

## South Somerset District Council

**Minutes** of a meeting of the **Area South Committee** held in the **Council Chamber, Council Offices, Brympton Way, Yeovil. on Wednesday 5 October 2022.**

(2.00 pm - 5.30 pm)

**Present:**

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

Barbara Appleby	Graham Oakes (from 3.30pm)
Nicola Clark	Wes Read
Kaysar Hussain (until 3.45pm)	David Recardo
Andy Kendall	Gina Seaton
Mike Lock	Jeny Snell (until 4.45pm)
Pauline Lock	Andy Soughton
Tony Lock	Rob Stickland



**Also present:**

John Clark (On-line via Zoom)  
David Gubbins (On-line via Zoom)

**Officers:**

Jo Boucher	Case Officer (Strategy & Support Services)
Linda Hayden	Specialist – Principal Planner
Natalie Fortt	Regeneration Programme Manager
John Hammond	Lead Specialist (Built Environment)
Beth Poole	Locality Officer

*NB: Where an executive or key decision is made, a reason will be noted immediately beneath the Committee's resolution.*

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### 12. Minutes of previous meeting (Agenda Item 1)

The minutes of the Area South Committee held on Wednesday 10<sup>th</sup> August 2022, copies of which had been circulated, were agreed as a correct record and were signed by the Chairman.

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### 13. Apologies for absence (Agenda Item 2)

Apologies for absence were received from Councillors Karl Gill and Peter Seib.

Councillors John Clark and David Gubbins joined virtually but would not be able to vote.

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#### **14. Declarations of Interest (Agenda Item 3)**

Councillor Gina Seaton declared a personal and prejudicial interest regarding Item 9 Grant to West Coker Parish Council as she is a member of the West Coker Parish Council. She would leave the room during this item.

Councillor Jeny Snell declared a personal interest in Item 16 Planning Application 19/03242/OUT as she has a friend who had made an objection.

Councillor Rob Stickland declared a personal interest in Item 16 Planning Application 19/03242/OUT as he is Chairman of Yeovil Without Parish Council.

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#### **15. Public question time (Agenda Item 4)**

There were no questions from members of the public.

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#### **16. Chairman's announcements (Agenda Item 5)**

There were no Chairmans' announcements.

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#### **17. Reports from representatives on outside organisations (Agenda Item 6)**

There were no reports from members on outside organisations.

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#### **18. Market Review Working Group - Verbal Update (Agenda Item 7)**

As there had been no recent meeting of the Market Review Working Group no update for members was given.

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#### **19. Verbal Update on Yeovil Refresh (Agenda Item 8)**

Natalie Fortt, Regeneration Programme Manager gave members a verbal update on the Yeovil Refresh which included:

- Preparation works to begin along Westminster Street week commencing 24<sup>th</sup> October 2022 with full works to begin week commencing 31<sup>st</sup> October 2022. Work will initially take place in the evening to reduce disruption to businesses, all those affected have been contacted.
- Hope to sign off work already finished at Westminster Street after BT have completed their works on 27<sup>th</sup> October 2022.
- BT work now completed at Wine Street and hopeful to sign off this work very soon.
- Works continue at the Triangle with utilities work taking place and progressing well.

Members voiced concern regarding the state of the pavement at Wine Street. The Chairman as Portfolio Holder for Yeovil Refresh acknowledged the ongoing issues and would raise these at the next board meeting.

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**20. Community Grant to West Coker Parish Council – West Coker Pavilion Solar PV Installation (Executive Decision) (Agenda Item 9)**

*(Councillor Gina Seaton left the room during consideration of this item).*

The Locality Officer presented the report and explained the details of the grant application. She said the scheme had scored highly and aligns with the Council Plan priorities especially the environment strategy and action plan where this project will ensure long term energy security and generate savings and possible income in the future.

Members voiced their full support of the scheme and praised the hard work in delivering the new pavilion which will be a huge benefit to the local community. They believed the installation of solar photovoltaic panels will create sustainable long-term saving costs in an environmentally sustainable way.

It was then proposed and subsequently seconded to award a grant of £12,435.00 towards the installation of the solar photovoltaic panels on the West Coker Pavilion. On being put to the vote this was carried unanimously.

**RESOLVED:** That a grant of £12,435.00 be awarded to West Coker Parish Council towards the installation of solar photovoltaic panels on the new West Coker Pavilion allocated from the Area South capital programme and subject to SSDC standard conditions for community grants (Appendix A).

**Reason:** To consider a grant funding request towards West Coker Pavilion.

*(Voting: unanimous)*

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**21. Area South Forward Plan (Agenda Item 10)**

Councillor Tony Lock voiced concern regarding the lack of information being brought forward to committee in relation to Section 106 obligations. He acknowledged there had been a period of transition in the process but requested that an update report be brought to committee as soon as possible.

Councillor Andy Kendall requested an update and current position of the new pavilion at Yeovil Recreation Centre. He acknowledged this may be in the form of a written briefing note rather than a presentation to committee.

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## 22. Planning Appeals (For information only) (Agenda Item 11)

Members noted the Planning Appeals.

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## 23. Schedule of Planning Applications to be Determined by Committee (Agenda Item 12)

Members noted the schedule of planning applications.

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## 24. Planning Application 20/01087/FUL - The Park School Kingston Site Kingston Yeovil BA20 1DX (Agenda Item 13)

***Redevelopment of former Park School site consisting of the conversion of existing buildings to 7no dwellings, conversion of and works to the Grade II Listed Kingston House to 8no dwellings, erection of 30no. new dwellings, demolition of 3 existing school buildings and associated infrastructure, access enhancements, landscaping and all associated works.***

The Principal Planner presented the application as outlined in the agenda report together with Planning Application 20/01088/LBC. With the aid of slides she highlighted the application site, proposed plans and associated access.

She updated members to include:

- Agent had confirmed that Stonewater Ltd will provide 31 affordable homes on the site.
- Friends of Sydney Gardens have re submitted their petition which has raised concerns regarding increase traffic around the site and at the Preston Road junction.

The Principal Planner also highlighted the key considerations and summarised why each were not significant to warrant refusal as follows:

- Principle of Development – Brownfield site in sustainable location.
- Highways and Parking – Site already benefits lawful use as a school and as such highways considered the traffic generated from this proposal would not cause a highways safety issue given the existing lawful use of the site and that parking deemed acceptable given the town centre location of the site.
- Phosphates – As the applicant is a social housing provider, they are able to provide a phosphates solution through the introduction of water efficiency measures within their older housing stock. Natural England felt this an acceptable scheme as deemed nutrient neutral.
- Ecology – The Ecologist considers the proposals acceptable subject to the appropriate conditions and mitigation measures proposed.
- Heritage – Conservation Specialist considers the public benefits of the proposal outweighs any harm to the Listed Building and character of the structures and respects the historic features, and that the proposed designs reflect the character of the conservation area and secures future viability of the site and buildings.

- Residential Amenity – Believe the site is well contained with good screening and that the distance and proposed height of the buildings will not have any overbearing impact or loss of light to neighbouring properties.

She concluded that after considering all the responses and issues, as outlined in the agenda report, her proposal was to approve the application subject to the conditions as set out in the agenda report.

In response to questions from members, the Principal Planner and Lead Specialist advised:

- Cladding of buildings will be controlled by the Building Regulations and have been updated to address these issues.
- As the accesses are already considered in lawful use of the site as a school, the Highways Authority believe the proposal to be acceptable.
- Clarified that the entrance and exit onto Kingston will only service the front end of the proposed site with the remainder being serviced from the Park with specified 'in and 'out' entrances.
- A traffic management plan would look to control any construction traffic with the understanding this would come off the Park and not via Kingston.
- Confirmed that a full phosphate validation report would need to be submitted before first occupation.
- Believe under building regulations energy efficiency measures would be required.
- Confirmed that the internal roads would be private and not adopted, therefore, to be maintained by the management company controlled by the applicant Stonewater Ltd. These will however be required to be built to an adoptable standard.
- Due to the sustainable location of the site believe the parking provision to be acceptable.
- Should members be minded to refuse the application, there would be a need to demonstrate very clear reasons why these outweigh the policies of the NPPF, given the current deficiency in the housing land supply.

Members of the public then spoke in objection to the application. Their comments included:

- Proposal will result in increase of traffic and need for parking.
- Difficult for emergency vehicles to access given the current width of entrance and exit from the site.
- Raised safety concerns regarding the vehicular access onto Kingston.
- Proximity to the town centre does not mean people will be less dependent on cars as needed to travel to work.
- There are no cycle paths within the vicinity.
- Acknowledge the need for new homes but consider this to be overdevelopment of the site.
- Believe the site could still be used for a much needed school.
- Proposed vehicular accesses onto both Preston Road and Kingston is extremely difficult and this will only exacerbate the situation.
- Concern raised regarding the management of the construction traffic.
- Development is out of character of the area and nearby conservation area.
- Development is not inclusive as affordable and private dwellings are separated.

