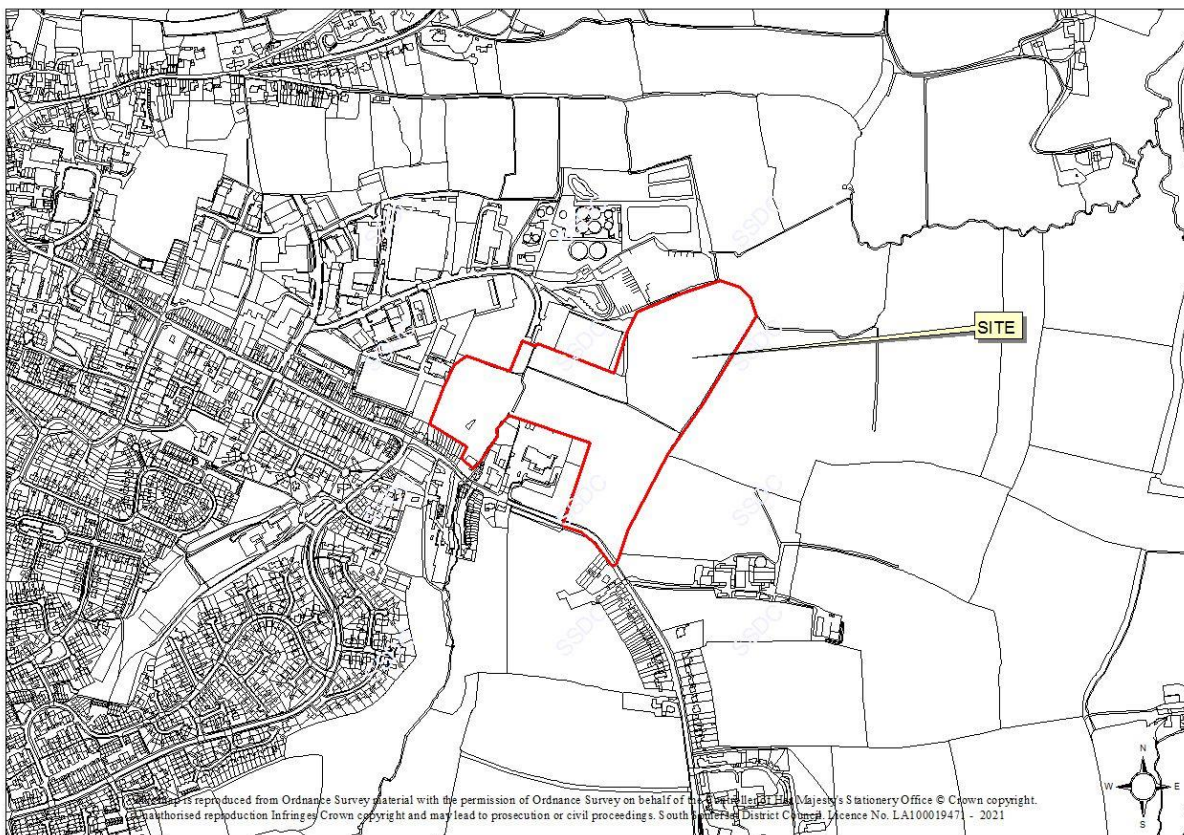
Officer Report On Planning Application: 20/00149/REM

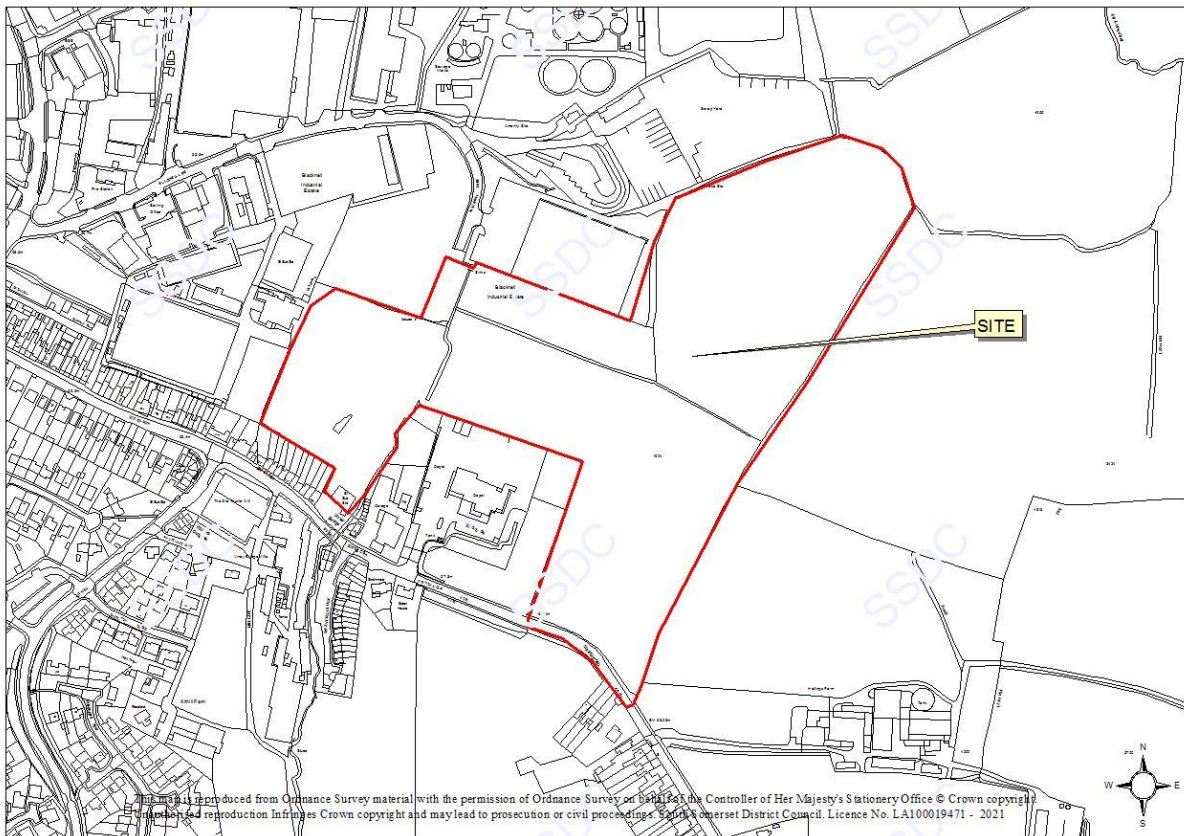
Proposal :	Reserved Matters planning application following Outline approval 14/02141/OUT and amended under 19/03483/S73 for up to 110 residential dwellings (Use Class C3) including layout, scale, appearance and landscaping.
Site Address :	Land off Station Road Crewkerne TA18 8AJ
Parish :	Crewkerne
CREWKERNE Ward (SSDC Member)	Cllr Robin Pailthorpe; Cllr Mike Best; Cllr Ben Hodgson
Recommending Case Officer	Martin Lee (Principal Specialist)
Applicant :	Taylor Wimpey Homes
Application Type :	Major Dwlg 10 or more or site 0.5ha+

REASON FOR REFERRAL TO COMMITTEE

The application has been referred to committee by the Ward Member with the agreement of the Area Chair to allow discussion of the planning issues.

