

Committee date 13/08/2024

Application No: 38/24/00001

Application Type: Outline Planning Permission

Case Officer: Sarfaraz Khan

Registered Date: 25/01/2024

Expiry Date: 20/03/2024

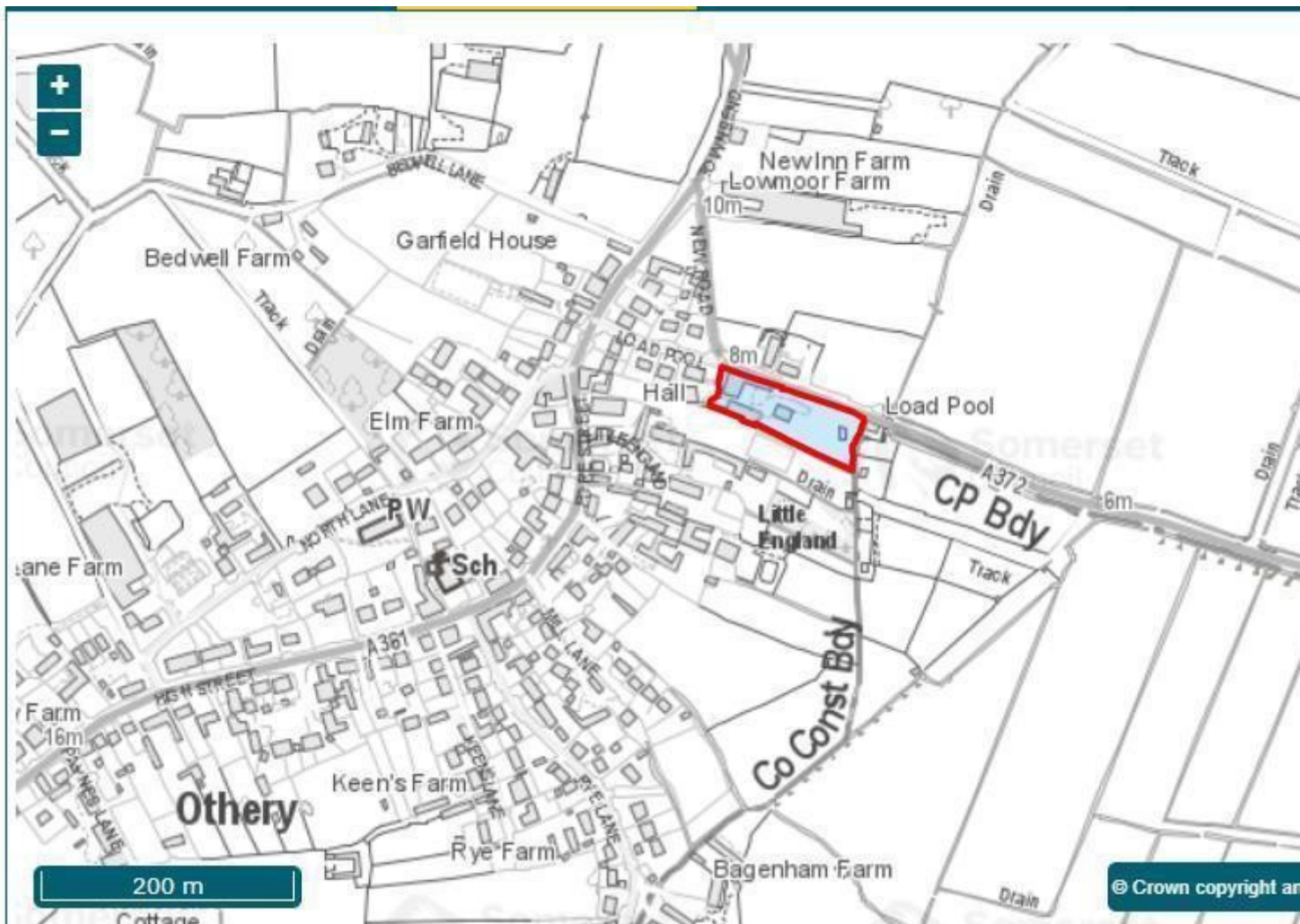
Parish: Othery

Division: Curry Rivel & Langport

Proposal: Outline planning permission with some matters reserved for erection of 5 self-build dwellings and 2 open market dwellings along with associated works.

Site Location: Land (2) To The North Of, Load Pool, Othery, Bridgwater, Somerset, TA7

Applicant: South West Strategic Developments



Committee decision required because

This application is referred to Committee as the officer recommendation is contrary to comments received by Othery Parish Council.

Site & Surroundings

This level 0.45ha site comprises of a former farmyard, with a number of redundant agricultural buildings and a small area of paddock at the eastern end of the site. It is bounded by the A372 to the north, residential land to the west and south and countryside to the east. There is a recent development of affordable housing on the opposite (northern side) of the road (A372). Currently access to the site and the adjoining farmhouse (the same ownership) is at the western end of the site. The site is situated within the northeastern rural outskirts outside, but adjacent to, the settlement boundary of Othery and is in flood risk zone 1.

Proposal

The current application follows a previous application made under planning application reference: 38/19/00003 which was refused for the following reasons:

1. No reasonable justification in terms of the delivery of affordable housing or self-build/custom build housing has been put forward for this development on a former farmyard site outside the settlement boundary of Othery. As such the proposal does not meet any justification for exceptional development in the countryside as allowed for by policies T4, CO3 or D9 of the local plan and the proposal is therefore contrary to policies S2, T4 and CO1 of the Sedgemoor District Local Plan 2011 to 2032.
2. The proposal, by reason of its layout, design and height of buildings, particularly on the southern boundary of the site, would result in an unacceptable loss of amenity to existing residential properties by reason of over dominance, loss of light and overlooking. As such the proposal is contrary to policy D25 of the Sedgemoor District Local Plan 2011 to 2032.
3. The proposal, by reason of the lack of a local area of play, would fail to provide sufficient quality and quantity of on-site amenity space to the detriment of the amenity of future occupiers. As such the proposal is contrary to policies D2, D25 and D34 of the Sedgemoor District Local Plan 2011 to 2032.
4. It has not been demonstrated that the proposal would safeguard the interests of great crested newts, a protected species that may be using the site. As such the proposal is contrary to policy D20 of the Sedgemoor District Local Plan 2011 to 2032.

