

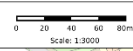
Application Details	
Application Reference Numbers:	19/01871/REM
Application Types:	Reserved Matters Application
Extension of Time:	25/04/25
Description:	Reserved matters application pursuant to outline permission (15/02347/OUT, granted 21/06/2016) for the approval of appearance, landscaping, layout & scale comprising 162 houses with a road linking Torbay Road with Station Road and associated public open space, landscaping and engineering works.
Site Address:	Land Os 1445 Part Torbay Road Castle Cary Somerset BA7 7DT
Parish:	Castle Cary Parish
Conservation Area:	No
Somerset Levels and Moors RAMSAR Catchment area:	Yes
AONB:	No
Case Officer:	Rachael Moon (Principal Planning Officer)
Agent:	Persimmon Homes Ltd.
Applicant:	Persimmon Homes Ltd.
Reason for reporting application to Members:	The application is a major planning application and has a contrary comment from the Parish Council.

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Somerset Council

Author:

Date: 01/04/2025



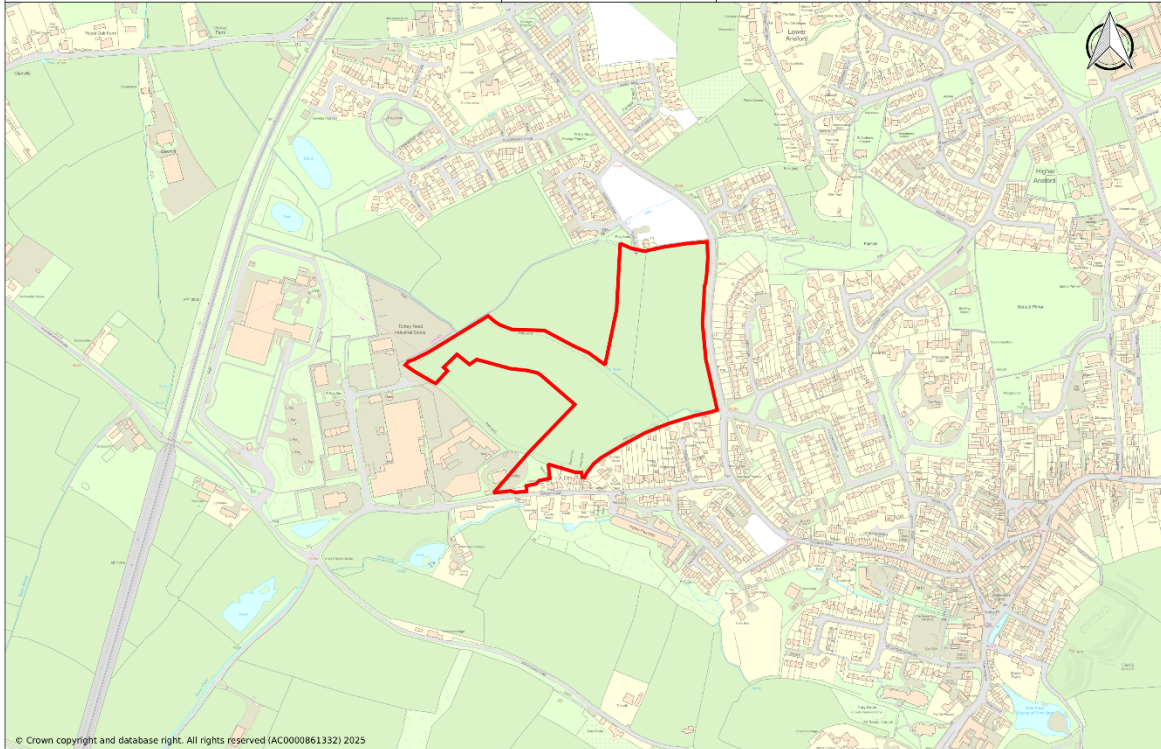
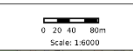
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Author:

Date: 01/04/2025



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1. Recommendation

- 1.1 That planning permission be **GRANTED** subject to the stated planning conditions and the obligations within the S106 Agreement (dated 17/06/2016) associated with the outline permission.

2. Executive Summary of key reasons for recommendation

- 2.1 The proposal would result in the delivery of 162 dwellings which would include the provision of 35% affordable homes (57 dwellings) in accordance with Policy HG3 and as secured through the outline planning application. Given the housing land supply equivalent to 2.11 years the provisions of paragraph 11dii of the National Planning Policy Framework published December 2024 (NPPF) apply and therefore the tilted balance is in force. The principle of the development and the scale of residential accommodation is already established through the outline. There has been no material change to remove this fact, so careful consideration has to be given to the significance of any harm identified.
- 2.2 There is substantial need for affordable housing and therefore substantial weight is given to the delivery of 35% of the proposed dwellings as affordable housing in accordance with LP Policy HG3.
- 2.3 There would be temporary economic benefits during the construction phase, through the use of locally sourced materials, and future occupiers would contribute to local services and given the overall number of dwellings proposed there is moderate weight to these benefits.
- 2.4 The scheme makes adequate provision in respect of ecological mitigation, including phosphate mitigation through credits and as secured by condition. These are neutral factors in the planning balance, as are the remaining mitigations measures proposed in the outline S106 planning obligations.
- 2.5 Statutory consultees have reviewed the proposal and, subject to the specified conditions on this application and the outline application and have raised no objection. Objections have been received however from Castle Cary Town Council and the Campaign to Protect Rural England (CPRE). These are addressed in the relevant sections of the report.
- 2.6 In weighing all the above it is considered that the proposed development accords with the established principle of development and delivers significant benefits, particular in providing much-needed housing, including 35% affordable housing in line with Policy HG3. The scheme appropriately mitigates its impacts through the proposed S106 legal agreement and other measures, ensuring compliance with relevant policy requirements. As there are no material conditions that would undermine

the previously approved outline consent, the recommendation is that Reserved Matters approval be granted, subject to conditions.

3. Planning Obligations, conditions and informative

3.1 Obligations

Obligations are already secured by the S106 Agreement (dated June 17th, 2016), attached to the Outline application.

3.2 Conditions

01. Development Start Timescale:
02. Plans List & Approved Development:
03. Electric Vehicle Charging:
04. Parking Spaces/Turning Spaces:
05. Surface Water Disposal:
06. Access Gradient:
07. Interim Surface Water Drainage Strategy (Construction Phase):
08. Securing The Acquisition of Third-Party P-Credits Where a Section 106 Agreement with the P-Credit Provider Is in Place:
09. Standard Water Usage
10. Landscape And Ecological Management Plan (LEMP)
11. Badger Licence
12. Lighting For Biodiversity
13. Approval Of Trees to Be Retained
14. Protection Of Trees During the Works
15. Provision For Tree Planting
16. Protection Of Trees Post Development
17. Public Footpath Provision and Retention
18. Pedestrian Access and Connectivity – Road Crossing
19. Pedestrian Access and Connectivity – Links to Wider PRow Network
20. Lighting Scheme for Public Rights of Way

3.3 Informatives:

01. Securing The Acquisition of Third-Party P-Credits Where a Section 106 Agreement with the P-Credit Provider Is in Place
02. Estate Road Adoption
03. Surface Water Drainage Details Guidance
04. Surface Water Discharge Rates
05. LLFA Local Design Standards and Checklist for Discharge of Conditions Stage
06. Education
07. Asbestos Containing Materials
08. Surface water disposal

4. Proposed development, Site and Surroundings

Details of proposal

- 4.1 This reserved matters application seeks approval for the appearance, landscaping, layout, and scale of a residential development comprising 162 dwellings. The application follows the outline planning permission granted in June 2016 under application reference 15/02347/OUT. The outline applications reserved all matters except for access. 57 of the new 162 homes are proposed to be delivered as affordable housing (35% of the total units).
- 4.2 The outline permission was approved subject to a variety of conditions, none of which the current application conflicts with. The outline permission was also subject to a Section 106 Agreement which secured a Travel Plan, the provision of 35% of the units as affordable housing, off-site contribution towards outdoor play space, sport and recreation facilities, the provision of onsite play equipment / open space and contributions towards education provision.
- 4.3 The proposed scheme includes the construction of a link road with two points of access (granted under 15/02347/OUT), with associated public open space, landscaping and engineering works. The proposed primary vehicular access connects Torbay Road with Station Road, providing connectivity for the development. This follows the principles of the outline consent. Secondary streets lead off these primary routes and shared surfaces are provided at key junctions where footpaths lead across the main vehicular routes.
- 4.4 Note that this Reserved Matters application excludes 2 Ha of employment land and 2.03Ha area of land set aside for a potential new primary school both of which were included in the original outline application. The details of these sites are to come forward via separate Reserved Matters applications.
- 4.5 This application was presented to the Quality Review Panel (QRP) following a site visit on 24th June 2024. The panel provided feedback on key design aspects, including layout, connectivity, public space, and placemaking. In response, the scheme was adjusted where feasible to address their concerns, ensuring improvements in permeability, green infrastructure, and integration of play and natural surveillance. The detailed comments from the QRP and corresponding design refinements are outlined in the following sections.

Site and surroundings

- 4.6 The application site comprises an area of land extending to approximately 8.53 ha, located north of Torbay Road and west of Station Road to the northwest of Castle Cary centre.
- 4.7 The site is broadly surrounded by existing development. Existing residential areas are located to the north, east and south. To the west is an employment area. The residential developments to the north of the site are recently

constructed – 125 houses to the north-west of the site at Mulberry Meadows include a mix of brick, render and stone properties of traditional character fronting onto a central green space and play area. Immediately north of the site, Woodforde Meadow is a smaller development of stone/ rendered properties with a small play area. North-east of Station Road, Lovels Farm is a development of 74 dwellings of a more contemporary character with buff brick properties fronting onto green space. Weavers Field includes 37 dwellings on the eastern side of Station Road, north-east of the site with a mix of render and orange brick properties.

- 4.8 The site slopes from Station Road to the west and is currently in agricultural use, comprising 2 fields. There are public footpaths along the south and southwest sides of the site. The site contains existing trees and hedgerows to be retained, in addition to a stream.
- 4.9 The site is within the 'Direction of Growth' (DoG) for the town as set out in Policy LMT1 of the South Somerset Local Plan (2006 – 2028).
- 4.10 The application site is adjacent to the Castle Cary Higher Flax Mills Conservation Area. The site is identified as an area of Archaeological Importance – the Flax Retting Pond to the west corner. The site is also adjacent to the Castle Cary and Ansford Area of High Archaeological Potential.
- 4.11 The application site lies within Flood Zone 1 (low risk) and there are two existing public right-of-ways (PRoW) which follow the south and south-east boundaries (ref. WN 6/30 and ref. WN 6/34), linking to Torbay Road and Station Road and a further PRoW to the north.

5. Relevant Planning History

5.1 15/02347/OUT Outline Permission Granted 21/06/16:

Outline permission (15/02347/OUT) was granted for up to 165 houses, 2Ha of Employment land, a school and associated green space. 15/02347/OUT was an identical resubmission of a previous application (14/02020/OUT).

