

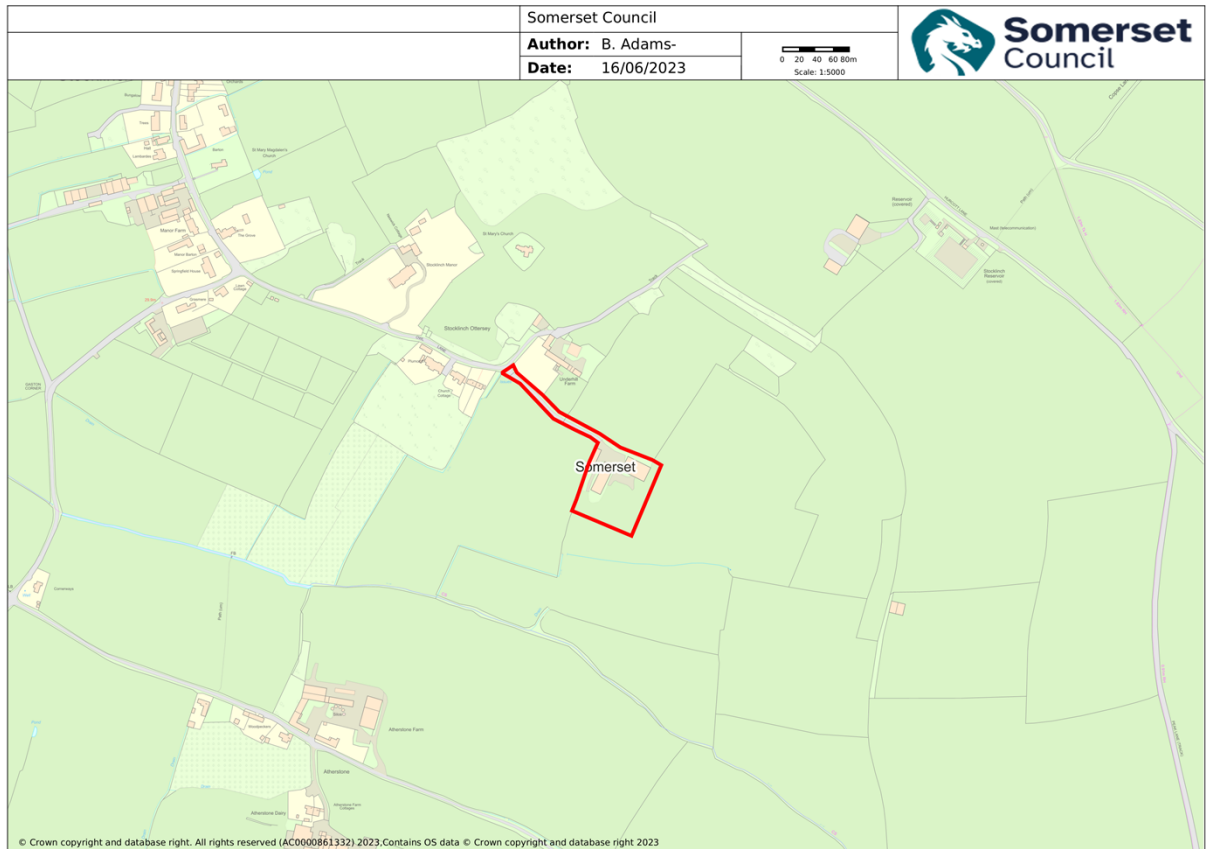
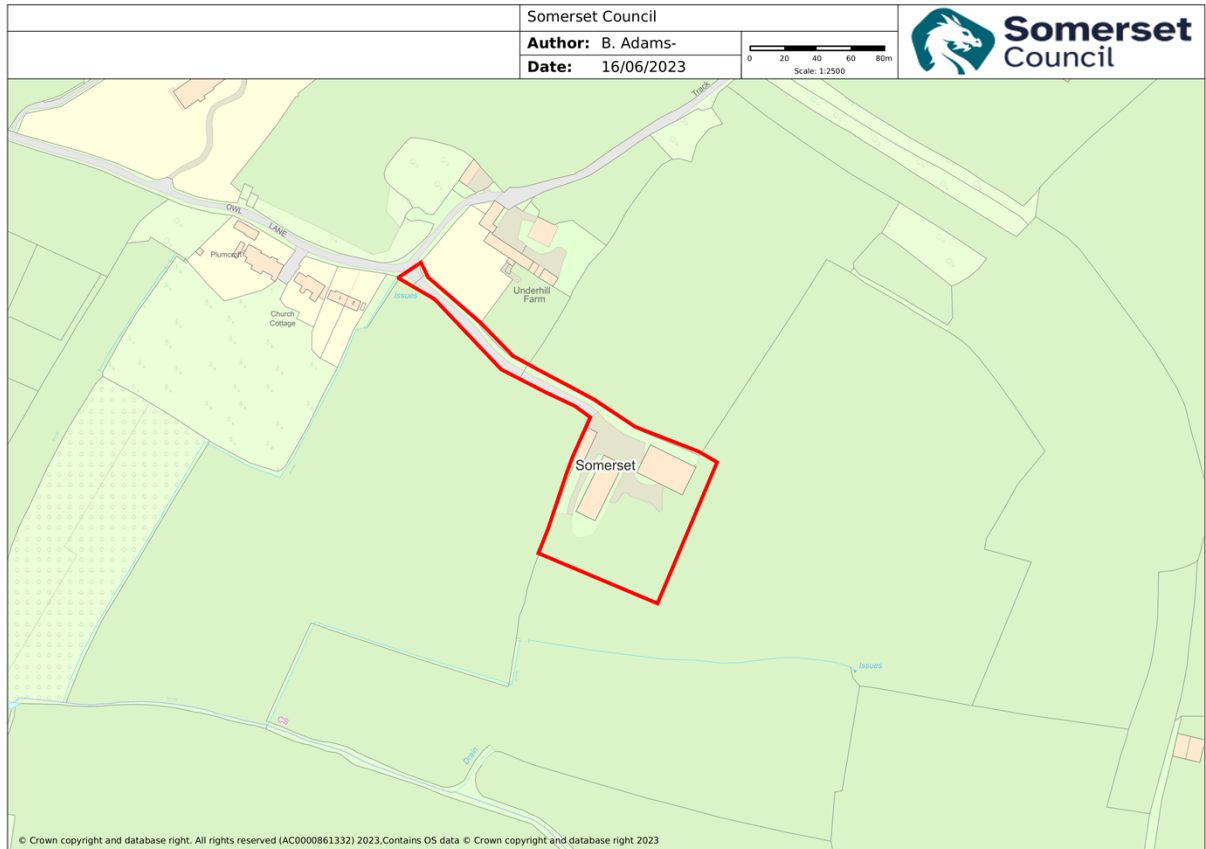
Officer Report On Planning Application: 22/03397/FUL