- Proposed design of properties is not in keeping with the area and nearby Sydney Gardens.
- Safety concerns for children and the community trying to access the site.
- Highlighted the petition signed by over hundred local residents.
- Raised concern regarding the entrance width from the Park and the limited access for emergency vehicles.
- Proposed parking is inadequate and will further exacerbate on street parking issues.
- Consider the proposed scheme to show inadequate entrance and exit from the site.

The agent then addressed the committee. His comments included:

- Confirmed that traffic from 14 dwellings will exit the site onto Kingston, the rest exiting from the Park.
- No solar panels are being proposed due to the heritage issues surrounding the site.
- Confirmed the maintenance of the roads would be provided by Stonewater Ltd.
- The proposal is on a brownfield site in a highly sustainable location.
- Proposal would bring much needed affordable housing and contribution towards the council's housing land supply and local plan targets.
- With a phosphates strategy agreed these housing can be delivered quickly.
- Will provide a viable use and long term conservation of the listed buildings on the site.
- Believe the scheme has been sympathetically designed and enhanced the setting of the heritage buildings.
- No highway objections raised.
- Proposed level of parking is policy compliant in a sustainable location.
- Believe the scheme will help deliver homes for local people and preserve the local heritage.

Councillor Wes Read, ward member raised concern regarding the ongoing maintenance of the roads and requested that should the application be approved a condition be imposed to ensure the internal streets are properly maintained in the future.

Councillor Pauline Lock, ward member reiterated the concerns of her fellow ward member and supported the submission of a maintenance plan should the application be approved. She felt it important to preserve the heritage buildings of the area and although acknowledged the concerns regarding traffic she felt the proposal was in a sustainable location within walking distance to the town centre and was much needed housing. She felt therefore on balance would look to support the application.

Councillor John Clark, ward member acknowledged the concerns of the local community, however believed the proposal is in a sustainable location and if refused would be very difficult to defend at appeal. He also sought clarification regarding the delivery of market or social housing of the scheme.

In response the Principal Planner, confirmed that the proposed scheme was considered not to be viable should any affordable housing be imposed, however it should be noted that as Stonewater Ltd is a housing provider they are committed to providing 31 affordable homes.

She also explained that the only way for a phosphates solution to be provided on this site is through a housing provider as it provides works to their existing housing stock.

During discussion, members raised several comments regarding the application including:

- Believe the concerns previously raised have now been addressed within the report.
- Appreciate the comments raised, however cannot find any planning reasons to refuse the application.
- Proposal in a sustainable location within walking distance to the town centre.
- Proposal will provide much needed housing.
- Sought clarification regarding the construction traffic entering and exiting the site.
- Several members raised concern regarding the access and egress of the site onto Kingston and the impact of traffic safety.

With the aid of the slides, the Principal Planner highlighted the entrance and exit of the site and confirmed that there were no proposed changes to be made to the access in and out of the site.

Following discussion, it was then proposed and seconded to approve the application, as set out in the agenda report, subject to an additional condition to ensure that the internal roads are properly maintained in the future. On being put to the vote this was carried by 9 votes in favour, 2 against and 2 abstentions.

**RESOLVED:**

That planning application **20/01087/FUL** be approved for the following reason, subject to:

- (a) the prior completion or submission of an appropriate legal mechanism (in a form acceptable to the Council's solicitor) before the decision notice granting planning permission is issued, to secure:
  - i) the provision of water efficiency measures (as described within the Phosphorous Mitigation Strategy by Turley November 2021) within at least 125 dwellings of the applicants housing stock
- (b) the imposition of the planning conditions set out below on the grant of planning permission.

01. The site is located within a sustainable location within the Strategically Significant Town of Yeovil, where the principle of residential development is acceptable. The development of the site would respect the character of the area with no demonstrable harm to highway safety, protected species, flood risk, contamination or residential amenity. The proposal would lead to less than substantial harm to the significance of the conservation area/setting of listed building and the limited harm that would result would be outweighed by the provision of dwellings within a sustainable location. As such the proposal complies with policies SD1, SS1, SS4, SS5, SS6, HG2, HG3, HG5, TA1, TA3, TA4, TA5, TA6, HW1, EQ1, EQ2, EQ3, EQ4, EQ5 and EQ7 of the South Somerset Local Plan 2006-2028 and the aims and objectives of the NPPF.

**SUBJECT TO THE FOLLOWING:**

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To accord with the provisions of section 91(1) of the Town and Country Planning Act 1990.

02. The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing Issue Sheet 3968 - The Park School (dated 04/05/2020) received 26/06/2020.

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

03. No building operations above damp proof course level of the dwellings shall take place until details of the materials to be used in the construction of the external surfaces (doors/windows/stonework/render/brick/roof finish) of the dwellings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Brickwork details shall be supported by a sample panel that shall be made available for inspection on site. The development shall be carried out in accordance with the approved details.

Reason: In the interest of visual amenity and the setting of heritage assets to accord with policies EQ2 and EQ3 of the South Somerset Local Plan.

04. No work shall be carried out to erect any boundary treatment unless full details of the boundary treatments, including walls, fences, railings, gates, gateposts have been submitted to and approved in writing by the Local Planning Authority. The work shall be carried out in accordance with the agreed details, and permanently retained and maintained.

Reason: In the interests of visual amenity and in accordance with policies EQ2 and EQ3 of the South Somerset Local Plan.

05. Noise emissions from the site during the development of the site i.e. the demolition, clearance and redevelopment of the site, shall be limited to the following hours where noise is audible at any point at the boundary of any noise sensitive dwelling:

Mon - Fri 08.00 - 18.00

Sat 08.00 - 13.00

All other times, including Sundays, Bank and Public Holidays there shall be no noisy activities.

Reason: To safeguard residential amenity of neighbouring residential properties prior to and during the construction of the approved development and to ensure there is no detrimental effect upon the amenities of the area in accordance with Policies EQ2 and EQ7 of the South Somerset Local Plan and relevant guidance within the NPPF.

06. There shall be no burning of materials arising on site during any phase of the demolition, site clearance and redevelopment.

Reason: To safeguard residential amenity of neighbouring residential properties prior to and during the construction of the approved development and to ensure there is no detrimental effect upon the amenities of the area in accordance with Policies EQ2 and EQ7 of the South Somerset Local Plan and relevant guidance within the NPPF.

07. Before the commencement of the development hereby permitted the applicant, or their agents or successors in title, shall have secured the implementation of a



programme of archaeological work in accordance with a Written Scheme of Investigation (WSI) which includes provision for evaluation and building recording that has been submitted and approved in writing by the Planning Authority. The WSI shall include details of the archaeological excavation, the recording of the heritage asset, the analysis of evidence recovered from the site and publication of the results. The development hereby permitted shall be carried out in accordance with the approved scheme.

Reason: In the interests of securing appropriate evaluation of archaeological remains in accordance with Policy EQ3 of the South Somerset Local Plan.

08. No development shall be commenced until details of the surface water drainage scheme, based on sustainable drainage principles, together with details of a programme of implementation and maintenance for the lifetime of the development, have been submitted to and approved in writing by the Local Planning Authority. This scheme should aim to enhance biodiversity, amenity value, water quality and provide flood risk benefit (i.e. four pillars of SuDS) to meet wider sustainability aims, as specified by The National Planning Policy Framework (July 2018) and the Flood and Water Management Act (2010). The drainage scheme shall ensure that surface water runoff post development is attenuated on site and discharged at a rate and volume of 50% betterment over the existing brownfield rates. Such works shall be carried out in accordance with the approved details.

These details shall include: -

- o Details for provision of any temporary drainage during construction. This should include details to demonstrate that during the construction phase measures will be in place to prevent unrestricted discharge, and pollution to the receiving system
- o Information about the design storm period and intensity, discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance (6 metres minimum), the sustainable methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters. This should include details on how any pre-existing surface water flooding may impact the surface water drainage system, to ensure that the system will function appropriately.
- o Any works required on and off site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant). This should include details on the existing drainage channel, including the exact use and any works to this feature.
- o Flood water exceedance routes both on and off site, note, no part of the site must be allowed to flood during any storm up to and including the 1 in 30 event, flooding during storm events in excess of this including the 1 in 100yr (plus 40% allowance for climate change) must be controlled within the designed exceedance routes demonstrated to prevent flooding or damage to properties.
- o A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by an appropriate public body or statutory undertaker, management company or maintenance by a Residents' Management Company and / or any other arrangements to secure the operation and maintenance to an approved standard and working condition throughout the lifetime of the development

Reason: To ensure that the development is served by a satisfactory, sustainable system of surface water drainage and that the approved system is retained, managed and maintained throughout the lifetime of the development, in accordance with National Planning Policy Framework and the Technical Guidance to the National Planning Policy Framework.

