

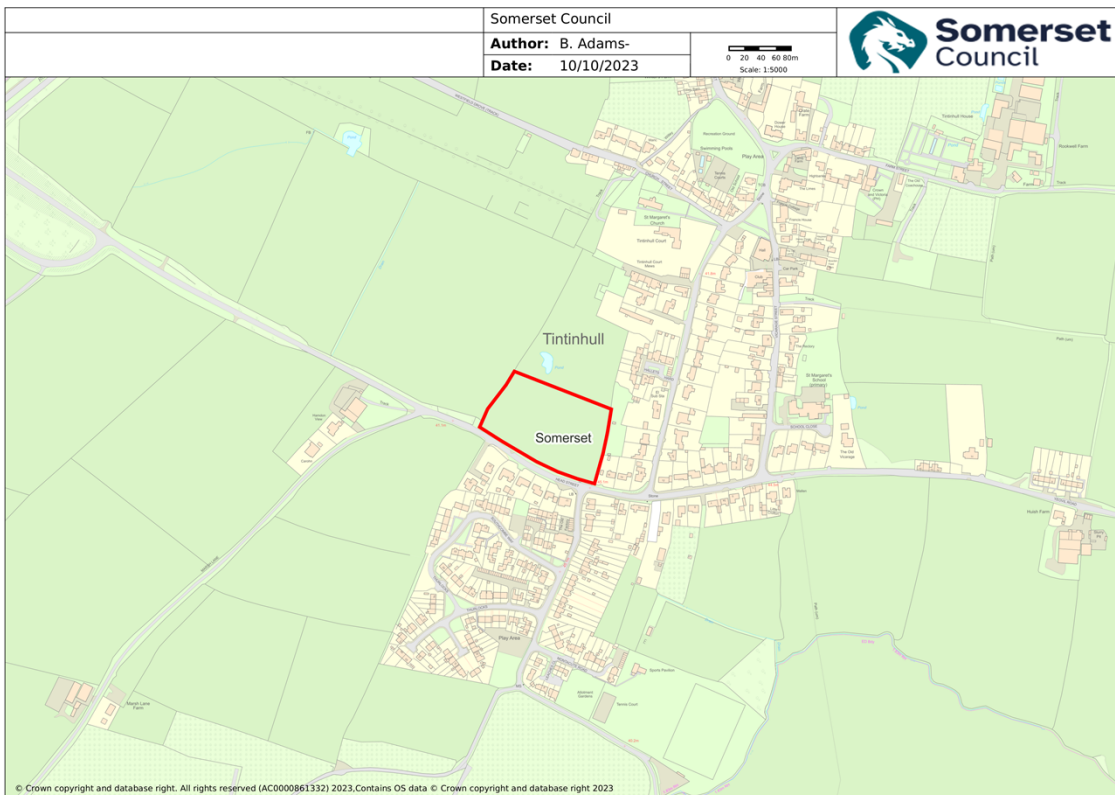
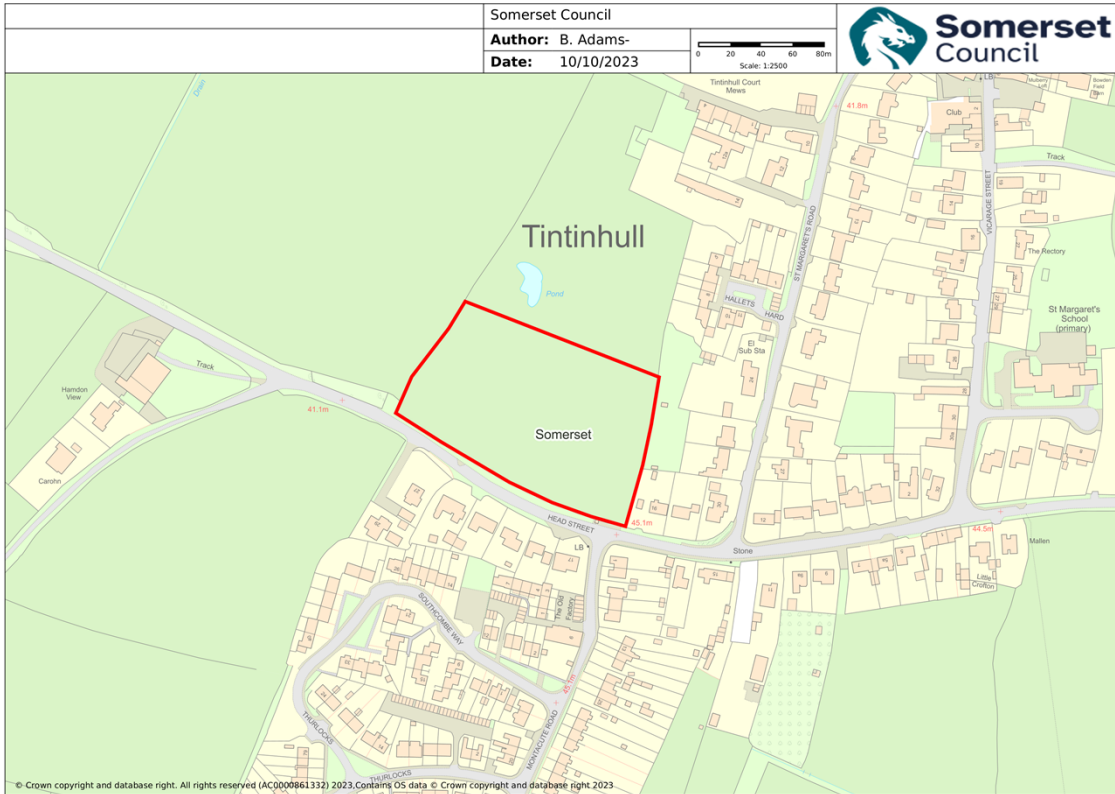
Officer Report On Planning Application: 20/02014/REM

