

South Somerset District Council

Notice of Meeting



Area South Committee

Making a difference where it counts

Wednesday 6th September 2017

2.00 pm

**Council Chamber, Council Offices,
Brympton Way, Yeovil BA20 2HT**

(Disabled access and a hearing loop are available at this meeting venue)



The following members are requested to attend this meeting:

Cathy Bakewell
John Clark
Gye Dibben
John Field
Nigel Gage
Peter Gubbins
Kaysar Hussain

Andy Kendall
Sarah Lindsay
Mike Lock
Tony Lock
Sam McAllister
Graham Oakes
Wes Read

David Recardo
Gina Seaton
Peter Seib
Alan Smith
Rob Stickland

Consideration of planning applications will commence no earlier than 2.00pm.

For further information on the items to be discussed, please contact the Democratic Services Officer on 01935 462011 or democracy@southsomerset.gov.uk

This Agenda was issued on Tuesday 29 August 2017.

Ian Clarke, Director (Support Services)

This information is also available on our website
www.southsomerset.gov.uk and via the mod.gov app



Information for the Public

The council has a well-established area committee system and through four area committees seeks to strengthen links between the Council and its local communities, allowing planning and other local issues to be decided at a local level (planning recommendations outside council policy are referred to the district wide Regulation Committee).

Decisions made by area committees, which include financial or policy implications are generally classed as executive decisions. Where these financial or policy decisions have a significant impact on council budgets or the local community, agendas will record these decisions as “key decisions”. The council’s Executive Forward Plan can be viewed online for details of executive/key decisions which are scheduled to be taken in the coming months. Non-executive decisions taken by area committees include planning, and other quasi-judicial decisions.

At area committee meetings members of the public are able to:

- attend and make verbal or written representations, except where, for example, personal or confidential matters are being discussed;
- at the area committee chairman’s discretion, members of the public are permitted to speak for up to up to three minutes on agenda items; and
- see agenda reports

Meetings of the Area South Committee are held monthly, usually at 2.00pm, on the first Wednesday of the month at the Council Offices, Brympton Way, Yeovil (unless specified otherwise).

Agendas and minutes of meetings are published on the council’s website
www.southsomerset.gov.uk/councillors-and-democracy/meetings-and-decisions

Agendas and minutes can also be viewed via the mod.gov app (free) available for iPads and Android devices. Search for ‘mod.gov’ in the app store for your device, install, and select ‘South Somerset’ from the list of publishers, then select the committees of interest. A wi-fi signal will be required for a very short time to download an agenda but once downloaded, documents will be viewable offline.

Public participation at committees

Public question time

The period allowed for participation in this session shall not exceed 15 minutes except with the consent of the Chairman of the Committee. Each individual speaker shall be restricted to a total of three minutes.

Planning applications

Consideration of planning applications at this meeting will commence no earlier than the time stated at the front of the agenda and on the planning applications schedule. The public and representatives of parish/town councils will be invited to speak on the individual planning applications at the time they are considered.

Comments should be confined to additional information or issues, which have not been fully covered in the officer’s report. Members of the public are asked to submit any additional documents to the planning officer at least 72 hours in advance and not to present them to the Committee on the day of the meeting. This will give the planning officer the opportunity to respond appropriately. Information from the public should not be tabled at the meeting. It should

also be noted that, in the interests of fairness, the use of presentational aids (e.g. PowerPoint) by the applicant/agent or those making representations will not be permitted. However, the applicant/agent or those making representations are able to ask the planning officer to include photographs/images within the officer's presentation subject to them being received by the officer at least 72 hours prior to the meeting. No more than 5 photographs/images either supporting or against the application to be submitted. The planning officer will also need to be satisfied that the photographs are appropriate in terms of planning grounds.

At the committee chairman's discretion, members of the public are permitted to speak for up to three minutes each and where there are a number of persons wishing to speak they should be encouraged to choose one spokesperson to speak either for the applicant or on behalf of any supporters or objectors to the application. The total period allowed for such participation on each application shall not normally exceed 15 minutes.

The order of speaking on planning items will be:

- Town or Parish Council Spokesperson
- Objectors
- Supporters
- Applicant and/or Agent
- District Council Ward Member

If a member of the public wishes to speak they must inform the committee administrator before the meeting begins of their name and whether they have supporting comments or objections and who they are representing. This must be done by completing one of the public participation slips available at the meeting.

In exceptional circumstances, the Chairman of the Committee shall have discretion to vary the procedure set out to ensure fairness to all sides.

Recording and photography at council meetings

Recording of council meetings is permitted, however anyone wishing to do so should let the Chairperson of the meeting know prior to the start of the meeting. The recording should be overt and clearly visible to anyone at the meeting, but non-disruptive. If someone is recording the meeting, the Chairman will make an announcement at the beginning of the meeting.

Any member of the public has the right not to be recorded. If anyone making public representation does not wish to be recorded they must let the Chairperson know.

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<http://modgov.southsomerset.gov.uk/documents/s3327/Policy%20on%20the%20recording%20of%20council%20meetings.pdf>

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Area South Committee

Wednesday 6 September 2017

Agenda

Preliminary Items

- 1. Minutes of previous meeting**
- 2. Apologies for absence**
- 3. Declarations of Interest**

In accordance with the Council's current Code of Conduct (as amended 26 February 2015), which includes all the provisions relating to Disclosable Pecuniary Interests (DPI), personal and prejudicial interests, Members are asked to declare any DPI and also any personal interests (and whether or not such personal interests are also "prejudicial") in relation to any matter on the Agenda for this meeting.

Members are reminded that they need to declare the fact that they are also a member of a County, Town or Parish Council as a Personal Interest. Where you are also a member of Somerset County Council and/or a Town or Parish Council within South Somerset you must declare a prejudicial interest in any business on the agenda where there is a financial benefit or gain or advantage to Somerset County Council and/or a Town or Parish Council which would be at the cost or to the financial disadvantage of South Somerset District Council.

Planning Applications Referred to the District Council's Regulation Committee

The following members of this Committee are also members of the Council's Regulation Committee:

Councillors Peter Gubbins, Graham Oakes, David Recardo and Gina Seaton.

