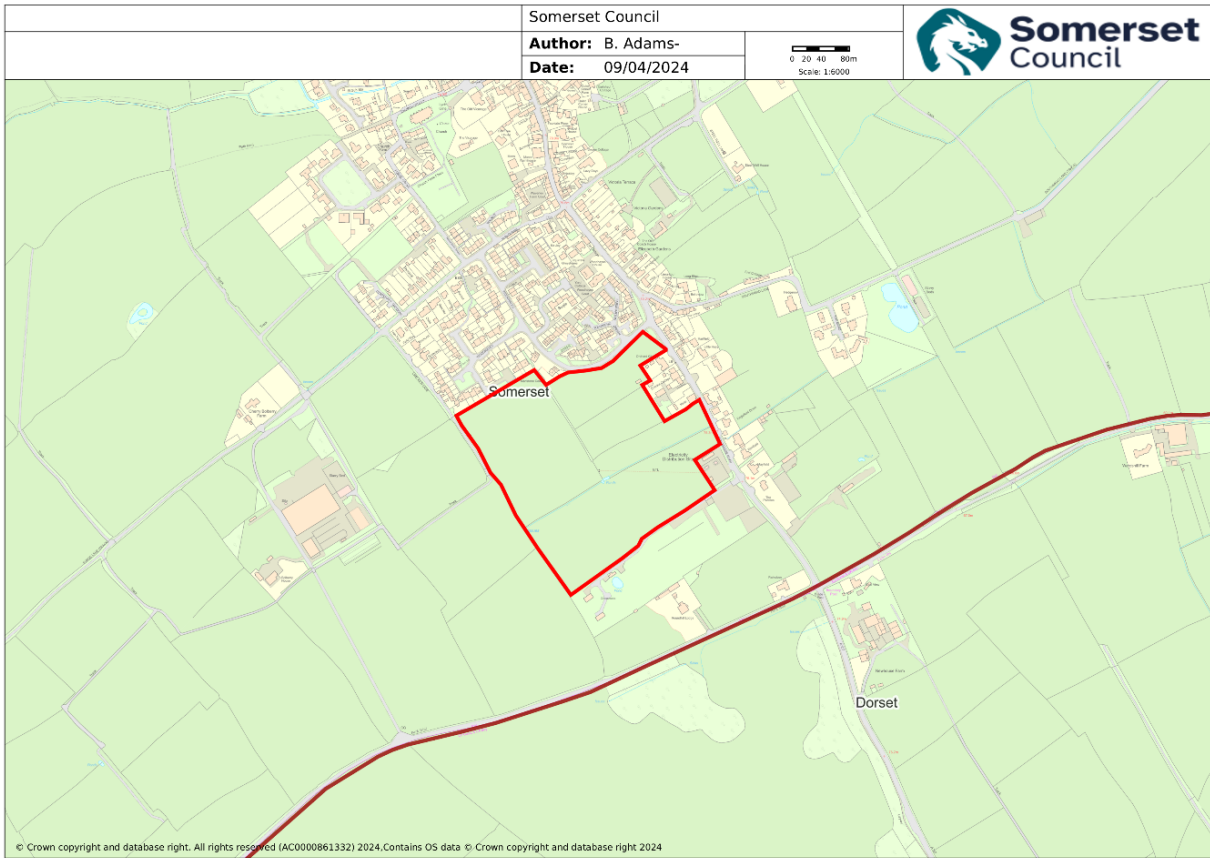
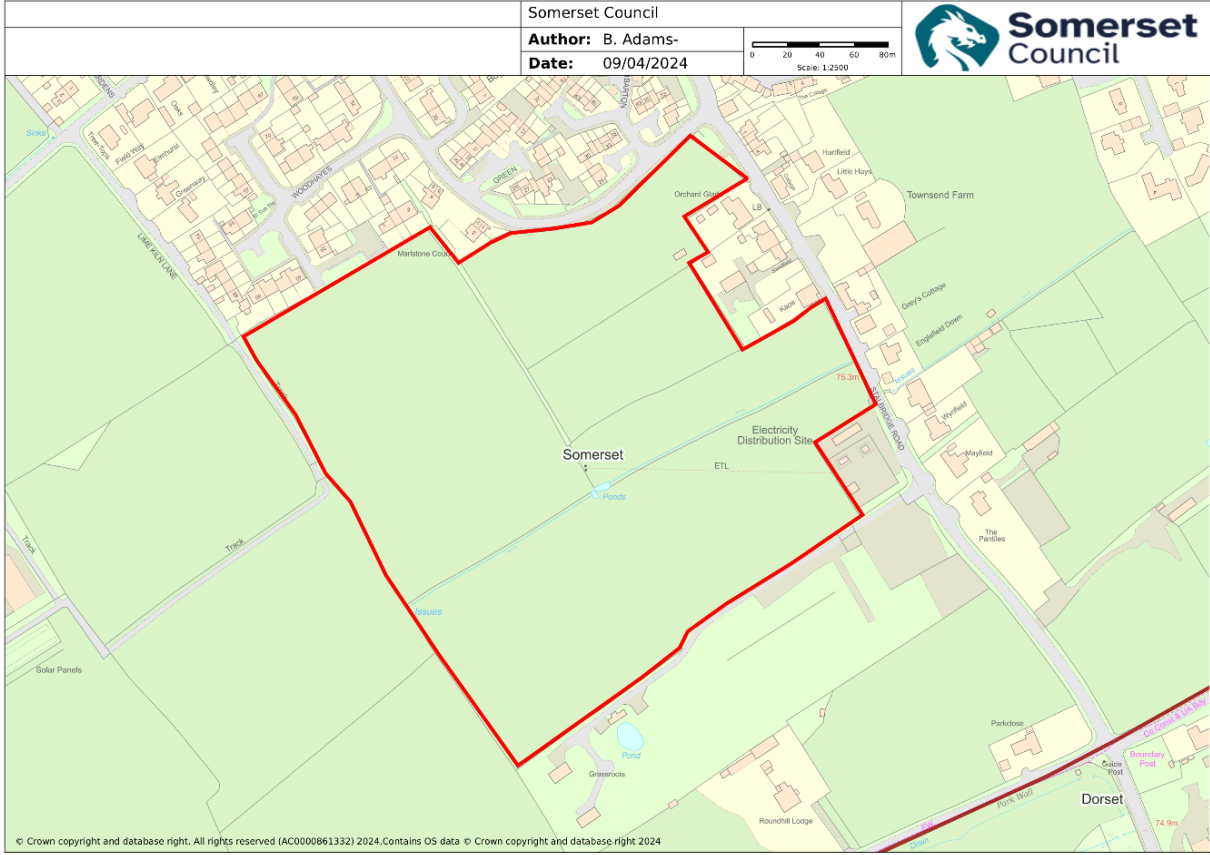


Officer Report On Planning Application: 23/03015/S73

Proposal:	S73 application to vary the requirements of Condition 10 of Approval 17/03029/OUT (Inspectorate ref: APP/R3325/W/18/3197690) for the Outline planning application for up to 130 dwellings with public open space, landscaping, sustainable drainage system (SuDS) and vehicular access point from Woodhayes Way, so that (save for works in respect of clearance, laying out and digging works as shown on plan ref 501-403-01-Planning Approval Commencement Works_Sheet 1-Rev C) no development should take place until a scheme for pedestrian improvements (in accordance with points i to iii) or an alternative scheme has been submitted to and approved in writing by the local planning authority. (The remainder of the condition will remain as previously worded and the section 73 will relate to the Outline application (17/03029/OUT Inspectorate ref: APP/R3325/W/18/3197690) and subsequently approved Reserved Matters Ref: 21/03369/REM in its entirety).
Site Address:	Land Os 5439 Part Townsend Green, Henstridge, Templecombe, Somerset, BA8 0RG
Parish:	Henstridge
BLACKMOOR VALE Division	Cllr Nicola Clark Cllr Sarah Dyke
Recommending Case Officer:	Catherine Pearce (Specialist)
Target date:	28th February 2024
Applicant:	Daniel Barwick
Agent: (no agent if blank)	Mr Michael Rees, 22 Cathedral Road, Cardiff CF119LJ
Application Type:	Major Dwlg 10 or more or site 0.5ha+

REASON FOR REFERRAL TO COMMITTEE

The application has been referred to Committee as it relates to amendments to a major planning application, and objections have been received from the Parish Council, which are contrary to the officers recommendation.



BACKGROUND

Members will recall that on 24th October 2023, a previous section 73 application (22/02240/S73) to vary the requirements of condition 10 iii) was considered at the Area South Planning Committee and was refused. This is covered in the planning history below.

This current application seeks to amend the requirements of condition 10 point (iii) (in relation to the provision of off-site highway works for pedestrian improvements to the High Street) which was included on the appeal decision notice by the Planning Inspector when allowing the appeal for outline planning permission for up to 130 dwellings (with public open space, landscaping sustainable drainage system (SuDS) and vehicular access point from Woodhayes Way on 18th November 2018, under application 17/03029/OUT.

The outline planning application was originally refused by SSDC's East Area Committee on 20th October 2017, on the grounds of the proposed development being out of scale with the existing village, and that the proposed development 'fails to secure safe and convenient access, on foot, cycle and by public and private transport that addresses the needs of all, to key local facilities and services' contrary to policy TA5 of the South Somerset Local Plan.

The applicants subsequently appealed against the refusal of outline planning permission, and as part of their appeal submission included the provision of off-site highway works on Furge Grove and along the High Street through the village including the provision of a 'pedestrian footpath link' created by narrowing the carriageway width to a single carriageway, controlled through traffic signals. The proposed draft scheme was independently assessed under a Stage 1 Road Safety Audit, which did not raise any major issues, subject to a number of detailed design changes which were taken on board. On this basis the LPA withdrew their second refusal reason for the application.

During the determination of the application and consideration of the appeal at a Public Inquiry, highway safety as a result of the proposed development was cited as one of the three main issues which was addressed at some length by the Inspector. He identified that the scheme for off-site pedestrian improvement works submitted by the appellants *"would include provision of a footway of 1.8m width along High Street to the north of its junction with Marsh Lane. As this would narrow the carriageway to a single lane the scheme includes new traffic signals to ensure one-way traffic through that section of the road. This scheme would provide for continuous pedestrian access through the village"*. However, he did not assess the

proposed scheme for its compliance with technical requirements. He later identified (in paragraph 24) that *"the works are necessary in the interest of ensuring public safety and enabling sustainable travel to support local facilities. Policy TA5 of the Local Plan requires new development to address its own transport implications and to maximise the potential for sustainable transport. The pedestrian improvement works would be necessary to ensure that the proposals accords with that policy."* and this point was reiterated when outlining the conditions to be attached to the outline consent, with the Inspector stating that *"I have found that the pedestrian improvement works shown on the plans would be necessary on the interest of highway safety and accessibility and have imposed a condition accordingly"*.