SITE DESCRIPTION AND PROPOSAL





BACKGROUND

This application relates to part of the Crewkerne Keysite which is located on the eastern side of Crewkerne and is approximately 50 hectares in area for the overall site. The keysite currently has two associated extant planning permissions which the applicant refers to as Outline 1 and Outline 2 and which sit together as one overarching scheme and are linked by a single Section 106 Agreement.

Outline planning permission 1 relates to planning approval 05/00661/OUT, which granted permission for a large scale mixed use development comprising up to 525 houses, employment land, community facilities, playing fields, public open space and landscaping and associated infrastructure including a link road and highway improvements. A Section 73 application was subsequently approved to amend a number of conditions (19/003482/S73).

Outline 2 relates to a later planning application, outline approval 14/02141/OUT, which was submitted in respect of the southern portion of the wider site and is the subject of this current Reserved Matters consent application. Under the earlier scheme this part of the site was originally intended to include no residential dwellings and instead was to accommodate the employment element of the scheme along with other associated infrastructure. However, the applicants successfully argued that the scheme as originally approved was unviable and through the 2014 outline permission gained consent for up to 110 dwellings and a 60 bed care home. This in turn led to a reduction in the overall land for employment use to 3.74 hectares. This brings the total number of residential dwellings across the whole site to 635. The current Reserved Matters consent application relates to these 110 dwellings and the construction of the first part of the Crewkerne Link Road.

At a similar time to planning application 14/02141/FUL being considered, the applicant submitted a separate application to vary the S106 Agreement to allow for variations to the associated planning obligations and so that these obligations were applicable to and included the amendments to this latest scheme. Both of these applications were approved and the matters secured under the revised S106 Agreement were: -

- the completion of the link road through the site, between the A30 and the A356, prior to the occupation of 200 houses or within 4 years of first residential occupation, whichever is sooner;
- the completion of the link road between the new link road and Blacknell Lane prior to the occupation of 1,000 sqm of employment space or within 4 years of commencement of the employment land or within 7 years of the first occupation of any dwelling, whichever is sooner;
- the delivery of 17.5% of the housing as affordable homes for 'social rent';
- the delivery of the serviced school site;
- an education contribution of £2,000,000;
- a contribution of £260,00 towards sports, arts and leisure facilities;
- a contribution of £635,624 towards off site highways mitigation and sustainable travel planning, to include: -
 - £100,000 towards town centre improvements (upon commencement);
 - contributions to off-site traffic calming and improvements to footpath/cycle path links (prior to first occupation);
 - contribution towards bus services to serve the development (upon completion of the link road);
 - contributions towards travel planning measures;
- the provision and maintenance of on-site play areas;
- the landscaping and maintenance of c.24 hectares of 'country-park', including any landscaping necessary for dormouse mitigation measures;
- the completion of the dormouse bridge prior to the completion of the link road through the site with a requirement for the developer to make all reasonable endeavours to re-assess the dormouse population prior to commencement of the dormouse bridge and, if justified, to agree appropriate alternative mitigation;
- appropriate badger mitigation measures as required by the Council's ecologist; and
- 3 yearly reviews of the viability of the development throughout the construction phase.

Site Description

The site sits between the A30 Yeovil road and the A356 Misterton road to the south of Crewkerne. The northern part (Outline 1), where the main residential element is approved, adjoins the A30 and lies to the east of the town cemetery. This is the highest part of the site at the top of a scarp slope, which runs roughly east-west.

The central part of the site (Outline 1) includes the scarp slope with the lowest lying parts of the site mainly grassland. A corridor of open countryside extends westwards from the site boundary into the town centre. This area has been identified as a good habitat for dormice. This central part of the site is to be retained for informal recreation. New balancing ponds associated with the drainage of the site would be located in this area and will be designed to attract wildlife. In addition to the informal recreation provision, there will also be a community sports area including a playing pitch.

The southern part of the site as covered by application 14/02141/OUT (Outline 2), slopes gently upwards to the A356 at the southern boundary. This part of the site adjoins the town's main industrial area at its western boundary and open countryside to the east and comprises the employment and care home elements along with residential development for up to 110 dwellings and provides the southern part of the link road where it leads on to Station Road. It is the residential and link road elements that are currently being proposed with this reserved matters application.

Both in 2005 and 2014, submissions were supported by an Environmental Statement which addressed the proposal's impacts on traffic, ecology, drainage, landscape, air quality and amenity. The current RM application is supported by a range of updated reports which include:

- Design & Access Statement
- Transport Assessment
- Flood Risk Assessment & Drainage Report
- Tree Survey & Arboricultural Impact Report
- Noise Impact Assessment

PLANNING HISTORY

19/03483/S73 – Section 73 application to amend the approved plans condition (no. 26) of planning consent 14/02141/OUT to amend the highway plans and the provision of supplemental environmental statements to reflect such changes. Approved

19/03482/S73 – Section 73 application to amend Condition 3 (phasing) and 9 (highway plans) of planning approval 05/00661/OUT. Approved

15/04084/DPO – Application to modify S106 Agreements dated 31st January 2013 between SSDC and SCC and Taylor Wimpey Ltd in respect of planning permission reference 05/00661/OUT. Approved

14/02141/OUT – Outline development of up to 110 houses, 60 bed nursing home, up to 2 hectares of employment land, vehicular access from Station Road and Blacknell Lane. Approved

13/02201/REM – Reserved matters application for development comprising 203 dwellings the first section of the Crewkerne Link Road, drainage and service infrastructure, landscape and ecological mitigation measures (Phase 1 of 05/00661/OUT). Approved

05/00661/OUT – Outline planning permission granted for mixed use development for 525 dwellings, employment (B1, B2, B8), primary school, community facilities, playing fields, parkland, POS, structural landscaping and associated infrastructure including link road and highway improvements. This comprised: -

