

Committee date 14/11/2023

Application No: 08/23/00209

Application Type: Full Planning Permission

Case Officer: Dean Titchener

Registered Date: 14/04/2023

Expiry Date: 08/06/2023

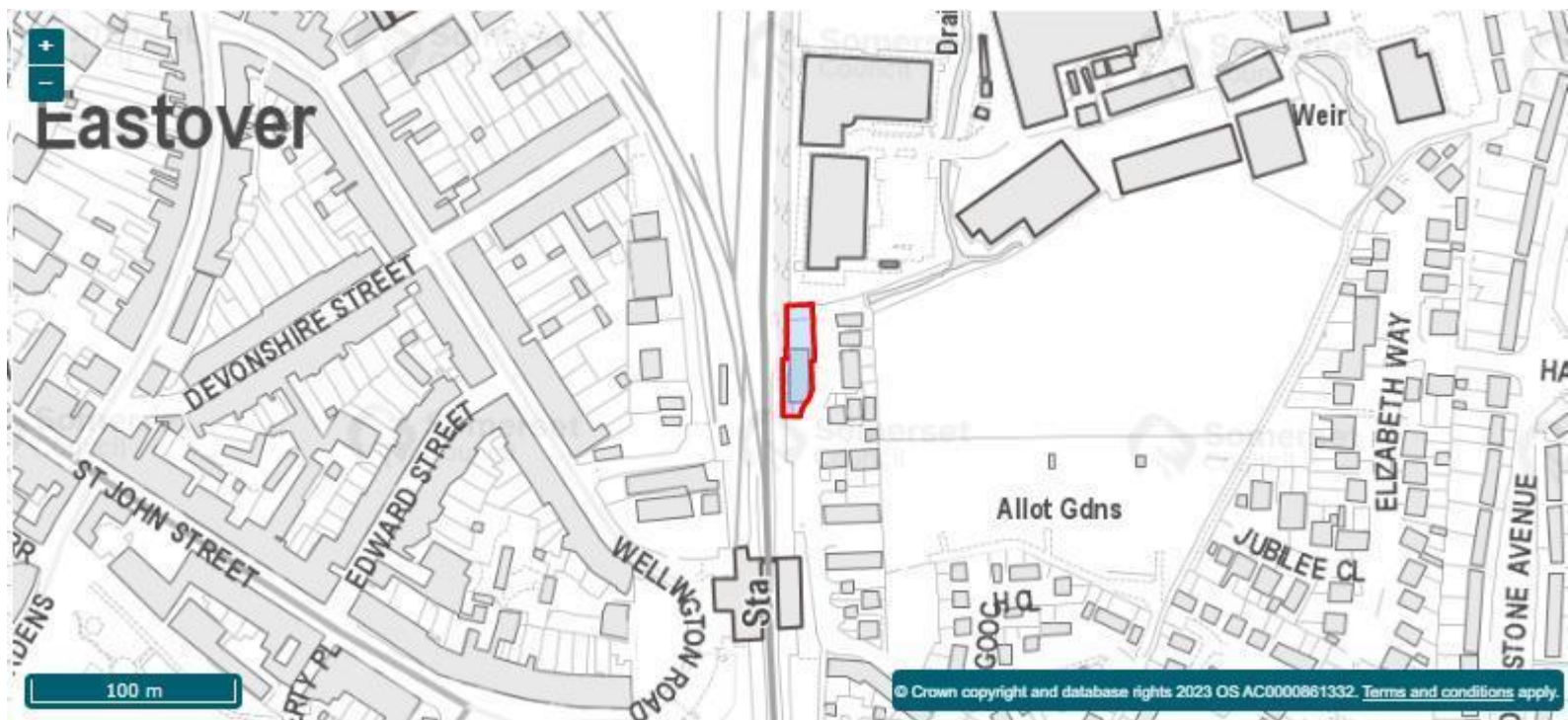
Parish: Bridgwater

Division: Bridgwater North & Central

Proposal: Demolition of the existing commercial buildings/structures, erection of 3 detached residential dwellings with parking provisions, amenity spaces, landscaping, bin and cycle storage, and new boundary fences/treatments.