The current application remains broadly similar to the previously refused application, with the main differences between the current application and previously refused application being changes to the wider site layout and a reduction from 8 dwellings including 2 two-bedroom bungalows, 2 two-bedroom houses, 2 three-bedroom houses and 2 four-bedroom houses to 7 four-bedroom dwellings including 5 self-build dwellings and 2 open market dwellings. Parking will be provided for each plot in the form of 15 open car-parking spaces and five carports providing 8 further covered car-parking spaces within the wider site curtilage providing which equates to 3 car-parking spaces per dwelling with two additional visitor parking spaces at the eastern end of the site. A new access from the A372 is proposed c.50m to the east to create a staggered junction with the access to the houses opposite. It is stated that, where possible existing hedges would be retained.

The proposal seeks to establish the following matters as part of the current application:

- Principle of Development.
- Means of Access

All other matters such as appearance, landscaping, layout and scale are to be considered at reserved matters stage if the outline application is approved. The proposals do include an illustrative plan to show how the development could be implemented.

Relevant History

Applications Affecting the same BLPU and Overlapping the same Spatial Area:

Reference	Case Officer	Decision	Proposal
38/19/00003	ACN	REF	Erection of 8 No. dwellings on site of existing farmyard to be demolished.
38/23/00012	AGE	PRAA	Application to determine if prior approval is required for a proposed: Change of Use of Agricultural Buildings to No.2 Dwellinghouses (Class C3), and associated building operations.
38/23/00011	AGE	PRAA	Application to determine if prior approval is required for a proposed: Change of use from agricultural buildings to flexible commercial use (Class E).
38/18/00019		WWI	Discharge of Planning Obligation Planning Permission 99/18/00362.
38/17/00008	DT	GTD	Non-material amendment to Planning Permission 38/16/00006 (Erection of six affordable dwellings and formation of access.) to allow for the provision of PV panels to roofs and a minor rearrangement of a window and door position to the rear of plots 1 & 2.
38/17/00005	DT	WDN	Variation of Condition 2 of Planning Permission 38/16/00006 (Erection of six affordable dwellings and formation of access.) to include the provision of photovoltaic panels to dwellings and to alter the window and door arrangements of plots 1 & 2.
38/16/00006	DT	GTD	Erection of six affordable dwellings and formation of access.
38/15/00006	DD	WDN	Erection of six dwellings and formation of access.
38/13/00012	DRT	GTD	Erection of dwelling, garage and formation of access.
38/04/00014	KEP	GTD	Conversion of outbuilding for use as vehicle storage and formation of tennis court.
38/93/00009	SHH	WDN	Erection of a first-floor extension.

Supporting information supplied by the applicant

Application Form.
Design Statement.
Biodiversity Checklist.
Transport Statement.
Ecological Appraisal.
Flood Risk Assessment.
Nutrient Neutral Assessment & Mitigation Strategy.

Consultation Responses

Consultee Name	Summary of Response
Planning Policy	No objections.
Parrett Drainage Board	No objections subject to a condition requiring the provision of a Surface Water Drainage system.

King Alfred 1 - Matthew Martin	No comments or objections received at time of writing.
King Alfred 2 - Harry Munt	No comments or objections received at time of writing.
Othery Parish Council	<p>Objects to the proposals on the following grounds:</p> <ul style="list-style-type: none"> • There needs to be a contaminated land and noise survey. • The application stated that it was a housing needs for Othery which is incorrect as Othery have asked for a new housing needs survey to be undertaken but as yet it has not started but no need appears to be apparent for large four bedroom houses with more need instead for affordable family housing for those with local connections or living in the village. • The last application for this site was for 8 houses which included affordable housing but now having changed to 7 properties they do not have to include affordable housing. • It is outside the planning line and like the last time in 2019 should not be granted. • Somerset has no 5 year plan for housing developments and thus gives a chance for speculative applications. • The proposals do not comply with planning policies D2, D20, D25 and D34 and also the concerns aforementioned should be addressed by T4, CO3 or D9 of the local plan and the proposal is therefore contrary to policies S2, T4 and CO1 of the Sedgemoor District Local Plan 2011 to 2032.
Curry Rivel & Langport 1 - Mike Stanton	No comments or objections received at time of writing.
Curry Rivel & Langport 2 - Richard Wilkins	No comments or objections received at time of writing.
Somerset Council - Civil Contingencies	No comments or objections received at time of writing.
Affordable Housing - Housing Enabling (North)	No comments or objections received at time of writing.
Somerset Highways	No Objections subject to conditions requiring the new access junction, visibility splays and footway link to be implemented as shown on drawing number 227151_PD02 Rev A, the submission of the design, layout, levels, gradients, materials and method of construction for various elements of the wider development (such as roads, footways, sewers etc.), the disposal of surface water in a manner that it does discharge onto the highway, the provision of a properly consolidated and surfaced footway for each dwelling, the submission of a Construction Method Statement (CMS) and the carrying out of a survey of the condition of the adopted highway.
Environmental Health - Somerset Council (Sedgemoor Area), Email Address Only	No objections subject to conditions requiring the provision of an investigation and risk assessment of the nature and extent of contamination on site, submission of a remediation scheme, the submission of a verification report, reporting of unexpected

	contamination, the provision of a Construction Environment Management Plan and a condition restricting any proposed external lighting.
Somerset Waste Partnership	No comments or objections received at time of writing.
Somerset Council - Transport Policy	No comments or objections received at time of writing.
Historic Environment Service/Southwest Heritage Trust (Archaeology)	No objections.
Somerset Council - Ecologist	No objections subject to conditions requiring the implementation of the findings of the Ecology report, the provision of a CEMP, protection of hedgerows and trees from mechanical damage, provision of a LEMP, lighting design for bats and the provision of a BEMP.
Natural England	No objections.
Conservation Officer	No Objections.

Representations

Fifteen neighbours/third parties have been consulted by letter in relation to the current application.

The following is a brief summary of comments received from five neighbours/third parties who object to the proposals on the following grounds:

- Concern about various aspects of the development.
- The proposals would compromise privacy.
- The proposals would increase noise pollution.
- The proposals would lead to increased traffic.
- There is a lack of amenities in the village to support the proposals.
- The impact of the proposals upon wildlife.
- The proposals would lead to increased flood risk.
- The proposals would violate local planning policies.
- There are issues with the proposed layout, design, proximity to existing properties, and potential adverse effects on the environment and quality of life for residents and animals.
- Additionally, a previous planning application for the same site (Planning Application Reference: 38/19/00003) was refused due to similar concerns.
- The objections emphasise the unsuitability of the proposed development for the area.