Proposal:	Application for approval of reserved matters pursuant to condition 1 (appearance, landscaping and scale) and condition 5 (biodiversity enhancements) of outline planning approval 16/04608/OUT for the erection of 28 dwellings and associated works.
Site Address:	Land At Head Street, Tintinhull, Yeovil, Somerset,
Parish:	Tintinhull
MARTOCK Division	Cllr John Bailey, Cllr Emily Pearlstone
Recommending Case Officer:	Colin Begeman (Principal Specialist)
Target date :	17th October 2020
Applicant :	Orwell Ltd
Agent: (no agent if blank)	Boon Brown Planning, Motivo, Alvington, Yeovil BA20 2FG
Application Type :	Major Dwlg's 10 or more or site 0.5ha+

REASON FOR REFERRAL TO COMMITTEE

This is a major planning application and on the basis that the officer's recommendation does not accord with the views of the Parish Council it is therefore required to be referred directly to the Planning Committee South for its decision in accordance with the Somerset Council's Scheme of Delegation.

SITE DESCRIPTION AND PROPOSAL



This is a Reserved Matters application pursuant to Condition 01 (appearance, landscaping and scale) and condition 5 (biodiversity enhancements) of outline

planning permission ref. 16/04608/OUT for the erection of 28 dwellings (incorporating details of access and layout) and associated works including open space, drainage infrastructure and highway works.

The application site is approximately 1.4 hectares, an open field on the western side of the village, adjacent to the built up area. The site lies on the north side of Head Street, with development to the south, extending to the western extent of the site. The levels of the application site are raised approximately 1 m above adjoining road level and relatively flat with a slight fall from east to west. The field is served by an existing field gate from Head Street in its southeast corner.

The majority of the northern boundary is formed by a line of tall mature conifer trees planted on the adjoining agricultural land. The northern boundary is open at its western end where the conifer belt ceases. The site is bordered by residential development to the east and separated by a native hedgerow. The southern boundary with Head Street is formed by a tall native hedgerow for the majority of its length with open estate railings at its eastern end around the existing access. The western boundary with the adjoining countryside is formed by a native countryside hedgerow. There is residential development to the south and east with the closest residential dwellings situated along Head Street. A public footpath runs north from Head Street adjacent to the western site boundary and is unaffected by these proposals.

The designated Tintinhull Conservation Area is located a short distance to the north of the application site extending along the western side of St Margaret's Road as far south as the curtilage of The Old Dairy House, a grade II listed building adjacent to the northeast of the application site.

The site is not located within any areas of special designation, conservation areas of wildlife/habitat designations and the site is located within flood zone 1.

The means of access and layout of the proposed development repeats the details already approved by the outline permission. The access is located centrally along the site frontage with Head Street achieving visibility splays of 2.4 m by 43 m in both directions. A footpath is proposed along the southern edge of the site link to the existing pavement on Head Street to the east and to the public right of way to the west.

The residential layout is split in to two distinct areas by the access road which travels south to north, bisecting the site into a western area and an eastern area. The housing in the western part of the site adjacent to the countryside is lower density formed by a low-slung courtyard of single storey barns. Housing in the eastern part of the site is higher density and served by shared surface roads. An extensive area of

open space occupies the westernmost part of the site including a surface water attenuation pond/swale and large areas of open space.

Following on from discussions with the local planning authority at the outline stage, the proposed buildings vary between single storey and two-storey in scale and are of a traditional vernacular appearance.

A detailed landscaping scheme is also submitted for consideration.

RELEVANT PLANNING HISTORY

16/04608/OUT - Outline application for the erection of 28 No. dwellings and associated works on land to the north of Head Street, Tintinhull, Somerset allowed at appeal on 25th October 2017 (appeal ref. APP/R3325/W/17/3176815).

19/02684/DOC - Details of a sustainable surface water drainage scheme submitted and approved as discharging condition 8 of the outline permission on 20.02.20.

PLANNING POLICY AND GUIDANCE

The South Somerset Local Plan (2006 - 2028): In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) and Section 70(2) of the Town and Country Planning Act 1990 (as amended), the adopted local plan now forms part of the development plan. As such, decisions on the award of planning permission should be made in accordance with this development plan, unless material considerations indicate otherwise. Legislation and national policy are clear that the starting point for decision-making is the development plan, where development that accords with an up-to-date local plan should be approved, and proposed development that conflicts should be refused, unless other material considerations indicate otherwise. Relevant policies of the South Somerset Local Plan (2006-2028) - SD1, SS2, TA6, EQ2, EQ3 & EQ4.