Site Location: Commercial Buildings & Land At, Clarks Road, Bridgwater, Somerset, TA6

Applicant: Eleven 10 Architecture Limited



Committee decision required because

This application is referred to the area committee at the request of the Chair and/or Vice Chair to enable the issues raised by the Town Council and elected member to be debate.

Background

The application site is located in Bridgwater and comprises building and associated land located to the north east of the town's train station and immediately to the east of the railway line. The site is accessed via Clarks Road, a residential cul-de-sac that runs along the eastern boundary of the site. The final section of the road terminates in a short section of a private drive that provides vehicular access to numbers 64, 66 and 68 Clarks Road. On the west side of the end of the road is a single storey industrial unit oriented on a north-south axis parallel to the railway line. The building is constructed of corrugated sheet metal under a roof of the same materials; the unit is considered to have been built in the pre-war period.

Two previous schemes, both which proposed the erection of four dwellings have been refused. The latter was refused on the grounds of poor design and amenity. This scheme was appealed but dismissed by an Inspector in 2022. The Inspector agreed with concerns about design, but was broadly neutral with regard to issues of amenity. Their conclusion stated:

'I have found that the proposed development would cause unacceptable harm to the character and appearance of the surrounding area. I have also found that the proposed development would not have an unacceptable effect on the living conditions of neighbouring residents, and would provide acceptable living conditions for prospective future residents, in both cases with particular regard to outlook. However, my conclusions on that second main issue do not deflect from the harm I have found would be caused in respect of the first main issue. Furthermore, although I have found that there would not be unacceptable harm to the neighbouring residents in terms of outlook, neither would the proposed development represent a clear benefit in that respect, particularly given the additional massing and height compared with the existing building.'

A new scheme has now been submitted which substantially differs in design from that dismissed at appeal. This seeks permission for the demolition of the commercial building and the erection of three dwellings in its place. The units are to be detached dwellings of contemporary design. Each will be two storey in height with its own private rear garden. Materials are to be a mix of contrasting brick (buff and grey), metal roofs, aluminium coping, grey aluminium windows and doors, with permeable paving externally and rear boundaries of vertical close boarded timber.

The application was initially submitted proposing four dwellings. This has been reduced to three on the advice of the planning officer.

Relevant History

Reference	Case Officer	Decision	Proposal
08/21/00052	DT	REF (appeal dismissed)	Erection of 4no. dwellings, on site of existing buildings (to be demolished) including formation of parking area, landscaping and associated works (revised scheme).
08/20/00007	DT	REF	Erection of 4 No. semi-detached dwellings with parking. Erection of commercial workshop and office building for B1 Use, parking, hard and soft landscaping provisions including the erection of new boundary fences (on site of existing commercial buildings to be demolished).

Supporting information supplied by the applicant

Environmental Noise Assessment
Design and Access Statement
Flood Risk Assessment
Site Check Assessment

Consultation Responses

Cllr Redman (Ward Member) – Objects:

'I am one of the local councillors for the area, I have a number of concerns that would like reviewed prior to the application going forward.

I am concerned about possible overlooking and loss of privacy from the front. Can I have details of this consideration?

I am concerned that 4off 2 bed properties would increase vehicles requiring parking, the property is on a section that is narrow and often causes issue if street parking is used, I would like to see as much dedicated parking for the properties to minimise the need for street parking. Can we see plan showing more detailed parking, the current 5 parking spaces for 8 bed spaces is not sufficient?

I would like confirmation of the properties consulted in the area and details of how that has been done.

I wish to register an objection, I will consider any further comments once I have seen the responses to the above and any residents responses.'