Where planning applications are referred by this Committee to the Regulation Committee for determination, Members of the Regulation Committee can participate and vote on these items at the Area Committee and at Regulation Committee. In these cases the Council's decision-making process is not complete until the application is determined by the Regulation Committee. Members of the Regulation Committee retain an open mind and will not finalise their position until the Regulation Committee. They will also consider the matter at Regulation Committee as Members of that Committee and not as representatives of the Area Committee.

- 4. Public question time**
- 5. Chairman's announcements**
- 6. Reports from representatives on outside organisations**

This is an opportunity for Members who represent the Council on outside organisations to report items of interest to the Committee.

Items for discussion

7. **Area South Forward Plan** (Pages 6 - 8)
8. **Planning Appeals (For information)** (Pages 9 - 12)
9. **Schedule of Planning Applications to be Determined by Committee** (Pages 13 - 14)
10. **Planning Application 17/02772/R3D - Yeovil Crematorium, Bunford Lane, Yeovil**
(Pages 15 - 21)
11. **Planning Application 17/02523/COU - 98 Middle Street, Yeovil BA20 1NE** (Pages 22 - 27)
12. **Planning Application 17/03214/REM - Land to the North of Thorne Lane, Yeovil**
(Pages 28 - 34)

Please note that the decisions taken by Area Committees may be called in for scrutiny by the Council's Scrutiny Committee prior to implementation.

This does not apply to decisions taken on planning applications.

Agenda Item 7

Area South Committee Forward Plan

Communities Lead: Helen Rutter, Communities Lead
Service Manager: Natalie Fortt, Area Development Lead - South
Agenda Co-ordinator: Jo Boucher, Democratic Services Officer
Contact Details: jo.boucher@southsomerset.gov.uk or (01935) 462011

Purpose of the Report

This report informs Members of the agreed Area South Forward Plan.

Recommendations

Members are asked to:-

1. Comment upon and note the proposed Area South Forward Plan as attached at Appendix A.
2. Identify priorities for further reports to be added to the Area South Forward Plan, developed by the SSDC lead officers

Area South Committee Forward Plan

The forward plan sets out items and issues to be discussed by the Area Committee over the coming months.

The forward plan will be reviewed and updated each month, by the joint lead officers from SSDC, in consultation with the Area Committee Chairman. It is included each month with the Area Committee agenda, where members of the Area Committee may endorse or request amendments.

Members of the public, councillors, service managers, and partners may request an item is placed within the forward plan for a future meeting, by contacting the Democratic Services Officer.

Background Papers

None

Appendix A

Notes

- (1) Items marked in *italics* are not yet confirmed, due to the attendance of additional representatives.
- (2) For further details on these items, or to suggest / request an agenda item for the Area South Committee, please contact the Democratic Services Officer; Jo Boucher.

Meeting Date	Agenda Item	Background/ Purpose	Lead Officer
4th October 2017	Environmental Health Services Update Report	Annual Update Report	Alasdair Bell, Environmental Health Manager
	Section 106 Monitoring Report	Six Monthly update report	Neil Waddleton, Section 106 Monitoring Officer
	Arts and Entertainment Services Update Report	Annual Update Report	Adam Burgan, Arts & Entertainment Manager
	Countryside Service Update Report	Annual Update Report	Katy Menday, Countryside Manager
	One Public Estate Programme	Update report	Nena Beric, Project Manager
1st November 2017	Somerset Highways – maintenance programme	A six monthly update report on the current and expected highways maintenance programme in Area South	Mike Fear, Assistant Highway Service Manager, South Somerset Highways
	Affordable Housing Development Programme	The purpose of this report is to update members on the likely outturn position of the Affordable Housing Development Programme in relation to Area South	Colin McDonald, Corporate Strategic Housing Manager
	Yeovil Vision Update Report	Update on Yeovil Vision	Helen Rutter, Communities Lead
29th November 2017 <i>(Please note revised date for the December meeting)</i>	Markets Improvement Strategy	Update Report on the Yeovil Markets	Natalie Fortt, Area Development Lead - South
	Citizens Advice South Somerset (CASS) Presentation	Presentation from Citizens Advice South Somerset	Angela Kerr, CEO or Kim Watts Client Services Manager, CASS

Meeting Date	Agenda Item	Background/ Purpose	Lead Officer
4 th January 2017		<i>Please note this meeting will only be held if there are planning applications to be determined</i>	
1 st February 2017	Yeovil Vision & Regeneration Update	Update report on Yeovil Vision and Regeneration	Helen Rutter, Communities Lead / Natalie Fortt, Area Development Lead - South
	Work of the Conservation Service	Annual report on the work of the Conservation Service.	Adron Duckworth, Conservation Manager
	Historic Buildings at Risk	Confidential report on the Historic Buildings at risk within Area South.	Adron Duckworth, Conservation Manager & Andrew Tucker Conservation Officer
	SSDC Welfare Benefit Work in South Somerset	Annual Update on the Welfare Benefit Work in South Somerset	Catherine Hansford, Welfare Benefits Team Leader
TBC	Western & Eastern Corridor Improvements	Update of the Western & Eastern Corridor Improvements	SCC

Agenda Item 8

Planning Appeals (For information)

Director: Martin Woods, Service Delivery
Lead Officer: Martin Woods, Service Delivery
Contact Details: martin.woods@southsomerset.gov.uk or (01935) 462071

Purpose of the Report

To inform members of the appeals that have been lodged, decided upon or withdrawn.

Recommendation

That the report be noted.

Background

The Area Chairmen have asked that a monthly report relating to the number of appeals received, decided upon or withdrawn be submitted to the committee.