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

- o Construction vehicle movements
- o Construction vehicular routes to and from site including a map showing the route
- o Construction delivery hours
- o All construction deliveries being made off highway
- o On-site turning facility for delivery vehicles and egress onto highway only with guidance of a trained banksman
- o Expected number of construction vehicles per day
- o All contractor vehicle parking being accommodated off highway including a plan showing the onsite parking arrangements
- o Specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice
- o A scheme to encourage the use of Public Transport amongst contractors
- o On-site vehicle wheel washing facilities and the regular use of a road sweeper for local highways

Reason: In the interests of residential amenity and highway safety in accordance with Policies TA5 and EQ2 of the South Somerset Local Plan (2006-2028).

10. The proposed access arrangements shall be constructed in accordance with details shown on the submitted plan and shall be available for use before first occupation. Once constructed the accesses shall be maintained thereafter in that condition at all times.

Reason: In the interests of highway safety and in accordance with Policy TA5 of the South Somerset Local Plan (2006-2028).

11. The south-eastern access onto Kingston shall be used for the purpose of "Entry Only" and appropriate physical measures shall be installed which shall have been agreed in writing with the Local Planning Authority before the development hereby permitted is first brought into use to ensure compliance with this arrangement. All measures shall be retained thereafter.

Reason: In the interests of highway safety and in accordance with Policy TA5 of the South Somerset Local Plan (2006-2028).

12. The north-western access onto Kingston shall be used for the purpose of "Exit Only" and appropriate physical measures shall be installed which shall have been agreed in writing with the Local Planning Authority before the development hereby permitted is first brought into use to ensure compliance with this arrangement. All measure shall be retained thereafter.

Reason: In the interests of highway safety and in accordance with Policy TA5 of the South Somerset Local Plan (2006-2028).

13. The Development hereby permitted shall not be occupied until the parking spaces for the dwellings and properly consolidated and surfaced turning spaces for vehicles have been provided and constructed within the site in accordance with

details which shall have been submitted to and approved in writing by the Local Planning Authority. Such parking and turning spaces shall be kept clear of obstruction at all times and shall not be used other than for the parking and turning of vehicles in connection with the development hereby permitted.

Reason: In the interests of highway safety and in accordance with Policies TA5 and TA6 of the South Somerset Local Plan (2006-2028).

14. Prior to first occupation of the dwellings hereby permitted, a scheme for the provision of electric charging points (of a minimum 16amps) for electric vehicles shall be submitted and approved in writing by the Local Planning Authority. Once installed such charging points shall be retained and maintained in working order, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the development is resilient and sustainable in accordance with Policy TA1 (Low Carbon Travel) of the adopted South Somerset Local Plan and the provisions of the NPPF.

15. Prior to commencement of the development, site vegetative clearance, demolition of existing structures, ground-works, heavy machinery entering site or the onsite storage of materials, the submitted scheme of phased tree protection measures as prepared by Brynley Andrews Associates (Ref: R.AMS & TPP. Park-school.2021 - update.v1) shall be implemented in-entirety. The appointed supervising Arboricultural Consultant must confirm in-writing to the Council (please contact us at [planning@southsomerset.gov.uk](mailto:planning@southsomerset.gov.uk) quoting Planning Ref: 20/01087/FUL) that the various phased protection measures are being satisfactorily monitored and implemented in-compliance with the terms of the approved scheme on an on-going basis throughout the course of construction of the development (inclusive of special engineering, as well as the hard and soft landscaping measures) and those precautionary measures may only be altered, removed or dismantled with the prior consent of the Council in-writing.

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

16. Prior to the occupation of Plots 12, 21, 22, 23 & 24, a scheme of precautionary signage and/or fencing measures to safeguard the future occupants from the toxicity of Yew trees must be submitted to the Council for their approval in- writing and those approved measures must be installed satisfactorily. All planting installation measures comprised within the submitted Planting Plan (Dwg No. 3968- BBLA- SP- 000- DR- 200 RevA) and Planting Schedule (Ref: 3968- BBLA- SP- 000- SC- 292) must be carried out within the first available dormant planting season (November to February inclusively) upon or prior to the first occupation of the development hereby approved; and if any trees or shrubs which within a period of ten years from the completion of the development die, are removed or in the opinion of the Council, become seriously damaged or diseased, they must be replaced by the landowner in the next dormant planting season with trees/shrubs of the same approved specification, in the same location; unless the Local Planning Authority gives written consent to any variation.

Reason: To preserve existing landscape features (trees) and to ensure the planting of new trees and shrubs in accordance with the Council's statutory duties relating to The Town & Country Planning Act, 1990 (as amended)[1] and the following

policies of The South Somerset Local Plan (2006 - 2028); EQ2: General Development, EQ4: Bio-Diversity & EQ5: Green Infrastructure.

17. No proposed access works and associated development shall take place (including ground works and vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include the following:
- a) Risk assessment of potentially damaging construction activities.
  - b) Identification of "biodiversity protection zones".
  - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements) to biodiversity on site, including habitats (trees) and protected species (bats, birds and badgers), followed by appropriate mitigation, as required.
  - d) The location and timing of sensitive works to avoid harm to biodiversity features.
  - e) The times during construction when specialist ecologists need to be present on site to oversee works.
  - f) Responsible persons, lines of communication and written notifications of operations to the Local Planning Authority
  - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person [including regular compliance site meetings with the Council Biodiversity Officer and Landscape Officer (frequency to be agreed, for example, every 3 months during construction phases)];
  - h) Use of protective fences, exclusion barriers and warning signs.
  - i) Ongoing monitoring, including compliance checks by a competent person(s) during construction and immediately post-completion of construction works

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of European and UK protected species. UK priority species and habitats listed on s41 of the Natural Environment and Rural Communities Act 2006 and in accordance with South Somerset District Council Local Plan - Policy EQ4 Biodiversity

18. Prior to occupation, a "lighting design for bats", following Guidance note 8 - bats and artificial lighting (ILP and BCT 2018), shall be submitted to and approved in writing by the local planning authority. The design shall show how and where external lighting will be installed (including through the provision of technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory or having access to their resting places. All external lighting shall be installed in accordance with the specifications and locations set out in the design, and these shall be maintained thereafter in accordance with the design. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: In the interests of the 'Favourable Conservation Status' of populations of European protected species and in accordance with South Somerset District Council Local Plan - Policy EQ4 Biodiversity

19. A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the Local Planning Authority prior to the commencement of the development. The content of the LEMP shall include the following:
- a) Description and evaluation of features to be managed.
  - b) Ecological trends and constraints on site that might influence management.
  - c) Aims and objectives of management.
  - d) Appropriate management options for achieving aims and objectives.
  - e) Prescriptions for management actions.
  - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
  - g) Details of the body or organization responsible for implementation of the plan.
  - h) On-going monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: In the interests of the 'Favourable Conservation Status' of populations of European and UK protected species, UK priority species and habitats listed on s41 of the Natural Environment and Rural Communities Act 2006 and in accordance with South Somerset District Council Local Plan - Policy EQ4 Biodiversity.

20. A Biodiversity Mitigation and Enhancement Plan (BMEP) shall be submitted to, and be approved in writing by, the Local Planning Authority prior commencement or prior to commencement of construction works. Photographs of the installed features will also be submitted to the Local Planning Authority prior to occupation: The content of the BMEP shall include the following:
- a) A Habitat 001 bat box or similar will be built into the structure of the 30 new dwellings, positioned at least four metres above ground level and away from windows of the west or south facing elevation
  - b) A cluster of five Schwegler 1a swift bricks or similar will be built into the structure of 2 new dwellings, built into the wall at least 60cm apart, at least 5m above ground level on the north facing elevation.
  - c) A cluster of three Vivra Pro Woodstone House Martin nests or similar will be mounted directly under the eaves of the north elevation of 2 existing buildings.
  - d) A bee brick built into the structure of 20 new2 dwellings or garages, located 1 metre above ground level on the south or southeast elevation (please note, be bricks attract solitary bees that do not sting).
  - e) Any new fencing must have accessible hedgehog holes, measuring 13cm x 13cm to allow the movement of hedgehogs into and out of the site
  - f) New hedgerows will be planted with native woody species that support nuts, berries and nectar for foraging wildlife species. A minimum of 5 of the following species will be planted: Hawthorn, Blackthorn, Honeysuckle, Dogwood, Elder, Holly Hazel, Dogrose, Field rose, Spindle, Clematis, Cherry, Yew, Crab apple and Wild raspberry. The hedgerow will be laid on reaching maturity, with long term management to include cutting on a 3 year rotation.