Cllr Redman (Ward Member, provided further comments) – Objects:

‘Good morning, I would further like to add to my original objection and ask that committee note previous applications under very similar design plans that were 08/20/00007 & 08/21/00052

I will add to my original objection by highlighting the following:

I believe the scale of development sought and design choices on this small and constrained plot has resulted in a cramped and contrived form of development which is out of character with the surrounding residential development.

I believe the proposed development features dwellings oriented towards existing properties on Clarks Road. By virtue of the height, width of this elevation and proximity of the proposed dwellings to existing properties on Clarks Road the development would give rise to visually dominating effects that unacceptably compromise the outlook of existing residents to the detriment of their amenity and living conditions.’

Bridgwater Town Council (when initially consulted) – Objects:

‘Objection due to overdevelopment.’

Bridgwater Town Council (when reconsulted on scheme of reduced dwellings) – Objects:

‘Although there has been reduced development this council still wishes to object on the grounds that as new information has been supplied by Network Rail, the council would now like to wait the outcome of the noise and vibration assessment.’

County Highways – No objection, but requests conditions on footway provision, visibility splays, EV charging points, bicycle parking, disposal of surface water, parking and turning areas and submission of a construction management plan.

South West Heritage Trust – No objection.

Environmental Health – Recommends noise and vibration conditions, controls on hours of operation/demolition, contaminated land watching brief condition.

Network Rail – No objection in principle but due to proposal being next to NR land have included asset protection comments which applicant is strongly recommended to action should the planning permission be granted.

Natural England – No objection.

County Ecologist – Upon submission and review of ecology appraisal does not object and recommends conditions regarding external lighting, site clearance, biodiversity enhancements and informatives regarding protected species.

Civil Contingences – If approved recommends completion and maintenance of Flood Warning and Evacuation Plan.

Representations

9 addresses provided representations in objection (to the initial scheme of 4 dwellings):

- Inadequate parking provision for future residents of scheme
- Road is dangerous, scheme will exacerbate safety issues
- Impact of additional traffic
- Design of properties not in accordance with others locally
- Impact on privacy and overshadowing from proximity of properties
- Scheme of 2 dwellings would be acceptable
- Drainage/sewerage impacts
- Queries whether issue with certificates now resolved regarding land ownership
- Scheme impacts on railway safety buffers at rear of plot
- Raises issues with rights of access
- Inappropriate next to railway line
- Lack of need for housing
- Site may be contaminated
- Impact on property value

6 addresses provided representations in objection (to the revised scheme for 3 dwellings):

- Amendments do not address previous concerns
- Inadequate parking provision for future residents of scheme
- Impact of additional traffic
- Impact on privacy and overshadowing from proximity of properties
- Road is dangerous, scheme will exacerbate safety issues
- Impact on property value
- Scheme impacts on railway safety buffers at rear of plot
- Loss of turning head
- Raises issues with rights of access
- Overdevelopment of site
- Scheme is moderate improvement over previous

Most Relevant Policies

National Planning Policies

National Planning Policy Framework: Section 12 'Achieving well-designed places'

Sedgemoor Local Plan (2011-2032)

S2 Spatial Strategy for Sedgemoor

S4 Sustainable Development Principles

D1 Flood risk and surface water management

D2 Promoting high quality and inclusive design

D5 Housing Mix

D13 Sustainable Transport and Movement

D14 Managing the Transport Impacts of Development

D16 Safeguarding Existing Employment Land and Buildings

D20 Biodiversity and geodiversity

D24 Pollution Impacts of Development

D25 Protecting residential amenity

Community Infrastructure Levy (CIL)

The application is for residential development in Bridgwater where the Community Infrastructure Levy (CIL) is Urban Residential £52.60/sqm of additional gross internal floor area created. Based on current rates, the CIL receipt for this development would be in the region of £20,452.47. This amount does not take into account any existing floor space on site that may be converted or demolished, or any CIL exemption or relief that may be eligible.