Most Relevant Policies

National Planning Policies

National Design Guide

National Planning Policy Framework (2023)

Chapter 2 – Achieving Sustainable Development

Chapter 5 – Delivering a Sufficient Supply of Homes

Chapter 6 – Building a Strong, Competitive Economy

Chapter 9 – Promoting Sustainable Transport

Chapter 11 – Making Effective Use of Land

Chapter 12 – Achieving Well Designed Places

Chapter 14 – Meeting the challenge of Climate Change, Flooding and Coastal Change

Chapter 15 – Conservation and Enhancement of the Natural Environment

Chapter 16 – Conservation and Enhancement of the Historic Environment

Footnote 55 – Assessment of Land which may be subject to Sources of Flooding if a Vulnerable Use is Introduced

Annex 3 – Classification of Vulnerable Uses

Sedgemoor Local Plan (2011-2032)

S1 Presumption in Favour of Sustainable Development
S2 Spatial Strategy for Sedgemoor
S3 Infrastructure Delivery
S4 Sustainable Development Principles
S5 Mitigating the Causes and Adapting to the Effects of Climate Change
D1 Flood Risk and Surface Water Management
D2 Promoting High Quality and Inclusive Design
D3 Sustainability and Energy in Development
T4 Tier 4 Settlements – Housing
D9 Self-build and Custom Build Homes
D13 Sustainable Transport and Movement
D14 Managing the Transport Impacts of Development
D19 Landscape
D20 Biodiversity and Geodiversity
D21 Ecological Networks
D22 Trees and Woodland
D24 Pollution Impacts of Development
D25 Protecting Residential Amenity
D26 Historic Environment

Other Material Considerations

Somerset County Council Parking Strategy (September 2013)
Somerset County Council Highways Development Control - Standing Advice (June 2017).
Planning (Listed Buildings and Conservation Areas) Act 1990
Mansell v Tonbridge and Malling BC [2017] EWCA Civ 1314

Main Issues

Principle

The site is outside but adjacent to the settlement boundary of Othery which is designated a tier 4 settlement in the adopted local plan. As a site outside the settlement boundary there is a presumption against residential development unless it can be demonstrated that a local plan policy exception applies. The current application as initially submitted was broadly similar to the previously refused application made under planning application reference: 38/19/00003 in terms of principle in that the proposals did not propose any self-build or affordable housing and instead proposed a new development consisting entirely of market housing as stated on the submitted application form and submitted Design Statement. However, after subsequent discussions with the applicants and their agent, the proposals have been amended to include 5 self-build dwellings and 2 open market dwellings. The applicant has previously secured a Class Q application on the site for 2 dwellings approved under application reference 38/23/00012 which represents a realistic fallback position for the 2 open-market dwellings proposed. Such a fallback position has been established through the case of Mansell v Tonbridge and Malling BC [2017] EWCA Civ 1314, in which it was concluded that that permitted development rights can represent a realistic option to 'trade in' better planned and higher-quality development. The applicants are therefore seeking to secure a better-quality development than the Class Q application, with 7 high-quality dwellings of which 5 would fall under self-build and 2 would replace the previously approved class Q dwellings.

The Parish Council Comments stating that the application confirms a housing needs for Othery which is incorrect as Othery have asked for a new housing needs survey to be undertaken but as yet it has not started are noted. In response to these concerns, although Somerset Council has a 5 year land supply of housing for the Sedgemoor District, Paragraph 70 of the NPPF (2023) recognises that 'small and medium sized sites can make an important contribution to meeting the housing requirement of an area. Furthermore, the proposals do not fall within the green belt and would represent an effective use of vacant underutilised brownfield land and would therefore accord with paragraph 123 of the NPPF which promotes

making effective use of previously developed or brownfield land in meeting the need for homes and other uses. Consultation has also been carried out with the Planning Policy Team who have confirmed that they have no objections to the proposals and that there are 10 people on the register in Othery for a self-build plot and that this proposal would provide 5 self-build dwellings for 5 of the people on the register. The site due to being adjacent to the eastern settlement boundary of Othery would comply with the requirements of Policy D9 of the Sedgemoor District Local Plan 2011 to 2032. Therefore, the principle of the development would now be acceptable as the proposal complies Policies S2, T4, CO1, CO2 and D9 of the local plan and the aims and provisions of the NPPF (2023).

Design and Heritage Impact

Whilst this is an application for outline planning permission, consideration still must be given to the site's size and the capability of providing a development that does not result in a visually unacceptable addition. The site currently comprises of a former farmyard, with a number of redundant agricultural buildings. These agricultural buildings appear to have long been vacant and have therefore fallen into a state of disrepair and neglect. In addition to the removal of these redundant agricultural buildings, the proposals also involve associated landscaping works within the eastern paddock of the site. The proposals will therefore represent a significant improvement in visual terms to the site overall.

The proposal seeks consent for up to seven dwellings, and the indicative site layout provided alongside the current outline application showing the orientation and positioning of the proposed dwellings within the plot demonstrates that the size of the site is considered to be capable of delivering up to this number of dwellings without resulting in a cramped or contrived development. The proposed dwellings would follow the linear layout of the site and would be set back from the highway but would be consistent with properties adjoining the western boundary of the site and would effectively extend the building line of these properties' further eastwards along Load Pool. Opposite the site are six two-storey properties located along Peppard Close which were recently approved on 13th January 2017 under planning application reference: 38/16/00006. The proposals would therefore respect the surrounding pattern of development. While details regarding scale, design and layout would be confirmed at a later date, the submitted Design Statement appears to indicate that the proposals involve the erection of seven four-bedroom 2 storey detached dwellings. In terms of scale and mass, two-storey detached dwellings would be appropriate as the surrounding built form including dwellings on the opposite side of Load Pool along Peppard Close and further westwards along Load Pool as it passes through Othery consist prominently of two-storey detached and semi-detached dwellings. In terms of design, the submitted Design Statement states that the proposed dwellings will draw upon the traditional design of dwellings in the area, using brick or stone in principal elevations, with the occasional use of render to punctuate the street scene and add interest. The proposed dwellings are likely to consist of wide eaves fronted buildings with the use of cropped hipped roofs to some buildings. The proposed dwellings will also incorporate traditional features such as chimneys, door canopies and porches with window proportions similar to that of existing buildings. If the applicant were to use the materials and architectural designs as alluded to in the submitted Design Statement, then these would likely be appropriate as such materials and designs have also been adopted within dwellings closest to the site, specifically, dwellings on the opposite side of Load Pool Peppard Close and further westwards along Load Pool as it passes through Othery.