Proposal :	The proposal will demolish the existing three barns, two of which have a previously approved Class Q change of use and rebuild into 5no. new habitable dwellings, consisting of 1no. 4 bedroom dwellings, 2no. 3 bedroom dwellings and 2no. 2 bedroom dwellings.
Site Address:	Land At, Owl Street, Stocklinch, Ilminster, Somerset, TA19 9JN
Parish:	Stocklinch
SOUTH PETHERTON AND ISLEMOOR Division	Cllr Adam Dance Cllr Jo Roundell Greene
Recommending Case Officer:	Tracey Meachen (Specialist)
Target date :	13th April 2023
Applicant :	Cameron
Agent: (no agent if blank)	Orme Ltd Mill Farm Barns. Tuckers Lane, Baltonsborough, Glastonbury BA6 8RH
Application Type :	Minor Dwellings 1-9 site less than 1ha

REASON FOR REFERRAL TO COMMITTEE

In line with the adopted scheme of delegation, this application was referred to the Chair and Vice chair of Planning Committee South as Stocklinch Parish Council Objected to the proposal which is contrary to the officer recommendation. After consideration by the Chari and Vice Chair, it was decided that the application be referred to the Planning Committee to discuss the matter of sustainability.

SITE DESCRIPTION AND PROPOSAL



The farm buildings at Owl Street are located to the southeast of Stocklinch on the outskirts of the village. The site is also to the south of Barrington and west of Shepton Beauchamp. This is therefore an open countryside location. The character of Owl Street is for a mix of residential dwellings and agricultural buildings. Dwellings are generally constructed of stone or render with a mix of roof types. Owl Street is a no through road and the site is to the bottom of Owl Street with only one thatched cottage further along. The site is accessed from a single lane track from Owl Street and is not visually prominent from surrounding roads due to distance and existing hedgerows which border the surrounding fields. The closest residential property is approximately 150 metres northeast of the site.

A Notification of prior approval under Class Q was granted in 2022 for the conversion of two of the three agricultural barns into 5 no. dwellings. The permission is extant until 13th April 2025.