Appeals Received

Ward: Coker
Proposal: Alterations and conversion of equestrian building to 1 No. dwelling
Appellant: Mr B Spearing
Site: The Stables, Old Road, Higher Odcombe, Yeovil, Somerset

Ward: Brympton
Proposal: The formation of a vehicular access and hardstanding (Revised application)
Appellant: Aaron Purnell
Site: 165 Larkhill Road Yeovil BA21 3HW

Ward: Yeovil East
Proposal: The erection of a single storey rear extension, the installation of 2 No. new windows to the north elevation of existing building and the re-positioning of air conditioning units (Revised application)
Appellant: Matthews Properties Ltd
Site: 5 Wyndham Street, Yeovil, BA20 1JJ

Ward: Brympton
Proposal: The erection of a front boundary fence (Retrospective)
Appellant: Mrs M Lavery
Site: 9 Champion Drive, Yeovil, BA22 8QS

Appeals Dismissed

Ward: Yeovil Central
Proposal: The installation of 2 No. replacement windows to ground floor front (retrospective) and to replace 2 No. first floor front windows
Appellant: Mostly Property Ltd
Site: 25 Hendford, Yeovil, Somerset BA20 1UN

Financial Implications

None

Implications for Corporate Priorities

None

Other Implications

None

Background Papers: Planning application files

Appeal Decision

Site visit made on 5 June 2017

by **JP Roberts BSc(Hons), LLB(Hons), MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 30th June 2017

Appeal Ref: APP/R3325/W/17/3168719 25 Hendford, Yeovil, Somerset BA20 1UN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mostly Property Ltd against the decision of South Somerset District Council.
 - The application Ref 16/02914/FUL, dated 20 June 2016, was refused by notice dated 5 September 2016.
 - The development proposed is replacement windows x 2.
-

Decision

1. The appeal is dismissed.

Procedural matter

2. Notwithstanding the description of the application given above, the submitted application documents make it clear that the application seeks part-retrospective permission for the installation of 2 replacement windows to the ground floor on the front elevation and a proposal to replace 2 first floor windows on the front elevation. I shall deal with the proposal accordingly.

Main Issue

3. Whether the proposal would preserve or enhance the character or appearance of the Yeovil Conservation Area.

Reasons

4. The appeal building is a semi-detached two-storey Victorian red brick building, in a south-western arm of the Yeovil Conservation Area, close to the town centre. The building is an attractive example of Victorian architecture. It possesses a number of architectural features of visual interest, characteristic of the era, such as a dressed stone bay, cusped bargeboards, brick string courses, and a scrolled stone first floor window head, with herringbone brick detailing. The upper floor also contains original, wooden framed sliding sash windows, with two panes in the upper part with decorative horns, and one in the lower part.
 5. Although there are 20th century office blocks close to the appeal site, of little architectural merit, there are also a number of Victorian buildings in the vicinity, some of which are listed. In particular, immediately to the east of the appeal site is the Masonic Hall, which is even more richly embellished, and its attractive features draw the eye to it. There are other Victorian properties on either side of the road with original windows.
-

6. The replacement windows retain the pattern of the original windows, along with the decorative horns. However, the use of bright white, machine-finished UPVC with thicker frames fails to replicate the more delicate proportions of the original windows, and is devoid of the natural variation in form and texture of timber, and lacks the characteristic appearance of putty-beaded glazing bars. The combination of these features draws attention to the windows, and the loss of the finer construction detracts from the quality and appearance of the building, and contrasts sharply with the original windows and those on nearby Victorian buildings. I consider that they devalue the integrity and attractiveness of the building and harm the heritage significance of the conservation area. The harm would be "less than substantial" within the meaning of the National Planning Policy Framework (the Framework) and I shall return to this below.
7. There are other modern windows in Victorian properties in the area, which detract from the historic appearance of the properties. However, they are not so prevalent as to affect significantly the character or appearance of the area, or to undermine the significance of the conservation area as a heritage asset.
8. I therefore find on the main issue that the proposal would fail to preserve or enhance the character or appearance of the conservation area, and would conflict with Policies EQ2 and EQ3 of the South Somerset Local Plan, adopted in 2016, which respectively deal with general development (and seeks high quality development which preserves or enhances character and appearance) and the historic environment.

Other matters

9. The Framework says that in cases where less than substantial harm is caused to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.
10. In this case, there may be a small public benefit resulting from reduced carbon emissions as a result of the greater energy-efficiency of the new windows. There would also be some private benefits arising from improved living conditions for tenants through the avoidance of condensation and mould and there would be advantages in safety and ease of use. However, I am not convinced that similar benefits could not be gained from the use of well-designed timber windows, or the use of secondary glazing. In any event, these benefits do not outweigh the harm that I have found.
11. I note the appellants' argument that the Council has been inconsistent with its use of reproduction street lighting and in allowing steel railings to the adjacent Masonic Hall, but these are not matters of such substance to justify the harm that I have found. I have had regard to the support offered from tenants of the property, as well as that from the Yeovil Town Council, but this is insufficient to alter my conclusion.

Conclusion

12. I find that the proposal would conflict with the development plan as a whole, and conclude that, for the reasons given above, the appeal should be dismissed.

JP Roberts

INSPECTOR

Agenda Item 9

Schedule of Planning Applications to be determined by Committee

Director: Martin Woods, Director - Service Delivery
Service Manager: David Norris, Development Control Manager
Contact Details: david.norris@southsomerset.gov.uk or 01935 462382

Purpose of the Report

The schedule of planning applications sets out the applications to be determined by Area South Committee at this meeting.

Recommendation

Members are asked to note the schedule of planning applications.

Please note: Consideration of planning applications will commence no earlier than 2.00pm.

Members of the public who wish to speak about a particular planning item are recommended to arrive for 1.45pm.

SCHEDULE					
Agenda Number	Ward	Application	Brief Summary of Proposal	Site Address	Applicant
10	BRYMPTON	17/02772/R3D	The construction of a new service road	Yeovil Crematorium, Bunford Lane, Yeovil	South Somerset District Council
11	YEOVIL CENTRAL	17/02523/COU	The change of use of premises from Use Class A3 (restaurant) to a mixed use of A3 and A4 (drinking establishment)	98 Middle Street, Yeovil BA20 1NE	Mr Tim Dodgson
12	YEOVIL WITHOUT	17/03214/REM	Reserved Matters: The erection of 31 dwellings, garages, associated access, drainage and landscaping.	Land to the North of Thorne Lane, Yeovil	Brimsmore Landowners

Further information about planning applications is shown below and at the beginning of the main agenda document.

The Committee will consider the applications set out in the schedule. The Planning Officer will give further information at the meeting and, where appropriate, advise members of letters received as a result of consultations since the agenda had been prepared.