National Planning Policy Framework: Chapters 2, 4, 5, 8, 9, 11, 12, 15 & 16.

National Planning Practice Guidance: Design, Natural Environment, Rural Housing,

Policy-related Material Considerations

Somerset County Council Parking Strategy (September 2013)

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

National Design Guide (NDG): The National Design Guide is a material consideration when making planning decisions and sets out how well-designed places can be achieved and forms part of the Government's collection of planning practice guidance and should be read alongside the separate planning practice guidance on design process and tools. The NDG sets out the ten characteristics of well-designed places.

CONSULTATIONS

Consultee Tintinhull Parish Council

Tintinhull Parish Council objects most strongly to this application pertaining to approval of reserved matters pursuant to condition 1 (Appearance, Landscaping, and Scale) and condition 5 (Biodiversity enhancements) of outline approval 16/04608/OUT related to land at Head Street Tintinhull.

1. The Council appreciates fully that outline planning permission was awarded on appeal to the applicant by the Planning Inspectorate on 25 October 2017 albeit, it is believed that such permission failed to account for prior objections raised by the Tintinhull Community; such objections appear to have been disregarded or overlooked. Such a situation behoves this Council to apprise the Planning Authority in greater detail than might be usual to all key objections to the proposed build scheme but clearly laying full emphasis on the actual business under consideration - Reserved Matters. It is regretted that the initial SSDC refusal for this scheme hinged solely on the local landscape character and potential harm to heritage assets since this concealed many very real issues that were not considered during the appeal process.

2. There has been little consultation by the applicant or its architects on the Head Street scheme with Tintinhull Parish Council or villagers. Apart from an initial public consultation in September 2016, there has been no attempt to engage with the Tintinhull community, to take onboard and follow up on local objections. The present Reserved Matters application has not been discussed; it being advanced by the applicant that COVID-19 made traditional methods of consulting with the public impossible. This coupled with the short timescale for preparation of the application and the deadline for submission meant that general engagement with the public had been precluded. The lack of regard in this matter for the Tintinhull community is astonishing. If nothing else, allowing for time elapsed since the granting of outline permission, Boon Brown architects could have made some effort to engage with at least the Parish Council through Zoom etc. It is recognised that there is no mandatory requirement for consultation, however, to be frank, is it at all reasonable or even fair to overlook or disregard local concerns?

3. The most commonly raised concern is related to highway safety, and the capacity of surrounding streets to accommodate traffic from the proposed development. Despite 30mph signs and traffic slowing build-outs, Head Street (a 'C' road) experiences a high density of traffic very often transiting at high speeds. The access/exit road to the development is on a bend in the road at a point exactly opposite an established exit for two existing dwellings and close to a traffic calming measure to the west of the access point. This causes traffic to enter the village from the west on the wrong side of the road, hence cars exiting the site to go west towards the village of Ash would potentially be placed 'head-on' to vehicles manoeuvring around the adjacent traffic calming chicane. This presents an obvious potential accident black spot. Paras 2.2.2 and 3.1.4 in the Hydrock Travel Plan are illinformed. Any suggestion that the traffic built-out is effective in maintaining low speeds is erroneous since cars often markedly speed up to beat opposing traffic at the congestion point alternatively, the build-out cause traffic jams at peak times. The addition of up to 60 plus cars, delivery lorries and waste collection vehicles using the access road to and from the site, particularly at peak times, presents a significant problem for traffic density on this road when combined with through traffic, public transport and vehicles from 130 households in the south of the village who use the Montacute Road junction for their daily needs. How the Highways Department approved this arrangement is hard to imagine; the SSDC Highways Consultant's comments: "In addition to SCC comment, I note that SCC Highways dealt with the outline submission at which time the "Access" would have been covered and approved." This is completely unsatisfactory, the Parish Council requests that, despite outline permission, this matter is revisited. It may mean that the present speed build-out is removed or re-positioned and other appropriate changes made to improve the safety of the access. In light of the increased density of traffic on Head Street and the continuing high speeds of transit, the Highways Department might also consider, as an S.106 measure, requiring the developer to institute better traffic management methods in Head street including the positioning of Speed Indicating Devices and mini road humps.

4. Further concern relates to parking. It is appreciated that the Somerset County Council Parking Strategy has been applied to this site. That aside, with such a condensed site, realism indicates that parking availability on site is most probably insufficient. 28 homes providing accommodation for 136 people would need more parking area/spaces than the 61 (+ 6 visitor parking spots) suggested since most home owners living in rural locations have at least 2 cars and more if they have older adult children, let alone visitors. It is noted that many parking slots are provided in tandem arrangement; people often do not follow rules, particularly in parking also many do not use their garages for cars. It is for debate as to whether the garage spaces have been counted in to provide the overall parking availability figure. With the addition of a few motorbikes, the odd mobile home and caravan, difficulties are

foreseen for service, re-cycling, delivery and emergency vehicles accessing the site owing to sub-optimal parking arrangements with inevitable blocking of the internal roadways by additional vehicles. There is also significant local concern that parking might spill over into Head Street and down Montacute Road creating difficulty for through traffic and local transport.