Main Issues

Principle of development

The application site is located within Bridgwater where new residential development is acceptable in principle. The site involves the demolition of an existing workshop building. This building is understood to have been in place for many decades (it is asserted to be a pre-war structure); it is also stated to have lain empty for many years now, with no occupants having taken up a tenancy.

Policy D16 states that proposals to change the use or redevelop existing employment sites and buildings to non-employment uses will be supported where it can be demonstrated that there is no likelihood of a viable employment use, or it would be preferable, as a result of adverse environmental impact to be relocated to a suitable site. The property has been marketed on and off in the past but there had not been any uptake. Marketing feedback suggested that this may be due to restricted access for HGV vehicles. It has also been stated that significant monies would need to be invested in the building to bring it up to an energy efficient standard that would enable it to be lawfully let to tenants.

No evidence has been provided to substantiate the marketing undertaken. Nor has anything been provided regarding the works needed to bring the building up to an energy efficient standard. However, it is accepted that the building is an old structure and is in an awkward location being

positioned at the end of a residential cul-de-sac. The unit is essentially a leftover building from the time before the wider Clarks Road housing estate was constructed. For unknown reasons, the building was not included as part of the redevelopment of the area. There would likely be limitations on the size of commercial vehicles that would access the site, as the only local turning space is within the estate, rather than on site.

There would also be benefits to removing the commercial unit from what is a predominantly residential area. The proximity of the unit to the dwellings immediately to the east on Clarks Road is such that any commercial activities taking place could have the potential to negatively impact on the living conditions and residential amenity of existing occupants. As such, there are environmental benefits which would arise if the commercial use proposed ceased. Therefore, notwithstanding the lack of submitted marketing evidence, it is considered that there is suitable justification for the loss of this small employment unit.

The site is brownfield land, so its redevelopment is broadly supported by both national and local policy. The site falls within the settlement limit for Bridgwater, where residential development is considered appropriate. The principle of redeveloping the site for an alternative use would be acceptable, subject to the detailed assessment of the constraints of the site and the scheme's impact (of which there are various issues that bear on this application).

Design and visual impact

Policy D2 of the Sedgemoor Local Plan commits the Council to achieving high quality, sustainable and inclusive design for all new development across the district. This includes the development of buildings, places and spaces that are attractive and safe, accessible for all, enjoyable to use, convivial and socially interactive, environments to encourage healthy lifestyles, conducive to walking and cycling, designed with flair, imagination, style and innovation, and responsive to and reinforcing local context, character, scale distinctiveness of place. Section 12 of the National Planning Policy Framework states that good design is a key aspect of creating better places in which to live and work.

The Council raised significant concern with the scale of the previous schemes and the design of the dwellings. The most recent scheme was poor, featuring 'blind' recessed brick windows and extensive obscurely glazed windows to the street scene – design elements which gave rise to harm to the street scene. These concerns were shared by the Inspector who dismissed the recent appeal.

The new scheme is substantially different from the previous refusal. It proposes three dwellings of contemporary design. The designs proposed make use of local materials such as brick and are of a height and spacing which picks up on local character. However, the designs are distinctly contemporary, and provide their own features and level of interest. Their form, which is slightly skewed to the road frontage, their use of the staircase overhang, the narrow vertical windows on the front elevation, projecting brick detailing and metal sheet roof give the proposal a unique and high

quality appearance.

The proposal is considered to be a significant improvement over the previous refusal. The proposal adds interest to the street scene in place of the dilapidated commercial premises. It is considered that the previous concerns have been overcome and the design is now considered acceptable.

Amenity impacts

Policy D25 states that proposals which unacceptably impact on the residential amenity of occupants of nearby dwellings and any potential future occupants of nearby or proposed dwellings will not be supported. Policy D24 states that development proposed within close proximity to an existing source of potential pollution will not be supported where the proposal would be adversely affected by it. The NPPF states that development should provide a high standard of amenity for existing and future users.