Referral to the Regulation Committee

The inclusion of two stars (**) as part of the Development Manager's recommendation indicates that the application will need to be referred to the District Council's Regulation Committee if the Area Committee is unwilling to accept that recommendation.

The Lead Planning Officer, at the Committee, in consultation with the Chairman and Solicitor, will also be able to recommend that an application should be referred to District Council's Regulation Committee even if it has not been two starred on the Agenda.

Human Rights Act Statement

The Human Rights Act 1998 makes it unlawful, subject to certain expectations, for a public authority to act in a way which is incompatible with a Convention Right. However when a planning decision is to be made there is further provision that a public authority must take into account the public interest. Existing planning law has for many years demanded a balancing exercise between private rights and public interest and this authority's decision making takes into account this balance. If there are exceptional circumstances which demand more careful and sensitive consideration of Human Rights issues then these will be referred to in the relevant report.

Agenda Item 10

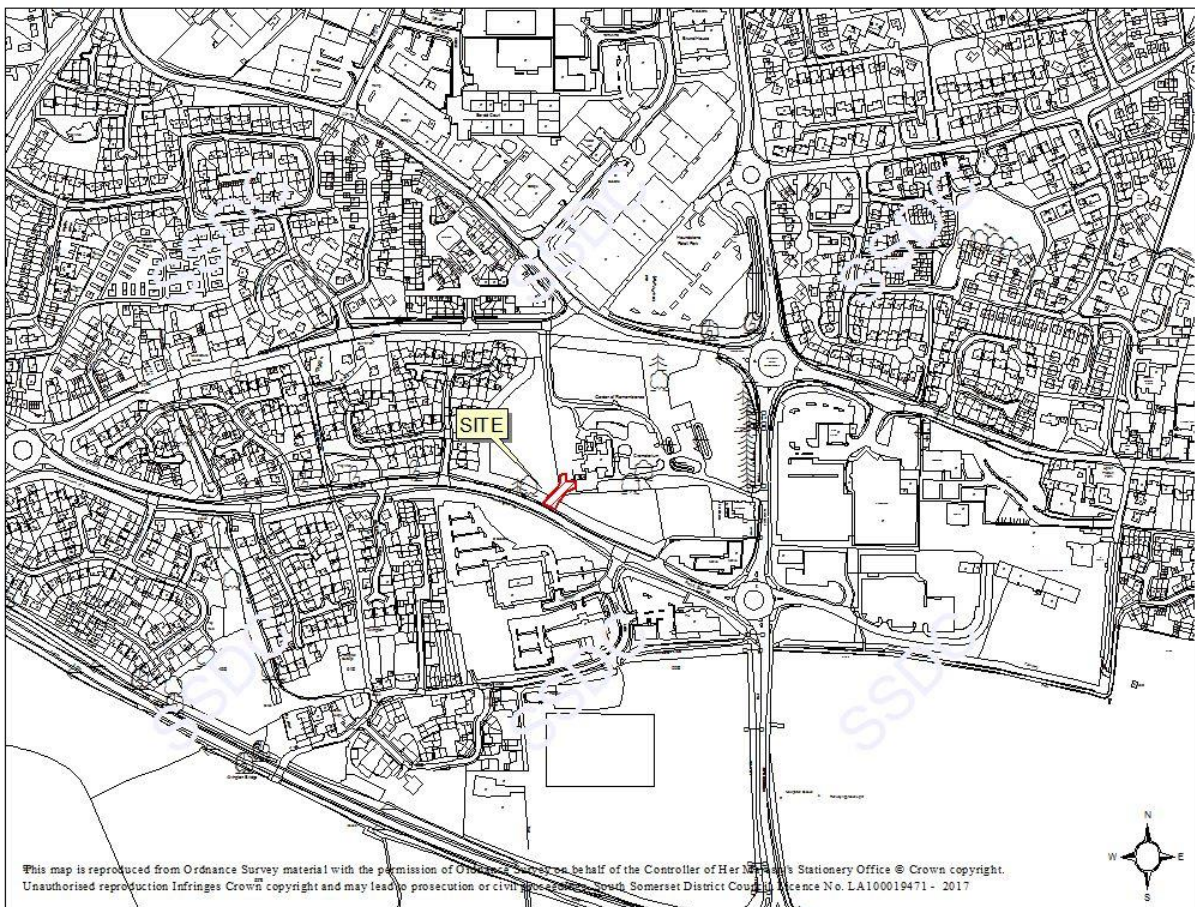
Officer Report on Planning Application: 17/02772/R3D