5.2 14/02020/OUT was refused for the following reason – decision issued 22/04/15:

It has not been adequately demonstrated that the local road network can satisfactorily accommodate the level of traffic likely to be generated by this development without severe adverse impact on highways safety. As such the proposal is contrary to policy TA5 of the South Somerset Local Plan 2006-2028 and the policies contained within the National Planning Policy Framework.

5.3 12/04789/EIASS Negative Screening Opinion given – Environmental Impact Assessment not required – decision issued 02/01/2013

Subsequently this Opinion was challenged, and the applicant sought a Screening Direction from the Secretary of State to confirm the negative Screening Opinion given by the Council. Care4Cary also approached the SoS raising concerns that the cumulative impacts of current development proposals had not been fully considered. After considerable delay the National Planning Casework Unit, on behalf of the SoS, referred this matter back to the Council (27/01/15) to 're-screen' the proposal in light of the passage of time and submission of further application.

5.4 15/00460/EIASS Further negative Screening Opinion given (13/02/15), this concluded:

"... the Council is of the opinion that the proposed development of up to 165 houses, 2 hectares of employment land and school site would not, on its own or when considered cumulatively with other developments in the locality, have significant environmental effects beyond the locality. Such local impacts would not be of such significance that an environmental impact assessment under the above regulations is required. Accordingly, an environmental statement is not required for the purposes of environmental impact assessment."

An assessment of potential cumulative traffic impact and an odour assessment was requested to support the application.

6. Habitat Regulations Assessment

- 6.1 The applicant has submitted a shadow Habitat Regulations Assessment (sHRA) and a Nutrient Neutrality Assessment (NNAMS) to demonstrate phosphate neutrality relative to the Somerset Levels and Moors Special Protection Area ('SPA'). A calculation has been undertaken to ascertain the amount of phosphate the development is likely to create after the treatment plant process and has offered mitigation by effectively stopping the equivalent amount being released elsewhere in the catchment.
- 6.2 This development of 162 new dwellings will discharge to Castle Cary Wastewater Treatment Works (WWTW). A Phosphorus budget of 9.71kg/P/yr has been calculated for the proposed development. There is currently no permit set for phosphorous, therefore in line with the Somerset Phosphate Budget Calculator, the current discharge at the treatment works is assumed to be 5mgTP/L. Castle Cary WWTW is set to have a permit upgrade by December 2024 under AMP7, which will set a permit of 0.5mgTP/L. The site falls within two operational catchments providing different potential hydrological connections to the Ramsar site. The change in land use from agricultural land to development with open space will result in a net increase in phosphates of up to 1.52kg/yr from land use change (in the Brue and Axe catchment) and 8.20kg/yr from the WwTW (in the Parrett catchment).
- 6.3 Mitigation for the phosphorous load of the proposed development will be provided through the purchase of private credits. The client has agreed to purchase 1.52kgTP/yr of Nutrient Neutrality Credits for the Brue and Axe

catchment as well as 8.20kgTP/yr of Nutrient Neutrality Credits for the Parrett catchment. The purchase of 9.72kgTP/yr of credits in total will allow the entire proposed development to achieve neutrality in the post-AMP7 scenario.

- 6.4 Allocation agreements have been signed and reservation fees paid to secure off-site phosphorous credits from Hackworthy Ltd and Woodrow Dairy Ltd respectively. Woodrow Dairy Ltd. pertains to mitigation at Woodrow Farm in the river Parrett sub-catchment, which is an agreed nutrient generation scheme which has produced nutrient credits within the Parrett Catchment by way of cessation of dairy farming purposes and changed to an Orchard and meadow plantation. Hackworthy Ltd. pertains to mitigation at Yew Tree Farm in the river Brue sub-catchment, which is an agreed nutrient generation scheme which has produced nutrient credits by way of cessation of dairy farming purposes).
- 6.5 As the competent authority, the Local Planning Authority is required by Regulation 63(1) of the Conservation of Habitats and Species Regulations 2017, to undertake an Appropriate Assessment of the implications of the development in view of the Ramsar site's conservation objectives. The LPA may only to agree to the proposal after having ascertained that it will not adversely affect the integrity of the Ramsar site.
- 6.6 Both the Council's ecologist and Natural England are satisfied that the proposed measures would mitigate the impact of the proposed development, either alone or in combination with other plans and projects, so that there would be no adverse effect upon the integrity of the Ramsar/SPA. On that basis the Council, as the competent authority, has adopted the Habitat Regulation Assessment to fulfil its responsibilities under Regulation 63 the Conservation of Habitats and Species Regulations 2017 (as amended).
- 6.7 Subject to securing the implementation and maintenance of the mitigation strategy through the s106 Agreement, it is considered that the proposed development will not adversely effect on the integrity of the Ramsar Site (Regulation 63(5)).

7. Consultation and Representations

Statutory consultees (the submitted comments are available in full on the Council's website).

7.1 Statutory Consultees

- 7.2 It should be noted not all statutory consultees are consulted on all planning applications. The circumstances for statutory consultation are set out in Section 18 of the Town and Country Planning (the Development Management Procedure) (England) Order 2015.
- 7.3 A summary of the latest/final comments is made, the Council's website should be viewed to see the full representation and or previous representations which have been superseded.

Statutory consultee	Consultee Comments and Officer Comment
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**Castle Cary
Council**

- Design & appearance, impact on public visual amenity:

Lack of Public Engagement and Transparency

The application process has insufficiently informed the broader community of Castle Cary, with updates restricted to council members. Given the scale of this development and its potential impact, the public should be actively involved through open communication channels such as public forums, blogs, social media, and email, allowing for genuine community input

Architectural Design Fails to Reflect Local Vernacular

The proposed use of reconstituted stone and generic house designs does not respect Castle Cary's local character and aesthetic. These designs are generic and uninspired, resulting in "cookie-cutter" housing that is inconsistent with the historical and architectural charm of the area. A more creative, locally sensitive approach is required to preserve the town's unique identity.

- Layout & density of building

Affordable Housing Placement Reinforces Socioeconomic Segregation

The proposed clustering of affordable housing, with units separated by market-rate properties and limited to groups of no more than 12, appears to encourage socio-economic segregation rather than true integration within the community. This configuration feels more like a tick-box exercise than a genuine effort to build a cohesive neighbourhood.

- Access, highways safety or traffic generation

Inadequate Traffic Impact Assessment

The traffic assessment for this development is outdated and fails to consider the cumulative effect of recent approvals for other large-scale developments. The increased strain on local roads will compromise safety, especially for pedestrians, and has not been adequately evaluated. The full implications for local infrastructure must be thoroughly reassessed.

Outdated and Insufficient Transport Plans

The transport plans, based on the original outline application, are now outdated due to the approval of other developments that have added to the local population and infrastructure demand. A revised transport assessment is essential to address

the potential impacts on local traffic flow, safety, and residents' quality of life.

Inadequate Provisions for Pedestrian and Cyclist Safety

The latest plans disregard the need for safe pedestrian and cycle routes, particularly along Station Road, which is known to be hazardous for cyclists and pedestrians. Given the development's scale, the provision of new pavements, cycleways, and traffic calming measures along this route should be prioritised to ensure public safety.

- *Flood Risk*

Risky Flood Management via Attenuation Pond

While the attenuation pond is intended to control runoff, it presents a significant flood risk for downstream areas. This solution lacks a comprehensive management plan, and the flood assessments are based on outdated rainfall data that fail to consider the likelihood of increasing extreme weather events. Effective flood prevention requires a more forward-thinking and robust strategy.

- *Other*

Inadequate and Superficial Sustainability Measure

Ignoring Energy Hierarchy and Fabric-First Approach

The sustainability approach for this development, which relies largely on PV panels and heat pumps, fails to adhere to the energy hierarchy or the fabric-first principle, both essential to effective energy efficiency. Instead of prioritising high-quality materials and insulation to minimise energy demand from the outset, the design focuses on add-on technologies. This approach risks long-term energy inefficiencies and falls short of recognised standards (such as LETI, Passivhaus, etc.), rendering the sustainability claims superficial and unsupported.

- *Further Comments*

Minimal Community Benefits Despite Corporate Social Responsibility Claims

Persimmon Homes' stated commitment to corporate social responsibility is capped at a mere £6,000 per quarter, a check - negligible figure given the scale of the project. True CSR should be reflected in enhanced investment in local infrastructure, and community facilities that align with the development's impact on the area.

Officer comment: A number of material issues raised above are considered in detail in the relevant sections of the report below (Section 11 – material considerations and other consultee comments in this section).

Specific points are addressed here:

Public engagement beyond statutory requirements is encouraged but not mandated.

In terms of design and local vernacular, the applicant has provided a Design Compliance Statement outlining the material palette, which reflects materials found within the local area. This document analyses the context, via character analysis, key characteristics and distinctive features of Castle Cary and also analyses the character of recent developments in the context. Three distinct character areas are proposed across the site which reflect and respond to the context analysis. The scheme has evolved through the planning process, with design changes informed by previous feedback.

With respect to affordable housing, the distribution of units across the site has been designed with both integration and management by Registered Providers in mind. Since the Quality Review Panel review in 2024, the layout has been reconfigured to redistribute the affordable housing, specifically around the western end of the site to achieve a 'tenure blind' layout. The Housing Officer has raised no objections to the proposed arrangement and considers the affordable units integrated across the development.

Regarding highways and access, the access arrangements are in accordance with the outline consent. While concerns regarding traffic assessments have been noted, these were considered at the outline stage when access was approved in principle. As the outline approval predates other developments, those sites and applications should have been assessed with this scheme in consideration.

Regarding flood risk concerns, the Lead Local Flood Authority has reviewed the updated drainage strategy and raised no objections. The attenuation feature has been designed to account for worst-case scenarios, including high groundwater levels that could otherwise lead to inundation. To mitigate the risk, the pond is being proposed to be lined, ensuring effective surface water management and resilience against rising groundwater. The management of the basin is controlled by the discharge of condition 5 of the outline application. Additionally, the drainage calculations incorporate a 45% climate change allowance, exceeding the minimum required, to ensure long-term resilience. Updated calculations were provided based on FEH13 rainfall data, as part of best practice requested by the LLFA. (The climate change figures have been updated since May 2022).

On sustainability measures, the proposal is designed to meet high energy efficient standards, in compliance with Part L of the Building Regulations. A fabric-first approach arguably *has* been considered, including high levels of insulation, air tightness and energy efficient heating systems. The development does not solely rely on 'add-on' technologies, rather, works in combination with them.

It is important to distinguish between Corporate Social Responsibility contributions and the S106 obligations, which were agreed by council officers as part of the outline consent and deemed sufficient to mitigate the development's impact. The S106 agreement secures significant investment in local infrastructure and community facilities, in line with planning policy requirements. While additional CSR initiatives may be welcome, planning obligations must be considered within the framework of statutory requirements rather than voluntary contributions. Voluntary contributions would not be considered in the way.