On this basis, condition 10 was imposed that required the following:

No development shall take place until a scheme for pedestrian improvements has been submitted to and approved in writing by the local planning authority. The approved works shall be implemented in accordance with the approved details before any dwelling hereby permitted is occupied and shall be retained thereafter. The submitted scheme shall have regard to the following:

- i) dropped kerbs and tactile paving at the following junctions:
 - Woodhayes Way/A357 Stalbridge Road
 - Woodhayes/Townsend Green
 - Woodhayes/Bugle Court
 - Woodhayes (Marlstone Court)
 - Woodhayes/Furge Lane
 - Furge Lane opposite Furge Grove.

- ii) installation of Traffic Signs Regulations and General Directions (TSRGD) Sign Dig. 544.1 Pedestrians in Road Ahead plus distance plate (380 yds) signs at the following locations:
 - Junction Furge Lane/Furge Grove
 - Junction Church Street/A357; and

- iii) a signal-controlled priority arrangement along A357 High Street including footway provision, appropriate signage and tactile paving at Furge Lane/Marsh Lane generally in accordance with plan Ref. P17033-06-01E.

A subsequent Reserved Matters application (21/03369/REM) for the approval of appearance, landscaping, layout and scale, following outline approval was Approved with conditions on 19th May 2022 by the former East Area Committee of South Somerset District Council.

As outlined in the committee report for the consideration of the previous application, since the approval of the reserved matters approval in May 2022, following the initial technical reviews and safety audits of the originally proposed pedestrian footway through the High Street, it has become apparent that the scheme including the provision of traffic lights on the junction of the A357 and Furge Lane, to create a single width carriageway to facilitate the construction of a raised pavement along the High Street would be unfeasible for a number of technical and practical reasons such as (but not limited to) the various ground levels preventing the construction of a correctly specified footway, and the layout of the A357/Furge Lane junction preventing the safe installation of traffic lights. This includes potential risks to the public within a Highways Safety Advice Report undertaken by the Highways Authority identified 8 Health & Safety risks to the public from the proposed scheme.

However, the applicants remain committed to finding a workable solution to pedestrian safety along the High Street and rather than seek to remove condition 10 iii), and they have continued to look at variety of different alternatives that would still provide improved pedestrian safety which can be provided within the constraints of the existing High Street and surrounding roads, rather than delete the condition in its entirety. This has included continued discussions with the Highways Authority, including several audits of schemes to establish what would be technically possible to achieve before submitting drawings as formal applications to the Local Planning Authority.

At this stage, the applicants have very limited time left to be able to find an alternative workable solution in order to discharge condition 10, and therefore the current application was originally submitted to change the point in time in which details need to be approved in writing from the Local Planning Authority from 'prior to any development commencing on site', to no development 'above damp proof course' taking place before the details of condition 10 iii) are approved in writing by the Local Planning Authority.

PROPOSALS

This application was originally submitted in November 2023, only to amend the requirements of condition 10, so that instead of the details being approved in writing by the LPA prior to any development commencing on site, works could commence on site - up to damp proof course of the approved dwellings, prior to obtaining written approval of condition 10. The submitted details for all parts of the condition were the same as that previously submitted, and refused, under application 22/02240/S73 in October 2023.

In their initial comments, the Highways Authority made it very clear that they could not support a subsequent application where the details of the scheme had previously been refused, and therefore the applicants have submitted a revised scheme for improvements to pedestrian safety along the High Street as much as possible without being able to achieve the scheme originally imposed by the Inspector at appeal, as well as proposals to improve safety (in connection with those required under condition 10, parts i) and ii)) along the alternative pedestrian route through the village to provide a combination of improvements for pedestrian safety as a whole through the village. These proposals have been safety audited by the Highways Authority, prior to their submission as an amendment to the application (to ensure they are technically possible and appropriate safety wise). In addition to this, the original request to amend the timescales for approval of these details has been reverted back to 'prior to development commencing on site', except for works for the clearance, laying out and digging works (as shown on drawing number 501-403-01-Planning Approval Commencement Works_Sheet 1-Rev C).

The proposals for the High Street involve the implementation of a '20mph zone' from approximately 20 metres north of the junction of High Street / Church Street to approximately 5 metres north of the junction with the High Street and Marsh Lane. Both ends of the 20mph zone will be designated using signage and a 2metre wide, flush 'paved' band in the road, and a further 'band' will be inserted approximately 30 metres south of the junction of the High Street and Vale Street.

In addition, a signage-controlled priority system will be implemented, consisting of the creation of a single carriageway at one of the narrowest points of the High Street (outside of Gable Cottage). Starting approximately 10 metres north of its junction with the funeral directors, signage and the construction of a 6.3-metre-long traffic island, and erection of several bollards at either end on the south bound carriageway, which will create a pathway for pedestrians of approximately 1.2 metres wide to the front of Gable Cottage, connecting two existing sections of pavement. Priority will be given to northbound traffic via signage.

Drawings have also been submitted which show the requirements of parts i) and ii) of condition 10, in relation to dropped kerbs and tactile paving around the Woodhayes Road area, and the Traffic Signs Regulations and General Directions signage at the junctions listed in the conditions.

In addition, and in order to further improve the safety of pedestrians who will use the alternative route than the High Street, additional works have been proposed which include the addition of street lighting on the pedestrian pathway between Church Street and St Nicholas Close, as well as some additional lighting on Church Street. A

number of granite sett speed reduction features will also be installed along the length of Furge Grove, and the pavement on the eastern side of Furge Grove, opposite the entrance to the allotments, will be extended further north by approximately 8 metres.

Members should be reminded that the site already benefits from extant permissions for residential development of up to 130 dwellings through the outline and reserved matters permissions which have been granted and that subject to the discharge of the outstanding conditions, these permissions currently remain extant. This application does not revisit the principle of development etc, but purely relates to the variation of condition 10 of the outline planning permission in respect of off-site highway works.

RELEVANT PLANNING HISTORY

- 24/00651/DOC1 - Discharge of Condition number 10 (Points i) and ii)) of planning application 17/03029/OUT - Not yet discharged
- 24/00650/DOC1 - Discharge of Condition number 10 (Pedestrian Improvements Scheme Points i and ii) of planning application 17/03029/OUT - Not yet discharged
- 24/00548/DOC1 - Discharge of Condition 10 (Part i - Dropped Kerbs and Tactile Paving, Part ii - Traffic Signs Regulations and General Directions, Vehicle Tracking and Part iii Signal-Controlled Priority Arrangement and Part iii High Street Calming scheme and additional pedestrian measures) of planning application 17/03029/OUT - Not yet discharged
- 24/00547/DOC1 - Discharge of Condition 10 (Part i - Dropped Kerbs and Tactile Paving and Part ii - Traffic Signs Regulations and General Directions, Vehicle Tracking and Part iii) Signal Controlled Priority Arrangement) of planning application 17/03029/OUT - Not yet discharged
- 24/0546/DOC1 - Discharge of Condition 10 (Part i - Dropped Kerbs and Tactile Paving and Part ii - Traffic Signs Regulations and General Directions, and having regard to Part iii)) of planning application 17/03029/OUT - Not yet discharged
- 22/02240/S73 - S73 application to vary Condition 10 point iii (scheme for pedestrian improvements) of Condition 10 of Approval 17/03029/OUT (Inspectorate ref: APP/R3325/W/18/3197690) for the Outline planning application for up to 130 dwellings with public open space, landscaping, sustainable drainage system (SuDS) and vehicular access point from Woodhayes Way - Refused by Committee on 24/10/2023 for the following reasons:
 - 1) The proposal would lead to increased congestion within the village,

resulting in conflict between larger vehicles and between vehicles and pedestrians which would not improve overall pedestrian safety; would fail to secure inclusive, safe and convenient access on foot, cycle, and by public and private transport that addresses the needs for all; and would not maximise the potential for sustainable transport. As such, the proposal would be contrary to Policy TA5 of the South Somerset Local Plan (2006-2028) and relevant guidance within the NPPF to promote sustainable transport, in particular paragraphs 111 and 112.

- 2) The proposed Yellow Box system fails to provide the ability to enable service and other delivery vehicles to stop in a safe manner outside the houses situated on the High Street where there are no secondary routes into those houses, thereby resulting in unacceptable inconvenience to occupiers of those dwellings and thus contrary to Policy TA5 of the South Somerset Local Plan (2006-2028)
- 23/01035/DOC1 - Discharge of Condition No. 8 (Surface Water Drainage) of Planning Application 17/03029/OUT (Granted at Appeal 20.11.18) - Condition Discharged 09th April 2024
 - 23/01034/DOC1 - Discharge of Condition 7 (Tree & Hedgerow Protection) for outline Planning Application 17/03029/OUT (Granted at Appeal 20.11.2018) - Condition Discharged 19th July 2023
 - 23/01033/DOC1 - Discharge of Condition No.11 (Highway Drainage) of Planning Application 21/03369/REM - Not yet discharged
 - 23/01032/NMA - Non-Material Amendment to approved application 21/03369/REM for the revision to approved materials - Application Permitted 6th July 2023
 - 22/02242/DOC1 - Discharge of Conditions No.3 (Lighting), No.4 (Highway Details) and No.5 (Highway Survey) for Planning Application 21/03369/REM - Conditions Discharged 31st January 2024
 - 22/02241/DOC1 - Discharge of Conditions no 9 (Construction Management Plan) and No.11 (Footway) for Planning Application 17/03029/OUT - Conditions discharged 23rd August 2022
 - 22/01076/ROW - Footpath Diversion WN 12/25 - Permitted 7th September 2023
 - 22/00305/HDG - Removal of Hedgerow as per Planning Application 21/03369/REM - Permitted 18th February 2022
 - 21/03369/REM - Reserved matters application for approval of appearance, landscaping, layout and scale, following outline approval 17/03029/OUT for construction of 130 homes, sustainable drainage infrastructure, open space and play areas, internal roads, paths and parking, landscaping and associated plant and infrastructure - Approved with conditions 19/05/2022.

- 18/00015/REF (Appeal Against Refusal of 17/03029/OUT) - Outline planning application for up to 130 dwellings with public open space, landscaping, sustainable drainage system (SuDS) and vehicular access point from Woodhayes Way - Appeal Allowed subject to conditions - 20th November 2018
- 17/03029/OUT - Outline planning application for up to 130 dwellings with public open space, landscaping, sustainable drainage system (SuDS) and vehicular access point from Woodhayes Way - Refused - 12th January 2018
- 17/03005/EIASS -EIA Screening and Scoping Request for Residential development for up to 130 No. dwellings, public open space, engineering works and vehicular access - EIA not required - 26th July 2017.

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11, 12, and 14 of the NPPF states that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise.

Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990 imposes a general duty on local planning authorities when determining planning applications as respect listed buildings and states:

"In considering whether to grant planning permission, or permission in principle, for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any feature of special architectural or historic interest which it possesses"

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).