Two large agricultural barns are the subject of the Prior Approval and this subsequent full planning application. One barn is constructed of a steel frame with timber boarding for the walls and cement fibre roof sheets and concrete block. A second barn is a rigid steel portal frame with vertical corrugated steel cladding for the walls and fibre cement sheets. A third barn was not subject of a Prior Notification under Class Q and appears to be an open fronted steel framed barn with corrugated steel cladding for the walls and roof.

The Class Q conversion previously approved would provide 667 square metres of floor space internally measured with the heights of buildings ranging from 5.88 metres to 7.22 metres in height. The ground slopes gently downwards from northwest to south east. Accommodation approved consisted of 3 x 2 bed dwelling, 1 x 3 bed dwelling and 1 x 4 bed dwelling.

The application seeks consent to improve the quality of the proposed development beyond the restrictions of the Class Q but using the Class Q consent as a fallback position.

Works would include the demolition of all three barns and the erection of 5 dwellings, 2 of which would be two bed semi-detached dwellings with 3 parking spaces each. The detached dwellings would be 2 x 3 bed dwellings and 1 x 4 bed dwellings with attached double garages as well as three car parking spaces. Internal floor space would be 651 square metres, excluding garage space.

External materials used would be timber cladding with metal standing seam roof and recessed aluminium windows with timber surround. Solar panels are proposed to

the roof with Air Source Heat Pumps also proposed.

Large openings and materials reflect the agricultural character of the open countryside.

The existing barns are not listed or within the setting of listed buildings, and not within any area of designation. The applicant has confirmed that the dwellings will be used for residential purposes for long term lets, and not for short term holiday lets.

HISTORY

22/00743/PAMB Notification of prior approval for the change of use of existing agricultural barns into 5 dwellinghouse. Approved 14/04/2022

20/00502/PAMB - Notification for prior approval for the change of use of agricultural building to a dwellinghouse - Approved 03/04/20

20/00504/PAMB - Notification for prior approval for the change of use of agricultural building to a dwellinghouse - Approved 03/04/2020

Other relevant applications surrounding the area

ATHERSTONE FARM

23/00580/AGN - Notification of intent to create a track to reduce large vehicles movements through narrow country lanes. - Planning consent required.

20/02745/FUL and 20/02746/LBC - Change of use, alteration and extension of existing agricultural buildings to provide holiday accommodation with swimming pool and the erection of 2 No. units of holiday accommodation. - CURRENTLY PENDING CONSIDERATION - PHOSPHATE DELAYED

19/02790/FUL and 19/02791/LBC - The restoration and change of use of existing farm buildings into a venue of congregation with accommodation including some demolition and extension of existing farm buildings. - WITHDRAWN

POLICY

South Somerset Local Plan (2006-2028):

Policy SD1: Sustainable Development

Policy SS1 - Settlement Strategy

Policy SS2 - Development in Rural Settlements

Policy EQ1 - Addressing Climate Change in South Somerset
Policy EQ2 - General Development
Policy EQ4 - Biodiversity Policy TA1 - Low Carbon Travel
Policy HG8 - Replacement Dwellings in the Countryside
Policy TA5 - Transport Impact of New Development
Policy TA6 - Parking Standards

National Planning Policy Framework (2021):

Chapter 2 - Achieving sustainable development
Chapter 4 - Decision-making Chapter 6 - Building a Strong Competitive Economy
Chapter 9 - Promoting Sustainable Transport
Chapter 11 - Making Effective Use of Land
Chapter 12 - Achieving Well-Designed Places
Chapter 15 - Conserving and Enhancing the Natural Environment

Other Relevant Documents

National Planning Policy Guidance
Somerset County Council Parking Strategy.
Somerset Highways Standing Advice - June 2015.

CONSULTATIONS

Stocklinch Parish Council - Objects

Although the developer has asked for the existing Class Q on the site to be taken into consideration, the new application is radically different and the Parish Council would therefore ask the Planning Authority to de-couple their decision on this new application from the existing class Q. We also ask that, in light of the recently published officer report on planning application 23/00580/AGN, which clearly shows the link between this application, application 23/00580/AGN, and application 20/02745/FUL, that this application should be judged as part of the larger scheme of proposed holiday complex development across two parishes, Stocklinch and Whitelackington. These three applications must therefore be considered as a whole as it appears that the ultimate aim is for the proposed developments to be linked as part of a commercial holiday complex venture. If these applications are to be granted it would result in unplanned village expansion, the linking of two separate parishes, and the creation of a 'holiday complex' vastly out of scale and keeping with the surrounding rural area, which would significantly alter the character of the villages of both Atherstone and Stocklinch, and change the landscape of the area generally. The existing settlements and highways cannot support such a development.