<p>Highway Authority</p>	<p>Outline permission already secured access arrangements via a Section 106 Agreement and a Section 278. The Travel Plan is secured under the S106 Agreement.</p> <p>No objection to the current proposal of 18/02/2025, subject to conditions on this application and all previously imposed conditions (if not discharged). Note that additional detailed plans and management strategies are required before construction can commence, particularly regarding estate roads, parking, EV charging, drainage and construction logistics.</p> <p>The Highways Authority Estate Roads team confirms that all remaining matters related to adoptable layouts can be addressed through a S38 Agreement or APC legislation.</p> <p>The Highways Authority commented (December 2024) on the previous iteration of the proposal, noting that the layout was not suitable for adoption and that APC would apply. It was also noted that the Somerset Council design guide had been updated and therefore some comments in relation to matters of detail were out of date.</p>
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Officer comment: Highway considerations are detailed in full from paragraph 11.20. Note that in the previous consultation round, the proposal was revised in response to the Highways Officer's comment of 18/02/24 that the road layout was unsuitable for adoption and would be subject to the APC (Advance Payment Code). As Persimmon intends for the road network to be adopted, the necessary updates have been made.

<p>Natural England</p>	<p>Following the submission of the updated Shadow HRA, Natural England confirmed no objection to the proposed development subject to the mitigation for nutrients identified. This is secured through appropriate planning controls via the Section 106 and conditions. Natural England deemed the mitigation strategy of credit purchase from Woodrow Farm (Woodrow Dairy Ltd.) and Yew Tree Farm (Hackworthy Ltd.) acceptable, as outlined within the sHRA 04/04/24.</p> <p>Prior to this, Natural England reviewed the NNAMS report prepared by Stantec on 15/11/23 and raised no objection (12/12/23), on the basis that phosphorous credits would be</p>
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	<p>agreed and purchased. As per the sHRA submitted later, credits were secured following this via a reservation notice.</p> <p>The latest proposal was reviewed by Natural England, noting the advice in previous responses applies equally to this latest amendment.</p>
<p>Officer comment: Natural England confirmed they had been fully consulted and that all issues were resolved, contingent on Somerset Council adopting the sHRA. This was further verified by SES on 18/02/24 at the latest round of consultation.</p>	
<p>Lead Local Flood Authority (LLFA)</p>	<p>The LLFA has no objection to the application and has confirmed that the submitted documents are sufficient to support the approval of Reserved Matters. The remaining detailed design can be provided at the discharge of conditions stage.</p> <p>Initially, the LLFA considered the proposed site layout acceptable in terms of surface water drainage. Subsequent amendments to the layout were reviewed, and the LLFA confirmed that these changes would not significantly impact the site's surface water drainage strategy.</p> <p>The LLFA requested updated calculations based on the FEH13 dataset (an updated version of the Flood Estimation Handbook) and incorporating a 45% climate change allowance, which have since been provided.</p> <p>In response to the Open Spaces Officer's recommendation for the attenuation feature to include permanent standing water, the LLFA highlighted concerns regarding potential risks associated with unknown ground levels and groundwater infiltration, which could reduce the feature's effective storage capacity. As a mitigation, the LLFA has requested that the attenuation feature be lined, which the proposal now incorporates.</p> <p>The LLFA requested that the additional water storage is set to 0 to understand the worst-case scenario and show how this would be safely retained within the site boundary without causing flood risks to proposed properties and allowing safe access and egress. It was noted by the LLFA that this could be provided at the next stage and dealt with via condition 5 attached to the outline application</p>
<p>Officer comment: The matter of surface water drainage and flood risk is further considered in section 11.36.</p> <p>Surface water and foul water are covered by conditions 4, 5 and 6 of the outline application. The management of surface water during the construction phase is covered by a condition on this application (condition 07).</p>	

<p>Strategy and Commissioning (Play space, open space and sports provision)</p>	<p>There are no changes to the original Outline contributions for this application.</p> <p>On 09/12/19, the Strategy and Commissioning Officer reviewed the amended plans and noted that repositioning the LEAP to a central location within the development significantly improves accessibility for all users.</p>
<p>Horticulture, Open Spaces and Environmental Services</p>	<p>No objection.</p> <p>Comments received regarding the increase in population resulting from the development and the associated play space provision required, as outlined in South Somerset Local Plan Policy HW1.</p> <p>The required provision of public open space (POS) per person increased from 17.4m² to 26.7m² since 2020, equating to an increase from 0.64 ha to 0.97 ha for this application site. The Open Spaces Officer is satisfied with proposal, as the submitted 'Planning Layout' plans demonstrate a total of 2.3ha of POS, which comfortably exceeds the requirement.</p> <p>The Open Spaces Officer requested the attenuation feature be base into a permanent water feature for the benefit of local wildlife, rather than temporary and dry. This was implemented in the design on the 18/02/2025 amendment.</p>
<p>Officer comment: Contributions towards outdoor play space, sport and recreation included in S106. The proposal provides more than the required area of public open space.</p>	
<p>Environmental Health</p>	<p>Environmental Health confirmed the risk to health is low, following a review of the ground report carried out by Hamson Barron & Smith (Report 23-20-18- 1-6237/GIR1). Comments were raised relating to asbestos-containing material and appropriately mitigated risk to construction workers. Comments also raised with regards to ground investigations under the existing buildings.</p>
<p>Officer comment: Issues raised to be dealt with via conditions in conjunction with the measures already stated in the CEMP. Safe management of asbestos-containing material is addressed via a condition relating to the Construction Management Plan, to protect construction workers and the surrounding environment. Ground investigations to occur after demolition are controlled by condition 10 on the outline application.</p>	
<p>South West Heritage Trust</p>	<p>No objection on archaeological grounds, given condition 11 on the outline application requires a WSI.</p>
<p>Officer comment: Note that the outline permission has a condition (no.11) requiring submission of an Archaeological Written Scheme of Investigation (WSI) prior to commencement of the development.</p>	

Environment Agency	The Environment Agency indicated that the application does not meet the criteria requiring their consultation and, therefore, has not provided a response.
Somerset Waste Partnership	<p>No objection. The Waste Management Officer noted that road surfacing should not be an issue providing Swept Path Analysis has taken place and there is no reduction in width following this.</p> <p>Issues noted in earlier comments were later resolved, including updating tracking to represent the largest-sized vehicle used for refuse collection and appropriately located refuse collection points. No outstanding issues remain.</p>
Officer comment: Swept Path Analysis was undertaken, represented in drawings <i>RED100 - 600 - J - Vehicle Swept Path Analysis - Sheet 1 of 2</i> and <i>RED100 - 601 - J - Vehicle Swept Path Analysis - Sheet 2 of 2</i> . The Waste Management Officer initially raised concerns that placing bin collection points on private drives could lead to failed collections. However, the proposed collection areas are positioned as close as possible to the adopted highways, all within 15m of the road, in accordance with the Somerset Waste Partnership Develop Guidance. Moving these points to the kerbside would require residents to transport their bins further on collection days, conflicting with both the guidance and Building Regulations. Given that the 15m requirement is met, the Waste Management Officer found this arrangement acceptable.	
Public Rights of Way	<p>No objection.</p> <p>Public Rights of Way WN 6/30, WN 6/34 and WN 6/31 run through the site and WN 2/4 runs adjacent to the site.</p> <p>Initial comments were raised regarding discrepancies between the plotted arrangements of public rights of way on the submitted layout drawings and their legal alignments (WN/6/30 and WN 6/34). These alignment and accuracy issues have been addressed in the revised layouts.</p> <p>Further concerns were raised regarding the management and safety of the new footpaths.</p> <p>The Rights of Way Officer noted that proposed improvements to the paths WN 6/30 and WN 6/34, as well as any off-site improvement to the paths leading to Torbay Road, should be secured.</p> <p>Both the connecting links to footpath WN 2/4 and footpath WN 6/34, and the road crossing for footpath WN 6/30 need to be to be secured.</p>
Officer comment: Alignment issues raised now closed out. New footpaths to be either offered for adoption, or to a management company for management purposes. Condition 17 requires construction to adoptable standards.	

Proposed improvements to the paths WN 6/30 and WN 6/34, on site, will form part of the S38 Agreement.

The proposal includes a new footpath that links the eastern end of footpath WN 6/34, adjacent to Northcott (outside the site boundary) with Station Road. This new route is not intended to replace the existing public footpath WN 6/34 through diversion or/and extinguishment but is designed as a desire line to alleviate the increased footfall that WN 6/34 is likely to experience as a result of the development. The new footpath will be available for public use.

Schedule 3 of the S106 secures a detailed Travel Plan coming forward, based on the principles of the Framework Travel Plan produced in 2015.

Conditions secure the road crossing for PRow WN 6/30 and all pedestrian access points / connections to external footpaths (condition 18 and 19 respectively).

Designing Out Crime

No objection.

Several concerns and recommendations were raised by the Designing Out Crime Officer regarding crime prevention, particularly in relation to pathways, boundary treatments, lighting, and surveillance.

Pathways:

Concerns were previously raised regarding the security implications of the footpath running behind plots 65-89 and the footpath alongside plots 4 and 6. In particular, the footpath adjacent to plots 4 and 6 was identified as creating a potential vulnerability due to a lack of defensible space between private boundaries and the public route. The footpath to the rear of plots 65-89 was identified as presenting potential opportunities for access to side and rear boundaries of several plots along this route

Boundaries: Concerns raised historically over defensible planting for vulnerable side/rear boundaries and trees acting as climbing aids. Rear boundary treatment by the school questioned for plots that back onto the proposed school site. Provisions were communicated and are now considered acceptable.

Apartment Security: Historically raised concerns over mail security.

Lighting concerns:

- To driveways - issues raised regarding plot security– this issue was closed out following confirmation that lighting will mitigate concerns over unadopted driveways.
- To play area and the edge of plots 40-43.
- To non-adoptable footpaths

	<p>Surveillance:</p> <ul style="list-style-type: none"> - to parking areas - to be maintained through an appropriate level of tree planting in front of the plots. - to the play area – trees and landscaping should not degrade natural surveillance over this area.
	<p>Officer Comment: Various design amendments close out the historic concerns raised. Note that there are no longer apartment blocks, and all houses have their own front door, meaning mail security is no longer an issue.</p> <p>Pathways:</p> <p>While the path alongside plots 4 and 6 was introduced at the request of the Highways Officer to improve site permeability and pedestrian connectivity, the latest proposals have been amended to address the security concerns. Specifically, the access gate serving plot 6 has been relocated further from the footpath to reduce the risk of unauthorised access and to enhance the sense of defensible space for residents.</p> <p>Much of the boundary along the pathway, adjacent to plots 65-89, is defined by hedging in the proposal, acting as a natural deterrent. In addition, a condition has been secured (condition 20) to ensure that the route is appropriately lit, providing passive surveillance and reducing the potential for anti-social behaviour.</p> <p>Lighting:</p> <p>To be provided to non-adoptable driveways for plot security and to non-adoptable pathways as above.</p>
<p>Affordable Housing</p>	<p>No objection. The affordable homes provision meets the required 35% required. The Housing Officer deemed the bed number mix acceptable upon assessing the local housing need evidence (November 2024).</p> <p>The proposal has been revised to incorporate earlier comments from the Housing Officer, requesting the 1-bed affordable homes should have sole entrances and private outdoor space. This replaced the former apartment blocks which were not deemed acceptable owing to the communal entrances and the lack of private outdoor space.</p> <p>The Housing Officer was satisfied that the affordable units are somewhat integrated across the development: A mix of materials are proposed across both the private market homes and the affordable homes, so they are not visually distinguishable.</p> <p>Dwelling sized were assessed to meet the minimum requirements stipulated in the Section 106 legal agreement.</p> <p>The Housing Officer previously raised concerns regarding the placement of affordable homes backing onto shared private drive</p>