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

Policy SD1 - Sustainable Development

Policy SS1 - Settlement Strategy

Policy SS2 - Development in Rural Settlements

Policy SS5 - Delivering New Housing Growth

Policy SS6 - Infrastructure delivery

Policy EQ1 - Addressing Climate Change in South Somerset

Policy EQ2 - General Development

Policy EQ4 - Biodiversity

Policy TA5 - Transport Impact of New development

Policy TA6 - Parking Standards

Policy HG3 - Provision of Affordable Housing

Policy HW1 - Provision of Open Space, Outdoor Playing Space, Sports, Cultural and Community Facilities in New Development

Neighbourhood Plan

The parish of Henstridge does not currently have a formal Neighbourhood Plan but has a Parish Plan which was published in June 2015.

National Planning Policy Framework - December 2023

Chapter 2 - Achieving sustainable development

Chapter 4 - Decision-making

Chapter 5 - Delivering a sufficient supply of homes

Chapter 8 - Promoting healthy and safe communities

Chapter 9 - Promoting sustainable transport

Chapter 11 - Making effective use of land

Chapter 12 - Achieving well-designed and beautiful places

Chapter 14 - Meeting the challenge of climate change, flooding and coastal change

Chapter 15 - Conserving and enhancing the natural environment

Chapter 16 - Conserving and enhancing the historic environment

Other Relevant Documents

Planning Practice Guidance

National Design Guide - September 2019

Somerset County Council Parking Strategy (SPS) - September 2013

Somerset County Council Highways Standing Advice - STAN 26/22 v 3

South Somerset District Council, Five-Year Housing Land Supply Paper, November 2022

South Somerset HELAA (Housing and Economic Land Availability Assessment) 2018 and 2021

CONSULTATIONS

This application has been subject to several consultations on both the originally submitted plans from December 2023, and the subsequent amended plans and revised description submitted on 25th March 2024. Full copies of the consultee comments are available to view on the online planning file but are summarised below.

Somerset Highways Authority

8th February 2024

This Authority has been presented with additional comments raised during the public consultation on this application.

The Highway Authority has investigated and fully assessed the nature of these comments and would offer the following:

- This Authority can only object to the S73 proposal if there would be severe harm generated to the highway infrastructure or its users. The whole reason for the question now before us is the desire to protect pedestrian safety. If there is an increase in HGV traffic associated with the commencement of construction, this could be considered an impact on the existing pedestrian traffic which uses the High Street.
- A number of months ago the developer was asked to consider pedestrian improvements in the village away from the High Street. Encouraging pedestrians away from the High Street will improve safety on the High Street, as there would be fewer pedestrians there. Whilst it is recognised this is not quite within the terms of the inspectors condition, it does achieve the same result.
- Comments are made re the importance of the Inspector's decision. However, the Inspector made the decision on the back of flawed information. The Highway Authority never had a chance to audit the initial signalisation scheme. Had we done so, we could have informed the Inspector at the time that it would not be acceptable, and 10iii would never have been imposed.
- Changing the terms of the condition would lead to the generation of the development construction traffic without appropriate pedestrian mitigation being in place.
- A number of comments mention provision of a bypass. This Authority has detailed the reasons why this cannot be achieved previously.
- By constructing all the properties to DPM course there is a dramatic increase in hard surface and therefore run-off. However, information has not been provided where this amended drainage situation has been accommodated.

Previously, when the developer has been discussing amending the condition, this Authority was not averse to such a proposal. However, the proposed change to the words still retains the signalisation of the junction which safety audit has already deemed unacceptable.

Previous conditions applied to different applications on this site secured a CEMP which was subsequently discharged. However, this CEMP was drawn up on the grounds that the pedestrian infrastructure would be in place prior to commencement.

The proposal now before us is to change the scheme's construction program to allow construction to be in place before the pedestrian infrastructure is agreed/constructed under 10iii. In this regard The Highway Authority is not sure the previously submitted CEMP would now be fit for purpose or would cover the amended construction phases of the development.

No information has been provided in the current presented documents to cover:

- The number of construction lorries involved.
- The timescale involved with the construction to DPM level.
- In accordance with the Inspectors wishes, how existing pedestrians would be protected from the introduction of construction HGVs.
- How run-off from the additional hardstanding to be constructed would be accommodated by an amended drainage scheme thus mitigating the risk of flooding on the highway, or to neighbouring property.

-

Taking the above into account, and looking at i) The deficiencies of the current submitted information, ii) The valid concerns raised by the local residents, iii) The national direction towards active travel and prioritising pedestrian and cycling infrastructure, the Highway Authority is not currently in a position to accept the change in the condition 10iii's wording as further information is required.

If in time, this Authority is to accept the amended wording for condition 10iii, having regard to the concerns raised during the consultation process, this Authority would need evidence proving such amended wording would make this scheme acceptable in highway terms.

At the present time we are therefore unable to offer a formal recommendation.

10th April 2024

The Highway Authority has been consulted on the above planning application. Having reviewed the submitted details we have the following observations to make on this scheme.

Having reviewed the submitted information this relates to the requirements of condition 10 to provide a traffic calming scheme for the village. The Highway Authority is satisfied that the scheme is acceptable in highways terms.

It is noted that there are a couple of (technical) amendments which can be addressed at the technical approval stage should the scheme be permitted by the Planning Authority.

Henstridge Parish Council

7th February 2024

Cllrs discussed the two flawed attempts by developers to resolve pedestrian safety over the six-year period. Cllrs resolved that pedestrian safety remained the priority for the Parish. Cllrs discussed the merits of a bypass for HGVs which although not perfect would help to address this concern. Cllrs concluded that the application seeks to modify the condition that was imposed at the appeal and collectively opposed this further application was to sidestep the condition until such a stage was reached that would mean Somerset Council could not stop the application. Such works including any ground works, service drains, and construction traffic were unanimously opposed.

In summary the PC oppose the application because it removes condition 10/3, the purpose of which is to achieve essential pedestrian and road safety improvements on the A350 High Street.

Amended Plans

In response to the amended plans, Henstridge Parish Council have requested extra time to provide their comments, as their next meeting is not until 9th April 2024. Their response will be provided to members at the committee meeting.

REPRESENTATIONS

Initially, 150 letters were sent out notifying local residents of the above application (based on those who had commented on previous applications). All copies of the representations are available to view on the council's website, however, the main objections have been summarised below, in no particular order.

In response to the original plans submitted with the original application, a total of 106 objections were received, and one letter of support for the for the principle of pedestrian improvements before development continues.

The following main points have been made, which are summarised below, in no particular order.

1. When the outline application was considered at the appeal Inquiry, the Planning Inspectorate identified within their decision letter that ensuring pedestrian safety for existing and future residents (generated by the proposed development) was a key consideration, and that any mitigation required to achieve this was in place prior to the occupation of the approved dwellings. Permission was only granted

on the basis of a condition securing this mitigation.

2. The planning inspector's words are clear, simple and totally unambiguous: - "No development shall take place until a scheme for pedestrian improvements has been submitted to and approved in writing by the local planning authority." This condition (10[iii]) as imposed by the planning inspector has not been met. Fear that this is a nefarious attempt to lure us into an irrevocable, unwanted 'fait accompli'.
3. The developers were fully aware of this condition from the start, and they should have conducted due diligence before going ahead with their plans to ensure the condition could be met. It is their problem to resolve, not for planners to alter the condition to allow the applicant to continue to ignore planning law and conditions. This company already has "form", there has already been one planning breach with the installation of water ground works.
4. Improvements for pedestrian safety should apply during any building phase and not just to when the development is completed. As soon as the first spade goes into the ground, there will be increased construction traffic on the main road in Henstridge, A357, making it unsafe for pedestrians in Henstridge straight away.
5. The approval of this permission would set an unacceptable precedent whereby developers start work and then, at a later date, can obtain permission on the grounds of work already started, without complying with conditions already in place in the original planning consent.
Any work needs to be in compliance with the original consent and conditions that were imposed as part of it.
6. If the inspectors condition states that development should not be commenced until the road/pedestrian safety issues has been resolved, then this is exactly what it means. Just because the developer has failed to comply and come up with an acceptable scheme (after at least 3 rolls of the dice) does surely not enable them to use tactics like this to get their own way? To enable the developer to build to DPC level is virtually giving them the nod not to worry about the embattled residents of our village, as sure as eggs are eggs the developer will then come back to water the condition down so they can build them on a bit more, or only sell half the site, and before you know it the Council have capitulated on what was the most important condition of planning being granted on appeal.
7. The proposals to allow construction up to damp-proof course do not constitute a

'minor material amendment' to the original condition that required that no development should take place until an acceptable scheme has been submitted and approved, as suggested by the applicants supporting letter and should not be allowed.

8. Unless the matter of pedestrian safety has been publicly discussed, agreed and implemented prior to any works starting at any level, then the whole process is a waste of time and tax-payers money.
9. Local Public Opinion (as demonstrated at the previous October committee meeting to discuss this site) is clear that there is no reasonable way to achieve the requirements of condition 10, no matter how long it takes or how many attempts, therefore it is pointless applying to change the timescales to do so. The developers, council departments and councillors have already had up to 5 years since the appeal was allowed and the condition was imposed, and the public are still opposed to the proposed development, as they consider that it "adds no value to this village, it is unsafe and unworkable". Changing the timescales for the implementation of a pedestrian safety scheme is not going to enable a suitable one to be developed.
10. As has been proven, there is no solution for extra traffic in the narrow streets of Henstridge village and so the fields of the development site will become useless and never can even be reused agriculturally. The Council must reject this S73 application outright.
11. Policy TA5(ii) of the South Somerset Local Plan requires development which secures 'inclusive safe and convenient access on foot, cycle and by public and private transport that addressed the needs of all'. This proposal would clearly be contrary to those requirements. There is and has always been a very clear instruction from the county council regarding ANY form of work taking place before FULL agreement has been passed regarding this proposed project.
12. In addition, section 2.2 of the Road Safety Strategy 2017-2026 states that "In a Safe System priority should therefore be given to the vulnerability of human beings, not to vehicle mobility at any cost. This can pose challenges in a rural county like Somerset where there are significant lengths of rural roads, some of which have historic and constrained layouts, in addition to lengthy commutes both within and across the county. The use of a Safe System approach in Somerset will require identifying high risk locations, prioritising road treatments and balancing proactive assessments of highway improvements with the rural character of the County".

13. The developers are prepared to spend lots of money of foundations, so obviously still feel there is a way for permission to go ahead, despite them not yet having a complete and valid permission (as some conditions are still outstanding). This application is just a way for them to avoid the objections that have already been upheld.
14. Although most of these potentially abortive costs will fall on the developers themselves, we are concerned about those which may fall to the local authority, particularly at this time of financial crisis and the impact this will have on taxpayers money.
15. There is no mention is made of the legality of the proposals.
16. When this application was allowed at appeal in November 2018, the developer was required to address the vehicular access and traffic issues BEFORE they would be allowed to proceed with any development. They have NOT done this. As recently as October 2023 the council refused permission to proceed following a full discussion. Now the developers are seeking to ignore this requirement and to begin building without meeting their obligations. This is unacceptable, it is undemocratic, and it is underhand.
17. The inspector's clause was to protect pedestrians and existing road users. How can this still not be important? If this problem cannot be solved now, how is having footings in the ground going to help the situation.
18. There are good reasons for conditions to be attached to planning permissions, in this case related to pedestrian safety of existing and future residents, which the Inspector deemed was essential to resolve before development commenced. Conditions force the developers to comply with promised time frames and require mitigation payments and actions before they can profit from the completed development. If they find the conditions hard to implement, they need to ask themselves if they had properly undertaken due diligence before acquiring the property and its development permission conditions.
19. The amount of 'initial' works required to undertake the construction of the foundations before complying with the conditions regarding pedestrian safety will be significant and will require major earth movements and works related to future provision of utility services etc, as well as hundreds of deliveries of concrete and other building materials.