The Parish Council has several concerns with this specific application for the development of the site at Owl Street as follows:

- Unsustainable location conflicting with Policies SS1, EP5 and EP8,
- Represents an increase in the number of dwellings along Owl Street of 83% (currently 8 dwellings).
- garage conversions would increase the living space, and domestic sheds and summer houses would be permitted development,
- Residential curtilage would be larger than proposed under Class Q,
- Highway issues,
- Dust, noise and construction traffic would impact quality of the roads,
- will cause overlooking of existing properties and visually dominant along public footpaths, (i.e view from Box Hill looks down on the barns,
- Class Q restrictions should continue to be employed.

County Highways - no objection subject to the application of conditions.

The Highway Authority deem the following points to be salient;

- Access - Vehicle access is currently provided via the main entrance to the yard off Owl Street, to which it will serve all 5 dwellings. It is currently used by farm vehicles and will remain unchanged from that approved in the Class Q prior approval.
- Trip generation of no more than 3 trips in the peak hour.
- No PROW evident in the vicinity of the proposed development site, and the same applies to the current access road.
- Injury Collisions - No known use of current access or local access to be inherently dangerous.
- Parking and Turning to standards; The proposal includes 21 car parking spaces; 4 motorcycles & 14 cycle parking spaces. EVC's will need to be included.
- Visibility Splays - A minimum of 2.4x43m in both directions, is required at Owl Street, due to its corner location.
- Drainage - SCC's Drainage Engineers have assessed the Proposed Drainage Plan ref. 1461/006 dated 21st June 2022, prepared by Messrs. Orme Limited and submitted in support of planning this application. The Highway Authority can confirm there is no objection to the surface water management strategy proposed for the dwellings but note that there is no reference to the means by which surface water run-off will be collected and discharged from the access road serving the development.
- Refuse collection point - Details & plan to be submitted
- CEMP - To be submitted.

South West Heritage Trust - no objection

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

SCC Somerset Ecology Services - Phosphates - holding objection for the following reason:

Insufficient information has been submitted to satisfy the LPA that the ecology impacts from the development have been sufficiently taken into account and, as such, satisfactory mitigation measures have not been provided, in line with policy EQ4 of the South Somerset District Council Local Plan.

If the applicant wishes to have the site considered under the interim guidelines, evidence of how the proposal meets each of the criteria will be required. This includes site location maps with the drainage field labelled, flood risk map, PIA certificate for the PTP to be used, evidence from the British Geology Survey about the geological condition of the site, evidence to show there are no drainage fields within 200m of the proposed drainage field, and percolation test results. You should also include the phosphate budget, a Foul Drainage Assessment Form, and a Wessex water connection map. These documents should be provided in a single PDF.

SCC Somerset Ecology Services - Ecology - no objections subject to conditions.

SCC Somerset Ecology Services - Phosphates - Objects

Insufficient information has been submitted to satisfy the LPA that the ecology impacts from the development have been sufficiently taken into account and, as such, satisfactory mitigation measures have not been provided, in line with policy EQ4 of the South Somerset District Council Local Plan.

REPRESENTATIONS

Letters were sent to 24 neighbouring properties and a site notice was displayed - 22 public objections were received. Points raised are as follows:

- Considered out of scale with existing development - landscape issues,
- Out of character
- disproportionate expansion almost doubling the number of dwellings down this road,
- expands the development footprint,
- highway safety issues - single width lane with no pedestrian infrastructure and

- poor surfacing,
- ties in with other applications for holiday let complex,
- would demolish existing barns which are beautiful and historic,
- flood risk,
- ridge height may be taller,
- in countryside and does not conform to Class Q criteria, and
- wildlife concerns

CONSIDERATIONS

Principle of Development

The Council is required to make a decision in line with the Development Plan, unless material considerations indicate otherwise (Section 38(6), Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning act 1990). The NPPF is a key material planning consideration.

In policy context, national guidance contained within the NPPF sets out a presumption in favour of sustainable development. Paragraph 79 of the NPPF states that in order to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities.

Furthermore, paragraph 80 advises that planning decisions should avoid the development of isolated homes in the countryside unless one or more of a certain set of circumstances are met. Such circumstances include:

- (i) there being an essential need for rural workers;
- (ii) enabling development to secure the future of heritage assets;
- (iii) re-using redundant or disused buildings;
- (iv) subdivision of an existing dwelling; or
- (v) the design of the new dwelling is of exceptional quality.