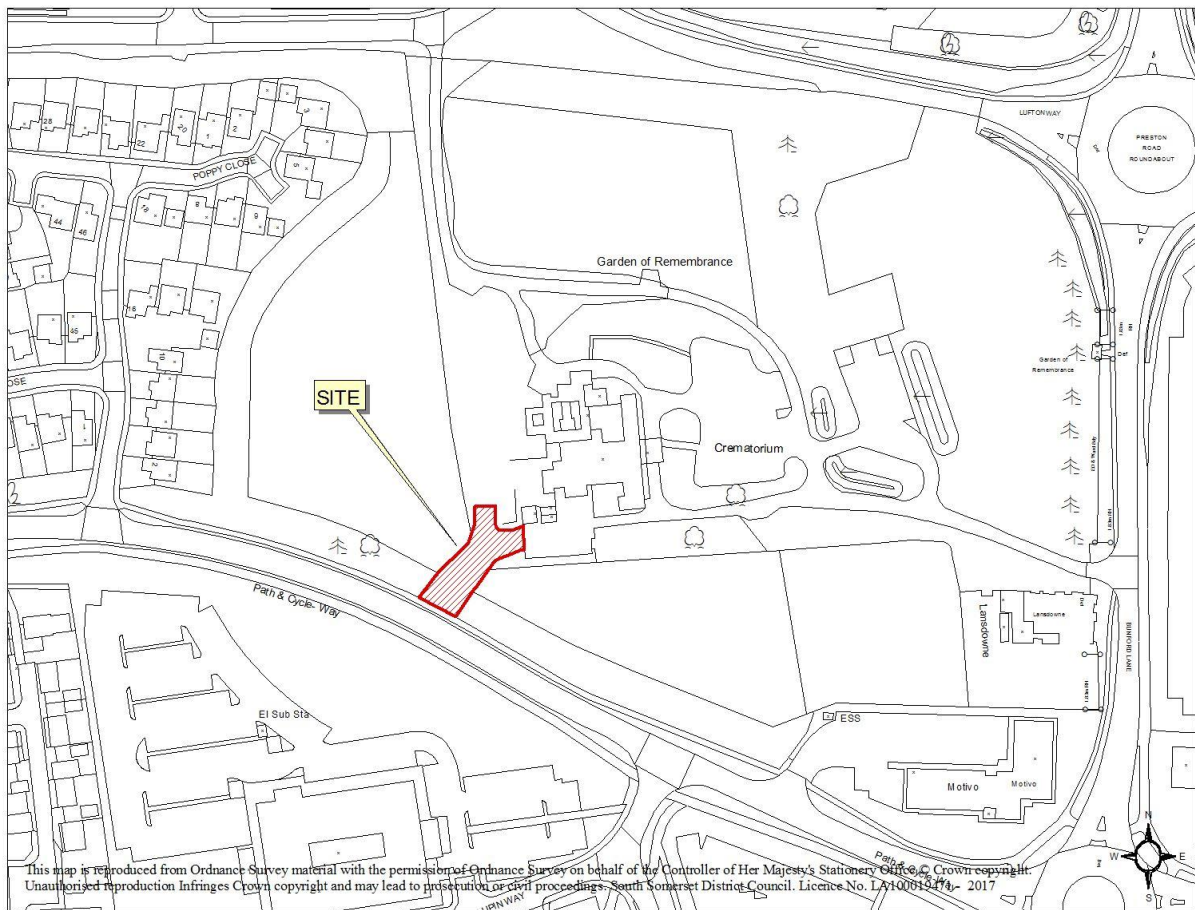
Proposal:	The construction of a new service road
Site Address:	Yeovil Crematorium, Bunford Lane, Yeovil
Parish:	Brympton
BRYMPTON Ward (SSDC Members)	Cllr S Lindsay and Cllr P Seib
Recommending Case Officer:	Andrew Collins, Planning Officer
Target date:	18th August 2017
Applicant:	South Somerset District Council
Agent: (no agent if blank)	
Application Type:	Non PS1 and PS2 return applications

REASON FOR REFERRAL TO COMMITTEE

This application is referred to Area South Committee due to the nature of the proposals and at the discretion of the Development Manager due to SSDC being the applicant.

SITE DESCRIPTION AND PROPOSAL





The site is located on the Western side of Bunford Lane, opposite the Asda Superstore. There is a current access into the site from Bunford Lane with a one way system and exit onto Preston Road, opposite the Hawks Rise development.

This application seeks permission for the construction of a new service road off Bluebell Road, which is located to the south of the crematorium. The service area for the crematorium is located to the rear / west of the site.

In detail the proposal seeks permission for the erection of a new service road located on the northern side of Bluebell Road. Currently there is a footpath / cycleway along this side of the road. It is confirmed that the new road would be primarily for access for contractor's vehicles when the intended replacement cremators are installed and the proposed works to the crematorium. In the future it will enable access for maintenance works to take place. The road also links to an existing staff car park. So staff may be able to have access, but no access is proposed for the general public.

It is also detailed that part of the screen bank and planting which runs parallel with the road will need to be removed to provide the roadway. Planting is stated as being proposed on the bank and within the site. A new chain link fence will be provided and a security gate. This is set back 6m from the footpath. New lighting for the roadway will a maximum of 4.5m high with LED lamps.

During the course of the application amended plans have been provided showing the location of the existing lamp post and that the footpath would take priority. Also further amended plans have been submitted to address County Highway Authority concerns.

HISTORY

Lengthy history over time, but in relation to recent, relevant applications, the following are relevant;

15/02065/R3D - The erection of a new external metal access staircase - permitted with conditions - 23/06/15

00/00597/R3D - The formation of a new exit road - Permitted with conditions - 23/5/00

95/07280/R3D - The installation of replacement cremators, alterations and extensions with associated works - Permitted with conditions - 01/02/96

POLICY

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

South Somerset Local Plan (2006 - 2028)

On the 5th March 2015 this new local plan was adopted and constitutes the development plan. The most relevant policies are:-

SD1 - Sustainable Development
SS1 - Settlement Strategy
TA5 - Transport Impact of New Development
EQ2 - General Development
EQ4 - Biodiversity
EQ5 - Green Infrastructure

National Planning Policy Framework

Chapter 4 - Promoting Sustainable Transport
Chapter 7 - Requiring Good Design
Chapter 11 - Conserving and Enhancing the Natural Environment

CONSULTATIONS

Brympton Parish Council - *"Recommends approval of this application. However there is a post for the Parish Council Speed Indicator Device which may be affected by these works. The Parish Council would expect the post to be re-sited at no cost to the Parish Council."*

County Highway Authority - On the basis of the amended plans commented;

"It would be beneficial to see plans showing the access in more detail, especially as the amended plans appear to show that the proposal will have priority to pedestrians rather than vehicles across the access."

The Highway Authority does not have any objections in principle to the application, but the lack of shown visibility splays as well as the radii to the northwest appearing to not be sufficient and could lead to potential highway safety concerns. If the applicant could provide a detailed drawing of the access (including vehicle tracking of the largest vehicle likely to use the access) so that the Highway Authority can make their full comments on the application."

SSDC Highways Consultant - Leaves it to the highways authority to comment.

Tree Officer - *"I have briefly surveyed the location of the proposal and can confirm that the required tree losses associated with the proposal ought to be quite acceptable.*

The excavation required to cut through the existing tree-covered bund is likely to far exceed the footprint of the proposed access drive itself (owing to the 45 degree earth moulding required). However, the adjoining trees which remain are quite young and adaptable to root-loss. If coppiced down to ground-level, most ought to be capable of regenerating new growth and 'softening' the edges. It might also be prudent to ensure some understorey planting upon the bare faces of the newly excavated banks.

Further inside the site is a multiple-stemmed Field Maple and mature Hazel coppice stools. Although the drive access would cut through its Root Protection Area requirement, in my opinion, it is unlikely to cause severe harm to the trees health. Some light crown-lifting of the Field Maple and coppicing of any retained Hazel stools would also seem prudent to allow unobstructed access whilst avoiding collision damage.