The site lies immediately adjoining a busy railway line. This is an existing source of noise and vibration that has the potential to impact upon the amenity of future occupants. The issues of noise and vibration, and the impact of the scheme itself on amenity are considered separately below.

Noise and vibration impacts

The dwellings to be erected are located adjoining a busy railway line. The frequent passing of trains has the potential to negatively impact on the amenity of future occupants through noise and vibration. An earlier scheme was refused on one ground regarding these impacts. It was at that point considered, despite submission of a noise and vibration assessment, that there was insufficient information to confirm that the proposals would not have a significant detrimental impact on future occupants. This issue was however addressed in the most recent (though refused scheme). The discussion below from the refused scheme remains relevant to the current application:

'To enable an assessment and potential mitigation of any impacts, the application has been accompanied by a revised Noise Impact Assessment. Clarification has been sought from the Council's Environmental Health department regarding noise levels at different times of the day, and further assessment regarding the possibility of adverse impacts from vibration. Further commentary has been provided by the applicant's consultant with regard to how vibration and noise impacts could be reduced in the design choices proposed to be used during construction.

In light of the responses the EH department are no longer raising an objection to the proposal. They are requesting detailed controls through conditions to secure the recommendations about the nature of the dwelling designs as set out in the applicant's noise and vibration assessment. These include internal and external noise levels not exceeding certain limits, construction and ventilation requirements, installation of a noise control barrier and commission testing to ensure standard of

dwelling falls below the Low Probability of Adverse Comment in British Standard BS6472. Subject to the imposition of these conditions, it is considered that the scheme is now acceptable with regard to noise and vibration impacts. The previous reason for refusal on this matter is considered to be overcome.'

Environmental Health's position has not changed and they continue to recommend conditions be imposed to control noise, but are not objecting to the application. The conditions most recently requested by EH will be imposed on the permission. Subject to their imposition, the impacts of noise and vibration are considered to be adequately addressed.

Scheme design amenity impacts

A concern with the previously refused scheme was the relation of the new dwellings with the existing properties to the east on Clarks Road. A reason for refusal on the grounds that the proposal would give rise to visually dominating effects which would detrimentally affect the amenity of nearby residents. The Inspector did not support this reason for refusal (but was neutral in writing that the proposals would not result in any improvement to outlook). The views of the Inspector are a material consideration in the determination of the current proposal.

The separation distance to the nearby properties remains similar to the earlier scheme, about 13.5m. However, the ridge height is lower by about 600mm (7.1m instead of 7.7m) and the width of each unit is narrower. These design choices reduce the massing of the units. The reduction in the number of units from four to three also provides the opportunity for more separation between, with consequential benefits for the outlook of the residents opposite.

To address concerns regarding the proximity of window to window separation distances, design choices have been taken to minimise overlooking from any first floor windows looking east across Clarks Road. These include either having windows serve non-habitable areas (such as staircases), the use of the narrow vertical slit windows, or use of obscure glazing for road-facing bathrooms. These choices act to limit any unacceptable impacts on the amenity of nearby residents.

Internally the units provide adequate space for future occupants. Each dwelling is served by rear private amenity space.

It is therefore considered that the scheme has been appropriately designed to maintain existing levels of amenity whilst providing acceptable living conditions for future occupants. The previous concerns of the Council are considered addressed and the scheme is now in compliance with policy D25.

Highways and parking

Policies D13 and D14 of the Sedgemoor Local Plan require development to enhance road and personal safety and be compatible with existing highway infrastructure.

The highway authority has commented in detail on the revised scheme. They note that Clarks Road is an unclassified cul-de-sac and that in their opinion the scheme will not place the existing

highway over capacity. They consider that due to the nature of the road and its location that vehicle speeds would unlikely be high.

The proposed one parking area to serve all three dwellings, providing a total of seven parking spaces. This parking area is located on the southern part of the plot immediately adjoining the public highway. Vehicles would be able to reverse out of these spaces whilst remaining on land within the public highway.