The site lies in open countryside outside of any development area as identified in the Local Plan, and none of the above apply. When considering development proposals, the Council takes a proactive approach to reflect the presumption in favour of sustainable development and seeks to secure development that improves the economic, social and environmental conditions within the District. Planning applications that accord with the policies in the Local Plan shall be approved without delay, unless material considerations indicate otherwise. This reflects Local Plan Policy SD1 and the general thrust of policy guidance within the NPPF.

Policy SS2 - there is a church and a village hall within the village of Stocklinch which

comes under the policy requirement of at least 2 facilities, so is considered to be in a sustainable location. In addition, the council does not currently have a 5 years supply of deliverable housing sites, and planning permission has already been granted for 5 dwellings through a Class Q prior notification. There is therefore a fallback position under the permitted development regulations.

Therefore, where there is an established residential use already agreed, a similar residential application would be acceptable in principle, dependent on material considerations such as scale and design. It is appreciated that objectors, including the parish Council, do not agree with this view and it is also acknowledged that there is little pedestrian infrastructure to connect the site to the main part of Stocklinch. However, the principle has already been established.

Design Scale Visual Amenity

The barns benefit from Prior Approval for the change of use and building works sufficient to convert the agricultural building to a residential use (Ref: 22/00743/PAMB) approved in April 2022. The implementation of this consent would result in the delivery of 3 x 2 bed, 1 x 3 bed and 1 x 4 bed dwellings of two storey height. Construction would include standing seam zinc sheets for the roof, and timber cladding. The footprint of the barns once converted would be slightly smaller than approved. With the addition of first floor space, the building would have another 145 square metres representing approximately 552 metres square of residential floor space when internally measured while part of the barn is demolished along the southeastern edge.

The proposed alternative scheme would provide replacement dwellings of a slightly smaller footprint than the dwellings approved, but does include the addition of three double garages and the dwellings would be more spaced out to become detached dwellings.

The character of the surrounding area is of traditional residential dwellings interspersed with some agricultural buildings which include stone barns and some open fronted steel portal framed barns with timber or steel cladding for walls..

The barn conversion as approved would fit in with the existing character and appearance of the area as it converts well established and existing agricultural barns. The materials proposed over the existing portal frame structure would still maintain the agricultural character of the area.

The proposed development, although demolishing the barn structure as existing,

would maintain the agricultural character of the area with large window openings and timber materials. The pattern of development, however, is of a more domestic arrangement where the layout does not comply with the existing pattern of development on the site.

The agent was contacted regarding the uncharacteristic site layout. Alterations were made to the layout to provide a stronger agricultural character by taking out the narrow links between garages to achieve a better agricultural form. The positioning of the dwellings, however, have remained as originally proposed. Although plans do not fully reflect the existing agricultural character of the site due to the proposed layout, it is not refusible and is visually more acceptable than what was originally approved. The design and materials are of a higher quality than the previously approved agricultural barn conversion.

The proposal would therefore be considered in compliance with Policy EQ2 of the South Somerset Local Plan and relevant guidance within the NPPF.

Residential Amenity

There are no nearby neighbouring residential properties that would be adversely affected by the proposed development. The nearest neighbour is 90 metres to the northwest, which is a single storey thatched cottage sitting on higher ground, and a two-storey dwelling set approximately 150 metres to the west, again on higher ground.

The proposed siting, scale, height, design and appearance of the proposed buildings would therefore not result in any substantive harm to neighbour amenity in terms of significant and unacceptable dominance, overshadowing, overlooking, loss of privacy and loss of outlook.

There are fears that the application site will be part of a wider holiday let scheme with a connecting track to tourist facilities. The applicant has confirmed that the dwellings will be for renting purposes, but states these will be for long term renters, not short-term holiday lets. It may be possible to condition the application to ensure against a holiday let use.

The proposal would be considered in compliance with Policy EQ2 of the South Somerset Local Plan and relevant guidance within the NPPF.

Highways

SCC Highways have confirmed they have no issues associated with the development so long as conditions are imposed relating to a Construction Environmental Management Plan, proposed access arrangements including visibility splays parking spaces, turning areas, the provision of EVCP's and drainage. One of the conditions suggested by SCC Highways referred to an approved plan for the Prior Notification, which does not form part of the current application. However, the Local Planning Authority is confident that the current Location Plan and associated conditions are sufficient to achieve the result the Highways Authority intended in obtaining and maintaining a clear visibility splay at the site entrance. SCC Highways have not highlighted any issues regarding the width or condition of Owl Street, and did not raise concerns within the previous Prior Notification application. Consent has already been given for 5 dwellings, and this application will not intensify the agreed use.

The application is therefore capable of complying with policies TA5 and TA6 of the South Somerset Local Plan and relevant guidance within the NPPF.