- g) Wildflower grassland
- h) The land allocated within the landscape plan will be sown with a native wild flower seed mix, providing increased floristic diversity as well as providing enhanced habitat for invertebrates. On reaching maturity the grassland will be cut twice year, once in late February and once in Mid-September, with all arisings/hay collected and removed from site.
- i) New trees as identified within the landscape plan and planting schedule, including species which will support pollinators and providing winter foraging for birds.
- j) All new shrubs will include species which are nectar producing to encourage a range of invertebrates to the site. The Royal Horticultural Society guide, "RHS Perfect for Pollinators, [www.rhs.org.uk/perfectforpollinators](http://www.rhs.org.uk/perfectforpollinators)" provides a list of suitable plants both native and non-native.

Reason: In accordance with Government policy for the enhancement of biodiversity within development as set out in paragraph 170(d) of the National Planning Policy Framework.

21. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking, re-enacting or modifying that Order), no development of the types described in the following Classes of Schedule 2 shall be undertaken without the express grant of planning permission, other than that expressly authorised by this permission:

- (a) Part 1, Class A (enlargements, improvements or other alterations);
- (b) Part 1, Class B (additions etc to the roof of a dwellinghouse);
- (c) Part 1, Class C (other roof alterations);
- (d) Part 1, Class E (buildings etc incidental to the enjoyment of a dwellinghouse) and;

Reason: To enable the Local Planning Authority to exercise control over development in order to:

- (i) safeguard the character and appearance of the development itself, by ensuring there are no inappropriate extensions or alterations to the dwellings, or erection of inappropriate outbuildings or other structures;
- (ii) preserve and enhance the setting of the nearby designated heritage assets;

having regard to Policies EQ2 and EQ3 of the South Somerset Local Plan and relevant guidance within the NPPF.

22. All the recommendations of the Approved Travel Plan (prepared by Bellamy Transport Consultancy dated March 2020) shall be implemented in accordance with the timetable therein. Thereafter the development shall operate the Approved Travel Plan or any variation of the Travel Plan agreed in writing by the Local Planning Authority.

Reason: To promote and encourage sustainable modes of travel to accord with policies TA1, TA3, TA4, TA5 and TA6 of the South Somerset Local Plan.

23. Prior to the occupation of the dwellings hereby approved a scheme for the inclusion of water efficiency measures to ensure 110 litres / per person per day are provided shall be submitted to and approved in writing by the Local Planning

Authority. The scheme shall be installed prior to the occupation of any dwelling and shall be retained and maintained as agreed.

Reason: To ensure the provision of water efficiency measures as required by Policy EQ1 of the South Somerset Local Plan 2006-2028.

24. Prior to the occupation of any dwellings a scheme for the future maintenance of the internal streets shall be submitted to and approved in writing by the Local Planning Authority. The development shall take place in accordance with the agreed scheme.

Reason: To ensure that the internal streets are properly maintained in the future in accordance with Policy TA5 of the South Somerset Local Plan 2006-2028.

### **Informatives:**

01. The applicant is advised that the County Highway Authority will require a Condition Survey of the existing public highway will need to be carried out and agreed with the Highway Authority prior to any works commencing on site, and any damage to the highway occurring as a result of this development is to be remedied by the developer to the satisfaction of the Highway Authority once all works have been completed on site.

02. Please be advised that approval of this application by South Somerset District Council will attract a liability payment under the Community Infrastructure Levy. CIL is a mandatory financial charge on development and you will be notified of the amount of CIL being charged on this development in a CIL Liability Notice. You are required to complete and return Form 2 - Assumption of Liability as soon as possible and to avoid additional financial penalties it is important that you notify us of the date you plan to commence development before any work takes place. (Form 6 - Commencement)

Please Note: It is the responsibility of the applicant to ensure that they comply with the National CIL Regulations, including understanding how the CIL regulations apply to a specific development proposal and submitting all relevant information. South Somerset District Council can only make an assessment of CIL liability based on the information provided.

You are advised to visit our website for further details <https://www.southsomerset.gov.uk/cil> or email [cil@southsomerset.gov.uk](mailto:cil@southsomerset.gov.uk).

03. The applicant's attention is drawn to the comments of:
- o the Designing Out Crime Officer dated 29 May 2020
  - o the Somerset Waste Partnership dated 2 July 2020
  - o the Dorset and Somerset Fire and Rescue Service dated 15 September 2022.

(voting: 9 in favour, 2 against, 2 abstentions)

**25. Planning Application 20/01088/LBC - The Park School Kingston Site  
Kingston Yeovil BA20 1DX (Agenda Item 14)**

***Listed Building Consent for the redevelopment of former Park School site consisting of the conversion of existing buildings to 7no dwellings, conversion of and works to the Grade II Listed Kingston House to 8no dwellings, demolition of 3 existing school buildings and associated infrastructure, access enhancements, landscaping and all associated works.***

The Principal Planner presented the application as outlined in the agenda report together with Planning Application 20/01087/FUL.

There being no debate it was proposed and seconded to approve the application as per the officer recommendation as outlined in the agenda report. On being put to the vote it was carried by 11 votes in favour and 2 against.

**RESOLVED:**

That Listed Building Consent be granted.

01. The proposal by reason of its limited/informed intervention into the historic fabric of the listed building is considered to respect the historic and architectural interests of the building and is in accordance with the provisions of the NPPF Chapter 16 - Conserving and Enhancing Historic Environment and policy EQ3 of the South Somerset Local Plan (2006-2028).

**SUBJECT TO THE FOLLOWING:**

01. The works hereby granted consent shall be begun before the expiration of three years from the date of this consent.

Reason: As required by Section 16(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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

Location Plan 3968 -BB -SP-00-DR-A-001  
Site Layout 3968-BB-SP-00-DR-A-002 Rev J  
Listed Building Identification Plan 3968-BB-SP-00-DR-A-PL003  
Plots 1-8 First and Second Floor Plans Conversion 3968-BB-SP-00-DR-A-011 Rev B  
Plots 1-8 Ground Floor Plan Conversion 3968-BB-SP-00-DR-A-010 Rev C  
Plots 1-8 Elevations 02 Conversion 3968-BB-SP-DR-00-A013  
Plots 1-8 Elevations 01 Conversion 3968-BB-SP-00-DR-A-012  
Plots 1-8 Elevations 03 Conversion 3968-BB-SP-DR-00-A-046  
Plots 9-11 Floor Plans Conversion 3968 -BB-SP-00-DR-A-014 Rev A  
Plots 9-11 Elevations Conversion 3968-BB-SP-00-DR-A-015 Rev B  
Plots 13-14 Floor Plans Conversion 3968-BB-SP-00-DR-A-018 Rev A  
Plots 13-14 Elevations Conversion 3968-BB-SP-00-DR-A-019 Rev A  
Plots 37-38 Elevations Conversion 3968-BB-SP-00-DR-A-037  
Plots 37-38 Floor Plans Conversion 3968-BB-SP-00-DR-A-036

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



03. No work shall be carried out to install any doors, windows, rooflights or boarding within the listed building and retained buildings to be converted unless details of the design, materials and external finish for all new doors, windows, boarding and openings have been submitted to and approved in writing by the Local Planning Authority. Such approved details, once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: To safeguard the significance of the heritage asset, in accordance with the provisions of chapter 16 of the National Planning Policy Framework and policy EQ3 of the South Somerset Local Plan (2006-2028).

04. The windows comprised in the conversion of the listed building and retained buildings to be converted shall be recessed in accordance with details to be submitted to and approved in writing with the Local Planning Authority before any work to the windows is commenced.

Reason: To safeguard the significance of the heritage asset, in accordance with the provisions of chapter 16 of the National Planning Policy Framework and policy EQ3 of the South Somerset Local Plan (2006-2028).

05. No work shall be carried out to any roofs unless design details of all roof eaves, verges, watertabling, corbels and abutments within listed building and retained buildings to be converted have been submitted to and approved in writing by the Local Planning Authority. Such details once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: To safeguard the significance of the heritage asset, in accordance with the provisions of chapter 16 of the National Planning Policy Framework and policy EQ3 of the South Somerset Local Plan (2006-2028)..

06. No work shall be carried out to install any guttering, down pipes, other rainwater goods, or any external plumbing or flues upon the listed building and retained buildings to be converted unless details of all guttering, down pipes, other rainwater goods, and external plumbing or flues have been submitted to and approved in writing by the Local Planning Authority. Such details once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: To safeguard the significance of the heritage asset, in accordance with the provisions of chapter 16 of the National Planning Policy Framework and policy EQ3 of the South Somerset Local Plan (2006-2028).

07. No repointing shall be undertaken to the listed building and retained buildings to be converted unless full details, including elevational drawings, to indicate the areas to be repointed; details of the method of removal of existing pointing (in this regard mechanical tools shall not be used); details of the mortar mix, and a sample panel of new pointing that shall be carried out in the agreed mortar; have been submitted to and approved In writing by the Local Planning Authority. The work shall be carried out in accordance with the agreed details, and the sample panel shall remain available for inspection throughout the duration of the work.