- 525 dwellings, including 17.5% affordable housing (14.8 hectares – 36 acres)
- Employment land for a range of employment uses (9.8 hectares - 24 acres)
- A local centre including convenience store
- A primary school site (1.4 hectares – 3.5 acres)
- Open space and structural landscaping

- Balancing ponds/attenuation areas to manage surface water
- A new link road between the A30 and the A356
- Detailed design of the new junction with the A30 and A356
- A dormouse bridge over the link road, to be linked to the habitat to the west of the site and the open countryside to the east by additional planting to enable a 'wildlife corridor' to be maintained across the site
- Badger mitigation proposals
- Onsite footpaths and cycleways and enhanced links to the town centre
- A detailed package of planning obligations, agreed following an 'open book' appraisal of the viability of the scheme by the District Valuer

90/00793/OUT – Construction of primary distributor road and the residential and industrial development of land together with local centre and community facilities, highway improvements and public open space. Refused

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11 and 12 of the NPPF indicate it is a matter of law that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

For the purposes of determining current applications the adopted development plan comprises the policies of the South Somerset Local Plan 2006-2028 (adopted March 2015).

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

Policy SD1	Sustainable Development
Policy SS1	Settlement Strategy
Policy SS4	District Wide Housing Provision
Policy SS5	Delivering New Housing Growth
Policy SS6	Infrastructure Delivery
Policy EP3	Safeguarding Employment Land
Policy HG1	Strategic Housing Sites
Policy HG3	Provision of Affordable Housing
Policy HG5	Achieving a Mix of Market Housing
Policy TA1	Low Carbon Travel
Policy TA4	Travel Plans
Policy TA5	Transport Impact of New Development
Policy TA6	Parking Standards
Policy HW1	Provision of Open Space, Outdoor Playing Space, Sports, Cultural and Community Facilities in New Development
Policy EQ1	Addressing Climate Change in South Somerset
Policy EQ2	General Development
Policy EQ3	Historic Environment
Policy EQ4	Biodiversity
Policy EQ5	Green Infrastructure
Policy EQ7	Pollution Control

National Planning Policy Framework (February 2019)

Part 2 Achieving sustainable development

- Part 5 Delivering a sufficient supply of homes
- Part 8 Promoting healthy and safe communities
- Part 9 Promoting sustainable transport
- Part 11 Making effective use of land
- Part 12 Achieving well designed places
- Part 14 Meeting the challenge of climate change, flooding and coastal change
- Part 15 Conserving and enhancing the natural environment
- Part 16 Conserving and enhancing the historic environment

Other

Somerset County Council Parking Strategy (September 2013)

Somerset County Council Highways Development Control – Standing Advice (June 2017)

CONSULTATIONS

The responses from the following consultees are provided below in summary form only, for the most part. Where not included below, the full responses are available on the public planning file.

Crewkerne Town Council

Councillors concerned about the very close proximity of the residential properties to the existing industrial area. They recommend that it would be beneficial to re-route the roads on the site to increase the distance between the residential dwellings and the industrial area. Alternatively, increased sound barriers would be beneficial.

The Town Council considered the proposals for a second time having regard to the tree officer's comments. They agree that there is no need to remove the 8 lime trees along Station Road.

Misterton Parish Council

No comment.

County Highways Authority

No objection raised subject to the necessary technical approval being in place on design etc.

Police Designing Out Crime Officer

Boundary treatment plan shows 1.8m hit and miss style fencing and proposed mixed native hedgerow to the rear of dwellings along the eastern boundary. I have been unable to visit the site and working practices and hours of operation of existing industrial uses are unknown to me. It is unclear if there is a suitable buffer between industrial and residential uses to prevent potential nuisance to future residents along that boundary.

Street lighting for adopted highways and footpaths, private estate roads and footpaths and car parks should comply with BS5489-1:2013 and designed so trees do not restrict the performance of street lighting by blocking light.

Side elevation of plot 36 and parking spaces for plot 70 directly about public space. Planting at the base of the elevation of plot 36 and clear demarcation between the parking spaces and public space to prevent potential nuisance from games played on that area.

Natural England

No objection to proposed phosphate mitigation which includes the Shadow HRA, the Nutrient Neutrality Strategy and the Fallow Land Management Plan.

SDDC Ecologist

No comment.

SDDC Tree Officer

Initially objected to the loss of the lime trees which are protected by a TPO to facilitate the site access. Following meetings with the applicant the number of trees proposed for removal was reduced to 3.

SDDC Environmental Protection Officer

Open Space

In order to calculate the population increase that will be generated by a housing development proposal; the Council use the methodology set out in Section 11 Delivering the standards – planning & developments of the Open Space strategy 2011-2015 which assists developers to predict the likely impact of their development.

Based on this methodology, the population that would be generated by this development in 2020 amounts to **241** persons, based on a net gain of **110** dwellings.

Proposed Dwelling Number(s)		Household Size (persons)	Number of Persons Generated by Development
6	1 bed dwellings	1.5	9
104	2 bed dwellings	2.23	231.92
Total Number of			240.92

Space Required

To assess the level of informal open space that would be needed to meet the reasonable requirements of the development’s future occupants, the Council then applies the population generated to the Council’s pro-rata standards. Using this methodology, the level of provision required to meet the additional demands arising from this development is:

Local Plan Policy	Relevant Recreation Category	Standard	Requirement
		[sq m per person]	[Ha / 1000 population]
HW1	Informal open Space	17.4	0.42

Impact Mitigation

The Council then uses its assessments to determine the most appropriate approach to mitigate the additional impacts, and it is summarised below:

Informal Open Space

The plans identified on the 'Site Layout Plan' identifies approx. 1.66ha of Public Open Space (POS), an amount far in excess for a development of this size, and whilst this is encouraging and unnecessary amount, we have some reservations about the design and layout.

We are encouraged by the green entrance onto the site from Station Road, and with the wide corridor along the eastern boundary providing a comfortable buffer zone for the existing right of way as well as an area wide enough to be deemed usable and providing a link from both ends of the development.

The main area of POS at the southern end of the site, however, is less inspiring and we feel would be better served to be divided up, with an amount of this area relocated within the built form of the site, providing a central focus for the community as well as breaking up the built area. In its current position it is also surrounded by road on 3 sides which is not an ideal border for POS and would like to see further designs in how this would be mitigated.

The 'Detailed Proposals' within the Design & Access Statement show plans of the site with the adjoining area including the attenuation features, which, if designed well will provide an additional area of useable POS and another welcome feature for the residents of this phase, however, we would still be encouraged to some form of POS in a central location of the built form and would be happy to sit down with the developers to look at ways this could be obtained.