If consent is granted, I would be grateful if you could consider imposing something along the following lines:

Tree Protection Condition: Prior to commencement of the approved development, excavations or site vegetation clearance, the appointed Project Manager shall arrange for the Council's Tree Officer (01935 462670) to attend a pre-commencement site meeting at a mutually convenient time. A scheme of tree retention, tree works and tree plantings shall then be submitted to the Council and agreed in-writing by the Council prior to commencement.

Reason: To preserve the presence of existing landscape features (trees) in accordance with the Council's statutory duties relating to The Town & Country Planning Act, 1990 (as amended) and the following policies as stated within The South Somerset Local Plan (2006 - 2028); EQ2: General Development, EQ4: Bio-Diversity & EQ5: Green Infrastructure."

MoD - Has no safeguarding objections to this proposal.

REPRESENTATIONS

None received

CONSIDERATIONS

Principle

As Bluebell Road is a classified road, planning permission is required for a new access, hence this application.

The new access is located to enable that contractor's vehicles can easily get to the rear of the crematorium buildings, without disrupting other users. Therefore the principle of providing the access is acceptable.

Visual Impact / Trees

There is a tree lined bund along the northern boundary of the proposed access. This would have to be excavated to create the new access. Due to the orientation of the bund and the line of the roadway, this would result in a 45 degree angle through the bund. This would

result in an increased number of trees being affected. However the tree officer has commented and considers that as quite young trees they are more adaptable to root loss. Increased planting is suggested in the covering statement and detailed in the tree officer's comments. On this basis it is not considered that the proposal would result in a significant upon visual amenity.

More substantial trees are located near the roadway and likely to go through the Root Protection Areas of these trees. But the Tree Officer again does not consider that to severe impact upon the trees.

In terms of amenity, it is also noted that the new roadway is located away from the memorial gardens and this proposal would not affect these quieter public areas.

As such the proposals comply with Policies EQ2 and EQ4.

Residential Amenity

The nearest residential properties are in Jasmine Close, whilst offices are located at the corner at Motivo and in Lupin Way.

Due to the nature and extent of the proposals, it is not considered that the formation of an access onto Bluebell Road would have an adverse effect upon residential amenity and comply with Policy EQ2.

Highways

It is noted that the Highways Authority do not have an objection in principle. The proposed access is located on the outside of a wide sweeping bend. In relation to visibility splays, as the road is within a 30mph splay showing 2.4m back and a minimum of 43m in either direction would be required. Whilst not shown on the plans it is considered that this can be achieved. The access road does not show a standard access to the northwest as all vehicles are likely come from the Yeovil direction. However, in the unlikely case that a vehicle comes from the opposite direction a standard splay could be provided. Subject to the provision of plans showing sufficient visibility splays and a standard splay it is likely that the Highways Authority would not raise an objection.

The amended plans have now shown that the footpath takes priority over the vehicles. This arrangement is considered to be an enhancement to the vehicles having priority due to the amount of likely traffic using the access and the importance of the footpath / cyclepath which is well used and an important link.

The amended plans have also shown the position of an existing street lamp. This shows that the new access would not comprise the position of this lamp.

The further amended plans also show a standard entrance splay and visibility splay details in both directions.

Therefore in principle the proposal is considered to comply with Policy TA5. But further information has been requested in order for the Highways Authority to fully assess the application.

CIL

This development is not CIL liable.

Conclusion

The proposal is not considered to have an adverse effect upon residential or visual amenity and the impact upon existing planting is deemed to be acceptable. Further information has been sought from the applicant to satisfy the Highway Authority. It is considered the requirements of the Highways Authority can be provided on the site. Subject to this aspects being provided to the satisfaction of the Highways Authority, the application is minded for approval.

Accordingly, subject to this caveat the proposal is considered to comply with policies SD1, SS1, EQ2 and TA5 of the Local Plan and is as such recommended for approval.

RECOMMENDATION

Grant permission subject to;

- i) the Country Highways Authority satisfaction in relation to the proposal.
- ii) the following conditions

01. The proposal is not considered to have an adverse effect upon residential or visual amenity and the impact upon existing planting is deemed to be acceptable. Sufficient highways requirements can be provided to create a safe access.

Accordingly the proposal is considered to comply with policies SD1, SS1, EQ2 and TA5 of the Local Plan and the aims and objectives of the NPPF.

SUBJECT TO THE FOLLOWING:

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

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

02. The development hereby permitted shall be carried out in accordance with the following approved plans: Amended plans to be submitted to address highway concerns

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

03. Prior to commencement of the development, site vegetative clearance, demolition of existing structures, ground-works, heavy machinery entering site or the on-site storage of materials, a scheme of tree protection measures shall be prepared by a suitably experienced and qualified arboricultural consultant in accordance with British Standard 5837: 2012 - Trees in relation to design, demolition and construction and submitted to the Council for their approval. Upon approval in writing from the Council, the agreed tree protection measures shall be made ready for inspection. The approved tree protection requirements shall remain implemented in their entirety for the duration of the construction of the development and the protective fencing and signage may only be moved or dismantled with the prior consent of the Council in-writing.

Reason: To preserve existing landscape features (protected trees) in accordance with policies EQ2, EQ4 and EQ5 of the adopted South Somerset Local Plan (2006 - 2028).

04. (i) Before the access hereby approved is finished and ready to be used, a landscaping scheme, which shall include details of the species, siting and numbers to be planted, shall be submitted to and approved in writing by the Local Planning Authority.
- (ii) The scheme shall be completely carried out within the first available planting season from the date of commencement of the development, or as otherwise extended with the agreement in writing of the Local Planning Authority.
- (iii) For a period of five years after the completion of the planting scheme, the trees and shrubs shall be protected and maintained and any trees or shrubs that cease to grow shall be replaced by trees or shrubs of similar size and species, or the appropriate trees or shrubs as may be approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity in accordance with Policies EQ2, EQ4 and EQ5 of the adopted South Somerset Local Plan (2006 - 2028).