5. Related to the above but separate, a mere 5m wide "shared surface lane" (not road), with no proper pavement (but an apparent 0.9m margin on each side) services 14 properties at the eastern side of the development. This is not typical for a residential development in this area and offers a potentially dangerous mixing of every type of vehicle with pedestrians, prams, cyclists and small children. This solution has clearly allowed cramming of the site with additional properties at the expense of in-site access, habitability and safety.

6. Village infrastructure - this is a high-density development for this small village. The increase in size of the village by over 10% in population has received insufficient attention to respect of infrastructure especially the lack of any shop, no medical surgeries and a very limited bus service. The village primary school already operates at near full capacity therefore children may need to travel outside the village for school, presumably all starting and returning at similar times, causing multiple vehicle movement to and from the site onto Head Street at its busiest times of the day. The local doctors' surgeries cannot cope with the present population. There are surgeries in both Martock and South Petherton but the effect especially on Martock could be severe with its own housing developments. The Design and Access Statement merely refers in 'Surrounding Context' to the existence of the School; the Village Hall, St Margaret's Church, the Swimming Pool, the Crown and Victoria Inn and Tintinhull Garden. There is no discussion of the impact of an increase of 10% of population on the village facilities. There is no mention regarding medical facilities. Moving now specifically to discussion of Reserved Matters: Appearance, Landscaping and Scale

7. The proposal is not in tune with the linear local settlement pattern/density dominated by detached dwellings with reasonably generous separation. Also, the proposed two storey house (Plot 5) on the frontage of the estate is not in keeping with the one storey bungalows directly opposite or the proposed one storey buildings on either side, especially as the steep roof gable lends itself to becoming a subsequent third storey therefore badly overlooking the bungalows opposite.

8. The north side of Tintinhull from Head Street has no development with this number of houses. If any new houses are to be built in this area then the scale of the development needs to be broadly in keeping with what is already in this part of the village. Houses in the north side of the village have at least medium sized gardens and the new should follow this general pattern. Houses should be scaled to fit the

look of a village and not a town of the likes of Yeovil. In short, there are too many houses crammed into a small area. Finally, it is not accepted that the proposed buildings and spaces are of "bespoke design to suit local character and context". The design approach of a "faux farmhouse and converted barns" might reflect a rural nature but can it really be appropriate in the context of Head Street? The layout does include some areas of open space, mainly centred on the "farmyard" and around the position of the drainage tank and swale pond. Safety issues related to the swale pond offer a further concern.

9. This is a predominately hamstone village indeed in the Planning Statement (Para 2.6) the applicant states: "Building materials are dominated by "hamstone tones" although render and brick is prevalent in Montacute Road. Further north and east the village is characterised by traditional vernacular buildings within the historic core and designated conservation area." It is noted that that much use will be made of reconstituted stone (hopefully of a hamstone character) in the build but apparently no effort has been made to incorporate natural hamstone, even in part into the design. The extensive use of stained timber boarding as a building finish (even in part and to add variation) is just not acceptable in the context of a development on this site. Such an approach simply does not accord at all with the appearance of other property in Head Street and Montacute Road also there are no farms in the Tintinhull area that are timber clad.

10. There is a need to know the finished floor levels of the proposed properties in relation to the main highway - how much above the road are the floor slabs of the dwellings going to be, since the levels of the site are raised approximately 1m above the adjoining road level. The potential for the houses to the south of Head Street being overlooked by this development are a concern.

11. Finally, biodiversity - It is acknowledged that removal of some of the hedgerow along Head Street will be necessary to construct the site access. In accordance with the biodiversity checklist, completion of the planning process will require a wildlife survey to be undertaken by a qualified and experienced ecologist who is a member of the Chartered Institute of Ecology and Environmental Management (CIEEM). Planning Permission Condition 6 provides a requirement for the protection of Badgers at each stage of site development including an updated badger sett survey.

12. The Parish Council have accepted that issues raised in relation to drainage and sewerage have been addressed via appropriate authorities and consultants and that the Local Authority now has assured confidence in these matters.

13. In conclusion, this Council understands fully the presumption in favour of sustainable development, contained in the NPPF, particularly in view of persistent

under-delivery of housing in Somerset. Clearly the incorporation of as many houses as possible into any scheme (including affordable homes) is important to the Local Authority and is a key consideration to the commercial interest of the developer. That aside, the business of living with an inappropriate and inappropriately scaled development must be permanently borne by the community upon which it is imposed. This scheme provides "no clear benefit" to the inhabitants or look of this village. The Local Authority should not underestimate the antipathy of the local community to the development as presented and the feeling that their wishes are being ignored and the democratic process undermined.

14. South Somerset District Council are urged to account for the views of Tintinhull Parish Council and to refuse approval of the reserved matters as presented pursuant to this application.