	<p>areas in earlier iterations of the proposal This was due to potential additional service charges affecting affordability and raising management and maintenance challenges. To address these concerns, plots 122 and 123 (affordable homes) were swapped with plots 56 and 57, which have a similar footprint. This adjustment resolved the identified issues without impacting the overall layout, including parking and landscaping. This amendment was deemed acceptable by the Housing Officer.</p>
Officer comment:	<p>The S106 Agreement (dated 17th June 2016) secures 35% of the total number of dwellings to be provided as affordable homes, with 67% (rounded up) of the units to be social rent and 33% (rounded down) to be shared ownership. The amended Reserved Matters application reduces the overall homes being proposed from 165 to 162, but the affordable housing provision remains the same – 57no. homes.</p>
Ecologist	<p>Somerset Ecology Services (SES) reviewed and endorsed the updated sHRA on 14/05/24, containing proof of credit allocation. This endorsement confirmed that the proposals will result in no Likely Significant Effect on the Somerset Levels and Moors Ramsar site and Special Area of Conservation, either alone or in combination with other plans or projects, subject to conditions being secured.</p> <p>The response from took into account the ‘no-objection’ response from Natural England on 04/04/24.</p> <p>Prior to this, SES reviewed the NNAMS report prepared on 15/11/23 and at the time noted an allocation letter from the credit providers was needed. This was subsequently received on 15/03/24 (attached to the sHRA). There were no objections.</p> <p>The Agent provided Reservation Certificates/Notices on 27/02/25, which were deemed acceptable by the Phosphates Officer.</p>
<p>Officer comment: The mitigation is secured through condition. The Council, as the competent authority, formally adopts the sHRA to fulfil its responsibilities under Regulation 63 the Conservation of Habitats and Species Regulations 2017 (as amended) as confirmed by SES on 14/05/24.</p> <p>All outstanding matters raised in earlier consultee responses have now been resolved, with no remaining objections from SES.</p>	
Wessex Water	<p>Raise no objection, subject to the existing foul sewers and supply main being diverted to avoid a conflict with proximity to dwellings and upsized to accommodate foul flows from this development. This is demonstrated on drawing ‘RED100 – 100 – O – Engineering Layout’.</p>

	<p>The following Wessex Water assets are located within the site boundary: 2no. 150mm diameter public foul sewers, 150mm diameter public combined sewer and a 180mm diameter supply main.</p> <p>The programme of works is to be determined between Wessex Water and the Developer once permission is granted.</p> <p>Wessex Water require a minimum buffer of 3m within which buildings cannot sit, either side of the outer edge of the 150mm diameter public foul sewers and no tree planting with a minimum of 6m. This is as per Wessex Water's requirement to access their assets for maintenance and repair purposes, as per the Water Industry Act 1991.</p>
	<p>Officer comment: Conditions are secured for the development to be carried out in accordance with the drainage details.</p>
<p>Education / Estates & Planning Advisory</p>	<p>Initial concern raised with regards to limited pedestrian and cycle access points to the school site and the lack of connectivity to surrounding housing. Amended plans were submitted, as requested, to achieve enhanced permeability and add further access points.</p> <p>Later comments raise no objection, following amended plans which were deemed to meet requirements. The layout now includes the necessary road and pedestrian connections to the school site and additional road access to the north-west.</p>
	<p>Officer comment: All other education matters have been secured in the original Outline application and the S106. The triggers for education contribution payments will be actioned when this Reserved Matters application is determined. The first payment is due before occupation of the first dwelling and will be calculated on the final number of homes approved (given this figure has decreased to 162 since the outline application was approved).</p>
<p>CPRE (Council for the Preservation of Rural England)</p>	<p>CPRE objects to the application, citing a significant reduction in design quality compared to the approved 2015 outline application. The believe the QRP (Quality Review Panel) concerns, particularly on density, massing and character, have not been adequately addressed, and Persimmon's 'Design Compliance Document' reflects only minor changes.</p> <p>Key concerns include:</p> <ul style="list-style-type: none"> - <u>Loss of Design Quality:</u> The RM design is a departure from the 2015 concept, replacing innovative community-focused features with a car-dominated, uniform, 'anywhere' housing estate. - <u>Placemaking and Green Space:</u> Reduced public green space, loss of ecological corridors, and failure to

	<p>incorporate placemaking elements, including ‘play on the way’.</p> <ul style="list-style-type: none"> - <u>Affordable Housing</u>: Affordable homes remain clustered rather than ‘pepper-potted’ undermining the tenure-blind principle. - <u>Roads and Parking</u>: Excessive hard surfaces, single-sided streets, and high parking provision dominate the layout, counter to QRP recommendations. - <u>Transparency and Compliance</u>: The QRP’s full report has not been made public, and conditions from the original approval (e.g. Conditions 21 and 22) appear unmet.
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Officer comments: Section 11 of this Report details material planning considerations, including matters of size, scale and design and addresses all matters raised by the QRP with respect to the assessment of the proposal’s design quality. It has been concluded that key aspect of the design that maintain quality and character include varied building typologies, a legible street hierarchy, retention of green infrastructure and active frontages.

Varied building typologies and material choices reflect local vernacular, avoiding an overly uniform or ‘anywhere’ character. A legible street hierarchy, with primary and secondary routes has been designed to promote pedestrian accessibility and reduce car-dominance, balancing permeability and connectivity. Retention of green infrastructure includes public open spaces.

While the 2015 concept was indicative, the Reserved Matters proposals have evolved to meet adopted design guidance and placemaking principles, ensuring a quality, locally responsive development that aligns with planning policy expectations.

- 1) The Reserved Matters proposal includes 2.3ha of public open space, exceeding the requirement (based on 26.7m² per person requirement, 0.97ha for the site). A 695m² Locally Equipped Area of Play (LEAP) is centrally located within 220m of all dwellings, secured through the S106 Agreement. A pedestrian bridge improves access across the brook, enhancing site permeability and ensuring safe routes to the play area. This was proposed by the QRP.
- 2) The tenure-blind principle has been addressed through several measures. While the affordable homes are clustered in certain areas, the Affordable Housing Officer has confirmed they are well-integrated across the development. Additionally, these homes are visually indistinguishable from private market housing due to the use of consistent materials throughout the site. Amendments were also made to ensure the affordable units, like the private market homes, are individual houses, maintaining a cohesive design across the development.
- 3) Refer to section 11 on material planning considerations – Highways. The layout has been amended since the QRP review to reduce the area of roadway significantly and reducing single sided access.

The level of parking provision has been implemented to avoid creating areas where residents park on kerbs and create car dominated environments. A number of changes were made to ensure that parking does not dominate, as noted by the QRP. Large blocks of parking have been broken up into smaller arrangements of four rather than six spaces, interspersed with tree planting and varied surface materials. This softens the appearance of hard surfaces whilst enhancing the streetscape through planting.

- 4) Condition 21 on the outline application refers to the phasing details of the development. This is a pre-commencement condition, and no planning breach is considered.

Tree Officer

Conditions suggested as recommended to protect the retained trees. These include approval of a Tree Protection Plan and Arboricultural Method Statement in accordance with BS5837:2012, compliance with BS 3998:2010 for tree work, and protection measures to ensure no damage to trees throughout the construction process. Further details on tree

Officer comments: Pre-commencement conditions applied to this planning application control tree protection. See conditions 13-16.

7.4 Local consultation and representation

7.5 In accordance with the Council's Adopted Statement of Community Involvement application 19/01871/REM was publicised by letters of notification to neighbouring properties. Several site notices were displayed and a press advert placed as part of the initial consultation and consultations.

7.6 A significant number of representations have been received. These comments are extensively summarised in the Officer committee Report

7.7 The approximate 81 public comments received and are summarised by topic and commented upon in the table below. The full representation plus enclosures can be viewed on the Council's website.

7.8 It is acknowledged that some of the issues raised are tied to the principle of development and access arrangement, which have already been established in the Outline Application. The following comments focus on the finer details of the reserved matters application. The relevant feedback provided by local consultation and representation is summarised below.

Principle of development - Note that this is not a material consideration as the principle was established as part of the outline.

- *Argue the extent of this proposal is excessive and would fundamentally change the character of Castle Cary. It is alien to the town's current scale*

and identity. Emphasis that smaller, more gradual growth would be more appropriate.

- *Development would not support the gradual, organic growth of the town. Instead, development may be too abrupt and disruptive, likely causing long-term damage to the local landscape and sense of community*
- *Concern over loss of town's distinctive rural charm, which draws people to live there in the first place*

Design, Layout and Scale

- Concerns regarding how the development would impact views, particularly from the surrounding countryside, and how it would alter the town's quiet, rural atmosphere.
- Concerns over the loss of key landscape features.
- Objections to the impact of the development on the visual character of the town. There is a noted lack of integration with existing architecture and worries that the new development may disrupt the town's traditional aesthetic.

Landscape and Green Space

- Concerns about the loss of an important green space that provides cherished rural views, highlighted valued by local residents.
- Adverse impact on biodiversity and natural habitats for wildlife, such as deer, birds, foxes and badgers.
- Concerns based on negative impact on local biodiversity, with insufficient measures proposed for mitigation or compensation for habitat loss.
- A strong desire for the development to incorporate more thoughtfully designed green spaces that serve both recreational purposes and environmental sustainability.
- Need for better quality landscape proposals that address both ecological value and aesthetic quality, providing visual breaks between houses and incorporating natural buffers.

Highways, Access and Transport

- Access arrangements have already been agreed at the outline stage; however, residents raised concerns about the potential for increased traffic congestion and compromised safety on local roads.
- Potential for the development to create a dangerous environment for pedestrians, especially near child-friendly roads.
- Emphasis on the need for detailed traffic management proposals to mitigate the development's impact on the town's infrastructure.
- Requests for safe pedestrian routes and cycling access to ensure the development is sustainable and walkable.

Impact on local infrastructure

- Concerns over the ability of local infrastructure (e.g. healthcare, education and community facilities) to support the increase in population.

- Additional concerns that the town's limited local job opportunities may lead to an influx of new residents who have to commute, further straining local services and contributing to congestion.

Flood Management and Drainage (and Waste Management)

- Concerns about the need for improvements in waste management, drainage and flood risk management, especially in light of the potential for surface water runoff.
- Requests for detailed provisions for drainage solutions and waste management to ensure the development is fully supported and does not overburden existing services. There is also worry over the absence of appropriate waste disposal and recycling systems.
- Calls for further detail on the measures proposed to address potential flooding issues from the development.