SW Heritage Trust Archaeologist

We have no objections on archaeological grounds. There is an archaeological condition on the original permission that required excavation of the significant archaeological site within the proposal area and this email has no bearing on that condition.

Environment Agency

No objection.

Lead Local Flood Authority (County Drainage)

No comments received

Wessex Water

The drainage drawings submitted with the application show separate systems of foul and surface water sewers. It is proposed the surface water sewers outfall to an attenuation pond. It is proposed the on-site foul sewers drain to an on-site pumping station pumping to the existing 300mm diameter public foul sewer crossing the site. The proposed on-site network makes provision for the remainder of the outline application area and is acceptable in principle to Wessex Water. Where sewers and apparatus are offered for adoption by Wessex Water detail will be agreed through the S104 (Water Industry Act 1991) adoption process.

The applicant will need to agree protection arrangements for the existing 300mm public foul sewer and 400mm water main which cross the site (3m and 6m easements respectively either side of the pipes). Apparatus must be accurately located on site and marked on deposited drawings. Any damage to our apparatus by third parties will result in compensation claim.

Connection for water supply is subject to application; supply is expected to be taken from the existing 5" main in Station Road.

The development site is close to Crewkerne Sewage Treatment works. An odour assessment was completed in 2014 to support the outline planning application. Wessex Water did not object to the outline planning application but note that guidance for odour and fly assessment has been updated over the intervening years. We make the following observations which should be directed to the Environmental Health Officer for assessment of risk and whether further studies are necessary.

Odour modelling was completed in 2014. Sampling was completed within the period of April-September and assessed against contemporaneous Wessex Water odour modelling procedures. The resulting odour modelling report was compiled in accordance with the Wessex Water odour assessment procedure and the Institute of Air Quality Management (IAQM) guidance in operation at the time. It is standard practice to review odours models on a 5 year basis due to odour modelling software changes. Sampled emission rates require review if greater than 10 years. At that time no secondary assessment ("sniff tests") were completed as this was not a Wessex Water requirement. If the odour modelling was completed today this would be a requirement to help verify odour contour output from the odour modelling (and in accordance with the most recent IAQM guidance).

In 2016 there was minimal information on the impact on amenity from flies emanating from the sewage treatment process. Wessex Water has since implemented fly management plans and proximity guidance. Our process scientist advises that there is fly risk at this site and if this proposal was being presented today Wessex Water would have recommended no development within 250m of the sewage treatment boundary due to fly risk. We believe there is a risk of future fly complaints from the proposed development.

MOD Defence Infrastructure Organisation

The application site falls within the Statutory Safeguarding Birdstrike Zone surrounding Yeovil which is approximately 10.7km to the north east of the application site.

Birdstrike

Within this zone, the principal concern of the MOD is that the creation of new habitats may attract and support populations of large and or flocking birds close to an aerodrome.

The SuDS drainage proposals include detention basins incorporating a sediment forebay and permanent wet pond areas to improve the surface water run-off and serve as temporary attenuation storage. These storage features have the potential to result in a substantial attractant for hazardous waterfowl and gulls.

In order to reduce the attraction of these ponds to hazardous waterfowl, the detention basins should be surrounded by a continuous goose proof fence or a dense continuous margin of emergent vegetation including species such as Common Reed, Phragmites Australis or suitable equivalent, which provides a dense year-round barrier.

Subject to the above design requirements being implemented as part of any planning permission granted, the MOD maintains no safeguarding objection to this application.

Somerset Clinical Commissioning Group

With the potential addition of 330 patients to the practice, based on an average of 3 per household. Crewkerne Health Centre would be over sized at 1%. Therefore, it is clear that we are approaching the ideal limit of what additional pressure we would ask the practice to manage.

On this occasion we will not be seeking any S106 funding. However, if the situation was to change with regards to new developments in the area we would like to reserve the right to change our mind on this.

County Rights of Way

The current proposal will obstruct the footpaths CH 33/51 and CH 33/52 due to the proposed native woodland planting and mixed native hedgerow planting, as well as the encroachment by the embankment for the access road.

The proposal either needs to be revised to prevent an obstruction or a diversion order applied for.

The applicant must apply to the Local Planning Authority for a diversion order.

The County Council do not object to the proposal subject to the applicant being informed that the grant of planning permission does not entitle them to obstruct a public right of way.

A Grampian-style condition will be required in this respect with regard to timing. Recent case law supports the use of conditions in this way. Suggested condition to be: No development hereby approved which shall interfere with or compromise the use of footpaths CH 33/51 and CH 33/52 shall take place until a path diversion order has been made and confirmed, (and the diverted route made available to the satisfaction of the Local Planning Authority).

Space4 Crewkerne

Once completed, the link road will offer an alternative route through Crewkerne, avoiding the often congested town centre, and we feel it is presently the only real opportunity for the town to have a designated cycle path which does not have to be shared with pedestrians.

In the letter dated March 2020 the Highways Agency highlighted the issue and said:

“It is noted, from the drawings provided, that long lengths of shared cycle route will be provided alongside the carriageway. It is recommended that a segregated route is provided for pedestrians.”

We would like to strongly add our support to their recommendation as it would improve pedestrian and cyclist safety. This would be especially so as the southern phase of this does not appear to have a pavement on the eastern side of the development. If this is the case there will be two-way cyclists and pedestrians on that stretch of shared footpath.

In the recently agreed Somerset Climate Emergency Strategy all five district councils agreed to improve walking, cycling and public transport, so this would be an ideal opportunity to move ahead with those stated aims, by improving the current plans and providing designated paths, not shared paths to the entire site.

This will also bring the routes more in line with the thinking behind the Department of Transport's paper 'Gear Change', issued in July 2020. This, together with the associated Cycle Infrastructure Design document, makes it clear that the preferred option is not only for cyclists to be physically separated from vehicles but also that cyclists should be physically separated from pedestrians. If there have to be shared paths, then this physical separation should be a minimum requirement. It is surely desirable for new developments to be 'future proof' as far as possible. The existence of these government documents gives a clear indication of future intentions and aspirations and so any new development should also feature aspirational elements rather than only meeting any current requirements.

REPRESENTATIONS

A total of 153 consultation letters were sent out. 112 objections have been received and 2 letters of support. Objections raised are to be summarised as follows: -

Written representations have been received from 112 local households raising the following concerns and observations: -

- There is no need for all of these additional homes.
- Move junction 50m further north towards Crewkerne rather than opposite 2/4/6 Station Road.
- Removal of lime trees (8) to obtain access. These trees are protected. The tree report is clear that the impact is significant. There is a climate emergency and the environment needs to be protected, not destroyed. These trees are a local landmark and it is unacceptable that these trees should be lost. Why can't the trees be retained?
- There is insufficient space around the Eden Building within the centre of the site.