Despite the comments of local residents regarding parking issues in the location, the highway authority also considers the parking levels to be broadly in line with the Somerset Parking Strategy.

The highway authority confirm they raise no objection subject to the imposition of conditions to secure construction of the footway, pedestrian visibility splays, disposal of surface water, parking and turning kept clear of obstruction and submission of a Construction Management Plan. Given the absence of an objection from the highway authority, it is considered that the proposal is acceptable in terms of highway safety. If permission were to be granted, appropriate conditions would be imposed.

Flood risk

The application site is located within Flood Zone 3, the area of high flood risk. Much of eastern Bridgwater falls within this zone and consequently the Local Plan has stated that there is no requirement to undertake the sequential test. The exceptions test is however required.

A Flood Risk Assessment has been provided with the application. This includes mitigation measures including the setting of finished floor levels (FFL) at 7.25mAOD, being raised 0.25m above the level of Clarks Road, and 0.15m above the existing FFL of the commercial building. The development is designed to have first floor accommodation, thereby satisfying local Environment Agency (EA) standing advice. Flood resilient construction measures will be incorporated into the build and a flood warning and evacuation plan could be prepared, as well as signing up to the EAs flood warning systems. Provided these measures were all secured by a condition, the proposal would be considered satisfactory on flood risk grounds.

Impact on railway line

Network Rail (NR) has responded to the consultation given that the proposal being next to their land and infrastructure and to ensure that no part of the development impacts the safety, operation and integrity of the operational railway. They have made a detailed submission with comments, and whilst raising no objection in principle, they wish to see that their assets are protected during any construction period.

Clarification has been sought from Network Rail regarding how their objectives could be achieved. NR has requested that controls in the form of construction management plan to cover excavations and earthworks would need to be achieved via a condition on any permission. Their other comments setting out the obligations on the developer could be set out in informatives.

Whilst it is noted that local representations have been made with regard to the impact of the proposal on railway infrastructure (including impact on some purported railway safety buffers) given the absence of objection from NR it is not considered that this would constitute a reason for refusal.

Ecology

In terms of ecological constraints, the county ecologists recommended updated surveying take place. Upon review of such surveying the ecologist raises no objection subject to the imposition of conditions. Such conditions would control site clearance, installation of external lighting, and submission of a biodiversity enhancement plan. Informatives would also be added regarding protected species. Subject to their imposition it is not considered there are any ecological reasons to withhold permission.

Summary

The previous concerns of the Council are considered to have been overcome. The scheme represents the redevelopment of a brownfield site in a sustainable location. The designs proposed are high quality and provide acceptable levels of amenity for future occupants and existing residents. There are no other matters which cannot be addressed via conditions.

RECOMMENDATION

GRANT PERMISSION

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

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act, 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

- 2 The development hereby permitted shall be carried out in accordance with the approved plans listed in schedule A.

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

- 3 Prior to any vegetative clearance or groundworks, 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 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. Any features such as rubble piles or other features which potentially afford resting places for reptiles will be dismantled by hand by a competent ecologist in April or August to October and any individuals found translocated to a suitable location prior to works commencing on site.

Reason: This is a pre-commencement condition in the interests of UK protected and priority species and in accordance with Sedgemoor District Council Local Plan: Policy D20 - Biodiversity and Geodiversity.

4 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:

- Construction vehicle movements;
- Construction operation hours;
- Construction vehicular routes to and from site;
- Hours of operation for construction, demolition and deliveries
- Expected number of construction vehicles per day;
- Car parking for contractors;
- Specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice;
- A scheme to encourage the use of Public Transport amongst contractors; and
- Measures to avoid traffic congestion impacting upon the Strategic Road Network.
- Measures to regulate the routing of construction traffic;
- The importation of spoil and soil on site;
- The removal /disposal of materials from site, including soil and vegetation;
- The location and covering of stockpiles;