8. Relevant planning policies and Guidance

- 8.1 Section 70(2) of the Town and Country Planning Act 1990, as amended ("the 1990 Act"), requires that in determining any planning application regard is to be had to the provisions of the Development Plan, so far as is material to the application and to any other material planning considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) ("the 2004 Act") requires that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.
- 8.2 The site lies in the former South Somerset area. For the purposes of determining current applications the local planning authority considers that the adopted development plan comprises the policies of the South Somerset Local Plan 2006 2028 (adopted March 2015), saved policies from the South Somerset Local Plan 1991-2011, Somerset Minerals Local Plan (2015), and Somerset Waste Core Strategy (2013).
- 8.3 As a result of local government reorganisation Somerset Council was established from the 1 April 2023. The Structural Change Order agreeing the reorganisation of local government requires the Council to prepare a local plan within 5 years of the 1 April 2023 and the Council published a Local Development Scheme in October 2023 to set out a timetable for the preparation of the local plan.
- 8.4 Relevant policies of the development plan in the assessment of this application are listed below.

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

SD1 – Sustainable Development

SS1 – Settlement Hierarchy

SS4 – District-wide Housing Provision

SS5 – Delivering New Housing Growth
SS6 – Infrastructure Delivery
SS7 – Phasing of Previously Developed Land
LMT1 - Ansford/Castle Cary Direction of Growth
HG3 – Provision of Affordable Housing
HG5 – Achieving a Mix of Market Housing
TA1 – Low Carbon Travel
TA4 – Travel Plans
TA5 – Transport Impact of New Development
TA6 – Parking Standards
EQ1 – Addressing Climate Change in South Somerset
EQ2 – Design & General Development
EQ3 – Historic Environment
EQ4 – Biodiversity
EQ5 – Green Infrastructure
EQ7 – Pollution Control
HG3 – Provision of Affordable Housing
HG5 – Achieving a Mix of Market Housing
HW1 – Provision of Open Space, Outdoor Playing Space, Sports, Cultural and Community Facilities in Development

Other Relevant Documents

Planning Practice Guidance

National Design Guide - September 2019

Place Making Principles for Somerset, adopted August 2024:

- 1) Reduce the need to travel via private car.
- 2) Facilitate modal shift through multi-modal travel measures.
- 3) Integrate car and bicycle parking in a way that prioritises pedestrians and public realm.
- 4) Create an attractive, high-quality environment, incorporating green infrastructure into streets and public spaces.
- 5) Improve road safety for all users through street design, appropriate to the context.
- 6) Facilitate car-free school transport
- 7) Enhance accessibility and attractiveness through materials, street furniture and fixtures.
- 8) Plan lighting, waste storage/collection and other service infrastructure at an early design stage.
- 9) Provide safe connectivity within rural communities.
- 10) Engage key stakeholders early

Somerset County Council Parking Strategy (SPS) - September 2013

Area South – former South Somerset District Council area, Five-Year Housing Land Supply Paper, October 2023

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

South Somerset Landscape Character Assessment (October 1993).

The National Planning Policy Framework 2024

The revised National Planning Policy Framework (NPPF), last update December 2024 sets the Governments planning policies for England and how these are expected to be applied.

Relevant Chapters of the NPPF include:

2. Achieving sustainable development
4. Decision-Making
5. Delivering a sufficient supply of homes
8. Promoting healthy and safe communities
9. Promoting sustainable transport
11. Making efficient use of land
12. Achieving well-designed places
14. Meeting the challenge of climate change, flooding and coastal change
15. Conserving and enhancing the natural environment

9. Commentary on Development Plan

9.1 The new NPPF and standard method for calculating housing need was published on 12 December 2024. As a result of this, the Council are not able to demonstrate a 5-year housing land supply. Currently the housing land supply for the relevant area – South - is calculated at 2.11 years. The consequences of not being able to demonstrate a five-year housing land supply are that the presumption in favour of sustainable development (often referred to as the “tilted balance”) applies. This is set out in paragraph 11d of the NPPF.

9.2 Paragraph 11 (d) of the NPPF states that:

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or*
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.*

9.3 The site does not contain any of the designated areas of ‘particular importance’ that are specifically protected by point (i). In relation to point (ii) any adverse impacts must be weighed against the benefits of the scheme. The consideration of this planning balance is tilted in favour of granting permission unless the adverse impacts ‘significantly and demonstrably’

outweigh the benefits. The report has identified that there would be considerable benefits from granting permission, including the effective use of land that would result, securing well-designed places and the provision of affordable housing. Accordingly, there are no overriding material planning considerations or significant harm identified to justify refusing permission in this case.

10 Local Finance Considerations

Community Infrastructure Levy

10.1 This development is not liable for Community Infrastructure Levy

11 Material Planning Considerations

11.1 This application for Reserved Matters follows the outline approval for the development, which established the overall principle of residential development and access onto the site – this application seeks to confirm size, scale design and detail of the development. The main planning issues relevant in the assessment of this application of the detailed proposals are as follows:

- Size, scale and design
- Residential Amenity
- Highways
- Landscaping, Ecology and Phosphates
- Drainage and Flood Risk
- Other matters

Size, scale and design

11.2 In line with national and local planning policies, the design, size and scale of the proposed development have been carefully considered. At the local level, Policy EQ2 of the South Somerset Local Plan requires development to promote South Somerset's local distinctiveness, respecting the local area character, and create a high standard of design. NPPF Section 12 emphasises the importance of high-quality design that is visually attractive, functional and contributes to the local character and identity. This section goes into detail on these aspects of the proposal.

11.3 This Reserved Matters application seeks to determine the detailed design, layout, and appearance of the proposed 162 dwellings. Consideration has been given to ensuring that the scale of development is appropriate to its setting while responding to local character and policy requirements.

- 11.4 During the outline application the Landscape Officer noted that the site had been assessed in peripheral landscape studies as having a 'high and moderate-high' capacity for development which informed the town's direction of growth resulting in limited landscape concern on the outline.
- 11.5 Early engagement, as required by the NPPF Section 4 was undertaken with stakeholders and the Quality Review Panel, ensuring that design considerations were thoroughly reviewed at an early stage to inform the development of the scheme.
- 11.6 The proposed layout has been designed to integrate with the surrounding built environment while responding to site constraints, including topography, existing vegetation and key views. The street hierarchy and orientation of buildings seek to establish a coherent and legible development pattern. In response to the Quality Review Panel (QRP) feedback on a former design iteration, the layout was reconfigured to reduce the overall extent of roadways and hard surfaces. Notably, the western block was adapted (to the south-west edge of the school site), thereby enhancing the green infrastructure and visual amenity of the scheme.
- 11.7 Proposed materials reflect the character of Castle Cary and the surrounding residential area, incorporating stone, brick, and render to ensure a cohesive visual connection with existing development. Focal buildings are positioned at key arrival points and along principal streets to aid orientation, with these buildings featuring contrasting materials and architectural detailing to enhance legibility and wayfinding. The revised proposals ensure a balanced mix of materials that respect local character while providing subtle differentiation between key locations, despite concerns made by third-party representations regarding a lack of variation in materials.
- 11.8 The scale and massing of the dwellings have been designed to be in keeping with the character of Castle Cary, ensuring that the development sits comfortably within its context. The development is structured around three distinct character areas: Main Street, Eastern Edge & The Green, and The Lanes. Each area has been designed to respond to the site's setting while creating a varied and legible streetscape. By incorporating distinct character areas, the proposal creates a varied and legible development that responds to the site's landscape, movement corridors and surrounding context.
- 11.9 In conclusion, the proposed development adheres to the design principles set out in the NPPF and the South Somerset Local Plan, specifically Policy EQ2 (general development) and section 12 of the NPPF (well-designed places). The layout and materials reflect local character while introducing distinct design features that enhance the overall quality of the scheme. Feedback from the QRP has been incorporated into the design to ensure the

development is coherent, sensitive to its setting, and promotes a high standard of design.

Residential Amenity

- 11.10 Policy EQ2 of the South Somerset Local Plan requires that development should protect the amenity of both existing and future residents, promoting a high standard of living for all. This includes safeguarding privacy, preventing undue overlooking, and ensuring that the design of new development is sympathetic to its surroundings. The NPPF further reinforces this principle, specifically Section 12 which advocates for the creation of places that promote the well-being of all residents. In accordance with these policies, this reserved matters application now seeks to address the details of direct relationships with neighbouring properties, specifically considering the final siting and design of the houses.
- 11.11 Directly abutting the northern boundary lies Woodforde Meadow – a small development with a play area, currently under construction. Plots 46, 11, 12, 13 and 1 of the proposed scheme (from west to east) back onto this neighbouring development. The comprises a continuous hedge with trees and a partial timber fence. Proposed dwellings opposite plots 12, 13 and 1 are shown to be set back approximately 14m from the boundary, while the existing dwelling opposite plot 11 sits around 7m from the boundary and is side-on to it, with a blank gable facing the application site. The retention of existing trees, along with additional proposed planting and a green buffer of at least 19m on the application side, ensures no unacceptable overlooking or harm to residential amenity.
- 11.12 To the east of the site, across from Station Road, are two-storey mid-20th century terraces. These rear elevations back onto a large open green space enclosed by low hedgerows, with varied boundary treatments including fencing, hedging, large conifers, and open grass to the pavement. Plots 1-4, 15-22, 38, 39 and 40 of the proposal run roughly parallel to these dwellings, but are separated by private rear gardens, Station Road itself, and a minimum 46m-wide proposed green buffer. While a change in visual outlook is acknowledged, the separation distance and landscape buffer ensure no harm to residential amenity through overlooking.
- 11.13 At the site's south-eastern corner, a row of bungalows on the west side of Station Road has gable ends with windows facing the application site. Further west, two-storey dwellings off Torbay Close also back onto the site, with some gable end windows overlooking. These are bounded by a combination of hedging, trees and fencing. Proposed plots 40 and 41 are the nearest, with a 15m set back from the boundary and new trees proposed in front, mitigating overlooking potential.

- 11.14 Continuing west along the southern boundary, two-storey brick semi-detached homes front onto Torbay Road with deep rear gardens extending up to 42m to the site boundary, opposite plots 123-144. Further west, some dwellings step closer to the boundary, opposite plots 117-124 and 137. The boundary here is well-screened with dense tree cover, providing a strong visual buffer. As such, no harm to residential amenity is considered.
- 11.15 To the southwest, the site adjoins Torbay Road Industrial Estate. This backs onto the proposed future employment area, not the residential development, and therefore not relevant to residential amenity considerations in this application.
- 11.16 The proposed layout responds to site constraints and existing boundaries, aiming to reduce potential amenity impacts on neighbouring properties. Boundary treatments, retained vegetation, and the orientation of dwellings have been carefully considered to mitigate impacts such as direct overlooking and to maintain privacy for both existing and future residents. Green spaces around the site's perimeter provide a natural buffer between the proposed development and the existing neighbouring residential areas, serving to reduce potential noise disturbances.
- 11.17 While there are no explicit objections regarding overlooking, privacy, or light raised in third-party comments, there are concerns about density, traffic and environmental impacts that could indirectly affect these aspects of residential amenity. Traffic and pollution related concerns are discussed below in this report.
- 11.18 It is not considered that the window layout and general bulk of the dwellings are such that they would give rise to undue overlooking or an overbearing relationship with neighbouring properties. Therefore, the proposal is not deemed to harm residential amenity.
- 11.19 In light of the considerations above, the development is assessed against Policy EQ2 of the South Somerset Local Plan, which safeguards residential amenity, and Section 12 of the NPPF, which seeks to ensure high-quality design. The application is considered to be acceptable in terms of residential amenity in relation to neighbouring properties and future occupiers. Consequently, officers are satisfied that the proposed development aligns with both local and national policies aimed at protecting residential amenity.