- There will be an increase in traffic on the A351 until the CLR is completed to the A38. The section of road between the Western Power Development and the proposed traffic light junction needs altering. The speed of traffic is dangerous. A speed survey needs to be carried out.
- South Street is an extremely busy road used by many large HGV vehicles making it extremely dangerous. There are no parking facilities for 225 to 245 and owners park cars in the road. They are damaged on a regular basis as the road was not constructed for the amount of traffic the development will generate.
- Loss of wildlife habitat in the area.
- Brownfield sites available rather than using greenfield sites for housing development.
- Additional housing without any upgrade to services e.g. schools, doctors surgery etc. is unacceptable.
- A separate cycle lane is required not a shared cycle/pedestrian way.

There are two letters of support. The comments in support are as follows: -

- Support for the upgrade cycleway intended for a shared pedestrian/cycleway.

PLANNING APPRAISAL

The Principle of Development Complies with S106 Outline Planning Permission

The principle of development has been established with outline planning permission 04/02141/OUT and a subsequent Section 73 permission under application 19/03483/S73. The number of dwellings proposed does not exceed the maximum number permitted under the outline consent and also provides the southern section of the Crewkerne Link Road, a long held objective of the District Council. The housing mix includes the affordable housing mix as required through the Section 106 Agreement. This is the first phase and the remainder will be provided in subsequent phases. The affordable housing mix is as follows:

6x 1 bed apartments
 6x 2 bed houses
 5x 3 bed houses

The Section 106 Agreement requires clusters to be no more than 15 dwellings but given that the affordable housing units are contained within 12 buildings, this is considered to be within the terms of the Section 106 Agreement.

The affordable housing officer has requested an amended mix to comply with the Strategic Housing Market Assessment (SHMA): -

6 x 1 bed apartments (2 persons)
 6 x 2 bed houses (4 persons)
 4x 3 bed houses (6 persons)
 1x 4 bed parlour house (8 persons)

The affordable housing officer has raised a concern about the mix of the affordable dwellings as well as the size of the 3 bedroom dwellings. However, the mix and size of the affordable

dwellings meet the requirements set out in the Section 106 Agreement and so it is not possible at this stage to require the applicant to amend the size of affordable housing.

The open market housing comprises a range of 1, 2, 3 and 4 bedroom properties which is accepted to be appropriate in this location.

The proposed buildings will be predominantly 2 storeys high, with 2.5-3 storey dwellings in key locations which frame key routes.

The scheme is designed to create clear character areas through the use of architectural design, appropriate materials and landscape features. The built form is lower density towards edges of the site, where they are enclosed by existing hedgerows and adjacent to existing dwellings.

The link road provides key infrastructure improvements for the wider area and has been designed in accordance with Application Ref. 14.02141.OUT and subsequent S73 applications.

No dwellings are accessed directly from this link road, however dwellings do front the road to provide enclosure and overlooking along its length. The dwellings which front this are accessed from private drives which are accessed from secondary routes within the site. These dwellings have been designed to reflect the rural edge character of the area, and are predominantly natural stone and timber detached dwellings.

The primary route is fronted by a mix of 2 and 3 storey dwellings, with 2.5 and 3 storey dwellings located in the southern area closest to the link road into the industrial estate. This part of the site has been designed to reflect the more urban character of Crewkerne. Dwellings here are predominantly buff brick, with some timber detailing.

The development of the site layout has been driven by key landscape and ecological features, which include existing feature trees, hedges and ditches. The layout retains these, where possible, incorporating them into the layout. This includes the feature oak tree which has been retained and designed into the open space and LEAP area and new woodland planting along the eastern boundary. Street trees have been provided throughout the layout, reinforcing the character areas of the site. The quantum of open space is in excess of that required for the number of dwellings which is welcomed. The open space officer has raised a concern regarding the siting of the POS. However, it should not be considered in isolation as this is the first phase of a larger scheme which will provide further adjoining open space that will provide a larger more viable area for future residents to use.

Overall it is considered that the proposals will result in an appropriate scale and design on this site. The range of building types proposed will help meet the needs of future residents. The layout makes effective use of the land available and overall retain a significant percentage of land for open space. Whilst concerns have been raised about the location of open space it is considered to be appropriately located and the definition between public and private space is acceptable.

Highways

Access to the site was established at the outline stage and revised by the approval of application 19/03483/S73 and the road layout is satisfactory. Issues relating to the removal of trees are dealt with separately below.

The Highway Authority have been consulted on the proposals and have raised no objections subject to the necessary technical approval.

In terms of general layout and design the main streets are of 5.5m width with 2m footways around the principal streets. This is in accordance with the highways design guidance.

The number of parking spaces and dimensions of these are in accordance with Somerset County Council's Parking Standards. All apartments have 1.5 spaces, all 2 bed dwellings have 2 spaces, 3 bed dwellings have between 2 and 3 spaces dependant on the plot, and 4 bed dwellings have 3 spaces including a garage for each plot. Garages have been designed to be 3m x 6m internally which is large enough to accommodate modern cars and is in line with local policy. The scheme has been future-proofed for charging electric vehicles, due to the nature of the allocated parking (predominantly on plot and within garages). In addition to the un-allocated spaces provided, there are additional visitor spaces within on street parking or within parking courts, along with opportunities to park informally on street. A total of 287 parking spaces is provided, including 14 dedicated visitor spaces.

Cycle parking is provided within garages or within gardens for all houses and apartments.

Trees

The Council's tree officer together with numerous third parties have raised objections with regards the removal of a number of mature lime trees to facilitate the access to the site. As stated above, the proposed access and junction already benefit from detailed planning permission which was granted at the outline stage. Whilst the removal of these trees has therefore been allowed, your officers have held meetings with the applicant and County Highways to discuss amendments to the access to seek retention of some of the trees previously approved for removal. The applicant has submitted a non-material amendment application (Section 96A) to secure an amendment to the proposed access which would vary the pedestrian/cycle way at the junction of the site. This arrangement would result in the loss of 3 trees to provide the vehicular access, necessary radii and paths linking into the established network. This revision has ensured that 5 of the trees previously approved for removal will be retained. This is a significant benefit over the approved access scheme and is welcomed by your officers.

Drainage

The site is located in Flood Zone 1 and there is no objection from the Environment Agency to the proposed development.

