

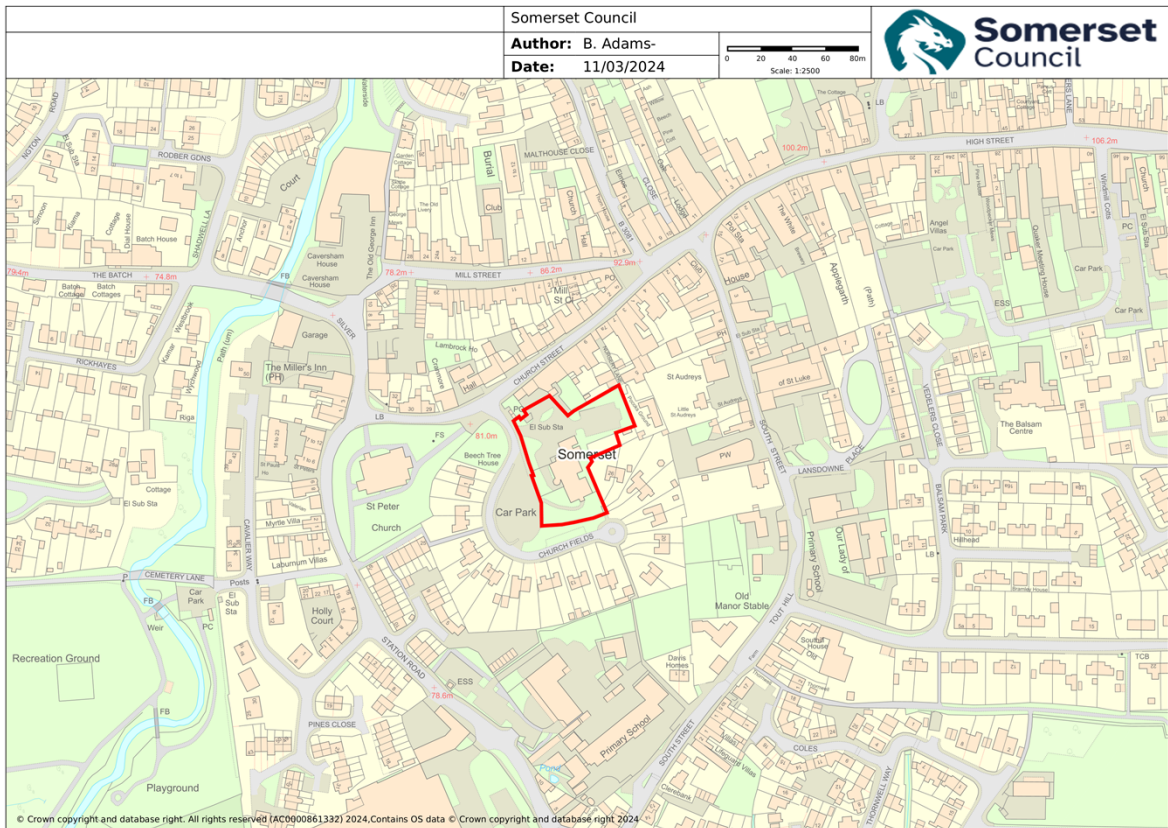
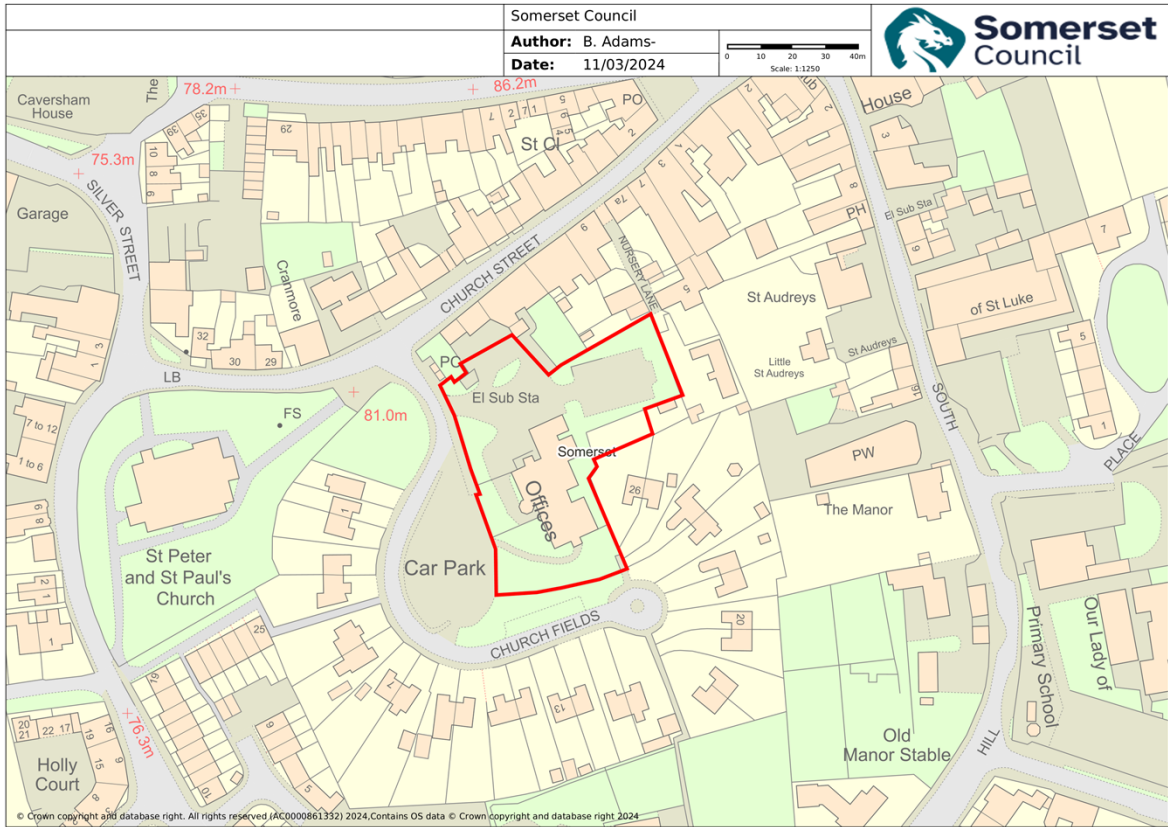
Officer Report On Planning Application: 22/03341/FUL