Highways

- 11.20 Policies LMT1, TA5 and TA6 of the South Somerset Local Plan address matters of transport and accessibility, including the provision of safe and efficient access to the development, parking and the management of traffic impacts. Additionally, the NPPF supports sustainable transport and accessibility, highlighting the need for developments to facilitate safe and well-designed transport systems. Section 9 of the NPPF (promoting sustainable transport) underscores the need for ensuring patterns of movement are integral to the design of schemes and contribute to making high quality places.
- 11.21 The Outline planning permission secured the site's access arrangements, which were included in the Section 106 Agreement (dated 17 June 2016). This also secures the Travel Plan. There have been concerns raised in this application regarding traffic generation and potential effects on the wider surrounding network. This was assessed and deemed acceptable as a result of the Outline application and this therefore not material for this application. The reserved matters considers the internal layout, parking provision, visibility, pedestrian connectivity accessibility and tracking.
- 11.22 Several amendments were made in response to comments from the Highway Officer to align with updated guidance and ensure suitability of the internal roads for adoption. Initial comments from 2021 raised concern about the estate road design, including footway cross-sections, bollards and estate road adoption. These were subsequently addressed through technical submissions. Early concerns about raising kerbing and emergency vehicle access were resolved by reinstating standard kerb heights and allowing bollards to restrict vehicular passage where necessary.
- 11.23 The Quality Review Panel considered the layout of the development against the Council's adopted Placemaking Principles and set out a number of improvements to reduce the scale of highway and improve the sense of place and openness in respect of good placemaking. This prompted changes to the amount of roadway and hard surfaces. The western part of the site, originally designed with two parallel feeder roads between the employment site and the school, has been amended to a single main central road. To the south, private drives and courtyard clusters have been introduced, with homes reoriented to incorporate rear parking, further reducing hard surfacing.
- 11.24 Most recently, further refinements were made to align with updated design standards. Key amendments included ensuring a minimum 2m footway width throughout the site improving accessibility and safety.

- 11.25 Tracking has been undertaken to ensure refuse vehicles can enter, move through the internal road layout and exit again.
- 11.26 The Highways Officer has raised no objection to the application, confirming that the design is acceptable subject to the discharge of relevant conditions and obligations, and that any outstanding matters can be resolved through the Section 38 Agreement process.
- 11.27 In summary, this reserved matters application demonstrates compliance with relevant transport policies, including LMT1, TA5 and TA6 of the South Somerset Local Plan, as well as the NPPF's guidance in section 9 on sustainable transport. The internal layout demonstrates safe and suitable access, appropriate parking provision and good connectivity for all users.

Landscape, Ecology and Phosphates

- 11.28 The landscaping and ecological strategy for the proposed development are guided by Policies EQ2, EQ4 and EQ5 of the South Somerset Local Plan and the NPPF's guidance: Section 14 (meeting the challenge of climate change, flooding and coastal change) and Section 15 (Conserving and enhancing the natural environment). These policies emphasise the importance of creating well-designed spaces that incorporate ecological enhancement, promote biodiversity and provide accessible public open spaces.
- 11.29 The landscaping within the site and open space is considered to be well placed relative to the design of the development. The proposed landscape design builds upon the outline application landscape strategy, which is set out in the Design & Access Statement. The proposed development incorporates an area of public open space which exceeds the required 26.7m² per person, with a total of 2.3 ha of on-site open space. Despite concerns raised in third-party comments and by the CPRE relating to a reduction of green space, the scheme is policy compliant.
- 11.30 Concerns were initially raised by the QRP regarding accessibility around the central green space. The proposals have since introduced a pedestrian bridge across the existing brook to create better permeability across the site and to ensure adequate access to the play area, responding to these concerns. The play area is centrally within 220m (3mins walking distance) of all proposed properties.
- 11.31 Concerns about the loss of some ecological corridors were raised by the CPRE. It is recognised that the main ecological corridor being cut through by the proposal is enabling access from Station Road. This is secured in the outline consent. The QRP raised the need to consider more opportunities to enhance the presence of nature within the heart of the development.

Subsequently, additional tree planting has been added within roads and open spaces to ensure that the proposal has a strong green character.

- 11.32 The ecology strategy for the site has been informed by a series of assessments, including the Ecological Verification Report (Engain, 2023) and the NNAMS (Stantec 2023), which were submitted in response to earlier consultee comments. These reports confirm that the ecological conditions of the site remain consistent with the previous surveys, with appropriate mitigation secured through conditions attached to the Outline planning permission.
- 11.33 A Habitats Regulation Assessment (HRA) has been undertaken to assess the development's impact on the Somerset Levels and Moors Ramsar site, specifically in relation to phosphate levels. The assessment concludes that the development would generate an additional 92.58 kg/yr of phosphates pre-AMP7 works, significantly reducing to 8.20 kg/yr post-AMP7 completion in December 2024. 1.52 kg/yr is attributed to land-use change within the Brue and Axe sub-catchment. To achieve nutrient neutrality, the applicant will purchase phosphate credits from Woodrow Farm (Parrett catchment) and Yew Tree Farm (Brue sub-catchment), both of which have been endorsed as suitable nutrient mitigation schemes. Natural England has confirmed that these measures sufficiently address potential nutrient impacts, provided that they are secured through appropriate planning controls. Please refer to condition 8.
- 11.34 Following confirmation from Somerset Ecology Services (SES) and Natural England, the Council has endorsed the sHRA and determined that the development will not adversely affect the integrity of the Somerset Level and Moors Ramsar site. Ecology conditions, including requirements for landscaping, lighting controls and a Badger Mitigation Plan, have been carried forward from the Outline application to ensure continued compliance. Additionally, in response to comments from the Open Spaces Officer, the attenuation feature has been redesigned as a permanent water feature to enhance local biodiversity and provided ecological benefits.
- 11.35 In summary, statutory consultees have raised no objections subject to securing the proposed mitigation measures through conditions. The proposed landscape and ecological strategy complies with local and national policies, effectively enhancing public open space and biodiversity while mitigating environmental impacts. The scheme is deemed to meet the requirements of the South Somerset Local Plan and the NPPF.

Drainage and Flood Risk

- 11.36 Policy EQ1 of the South Somerset Local Plan requires development to mitigate and adapt to climate change through sustainable design, including measures to manage flood risk. In accordance with Section 14 of the NPPF, which addresses planning and flood risk, proposals must ensure that flood risk is not increased elsewhere and that developments incorporate appropriate sustainable drainage systems (SuDS). The reserved matters application has therefore been reviewed with reference to both local and national policy requirements on surface water and flood management.
- 11.37 The Local Lead Flood Authority (LLFA) has reviewed the scheme and provided several key updates and recommendations, noting all changes to the site layout and acknowledging that these will have no significant impacts on the surface water drainage. The most updated calculations incorporate FEH 13 rainfall data and a 45% climate change factor, as requested by the LLFA.
- 11.38 The drainage design incorporates balancing ponds with high-level overflows and flood risk management measures, ensuring compliance with the 1 in 100-year flood event plus climate change allowance.
- 11.39 The LLFA has raised no objection to the proposals, confirming that the proposal complies with Policy EQ1 and the flood risk requirements of the NPPF. The scheme demonstrates that appropriate SuDs measures have been incorporated to manage surface water runoff on site and mitigate flood risk, including up-to-date rainfall data and climate change allowances.

12. Assessment of Material Considerations and Summary

- 12.1. This report sets out the main considerations for the development of this site as a Reserved Matters application for 162 dwellings. The proposed development has been assessed against relevant planning policies and is considered to align with national and local policy objectives.
- 12.2. The design, scale and layout of the scheme have evolved in response to feedback balancing the need for efficient land use with maintaining local character. While some concerns were raised regarding the departure from the original concept, the scheme delivers a cohesive design approach that provides a mix of housing types, integrates public open space, and ensures permeability across the site.
- 12.3. Residential amenity is safeguarded through well-considered boundary treatments. The proposals include a centrally located play area within the landscape, ensuring accessible recreational opportunities for residents.
- 12.4. Highways considerations have been addressed, with pedestrian connectivity enhancements and a balanced approach to car use. The scheme incorporates

measures to ensure safe and efficient movement across the development, with improved permeability and access to open spaces.

- 12.5. The landscape strategy supports biodiversity through retained and enhanced green infrastructure, the incorporate of ecological corridors, and compliance with phosphate mitigation requirements. Open space provisions exceed policy requirements.
- 12.6. Other material considerations, including the Quality Review Panel recommendations, have been reviewed, with adjustments made where feasible to improve design quality and accessibility.
- 12.7. Overall, the proposal is considered to be in accordance with relevant planning policies and delivers a well-integrated and sustainable residential development.

RECOMMENDATIONS

01.RECOMMENDATION:

Approve application 19/01871/REM subject to the S106 agreement in place on the outline application and subject to the stated planning conditions for the following reasons:

The Reserved Matters submission is considered acceptable relative to the landscape, visual amenity, residential amenity, highway safety, flood risk/drainage and ecology/biodiversity. The proposal aligns with the parameters established at the outline stage and has been refined in response to consultee feedback and Quality Review Panel recommendations.

SUBJECT TO THE FOLLOWING:

01.DEVELOPMENT START TIMESCALE:

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

Reason: To accord with the provisions of section 91(1) of the Town and Country Planning Act 1990.