Consultee County Highways

Standing Advice Applies (following appeal and no highway objection)

Consultee SSDC Highways Consultant

SCC comment: (following appeal and no highway objection). SSDC Highways Consultant's comments: In addition to the SCC comment, I note that SCC Highways dealt with the Outline submission at which time 'Access' would have been considered and approved.

Natural England

No objection and approve the phosphate mitigation strategy detailed in the SHRA

Ecology

Apologies for the slow response to this enquiry. I confirm that biodiversity enhancement details prepared by Encompass Ecology are in my view acceptable. Therefore, on the basis of this submission I am pleased to confirm that condition 5 of planning consent 16/04608/OUT can be considered to be discharged.

Phosphate mitigation endorsed.

Representations

64 notification letters sent out. 14 responses:
12 x Objections, 1 x neutral comments, 1 x supporter

Objections to the planning application for the development can be summarised as follows:

Development Size and Impact on the Village:

Concerns that the development is too large for the size of the village.

Worries about the lack of infrastructure to support the influx of residents, especially considering the absence of a village shop, limited public transport, and no medical facilities.

Traffic and Access Issues:

The entrance to the site is located on a bend in the road, creating visibility and safety concerns.

Traffic calming measures west of the access road are causing traffic to enter the village on the wrong side of the road, which could lead to accidents.

School Capacity:

Concerns about whether the village school can accommodate the extra pupils from the development.

Sewer Problems:

Existing issues with the sewer system, including unpleasant odours.

Impact on Wildlife and Habitat:

Worries about the potential impact on local wildlife and the need to conduct a historical and wildlife survey before development.

Aesthetics and Conservation:

Concerns that the proposed buildings do not match the aesthetics of the existing village, especially the two-story house overlooking bungalows.

Preservation of hedgerows and their impact on visibility.

Public Consultation and COVID-19:

Objections to the lack of proper public consultation, especially during the COVID-19 pandemic, and requests for a deferred decision until public consultation can be conducted.

Infrastructure and Services:

Concerns about the inadequacy of the road system to handle additional traffic.

Lack of amenities and services in the village, including medical facilities and shops.

Conservation Area and Development Style:

Requests for the new development to be in keeping with the existing village style, with large gardens similar to those found in the northern part of the village.

Preservation of the village's character and conservation area.

Parking and Housing Density:

Concerns that the proposed parking spaces are insufficient, given the number of residents and likely multiple cars per household.

These objections collectively highlight the various concerns raised by residents regarding the proposed development, including its impact on the village's

infrastructure, traffic safety, environment, and aesthetics.

The letter of support for the application emphasizes the following points:

Urgency for Development:

Expresses a strong desire for the construction to begin promptly.

Current State of the Area:

Describes the existing site as a disgrace and an eyesore that has been neglected for a considerable time.

Need for Action:

Asserts that it's high time for something to be done about the site.

Traffic Safety Consideration:

Suggests that the development might provide an opportunity to address and mitigate traffic speed issues, potentially making the area safer.

Overall Support:

Concludes by expressing support for the application and encourages its approval to move forward with the development without delay.

The neutral comment on the application raises the following observations:

Suggests extending the date for consultation to March 2021 to allow for more comprehensive engagement with all concerned parties.

Expresses dissatisfaction with the level of communication from the companies involved, attributing the lack of effort to the COVID-19 situation but also considering it a convenient excuse.

Recommends that in a prominent Hamstone village, the houses along the road front should predominantly use Hamstone as the building material to maintain the village's character and heritage. Cites a previous instance where a building company changed materials mid-construction, which may have eroded trust with the community.

Raises concerns about the drainage overflow from the pond/wildlife area potentially flooding the land below and suggests reconsideration.

Expresses disappointment at the absence of solar roof tiles on the properties, considering it a missed opportunity given the importance of addressing climate change.

Advocates for larger garden sizes for the properties, especially since people may work from home more frequently and need more outdoor space for their mental well-being.

Suggests that contributions to local playing pitches and youth facilities could be satisfied by offering to rebuild the pavilion on the playing field, as it would benefit the youth club and the community as a whole.

OFFICER REPORT

Principle of Development

The principle of the development for 28 No. dwellings and details of access and layout is established by outline planning permission 16/04608/OUT). The details submitted with this reserved-matters application accord with the outline planning permission.

Affordable Housing and contributions to offsite sport and play facilities have been secured by way of s106 agreement at the outline stage.

The scope of this application is only to assess matters reserved for further approval at this stage by Condition 01 of the outline permission relating to appearance, landscaping and scale ('the reserved matters'), and Condition 05 which requires submission of a scheme of biodiversity enhancements at the reserved matters stage.

The outline planning permission includes the following conditions which will need to be addressed through the discharge of condition process in due course: 06 (badger survey update), 09 (floor levels), 12 (highway details), 13 (construction traffic management plan), 16 (highway condition survey) and 17 (footpath details).

Appearance and Scale

In terms of appearance, the proposed dwellings are considered to be in keeping with the character of Tintinhull. The proposals reflect discussions previously undertaken between with the local planning authority and the applicant in determining the layout at the outline planning stage. In this regard, Plot 5 reflects a traditional vernacular farmhouse with a number of converted outbuildings around it to create a rural feel on the edge of the village. The rest of the site is designed to reflect this rural character with buildings of traditional design, proportions and materials. The external materials comprise a mixture of reconstituted stone of Hamstone tones, mixed brown brick, stained timber cladding and slate/clay tiles which are considered acceptable subject to the approval of further details/samples.