Proposal:	The erection of 4No. dwellings, alteration to parking layout and formation of new access
Site Address:	Land Rear Of Council Offices Churchfields, High Street, Wincanton, Somerset
Parish:	Wincanton
WINCANTON AND BRUTON Division	Cllr Lucy Trimnell Cllr Tom Power
Recommending Case Officer:	Stanley Norris (Specialist)
Target date:	19th April 2023
Applicant:	Arlington (Wincanton) Ltd
Agent: (no agent if blank)	Chapman Lily Planning Ltd, Unit 5 Designer House, Sandford Lane, Wareham BH20 4DY
Application Typ :	Minor Dwellings 1-9 site less than 1ha

REASON FOR REFERRAL TO COMMITTEE

This application was referred to the Chair and Vice Chair of the Area South Planning Committee under Somerset Council's scheme of delegation as the Town Council has objected to the application, contrary to the officer recommendation. Following conversations with the Divisional Members the Chair/Vice Chair have requested that this application is presented at the Area South Planning Committee.

SITE DESCRIPTION AND PROPOSAL



This application relates to the former Council Offices and associated car park at Churchfields, close to the Wincanton Town Council within the designated Conservation Area. The application site is accessed from Churchfields, a residential cul-de-sac comprising numerous semi-detached dwellings, as well as a public car park. Churchfields (the former council offices) has formerly been granted consent for its conversion to 15 residential units.

This application seeks consent for the erection of four dwellings within the eastern corner of the site and the provision of a new access to the southern end of the site to provide further parking in line with the previously permitted conversion of Churchfields to 15 flats. The dwellings would be provided in the form of two pairs of semi-detached dwellings comprising 2x2 bedroom units and 2x3 bedroom units. The dwellings would be finished in natural stone on the front elevation with other elevations rendered, set under a tiled roof with timber openings.