02.PLANS LIST & APPROVED DEVELOPMENT:

The development hereby permitted for 162 dwellings & its new means of access from the site to Station Road and Torbay Road shall be carried out in accordance with the following approved plans and documents:

(Format: Drawing Title - Drawing Number - Final Revision for Approval):

Layout Plans:

- Location Plan - 100 - D
- Planning Layout – 0001 - P09
- Site Context Plan - 0002 - P07
- Planning Layout (colour) 0003 - P08
- External Materials Plan 102 - T
- Storey Heights Plan - 103 - S
- Affordable Homes Key Plan - 104 - T
- Adoptable Highways Plan – 105 - T
- Parking Allocations - 106 - R
- POS Plan - 107 - P
- Safe Guarded Land Plan - 108 - C
- Fences & Enclosures Details Sheet - 115 - A
- Street Scenes - 160.1 - I

Housetype Drawings:

- WP2420A -130.5 - A
- WP2420A - 130.6 - A
- WP3520A - 131.3 - /
- WP4720A - 132.3 - A
- WP4720A 132.4 A
- SP1-1BF 137.1 /
- SP1-1BF 137.2 /
- GARAGES 140 A
- Alnmouth 150.3 C
- Alnmouth 150.4 A
- Alnmouth 150.5 B
- Danbury 151.4 /
- Danbury 151.5 /
- Danbury 151.6 /
- Danbury 151.7
- Danbury 151.8 /
- Danbury 151.9 /
- Galloway 152.2 /
- Galloway 152.3 /
- Kingley 153.2 A
- Kingley 153.3 A
- Sherwood 154.4 /
- Sherwood 154.5 B
- Sherwood 154.6 /
- Saunton 155.3 /
- Saunton 155.4 /
- Saunton 155.5 /
- Barnwood 156.3 A
- Barnwood 156.4 A
- Barnwood 156.5 A
- Barnwood 156.6 A

- Barnwood 156.7 A
- Charnwood 157.3 /
- Charnwood 157.4 /
- Charnwood 157.5 /
- Charnwood 157.6 A
- Charnwood 157.7 A
- Burnham 158.4 A
- Burnham 158.5 B
- Brampton 159.3 /
- Kielder 160.3 /
- Lambridge 161.3 A
- Winterfold 162.2 /
- Silverdale 163.1 A
- Silverdale 163.2 A
- Silverdale 163. 3 A
- Silverdale 163. 4 A

Landscape Plans:

- Detailed Landscape Proposal for Plots Sheet 1 23/309 -01 H
- Detailed Landscape Proposal for Plots Sheet 2 23/309 -02 H
- Detailed Landscape Proposal for Plots Sheet 3 23/309 -03 H
- Detailed Landscape Proposal for Plots Sheet 4 23/309 -04 H
- Detailed Landscape Proposal for Plots Sheet 5 23/309 -05 H
- Detailed Landscape Proposal for POS Sheet 6 23/309 -06 H
- Detailed Landscape Proposal for POS Sheet 7 23/309 -07 H
- Detailed Landscape Proposal for POS Sheet 8 23/309 -08 H
- Detailed Landscape Proposal for POS Sheet 9 23/309 -09 H
- Detailed Landscape Proposal for POS Sheet 10 23/309-10 H
- Detailed Landscape Proposal for POS Sheet 11 23/309-11 H

Engineering Plans:

- Engineering Layout Sheet 1 of 2 100 T
- Engineering Layout Sheet 2 of 2 101 U
- Northern Development Connection 127 *
- Entrance Road Cross Sections 128 *
- Vehicle Swept Path Analysis Sheet 1 of 2 600 K
- Vehicle Swept Path Analysis Sheet 1 of 2 601 K
- Private Drive Tracking Sheet 1 of 2 610 J
- Private Drive Tracking Sheet 2 of 2 611 J
- Fire Appliance Vehicle Tracking Sheet 1 of 2 620 H
- Fire Appliance Vehicle Tracking Sheet 2 of 2 621 G
- Visibility Splays Sheet 1 of 2 650 J Visibility Splays Sheet 2 of 2 651 J
- Planning Longitudinal Sections Sheet 1 of 6 660 *
- Planning Longitudinal Sections Sheet 2 of 6 661 *
- Planning Longitudinal Sections Sheet 3 of 6 662 *
- Planning Longitudinal Sections Sheet 4 of 6 663 *
- Planning Longitudinal Sections Sheet 5 of 6 664 *
- Planning Longitudinal Sections Sheet 6 of 6 665 *

- Road Contours, Chainages & BOPS Sheet 1 of 2 670 C
- Road Contours, Chainages & BOPS Sheet 2 of 2 671 C
- General Arrangement S278-TR2 A

Reports/Supporting Documents:

- Sustainability Statement - Dated September 2023
- Badger Updated Survey eg18862. 06 Dated September 2023
- Future Highway Link North Connection 600 /
- Aboricultural Constraints Plan (Revised) East D35 43 P2 Dated July 2024
- Aboricultural Constraints Plan (Revised) West D35 43 P2 Dated July 2024
- Land off Station Road, Castle Cary Revised Tree Survey Schedule Dated July 2024

Reason: As required by Town and Country Planning Act 1990, and in order to ensure compliance with the plans hereby approved.

03. ELECTRIC VEHICLE CHARGING:

The development hereby permitted must not be occupied or utilised until precise technical details of electric vehicle charging points and parking bays are submitted to and agreed in writing by the Local Planning Authority. Each charging point should be at least 7kW, an untethered connection i.e. only a socket without a built-in cable, and capable of Mode 3 charging. The approved scheme must be constructed before the development is occupied or utilised and, thereafter, must be maintained, kept free from obstruction and available for the purpose specified in perpetuity.

Reason: To ensure the provision of sustainable transport option and to support the transition to low-emission vehicles, in accordance Policy TA1 of the South Somerset Local Plan (2006-2028) and the National Planning Policy Framework Section 9 - Promoting sustainable transport.

04. PARKING SPACES/TURNING SPACES:

The Development hereby permitted shall not be occupied until all parking spaces for the dwellings and properly consolidated and surfaced turning spaces for vehicles have been provided and constructed within the site in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. Such parking and turning spaces shall be kept clear of obstruction in perpetuity and shall not be used other than for the parking and turning of vehicles in connection with the development hereby permitted.

Reason: To ensure that adequate and safe access, turning and parking facilities are provided and maintained in the interest of highway safety and the efficient operation of the development. In accordance with Policy TA5 (transport impact of new developments) and Policy TA6 (parking standards) of the South Somerset Local Plan (2006-2028).

05. SURFACE WATER DISPOSAL:

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

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site. In accordance with Policies EQ2 and EQ7 of the South Somerset Local Plan (adopted March 2015) and the provisions of the NPPF In the interests of highway safety and in accordance with Policy TA5 of the South Somerset Local Plan (2006-2028).

06. ACCESS GRADIENT:

The gradient of the proposed access shall not be steeper than 1 in 10. Once constructed the access shall thereafter be maintained in that condition at all times.

Reason: To ensure safe and suitable access for all users, including vehicles and pedestrians, in line with Policy TA5 of the South Somerset Local Plan (adopted March 2015).

07. INTERIM SURFACE WATER DRAINAGE STRATEGY (CONSTRUCTION PHASE):

No development shall commence until an interim surface water drainage strategy for the construction phase has been submitted to and approved in writing by the Local Planning Authority. The strategy shall include details of temporary drainage measures to manage surface water runoff and prevent pollution or increase flood risk during construction.

Reason: To ensure the development is properly drained in accordance with the NPPF.

08. SECURING THE ACQUISITION OF THIRD-PARTY P-CREDITS WHERE A SECTION 106 AGREEMENT WITH THE P-CREDIT PROVIDER IS IN PLACE:

The development hereby permitted shall not be commenced until an Allocation Certificate has been submitted to and approved in writing by the Local Planning Authority which addresses the additional nutrient input arising from the development within the fluvial catchment area upstream of the Somerset Levels and Moors Ramsar site and on the same hydrological pathway.

The Allocation Certificate shall be a written certificate issued by the phosphate credit provider confirming the allocation of the full phosphate credit requirement generated

by the development, thereby mitigating the additional nutrient load imposed on the Somerset Levels and Moors Ramsar site by the development when fully occupied enabling the local planning authority to conclude on the basis of the best available scientific evidence that such additional nutrient loading will not have an adverse effect on the integrity of the protected site, having regard to the conservation objectives for the site.

Reason: To ensure that the proposed development is phosphate neutral in perpetuity in accordance with Paragraphs 187 and 193-195 of the National Planning Policy Framework (December 2024).

Details pertaining to this that need to be discharged include:

- Evidence demonstrating that a sufficient number of credits to mitigate the nutrient budget (post AMP7 works) totalling 8.20/kg/P/yr for the lifetime of the development have been purchased by the applicant from Woodrow Farm (or a similar scheme within the River Parrett sub-catchment); Evidence demonstrating that a sufficient number of credits to mitigate the nutrient budget resultant from land-use change in the river Brue and Axe sub-catchment totalling 1.52kg/P/yr have been purchased by the applicant from Yew Tree Farm (or a similar scheme within the Brue and Axe sub catchment) and in relation to the planning permission hereby approved;
- Evidence showing the implementation of the mitigation has been first submitted to and approved in writing by the Local Planning Authority.
- Confirmation that occupation of the dwellings hereby permitted shall not commence until after December 2024, when the associated AMP7 Works to the subject Wastewater Treatment Plant have been completed.

Reason: In the interests of the integrity of a European site, the 'Favourable Conservation Status' of populations of European Protected Species and UK protected species, UK priority and habitats listed on s41 of the Natural Environment and Rural Communities Act 2006, and in accordance with Policy EQ4 of the South Somerset Local Plan and Chapter 15 of the National Planning Policy Framework.

09. STANDARD WATER USAGE:

The dwellings hereby approved shall not be occupied until water efficiency measures have been installed to ensure the potential consumption of wholesome water by persons occupying the new dwellings does not exceed 110 litres per person per day, in accordance with 36 (2)(b) of Part G of Schedule 1 and Regulation 36 of the Building Regulations 2010 (as amended), and these measures shall be maintained as such thereafter.

Reason: To improve the sustainability of the dwellings in accordance with Policy EQ1 of the South Somerset Local Plan (2006 – 2028) and Paragraphs 139, 164 and 187 of the National Planning Policy Framework (December 2024).

10. LANDSCAPE AND ECOLOGICAL MANAGEMENT PLAN (LEMP)

Prior to the commencement of the development, a Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the Local Planning Authority prior to completion 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 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 Somerset District Council Local Plan - Policy EQ4 Biodiversity.

11. BADGER LICENCE

Works likely to result in an offence under the Badger Act (1992) shall not in any circumstances commence unless the Local Planning Authority has been provided with either:

- a) a copy of the licence issued by Natural England authorising the development to go ahead; or
- b) a statement of justification in writing from the licensed ecologist to the effect that he/she does not consider that the specified development will require a licence.

Reason: In the interests of the strict protection of badgers and in accordance with Somerset District Council Local Plan - Policy EQ4 Biodiversity.

12. LIGHTING FOR BIODIVERSITY

No installation of external lighting shall occur until a Lighting Strategy for Biodiversity for that phase has been submitted to and approved in writing by the local planning authority. The strategy shall:

- a) Identify those areas/features of the site within that phase or sub phase that are particularly sensitive for bats and other species that are vulnerable to light disturbance in or around their breeding sites and resting places or along

important routes used to access key and supporting areas of their territory, for example, for foraging;

- b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places; and
- c) the design should accord with Step 4 and Step 5 of Guidance Note 08/23, including submission of contour plans illustrating Lux levels, showing that lighting will be directed so as to avoid light spillage and pollution on habitats used by light sensitive species, and will demonstrate that light levels falling on wildlife habitats do not exceed an illumination level of 0.5 Lux (below 0.2 lux on the horizontal plane, and at or below 0.4 lux on the vertical plane on the identified key & supporting horseshoe bat features and habitats). Shields and other methods of reducing light spill as outlined in Step 4 of Guidance Note 08/23 will be used where necessary to achieve the required light levels.

Unless otherwise agreed in writing by the Local Planning Authority all external lighting shall be installed in accordance with the specifications and locations set out in the strategy and shall be maintained thereafter in accordance with the strategy.