The application site is situated within the Levels and Moors Landscape Character Area. The application site is not, however, situated within an Area of Outstanding Natural Beauty or a Conservation Area. There are, however, two Grade II Listed buildings namely The Thatch (List Entry Number: 1060089) and Little England Farmhouse situated 40 metres and 67 metres to the south-west of the wider site respectively. In this regard, consultation has been carried out with the Conservation officer, who raises no objections to the proposals. The Conservation Officer felt that no conservation related conditions or controls are required as the proposals would have minimal impact upon the setting and significance of the nearby Grade II listed buildings on the basis of the separation distances between the wider site and Grade II Listed buildings, the intervening field in between the site and nearby Grade II listed buildings and the reinforcing of boundary treatment and hedging around the wider site which is proposed as part of the wider development.

The proposals would therefore accord with policies D2, D19 and D26 of the Sedgemoor Local Plan 2011-2032, the Planning (Listed Buildings and Conservation Areas) Act 1990 and Government guidance

within the NPPF.

Residential Amenity

The proposal would see the erection of seven dwellings, which from the submitted Design Statement appear to be 2 storeys in height. Given the number of residential properties proposed of which some are to be in relatively close proximity to one another, impacts such as overlooking, loss of privacy and loss of light would need to be considered at the reserved matters stage within the detailed design. An indicative site layout has been provided alongside the current outline application showing the orientation and positioning of the proposed dwellings within the plot which appears to be acceptable. However, limited fenestration and elevational designs for the proposed dwellings have been provided alongside the current outline application. Any subsequent reserved matters would need to consider the form, location and direction of windows relative to neighbouring dwellings/gardens. This would include ensuring that the three dwellings within both the eastern and western portions of the site avoid the use of windows to habitable rooms on side elevations which face other newly proposed dwellings within the site.

Environmental Health have also been consulted and raise no objections subject to conditions the provision of a Construction Environment Management Plan and a condition restricting any proposed external lighting. The external lighting condition has been attached. The proposals whilst not major are significant in that they involve the erection of 7 new dwellings. Furthermore, the site due to being adjacent to the eastern settlement boundary of Othery means that during the construction phase, significant disruption caused by lorries and HGVs and other construction traffic accessing the site as well as noise, dust and odours during construction works, is likely to have a significant impact upon the residential amenities of neighbouring and nearby occupiers residing within Othery. Therefore, to mitigate and manage such impacts, a condition requiring the provision of a Construction Management Plan upon the recommendations of Environmental Health is attached. The reserved matters will confirm the location of windows and roof heights but at this stage it is considered that subject to the considerations in this section being carried out, a development of the nature proposed could be permitted without significant harm to residential amenity and potentially comply with Policy D25 of the Local Plan and the aims and provisions of the NPPF (2023).

Standard of Accommodation for Future Occupiers

Limited details have been provided regarding the internal layout of the proposed dwellings as part of the current outline application other than the fact that seven 4-bedroom dwellings are proposed which from the submitted Design Statement appear to be 2 storeys in height. An indicative site layout has been provided alongside the current outline application showing the orientation and positioning of the proposed dwellings within the plot and which indicates that the proposed dwellings are likely to provide satisfactory garden and external amenity space for future occupiers. In any subsequent reserved matters application submission, it would be beneficial to include details of waste and refuse collection points and storage arrangements (such as a screened bin store within the curtilage of the wider site).

The proposed dwellings should provide floorspaces which meet or exceed those recommended under the Nationally Described Space Standards Technical Guidance (2015) for a 4 bed 5-person-2-storey dwelling.

The Parish Council comments in relation to the need for a contaminated land and noise survey are noted. In response to these concerns, it is noted that Environmental Health have been consulted and raise no objections subject to conditions requiring the provision of an investigation and risk assessment of the nature and extent of contamination on site, submission of a remediation scheme, the submission of a verification report and reporting of unexpected contamination. Given the former agricultural use of the site, such conditions would be necessary to protect any future occupiers against any potential contamination which may be present on the site and have therefore been attached. With such conditions attached and aforementioned details included in any subsequent reserved matters application, the proposals are likely to provide a satisfactory living environment for potential future occupiers.

Reason 3 under planning application reference: 38/19/00003 which states that "The proposal, by reason of the lack of a local area of play, would fail to provide sufficient quality and quantity of on-site amenity space to the detriment of the amenity of future occupiers" is noted. In response to this reason for refusal, the proposed development would be too small to require a Local Area of Play on site.

Drainage & Flood Risk

Most of the application site including all 7 proposed dwellings and their footprint are situated within flood zone 1 and not in area with identified critical drainage problems. In any subsequent reserved matters application, it would be beneficial to submit a Landscaping Plan which provides further details of any newly proposed soft landscaping and hardstanding areas throughout the development as well as details of additional tree and hedge planting and details of any boundary treatments throughout the site, in between the proposed dwellings and around the perimeter of the wider site. The applicant has also submitted a Flood Risk Assessment which provides further details about surface water and foul drainage arrangements for the proposals. Any further drainage concerns would be covered under Part H of Building Regulations. As such, with the attachment of flood risk related conditions which require the recommendations outlined within the submitted Flood Risk Assessment to be implemented throughout the lifetime of the development, the development would comply with the requirements of Flood Risk Standing Advice, the National Planning Policy Framework and Policy D1 of the Sedgemoor Local Plan 2011-2032.

Trees and Landscaping

The site does not fall within a 50-metre Tree Protection Buffer Zone of any trees which are subject to Tree Preservation Orders. Furthermore, the western portion of the site which is to contain 5 out of the 7 dwellings consists of a brownfield former farmyard, with a number of redundant agricultural buildings. However, the eastern portion of the site which is to contain 2 out of the 7 dwellings consists of a small area of paddock enclosed by trees and mature hedgerow with planting throughout. The proposals due to involving the creation of additional hardstanding and 2 dwellings within the eastern portion of the site as well as additional landscaping works including additional tree, hedge and other planting within the eastern portion of the site therefore have an impact upon any existing trees/hedging and other natural features currently present within the eastern portion of the site. To address this, conditions have been attached requiring the provision of a landscaping plan showing which trees and hedgerows are to be removed (if any), which trees and hedgerow are to be retained as part of the proposals and any newly proposed hedgerow/tree planting alongside a condition requiring any retained hedgerows and trees as shown on any landscaping plan to be protected from mechanical damage, pollution incidents and compaction of roots in accordance with BS5837:2012 during site clearance works. With such conditions attached, the arboricultural impacts of the proposals would be appropriately mitigated, and the proposals would comply with Policies D20 & D22 of the Sedgemoor Local Plan and the aims and provisions of the NPPF (2023).