The design proposals introduce visual difference between plots and result in an interesting and varied street scene that is congruous with the village character. The design has been developed to ensure there are views toward the open space areas

and to minimise impact on neighbouring dwellings. Houses on corners or turns have been designed to avoid blank facades.

The scale of buildings varies between 1 and 2-storeys. 11 No. single storey dwellings are situated in the most sensitive parts of the site where a reduction in scale is appropriate adjacent to existing bungalows on Head Street (Plots 1 - 4), in the western part of the site adjacent to the open fields (Plots 8-12) and in the north-east corner to safeguard the setting of listed building The Old Dairy House (Plots 16-17).

The levels of the application site are raised approximately 1m above adjoining road level and fall slightly from east to west. It is not considered that there will be any undue harm to neighbouring residential amenity due to overlooking, loss of light or overbearing impact. The separation distances between the proposed dwellings and neighbouring buildings are established by the layout approved by the outline permission. Where relationships with adjacent buildings is closer, this is satisfactorily addressed by the reduced scale of the proposed dwellings and the use of appropriate boundary treatments which can be conditioned.

A number of neighbouring properties that back onto or look toward the site will have a different outlook when the dwellings are constructed. The right to a view is not a material planning consideration and the principle/layout of the development is established by the outline planning permission.

Having regard to the above, the appearance and scale of the proposed buildings is considered to safeguard the character and amenities of the area and to preserve the setting of nearby heritage assets (including the conservation area) in accordance with Local Plan Policies SD1, SS2, EQ2 and EQ3.

Landscaping

A scheme of soft landscaping is proposed. The soft landscaping includes a mix of ornamental trees, native and wildlife friendly trees, amenity and structural planting, pond planting, hedge planting, planting of amenity grass and wetlands seed mix as well as wildflower mixes.

Boundary treatments around the site edge include the retention of existing native hedgerows and the introduction of additional native hedge planting. An intervening 1m maintenance strip is provided alongside the north and northeast boundary hedgerows for maintenance of the existing boundary hedgerows. The retention of the southern boundary hedgerow and existing tree group in the southwest corner will help the proposals successfully integrate into the street scene. A condition is proposed to ensure that the detailed landscaping proposals are implemented and maintained in

the interest of landscape character in accordance with Local Plan Policy EQ2.

Ecology

The SCC Ecologist has raised no objections to the biodiversity enhancement scheme submitted to discharge of Condition 05 of the outline permission.

A series of ecology surveys (preliminary ecological appraisal and Phase 2 reptile survey) were carried out in 2016 to provide baseline information for the site and to assess potential impacts to ecological features. The reports associated with these surveys formed part of the documentation with the outline application. As a result, a Biodiversity Enhancement Scheme has been devised and the detailed site design includes a number of features to enhance the proposed development with regards to biodiversity. The included features are:

- Built in bird boxes
- Built in bat boxes
- Inclusion of bee bricks
- Gravel boards with integrated hedgehogs access

These features are considered to be suitable measures for increasing biodiversity on the site and a directional condition is proposed to ensure all biodiversity features listed in the Ecology Strategy Plan and shown on plans are provided. The scheme is therefore compliant with Policy EQ4.

Other Matters:

Highway Safety

The County Highway Authority and SSDC Highway Consultant has raised no objection to the proposals. The access and highways layout were considered by them in detail at the outline planning stage and found to be acceptable. The access repeats the access details approved by the outline permission with the necessary visibility splays provided onto Head Street. A footpath will be provided across the frontage of the site to link with the existing Public Right of Way to the west and St Margret's footpath to the east. This provides pedestrians with options regarding the route of their journey and for reasons of safety is likely to be preferable to walking alongside Head Street. Parking provision is compliant with the SCC Parking Strategy and Policy TA6. Garages have been designed to be 3m x 6m internally which is large enough to accommodate modern cars and reflects local policy.

Flood risk and Drainage

Drainage Condition 8 was discharged in February 2020. Providing that the approved drainage/SUDS scheme is implemented in accordance with the approved details the development would be served by a suitable drainage strategy in accordance with the Policy EQ2 and the NPPF.

Affordable Housing

The application is in accordance with the affordable housing requirements of the Section 106 agreement accompanying the outline planning permission. The proposal includes 10 (35%) affordable homes with a tenure split between Shared Ownership and Affordable rent. The affordable homes are located within the north-eastern part of the development pepper-potted within three small groups.

Phosphates

The applicant has calculated the phosphate load arising from the development and has submitted these calculations to the Local Planning Authority.

The mitigation proposed is that foul water from the properties shall be discharged to an adoptable Package Treatment Plant (PTP) which incorporates chemical dosing to provide significantly enhanced phosphorus removal. The Package Treatment Plant (PTP) to be installed is a Kingspan Klargester BioDisc, (chemically dosed but managed by Albion water). The remaining phosphorous will be dealt with using a treatment train of filter beds. With this mitigation in place, the resultant TP load of the development is -0.01kgTP/ yr.