20. If these works are allowed, there would be considerable additional construction traffic, the majority of which would be HGV's or similar, both on site, the immediately surrounding roads as well as the wider village, especially through the High Street, which would further aggravate the existing traffic situation for those in the village and for those wishing to travel through it, whilst also reducing existing road safety.
21. The village is already dangerous enough for pedestrians especially those with young children and the elderly. Increased HGV's and construction traffic during the period would not help or deem it safe at all. The safety of the public and villagers should come first before any building can be started. A half started building site isn't what the village needs or wants to see either.
22. Any benefits to Henstridge from allowing this application to proceed are not evident. There is already unacceptable danger to life due to the existing levels of traffic and highway network, even before the increase in volume caused by this development during the construction phase and by future occupants.
23. The majority of local residents DO NOT want this development within their village, particularly if pedestrian safety cannot be resolved as promised by the Inspector. The development of 130 dwellings in this village location is totally unacceptable, and just because homes are needed on a national scale, does not mean that they should be built on totally unsafe and unsuitable sites not only here, but anywhere.
24. This whole development, was and still, is not wanted or warranted in this area. The only thing that makes this acceptable is sorting out the traffic through the village, which has and will not be done if this application is accepted. Ensuring that the present and future expanded population can safely access the School, Shop / Post Office, Church other village recreational area's in a safe way, the volume of such will increase as younger families move into the village.
25. Henstridge is a village of considerable ancestry with roads and buildings (many of which are now listed) built at a time when traffic was not as it is today. Access through the village at present is extremely poor and with more cars to be seen with a new development, it can only get worse. Additional construction vehicles will only add to the already poor vehicular flow through the village. Long term residents of the village are to be disadvantaged due to no thought being given to them. Therefore, pedestrian improvements prior to the commencement of any building works are of critical importance.
26. It would not be acceptable for the residents of Henstridge to have to endure this

building site for an unspecified period while pedestrian improvements are sorted. Apart from the implications for nature and wildlife in the immediate area, having a building site will be dangerous, particularly for children and animals in the area. There is a public right of way there, so there is potential for harm to come to the residents of Henstridge if there is a building site left while the developers are trying to resolve the pedestrian improvements. There is a very real possibility that the site could be left at Damp Proof Course level indefinitely should a solution not be found. This initial work will make the fields look so unsightly for a prolonged period of time and prevents the return to agricultural use if this development does not proceed. If this happens, what will happen to the land, as it will be It will have been rendered unfit for many other purposes. It would be wiser to wait to start any building until a scheme for pedestrians have been approved.

27. Having a potential building site for a long period of time whilst this issue continues to be discussed would also be dangerous for the users of the public footpath running through the field, it puts walkers at risk, and for the homeowners that live directly alongside those fields, what about the impact for them? That's their view from their windows, gardens, a half-finished building site, dragged out continuous mess and noise and no end in sight for them if the other planning requirements aren't met.
28. If this application is allowed, and the developers are allowed to build up to damp-proof course level, before dealing with pedestrian safety, once everyone realises that it cannot be resolved (and the relevant conditions discharged) this will leave a substantial and irreversible proportion of a new housing estate before Planning Permission has been granted. This is surely to be seen as a cynical strategy to thwart the planning process with developers calculating the LPA will have no choice but to grant full permission in due course, without the developers needing to provide pedestrian improvements, and once the damage is done.
29. If this amendment is allowed, not only will this land then be utterly useless as anything but land to build on (which I personally believe is certainly the reason for them asking for it), but to start this build before this condition is met, shows utter and complete contempt for the planning process.
30. As the precise mitigation required by condition 10iii of the outline permission has turned out to be not practicable, there must be mitigation of comparable planning and economic value. Instead of blaming council members and officers for the previous s73 proposals being refused, the developer should renew and extend their efforts to find a suitable solution rather than trying to get out of the obligation.

31. The developer has put forward no good reason why the Inspector's provision for pedestrians should be watered down, nor why his case is furthered by starting construction work before this issue has been resolved. The citing of previous delays is not an acceptable reason.
32. Concerns that the proposed amendment continues to refer to plan P17033-06-01E, which has been acknowledged to be unworkable.
33. There needs to be a wider and more long-term plan to resolve the issue of pedestrian safety if the scheme originally conditioned by the Inspector cannot be achieved. If the developers and council cannot afford the only safe option of a by-pass, then permission should be withdrawn until it can be afforded.
34. It is impossible to solve the pedestrian safety situation in the high street quickly, without resorting to demolishing old, listed properties. It's going to take a long time to sort out or a lot of money.
35. There simply is not sufficient width in the High Street to allow heavy vehicles and pedestrians to coexist without significant highway safety concerns. An alternative route for HGVs MUST be sought BEFORE any additional housing estate is permitted. Improvements to the Camp Road/Landshire Lane route could provide this alternative route for HGVs wishing to use the A357. Whilst this option may be more costly than the developers had originally envisaged, but that its their issue, not the residents issue.
36. The additional traffic which is utilising the A road due to new local developments or under construction (including the construction of footings) is only increasing the risk of a potential fatality. Lorries must go into the middle of the road to navigate through the village and sometimes have to mount the kerb outside of the local shop which only increases the risk to the public.
37. Somerset council have not indicated how they are going to improve the infrastructure for the increase in population for the local area - schools, surgeries, sewage, road improvements, etc
Somerset Council must reject this proposal to ensure that no further works on this plot or future developments are proposed for the village until a safe pedestrian route to the village amenities is agreed.
38. Concern that part of the building works will start without the construction of the access first.

39. The developers have no regard for either the inspectors decision, local planning policy or the local residents.
40. The Developer has already removed hedges and connected a water supply, which presumably is in breach of Planning conditions, albeit possibly with the permission of Council Officers. Surely it is the responsibility of our elected representatives to ensure that both Council Officers and Developers comply with the terms of the planning consent. This being the case the application must be rejected.
41. The proposal breaches the Inspectors condition relating to road safety, and is "high handed, arrogant, and demonstrates the contempt that the developer has for both the council and the villagers (the electorate)." It is also illegal.
42. The developer should also be penalised and fined for already breaching the Inspectors decision by having a mains water supply installed within the boundary of the proposed development site. This is not minor works or incidental to the development, but significant for the proposed development.
43. The principle of residential development is unacceptable for the following reasons: -
 - a. There is no safe access through the village for present pedestrians.
 - b. This development is in the wrong location. If it was off the A30, West of the village away from the village centre, most objectors would go away as Access, Pollution and Water flow etc would not be an issue.
 - c. During the recent wet weather there has been a torrent of water coming off the development site which rushes across the road and down the hill towards the residents at 'The Mead' making these houses a flood risk
 - d. The school is at capacity.
 - e. There are no Doctors in the immediate area, the nearest being in Milbourne Port and is reaching capacity.
 - f. As the development at Templecombe has shown, the selling of properties has been very difficult requiring expensive nationwide TV advertisements with Cash incentives. Add the Hundreds of houses being built in Stalbridge the question asked, Is there a need for houses or is it just a financial gamble?
 - g. The employment prospects in the area is slim. Compounded by other developments
 - h. The effect on local residents in the Woodhayes area who will lose their parking.
 - i. Very poor public transport is available thus requiring every residence here

and in Stalbridge to have at least one car and thus adding to our congestion.

44. Developers are repeatedly allowed to get away with not complying with the necessary requirements or s106 contributions payments due to increasing costs, which are not enforced against by the council due to lack of funds, and this is what appears to be happening here. The original outline application was not properly fought by the previous council due to 'lack of funds' which is exactly what will happen in this situation.
45. Development should not be started without the Flood Relief System, which was conditioned to be installed before. During the recent bad weather, before the land was disturbed for footings, the water has poured across the main A357, in torrents running downhill to the properties in The Mead where the residents stand the risk of flooding of their properties should the flow increase. This situation will certainly not improve, once footings and properties constructed and was the fact that was forcibly brought to the planners when the decision was first made.
46. The very recent heavy rains caused flooding of the site and A357 which confirms the need for the relief system.
47. Concern that I suspect that most of the County Councillors who sit on the planning committee are not familiar with Henstridge. I do hope they will have the opportunity to visit the village to see first-hand the narrow road without a pavement which we are faced with.
48. The site will become a magnet for anti-social behaviour and there is no guarantee how long it would remain like that along with all the associated dangers it would present.
49. The large development in neighbouring Stalbridge which will increase traffic flow should also be taken into account.
50. I am aware that Stalbridge are also hugely concerned about the wider implications concerning their developments and the lack of cross border discussions. For everyone's sake please urge your Highways team to hold sensible and logical discussions with Dorset before someone gets seriously injured or even killed on this road.
51. The SCC letter of 8 December asks for comment by 29th December, yet the developer proposal to vary the Planning Application, in relation to the road safety aspects, is not yet ready. Seems bizarre to be asked to comment on something

that hasn't yet been finalised.

A357 Henstridge Group

I wish to object to this latest S73 application. The developer considers it reasonable and in keeping with the Town and Country Planning Act 1990 to request this variation. It is not reasonable.

"No development shall take place until a scheme for pedestrian improvements has been submitted to and approved in writing by the local planning authority'. The Appeal Inspector put this condition 10 iii into his verdict for a reason. As more houses in Stalbridge and Templecombe are being built more traffic results and the Appeal Inspector's wise decision is even more valid today than in 2018.

It is quite clear: an effective pedestrian improvement scheme must be approved and implemented prior to development.

Allowing what might be considered a third of the development to go ahead without a prior successful plan for our High St pedestrian safety would be totally failing to understand and meet the Appeal Inspector's decision - an appeal that the developers requested themselves having had original plans unanimously rejected in Jan 2018 by district councillors as inappropriate in size for such a rural settlement.

There was a serious lack of due diligence by the developer Barratts when taking over the Gladman 130 houses development. Barratts failed to understand the flaws in the first attempt to provide pedestrian safety using traffic lights. Highways couldn't agree on anywhere to fix these lights and we as a village knew it wouldn't work, create chaos and the back roads used by all the school children would become a rat run at commuter time. Eventually Barratts understood and dropped the traffic lights. The next and only other suggestion for pedestrian safety was the yellow box scheme - deemed unworkable by our MP as soon as she saw it. The village agreed and watched it being revised at Highways' request but still full of obvious flaws. These flaws were noted by our county councillors at a public meeting Oct '23. The whole affair has lasted more than 6 years from the initial application in summer 2017 and only these two attempts have been made by the developer to achieve pedestrian safety, neither sensible and they must have known this.