Ecology & Biodiversity

The eastern portion of the site falls within the boundary of a National Priority Habitat known as 'Coastal and floodplain grazing marsh'. It is also situated close to several SSSI impact Risk Zones of which some support legally protected species. The proposals would have an impact upon any existing trees/hedging and other natural features currently present within the eastern portion of the site and which may be used as habitats to house local wildlife such as birds, hedgehogs and reptiles. The applicant has submitted an Ecological Appraisal providing details in relation to ecological impacts and recommending enhancement, avoidance, and mitigation measures. Consultation has also been carried out with Somerset Ecology Services and Natural England who both raise no objections to the proposals. However, Somerset Ecology Services have requested conditions requiring the provision of a CEMP, protection of hedgerows and trees from mechanical damage, provision of a LEMP, lighting design for bats and the provision of a BEMP. These conditions alongside a condition requiring the implementation of the findings of the Ecological Appraisal and an informative in relation to legally protected species have been attached to remind the applicant of their legal responsibilities towards protected species, mitigate any potential impacts of the proposals upon legally protected species and ensure that the development promotes potential biodiversity net gains and avoids biodiversity net losses.

Reason 4 under planning application reference: 38/19/00003 which states that "It has not been demonstrated that the proposal would safeguard the interests of great crested newts, a protected species that may be using the site" is noted. In response to this reason for refusal, there are no issues around Great Crested Newt Risk Zones which have been identified as part of the current application or which have been

raised by Somerset Ecology Services.

Given that the proposals are for 5 self-build dwellings, they will also be exempt from Biodiversity Net gain requirements. Furthermore, the application as a minor application was received by Somerset Council on 25th January 2024 and prior to 02nd April 2024 (which was when the Biodiversity Net Gains for minor development came into effect). Therefore, with the above conditions and informatives attached, the proposals would comply with the aims and objectives of policies D20 and D23 of the Local Plan and the aims and provisions of the NPPF (2023).

Somerset Levels and Moors – Phosphates

The site is identified as being within the Somerset Levels and Moors Ramsar Site Catchment Area and more specifically falls within the Parrett Catchment. However, the proposals involve the creation of new foul water drainage connections into existing foul mains which discharge downstream and outside of the Parrett catchment as Othery drains west to Bridgwater which falls outside of the boundary of the Parrett Catchment. The applicant has submitted a Nutrient Neutral Assessment & Mitigation Strategy (Report Ref: Report Ref: NNAMS/251 Rev R1) which concludes that the total phosphorus budget for the site is -0.05kg TP/yr and that the development is therefore nutrient neutral and does not require additional mitigation. Somerset Ecology Services and Natural England also raise no objections to the proposals on phosphate grounds. Somerset Ecology have confirmed that there is no hydrological link between the location of the Sewage Treatment Works this application proposes to connect to and watercourses entering the Somerset Levels and Moors Ramsar. Therefore, it is highly unlikely that a significant effect would occur on the Ramsar feature and a Habitats Regulations Assessment is not required. As such, the proposals are unlikely to add significantly to nutrient loading on the Somerset Levels and Moors Ramsar site. The attachment of a condition requiring all foul water from the development hereby approved to discharge via connection into the Wessex Water mains foul sewer only would ensure that any impact of the proposals on the Ramsar Site can be screened out and that no further phosphate mitigation would be required as part of the current proposals.

Car Parking & Highway Safety

An indicative site layout has been provided alongside the current outline application which provides limited details about the proposed site layout, areas allocated for car-parking and turning, vehicular and pedestrian access to the wider site. The Indicative Site Layout indicates that the proposals involve the creation of a new vehicular access off Load Pool leading into the middle of the site with an access track then branching out to serve dwellings on both the eastern and western sides of the wider site. The Indicative Site Layout demonstrates that the proposals would likely provide sufficient space for the provision of car-parking and manoeuvring of vehicles in a forward gear in and around the site curtilage and in accordance with the guidelines as outlined within the Standing Advice for Planning Applications Somerset Technical Advice Notes 26/22 (2022). Parking will be provided for each plot in the form of 15 open car-parking spaces and five carports providing 8 further covered car-parking spaces within the wider site curtilage providing which equates to 3 car-parking spaces per dwelling with two additional visitor parking spaces at the eastern end of the site. This would represent a level of car-parking which would accord with the Somerset County Council Parking Standards (2013).

Given the location of the wider site adjacent to but outside of the Othery designated settlement boundary, future occupiers could access Othery by bicycle or foot and therefore rely upon any public transport links offered within Othery. However, to encourage sustainable and low carbon methods of transport as per policy D13 of the Sedgemoor Local Plan, any subsequent reserved matters application should show on further submitted plans the location of any electric vehicle charging points (ECVPs) to be provided within the site curtilage for the proposed dwellings. The Indicative Site Layout indicates that the proposals involve the construction of 5 carports, although limited details in the form of elevations, cross-section drawings or floorplans are provided for the proposed carports. Any subsequent reserved matters application should therefore provide elevation, floorplans and cross section drawings of the proposed garages/carports to ensure that they are suitable for providing appropriately covered and secured cycle storage. However, specific technical details of any ECVP's to be provided would not be required in any subsequent reserved matters application as this issue would be more appropriately addressed under Part S of Building

Regulations.

Consultation has also been carried out with Somerset Council Highways who initially objected to the proposals.

Somerset Council Highways further state that, in summary, adequate information has not been submitted to satisfy the Local Planning Authority that the proposal is acceptable in terms of access, road layout, road construction, surface water drainage, and on-site turning facilities contrary to Section 9 of the National Planning Policy Framework (NPPF) and Policy D14 of the Sedgemoor District Council Local Plan (2011 and 2032).

The applicant has submitted further drawings and technical specifications including drawing "Proposed Access and General Arrangements & visibility Assessment" (Drawing No. 227151_PD02 Rev. A) and Swept Path Analysis Refuse Vehicle Turning On-Site (Drawing No. 227151_PD02_AT01) to address the objections raised by Somerset Council Highways. Having re-consulted Somerset Council Highways, they have now withdrawn any objections to the proposals subject to conditions requiring the new access junction, visibility splays and footway link to be implemented as shown on drawing number 227151_PD02 Rev A, the submission of the design, layout, levels, gradients, materials and method of construction for various elements of the wider development (such as roads, footways, sewers etc.), the disposal of surface water in a manner that it does not discharge onto the highway, the provision of a properly consolidated and surfaced footway for each dwelling, the submission of a Construction Method Statement (CMS) and the carrying out of a survey of the condition of the adopted highway.