Based on the above, SES conclude that these proposals will result in no Likely Significant Effect on the Somerset Levels and Moors Ramsar and Special Area of Conservation subject to the following Section 106's & Conditions being secured:
S106 agreement

The following will be secured by S106 agreement:

- Provision of adoption agreement by an OWFAT (in this case, Albion Water)
- Long-term maintenance and management scheme for the SuDS treatment train, to include legal and financial mechanisms.

Conditions:

Drainage - Foul (Compliance) - Condition

The approved development shall only be carried out in accordance with the approved documents: Nutrient Neutrality Assessment and Mitigation Strategy (NNAMS) - EnvirEn, April 25th 2023 Shadow Habitats Regulation Assessment (sHRA) - EnvirEn,

April 27th 2023

Reason: In order to ensure the provision of satisfactory drainage and avoid pollution of the environment with specific regard to the Somerset Levels and Moors Ramsar Site and associated potential impact on ecology. This is a condition precedent because it is necessary to understand the drainage scheme in detail prior to any initial construction works which may prejudice the foul drainage strategy in accordance with Policy EQ4 of the South Somerset District Local Plan.

In conclusion the Council has undertaken the necessary Habitats Regulation Assessment which concludes there will be no likely significant effect upon the integrity of the Somerset Levels and Moors Ramsar site subject to this mitigation being undertaken. The sHRA has been endorsed by Somerset Ecology Services and Natural England.

Public and Parish Comments

Many of the objections raised by the Parish Council and neighbouring residents relate to matters already determined by the outline planning permission and which fall outside of the scope of this reserved matters application which relates only to consideration of appearance, landscaping, scale and biodiversity enhancement. Where objections have been received which relate to the reserved matters it is considered that the scheme is acceptable in this regard as set out within this report.

Conclusion

The proposal by reason of the appearance, landscaping and scale, is acceptable as it respects the character of the site and its surroundings and will have no detrimental impact on residential amenity, heritage assets, highway safety or ecological interests. It will additionally provide opportunities for ecological biodiversity. As such, the proposed development is considered to accord with the aims and objectives of policies SD1, SS2, TA6, EQ2, EQ3, and EQ4 of the South Somerset Local Plan and the aims and objectives of the NPPF.

RECOMMENDATION

It is recommended that the reserved matters are approved, subject to:

The imposition of suitable conditions, and

Satisfactory completion of a legal agreement to mitigate the impact of phosphates upon the Somerset Levels and Moors Ramsar site to secure the installation and

permanent maintenance of the phosphate mitigation strategy:

- Provision of adoption agreement by an OWFAT (in this case, Albion Water)
- Long-term maintenance and management scheme for the SuDS treatment train, to include legal and financial mechanisms.

01. The proposal by reason of the appearance, landscaping and scale, is acceptable as it respects the character of the site and its surroundings and will have no detrimental impact on residential amenity, heritage assets, highway safety or ecological interests. It will additionally provide opportunities for ecological biodiversity. As such, the proposed development is considered to accord with the aims and objectives of policies SD1, SS2, TA6, EQ2, EQ3, and EQ4 of the South Somerset Local Plan and the aims and objectives of the NPPF, therefore Condition 01 and Condition 05 of the outline planning permission are considered discharged.

SUBJECT TO THE FOLLOWING:

01. The development shall be carried out in accordance with the following plans and details:

- 1 Location Plan
- 2 Proposed Site Plan Rev B
- 101 Plots 1 + 2 Floor Plans Rev A
- 102 Plots 1 + 2 Elevations Rev A
- 103 Plots 3 + 4 Floor Plans Rev A
- 104 Plots 3 + 4 Elevations Rev A
- 105 Plot 5 Floor Plans Rev B
- 106 Plot 5 Elevations Rev A
- 107 Plots 6 + 7 Floor Plans Rev A
- 108 Plots 6 + 7 Elevations 01
- 109 Plots 6 + 7 Elevations 02 Rev A
- 110 Plots 8 - 12 Floor Plans Rev B
- 111 Plots 8 - 12 Elevations Rev A
- 112 Plots 13 + 14 Floor Plans Rev A
- 113 Plots 13 + 14 Elevations Rev A
- 114 Plots 16 + 17 and 27 + 28 Floor Plans
- 115 Plots 16 + 17 and 27 + 28 Elevations
- 116 Plots 18 + 22 - 24 Floor Plans Rev A
- 117 Plots 18 + 22 - 24 Elevations 01 Rev A
- 118 Plots 18 + 22 - 24 Elevations 02 Rev A
- 119 Plots 19 - 21 Floor Plans RevA
- 120 Plots 19 - 21 Elevations 01 Rev A