It is quite possible that no pedestrian safety solution is found within the conservation area of our village without a very major plan costing a great deal more than the developers' budget. And likely the developers realise this already, hence their ploy to by-pass the Inspectors condition. This must not be allowed to happen. The fields could be returned to agricultural use as they stand. By putting in footings and bricks up to damp course level this land will be rendered useless.

Somerset has a traffic safety policy TA 5 that must be fulfilled for any development. It should be upheld and strengthened now that the developers are unable after 6 years to achieve a safe route for pedestrians.

The planning department must not concede to this S73 amendment request from the developers, a blatant manoeuvre to start building and ignore safety for residents within our village.

Amended Plans dated 25th March 2024

All previous interested parties (that have previously commented or were previously notified) have been re-notified of the amended plans. A further 104 representations were received in respect of the amended plans and revised description submitted by the applicants on the 25th March 2024 at the time of preparing this report. Members will be updated of any additional letters (and further points raised) at the committee meeting.

The main points are summarised as follows:

1. The resident of Gable Cottage lives alone in the Cottage which would open up onto the proposed pinch point. They are elderly, severely disabled and rely totally on my car for shopping, visiting the surgery and general activities. The council allow me to park just outside my door, as recommended by a doctor's letter. Were their parking space to be removed, they state that they would be totally isolated.
2. Part iii) of condition 10 was which was imposed by the Planning Inspector was specifically aimed at improving safety for pedestrians walking along the High Street - for existing residents of the village, those new residents generated by the proposed development, as well as the occupiers of properties on the High Street. The amended proposals do not meet that requirement in any way.
3. Condition 10 of the outline permission, granted at appeal in 2018, clearly stated that no building should commence until pedestrian safety through the High Street was addressed. This latest proposal does NOT achieve this.
4. Condition 10 of the outline permission is the only opportunity to improve pedestrian safety through the High Street and this requirement should not be abandoned, especially as the existing high levels of traffic (and vehicle sizes) will only continue to increase because of the new residential development and generally over the next 20+ years

5. We need a sensible pedestrian pathway along the high street with traffic in single file at some points and larger vehicles routed elsewhere.
6. These routes were mentioned in 2018 and were quite rightly deemed unsuitable at the time, so there is no need to go over them again.
7. The High Street route remains the most direct and quickest route from one end of the village to the other. This will mean elderly and disabled as well as children will have to take a hilly and much longer detour (via Furge Grove, Church Street and Church Path) adding a considerable amount of time to a relatively short journey. People will not use this suggested detour and still use the dangerous High Street.
8. The Planning Inspector stated that the High Street needed improvements to pedestrian safety, not the back lanes of the village. It is totally unacceptable to push the problems away from the High Street to elsewhere in the village.
9. In addition to the Inspectors requirements, Somerset Council has a policy on Pedestrian Safety and, as residents we do not expect our councillors and their civil servants to allow a scheme that further endangered villagers' lives when walking or cycling within Henstridge.
10. The current proposals to remove the previously proposed yellow box scheme from the High Street and use priority signage techniques (as used in Templecombe), and the additional traffic calming measures, additional street lighting etc along Furge Grove, Church Lane etc suggests that the developers assume that the revised proposals for the High Street will result in traffic diverting from a narrow road to an even narrower back lane. This does nothing to ensure pedestrian safety in the High Street but will contribute to more dangerous conditions on the back lanes of the village, which were originally design for pedestrians and horse & carts. An increase in traffic would almost undoubtedly result in an eventual injury, or worse. This is an argument that has been accepted by the Planning committee in the earlier case, and it still stands.
11. This application is purely another 'workaround' to save the developer money and to avoid the requirements of the condition imposed by the Planning Inspector. The proposals do nothing to improve the village, amenities, or pedestrian safety, and have no regard to the existing residents who live in the village. The whole development is not required or wanted, if it must go ahead the community should benefit. SSDC has been forced to recommend the improvement of pedestrian

safety along the main road. This must remain the minimum requirement. The idea that people should use the same route as the additional traffic caused by the development is ridiculous, the traffic survey carried out recently on the proposed route, and no doubt being used by the developer to justify their figures, is a farce, with the development traffic will treble, therefore increasing the danger to pedestrians. If Highways cannot design a workable system perhaps the whole development should be rejected, especially as once the traffic has got through Henstridge it then has to get through the even narrower streets of Stalbridge.

12. The proposed new wording for condition 10 (iii) would open the door to the condition being ignored completely.
13. The Appeals Inspector rightly demanded a plan that assured safe passage within the village, and the developer has never been able to provide one. Therefore, the response of the Council must still be a refusal to allow the plan to progress. No number of houses are worth a human life.
14. It should be remembered that outline permission for this development was initially refused by the Council and was only granted on appeal subject to conditions, of which the developer was fully aware on acquiring the land. Failure by the developer to fully consider the impact of the conditions during due diligence prior to acquisition, should not be grounds for relaxing them.
15. Via condition 10 iii), the Planning Inspector required a footpath with associated traffic-light-controlled alternate one-way system, in the interests of pedestrian safety. What is currently proposed is basically no change from the current free-for-all.
16. The existing narrow section of the High Street between the entrance to Fountain Place and Furge Lane has NO pavement, and some houses open directly onto the highway. The High Street, with turnings into and out of it, such as Vale Street and Marsh Lane, is already dangerous and damaging without the extra traffic. Narrowing at the pinch point, priority signs, rumble strips will all contribute to clogging the road and create delays and diesel and petrol fumes. It is easy to imagine the long tailbacks that will occur at busy times.
17. The proposed protective bollards and island leave little width for wheelchairs, pushchairs or mobility scooters (and therefore pose no improvement to pedestrian safety). There are several people living ON the High Street who have difficulty walking and the proposed detours are daunting.

18. While providing a short length of footway, the proposals further reduce the width of the carriageway at an existing very narrow point. The proposed priority scheme near Fountain Place essentially formalises the current practice whereby southbound traffic gives way to northbound. This proposal does not appear to provide an improved footway between the Marsh Lane junction and the commencement of the priority traffic zone. Footway provision in this area was a specific requirement of Condition 10iii. It also does not address the multiple lengths of the High Street between the proposed development and The Cross where footway provision is inadequate, being non-existent or significantly less than 1.2 m wide. It therefore does not meet the requirement of improving pedestrian safety.
19. Except for the introduction of a 20mph speed limit, the proposal does nothing whatsoever to improve pedestrian safety. All that the proposed 'Priority Signalling System' will achieve is to increase congestion through the village, WITHOUT improving pedestrian safety in any way BEFORE any development is approved - contrary to in the Planning Inspectors requirements.
20. The increasing number of heavy vehicles passing through and passing each other, including farm tractors with wide trailers, make the High Street hazardous for pedestrians at all times of the day. Gridlock is only too common and, as demonstrated in the previous submissions, even buses often must mount the pavement, so these proposals remain unsafe for pedestrian users.
21. The construction traffic related to the proposed development will continue to add pressure on the high street.
22. It is totally unacceptable to re-route traffic through narrow back streets.
23. The proposals are aimed at increasing pedestrian usage of the back streets through the village (rather than complying with the Planning Inspectors condition) on a route that does not have pavements completely along its length, blind corners, and an incredibly steep alley that mothers with pushchairs, toddlers and elderly residents are supposed to SAFELY circumnavigate! At the same time, the proposals for the High Street will exacerbate the use of these roads by vehicular traffic as a 'rat run' to avoid the additional congestion caused.
24. The alternative pedestrian route being proposed along narrow side roads, (originally built to only accommodate pedestrians or horse & carts) which have no pavements in many places, would also create serious risk to pedestrian safety.

25. The concept of pedestrians making greater use of Church Street/Furge Grove/Lane to St Nicholas Close does not reflect the reality of how this back road is used. It is narrow & twisty, poorly maintained, has inadequate street lighting, partly lacking pavements, and already has on-street parking which hinders visibility. It is already used by many pedestrians to avoid the High Street. The lane to St Nicholas Close is steep up & down, thus difficult for the elderly and those pushing prams, pushchairs & wheelchairs. This is further aggravated in autumn/winter when leaves, etc create a slippery surface. It is not a viable alternative to the High Street.
26. The idea of encouraging pedestrian to use St Nicholas path rather than walk amongst the traffic in Church Street is unrealistic and impractical. What the drawings fail to make clear is that this path has a very steep descent to the stream and a very steep ascent up to St Nicholas Close. No one pushing a pram or anyone with fitness issues will use this route.
27. The section of Furge Grove where it meets Church Street is particularly dangerous, with several 90-degree blind bends. Multiple cars are always parked on either side of the blind corners, and pedestrians would need to walk in the centre of road to navigate these corners. In addition, vehicles need to drive on the wrong side of the road to navigate the blind corners and parked cars. The road continues into single track road (Church Street). Any meeting of vehicles at this point requires reversing around bends - another hazard for walkers. Speed calming measures will not address the safety of pedestrians in this road.
28. Any proposal for small modifications to facilitate additional vehicular traffic will increase the risks to pedestrians along this route.
29. The suggestion of diverting pedestrian - and vehicle - traffic along Furge Grove and Church Street with a few white lines, dropped kerbs and rumble strips is ridiculous.
30. This route is already a 10mph zone, and the conditions have been made worse in the last few years by residents parking on the road due to lack of parking spaces and more people owning vehicles. This means that pedestrians must often squeeze against the walls etc when vehicles pass as there are no pavements
31. The parking situation around the church is particularly dangerous on a Sunday (or any other occasion a service is happening) and often prevents access along Church Street or Furge Lane. This has always been an unsafe area for pedestrians with cars around Church Street, and the proposed streetlights will not

improve this situation.

32. Children play in the street on this route, and it is already well used by parents and their children walking to and from school. There have already been several near misses between children and vehicles.
33. Additional vehicles using this route will generate additional noise and disturbance, which will be exacerbated by the traffic calming measures which will also cause additional wear and tear on vehicles. Increased street lighting would create further light pollution, in an area which has amazing night skies, which should be preserved. This section of the village is also a preserved Conservation Area.
34. Essentially, this site and any to the South of the current built up area is totally in the wrong place as it does not conform to the NPPF and Somerset's own policy as regards sustainable development for all the reasons people have given. The Appeal got through on false information that no one had a chance to assess which is why we are in this situation. The Inspector had to attach this pre commencement condition to make the application fit in planning terms and without it, the appeal would have been refused. Somerset Council needs to uphold the principles and not allow financial gain to take precedence over people's safety.
35. With the growth of Stalbridge just a mile South, almost all their traffic heads through our High Street. A plea, please can Somerset and Dorset Highways and planners get together to discuss the seriousness that all this developing within a small area and the impact it is having on people's lives now let alone the future.
36. Speed bumps, other traffic calming measures and street lighting are not wanted in the village and are not a suitable alternative to resolving pedestrian safety for the High Street.
37. The anticipated additional traffic would also increase the danger at the junction of Church Street and the High Street (The main A357). Joining the A357 at this point is partially a blind entrance and the exit from The Cross to Church Street is nearly always single file due to parked cars.
38. The roads in this area are currently in a poor condition and an increase in traffic would no doubt make them worse and therefore increase the maintenance budget required.