Reason: To safeguard the significance of the heritage asset, in accordance with the provisions of chapter 16 of the National Planning Policy Framework and policy EQ3 of the South Somerset Local Plan (2006-2028).

08. No work shall be carried out to block any openings within the listed building and retained buildings to be converted unless details of the method of the blocking of all doorways and windows shown on the approved plans are to be submitted to and approved in writing by the Local Planning Authority. This will include materials and finish: pointing and coursing; any doors and architraves to be left in situ; and any reveal. Such approved details, once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: To safeguard the significance of the heritage asset, in accordance with the provisions of chapter 16 of the National Planning Policy Framework and policy EQ3 of the South Somerset Local Plan (2006-2028).

09. No work shall be carried out to the listed building unless details of all new and replacement plasters, renders, floor surfaces, ceilings etc, including any making good of any existing structure abutting any of those to be demolished, have been submitted to and approved in writing by the Local Planning Authority. These details shall be submitted in the format of a room by room schedule as necessary. Such approved details, once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: To safeguard the significance of the heritage asset, in accordance with the provisions of chapter 16 of the National Planning Policy Framework and policy EQ3 of the South Somerset Local Plan (2006-2028).

10. No work shall be carried out to erect any new partitions within the listed building unless full construction details of the new partitions and finishes have been submitted to and agreed in writing by the Local Planning Authority. Such details shall show new partitions scribed around, not cut into the existing cornices, skirting or other features. Such approved details, once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: To safeguard the significance of the heritage asset, in accordance with the provisions of chapter 16 of the National Planning Policy Framework and policy EQ3 of the South Somerset Local Plan (2006-2028).

11. No external rendering to the listed building or retained buildings to be converted shall be carried out on site unless details of the external render to be used have been provided to and approved in writing by the Local Planning Authority. Details shall include the finish, materials and colour of the render. The work shall be carried out in accordance with the agreed details, and any sample panel shall remain available for inspection throughout the duration of the work.

Reason: To safeguard the significance of the heritage asset, in accordance with the provisions of chapter 16 of the National Planning Policy Framework and policy EQ3 of the South Somerset Local Plan (2006-2028).

(voting: 11 in favour, 2 against, 0 abstentions)

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**26. Planning Application 22/01610/FUL - Preston School A Business And Enterprise Academy Monks Dale Yeovil Somerset BA21 3JD (Agenda Item 15)**

***The construction of a new Artificial Grass Pitch (AGP) with perimeter fencing.***

The Principal Planner presented the application as outlined in the agenda report and explained that the application was before committee due to the officer recommendation being contrary to the objection raised by Sport England. She also clarified that should committee be minded to approve this application it will be referred to the Secretary of State, via the Planning Casework Unit.

She stated that Sport England had raised concern regarding the lack of community use and how finances will be put in place to monitor and maintain the facility.

With the aid of slides she then proceeded to highlighted the application site and proposed plans including:

- Proposed AGP will allow for greater all year-round use.
- Athletics track will be re located to top of the site but does not undermine any use of the other sports pitches.
- Further letter of objection had been received raising concern that AGP can get very hot in the summer months and that such surfaces can cause more injuries therefore a concern for the children.

The Principal Planner also highlighted the key considerations and summarised why each were not significant to warrant refusal as follows:

- Principle and Scale and Design – Already an existing grass pitch and therefore no technical change of use. Acknowledge the objection raised by Sport England but consider the requirement for community use, longer use of the facilities and that no flood lighting is to be installed believe this will provide much benefit to the pupils and development of sport that outweigh any detriment caused by the loss.
- Highways and Parking – Given the nature of use and with no floodlighting proposed for evening use do not consider there are any highway safety or parking issues.
- Residential Amenity – Recognise a previous planning application submitted in 2014, that had been refused. This however was located at a different site within the school, bounded by residential properties with proposed flood lighting and of much greater community use. The current application is much smaller and in a different location with conditions to be imposed for hours of use. A further application would also need to be submitted for any future lighting on the site.

She concluded that after considering all the responses and issues, as outlined in the agenda report, the application be referred to the Secretary of State, via the Planning Casework Unit, with the recommendation that planning permission be granted subject to the conditions as set out in the agenda report.

In response to questions from members, the Principal Planner and Lead Specialist advised:

- Consider this is already a well screened boundary and that there is a need to be reasonable to impose an additional condition for additional boundary treatment, although can be conditioned if members felt there was a need.
- Clarified the Sport England objection of the proposal given the lack of opportunity for community use.

A member of the public then spoke in objection to the application. Their comments included:

- Noise disturbance and increase in noise due to additional use.
- Concern regarding future installation of floodlighting.
- Ensure mitigation measures are put in place for bat population.
- Impact on nearby historic listed building and environment.
- Flood risk of nearby properties.
- Landscape maintenance plan to ensure responsibility and maintenance of AGP.

The applicant then addressed the committee. His comments included:

- Will provide huge benefit to the students and future students at the school.
- Use will run through the normal school day with no additional extension to evening use and is purely to supplement the school curriculum.
- Allow more students to participate in good quality sport especially during the winter months where the field becomes unfit for use.
- There is no change of use and therefore no increase in noise levels will occur.

Councillor Pauline Lock, ward member noted that Yeovil Town Council were in support of the application and believed it would be a huge benefit to the school and its students. Acknowledged the comments made regarding noise but with appropriate boundary treatments would mitigate any concerns raised and therefore would support the application.

Councillor Wes Read, ward member voiced his support of the application but requested that appropriate measures are imposed for sufficient boundary treatment of the site.

During discussion, members raised several comments including:

- Believed this was an excellent opportunity for the school to provide a quality all weather pitch that will allow the students access and the ability to engage in sport all year round.
- Students already use the site for sports and therefore no increase in noise levels will occur.
- Welcome a quality all weather pitch.

Members voiced their full support of the application, and it was proposed and seconded that the application be referred to the Secretary of State, via the Planning Casework Unit, with the recommendation that planning permission is granted subject to appropriate conditions as set out in the agenda report. On being put to the vote this was carried unanimously.

## **RESOLVED:**

In accordance with The Town and Country Planning (Consultation) (England) Direction 2021, this application should be referred to the Secretary of State, via the Planning Casework Unit, with the Local Planning Authority recommendation that planning permission is granted subject to appropriate conditions.

01. The siting, scale and appearance of the proposed artificial grass sports pitch is acceptable in that it would be appropriate within the existing school grounds, would respects the character of the area and would no cause demonstrable harm to residential

amenity. This is subject to restriction on the hours of use and that no sports lighting is provided. The proposal would be of benefit to the school in providing a sports pitch able to be used in all weathers and would provide some use for the benefit of the community.

The proposal is therefore in accordance with national and local planning policy including the aims and objectives of Policies HW3, EQ2, TA5 and TA6 of the South Somerset Local Plan (2006-28) and the provisions of the National Planning Policy Framework 2021.

**SUBJECT TO THE FOLLOWING:**

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To accord with the provisions of section 91(1) of the Town and Country Planning Act 1990.

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

Location Plan NSPSA001  
Fencing Plan - NSPSA004 Rev E  
Line Marking Plan - NSPSA005 Rev C  
Cross Section NSPSA007 Rev C

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

03. The Artificial Grass Pitch hereby approved shall not be used except between the hours of :-  
09:00 and 18:00 hours Mondays to Fridays;  
09:00 and 18:00 hours Saturdays; and  
09:00 and 16:00 Sundays and Bank Holidays.

Reason: To minimise any potential nuisance and disturbance to neighbours and the surrounding area.

04. No sports lighting or other external lighting shall be installed at the Artificial Grass Pitch hereby approved without the prior written agreement of the Local Planning Authority and planning permission if required.

Reason: To minimise any potential nuisance and disturbance to neighbours and the surrounding area.

05. Prior to the Artificial Grass Pitch hereby permitted first coming into use a Community Use Agreement shall be submitted to and approved by the Local Planning Authority and shall be implemented as approved thereafter.

Reason: To ensure to provision of satisfactory benefit to the community

06. Prior to the Artificial Grass Pitch hereby permitted first coming into use a Community Use Agreement shall be submitted to and approved by the Local Planning Authority and shall be implemented as approved thereafter.

Reason: To ensure to provision of satisfactory benefit to the community.

07. Prior to commencement of development hereby approved a Construction Traffic Management Plan and programme of works shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include construction vehicle details (number, size, type and frequency of movement), vehicular routes, delivery hours and contractors' arrangements (compound, storage, parking, turning, surfacing, drainage and wheel wash facilities). The development shall thereafter be carried out strictly in accordance with the approved Construction Traffic Management Plan.

Reason: In the interests of road safety and the amenity of nearby residents.