- Details of measures to prevent mud from vehicles leaving the site and must include wheel-washing facilities;
- Control of fugitive dust from earthworks and construction activities; dust suppression measures;
- Noise and Vibration control plan (which includes control methods) to include mitigation measures as defined in BS 5528: Parts 1 and 2: 2009 'Code of practice for noise and vibration control on construction and open sites' shall be used to minimise noise or vibration disturbance from construction works;
- A waste disposal policy (to include no burning on site);
- Measures for controlling the use of site lighting whether required for safe working or for security purposes;
- Details of any site construction office, compound and ancillary facility buildings;
- Specified on-site parking for vehicles associated with the construction works and the provision made for access thereto;
- A point of contact (such as a Construction Liaison Officer/site manager) and details of how complaints will be addressed, including an appropriate phone number

Reason: This is a pre-commencement condition to protect the amenity of local residents from potential impacts whilst site clearance, groundworks and construction is underway and in the interests of highway safety in accordance with Adopted Sedgemoor Local Plan 2011-2032 Policies D13, D14, D24 and D25.

- 5 The development hereby approved shall not commence until a Construction Method Statement, setting out full details of any proposed excavations or earthworks in the vicinity of the adjoining railway, any demolition, or piling has been submitted to and approved in writing by the local planning authority. The development hereby approved shall be carried out in accordance with the approved method statement.

Reason: This is a pre-commencement condition in order to protect the safe operation of the adjoining railway.

- 6 No development shall take place above damp proof course level until samples of the materials to be used on the external surfaces of the building hereby approved, to include windows, doors, walls and roof, have been submitted to

and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved materials.

Reason: In the interests of visual amenity in accordance with Sedgemoor Local Plan 2011-2032 Policy D2.

- 7 Where external lighting is to be installed, prior to construction above damp-proof course level, a lighting design for bats, following Guidance Note 08/23 - bats and artificial lighting at night (ILP and BCT 2023), 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. Lux levels should be below 0.5 Lux on key & supporting features or habitats. 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 Sedgemoor District Council Local Plan: Policy D20 - Biodiversity and Geodiversity.

- 8 A Biodiversity Enhancement Plan (BEP) shall be submitted to, and be approved in writing by, the Local Planning Authority prior to the commencement of the works beyond damp proof course level. The mitigation/enhancements should be installed prior to first occupation of the development hereby approved and retained thereafter and should include the following:

a) Any lawned areas should be turf and/or seed mixes that comprise native, species rich mixtures (such as Emorsgate seeds EL1 Flowering Lawn Mixture) that respond well to the proposed mowing schedule (e.g. the aforementioned seed mix responds well to regular short mowing). The planting and ongoing management for the retention of this area shall be specified.

b) Any new fencing installed on site must have accessible hedgehog holes, measuring 13cm x 13cm to allow the movement of hedgehogs into and out of the site.

c) 1x Integrated bee brick built into an appropriate external wall space of each dwelling. The bricks should be placed 1m above ground level and vegetation must not block the entrance holes. Please note, solitary bees

are harmless and do not sting.

d) Installation of 3x standard bird boxes purchased or built, situated on a mature tree on site or appropriately positioned on the proposed works, at a height above 3m. The ideal position for bird boxes is north facing (followed by north-east, and then east if no other aspects are possible. Under no circumstances should south or west elevations be used, and boxes aimed at different species should be spaced at least 2m apart.

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.

9 No part of the development hereby permitted shall be occupied until a Verification Report to demonstrate that the noise mitigation scheme has been implemented in full, (as in the Report titled “ Environmental Noise Assessment Former Commercial Building and Land at Clarks Road Bridgwater Ref: 10221/PR/SL which includes construction and ventilation requirements), has been submitted to the Planning Authority for approval. The measures shall be retained in perpetuity.

Reason: To prevent excessive noise and protect the residential amenity of occupiers in accordance with Policies D24 and D24 of the Sedgemoor Local Plan 2011-2032.