With all of the above conditions including those recommended by Somerset Council Highways attached, the development would comply with Policies D13 & D14 of the Local Plan and relevant guidance within the NPPF (2023).

Historic Environment

The wider site is bounded to the north by the public highway of Load Pool which is designated as an archaeological site with a specific archaeological classification of Eighteenth-century Turnpike Road, West Town, Huish Episcopi to Fowlers' Mead Drove, Bridgwater Without. As such, consultation has been carried out with Southwest Heritage Trust (Archaeology) who advise that there are limited to no archaeological implications to the proposals and therefore raise no objections. As such, no further archaeological information, or controls are required.

Conclusions

The principle of the development would be acceptable as the proposal complies with policies S1, S2 & D9 of the Sedgemoor Local Plan (2011-2032). The proposal for outline consent, with all matters reserved except for access, for the erection of 5 self-build dwellings and 2 open market dwellings along with associated works is therefore considered acceptable subject to detailed consideration of reserved matters, and subject to appropriate conditions.

RECOMMENDATION

GRANT PERMISSION

- 1 Approval of the details of the Design (including appearance, landscaping, layout and scale), (hereinafter called "the reserved matters") shall be obtained from the local planning authority in writing before any development is commenced.

Plans and particulars of the reserved matters referred to above shall be submitted in writing to the local planning authority and shall be carried out as approved.

Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.

The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reasons: The application was submitted as an outline application in accordance with the provisions of Article 5(1) of the Town and Country Planning (Development Management Procedure) Order 2015. In accordance with the provisions of Section 92 of the Town and Country Planning Act, 1990 (As amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

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

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

- 3 No development on the elements listed below in any subsequent reserved matters application shall commence until the following information has been submitted to the Local Planning Authority. For this purpose, plans

and sections, indicating as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority:

- a) estate roads.
- b) Footways.
- c) tactile paving.
- d) cycleways.
- e) Sewers.
- f) retaining walls.
- g) service routes.
- h) vehicle overhang margins.
- i) Embankments.
- j) visibility splays.
- k) carriageway gradients.
- l) drive gradients.
- m) hard and soft structural landscape areas.
- n) pedestrian and cycle routes and associated vehicular accesses and crossings.
- o) means of enclosure and boundary treatment.
- p) street lighting and street furniture.
- q) all new roundabouts and junctions.
- r) proposed levels.
- s) highway drainage.
- t) swept path analysis for a vehicle of 10.4m (3-axle) length.
- u) central pedestrian reserves, bollards and lighting.
- v) service corridors.

Once approved the construction of the development shall be carried out in accordance with the agreed details prior to first occupation.

Reason: The agreement of the above details prior to the commencement of development is fundamental to ensure the implementation of the development is

carried out in the interests of highway safety and public convenience, to prevent loose debris, stones, gravel and similar non-compacted material from being deposited onto the County highway and to prevent flooding of the highway, in accordance with Policies D1, D13 and D14 of the Sedgemoor Local Plan (2011 – 2032) and relevant guidance within the NPPF (2023).

- 4 No part of the development hereby permitted shall be occupied until the new access junction, visibility splays and footway link shown on drawing number 227151_PD02 Rev A has been carried out in accordance with a design and specification to be submitted to and approved in writing by the Local Planning Authority and to be fully implemented in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety and as per policies D13 and D14 of the of the Sedgemoor Local Plan.

- 5 During the course of carrying of the development hereby permitted, the recommendations outlined within sections 5, 6 & 7 of the submitted Flood Risk Assessment (SLR Project No.: 425.000696.00001) published SLR Consulting Limited and dated 30th November 2023 shall be carried out, completed during the development and thereafter maintained for the lifetime of the development.

Reason: To prevent the increased risk of flooding in accordance with the National Planning Policy Framework and Policy D1 of the Sedgemoor District Local Plan.

- 6 Prior to first use of the development hereby approved, a landscaping plan showing:

1. Details of newly proposed hard and soft boundary treatments.
2. Details of any newly proposed hardstanding and softstanding areas.
3. Which trees and hedgerows are to be removed (if any).
4. Which trees and hedgerow are to be retained.
5. Any newly proposed hedgerow/tree or other planting (including planting schedules).

shall be submitted to and approved in writing by the local planning authority. The approved plan shall be implemented no later than the end of the first planting season following first occupation of the development hereby approved. All landscape areas shall be protected and maintained, and any trees or plants which, within a period of five years from the completion of the planting, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species unless the LPA has given its written consent to any variation.

Reason: In the interests of visual amenity and in accordance with the NPPF (2023) and Policies D2, D19 and D20 of the Sedgemoor District Local Plan.

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

Reason: A pre-commencement condition is required in the interests of European and UK priority species and habitats listed on s41 of the Natural Environment and Rural Communities Act 2006 and in accordance with Sedgemoor District Council

- 8 No development shall commence in any subsequent reserved matters application until an investigation and risk assessment of the nature and extent of contamination on site and its findings have been submitted to and approved in writing by the Local Planning Authority. This assessment shall be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. The assessment shall consider all previous uses and shall be conducted in accordance with the Environment Agency's 'Land Contamination Risk Management (LCRM)'.

The assessment and written submission shall include:

- (i) a survey of the nature, extent and significance of any contamination;
- (ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal and justification for the preferred option(s).

Reason: In order to ensure that the land is suitable for the intended uses and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and in accordance with sections 11 and 15 of the National Planning Policy Framework. This is a condition precedent because the works comprising the development have the potential to uncover harmful contamination. Therefore these details need to be agreed by submission of an assessment report before work commences in addition to any assessment provided with the planning application. This condition does not restrict commencement of enabling works provided that these may be demonstrated to be entirely for the purposes of ground investigations deemed necessary to inform the risk assessment.

- 9 No development shall commence (other than agreed works required to carry out investigations) in any subsequent reserved matters application until a detailed remediation scheme (if required under con to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, controlled waters, ecological systems, buildings and other property and sites of historical interest, has been submitted to and approved in writing by the Local Planning Authority, unless the findings of the approved investigation and risk assessment concludes that a remediation scheme is not required.