08. Prior to the Artificial Grass Pitch hereby permitted first coming into use a revised School Travel Plan to include reference to the Artificial Grass Pitch hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The School Travel Plan shall be implemented as approved thereafter.

Reason: In the interests of road safety and the amenity of nearby residents, and to promote sustainable transport.

09. Prior to the commencement of development details of surface water drainage schemes for the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented prior to the completion of the development.

Reason: To ensure adequate facilities are provided in the interests of flooding and pollution.

(voting: unanimous)

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**27. Planning Application 19/03242/OUT - Land North Of Brimsmore Tintinhull Road Yeovil Somerset (Agenda Item 16)**

***Outline application for the erection of up to 185 dwellings with public open space, landscaping, sustainable drainage system, and vehicular access point. All matters reserved except for means of access.***

The Principal Planner presented the application as outlined in the agenda report and with the aid of slides highlighted the application site, proposed layout and associated access. This included:

- Location of the proposed packaged treatment site.
- Proposed access point with the Coppits Hill access point to be cut off, new access and 30 mph road and new footways proposed.
- Location of the existing Listed building 'Brimsmore House'.
- Topography and boundary screening of the site.

She also updated members that:

- The agent requested that the totals of Section 106 contributions offered be amended to 'per dwelling' which had been agreed as an acceptable amendment.
- Clarified the site is no longer part of an emerging allocation due to the discontinued work on the new local plan.

- Two additional objections had been received raising concerns about the use of Coppits Hill becoming a rat run and that ecological impacts are fully considered.

The Principal Planner also highlighted the key considerations and summarised why each were not significant to warrant refusal as follows:

- Principle – Delivery of homes has stalled, that the Council cannot demonstrate a five-year housing land supply and detailed the presumption to grant sustainable development.
- Highways – Following extensive discussion and the amended to provide the 30mph zone, the Highways Authority accept the proposal subject to traffic regulation orders to secure the 30mph limit and protect the new entrance. Noted works are due to take place at Coppits Hill under the Brimsmore key site development.
- Setting of Listed Building and Landscape Impact – Consider the site to be well contained and as such the landscape impact would be limited. Application is accompanied by a flood risk assessment and has demonstrated that surface water can be managed and secured through a planning condition.
- Phosphates – Proposed on site waste water treatment works and on site wetlands system considered acceptable.

She concluded that after considering all the responses and issues, as outlined in the agenda report, the application be approved with conditions, as set out in the agenda report.

In response to questions from members, the Principal Planner and Lead Specialist advised:

- A construction management plan would need to be submitted under reserve matters to secure any construction traffic concerns and access to the site.
- There are no Rights of Way on the site.
- Explained in detail the phosphates solution on the site and the management of such works and confirmed the LLFA were happy with the scheme and management of the surface water drainage.
- The Environment Agency will agree the waste treatment plant at detailed consent stage, however if this is not agreed an alternative solution would need to be submitted before any development could take place.
- Confirmed that the water treatment plant would need to be functioning before the first house was built.
- Confirmed there has been no discussion regarding the use of Coppits Hill in connection with this development.
- Planning conditions are proposed to secure adequate visibility splays regarding the 30mph road.
- Confirmed that there are no protected trees on site and do not consider any loss of trees to be an impediment to the development.
- Acknowledge the possible requirement of cycle paths that can be put forward at reserve matters stage.

A representative of Yeovil Without Parish Council addressed the committee. Her comments included:

- Raised concern regarding the safety and access of the site with it being dependent upon infrastructure to be provided by Brimsmore key site.

- The roads surrounding the key site are yet to be developed and as such impact cannot be fully understood.
- Believe the proposed entrance should be located at the Coppits Hill roundabout.

A member of the public then spoke in objection to the application. Their comments included:

- Concern regarding the on-site sewerage treatment plant.
- Have doubts about the ability of Severn Trent to be able to deliver this safely.
- Unhappy with the proposals to deal with spillage.
- Concern that Coppits Hill will be used as a 'rat run'.

The agent then addressed the committee. Her comments included:

- Consider this to be a sustainable location adjacent to the Brimsmore site with access to a wide range of services and facilities.
- Site was identified in the former emerging local plan for development.
- Development will contribute towards the need for homes within Yeovil and the delivery of 35% affordable homes on the site.
- Proposed significant open space and proposed play area within the development.
- No objections had been received from any statutory consultees.
- Proposed road and access plans to be found acceptable following extensive discussion with the Highways authority.
- Detailed and acceptable Phosphate's mitigation strategy will be provided on site.
- Believe the benefit of the development outweighs any impact on the character of the nearby listed building.

Councillor Graham Oakes, ward member raised doubts surrounding the sustainability of the application given the Brimsmore key site is yet to be fully developed and as such cannot be fully understood. He believed the application to be 'out of sequence' and that further large-scale developments should not be built until further improvement of the roads. He also raised concern around the access of emergency vehicles on to the site given there only being one access proposed.

Councillor Mike Lock, ward member raised concern regarding the drainage issues of the site and felt the need for two access points within the site to ensure adequate access for emergency vehicles.

Councillor Rob Stickland, ward member sought clarification regarding what consideration was given to the Brimsmore key site and its proposed facilities when considering this application.

In response the Principal Planner confirmed that the Highways authority had considered the Brimsmore key site when considering the highway proposals of this application. She also wished to note the securing of nearly £2 million pounds for education provision and £400,000 for on-site sport provision would be provided by this scheme.

During discussion, members raised several comments including:

- This application is to consider the principle of development and not the detail of the scheme.
- Raised concern the application is dependent upon the infrastructure and facilities to be provided by Brimsmore key site which has yet to be delivered.



- Acknowledge concerns raised regarding the access and impact on highways, however there is the need to consider this application on its own and whether the site itself is a sustainable location and not dependent on the Brimsmore key site and the facilities it provides.
- Raised concern regarding water run-off from the site and the impact on Yeovil Marsh, therefore the need to ensure that water is pumped back up the site to existing water outlets.

Following a short discussion, it was then proposed and subsequently seconded to approve the application as per the officer's recommendation with conditions as set out in the agenda report and subject to an additional informative as follows:

*'The applicants are requested by the Area South Committee to strongly consider the provision of a second access and to ensure drainage issues are fully considered within the Reserved Matters application'.*

A further proposal was then put forward and subsequently seconded to refuse the application for reasons around the lack of detail regarding adequate on-site drainage and access of the site.

For clarification, the Chairman then explained he would take the first proposal to approve the application as previously stated.

Ob being put to the vote this was carried by 9 votes in favour and 3 against.

**RESOLVED:**

That planning application **19/03242/OUT** be approved for the following reason, 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 to cover the following terms/issues:

- 1) The provision of 35% affordable (to include the provision of First Homes) which would be split 80:20 social rent: intermediate product equating to 65 units, split as 52 for social rent and 13 for shared ownership or other intermediate affordable solution;
- 2) Contribution towards the provision of sport, play and strategic facilities (£397,961);
- 3) Contribution towards education provision (£1,961,084);
- 4) A travel plan safeguarding sum and required highways works; and
- 5) Provision and maintenance of open space.
- 6) Implementation of phosphate mitigation scheme to ensure the development achieves nutrient neutrality. The scheme shall either (a) include a WwTW to be managed by Severn Trent Connect (or similar OFWAT-appointed statutory sewage undertaker), a wetland and scheme for phosphorus removal from surface water runoff, which have all successfully passed a Habitat Regulations Assessment demonstrating nutrient neutrality, or (b) an alternative scheme which the Local Planning Authority (in consultation with Natural England) consider also passes a Habitat Regulations Assessment demonstrating nutrient neutrality.

01. The Council's lack of a five year housing land supply lends significant weight when considering the planning balance. In this case, the site is located in a sustainable

location with access to a high range of services and facilities. The proposal is not considered to result in such a significant and adverse impact upon the visual amenity, residential amenity, highway safety, flood risk/drainage or ecology/biodiversity as to justify a refusal of planning permission. Furthermore, the proposal would result in less than substantial harm to the setting of the heritage assets and the public benefits of the proposal outweigh this harm. Therefore, in terms of the 'planning balance', it is considered that there are no adverse impacts that would 'significantly and demonstrably' outweigh the benefits of providing up to 185 dwellings in this sustainable location. The proposal is considered to be in accordance with Policies SD1, SS1, SS4, SS5, SS6, HG3, HG5, TA1, TA3, TA5, TA6, HW1, EQ1, EQ2, EQ3, EQ4, EQ5 and EQ7 of the South Somerset Local Plan 2006-2028 and the aims and objectives of the NPPF.

#### **SUBJECT TO THE FOLLOWING:**

01. Details of the appearance, landscaping, layout, and scale of the development hereby permitted (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.

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

02. Application for approval of the reserved matters shall be made to the local planning authority not later than 3 years from the date of this permission.