HISTORY

- 23/02210/S73A - S73A Application to vary Condition 02 (electric supply) & remove Condition 06 (obscure glazing) relating to planning consent - Pending consideration.
- 23/01100/FUL - Alterations to existing fenestration and additional fenestration to existing building - Application permitted with conditions.
- 22/01991/P3MA - Prior approval for proposed change of use from commercial, business & service Class E to dwellinghouses Class C3 to create 15 residential dwelling units- Application permitted with conditions.
- 15/00084/COU - Change of use of lower ground floor area of building (south wing) to a nursery - Application permitted with conditions.
- 14/04613/FUL - Erection of a single storey extension to south wing of building - Application permitted with conditions
- 08/00898/FUL - Alterations and extension to be used as a cell to provide facility for police service - Application permitted with conditions

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11, 12, and 14 of the NPPF indicate it is a matter of law that applications are

determined in accordance with the development plan unless material considerations indicate otherwise.

Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 imposes a general duty on local planning authorities when determining planning applications as respects conservation areas and states:

"In the exercise, with respect to any buildings or other land in a conservation area.....special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."

For the purposes of determining current applications, the Local Planning Authority considers that the adopted development plan comprises the policies of the South Somerset Local Plan 2006-2028 (adopted March 2015) and the Wincanton Neighbourhood Plan 2018-2028.

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

Policy SD1 - Sustainable Development

Policy SS1 - Settlement Strategy

Policy SS4 - District Wide Housing Provision

Policy SS5 - Delivering New Housing Growth

Policy EQ1 - Addressing Climate Change in South Somerset

Policy EQ2 - General Development

Policy EQ3 - Historic Environment

Policy EQ4 - Biodiversity

Policy EQ5 - Green Infrastructure

Policy TA1 - Low Carbon Travel

Policy TA5 - Transport Impact of New Development

Policy TA6 - Parking Standards

National Planning Policy Framework

Chapter 2 - Achieving Sustainable Development

Chapter 5 - Delivering a Sufficient Supply of Homes

Chapter 12 - Achieving Well-Designed Places and Beautiful Places

Chapter 15 - Conserving and Enhancing the Natural Environment

Chapter 16 - Conserving and Enhancing the Historic Environment

Other Material Consideration:

Planning Policy Guidance

Planning (Listed Buildings and Conservation Areas) Act 1990

Somerset County Council Parking Strategy (March 2012)

Somerset County Council Highways Development Control - Standing Advice V3.

CONSULTATIONS - *Full responses online*

WINCANTON TOWN COUNCIL -

Council resolved to recommend refusal of this application on the grounds that insufficient consideration had been given to access and parking taking account of the number of dwellings and the impact upon neighbouring properties.

COUNTY HIGHWAY AUTHORITY -

No Objection subject to conditions securing parking provision, EV chargers, a CEMP and surface water runoff.

SOMERSET ECOLOGY SERVICES -

Recommend a series of conditions but have made the following comments:

A Preliminary Ecological Appraisal of the site was carried out by Ecosupport in May 2023. The results of the report are summarised below (some sections taken directly from the report).

The site comprises of a large former rectory converted into offices, coach house, car park, and associated gardens. The immediate environment consists of residential buildings on all boundaries. In the wider landscape, the town of Wincanton is surrounded by a mosaic of woodland strips, grasslands, arable land, and pasture fields until towns are reached. The proposal involves the construction of 4 dwellings on the current car park. It is assumed the proposals will predominantly involve the loss of the areas of grassland and the hardstanding area of the car park which is only considered to be of value at the Site level of significance (i.e. modified grassland). The loss or damage to this habitat and potential indirect effects would have a minor adverse impact to habitats of local value.

Survey Results - Notable and Protected Species:

Bats: The adjacent building has a confirmed Serotine roost present as can be seen in (Preliminary Ecological Appraisal, Churchfields, Wincanton Eco support Ltd 2022) (and in Fig 7). Please note the lighting strategy in section 6.2.2 must be followed to ensure light spill is kept to a minimum.

Birds: The hedgerows, woodland and grassland areas on-site provide ideal nesting habitat for tree and ground nesting and foraging birds. Due to the ideal breeding and nesting bird habitat within and surrounding the site, the site is considered to be of High potential for nesting and breeding birds.