Ecology

Local Planning Authorities have a statutory duty to ensure that the impact of development on wildlife is fully considered during the determination of a planning application under the Wildlife and Countryside Act 1981 (as amended), Natural Environment and Rural Communities Act 2006, The Conservation of Habitats and Species Regulations 2017 (Habitats Regulations 2017). Policy EQ4 of the Local Plan also requires proposals to pay consideration to the impact of development on wildlife and to provide mitigation measures where appropriate.

Included as part of the application submission is a Bat and Bird Scoping Report prepared by Nash Ecology dated September 2021 and is considered valid for up to two years. The Council's Ecologist has been consulted and suggested a number of conditions and biodiversity enhancements. These include external lighting to protect potential foraging pathways for bats, protection of nesting birds, reptiles, amphibians and trees during construction works.

Public objections have been made regarding the wildlife in the area that are not reflected in the Ecology reports. However, conditions have been suggested to protect wildlife on the site, and wildlife would either stay within the area within existing gardens, or would move to alternative open areas.

As such, with the imposition of conditions relating to the enhancements and lighting

strategy, the proposal does not conflict with Policy EQ4 of the Local Plan or relevant guidance within the NPPF.

Flood Risk and Drainage

The application is sited within Flood Zone 1, so is within the area of the lowest level of flood risk.

A package treatment plant is proposed to be located to the west of the site and to the north west of plot 5. Treated effluent will then discharge into the existing watercourse.

Surface water is proposed to be discharged through soakaways which could be achieved through a condition.

It is therefore considered that the current proposal does not conflict with Policy EQ1 and relevant guidance within the NPPF as the site is in a low flood risk and there would be sufficient measures in place to ensure adequate water drainage.

Phosphates

The application site is located within the Somerset Levels and Moors Ramsar Site catchment area, which has suffered significant harm as a result of phosphate loadings in the District. Somerset Ecology Services have therefore objected on the grounds that insufficient information has been submitted to mitigate the impacts of phosphates. However, the application has been previously approved for five dwellings under the Class Q Prior Notification process. The current position is so long as there is a current Class Q approval with sufficient time left to implement it, then the application may not need to produce a Nutrient Neutral Assessment and Mitigation Strategy. It is therefore acknowledged that there is a genuine fallback position and that the issue of phosphates does not apply in this instance.

CONCLUSION

The existing barns have no special protection to prevent demolition, and there is a fall back position for 5 dwellings on the site. Highway impacts will remain the same whether the application is for a barn conversion, or for 5 purpose built dwellings on the site.

The proposal development respects the character of the local landscape and results in no demonstrable harm to visual or residential amenity, highway safety, biodiversity

or impact on the Somerset Levels and Moors catchment area. As such, the proposal is in accordance with the aims and objectives of Policies SD1, SS1, TA5, TA6, EQ2 and EQ4 of the South Somerset Local Plan (2006-2028) and relevant guidance within the NPPF and is recommended for approval.

RECOMMENDATION

Approval subject to conditions.

01. The proposal, by reason of its size, siting, materials and design, has no adverse impact on the character of the surrounding area and would cause no demonstrable harm to residential amenity, highway safety, biodiversity or impact on the Somerset Levels and Moors catchment area in accordance with Policies SD1, SS1, TA5, TA6, EQ2 and EQ4 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 (except where directed otherwise by the conditions below):

1461_A01_001 Location Plan
1461_A01_002 Block Plan
1461_A01_003 Proposed Block Plan
1461_A01_004 Proposed Site Ground Floor Plan
1461_A01_005 Proposed Site and First Floor Plan
1461_A01_006 Proposed Drainage Plan
1461_A01_030_Proposed Plot 1 Ground Floor Plan
1461_A01_031_Proposed Plot 1 First Floor
1461_A01_032_Proposed Plot 1 Roof Plan
1461_A01_033 Proposed Plots 2-3 Ground Floor Plan
1461_A01_034_Proposed Plot 2-3 First Floor
1461_A01_035_Proposed Plot 2-3 Roof Plan
1461_A01_036A_Proposed Plot 4 Floor Plans

1461_A01_037A_Proposed Plot 4 Roof Plan
1461_A01_038A_Proposed Plot 5 Floor Plans
1461_A01_039A_Proposed Plot 5 Roof Plan
1461_A01_040 Proposed Plot 1 Elevations north and south
1461_A01_041_Proposed Plot 1 Elevations east and west
1461_A01_042 Proposed Plot 2 3 Elevations
1461_A01_043A_Proposed Plot 4 Elevation
1461_A01_044A_Proposed Plot 5 Elevation
1461_A01_050 Site Sections
Bat and Bird Scoping Report prepared by NashEcology dated September 2021

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

03. Notwithstanding the details indicated on the application form, prior to progression of any part of the development hereby permitted above slab level, a schedule of materials and (colour) finishes (including samples and trade descriptions/brochure details where appropriate) of materials to be used in the external surfaces of the development (including windows and doors) together with details of anticipated routine maintenance and protection) shall be submitted to and approved in writing by the Local Planning Authority.