The scheme shall include:

- (i) all works to be undertaken;
- (ii) proposed remediation objectives and remediation criteria;
- (iii) timetable of works and site management procedures and where the site is to be developed in phases, a phasing plan identifying any specific protection measures;
- (iv) where required, a monitoring and maintenance programme to monitor the long- term effectiveness of the proposed remediation and a timetable for the submission of reports that demonstrate the effectiveness of the monitoring and maintenance carried out.
- (v) where required, additional contingency measures designed to safeguard

future users and receptors.

The remediation scheme shall be designed to ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

The development shall not commence in any subsequent reserved matters application until the approved remediation scheme has been carried out, excepting those works required to carry out remediation, or in accordance with the approved timetable of works.

Reason: In order to ensure that the land is suitable for the intended uses and to ensure that the development can be carried out safely without unacceptable risks to human health, controlled waters and other offsite receptors and in accordance with sections 11 and 15 of the National Planning Policy Framework. This is a condition precedent because the works comprising the development have the potential to uncover or affect pathways for harmful contamination. Therefore, these details need to be agreed before work commences.

- 10 No occupation shall commence in any subsequent reserved matters application or where the site is subject to an already approved phasing plan, there shall be no occupation of any part of each phase, until a verification report has been submitted to and approved in writing by the Local Planning Authority, unless the findings of the approved investigation and risk assessment has confirmed that a remediation scheme is not required. The verification report shall confirm that the approved remediation has been completed and demonstrate the effectiveness of the remediation carried out.

Reason: In order to ensure that the land is suitable for the intended uses and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and in accordance with sections 11 and 15 of the National Planning Policy Framework.

- 11 In the event that contamination which was not previously identified is found at any time when carrying out the approved development, it shall be reported in writing immediately to the Local Planning Authority and further development works shall cease unless alternative arrangements have been first agreed in writing with the Local Planning Authority. An investigation and risk assessment shall be undertaken and where remediation is necessary, a revised remediation scheme shall be submitted to and approved in writing by the Local Planning Authority. The revised scheme shall thereafter be implemented as approved. The requirements of this condition shall also apply if other circumstances arise during the development, which require a reconsideration of the approved remediation scheme.

Reason: In order to ensure that the land is suitable for the intended uses and to ensure that the development can be carried out safely without unacceptable risks to human health, controlled waters and other off-site receptors and in accordance with Policies 024 and 025 of the Sedgemoor Local Plan and section 11 and 15 of the National Planning Policy Framework.

- 12 No development shall commence in any subsequent reserved matters application including site clearance, groundworks or construction, unless a Construction Method Statement (CMS) to manage the impacts of construction during the life of the works, has been submitted to and approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the demolition/construction period. The plan/statement shall provide for:

- a) Measures to regulate the on-site routing of construction traffic;
- b) The importation of spoil and soil on site;
- c) The removal /disposal of materials from site, including soil and vegetation;
- d) The location and covering of stockpiles;
- e) Details of measures to prevent mud from vehicles leaving the site and must include wheel- washing facilities;
- f) Control of fugitive dust from earthworks and construction activities; dust suppression measures;
- g) Noise and Vibration control plan (which includes control methods) to include mitigation measures as defined in BS 5528: Parts 1 and 2: 2009 'Code of practice for noise and vibration control on construction and open sites' shall be used to minimise noise or vibration disturbance from construction works;
- h) A waste disposal policy (to include no burning on site);
- i) Measures for controlling the use of site lighting whether required for safe working or for security purposes;
- j) Details of any site construction office, compound and ancillary facility buildings;
- k) Specified on-site parking for vehicles associated with the construction works and the provision made for access thereto;
- l) A point of contact (such as a Construction Liaison Officer/site manager) and details of how complaints will be addressed, including an appropriate phone number.
- m) Prevention of nuisance caused by radios, alarms, PA systems or raised voices.
- n) 24-hour emergency contact number
- o) Hours of operation.
- p) Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction).
- q) Routes for construction traffic.
- r) Locations for loading/unloading and storage of plant, waste and construction materials.
- s) Measures to protect vulnerable road users (cyclists and pedestrians).
- t) Any necessary temporary traffic management measures.
- u) Arrangements for turning vehicles.
- v) Arrangements to receive abnormal loads or unusually large vehicles.
- w) Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

And shall confirm:

That noise generating activities shall not occur outside of the following hours:

- Mon - Fri 08:00-18:00
- Sat 08:00 -13:00
- All other times, including Sundays, Bank and Public Holidays there shall be no such noise generating activities.

The details so approved and any subsequent amendments as shall be agreed in writing by the Local Planning Authority shall be complied with in full and monitored by the applicants to ensure continuing compliance during the construction of the development.

Reason: To ensure that safe operation of the highway and minimise the effect of noise, odour and dust from the construction phase of development on occupiers of nearby properties in the interests of residential amenity and sustainable development, in accordance with Policies D24 and D25 of the Sedgemoor Local

Plan and Chapter 15 of the NPPF.

This is a pre-commencement condition because any initial construction or demolition works could have a detrimental impact upon highway safety and/or residential amenity.

- 13 All external lighting shall only directly illuminate the application site and shall be fully adjustable and shall be maintained as such thereafter.

Reason: To prevent excessive lighting and protect the residential amenity of occupiers in accordance with Policies D24 and D25 of the Sedgemoor Local Plan.

- 14 No development shall be delivered in any subsequent reserved matters application (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include the following:

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction.
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons, lines of communication and written notifications of operations to the Local Planning Authority.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.
- i) Ongoing monitoring, including compliance checks by a competent person(s) during construction and immediately post-completion of construction works.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the 'Favourable Conservation Status' of populations of European protected species and in accordance with policies D20, D21 and D23 of the Sedgemoor Local Plan (2011-2032).

- 15 A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the Local Planning Authority prior to commencement of the development. The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organization responsible for implementation of the plan.
- h) On-going monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the

management body or bodies responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: In the interests of the 'Favourable Conservation Status' of populations of European and UK protected species, UK priority species and habitats listed on s41 of the Natural Environment and Rural Communities Act 2006 and in accordance with Policies D20, D21 and D23 of the Sedgemoor Local Plan (2011-2032).