10 No part of the development hereby permitted shall be occupied until a Vibration Mitigation Report has been submitted to the Planning Authority for approval. The Report shall detail the mitigation measures required to minimise the possibility of “adverse comment possible” as described in BS6472 1:2008 and to adequately control vibration at acceptable levels.

Reason: To prevent excessive vibration and protect the residential amenity of occupiers in accordance with Policies D24 and D24 of the Sedgemoor Local Plan 2011-2032.

11 No part of the development hereby permitted shall be occupied until a Verification Report to demonstrate that the vibration mitigation scheme (as required by Condition 10 above) has been implemented in full, has been submitted to the Planning Authority for approval. The measures shall be retained in perpetuity.

Reason: To prevent excessive vibration and protect the residential amenity of occupiers in accordance with Policies D24 and D24 of the Sedgemoor Local Plan 2011-2032.

12 No part of the development hereby permitted shall be occupied until the footway fronting plots 1 and 2 has been carried out in accordance with a design and specification to be submitted to and approved in writing by the Local Planning Authority and to be fully implemented in accordance with the approved details.

Reason: In the interest of highway safety in accordance with Sedgemoor Local Plan 2011-2032 Policies D13 and D14.

13 The areas allocated for vehicle parking and turning on the submitted and approved Proposed Site Plan Drg No. 344_ D_ 10_ revision A, shall be kept clear of obstruction and shall only be used for the said purpose and not for any other purposes.

Reason: In the interest of highway safety in accordance with Sedgemoor Local Plan 2011-2032 Policies D13 and D14.

14 Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway,. Such provision shall be installed before first occupation and thereafter maintained at all times.

Reason: In the interest of highway safety in accordance with Sedgemoor Local Plan 2011-2032 Policies D13 and D14.

15 Finished floor levels for the dwellings hereby approved shall be 7.25mAOD.

Reason: To safeguard future occupants from flood risk in accordance with Sedgemoor Local Plan 2011-2032 Policy D1.

16 The development hereby approved shall be carried out in accordance with the flood resilience measures as set out in submitted and approved Flood Risk Assessment (Eleven10 Architecture, March 2023).

Reason: To safeguard the site and surrounding area from flood risk in accordance with Sedgemoor Local Plan 2011-2032 Policy D1.

17 If any unforeseen contamination is found during excavations, the Local Planning Authority shall be notified immediately. Where remediation is deemed necessary by the Local Planning Authority, a remediation scheme shall be submitted to and approved in writing by the Local Planning Authority and then implemented in accordance with the submitted details.

Reason: To ensure that the land is suitable for the intended uses and to

ensure that the development can be carried out safely without unacceptable risks to human health, controlled waters and other receptors both onsite and offsite, in accordance with Policies D24 and D25 of the Sedgemoor Local Plan and section 11 and 15 of the National Planning Policy Framework.

Schedule A

Location & Block Plans Drg No. 344_D_01

Site Plan Drg No. 344_D_02

Existing Plans & Elevations Drg No. 344_D_03

Existing Site Drainage System Drg No. 344_D_05

Proposed Site Plan Drg No. 344_D_10 Rev A

Proposed Type 1 Plans & Elevations Drg No. 344_D_13 Rev A

Proposed Type 2 Plans & Elevations Drg No. 344_D_14 Rev A

Street Elevations Study Drg No. 344_D_17 Rev A

Proposed Street Cross Section Drg No. 344_D_18 Rev A

Proposed Type 1 Materials/Finishes Board Drg No. 344_D_19 Rev A

Proposed Type 2 Materials/Finishes Board Drg No. 344_D_20 Rev A

Proposed Site Surface Water Drainage Plan Drg No. 344_D_21 Rev A

Proposed Site Foul Drainage System Drg No. 344_D_22 Rev A

Proposed Site Plan and Aerial View Drg No. 344_D_25

Proposed Street Elevations and 3D Views Drg No. 344_D_26

DECISION