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

03. The development hereby permitted shall begin not later than 2 years from the date of approval of the last of the reserved matters to be approved.

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

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

Location Plan - ref. CSA/4226/106 Rev. A

Access Plan - ref. P17033-20-08 Rev. A

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

05. The proposed access shall be constructed generally in accordance with details shown on the submitted plan, drawing number P17033-20-08A and shall be available for use before first occupation of the dwellings hereby permitted. Once constructed the access shall be maintained thereafter in that condition at all times.

Reason: In the interests of highway safety and policy TA5 of the South Somerset Local Plan 2006-2028.

06. The proposed footway along the northern side of Tintinhull Road shall be constructed generally in accordance with details shown the submitted plan, drawing number P17033-20-08A and shall be available for use before first occupation of the dwellings hereby permitted. Once constructed the footway shall be maintained thereafter in that condition at all times.

Reason: In the interests of highway safety and policy TA5 of the South Somerset Local Plan 2006-2028.

07. No development shall commence until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved plan. The plan shall include:
- o Construction vehicle movements
  - o Construction operation hours
  - o Construction vehicular routes to and from site including any temporary construction access points and haul roads required. This information should also be shown on a map of the route
  - o Construction delivery hours
  - o All construction deliveries being made off highway
  - o On-site turning facility for delivery vehicles and egress onto highway only with guidance of a trained banksman
  - o Expected number of construction vehicles per day
  - o All contractor vehicle parking being accommodated off highway including a plan showing the onsite parking arrangements
  - o Specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice
  - o A scheme to encourage the use of Public Transport amongst contractors
  - o On-site vehicle wheel washing facilities and the regular use of a road sweeper for local highways

Reason: In the interests of highway safety and policy TA5 of the South Somerset Local Plan 2006-2028.

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

Reason: In the interests of highway safety and policy TA5 of the South Somerset Local Plan 2006-2028.

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

NOTE: If it is not possible to construct the estate road to a standard suitable for adoption, yet it is deemed the internal layout of the site results in the laying out of a private street, under Sections 219 to 225 of the Highway Act 1980, it will be subject to the Advance Payment Code (APC). In order to qualify for an exemption under the APC, the road should be built and maintained to a level that the Highway Authority considers will be of sufficient integrity to ensure that it does not deteriorate to such a condition as to warrant the use of the powers under the Private Streetworks Code. A suitable adoptable layout should be provided as part of the Reserved Matters application.

Reason: In the interests of highway safety and policy TA5 of the South Somerset Local Plan 2006-2028

10. Prior to the commencement of development, a scheme for the construction of the network of cycleway and footpath connections shall be submitted to and approved in writing by the Local Planning Authority. The development shall take place in accordance with the agreed details.

Reason: To promote sustainable modes of transport in accord with Policy TA3 of the South Somerset Local Plan.

11. No dwelling shall be occupied until space for that dwelling has been laid out for the parking of cars, motorcycles and cycles in relation to that dwelling in accordance with a drawing and schedule to be submitted to and be approved in writing by the Local Planning Authority. These areas shall thereafter not be used for any purpose other than the parking of cars, motorcycles and cycles.

Reason: To ensure appropriate parking provision on the site in accordance with Policy TA6 of the South Somerset Local Plan 2006-2028.

12. There shall be no obstruction to visibility greater than 600 millimetres above adjoining road level in advance of lines drawn 2.4 metres back from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge 82 metres to the east of the access and 43m to the west of the access. Having regard to the size of vehicles to be attending the site during the construction phase such visibility shall be fully provided before the development hereby permitted is commenced and shall thereafter be maintained at all times.

Reason: In the interests of highway safety and policy TA5 of the South Somerset Local Plan 2006-2028.

13. No part of the development shall be first occupied until a detailed Travel Plan has been submitted to and been approved in writing by the Local Planning Authority. The Travel Plan once approved shall thereafter be implemented as specified within the approved document. The Travel Plan shall be completed in accordance with the latest guidance and good practice documentation as published by the Department of Transport or as advised by the Local Highway Authority.

Reason: To promote sustainable modes of transport in accord with Policy TA3 of the South Somerset Local Plan.

14. No works shall commence on the site until the Traffic Regulation Order to extend the 30mph speed limit on Tintinhull Road beyond the Coppits Hill Lane junction has been secured by the Local Highway Authority.

Reason: In the interests of highway safety and policy TA5 of the South Somerset Local Plan 2006-2028.

15. No development shall be commenced until details of the surface water drainage scheme, based on sustainable drainage principles, together with details of a programme of implementation and maintenance for the lifetime of the development, have been submitted to and approved in writing by the Local Planning Authority. This scheme should aim to enhance biodiversity, amenity value, water quality and provide flood risk benefit (i.e. four pillars of SuDS) to meet wider sustainability aims, as specified by The National Planning Policy Framework (February 2019) and the Flood and Water Management Act (2010). The drainage scheme shall ensure that surface water runoff post development is attenuated on site and discharged at a rate and volume no greater than greenfield runoff rates

and volumes. Such works shall be carried out in accordance with the approved details.

These details shall include the following: -

- o Details of phasing (where appropriate) and information of maintenance of drainage systems during construction of this and any other subsequent phases.
- o Information (confirmation of outfall locations, discharge rates etc.) demonstrating that the surface water design for the adjacent permitted developments do not impact on this proposed development.
- o Detailed layout drawings that demonstrate the inclusion of sustainable drainage (SuDS), where appropriate, with levels, location, size of key drainage features with supporting attenuation volume calculations. Details of proposed features such as infiltration structures, attenuation features, conveyance features, pumping stations, outfall structures and any land drainage requiring consideration.
- o Information about the design storm period and intensity, discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance (6 metres minimum), the sustainable methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters. Should infiltration be proposed, confirmation of groundwater levels to demonstrate that the invert level of any soakaways or unlined attenuation features can be located a minimum of 1m above groundwater levels.
- o Any works required off site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant). Calculations to be provided to inform the assessment of the risk of water backing up the drainage system from any proposed outfall and how this risk will be managed without increasing flood risk to the site or to people, property and infrastructure elsewhere.
- o Flood water exceedance routes both on and off site, note, the drainage system shall be designed to prevent surcharging of any below ground drainage up to and including the 1 in 2 year event, and no part of the site must be allowed to flood during any storm up to and including the 1 in 30 event, flooding during storm events in excess of this including the 1 in 100yr (plus 40% allowance for climate change) must be controlled within the designed exceedance routes demonstrated to prevent flooding or damage to properties. Overland flow route plans to demonstrate how these have influenced the development layout and design of the drainage system with an assessment of the residual risks to downstream receptors and proposed mitigation and management measures. Calculations to be provided to support this using hydraulic modelling software.
- o A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by an appropriate public body or statutory undertaker, management company or maintenance by a Residents' Management Company and / or any other arrangements to secure the operation and maintenance to an approved standard and working condition throughout the lifetime of the development for all drainage features.
- o Evidence of a permission to discharge. If discharging to a drainage system maintained/operated by other authorities (Environment Agency, internal drainage board, highway authority, sewerage undertaker, or Canals and River Trust), evidence of consultation and the acceptability of any discharge to their system should be presented for consideration.

Reason: To ensure that the development is served by a satisfactory, sustainable system of surface water drainage and that the approved system is retained, managed and maintained throughout the lifetime of the development, in accordance with National Planning Policy Framework and the Technical Guidance to the National Planning Policy Framework.

16. No proposed access works and associated development shall take place (including ground works and vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP: Biodiversity shall include the following:

- a. Risk assessment of potentially damaging construction activities.
- b. Identification of "biodiversity protection zones".
- c. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements) to biodiversity on site, including habitats (trees, hedgerows and field edges) and protected species (bats, birds, badgers, reptiles and amphibians), followed by appropriate mitigation, as required.
- d. The location and timing of sensitive works to avoid harm to biodiversity features.
- e. The times during construction when specialist ecologists need to be present on site to oversee works.
- f. Responsible persons, lines of communication and written notifications of operations to the Local Planning Authority.
- g. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person (including regular compliance site meetings with the Council Biodiversity Officer and Landscape Officer (frequency to be agreed, for example, every 3 months during construction phases)).
- h. Use of protective fences, exclusion barriers and warning signs.
- i. Provisions for monitoring (with agreed time scales), including compliance checks by a competent person(s) during construction and immediately post-completion of construction works.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of European and UK protected species. UK priority species and habitats listed on s41 of the Natural Environment and Rural Communities Act 2006 and in accordance with South Somerset District Council Local Plan - Policy EQ4 Biodiversity.

17. A report prepared by the Ecological Clerk of Works or similarly competent person certifying that the required mitigation and compensation measures identified in the CEMP: Biodiversity have been completed to their satisfaction, and detailing the results of site supervision and any necessary remedial works undertaken or required, shall be submitted to the Local Planning Authority for approval before occupation of each phase or sub-phase of the development or at the end of the next available planting season, whichever is the sooner.