39. Cannot see how this narrow lane could safely absorb any more traffic and the increased likely traffic from any new development will have a detrimental impact on safety especially as Furge Grove and Church Street could become even more of a rat run to bypass the High Street congestion.
40. The proposal for an alternative pedestrian route to the village centre via Furge Grove and Church Street was considered during the outline planning process and rejected at that time because the road is extremely narrow, lacks a footway for substantial sections and is likely to be increasingly used as a "rat run" to avoid the High Street. The provision of traffic calming measures, further narrowing the carriageway, in this area is likely to be detrimental to, rather than enhance, pedestrian safety.
41. If the amended proposals are approved, it will create the worst of both worlds: the High Street will still be dangerous for the increased number of residents, whilst the previously quiet back street will become a dangerous rat run for vehicles trying to avoid congestion on the High Street.
42. Clearly the developers of this application are submitting an avalanche of varying applications with minor modifications that are all rejected on safety grounds. The hope is that one will get through and they can start with their unsafe plan. This approach is exhausting, and this abuse of the process should be looked into, and the submitters reprimanded if necessary.
43. The developers approach to keep chipping away at the requirements of condition 10 are unacceptable. Anything that does not provide the full requirements of the conditions should be rejected and further submissions refused.
44. The proposed plans and documents are too complicated to be understood by members of the general public.
45. Somerset Council should stop wasting taxpayers time and money in allowing the developers to tinker with their application to produce unrealistic solutions to the problems of meeting the requirements of the 10 (iii) restrictions.
46. There are currently rumours that some works/activities have already taken place within the site. If this is the case, then it should be investigated immediately, as residents consider that it would be illegal to undertake works prior to the full resolution of the numerous ongoing matters.
47. In 2018, the Planning Inspector was led to believe that pedestrian safety through

the village could be improved by traffic lights and a raised pavement scheme. He allowed the appeal on this basis (in the developers favour), although the submission of the proposed scheme was submitted at such a late stage that it was not possible for the LPA or residents to fully assess the proposals. Residents believe that the Planning Inspector was misled, and his verdict is flawed, and that had the proposals been fully assessed at the time, on balance he would not have allowed the appeal for residential development in 2018.

48. Whilst it may feel like there is a shortage of housing withing Somerset, the Planning Department should not allow this to colour their attitude to this unrealistic and unsafe proposal and should stop promoting this development of 130 residential properties.
49. These applications must be declined in whatever form they are until the safety or by-pass issue is addressed.
50. Residents ask the developers and planning department to reflect on a near 7-year history of constant resistance by the local residents and councillors, the very many residents' comments over the years and now those of Highways. Please come to the conclusion that this is an oversized development in the wrong place in an ancient village already suffering from the modern problems of ever-increasing volume and size of traffic.
51. This scheme should have been abandoned long ago as a 'non-starter' once the spurious traffic light scheme had been shown up to be unworkable. Or the developers should have pushed with all their might to get HGVs, traffic and more out of our High St - they had many years to do this but failed.
52. Why are they being allowed to start entrance works to the site, and why is that different in essence from building houses up to the damp-proof course?
53. The recent high levels of rainfall have demonstrated that recurring eater overflow / flooding from the site onto the A357 occurs, and that this would be massively increased by the 130-house development. There is significant concern about the potential impacts on the new residents (of that development) and the existing drainage infrastructure. The flood relief system must be installed before any work on the site is undertaken.
54. As the development will be to the very south-west edge of the village why can it not have an entrance and exit directly on to the A30 main road instead of the very narrow village streets?

55. The argument in relation to the councils poor housing land supply is not relevant (it was only relevant at appeal), and the case should be considered on its own merits. There is currently an oversupply of residential development in the South Somerset Area, and notwithstanding this, Central Government has subsequently decided to remove the housing target quotas from the planning process.
56. The agreement which the builders accepted, was that no building work of any kind would be carried out. By digging an entrance no doubt with kerbs tarmac is called building work plain and simple, they may wish to address it by another name, but it is still building work.
57. A new review should be done of the whole project. It has been several years since the development was first proposed in which time floodwater has increased across the A357 and local roads and traffic has already increased considerably.
58. Many reports of witnessing (first-hand) accidents, and near misses in the High Street, and elderly neighbours and children trying to negotiate the High Street at both ends. Also, evidence of witnessing juggernauts coming from Stalbridge and crashing into houses because they cannot get round the corner.
59. The village cannot cope with the additional people and traffic from the proposed 130 houses - the school is full, there is no doctors surgery, and the nearby surgeries are already at capacity. Why not build the houses in a town which has the infrastructure in place already to cope with such a large influx of people.
60. The proposed affordable housing on the site will not be affordable for locals - it is just developers greed.
61. The permission will expire in May, but the developer has always been aware of the condition and must now realise that the land is not suitable for housing and hopefully no further waste of council time and money will be spent trying to achieve the impossible.
62. The developer has made no mention on how it will manage the construction workers vehicles parking for the development of this site. The proposed pedestrian safe routes would be affected by additional parked vehicles and congestion at busy times of day for local residents for work/school runs.
63. With regards to the proposals for the High Street, the proposed map is inaccurate, and minimises the issues with southbound visibility, as south-bound

traffic cannot see what is travelling north before they commit and block the road. The road at that point has a much tighter radius than that represented on the map and as happens regularly now, two HGV cannot pass in that area. With car drivers blindly following the HGVs, it often arises that neither HGV can reverse because there are cars behind it, and they cannot reverse because other drivers have followed them because they cannot see what is causing the obstruction ahead. It can take 10 minutes or more for enough people to reverse far enough to let one HGV return to somewhere where it can pass another; tempers get frayed and the fumes for local residents as all this traffic just sits there, engines running, waiting to get through, can make the air quality intolerable.

64. Furthermore, this plan implies that two HGV can pass each other in much of the area covered by the 20mph zone beginning at the Furge Lane Junction. This is a fallacy and quite untrue. It is close for two cars to pass there, almost impossible for one car and one HGV and 'true' measurement - rather than one implied by a satellite image - will show this to be the case, a problem exacerbated by the curvature of the housing whose walls are the only physical boundary to this area apart from a few badly placed plastic bollards which reduce the available width by another 400mm.
65. In relation to the proposals for the Furge Grove route, particularly the proposed 'Granite Sett Speed Reduction Features', whilst they might look pretty, as proposed, they would be entirely ineffective. Traditional raised speed bumps would also be utterly ineffective for motorists, particularly inexperienced ones.
66. The proposed lighting to the footpath leading from Church Street to St Nicholas Close may help divert people away from Church Street to access the school (although the steep climbs at either end make that an unlikely route for those with prams or pushchairs), but anyone visiting the pub or the shop, or wishing to access the many properties along Vale Street or Blackmore Lane, will not go the long way round to get there.

A357 Henstridge Group

"The A357 Group continue to strongly object to the latest submission by the Developer to ask for permission to be given to start the site by creating the entrance BEFORE a scheme for pedestrian improvements has been agreed along the A357 High Street as stipulated in the Government Inspector's PRE-COMMENCEMENT condition.

The priority system scheme that they have come up with merely formalises what is

already there naturally (caused by the geographical features of the road) and is of absolutely no benefit whatsoever to people living and having to walk along this stretch of extremely dangerous road. It will have the opposite effect with the narrowing of the carriageway at the point of the widened barrier/bollard arrangement. It is not clear how existing parking spaces along the High Street (including outside people's properties) would be affected by the plans.

We are not convinced that the siting of signage has taken account of restricted road width and the risk of collision with wide vehicles and wing mirrors.

We perceive that this system will cause traffic to back up more than it currently does causing excess noise and pollution for the residents whose homes open directly on to this very busy road. Has any consideration been given for homeowners needing access to maintain their properties?

The vehicle tracking diagram 501.402.04 demonstrates two HGV lorries of 16.5mtrs long passing on a straight section of road. However, as of May last year the Government allowed for vehicles of 18.5mtrs to be able to be on our roads. We suggest that the current tracking diagram is out of date and needs to be resubmitted using the correct maximum length. It also does not allow for the much-needed parking at Victoria Terrace (these people have nowhere else to park) and shows two vehicles passing at this point which frequently is impossible.

The measures proposed in the High Street, in the context of increasing commercial and agricultural vehicle sizes and volumes of traffic generated by housing developments in Templecombe and Stalbridge in addition to the proposed 130 house development in the south of Henstridge, will encourage the use of the Furge Lane, Furge Grove and Church Street back route, which should be for vehicular access and pedestrians only. The proposed changes will do nothing to improve pedestrian safety.

We remain extremely concerned at our position being caught between the current expansion of both housing and industry of Wincanton to the North, through Templecombe on to Stalbridge, Sturminster and Blandford to the South.

Policy TA5 of Somerset's own Local Plan requires new development to address its own transport implications and to maximise the potential for sustainable transport. The pedestrian improvement works as outlined in the appeal Decision would be necessary to ensure the proposal accords with that policy. With the governments push towards more sustainable travel, we cannot see how the S73 application would accord with Policy TA5.

The 2018 Appeal was allowed on condition 'inter alia' that safe pedestrian safety measures, which included a footpath, would be put in place along the whole of the High Street. The Appeal Decision (paragraph 45) states that "[all of] the pedestrian improvement works would be necessary in the interest of highway safety...".

On the basis of everything above we ask that the latest S73 application is refused".

CONSIDERATIONS

Principle of Development

The principle of this residential development has been established through the approval of outline planning application 17/03029/OUT at appeal in November 2018, allowed by the Inspector subject to a number of conditions, and a Unilateral Undertaking which provided financial contributions towards Early Years provision, the provision of 19 affordable housing units, public open space, and a travel plan.

The subsequent reserved matters approval (21/03369/REM) was approved by East Area Committee of the former SSDC in May 2022, and both permissions remain extant (subject to the discharge of the remaining condition) until 19th May 2024.

This current application is made in relation to amending the requirements in respect of condition 10(iii) of the outline consent in relation to off-site highway works, which has found to be unworkable, as originally imposed by the Planning Inspectorate. As such, the current application proposes no changes to the approved access, layout, scale or design of the approved residential development under either the outline or reserved matters approvals, or the subsequent non-material amendment in relation to external materials. Therefore, based on the amended proposals and description submitted on 25th March 2024, the only matters under consideration by the committee are the acceptability of the revised details of the off-site pedestrian improvement works, and the timing of the written approval of those details.