121 Plots 25 + 26 Floor Plans
122 Plots 25 + 26 Elevations RevA
123 Plot 15 Floor Plans
124 Plot 15 Elevations
125 Plots 19 - 21 Elevations 02
201 Plots 1 + 2 Roof Plan
202 Plots 3 + 4 Roof Plan
203 Plot 5 Roof Plan
204 Plots 6 + 7 Roof Plan
205 Plots 8 - 12 Roof Plan
206 Plots 13 + 14 Roof Plan
207 Plot 15 Roof Plan
208 Plots 16 + 17 and 27 + 28 Roof Plan
209 Plots 18 + 22 - 24 Roof Plan
210 Plots 19 - 21 Roof Plan
211 Plots 25 + 26 Roof Plan
301 Garage 01 Floor Plans + Elevations
302 Garage 02 Floor Plans + Elevations
303 Garage 03 Floor Plans + Elevations
401 Street Scene A-A

REASON: For the avoidance of doubt

02. All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: In the interests of the visual amenity in accordance with policies EQ2 and EQ5 of the South Somerset Local Plan (2006-2028) and the provisions of the NPPF.

03. Prior to the occupation of any dwelling hereby permitted, details of all boundary treatments together with a programme for their implementation shall be submitted to and approved in writing by the local planning authority. The boundary treatments shall accord with the approved Biodiversity Enhancement Scheme dated 14th July 2020. The approved boundary treatments shall be thereafter by installed in accordance with the approved details.

REASON: In the interests of the visual and residential amenities of the area and biodiversity interests in accordance with Policies EQ2 and EQ4 of the South Somerset District Local Plan.

04. The measures included within the approved Biodiversity Enhancement Scheme dated 14th July 2020 shall be installed prior to the occupation of the individual dwellings to which they relate. Thereafter such measures shall be retained and maintained in situ and shall not be removed without the prior written approval of the local planning authority.

REASON: In the interests of the biodiversity enhancements in accordance with policies EQ4 of the South Somerset Local Plan (2006-2028) and the provisions of the NPPF.

05. The approved development shall only be carried out in accordance with the approved documents:
Nutrient Neutrality Assessment and Mitigation Strategy (NNAMS) - EnvirEn, April 25th 2023
Shadow Habitats Regulation Assessment (sHRA) - EnvirEn, April 27th 2023

Reason: In order to ensure the provision of satisfactory drainage and avoid pollution of the environment with specific regard to the Somerset Levels and Moors Ramsar Site and associated potential impact on ecology. This is a condition precedent because it is necessary to understand the drainage scheme in detail prior to any initial construction works which may prejudice the foul drainage strategy in accordance with Policy EQ4 of the South Somerset District Local Plan.

06. No dwelling hereby permitted shall be occupied until electric vehicle charging points (EVCP's) rated at a minimum of 16 amps have been provided for each dwelling within its associated garage or parking area. Such provision shall be in accordance with details indicating siting, numbers, design, rating and appearance of the EVCP's which shall be previously submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure provision of EVCP's for low emission vehicles as part of the transition to a low carbon economy, having regard to Policy TA1 of the South Somerset Local Plan and relevant guidance within the NPPF.

07. Where external lighting is to be installed, 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 so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory. Lux levels should be below 0.5 Lux and the hedgerows/trees shall not be lit. 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.

08. No removal of hedgerows, trees, or scrub shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check for active birds' nests immediately before the vegetation is cleared 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 EQ4 of the South Somerset District Council Local Plan.

09. Any vegetation in the construction area should initially be reduced to a height of 10 centimetres above ground level by hand, brushings and cuttings removed, and the remainder left for a minimum period of 48 hours of fine warm weather (limited rain and wind, with temperatures of 10°C or above) before clearing to minimise the risk of harming/killing any reptiles/amphibians that may be present and to encourage their movement onto adjoining land. This work may only be undertaken during the period between March and October under the supervision of competent ecologist. Once cut vegetation should be maintained

at a height of less than 10cm for the duration of the construction period. 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.

10. 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.

11. 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.

12. No individual dwelling hereby approved shall be occupied until the optional requirement for potential consumption of wholesome water by persons occupying that dwelling in Part G of Schedule 1 and Regulation 36 of the Building Regulations 2010 of 110 litres per person per day has been complied with.

Reason: To improve the sustainability of the dwellings in accordance with the South Somerset Local Plan Policy EQ1 and Paragraphs 134, 154 and 180 of the National Planning Policy Framework (July 2021).

Informatives:

01. The development should be carried out in accordance with the conditions above, and the relevant conditions on outline planning permission reference 16/04608/OUT.
 02. This permission shall be read in conjunction with an Agreement made under Section 106 of the Town and Country Planning Act, 1990 and dated 9th October 2017.
 03. The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Somerset Council's CIL Charging Schedule. If the development is determined to be liable for CIL, a Liability Notice will be issued notifying you of the amount of CIL payment due. If an Additional Information Form has not already been submitted, please submit it now so that we can determine the CIL liability. In addition, you may be able to claim exemption or relief, in which case, please submit the relevant form so that we can determine your eligibility. The CIL Commencement Notice and Assumption of Liability must be submitted to Somerset Council prior to commencement of development. Should development commence prior to the CIL Liability Notice being issued by the local planning authority, any CIL exemption or relief will not apply and full payment will be required in full and with immediate effect. Should you require further information or to download the CIL forms please refer to the Council's Website.
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