- 16 Prior to construction above damp-proof course level, a lighting design for bats and other light sensitive species, following Guidance Note 08/23 - bats and artificial lighting at night (ILP and BCT 2023), shall be submitted to and approved in writing by the Local Planning Authority. The design shall show how and where external lighting will be installed (including through the provision of technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory. The design should accord with Step 4 and Step 5 of Guidance Note 08/23, including submission of contour plans illustrating Lux levels. A dark corridor shall be implemented on at least the southern boundary, eastern boundary, and eastern SuDS area. All external lighting shall be installed in accordance with the specifications and locations set out in the design, and these shall be maintained thereafter in accordance with the design. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

Reason: In the interests of the 'Favourable Conservation Status' of populations of European protected species and in accordance with Sedgemoor District Council Local Plan: Policy D20 - Biodiversity and Geodiversity.

- 17 A Biodiversity Enhancement, Mitigation and Monitoring Plan (BEMMP) shall be submitted to, and be approved in writing by, the Local Planning Authority prior to the commencement of the development. This may be submitted in the form of a Landscape Masterplan and planting scheme supported by a written report. The mitigation/enhancements should be retained thereafter and should include the following:
- a) At least 6 separate provisions for nesting birds delivered within the site to include a mix of nest types (e.g. 32mm hole, open fronted) and specific provisions for swifts and swallows.
 - b) All hedgerows will be retained where possible (unless otherwise agreed i.e for access) and sensitively managed for biodiversity. Hedgerows should be managed to promote a greater range of age classes and native species through appropriate planting and management of hedgerow species and understorey. Replacement hedgerow will be delivered within the landholding to compensate for that lost and must comprise species that fit in with the local natural environment, such as blackthorn, guelder rose, blackthorn. Details of the cultivation method proposed, and a planting schedule shall be included.
 - c) Any newly lawned areas should be turf and/or seed mixes that comprise native, species rich mixtures (such as Emorsgate seeds Ell Flowering Lawn Mixture) that respond well to the proposed mowing schedule (e.g. the aforementioned seed mix responds well to regular short mowing). The planting and ongoing management for the retention of these areas shall be specified.
 - d) Installation/construction of at least 2x deadwood log refugia pile as a shelter for reptiles, invertebrates, amphibians and small mammals. Advice can be found here:

Log Piles for Wildlife I Garden Advice - The RSPB.

e) Sensitive management practices and planting will be implemented to improve the condition of the UKBAP Priority Habitat - Coastal and Floodplain Grazing Marsh. This shall include the proposed SuDS feature, ditch (if under the control of this landholding) and riparian areas. Guidance on these practices can be found here: Coastal and floodplain grazing marsh - Buglife.

f) Provision of additional planting and sensitive management of the site for brown hairstreak and wall butterflies.

Reason: In accordance with Government policy for the enhancement of biodiversity within development as set out in paragraph 174(d) of the National Planning Policy Framework.

- 18 Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to and approved in writing by the Local Planning Authority. Such provision shall be installed prior to development above damp-proof course level and thereafter maintained at all times.

Reason: To prevent the increased risk of flooding in accordance with the National Planning Policy Framework and to comply with the requirements of policy D1 of the Sedgemoor Local Plan (2011-2032) and Somerset County Council Highways Development Control - Standing Advice (June 2017).

- 19 Prior to first occupation of the development hereby approved, further submitted plans showing the location of any electric vehicle charging points (ECVPs) to be provided within the site curtilage for the proposed dwellings shall be submitted to the Local Planning Authority. The approved scheme must thereafter be maintained, kept free from obstruction and available for the purpose specified in perpetuity.

Reason: To ensure provision of an EVCP for low emission vehicles travelling to and from the proposed dwellings given their location outside of the designated Othery Settlement Boundary and as part of the transition to a low carbon economy as per D13 and D14 of the Sedgemoor Local Plan (2011 – 2032).

- 20 Details of the elevation, floorplans and cross section drawings of the proposed carports/garages (including dimensions, materials, technical specifications) shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development hereby approved and as part of any subsequent reserved matters application. Provision shall thereafter be implemented and maintained in accordance with the approved details.

Reason: To ensure that the proposed carports/garages are suitable for providing appropriately covered and secured cycle storage encourage which in turn will encourage the uptake of sustainable transport methods to and from the proposed dwellings given their location outside of the designated Othery Settlement Boundary and as part of the transition to a low carbon economy as per D13 and D14 of the Sedgemoor Local Plan (2011 – 2032).

- 21 No development shall take place in any subsequent reserved matters application (including investigation work, demolition, siting of site compound/welfare facilities) until a survey of the condition of the adopted highway has been submitted to and approved in writing by the Local Planning Authority. The extent of the area to be surveyed must be agreed by the Highways Authority prior to the survey being undertaken. The survey must consist of:

- A plan to a scale of 1:1000 showing the location of all defects identified.

- A written and photographic record of all defects with corresponding location references accompanied by a description of the extent of the assessed area and a record of the date, time and weather conditions at the time of the survey.

No building or use hereby permitted shall be occupied or the use commenced until any damage to the adopted highway has been made good to the satisfaction of the Highway Authority.

Reason: In the interests of highway safety and as per policies D13 and D14 of the of the Sedgemoor Local Plan.

- 22 The proposed roads, including footways and turning spaces where applicable, shall be constructed in such a manner as to ensure that each dwelling before it is occupied shall be served by a properly consolidated and surfaced footway and carriageway to at least base course level between the dwelling and existing highway.

Reason: In the interests of highway safety and as per policies D13 and D14 of the of the Sedgemoor Local Plan.

- 23 During the course of carrying of the development hereby permitted, the recommendations outlined within section 4 of the submitted Ecological Appraisal Issue One published by Crossman Associates (Reference: G1138.002) dated 29th November 2023 shall be carried out, completed during the development and thereafter maintained.

Reason: In the interests of the 'Favourable Conservation Status' of populations of European protected species and in accordance with policies D20, D21 and D23 of the Sedgemoor Local Plan (2011-2032).

- 24 Prior to the first occupation of the development hereby approved, all foul water from the development hereby approved shall discharge via connection into the Wessex Water mains foul sewer and maintained thereafter in perpetuity. No other means of disposal of foul water shall be permitted.

Reason: To ensure that the proposal does not negatively impact upon the Somerset Levels and Moors Ramsar site (due to an increase in nutrient loads (phosphorous) from foul waste) in accordance with Sedgemoor Local Plan 2011-2032 Policy D20.

Schedule A

Site Location Plan Drg No. 13226/001

Proposed Access and General Arrangements & visibility Assessment" Drawing No. 227151_PD02 Rev. A

Swept Path Analysis Refuse Vehicle Turning On-Site Drg No. 227151_PD02_AT01

DECISION