Highways

The main issue in relation to this application is the requirement of the Planning Inspector's condition 10(iii) (of the outline consent) to provide "a signal-controlled priority arrangement along A357 High Street including footway provision, appropriate signage and tactile paving at Furge Lane Marsh Lane generally in accordance with plan ref: P17033-06-01E", and whether the proposed alternatives submitted by the applicants, would increase pedestrian safety for existing and future residents of the village using the High Street, in accordance with policy TA5 of the South Somerset Local Plan and the guidance within paragraphs 115 and 116 of the NPPF.

It is widely accepted by all parties that pedestrian safety along Henstridge High Street is a significant issue, and is currently extremely poor due to the constraints posed by the existing historic High Street which is extremely narrow in places and lacks a continuous useable pavement along its length, as well as the existing traffic which already uses the High Street (and is therefore unrelated to the development) including HGV's and other large vehicles, as well as private cars and other modes of transport. The combination of these issues leads to conflict between vehicles and pedestrians on a regular basis.

As previously outlined, following the refusal of the outline application in January 2018, the applicants included proposals to improve pedestrian safety on the High Street within their appeal against refusal of the application. During the consideration of the appeal, the inspector clearly identified that the scheme for pedestrian improvements initially put forward by the appellants, which included a raised pavement along a signal-controlled single width carriageway along the section of the High Street, were necessary in the interest of ensuring pedestrian safety and enabling sustainable travel to support local facilities, as well as addressing the developments own transport implications in accordance with policy TA5 of the South Somerset Local Plan, and therefore the appeal was determined on the basis of the proposals submitted by the appellants. However, the relevant parties had not had the opportunity to fully assess the proposed off-site works, and had they been able to, would have established that they were not viable.

It is acknowledged that the proposed development would generate additional traffic, both pedestrian and vehicular, although aside from the construction period, the amount of additional HGV traffic likely to be generated by the proposed development would be minimal. Concerns have been raised by residents and other interested parties about the impact of construction traffic from the development, which would involve specific HGV's and larger vehicles. It is confirmed that construction and delivery vehicles in association with the initial building process will be diverted away from the High Street, via a number of diversion routes set out as part of the Construction Management Plan, required by condition 9 of the outline consent. The information required to discharge this condition has been submitted (under 22/02241/DOC1), which outlines within the Traffic Management Strategy that construction traffic / deliveries are expected to drive around the village, and not through it, with 4 different alternative routes provided to avoid the village centre. This condition was discharged in August 2022.

The existing constraints of the High Street which result in many of the issues with pedestrian safety, also pose the greatest constraints to improving the issue as

originally proposed at the appeal, as they may not allow for 'modern' interventions or standards to be achieved, and since further technical work has been undertaken by the applicants for the proposed mitigation, it has been established that the original traffic light scheme would be difficult to implement, due to issues such as road levels preventing pavements being constructed properly, or the proposed traffic lights on the junction of the High Street and Furge Grove obstructing traffic. The most recent proposals for a yellow box priority system, submitted under application 22/02240/S73, was refused on the grounds of pedestrian & vehicle conflict, failure to secure inclusive, safe and convenient access for all inconvenience and unacceptable inconvenience to the occupiers of the High Street, contrary to policy TA5 of the South Somerset Local Plan, and the relevant guidance within the NPPF (Sept 2023) to promote sustainable transport, in particular paragraphs 111 and 112 (which are now paragraphs 115 and 116 of the NPPF - Dec 2023).

The applicants have continued to work with the Highways Authority to find the best alternative solution to the requirements of the Planning Inspector to provide a footway through the High Street, and the amended proposals, submitted on 25th March 2024 include the removal of the previously refused 'yellow box system', and the formation of a single carriageway at the narrowest point of the High Street (adjacent to Gable Cottage), with the creation of a signage-controlled priority system. This enables two existing sections of formal pavement along the eastern side of the High Street directly to the north and south of Gable Cottage to be connected by a dedicated pathway approximately 1.2 metres wide (existing levels do not permit the construction of a raised footpath) which will be 'reinforced' by the introduction of a physical build-out approximately 6.3 metres long, (as shown on drawing 501-402-01-S.278 Works_Sheet X RevG-01) and to enable pedestrians to avoid stepping into the road at an existing pinch point of the High Street.

Whilst the applicants acknowledge that this section of footpath cannot be constructed to 'modern' standards or widths and the proposals cannot provide a new pavement along the entire length of the High Street (in particular to the front of the stretch of cottages on the eastern side of the road between Sheila's Cottage and Cotton Corner House), the current proposals do improve the existing situation regarding pedestrian safety which the applicants have outlined (in their supporting information) was the general purpose of the Planning Inspectors condition. Furthermore, the applicants argue that the Inspectors wording of the condition allowed for a degree of flexibility, as part iii) states "*a signal-controlled priority arrangement along A357 High Street including footway provision, appropriate signage and tactile paving at Furge Lane/Marsh Lane generally in accordance with plan Ref. P17033-06-01E.* (Applicants emphasis).

It is accepted that this is not the perfect solution, or that which was previously proposed, however, officers consider that the proposals will provide an increased amount of dedicated footway for pedestrian's which will generally increase pedestrian safety along a larger amount of the High Street than what currently exists. This reflects the reason for the condition, and therefore the amendments to the previously suggested scheme would be acceptable, given that the original proposals cannot be achieved.

In acknowledgement of the inability to provide a full pavement for the entire length of the High Street, the developers have also looked at additional works to the alternative route through the village along Woodhayes, Furge Grove and Church Street, which the Inspector identified in his decision letter. The Inspector noted that whilst most of these roads only have partial footways, and for most of the routes there is no footway, traffic volumes are much lighter than those on the main road, speeds are low and there is sufficient width to accommodate pedestrians and traffic. In conclusion, he stated that as a result of the proposals submitted at the time of the application, *While much of Furge Grove and Church Street would remain without footways, pedestrian safety on that route would be improved.*" The additional works proposed to this route would further improve pedestrian safety or usability, and therefore the proposed works are also acceptable, in accordance with policy TA5 of the South Somerset Local Plan.

It is therefore considered that the proposed amendments to condition 10 (iii) will continue to provide improved pedestrian safety (over the current situation) for the existing residents of Henstridge as well as the future residents of the new development, and would therefore be acceptable, in terms of policy TA5 of the SSLP. As section (iii) is read as part of the whole condition, the triggers for the approval of details and their implementation prior to the occupation of any dwelling will remain as the Inspector proposed.

Members are reminded that although some representations repeat calls for existing HGV traffic to be 'diverted' away from the High Street, through a weight restriction Traffic Regulation Order, and the diversion of HGV's along the Marsh Lane / Landshire Lane route, as they see this as the main cause of poor pedestrian safety, this is not possible. Paragraph 57 of the National Planning Policy Framework outlines that planning obligations should only be sought when they meet *all* of the following tests:

- i) necessary to make the development acceptable in planning terms;
- ii) directly related to the development; and
- iii) fairly and reasonably related in scale and kind to the development.

necessary to make the development acceptable in planning terms

The development will not generate a severe increase in HGV traffic. After the construction period (covered by the Construction Management Plan), aside from occasional delivery lorry's and the weekly refuse lorry, the general traffic associated with housing estates is private cars and smaller vans. The diversion route is therefore not necessary to make the development acceptable.

directly related to the development

As the HGV traffic through the middle of the village is a matter of fact and not generated by the development, it is not directly related to the development.

fairly and reasonably related in scale and kind to the development

The creation of a formal diversion route would not be just a simple matter of erecting a few signs and sending lorries onto different roads; as numerous issues would need to be attended to prior to any diversion being agreeable:

- A Traffic Regulation Order for a weight limit in the village involves its own full public consultation process the result of which are not guaranteed. Any objections received would have to be investigated and attended to or removed prior to the successful implementation of the Order.
- The TRO would not apply to vehicles lawfully accessing local property. The occasional delivery lorry visiting properties, or agricultural vehicles associated with the local fields, therefore, would still be able to attend sites through the village irrespective the weight limit.
- Structures such as bridges and culverts along the diversion route are not all Somerset Council assets so we cannot unilaterally agree the diversion route. Further, full structural surveys of the assets would need to be carried out to confirm they are of a suitable construction to accommodate the increased weight loading. If not, they would need to be reconstructed to bring them up to standard.
- The road for the full length of the diversion route would need a condition survey to ensure it is suitable for the HGV traffic. If it is not wider than 5.5m for its full length the lorries would overrun the verges and damage them or would cause structural damage to the haunch construction at the edge of the carriageway which would increase the maintenance burden. Going on my experience in highway management and maintenance, I would suggest none of the route would have sufficient haunching construction and as such the whole route would need reconstructing.
- The TRO would need to be satisfactorily implemented, and all problems highlighted along the route would need to be rectified prior to the diversion route being brought into use.
- One of the bridges along the route already suffers from spalling which may need regular inspections and maintenance.

On this basis, this is potentially a hugely expensive task, and suggesting the costs are borne by the developer when they are not adding to the HGV traffic in the area is neither fair nor reasonable.

Therefore, as the residential development will not severely and permanently increase the number of HGVs using the route through the village, the suggestion of a diversion route funded (either partially or in full) by the developers does not accord with the tests in NPPF paragraph 57 and therefore this Authority cannot support such a proposal.

Variation of trigger point for discharge of condition 10

The second part of the amended proposals is to vary the point at which condition 10 needs to be formally discharged in writing by the LPA, with the applicants proposing that a limited amount of works to the approved entrance to the site from Woodhayes Road, involving the clearance, laying out and digging works in relation to the main access (as shown on plan ref 501-403-01-Planning Approval Commencement Works_Sheet 1-Rev C) can take place, prior to condition 10 being formally discharged in writing by the Local Planning Authority. (This differs from the originally submitted application which sought permission to construct to damp proof course before condition 10 needed to be formally discharged.) As outlined in their supporting letters, this to enable an additional period of time for them to obtain the necessary technical approvals, once an alternative scheme for part iii) of condition 10, has been agreed in principle, or to allow additional time to continue discussions with the Highways Authority to find an alternative solution.

The applicants have confirmed that the Construction Management Plan approved under condition 9 of the outline planning approval in August 2022 will cover this stage and ensures that no site vehicles will use the High Street (as there are diversion routes within the approved document).

At the same time, the applicants request a change to the wording of part iii) of the condition, to enable alternative schemes to be agreed without the need to formally amend the wording of the condition.