Badger: During the walkover no evidence of badgers was noted on site (I.e setts,

latrine or snuffle holes) and there is no suitable foraging and commuting habitat due to the habitat in the wider environment. Therefore, the site has negligible potential to support badgers.

Reptiles: The majority of the modified grassland habitat on-site can be considered to offer suitable habitat for reptiles due to the sward the structure typically favoured by reptiles (Edgar et al., 2010). Given the suitability of the habitat and the isolated site location, these areas would be considered to offer Low potential for common reptiles.

Amphibians: One river was identified within 250m of the site following a review of OS maps and aerial imagery. The approximate location is shown in Fig 8 below. Due to the lack of connectivity (busy roads and urban dwellings) and the nature of the waterbody, the site is considered to offer Negligible potential for great crested newts.

Dormice: Although there is hedgerow present on site, it does not connect to any favourable habitat within the surrounding area as the surrounding environment is largely urban. As such, the site is considered to be of Negligible potential for Dormice.

WESSEX WATER -

Wessex Water has no objections to this application.

SOMERSET COUNCIL TREE OFFICER -

No objections subject to conditions.

SOMERSET COUNCIL CONSERVATION OFFICER -

I was asked to look at this last year. I had concerns about the poor layout of the scheme, the parking and the impact it would have on the conservation area. We did have some negotiation reduce the high dominance of the car on the scheme and improve the layout. I am now of the view that if we are required to have 4 houses on the site this is the least harmful way to do it. I consider that the scheme will still be harmful but the harm falls within NPPF paragraph 208. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Because of this I need to formally object, but I am content that the planning officer may need to factor other considerations when coming to a final recommendation.

HISTORIC ENGLAND -

'Historic England provides advice when our engagement can add most value. In this case we are not offering advice. This should not be interpreted as comment on the

merits of the application. We suggest that you seek the views of your specialist conservation and archaeological advisers.'

SOMERSET COUNCIL RIGHTS OF WAY -

No comments received.

REPRESENTATIONS

22 representations have been received comprising 18 objections and 4 'representations' - neither objecting or supporting.

Key themes within the submitted objections include:

- Impact on amenity of neighbouring properties through overlooking
- Red line plan includes the access path to neighbouring properties
- Insufficient parking provided on site
- Loss of parking for neighbouring residents which is already stretched
- Would impact the ability for neighbours to create driveways
- Impact on wildlife
- Loss of trees
- Further traffic within the cul-de-sac

CONSIDERATIONS

Principle of Development

Policy SD1 of the Local Plan recognises that, when considering development proposals, the Council will take a proactive approach to reflect the presumption in favour of sustainable development contained in the NPPF and seek 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 will be approved without delay unless material considerations indicate otherwise.

Policy SS1 highlights the areas where new development is expected to be focused, grouping certain towns and villages into a hierarchy, of settlements including the Strategically Significant Town (Yeovil), Primary Market Towns, Local Market Towns and Rural Centres.

Wincanton is defined as a Primary Market Town, where provision will be made for housing, employment, shopping, and other services that increase their self-containment and enhance their roles as service centres. The site is located in a residential setting, close to shops, services and facilities and, as such, is considered a sustainable location for housing. Therefore, the principle of residential development

in this location is considered to accord with local plan and national policies and is accepted.

Visual Amenity/ Impact on Conservation Area:

The National Planning Policy Framework and Policy EQ2 of the SSLP advocate the need for high quality development. Paragraph 131 of the NPPF advises that "good design is a key aspect of sustainable development which creates better places in which to live and work and helps make development acceptable to communities". Policy EQ2 of the SSLP states that development should be of high quality, and "promote local distinctiveness and preserve or enhance the character and appearance of the district'.

The proposed development is considered to be appropriate in terms of siting, scale, and layout. The proposed design and palette of materials is considered to be in keeping with the surrounding area and is similar in scale, design, and materials to other dwellings within the vicinity. It is noted that the Conservation Officer had been consulted on the application and had suggested a range of amendments to the design of the dwellings and alterations to the carparking area to soften the impact of the development which have been adopted. Whilst he has raised an objection on the basis that the development would cause less than substantial harm to the character and appearance of the Conservation Area contrary to Policy EQ3 of the Local Plan, he has acknowledged that the amended design and siting would be the least harmful way of providing dwellings within the site.