The development shall be constructed in accordance with the approved details and completed before the development is first occupied and thereafter shall be retained and maintained in that form, unless the Local Planning Authority gives prior written approval to any subsequent variation.

Reason: To enable the Local Planning Authority to consider the details of all external finishing materials prior to their installation at an appropriate stage during the development to ensure that the development displays good design practise, and having due regard to safeguarding visual amenity in accordance with Policy EQ2 of the South Somerset Local Plan and relevant guidance within the NPPF.

04. The accommodation hereby approved shall be occupied as a main place of residence only and not for purposes associated with short term holiday let purposes without the prior permission of the Local Planning Authority.

Reason: The application has not been assessed on the basis of commercial holiday let use and the interests of residential amenity and highway safety would require further consideration in accordance with Policies EQ2, EQ7 and TA5 of the South Somerset Local Plan.

05. No development shall take place, including any demolition works, until a construction management plan or construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the demolition/construction period. The plan/statement shall provide for:
- 24 hour emergency contact number;
 - Hours of operation;
 - Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
 - Routes for construction traffic;
 - Locations for loading/unloading and storage of plant, waste and construction materials;
 - Method of preventing mud being carried onto the highway;
 - Measures to protect vulnerable road users (cyclists and pedestrians)
 - Any necessary temporary traffic management measures;
 - Arrangements for turning vehicles;
 - Arrangements to receive abnormal loads or unusually large vehicles;
 - Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

Reason: The agreement of details of a Construction Environmental Management Plan and details for the prevention of pollution prior to the commencement of development is fundamental to ensure a satisfactory level of environmental protection, including prevention of pollution to the water environment; to minimise disturbance to local residents; the prevention of harm being caused to the amenity of the area; and in the interests of highway safety during the construction process, having regard to Policies TA5, EQ2, EQ4 and EQ7 of the South Somerset Local Plan and relevant guidance in the NPPF.

06. No removal of vegetation or works to or demolition of buildings or structures shall take place between 1st March and 30th September inclusive, unless a competent ecologist has undertaken a careful, detailed check for active birds' nests immediately before the vegetation is cleared or works to or demolition of buildings commences and provides written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the Local Planning Authority by the ecologist accompanied by dated photos showing the site before and after clearance. In no circumstances should netting be used to exclude nesting birds.

Reason: In the interests of nesting wild birds and in accordance with policy South Somerset District Council Local Plan - Policy EQ4 Biodiversity

07. Any features such as rubble piles/ brash piles which potentially afford resting places for reptiles/amphibians will be dismantled by hand by a competent ecologist in April or August to October and any individuals found translocated to a location agreed with the Local Planning Authority prior to works commencing on site. A letter confirming these operations and any findings will be submitted to the Local Planning Authority by the ecologist responsible.

Reason: In the interests of UK protected and priority species and in accordance with policy EQ4 of the South Somerset District Council Local Plan.

08. Retained hedgerows and trees shall be protected from mechanical damage, pollution incidents and compaction of roots in accordance with BS5837:2012 during site clearance works, groundworks and construction and to ensure materials are not stored at the base of trees, hedgerows and other sensitive habitats. Photographs of the measures shall be submitted to the Local Planning Authority and the measures shall be maintained throughout the construction period.

Reason: In the interests of European and UK protected species and biodiversity generally and in accordance with EQ4 of the South Somerset District Council Local Plan.

09. 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 prior to development above damp-proof course level and thereafter maintained in perpetuity.

NOTE: Any systems provided for the purposes of draining the site shall be constructed and maintained privately until such time as the drainage is adopted. At no point will this Authority accept private infrastructure being connected into highway drainage systems. Consent from the riparian owner of any land drainage facilities affected, that are not within the developer's title, will be required for adoption.

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

10. Prior to construction above damp-proof course level, a lighting design for bats, following Guidance Note 08/18 Bats and artificial lighting in the UK (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. The design should accord with Step 5 of Guidance Note 08/18, including submission of contour plans illustrating Lux levels. 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 policy EQ4 of the South Somerset District Council Local Plan.