Therefore, the applicants request that condition 10 of the outline approval should be amended to reflect both the timescales for the formal discharge of condition, as well as the proposed amended scheme for improvements to pedestrian safety through the High Street, as follows, with the proposed amendments underlined:

No development (save for works in respect of clearance, laying out and digging works as shown on plan ref 501-403-01-Planning Approval Commencement Works_Sheet 1-Rev C) shall take place until a scheme for pedestrian improvements has been submitted to and approved in writing by the local planning authority. The approved works shall be implemented in accordance with the approved details before any dwelling hereby permitted is occupied and shall be retained thereafter. The submitted scheme shall have regard to the following:

- i) dropped kerbs and tactile paving at the following junctions:
 - Woodhayes Way/A357 Stalbridge Road
 - Woodhayes/Townsend Green
 - Woodhayes/Bugle Court
 - Woodhayes (Marlstone Court)
 - Woodhayes/Furge Lane
 - Furge Lane opposite Furge Grove;

- ii) installation of Traffic Signs Regulations and General Directions (TSRGD) Sign Dig. 544.1 'Pedestrians in Road Ahead' plus distance plate (380 yds) signs at the following locations:
 - Junction Furge Lane/Furge Grove
 - Junction Church Street/A357; and

- iii) A priority scheme on the A357 High Street and additional traffic calming measures to Furge Grove and Church Street, and street lighting to footpath link from Church Street to St Nicholas Close in accordance with plans 501-402-06 S278 Works (Sheet 6) Rev A, 501-402-08-S.278 Layout (Sheet 8) Rev B and 501-402-01-S.278 Works_Sheet 1-Rev G or an alternative scheme to be agreed in writing by the Local Authority.

It is considered that the proposed alterations to the timescales for formally discharging condition 10 are acceptable. The council is still unable to demonstrate a five-year housing land supply, and the principle of residential development in this location continues to comply with the relevant local policies within the South Somerset Local Plan and the guidance within the National Planning Policy Framework. Any future applications to renew the currently extant permission in its entirety would be approved. Therefore, the proposal to extend the time period for compliance with condition 10, to enable a suitable solution to be achieved, rather than lose the existing permission, is reasonable in planning terms.

Other matters

Residents have stated that some unauthorised works have been undertaken on the

site, prior to all the necessary matters being resolved. The applicants have confirmed that there has been some survey work taking place on the site in preparation for future works, (which does not need any planning permission) and officers are satisfied that no unauthorised works have taken place on site to date.

Representations have also been received regarding the flooding issues that surround the site, with recent heavy rainfall causing surface run-off to flood the main road, and on occasions, surrounding residential properties. Concerns have also been raised that given the length of time since permission was originally allowed at appeal, this matter should be revisited, as the considerations will be out of date.

During consideration of the appeal, the Planning Inspector acknowledged that the proposed development would increase impermeable areas and surface water run-off, but imposed a condition to ensure that this would be controlled and limited through provision of sustainable drainage measures, which would also be designed to reduce potential existing localised flooding. Condition 8 of the outline approval (17/03029/OUT) required the submission of *"details of the surface water drainage scheme based on sustainable drainage principles together with a programme of implementation and maintenance for the lifetime of the development have been submitted to and approved in writing by the local planning authority"*.

Details required by Condition 8 of the outline permission were submitted in April 2023 (23/01035/DOC1) to the Local Planning Authority and following discussions with the Local Lead Flood Authority who have fully assessed the proposals, (including a number of requested amendments to the strategy), the details are considered to be acceptable, and the condition has recently been discharged.

Conclusion

There remains much opposition to the principle of development of this site. However, the principle of 130 dwellings (and access thereto) was established under the approval of the outline application 17/03029/OUT in November 2018, and the remaining details have been approved under the reserved matters approval 21/03369/REM, which both remain extant, and the developers are in the process of discharging the remaining necessary conditions.

This current application solely relates to the detailed requirements of section (iii) of condition 10 of the outline approval, (which relates to the provision of off-site highway works to improve pedestrian access along the High Street for existing and proposed residents of Henstridge) as well as the timing for when condition 10 needs to be formally discharged in writing by the Local Planning Authority.

Whilst the loss of the originally proposed scheme for a formal pavement along the length of the highway, due to technical reasons is regrettable, it is considered that the revised off-site works, which will still include carriageway narrowing as part of a proposed priority system between Marsh Lane/Furge Lane and the High Street as well as additional pedestrian footway to link existing sections of pavement, and 20mph speed limit throughout, will improve facilities for pedestrians, in accordance with the requirements of policy TA5 of the South Somerset Replacement Local Plan, and the Planning Inspectors decision in relation to the approval of the outline application 17/03029/OUT.

For this reason, it is recommended that condition 10 (iii) of outline planning approval 17/03029/OUT should be amended as follows:

No development (save for works in respect of clearance, laying out and digging works as shown on plan ref 501-403-01-Planning Approval Commencement Works_Sheet 1-Rev C) shall take place until a scheme for pedestrian improvements has been submitted to and approved in writing by the local planning authority.

The approved works shall be implemented in accordance with the approved details before any dwelling hereby permitted is occupied and shall be retained thereafter. The submitted scheme shall have regard to the following:

- i) dropped kerbs and tactile paving at the following junctions:
 - Woodhayes Way/A357 Stalbridge Road
 - Woodhayes/Townsend Green
 - Woodhayes/Bugle Court
 - Woodhayes (Marlstone Court)
 - Woodhayes/Furge Lane
 - Furge Lane opposite Furge Grove;

- ii) installation of Traffic Signs Regulations and General Directions (TSRGD) Sign Dig. 544.1 'Pedestrians in Road Ahead' plus distance plate (380 yds) signs at the following locations:
 - Junction Furge Lane/Furge Grove
 - Junction Church Street/A357; and

- iii) A priority scheme on the A357 High Street and additional traffic calming measures to Furge Grove and Church Street, and street lighting to footpath link from Church Street to St Nicholas Close in accordance with plans 501-402-06 S278 Works (Sheet 6) Rev A, 501-402-08-S.278 Layout (Sheet 8) Rev B and 501-402-01-S.278 Works_Sheet 1-Rev G or an alternative scheme to be agreed

in writing by the Local Authority.

The original conditions attached to the outline planning permission, which have already been discharged, have been amended to reflect that development should be carried out in accordance with the approved details, and to avoid the need to discharge them again.

01. The principle of development has been established by the previous granted of outline approval 17/03029/OUT, together with means of access from Woodhayes Way. The design, appearance, scale, layout and landscaping of the development has been approved under reserved matters approval 21/03369/REM, and the proposed amendments to the scheme would not result in change to the character and visual amenities of the area, and would cause no demonstrable harm to the landscape, residential amenity, highway safety, flood risk or biodiversity interests. Accordingly, the proposed scheme is considered to accord with Policies SD1, SS1, SS2, EQ1, EQ2, EQ4, EQ7, TA4, TA5 and TA6 of the South Somerset Local Plan and the guidance within the NPPF.

SUBJECT TO THE FOLLOWING:

01. The development hereby permitted shall be begun before the expiration of 2 years from the 19th May 2024. (Being the decision date of the last of the reserved matters to be approved)

Reason: To accord with the provisions of s91(1) of the Town and Country Planning Act 1990.

02. The development hereby permitted shall be carried out in accordance with the approved plan no. CSA/3228/109A and the plans and drawings approved under reserved matters approval 21/03369/REM dated 19th May 2022.

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

03. The proposed access shall be constructed in accordance with details shown on plan number 4746-53-02A, and the further details approved under reserved matters approval 21/03369/REM (dated 19th May 2022) and shall be available for use before first occupation of the dwellings hereby permitted and shall thereafter be maintained in accordance with the approved details.

Reason: In the interests of highway safety and to accord with policies TA5 and TA6 of the South Somerset Local Plan and the guidance within the NPPF.

04. No development shall take place on land edged red as shown on approved plan ref. CSA/3228/109A which may be required to facilitate the provision of a footpath link running parallel to the A357 as shown on Somerset County Council's plan Ref. T1004127-HW-002.

Reason for Approval: In the interests of pedestrian safety and in accordance with policy TA5 of the South Somerset Local Plan.

05. No development or site preparation works shall take place until the tree and hedgerow protection measures approved under LPA reference 23/01034/DOC1 (discharge of condition 7) have been installed and made ready for inspection by the local planning authority's Tree Officer prior to any commencement of development. The approved protection requirements shall remain implemented in their entirety for the duration of the construction period and may only be moved or dismantled with the prior written agreement of the local planning authority.

Reason: To preserve the health, structure and amenity value of existing landscape features (trees and hedgerows) and in accordance with policies EQ2, EQ4 and EQ5 of the South Somerset Local Plan and guidance within the NPPF.

06. Development shall be carried out in accordance with the details of surface water drainage scheme based on sustainable drainage principles, approved under LPA reference 23/01035/DOC1 (Discharge of Condition 8). The approved works shall be carried out and maintained in accordance with the approved programme and details.

Reason: To ensure that the development is served by a satisfactory system of surface water drainage and that the approved system is retained, managed and maintained in accordance with the approved details throughout the lifetime of the development, in accordance with policy EQ1 of the South Somerset Local Plan and guidance contained within the NPPF.

07. The development hereby approved shall be carried out in strict accordance with details approved under 22/02241/DOC1 (discharge of condition 9 - Construction Management Plan) approved 23rd August 2022. The approved plan shall be adhered to fully at all times throughout the construction period.

Reason: In the interests of highway safety and residential amenity and in accordance with policies EQ2, TA5 and TA6 of the South Somerset Local Plan.

08. No development (save for works in respect of clearance, laying out and digging works as shown on plan ref 501-403-01-Planning Approval Commencement Works_Sheet 1-Rev C) shall take place until a scheme for pedestrian improvements has been submitted to and approved in writing by the local planning authority.

The approved works shall be implemented in accordance with the approved details before any dwelling hereby permitted is occupied and shall be retained thereafter. The submitted scheme shall have regard to the following:

- i) dropped kerbs and tactile paving at the following junctions:
 - Woodhayes Way/A357 Stalbridge Road
 - Woodhayes/Townsend Green
 - Woodhayes/Bugle Court
 - Woodhayes (Marlstone Court)
 - Woodhayes/Furge Lane
 - Furge Lane opposite Furge Grove;
 - ii) installation of Traffic Signs Regulations and General Directions (TSRGD) Sign Dig. 544.1 'Pedestrians in Road Ahead' plus distance plate (380 yds) signs at the following locations:
 - Junction Furge Lane/Furge Grove
 - Junction Church Street/A357; and
 - iii) A priority scheme on the A357 High Street and additional traffic calming measures to Furge Grove and Church Street, and street lighting to footpath link from Church Street to St Nicholas Close in accordance with plans 501-402-06 S278 Works (Sheet 6) Rev A, 501-402-08-S.278 Layout (Sheet 8) Rev B and 501-402-01-S.278 Works_Sheet 1-Rev G or an alternative scheme to be agreed in writing by the Local Authority.
09. No part of the development hereby permitted shall be occupied until a footway of 1.8m minimum width has been provided on Furge Grove between its junction with Furge Lane and the existing footway to the north on Furge Grove. The retained carriageway width shall be no less than the existing carriageway width.

Reason: In the interests of pedestrian safety and in accordance with policy TA5 of the South Somerset Local Plan.

10. The development shall be carried out in accordance with the mitigation measures recommended in the Ecological Impact Assessment by CSA Environmental dated June 2017.

Reason: In order to ensure the development does not harm any protected species in accordance with policy EQ4 of the Local Plan and the provisions of the NPPF.