Should the application be approved, conditions will be imposed securing the details of the external materials to be used within the proposed dwellings to be submitted prior to commencement as well as a landscaping scheme (as recommended by the Tree Officer). A condition will also be imposed to restrict Permitted Development Rights.

Residential Amenity

Paragraph 191 of the NPPF advises of the need for "planning policies and decisions to ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development". When considering new development proposals, policy EQ2 of the SSLP emphasizes the importance of protecting the residential amenities of neighbouring properties.

The proposed dwellings would be set within the existing 'overflow car park' associated with the previous use as offices and as such, the dwellings would be set in fairly close

proximity to numbers 25 and 26 Churchfields and the dwelling known as Pockocks Ground. The agent has submitted a site section plan showing the distance from the rear elevations of the dwellings proposed to the rear elevations of the nearest neighbouring properties. This plan has confirmed that there would be a distance of 18.6mts from the rear elevations of plots 3 and 4 to the rear elevation of Pockocks Ground to the east and a distance of 14.7mts from the rear elevation of plots 1 and 2 to the rear elevation of 25/26 Churchfields to the south.

It should be noted that the dwellings proposed within Plots 3 and 4 have been designed with all primary window openings at first floor level on the front elevation and only rooflights on the rear elevation to restrict the possibility of any overlooking into the neighbouring dwelling. Plots 1 and 2 however are proposed with a single traditional window openings at first floor on the rear elevations. Whilst the distance to the rear of the neighbouring dwellings to the rear at Churchfield is approximately 14.7 metres, it is noted that given the general orientation of the existing properties and the proposed relationship with the new dwellings as submitted within this application there would be no direct window-window overlooking. Whilst it is noted that there would be an element of overlooking into the rear garden of the existing dwellings, this is not considered to be demonstrable, and as such, not a reason to refuse the application. Similarly, given the scale and positioning of the dwellings proposed it is not considered that there would be an adverse overbearing, overshadowing to the neighbouring properties.

Ultimately, notwithstanding the concerns raised by neighbouring it is not considered that the proposal would have a demonstrable impact the amenity of neighbouring residents in accordance with Policy EQ2 of the Local Plan.

Highway Safety

Policy TA5 emphasises that new development must address its own transport impacts and secure inclusive, safe and convenient access by foot, cycle, public and private transport and ensure that any increased volumes of traffics and generated trips do not detrimentally impact the character and amenity of the surrounding area and locality or compromise the safety and function of the strategic road network. Policy TA6 specifies that parking provision within new developments should be design-led and exploit existing site characteristics, location and accessibility and conform to the Somerset County Parking Standards.

The application site is located in a sustainable location with continuous pavements and street lighting linking the site to the town centre a short walk from site.

It is noted that the proposed development of the 4 dwellings would take place within

the previous overflow carpark that served the previous use of the building. This area was also allocated to provide parking for the 15 converted flats within the main Churchfields building. The approved plan for the conversion showed the provision of 26 parking spaces within the site.

It should be noted that a new application has been created to the south of the main building to provide an area of parking for the converted flats, this area would provide 6 parking spaces and on site turning. The new access is located at the eastern end of the cul-de-sac of Churchfields adjoining the turning circle. The access would be set within close proximity to a layby set aside for off-street parking for Churchfields residents. Given that Churchfields is a residential street with no through traffic and therefore low levels of anticipated traffic movement throughout the day, it is not considered that the newly created access would adversely impact highways safety. Concerns had also been raised that the provision of the access within this location would prohibit neighbouring properties (24,25,26) from creating a vehicular access to their property in the future. This however is not a material planning consideration.

The proposed site plan shows the provision of 22 parking spaces throughout the site to serve the 15 converted flats and the proposed dwellings, comprising 2x3 bedroom and 2x2 bedroom dwellings. There has been a significant amount of objection received from local residents and the Parish Council on the basis that this would not be ample for the amount of residential development on site. It is noted that the amount of parking provided on site would be contrary to Somerset Council Optimum Parking Standards which states that at least 31 spaces would need to be provided on site. However, it should be noted that document states:

'The car parking standards set out here are optimum standards; the level of parking they specify should be provided unless specific local circumstances can justify deviating from them. Developments in more sustainable locations that are well served by public transport or have good walking and cycling links may be considered appropriate for lower levels of car parking provision.'