11. Prior to commencement of first occupation of the development hereby permitted the proposed access over at least the first 6 metres of its length, as measured from the edge of the adjoining highway, shall be properly consolidated and surfaced (not loose stone or gravel) and drainage installed in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. Once constructed the access shall thereafter be maintained in that condition in perpetuity.

NOTE: As approval of the construction either on or directly adjacent to the highway will require an Agreement or Licence with this Authority, no discharge of this condition will be agreed until either technical approval or the licence has been granted.

Reason: In the interests of highway safety, in accordance with Policies EQ2 and TA5 of the South Somerset Local Plan and relevant guidance within the NPPF.

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 43m either side

adjoining onto the Owl Street. Such visibility shall be fully provided before the development hereby permitted is brought into use and shall thereafter be maintained in perpetuity.

Reason: In the interests of highway safety, in accordance with Policies EQ2 and TA5 of the South Somerset Local Plan and relevant guidance within the NPPF

13. The development hereby permitted shall not be occupied until the relevant number of parking spaces for the dwellings and a properly consolidated and surfaced turning space 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 in perpetuity and shall not be used other than for the parking and turning of vehicles in connection with the development hereby permitted.

Reason: To protect the visual and residential amenities of the site and surrounds and to ensure that adequate on-site parking and turning spaces are provided and thereafter retained to enable vehicles to turn on-site without having to reverse onto the County highway, in the interests of and for the safety of persons and vehicles using the development and the adjoining road, having regard to Policies EQ2 and TA6 of the South Somerset Local Plan and relevant guidance within the NPPF.

14. Prior to first occupation of the dwelling hereby permitted, a 16amp electric charging point for electric vehicles shall be provided adjacent to a parking space for each dwelling. Once installed such electric 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. A Biodiversity Enhancement Plan (BEP) shall be submitted to, and be approved in writing by, the Local Planning Authority prior to completion of the development. Photographs of the installed features will also be submitted to the Local Planning Authority prior to occupation: The content of the BEP shall include the following:

1. Installation of at least 5 x Habitat 001 bat boxes (or similar) will be incorporated into the dwellings, at least four metres above ground level and away from windows, on the south and/or west facing elevations (1 on each).
2. Installation of 2 x Schwegler 1SP Sparrow terraces or similar under the eaves and away from windows on the north elevations of 3 of the proposed dwellings (1 on each)
3. Installation of a cluster of 3 x Schwegler 1as swift bricks or similar built into the wall at least 60cm apart, at least 5m above ground level, ensuring that there is an unobstructed access for birds to enter/leave the box on the east and/or north facing elevations of 1 of the dwellings. Ideally these would be located under the eaves on the north or east gable ends of the proposed dwelling.
4. A bee brick built into the wall about 1 metre above ground level on the south or east elevation of each dwelling. Please note bee bricks attract solitary bees which do not sting.
5. Any new fencing must have accessible hedgehog holes, measuring 13cm x 13cm to allow the movement of hedgehogs into and out of the site.
6. Installation of new native species rich hedgerow to be planted on the south and east boundary of the development comprised of a minimum of 5 of the following species: hazel, blackthorn, hawthorn, field maple, elder, elm, dog rose, bird cherry and spindle. 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" 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 174(d) of the National Planning Policy Framework, and the Draft Environment (Principles and Governance) Bill 2018.

16. 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 (incidental buildings, enclosures, swimming or other pools);
- (e) Part 1, Class G (chimney, flues, soil or vent pipes);
- (f) Part 2, Class A (gates, fences, walls or other means of enclosure);

Reason: To enable the Local Planning Authority to exercise control over development in order to safeguard the character and appearance of the development itself and the locality in general, by ensuring there are no inappropriate extensions or alterations to the dwellings, to ensure there is no resultant detriment to ecological, environmental and biodiversity interests and to safeguard on-site parking and circulation areas; having regard to Policies EQ2, EQ4, TA5 and TA6 of the South Somerset Local Plan and relevant guidance within the NPPF.

Informatives:

- 01. The developers and their contractors are reminded of the legal protection afforded to bats and bat roosts under legislation including the Conservation of Habitats and Species Regulations 2017. In the unlikely event that bats are encountered during implementation of this permission it is recommended that works stop, and advice is sought from a suitably qualified, licensed and experienced ecologist at the earliest possible opportunity.
- 02. The developers are reminded of the legal protection afforded to nesting birds under the Wildlife and Countryside Act 1981 (as amended). In the unlikely event that nesting birds are encountered during implementation of this permission it is recommended that works stop until the young have fledged or then advice is sought from a suitably qualified and experienced ecologist at the earliest possible opportunity.
- 03. 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.