With regards surface water, the applicants have had discussions with the Lead Local flood Authority (LLFA). The proposals include SuDS to manage surface water run-off in extreme events. The discharge rates will be controlled to no greater than green field run off including

an element for climate change events. The Flood Risk Assessment submitted with the application demonstrates that there will be no deterioration to the nearby watercourse from surface water.

The submitted FRA demonstrates that the proposed development is compliant with the requirement of Condition 11 (surface water drainage) for the residential phase and Link Road of the approved outline planning permission.

Finally, with regards foul drainage, there is capacity within the existing system and Wessex Water have no objections to the proposals.

Landscaping

A landscaping plan has been submitted which shows the following: -

- Existing Hedgerows
Mixed native hedgerows to the eastern site boundary has been retained and will be managed to enhance the structure of these hedgerows and improve biodiversity.
- The existing defunct hedgerow on northern boundary of SUDS area, north of the stream will be reinforced with new mixed native planting to enhance the structure of the hedgerow, improve biodiversity and provide a continuous wildlife link along the northern boundary.
- Existing Tree & Woodland Planting
The existing broad-leaved woodland has been retained and will be managed to enhance biodiversity.
- New Native Hedgerow Planting
A new hedgerow with standard trees will be provided along the western boundary and continues the existing retained hedgerow to the south adjacent to the public footpath.
- New Tree and Woodland Planting
New standard tree planting will reinforce the character of each area through the use of a distinctive palette of tree species.
- New native woodland planting links the broad-leaved woodland to the existing hedgerow on the eastern boundary.
- New native wet woodland planting links the attenuation basin to the existing stream.
- New native woodland edge planting will increase the available habitat typologies and enhance overall biodiversity value.
- New native woodland planting along the link road continues the new planting adjacent to the proposed housing.
- New native standard trees (from selected standards to extra heavy standards) will be located to maintain views through this area and provide visual impact.

- Meadow, Wetland and SUDS Basin

A variety of meadow and plant seed mixes are proposed within and adjacent to the attenuation basin that have responded to the habitat context and soils. These will provide a range of new habitats which will enhance the overall wildlife value.

Subject to timing implementation of the landscaping scheme and approval ongoing management of the proposals are considered to be acceptable.

Phosphates

Since June 2020, Natural England has been advising that housing, mixed use, and tourist development within the Somerset Levels and Moors Ramsar catchment is likely to contribute to a significant effect, in combination, on designated sites in terms of water quality.

This change to Natural England's advice based on water data for the Ramsar Site and recent caselaw pertaining to application of the Habitats Directive on diffuses pollution issues, has implications for developments in the fluvial catchment of the Somerset levels and Moors Ramsar Site and means that applications that add to nutrient load are likely to require mitigation and be subject to Habitats Regulation Assessment.

Recent Natural England guidance (November 2020) states that "the uncertainty about the impact of new development on designated sites needs to be recognised for all development proposals that are subject to new planning permissions and have inevitable wastewater implications". These implications must be addressed under Regulation 63 of the Habitats Regulations.

The achievement of Nutrient Neutrality, is scientifically and practically effective and achievable, is a means of ensuring that development does not add to existing nutrient burdens.

Natural England has released a range of guidance documents for achieving nutrient neutrality across various region around the South and West of England:

- "Advice on Achieving Nutrient Neutrality for New Development in the Solent Region": June 2020
- "Advice on Nutrient Neutrality for New Development in the Stour Catchment in Relation to Stodmarsh Designated Sites – For Local Planning Authorities": July 2020
- "Advice on Nutrient Neutrality for New Development in the Stour Catchment in Relation to Stodmarsh Designated Sites – For Local Planning Authorities": November 2020

Currently, there exists no specific guidance for the South and West of England, therefore, the most recent guidance for the Stour Catchment (November 2020) has been followed for all calculations and subsequent mitigation measures recommendations, in accordance with recommendations from Natural England, along with supplemental leachate figures commissioned from ADAS in December 2020 and specific to the Somerset Levels.

The applicants have been in discussion with Natural England regarding proposals to show nutrient neutrality. Their plans propose to take land (some 18.9 hectares) out of agricultural production adjacent to the application site (fallow land area). They have produced a detailed

plan as to how it will be managed to achieve nutrient neutrality over a 10-year period. All of the land is owned by the applicant.

Natural England have been consulted on the proposals and the Shadow Habitat Regulation Assessment and have stated: -

“Land at East Crewkerne – Nutrient Neutrality Strategy

Natural England considers that approach taken to calculating the phosphorous budget and mitigation measures for the RM application is robust.

The calculations have followed established guidance, in particular Natural England’s Stodmarsh guidance, supplemented with evidence specific to the application site and the Somerset Levels and Moors catchment, including land use leachate figures provided by ADAS.

We support the application of a 100% buffer to the figure for natural habitat as a precautionary approach to the calculations for the reasons stated in the phosphate mitigation strategy.

We note and support your removal of the on-site SuDS and wetlands from your nutrient neutrality calculations. As we have discussed, the figure of 12kg/ha/yr for wetland P removal efficiency is currently under review and is likely to change in the near future.

Fallow Land Management Plan

Natural England is satisfied that the Fallow Land Management Plan meets its purpose in terms of managing land phosphorous mitigation and includes appropriate monitoring provisions. This consists of reverting from current dairy farming to fallow on 18.9 ha of land in the in the ownership of the developer. It is accepted that while the grassland could be managed more positively for wildlife interests, this is not a requirement of the Habitats Regulations in this instance and the applicant needs to find a balance between providing mitigation for phosphorous and appropriate management which would facilitate the land being returned to agriculture use in the future, transferring mitigation into a permanent solution off-site.

Shadow Habitats Regulations Assessment

In terms of phosphorous and effects on the Somerset Levels and Moors Ramsar Site, the sHRA is presented clearly to reflect the mitigation required, how measures will be implemented, secured and monitored. During the call on 18 January, we discussed the need to capture the possibility that an alternative mitigation strategy does not come forward. We are satisfied that the text of point 4.3.4 (copied below) of the sHRA addresses that scenario, allowing natural succession to semi-natural broadleaved woodland. However, we advise that a 5-year trigger point would be preferable and would provide more benefits.

In the highly unlikely situation that an alternative mitigation strategy does not come forward within 10 years of the approval of the Phase 1 Reserved Matters Planning Application, management of the Fallow Land will change to ‘non-intervention’. The Fallow Land, including grassland and hedgerows, will be allowed to naturally regenerate to semi-natural broadleaved woodland in perpetuity. There would continue to be no public access to the Fallow Land under this scenario. Should this occur, a revised Fallow Land Management Plan will be agreed with SSDC. Taylor Wimpey would continue to own the Fallow Land.