Within this case, the application site is located within a sustainable area close to the centre of Wincanton, near to employment opportunities, schools, shops and other services. Similarly, the site has good access to a range of bus links to the nearby larger towns. It is also noted that there are a number of public carparks within Wincanton, including a fairly sizable carpark at Churchfields adjoining the site as well as on street parking opportunities on the High Street.

It is noted that the Highways Authority have been consulted on the application and have raised no objections to the development subject to the imposition of conditions

securing the provision of the parking spaces in perpetuity (including the provision of an electrical vehicle charger) along with details of surface water management and a construction management plan.

As such, it is not considered that the proposed development would have an adverse Highways impact and is therefore considered compliant with policies TA1, TA5 and TA6.

Flood Risk

The site is located within flood risk zone 1 and therefore is not at risk of flooding. A condition will be imposed securing disposal of surface water within the site so as to prevent its discharge onto the highway.

Trees

Concerns had been raised throughout the planning process regarding to the unauthorised removal of trees. As such, the Council Tree Officer had been consulted on the application. Following the submission of an Arboricultural Survey and amended site plans, the Tree Officer has raised no objections to the development subject to a series of conditions securing landscaping/replacement tree planting and the protection of the remaining trees on site. With the provision of such conditions, the proposal is considered to accord with Policy EQ5 of the Local Plan.

Biodiversity

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 require proposals to pay consideration to the impact of development on wildlife and to provide mitigation measures where appropriate.

Given the nature of the site an ecological assessment was requested by SES and has since been submitted as part of the application. Somerset Ecology have reviewed the submitted details and have raised no objection to the scheme. However, the ecologist has recommended a series of conditions and informatives to ensure mitigation and enhancement is provided within the development. With the imposition of such conditions, it is considered that the proposal is compliant with Policy EQ4 of the South Somerset Local Plan.

Somerset Levels and Moors - Phosphates

Local Plan policy EQ4 states that "development will not be allowed to proceed unless

it can be demonstrated that it will not result in any adverse impact on the integrity of national and international wildlife and landscape designations, including features outside the site boundaries that ecologically support the conservation of the designated site.

The Somerset Levels and Moors are designated as a Special Protection Area (SPA) under the Habitats Regulations 2017 and listed as a Ramsar Site under the Ramsar Convention. The Ramsar Site consists of a number of Sites of Special Scientific Interest (SSSIs) within what is the largest area of lowland wet grassland and wetland habitat remaining in Britain, within the flood plains of the Rivers Axe, Brue, Parrett, Tone and their tributaries. The site attracts internationally important numbers of wildlife, including wildfowl, aquatic invertebrates, and is an important site for breeding waders.

Natural England has written to various Councils in Somerset (including SSDC) advising about the high levels of phosphates in the Somerset Levels and Moors that are causing the interest features of the Ramsar Site to be unfavourable, or at risk, from the effects of these high levels. This is as a result of a Court Judgement known as the Dutch N case, which has seen a greater scrutiny of plans or projects by Natural England, regarding increased nutrient loads that may have a significant effect on sites designated under the Habitats Regulations 2017 (including Ramsar Sites).

A significant area of South Somerset falls within the catchment. However, the application site lies outside this catchment area. Thus, the proposed development would have no adverse impact on the Somerset Levels and Moors.

Planning Balance

It is acknowledged that whilst the Conservation Officer has been involved in the scheme and had previously requested a series of amendments including changes to the proposed materials alongside alterations to the proposed parking layout (which have been adopted by the applicant/agent), he has still identified that there would be less than substantial harm to the Conservation Area as a result of the development.

Paragraph 208 of the NPPF states that '*where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.*'. Balanced against such harm are public benefits, which include:

- the proposal being of benefit in helping to address the five year shortfall of deliverable housing sites,

- the site being in a town centre, accessible to local services and facilities and well located in terms of accessibility by sustainable means, and
- the economic and social benefits that would accrue (construction jobs, residents supporting local businesses through expenditure, contributions to Council Tax, New Homes Bonus.