Any approved remedial works shall subsequently be carried out under the strict supervision of a professional ecologist following that approval.

Reason: To ensure that ecological mitigation measures are delivered and that protected/priority species and habitats are safeguarded in accordance with the

CEMP and South Somerset District Council Local Plan - Policy EQ4 Biodiversity has been complied with.

18. Prior to occupation, a lighting design for bats and biodiversity for the development shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall:
- a) identify those areas/features on site that are particularly sensitive for bats (hedgerows, trees, scrub, ponds and grassland) and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
  - b) show how and where external lighting will be installed through the provision of lighting contour plans and, if appropriate, technical specifications so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and Locations set out in the design, and these shall be maintained thereafter in accordance with the design. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

Reason: In the interests of the Favourable Conservation Status of populations of European protected species and in accordance with South Somerset District Council Local Plan - Policy EQ4 Biodiversity.

19. A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the Local Planning Authority prior to the commencement of the development.
- The content of the LEMP shall include the following:
- a) Description and evaluation of features to be managed.
  - b) Ecological trends and constraints on site that might influence management.
  - c) Aims and objectives of management.
  - d) Appropriate management options for achieving aims and objectives.
  - e) Prescriptions for management actions.
  - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
  - g) Details of the body or organization responsible for implementation of the plan.
  - h) On-going monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.

The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The approved plan will be implemented in accordance with the approved details.

Reason: In the interests of the 'Favourable Conservation Status' of populations of European and UK protected species, UK priority species and habitats listed on s41

- of the Natural Environment and Rural Communities Act 2006 and in accordance with South Somerset District Council Local Plan - Policy EQ4 Biodiversity.
20. A Biodiversity Mitigation and Enhancement Plan (BMEP) shall be submitted to, and be approved in writing by, the Local Planning Authority prior commencement or prior to commencement of construction works.

Photographs of the installed features will also be submitted to the Local Planning Authority prior to occupation.

The content of the BMEP shall include the following:

- a) The mitigation measures outlined with the Land off A37, Yeovil Ecological Impact Assessment (CSA environmental, 2019).
- b) A (Habibat 001) bat box or similar will be built into the structure of 50 houses, positioned at least four metres above ground level and away from windows of the west or south facing elevation
- c) A cluster of five Schwegler 1a swift bricks or similar will be built into the structure of 10 houses, built into the wall at least 60cm apart, at least 5m above ground level on the north facing elevation (of Plots to be confirmed)
- d) A cluster of three Vivra Pro Woodstone House Martin nests or similar will be mounted directly under the eaves of the north elevation of 10 houses.
- e) Two Schwegler 1SP Sparrow terraces or similar at least one metre apart mounted on 10 houses or garages, away from windows on the north elevations.
- f) 10 Vivara Pro Barcelona Woodstone Bird Box (open front design) or similar mounted between 1.5m and 3m high on the northerly facing aspect of trees and maintained thereafter.
- g) A bee brick built into the structure of 20 houses or garages, located 1 metre above ground level on the south or southeast elevation.
- h) Any new fencing must have accessible hedgehog holes, measuring 13cm x 13cm to allow the movement of hedgehogs into and out of the site
- i) One reptile hibernacula and 3 log piles as a resting place for reptiles and or amphibians constructed within the north west corner of the site.
- j) All new shrubs must be high nectar producing to encourage a range of invertebrates to the site, to provide continued foraging for bats. The shrubs must also appeal to night-flying moths which are a key food source for bats. The Royal Horticultural Society guide, "RHS Perfect for Pollinators, [www.rhs.org.uk/perfectforpollinators](http://www.rhs.org.uk/perfectforpollinators)" provides a list of suitable plants both native and non-native.
- k) The new hedgerows will be planted with a minimum of 5 of the following species: hazel, field maple, hawthorn, blackthorn, dog rose, bird cherry and spindle. Hedgerow should be coppiced and layed on reaching maturity.
- l) The two SuDS basins, and associated potential swales and rain gardens, are to be planted up with native wetland plants comprised of grasses, rush, sedge and marginal vegetation.
- m) New wild flower grassland areas are to include a seed mix containing species native to the area, and which provide benefits to pollinators and associated biodiversity.

Reason: In accordance with Government policy for the enhancement of biodiversity within development as set out in paragraph 170(d) of the National Planning Policy Framework.

21. Prior to the commencement of development, an invasive non-native species protocol shall be submitted to and approved by the local planning authority,



detailing the containment, control and removal of Signal Crayfish on site. The measures shall be carried out strictly in accordance with the approved scheme.

Reason: Under the Wildlife and Countryside Act 1981 (as amended), it is an offence to release, or allow to escape, any non-native species into the wild in the UK except under licence.

22. Prior to commencement of the development hereby permitted the applicant, or their agents or successors in title, shall have secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation (WSI) which has been submitted and approved in writing by the Local Planning Authority. The WSI shall include details of a Trial Trench evaluation and the nature of the further work required based on the results of the trenching, as well as detailing the methods utilised for archaeological excavation, the recording of the heritage asset, the analysis of evidence recovered from the site and publication of the results. The development hereby permitted shall be carried out in accordance with the approved scheme.

Reason: To ensure appropriate consideration of heritage assets in accordance with Policy EQ3 of the South Somerset Local Plan 2006-2028 and advice within the NPPF.

23. No building shall be occupied until the site archaeological investigation has been completed and post-excavation analysis has been initiated in accordance with Written Scheme of Investigation approved under the POW condition and the financial provision made for analysis, dissemination of results and archive deposition has been secured.

Reason: To ensure appropriate consideration of heritage assets in accordance with Policy EQ3 of the South Somerset Local Plan 2006-2028 and advice within the NPPF.

24. Prior to the first occupation of the dwellings hereby approved the applicant shall submit a noise report that demonstrates compliance with the noise levels cited in BS8233:2014, namely: to at least secure internal noise levels no greater than 30dB LAeq, 8-hr (night), 45 dB LAm<sub>ax</sub> (night) and 35dB LAeq, 16-hr (day) in bedrooms, 35dB LAeq, 16-hr (day) in living rooms and 40dB LAeq, 16-hr (day) in dining rooms/areas.

Reason: In the interests of residential amenity in accordance with Policy EQ2 of the South Somerset Local Plan 2006-2028 and advice within the NPPF.

25. Prior to the occupation of the dwellings hereby approved a scheme for the inclusion of water efficiency measures to ensure 110 litres / per person per day are provided shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be installed prior to the occupation of any dwelling and shall be retained and maintained as agreed.

Reason: To ensure the provision of water efficiency measures as required by Policy EQ1 of the South Somerset Local Plan 2006-2028.

#### **Informatives:**

01. The developers are reminded of the legal protection afforded to badgers and their resting places under the Protection of Badgers Act 1992 (as amended). It is advised that during construction, excavations or large pipes (>200mm diameter) must be covered at night. Any open excavations will need a means of escape, for

example a plank or sloped end, to allow any animals to escape. In the event that badgers or signs of badgers are unexpectedly encountered during implementation of this permission it is recommended that works stop until advice is sought from a suitably qualified and experienced ecologist at the earliest possible opportunity.

- 02. Development, insofar as it affects the rights of way should not be started, and the rights of way should be kept open for public use until the necessary Order (temporary closure/stopping up/diversion) or other authorisation has come into effect/ been granted. Failure to comply with this request may result in the developer being prosecuted if the path is built on or otherwise interfered with.
- 03. The application site is located close to a military airfield. Future occupants should be made aware that military aircraft may be seen and heard operating in the area and that aircraft may overfly the site. The mitigation of noise in external areas may not be possible. Future occupants should also be made aware that aircraft types, flight paths and ground-based activity can vary over time and this may cause disturbance.

In the interest of good practice it is recommended that noise levels for the scheme should aim to achieve Leq 16hr 35dB within living rooms during daytime (07.00 - 23.00) and Leq 8hr 30dB within bedrooms during night-time (23.00 - 07.00).

04. Please be advised that subsequent full or reserved matters approval by South Somerset District Council will attract a liability payment under the Community Infrastructure Levy. CIL is a mandatory financial charge on development and you will be notified of the amount of CIL being charged on this development in a CIL Liability Notice.

You are required to complete and return Form 1 Assumption of Liability as soon as possible and to avoid additional financial penalties it is important that you notify us of the date you plan to commence development before any work takes place. Please complete and return Form 6 Commencement Notice.

You are advised to visit our website for further details <https://www.southsomerset.gov.uk/cil> or email

05. The applicants are requested by the Area South Committee to strongly consider the provision of a second access and to ensure drainage issues are fully considered within the Reserved Matters application.

(voting: 9 in favour, 3 against, 0 abstentions)

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Chairman