Natural England considers that the sHRA provides a firm basis for the LPA to assess the implications of the reserved matters application in view of the conservation objectives for the

Ramsar site, and we would anticipate the LPA being able to reach a conclusion of no adverse effect on the integrity of the site.”

In view of the above, there is no objection to the proposals and these can be the subject of conditions to ensure that the Farrow Land Plan is implemented prior to occupation of any dwellings.

Ecology

The planning system requires biodiversity net gain to be delivered in the planning process. A Landscape Ecological Management Strategy (LEMS) for the entire outline site is submitted in support of this application as required by Condition 5 of the outline planning permission. A detailed Landscape & Ecological Management Plan (LEMP) is also included for this residential phase of the development. It details management schemes to ensure the long term creation of habitat creation and species specific mitigation and enhancement measures within the special site area. This includes amongst other things provision of bird and bat boxes as well as dormice tubes within hedgerows.

The LEMP is satisfactory and is sufficient to partially discharge Condition 5 of the outline planning permission in relation to the residential phase and 18 (slow worms), 19 (badgers), 20 (bats), 22 (priority species) and 23 (biodiversity measures)

Noise

A noise impact assessment has been submitted in accordance with the requirement of outline planning Condition 25. It assessed the potential impact of the surrounding industrial uses as well as the road traffic and other noise sources. The report concludes that subject to the implementation of a number of recommendations which includes a noise attenuation fence of 1.8 high between the development and the storage yard, that acceptable noise levels would be achieved. A condition can be added to ensure that the recommendation in the Noise Report is implemented. Accordingly, Condition 25 is discharged in respect of this phase of development. Comments have been made regarding the proximity of dwellings to the industrial estate but it is considered that given the recommendations within the noise report that these should be satisfactory.

Wessex Water Treatment Works

It is noted that Wessex Water has updated its advice relating to flies, however the site does benefit from an outline approval for the principle of 100 dwellings upon which Wessex Water were previously consulted and raised no objections. It is noted that in relation to the most recent consultation relating to the S.73 application 19/03483/S73 in April 2020 Wessex Water did not raise the issue. Given the principle of 110 dwellings on this site was consulted upon only 12 months ago without raising objections or concerns from Wessex Water it would not be reasonable to seek to reject the principle of residential development as part of the reserved matters application.

Waste Management Plan

A Waste Management Plan is required to be submitted for the development in line with Condition 7 of the outline planning permission. This sets out how waste will be managed and minimised through the Phase 1 development and is considered sufficient to discharge Condition 7.

CONCLUSION

This reserved matters application provides the details of the development of this site for residential and the link road as required under the outline planning approval. Having given due regard to the application submitted and the requirements of the outline decision's conditions the proposals are considered acceptable.

RECOMMENDATION

Recommend approval subject to the conditions below.

Grant consent for the following reasons:

The proposal by reason of the scale, layout, design and landscaping would not result in harm to the landscape, local character, the historic environment, residential amenity, flood risk, ecology or highway safety. As such the proposal is considered to comply with Policies SD1, SS1, SS4, TA4, TA5, TA6, EQ1, EQ2, EQ4 of the adopted South Somerset Local Plan (2006-2025), the provisions of the NPPF (as amended) and the National Design Guide.

OUTLINE CONDITIONS

As this is a reserved matters submission it should be assessed against the conditions imposed in 14/02145/OUT and carried forward in 19/03483/S73.

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|----|---|--|
| 1. | Submission of reserved matters details | This has been complied with |
| 2. | RM proposed 110 dwellings | This has been complied with. |
| 3. | Phasing | Requires compliance |
| 4. | Each phase or part, all RMS shall be submitted in the form of one application | This has been complied with |
| 5. | Landscape and Ecological Management Strategy for the entire site to be submitted with the first application | This has been partially complied with and requires ongoing compliance for each phase |
| 6. | A Landscape Planting Strategy for the entire site to be submitted with the first RM | This has been complied with |

7.	A Waste Management Plan setting out principles for waste management and refuse collection throughout the site to be submitted with the first RM application	This has been complied with
8.	Details of the construction of the link road with the A356	This has been submitted but requires ongoing compliance
9.	Archaeology	Requires ongoing compliance
10.	A Construction Environmental Management Plan to be submitted on any phase or part thereof	This has been complied with
11.	A detailed surface water drainage scheme shall be submitted in accordance with the submitted Flood Risk Assessment	Part discharge requires ongoing compliance
12.	No development to be occupied or brought into use until a scheme for the future responsibility and maintenance of the surface water drainage system has been submitted	To be complied with
13.	Details of contamination	To be complied with
14.	If during development further contamination identified then details to be provided to the Council	Requires ongoing compliance
15.	Streetlighting columns shall not exceed six metres in height and be equipped with maximum cut off and downlighting	To be complied with
16.	Construction of estate roads etc.	Requires ongoing compliance
17.	Construction of roads, footpaths and turning spaces	Requires ongoing compliance
18.	Mitigation plan or method statement to provide details on analysing harm to slow worms	This has been complied with in respect of the residential element
19.	Mitigation Plan regarding badger sett	This has been partially complied with in respect of the residential element

20.	A survey is required of trees which have potential for roosting bats	This has been complied with
21.	No hedge nor scrub to be removed until a European Protected Species Mitigation Licence in respect of dormouse has been issued by Natural England	Requires ongoing compliance
22.	Precautionary measures for minimising harm to Priority Species, Common Toad, Otter, Hedgehog.	No action required
23.	Prior to commencement of each phase, details for enhancement of biodiversity including provision of bird and bat boxes	This has been complied with in respect of the residential element
24.	Submission of travel statement	This has been complied with
25.	A Noise Management Strategy for the entire site to be submitted with the first RM application	This has been complied with
26.	Compliance with approved plans	This has been complied with

CONDITIONS

1. The development hereby permitted shall be carried out in complete accordance with the following plans and documents.

Approved Plans:

H01 A Typical Elevations (AA25) H01 A 04.00 P1
 H02 A Plans & Typical Section (NA44) H02 A 02.00 P2
 H02 A Typical Elevations (NA44) H02 A 04.00 P1
 H03 A Plans & Typical Section (PA25) H03 A 02.00 P2
 H03 A Typical Elevations (PA25) H03 A 04.00 P1
 H04 A Plans & Typical Section (AB31) H04 A 02.00 P2
 H04 A Typical Elevations (AB31) H04 A 04.00 PH04 P2
 H05 A Plans & Typical Section (PA34) H05 A 02.00 P2
 H05 A Typical Elevations (PA34) H05 A 04.00 P1
 H05 A Typical Elevations (PA34) H05 A 04.01 P1
 H05 A Typical Elevations (PA34) H05 A 04.02 P1
 H05 A Typical Elevations (PA34) H05 A 04.03 P1
 H06 A Plans & Typical Section (PT36) H06 A 02.00 P2
 H06 A Typical Elevations (PT36) H06 A 04.00 P1
 H06 A Typical Elevation (PT36) H06 B 04.01 P1
 H07 A Plans & Typical Section (NA24) H07 A 02.00 P2
 H07 A Typical Elevations (NA42) H07 A 04.00 P1
 H07 B Typical Elevations (NA42) H07 A 04.01 P1
 H08 A Plans & Typical Section (NT40) H08 A 02.00 P2

H08 A Typical Elevations (NT40) H08 A 04.00 P1
Site Location Plan L01.01 P1
Site Layout Plan L02.01 P1
Wider Site Layout Plan L02.01.01 P1
Site Layout Plan Colour L02.01 P1
External Materials Plan L02.05 P1
Boundary Treatment Plan L92.01-02 P1
Landscape and Boundary Details L92.03-05 P1
Hardworks Plan L93.01-02 P1
Softworks Plan L94.01-02 P1
LEAP Plan L94.03 P1
Landscape Strategy – Attenuation L94.04 P1
Landscape Strategy – Employment L94.05 P1
Landscape Strategy – Site Wide L94.06 P1
Artist Impression View 1 L04.01 P1
Artist Impression View 2 L04.02 P1
Street Elevations A-D L04.101 P1
Street Elevations E-I L04.102 P1
Street Elevations J-M L04.103 P1
H0 Apartments Plans H00 A02.00 P1
H0 Apartments Roof Plan H00 A 02.01 P1
H0 Apartments Ele's & Section A-A H00 A 04.00 P2
H0 Apartments Ele's & Section B-B H00 A 04.00 P2
H01 Plans & Typical Section (AA25) H01 A 02.00 P2

Documents:

Design and Access Statement
Planning Statement prepared by Stantec
Landscape and Ecological Management Strategy prepared by EAD Ecology
Landscape and Ecological Management Plan prepared by EAD Ecology
Construction and Ecological Management Plan
Transport Assessment prepared by Odyssey
Travel Plan prepared by Odyssey
Utilities Assessment
Site Waste Management Plan
Tree Survey and Arboricultural Impact Assessment prepared by Aspect
Noise Management Impact Assessment including Noise Management Strategy prepared by Energist

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

2. The development hereby permitted shall be constructed with the materials specified on the submitted plans and in Section 5.4 of the Design & Access Statement. Prior to construction above ground level, a sample of the bricks, stone, timber cladding, dark grey slate and pantile/plain tile roof shall be provided to the Local Planning Authority and approved in writing prior to its use. The approved materials will be used in the development and shall not be changed without written consent of the Local Planning Authority.

Reason: In the interest of visual amenity and to ensure the development is constructed to give a high quality appearance in accordance with Policy EQ2 of the South Somerset Local Plan (2006-2028) and the provisions of the National Planning Policy Framework (as amended).

3. The landscaping proposed including all planting, seeding, turfing earth mounding and the protection of existing features shall be implemented as set out in the Landscape and Ecological Management Strategy dated December 2019, the Landscape and Ecological Management Plan dated December 2019, the Tree Survey and Arboricultural Impact Assessment dated 6th December 2019 and the approved landscape plans.

Reason: In the interest of the amenity of the site and the area and to ensure that the landscaping of the site is undertaken in an appropriate manner which will protect existing vegetation and help ensure the establishment of new planting in accordance with Policies EQ2 and EQ5 of the South Somerset Local Plan (2006-2028) and the provisions of the NPPF.

4. Prior to the first occupation of the development hereby approved a footpath diversion order application shall be submitted to, and approved by the Local Planning Authority. Prior to the diversion order being made and confirmed there shall be no interference with the use of footpaths CH 33/51 and CH 33/52 and the diverted route made available to the satisfaction of the Local Planning Authority.

Reason: To protect the amenity of footpath users and to ensure the site is provided with a range of connections to the wider setting in accordance with Policy EQ 2 of the South Somerset Local Plan (2006-2028) and the provisions of the NPPF.

5. No occupation of any dwelling shall take place until the approved Fallow Land Management Plan Phase 1 Crewkerne (Feb 2021) has been fully implemented and this achievement confirmed in writing to the Local Planning Authority. The requirements of the Management Plan shall thereafter be strictly complied with for the duration of the occupancy of the development.

Reason: In the interest of the biodiversity of the Somerset Levels and Moor Ramsar Consultation in accordance with Policy EQ4 of the South Somerset Local Plan 2016-2028 and the provisions of the NPPF.

6. All the recommendations set out in the Noise Impact Report dated 11th December 2019 shall be implemented prior to the occupation of any dwellings.

Reason: In the interest of the living conditions of future residents on the site.

7. Prior to commencement of the development, site vegetative clearance, ground-works, heavy machinery entering site or the on-site storage of materials, a scheme of tree and hedgerow protection measures shall be prepared by a suitably qualified Arboricultural Consultant who is familiar with supporting planning applications in accordance with *British Standard 5837: 2012 - Trees in relation to design, demolition and construction* and the prepared scheme shall be submitted to the Council for their approval in-writing.

Prior to commencement of the development, the appointed Arboricultural Consultant shall inspect and confirm in-writing to the Council (contact us at planning@southsomerset.gov.uk) that the installation of the approved tree and hedgerow protection measures has been carried out to a satisfactory standard. The approved protection requirements must remain implemented in their entirety for the duration of the construction of the development and may only be moved, removed or dismantled with the prior consent of the Council in-writing.

Reason: To preserve existing landscape features (trees and hedgerows) in accordance with the Council's policies as stated within The South Somerset Local Plan (2006 - 2028); EQ2: General Development, EQ4: Bio-Diversity & EQ5: Green Infrastructure.

Informative Notes

Public Rights of Way – You are reminded that Public Rights of Way CH33/S1 and CH33/S2 across the site and development shall not be started until a temporary stopping up or diversion order has been applied for and come into effect. Until this time the public rights of way should be kept open for public use. Failure to comply with this request may result in the developer being prosecuted if the path is built on or otherwise interfered with.