Paragraph 205 of the NPPF states *that great weight should be given to a designated heritage asset's conservation, and the more important the asset the greater the weight should be*. Consequently it is concluded that the public benefits significantly and demonstrably outweigh the harm caused to the setting of the character and appearance of the Conservation Area. As such the proposal is considered to be in accordance with Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 and does not conflict with the aims of Policy EQ3 of the Local Plan, Policy 2 of the Wincanton Neighbourhood Plan nor with the relevant guidance within the NPPF and NPPG.

Other Matters

As of 3rd April 2017, the Council adopted CIL (Community Infrastructure Levy), which is payable on all new residential development (exceptions apply). An appropriate informative will be added, advising the applicant of their further obligations in this respect.

Conclusion

The proposed development is considered to be acceptable in principle and will cause no demonstrable harm to residential amenity, visual amenity, highway safety, biodiversity or other environmental concerns. Similarly, it is considered that there would be sufficient public benefit to offset the concerns of the Conservation Officer. As such, the proposal is considered to accord with policies SD1, SS1, SS4, SS5, EQ2, EQ3, EQ4, EQ5, TA1, TA5 and TA6 of the South Somerset Local Plan and the aims and objectives of the National Planning Policy Framework.

RECOMMENDATION

Permission be granted subject to the following conditions:

01. The proposed development is considered to be acceptable in principle and will cause no demonstrable harm to residential amenity, visual amenity, highway safety, biodiversity or other environmental concerns. Similarly, it is considered that there would be sufficient public benefit to offset the concerns of the Conservation Officer. As such, the proposal is considered to accord with policies SD1, SS1, SS4, SS5, EQ2, EQ3, EQ4, EQ5, TA1, TA5 and TA6 of the

South Somerset Local Plan and the aims and objectives of the National Planning Policy Framework.

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:

- 9650/200 Rev P Site Block and Location Plan
- 9650/201 Rev F Units 1 + 2 Floor Plans and Elevations
- 9650/202 Rev F Units 3 + 4 Floor Plans and Elevations
- 9650/203 Rev D Section A-A + B-B

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

03. No work shall be carried out in relation to any of the below elements until particulars of that element have been submitted to and approved in writing by the Local Planning Authority:
- a) materials (including the provision of samples where appropriate) to be used for the external walls and roofs;
 - b) the mortar mix and coursing of the external walls (best illustrated through the provision of a sample panel);
 - c) the recessing, materials and finish (including the provision of samples where appropriate) to be used for all new windows (including any rooflights) and doors;
 - d) all boundaries
 - e) the rainwater goods and eaves and fascia details and treatment.

Once approved such details shall be fully implemented unless agreed otherwise in writing by the Local Planning Authority.

Reason: To safeguard the character and appearance of the area in accordance with policies EQ2 and EQ3 of the South Somerset Local Plan.

04. 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 AA (enlargement of a dwellinghouse by construction of additional storeys)
- (c) Part 1, Class B (additions etc to the roof of a dwellinghouse);
- (d) Part 1, Class C (other roof alterations).

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

- (i) safeguard the character and appearance of the development itself and the locality in general which is in a Conservation Area, by ensuring there are no inappropriate extensions to the dwelling;
- (ii) safeguard on-site parking and circulation areas; and
- (iii) ensure there is no unacceptable surface water run-off.

In accordance with Policies EQ1, EQ2, EQ4, TA5 and TA6 of the South Somerset Local Plan and relevant guidance within the NPPF.

05. The Development hereby permitted shall not be occupied until the parking spaces for the dwellings, including an electric vehicle charging point for each new dwelling, 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: Reason: In the interests of highway safety, in accordance with policies TA1, TA5 and TA6 of the South Somerset Local Plan 2006-2028.

06. 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: To avoid flooding of the County highway in the interests of highway safety and public convenience.

07. 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: In the interests of residential amenity and highways safety in accordance with policies E22, EQ7 and TA5 of the Local Plan.

08. 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. No lighting should be directed toward the adjacent house, where the Serotine roost is located. 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.

09. 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.

10. 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.