05. Any highway comments suggested, i.e. surface finish, the retention of visibility splays, gradient, surface water drainage.

Informatives:

01. In relation to condition 3 you are advised to contact the Council's Tree Officer (Phillip Poulton 01935 462670) to arrange a pre-commencement site meeting between the appointed building/groundwork contractors and the Council's Tree Officer, in order to ensure compliance with the submitted scheme of tree protection fencing and other tree protection measures.

Agenda Item 11

Officer Report on Planning Application: 17/02523/COU

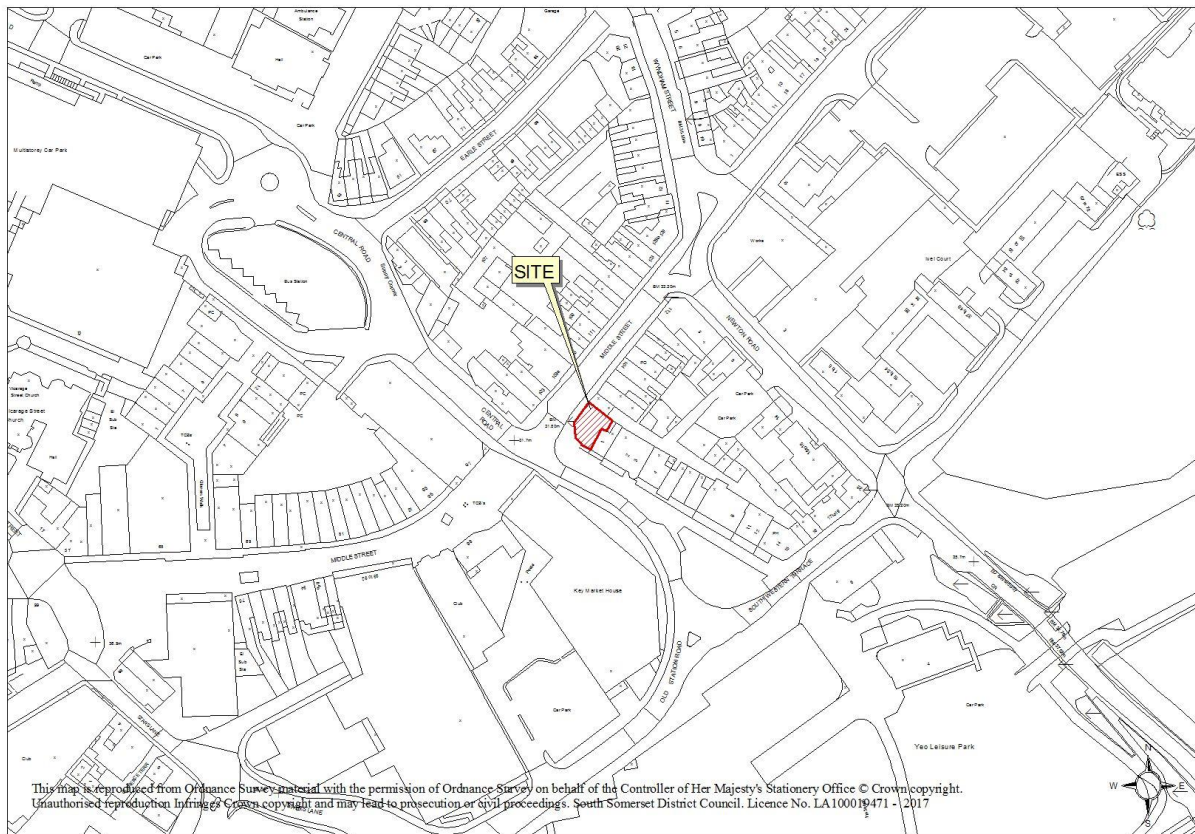
Proposal:	The change of use of premises from Use Class A3 (restaurant) to a mixed use of A3 and A4 (drinking establishment)
Site Address:	98 Middle Street, Yeovil BA20 1NE
Parish:	Yeovil
Yeovil (Central) Ward (SSDC Member)	Cllr K Hussain Cllr A Kendall Cllr P Gubbins
Recommending Case Officer:	Andrew Collins – Planning Officer
Target date:	28th August 2017
Applicant:	Mr Tim Dodgson
Agent: (no agent if blank)	
Application Type :	Other Change Of Use

REASON FOR REFERRAL TO COMMITTEE

This application is referred to the Area South Committee at the request of Cllrs Kendall and Hussein in agreement with the Area Chairman to fully consider the merits of the application.

SITE DESCRIPTION AND PROPOSAL





The application site is located on the corner of Middle Street and Old Station Road. The site is within the defined town centre as detailed in the Local Plan.

The site is located opposite the existing pedestrian area and the existing Weatherspoons public house located at No. 97 Middle Street.

The property is currently vacant but was previously operated as a restaurant, with the property last used as an Indian restaurant.

Planning permission is now sought to change the use of the building to a mixed restaurant (A3) and drinking establishment (A4) use.

The application is supported with location, block and floor plans. The floor plans indicate the uses of the 3 floors of the building. The ground floor would be used mainly for the A4 use, the first floor the A3 use, the kitchen / staff area and the toilets for both A3 and A4 uses. The second floor would be used as residential accommodation.

HISTORY

17/02524/ADV - The display of 2 No. internally illuminated fascia signs. - Pending Consideration

11/03904/FUL - The carrying out of alterations to shop fronts and the erection of railings - Application permitted with conditions - 13/12/2011

05/01997/S73 - The use of ground and 1st floor of premises as Chinese Restaurant with variation to condition 5 of Decision Notice 03/03024/COU (hours of opening) - Application permitted with conditions - 28/09/2005

04/01997/COU - The change of use of second floor of premises from Use Class B1 (Offices) to Use Class C3 (Residential) - Application permitted with conditions - 14/12/2004

03/03024/COU - The change of use of ground and 1st floor of premises from offices (Use Class A2) to Chinese restaurant (Use Class A3) - Application permitted with conditions - 22/12/2003

POLICY

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

On the 5th March 2015 the South Somerset Local Plan (2006 - 2028) was adopted and constitutes the development plan. The most relevant policies are:-

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

SD1 - Sustainable Development

SS1 - Settlement Strategy

EP11 - Location of Main Town Centre Uses (The Sequential Approach)

EQ2 - General Development

One of the criteria is;

- Creating safe environments addressing crime prevention and community safety;

National Guidance

National Planning Policy Framework - March 2012

Chapter 1 - Building a Strong Competitive Economy

Chapter 2 - Ensuring the Vitality of Town Centres

Chapter 4 - Promoting Sustainable Transport

Paragraph 58; *"Planning policies and decisions should aim to ensure that developments:*

- create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion;"

Chapter 8 - Promoting Healthy Communities

Paragraph 69; *"Planning policies and decisions, in turn, should aim to achieve places which promote:*

- safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion"

REPRESENTATIONS

Neighbouring properties to the site have been notified in writing and a site notice was displayed. No representations have been received.