Reason: In the interests of biodiversity and the protection of European Protected Species in accordance with National Planning Policy Framework 2023, ODPM Circular 06/2005 and policy EQ4 of the South Somerset District Council Local Plan.

13. APPROVAL OF TREES TO BE RETAINED

With the exception of the roadside boundary (Station Road), no site further clearance, preparatory work or development shall take place until a scheme for the protection of the retained trees (the tree protection plan) and the appropriate working methods (the arboricultural method statement) in accordance with British Standards BS5837:2012 (Trees in relation to Design, Demolition and Construction- Recommendations) has been agreed in writing by the local planning authority. These measures shall be carried out as described and approved.

All tree work shall be carried out in accordance with British Standard BS 3998:2010 (Recommendations for Tree Work).

With the exception of the roadside boundary (Station Road), no further retained tree shall be cut down, uprooted, destroyed, pruned, cut or damaged in any manner within 5 years from the date of the occupation of the land for its permitted use, other than in accordance with the approved plans and particulars, without the prior written approval of the local planning authority.

With the exception of the roadside boundary (Station Road), no further works or development shall take place until a scheme to ensure the implementation of the arboricultural protection measures required by conditions has been approved in writing by the local planning authority.

This scheme will be appropriate to the scale and duration of the works and will include details of:

- a) identification of individual responsibilities and key personnel;
- b) personnel induction and training in awareness of arboricultural matters;
- (c) timing and methods of site visits;
- d) record keeping, including updates;
- e) procedures for dealing with variations and incidents;
- f) supervision by a qualified arboriculturist instructed by the applicant and approved by the authority.

Reason: To ensure the protection, retention and proper management of existing trees on the site, which contribute to the character, visual amenity and biodiversity of the area. In accordance with Policy EQ5 – Green Infrastructure of the South Somerset Local Plan (2006-2028) and Chapter 15 of the NPPD – Conserving and enhancing the natural environment.

14. PROTECTION OF TREES DURING THE WORKS

The protection of any existing tree to be retained in accordance with the approved plans and particulars shall be achieved as follows:

- a) no equipment, machinery or materials shall be brought onto the site for the purposes of the development until fencing has been erected in accordance with plans and particulars which shall have been previously approved by the local planning authority in writing;
- b) if that fencing is broken or removed during the course of carrying out the development, it shall be promptly repaired or replaced to the satisfaction of the authority;
- (c) the fencing shall be maintained in position to the satisfaction of the authority, until all equipment, machinery and surplus materials have been moved from the site;
- (d) within any area fenced in accordance with this condition, nothing shall be stored, placed or disposed of above or below the ground, the ground level shall not be altered, no excavations shall be made, no mixing of cement or use of other contaminating materials or substances shall take place, nor shall any fires be lit, without the prior written consent of the authority; and
- (e) no equipment, machinery or structure shall be attached to or supported by a retained tree.

No alterations or variations to the approved works or tree protection schemes shall be made without prior written consent of the local planning authority.

Reason: To ensure the protection, retention and proper management of existing trees on the site, which contribute to the character, visual amenity and biodiversity of the area. In accordance with Policy EQ5 – Green Infrastructure of the South Somerset Local Plan (2006-2028) and Chapter 15 of the NPPD – Conserving and enhancing the natural environment.

15. PROVISION FOR TREE PLANTING

With the exception of the roadside boundary (Station Road), no further works or development shall be carried out until the local planning authority has approved in writing the full details of all trees, shrubs and hedges to be planted, including:

- a) their quantity, location, species, size at the date of planting;
- b) the approximate date when they are to be planted;
- c) how they will be protected during the building works; and
- d) how they will be maintained until successfully established.

All trees shall be planted in accordance with the details provided and in accordance with British Standard BS4428:1989—Code of Practice for General Landscape Operations (excluding hard surfaces) and maintained in accordance with the details approved.

Reason: To ensure that appropriate landscaping, including tree planting, is carried out to enhance the visual amenity, biodiversity and the environmental sustainability of the development. In accordance with Policy EQ5 – Green Infrastructure of the South Somerset Local Plan (2006-2028) and Chapter 15 of the NPPD – Conserving and enhancing the natural environment.

16: PROTECTION OF TREES POST DEVELOPMENT

No further works shall be carried out, within a period of 5 years from the completion of the development, for the cutting down, felling, uprooting, removal, destruction, lopping or topping of any of the trees or shrubs retained in accordance with Conditions, or planted in accordance with Conditions, or any tree or shrub planted as a replacement for any of those trees or shrubs, other than as may be approved by the local planning authority in writing.

Reason: To ensure the protection, retention and proper management of trees on the site, which contribute to the character, visual amenity and biodiversity of the area. In accordance with Policy EQ5 – Green Infrastructure of the South Somerset Local Plan (2006-2028) and Chapter 15 of the NPPD – Conserving and enhancing the natural environment.

17: PUBLIC FOOTPATH PROVISION AND RETENTION

The footpaths as shown on the External Works, Adoptable Highways and Refuse and Cycle Store Plan (Ref: 105 Rev T) shall be fully constructed to adoptable standards and shall be retained and maintained thereafter as publicly accessible routes in perpetuity. The footpaths shall be completed and made fully available for public use prior to the occupation of 70% of the dwellings hereby approved.

Reason: To ensure the provision and long-term retention of a safe, accessible pedestrian route in the interests of sustainable travel and community connectivity, in accordance with Policy TA5 of the South Somerset Local Plan.

18: PEDESTRIAN ACCESS AND CONNECTIVITY – ROAD CROSSING

The road crossing for PRow WN 6/30 shall be delivered in accordance with the approved S38 Agreement, including the provision of tactile paving to ensure safe pedestrian access. The crossing shall also incorporate wayfinding measures as set out in the detailed Travel Plan and shall be retained and maintained thereafter in accordance with these details.

Reason: To ensure the provision and long-term retention of a safe, accessible pedestrian route in the interests of sustainable travel and community connectivity, in accordance with Polity TA5 of the South Somerset Local Plan.

19: PEDESTRIAN ACCESS AND CONNECTIVITY – LINKS TO WIDER PROW NETWORK

Prior to the occupation of 70% of the dwellings hereby approved, all pedestrian access points and connections to external footpaths, as shown on the approved plans, shall be provided.

Reason: To ensure the provision and long-term retention of a safe, accessible pedestrian route in the interests of sustainable travel and community connectivity, in accordance with Polity TA5 of the South Somerset Local Plan.

20: LIGHTING SCHEME FOR PUBLIC RIGHTS OF WAY

Prior to commencement of the development above the DPC level, an external lighting scheme for the PRowS within and around the site shall be submitted to and approved in writing by the LPA. The approved lighting scheme shall be full implemented prior to the first use of the associated footpaths and shall be retained and maintained in perpetuity.

Reason: In the interests of community safety and to reduce the potential for anti-social behaviour, in accordance with Policy EQ2 of the South Somerset Local Plan and Paragraphs 92 and 130 of the NPPF.

Informatives:

01: SECURING THE ACQUISITION OF THIRD-PARTY P-CREDITS WHERE A SECTION 106 AGREEMENT WITH THE P-CREDIT PROVIDER IS IN PLACE

If development is commenced without supplying the Local Planning Authority with an Allocation Certificate in respect of P-credits, then the implementation of your planning permission may be rendered unlawful. This requirement is considered to go to the heart of the permission and therefore you must obtain formal discharge of the condition prior to commencing any works on site.

02: ESTATE ROAD ADOPTION:

If it is not possible to construct the estate road to a standard suitable for adoption, yet it is deemed the internal layout of the site results in the laying out of a private street, under Sections 219 to 225 of the Highway Act 1980, it will be subject to the Advance Payment Code (APC). In order to qualify for an exemption under the APC, the road should be built and maintained to a level that the Highway Authority considers will be of sufficient integrity to ensure that it does not deteriorate to such a condition as to warrant the use of the powers under the Private Streetworks Code. A suitable adoptable layout should be provided as part of the Reserved Matters application.

03: SURFACE WATER DRAINAGE DETAILS GUIDANCE:

This shall include but not be limited to the below details:

- Drawing / plans illustrating the proposed surface water drainage scheme including the sustainable methods employed to delay and control surface water discharged from the site, sewers and manholes, attenuation features, pumping stations (if required) and discharge locations. The current proposals may be treated as a minimum and further SuDS should be considered as part of a 'SuDS management train' approach to provide resilience within the design.
- Detailed, network level calculations demonstrating the performance of the proposed system are required and this should include:
 - Details of design criteria etc and where relevant, justification of the approach / events / durations used within the calculations.
 - Where relevant, calculations should consider the use of surcharged outfall conditions.
 - Performance of the network including water level, surcharged depth, flooded volume, pipe flow, flow/overflow capacity, status of network and outfall details / discharge rates.
 - Results should be provided as a summary for each return period (as opposed to each individual storm event).
- Evidence may take the form of software simulation results and should be supported by a suitably labelled plan/schematic to allow cross checking between any calculations and the proposed network.
- Detail drawings including cross sections, of proposed features such as infiltration structures, attenuation features, pumping stations and outfall structures. These should be feature-specific.
- Details for provision of any temporary drainage during construction. This should include details to demonstrate that during the construction phase measures will be in place to prevent unrestricted discharge, and pollution to the receiving system. Suitable consideration should also be given to the surface water flood risk during construction such as not locating materials stores or other facilities within this flow route.
- Further information regarding external levels and surface water exceedance routes and how these will be directed through the development without exposing properties to flood risk.

- Details on watercourse crossings, any works to watercourses and outfall locations.

04: SURFACE WATER DISCHARGE RATES:

At the detailed design stage, discharge rates for the 1 in 1 year and 1 in 2-year probability event are to be equivalent to relevant greenfield rates, with any event above the 1 in 2.3-year probability event restricted to QBAR.

05: LLFA LOCAL DESIGN STANDARDS AND CHECKLIST FOR DISCHARGE OF CONDITIONS STAGE

The Council's Local Design standards and checklist outline the required details at each stage of the application, specifying what is expected at the Discharge of Conditions (DOC) stage. This will need to include any details on the watercourse crossing, groundwater monitoring, details on the basin and outfalls from the site, and details on flow controls including the flow from the commercial area. [bas-jbau-xx-xx-fn-la-0043-d3-c01-local_standards.pdf](#) [bas-jbau-xx-xx-fn-z-0044-d3-c01-suds_checklist_major.pdf](#)

06: EDUCATION:

The Education Officer has requested early discussions regarding timescales for access and services to the school site.

07: ASBESTOS CONTAINING MATERIALS:

In association with Condition 10 on the outline application, asbestos-containing materials are to be safely managed, to protect construction workers and the surrounding environment. Refer to document by Hamson Barron & Smith (Report 23-20-18- 1-6237/GIR1) for the ground report carried out for reference.

08: SURFACE WATER DISPOSAL

NOTE: Any systems provided for the purposes of draining the site shall be constructed and maintained privately until such time as the drainage is adopted. At no point will this Authority accept private infrastructure being connected into highway drainage systems.

Consent from the riparian owner of any land drainage facilities affected, that are not within the developer's title, will be required for adoption.