11. 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 use of the development: The content of the BEP shall include the following:

- Habitat 001 bat boxes (or similar) will be incorporated into each dwelling, at least four metres above ground level and away from windows, on the south and/or west facing elevations.
- Installation of 2 x Vivara Pro Woodstone Bird Boxes (a combination of open front design and 32mm hole versions) or similar mounted between 1.5m and 3m high on the northerly facing aspect of trees and maintained thereafter.
- Installation of 2 x clusters of 3 x Schwegler 1as swift bricks (or similar) built into the dwellings at least 60cm apart, at least 4m 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. Ideally, one cluster on units 1&2 and one cluster on units 3&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.
- 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.

12. All planting and landscaping measures comprised in the approved planting and landscaping scheme (Doc Ref:23109- AA5- DC & Plan Ref: 23109- 5 dated 29th November 2023) must be carried out within the first available dormant planting season (November to February inclusively) upon or prior to the first occupation of the development hereby approved; and if any trees or shrubs which within a period of ten years from the completion of the development die, are removed or in the opinion of the Council, become seriously damaged or diseased, they must be replaced by the landowner/s within the next planting season with trees and shrubs of the same approved specification, in the same location; unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure the planting of new trees and shrubs in accordance with the Council's statutory duties relating to Paragraph 197a of The Town & Country

Planning Act, 1990 (as amended)[1] and to secure a quality scheme of landscaping measures in order to preserve and enhance the character of a designated Conservation Area, thereby fulfilling the following objectives of the National Planning Policy Framework (Para 131) and The South Somerset Local Plan (2006 - 2028); EQ2: General Development, EQ3: Historic Environment, EQ4:Bio-Diversity& EQ5: Green Infrastructure.

13. Prior to commencement of the development, site vegetation clearance, demolition of existing structures, ground-works, the installation of hard surfacing, heavy machinery entering site or the on-site storage of materials, the pre-commencement requirements of the submitted scheme of tree protection measures (Ref: 23109-AA5-DC & Plan Ref: 23109-5 dated 29th November 2023) must be installed and made ready for inspection by a competent Arboriculturalist who must confirm in-writing to the Council that the approved tree and hedgerow protection measures (in particular, the specialist engineering measures for the hard-surfacing, fencing, signage and ground-protection installations) are installed to a satisfactory standard (to comply with this planning condition, you will need to instruct your appointed Arboriculturalist to contact us at planning@southsomerset.gov.uk - quoting Planning/DOCReference: 22/03341/FUL). The approved specialist engineering measures and tree protection requirements must be implemented in accordance with the approved scheme throughout the duration of the construction of the development (inclusive of hard and soft landscaping measures) and may only be moved, removed or dismantled in-accordance with the terms of the approved scheme (Ref: 23109-AA5-DC & Plan Ref: 23109-5 dated 29th November 2023).

Reason: To enhance and preserve the character of a designated Conservation Area and to preserve the health of existing landscape features (trees and hedgerows) in accordance with the Council's policies as stated within The South Somerset Local Plan (2006 - 2028); EQ2: General Development, EQ3: Historic Environment, EQ4:Bio-Diversity& EQ5: Green Infrastructure.

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.

- 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.
- The developers are reminded of the legal protection afforded to badgers and their resting places under the Protection of Badgers Act 1992 (as amended). It is advised that during construction, excavations or large pipes (>200mm diameter) must be covered at night. Any open excavations will need a means of escape, for example a plank or sloped end, to allow any animals to escape. In the event that badgers, or signs of badgers are unexpectedly encountered during implementation of this permission it is recommended that works stop until advice is sought from a suitably qualified and experienced ecologist at the earliest possible opportunity.

02. Please be advised that approval of this application by Somerset Council will attract a liability payment under the Community Infrastructure Levy. CIL is a mandatory financial charge on development and you will be notified of the amount of CIL being charged on this development in a CIL Liability Notice. You are required to complete and return Form 1 Assumption of Liability as soon as possible and to avoid additional financial penalties it is important that you notify us of the date you plan to commence development before any work takes place. Please complete and return Form 6 Commencement Notice. You are advised to visit our website for further details
<https://www.Somerset.gov.uk/cil> or email cil@southsomerset.gov.uk