CONSULTATIONS

Yeovil Town Council - *"Recommend approval subject to obtaining an alcohol license."*

Somerset County Highways - Refers to standing advice.

SSDC Highways Consultant - *"The demand for parking and the servicing/delivery needs associated with the proposed use are unlikely to be significantly different to that of the extant use of the building. Therefore, no objection is raised."*

SSDC Environmental Protection - Has no comments to make.

SSDC Licensing - *"The premises formally known as Viceroy 2, does not have the benefit of a premises licence as this was surrendered last year. If the planning applicant wishes to provide any or all of the activities listed below, they will need to apply for a new premises licence:*

- *Supply of Alcohol*
- *Late Night Refreshment*
- *Regulated Entertainment*

Please see link to our webpage <https://www.southsomerset.gov.uk/licensing,-permits,-registrations-and-notifications/premises-licence/>

The application fee for premises licence will depend on the non-domestic rateable value of the property and the same with the annual fee.

There is a mandatory condition attached to all premises licences where alcohol is sold, that there must be a designated premises supervisor and that person must hold a personal licence.

The premises are also within our cumulative impact area, which means that if any representations are received, then there will be a presumption that the licence will not be granted unless they can demonstrate that their business will not add to the cumulative impact already being experienced.

Please see link to our licensing policy https://www.southsomerset.gov.uk/media/203001/licensing_policy_2014.pdf

Police Crime Prevention Design Advisor - *Objects in principle.*

Crime Prevention Design Advisor's (CPDA) working in partnership, have a responsibility for Crime Prevention through Environmental Design projects within the South Somerset area. As a Police Service we offer advice and guidance on how the built environment can influence crime and disorder to create safer communities addressing the potential of the fear of crime and anti-social behaviour.

Sections 58 and 69 of the National Planning Policy Framework March 2012 both require crime and disorder and fear of crime to be considered in the design stage of a development and ask for:-

"Safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion."

Guidance is given considering 'Crime Prevention through Environmental Design', 'Secured by Design' principles and 'Safer Places.

Comments

- *Cumulative policy (Licensing) in force resulting from the levels of crime and disorder*
- *Capacity and operating hours may add to existing cumulative impact problems in the area, due to the release of a large number of patrons onto the street at youth threshold (9pm) and closing time*
- *Safeguarding - Additional young people being introduced to this area after 9 pm (time*

suggested that premises will be closed to under 18's) could increase the risk of them becoming victims

- *Comment from Inspector Tim Coombe 'As the Inspector for Neighbourhood Policing I would suggest that an additional mixed use A3 and A4 drinking establishment at 98 Middle Street could impact and increase levels of crime and disorder in the immediate area. A cumulative impact policy (2015- 18) exists in this area due to existing levels of crime and disorder''*

CONSIDERATIONS

Principle

This application is for a mixed A3 and A4 use. Therefore the proposed use is considered to be sui generis. The premises have been operating as an A3 use and therefore the A3 use is acceptable. The site is located within the town centre and an A4 use could contribute to the night time economy. In general terms the principle is accepted but this is caveated on the basis of other material considerations.

Visual Amenity

No external alterations are proposed to the building and as such the proposals do not adversely affect either visual amenity.

Residential Amenity / Crime Prevention and Community Safety

No external alterations are proposed. The environmental protection officer has no objections to the proposals.

Opening hours are detailed in the application form but it is not considered necessary from a planning point of view to impose a condition that restricts these hours. Any control of hours would have to be determined under the licensing regime.

Notwithstanding these comments, the Licensing Officer and Police have both raised concerns over the application. It is detailed that the site is located within a cumulative policy area from a licensing perspective. In addition the Police in their comments state that there are already existing levels of crime and disorder in the area. Therefore due to these strong levels of objection concerning safe environments addressing crime prevention and community safety the proposal is contrary to Policy EQ2 and paragraphs 58 and 69 of the NPPF.

Highways

The site is located within the town centre and the proposed use is not considered to result in any difference to servicing / delivering needs and as such the proposals are considered to not adversely affect highway safety and comply with policies TA5.

Planning Balance

The application form details that the use would employ 4 full time and 2 part time staff and it is not doubted that the proposal could contribute to the night time economy with an enhancement to the vitality of the town centre. However this needs to be balanced on the current constraints of the site including the licensing cumulative policy and the current issues in the area. Due to the strong objection from the police, on the proposal this has resulted in more weight being given to safe communities and crime prevention. As such the proposal fails to comply with Policy EQ2 and the paragraphs 58 and 69 of the NPPF.

RECOMMENDATION

Refuse permission

SUBJECT TO THE FOLLOWING:

01. The proposal by reason of the proposed A4 use will result in an unsafe environment that does not address crime prevention in an area already identified as a problem, to the detriment of the fear of crime, quality of life and community cohesion. As such the proposal is contrary to Policy EQ2 of the adopted South Somerset Local Plan (2006 - 2028) and the aims and objectives of the NPPF, especially paragraphs 58 and 69.

Informatives:

01. In accordance with paragraphs 186 and 187 of the NPPF the council, as local planning authority, takes a positive and proactive approach to development proposals focused on solutions. The council works with applicants/agents in a positive and proactive manner by;
 - offering a pre-application advice service, and
 - as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions

In this case, the applicant/agent did not take the opportunity to enter into pre-application discussions and there were no minor or obvious solutions to overcome the significant concerns caused by the proposals.

Agenda Item 12

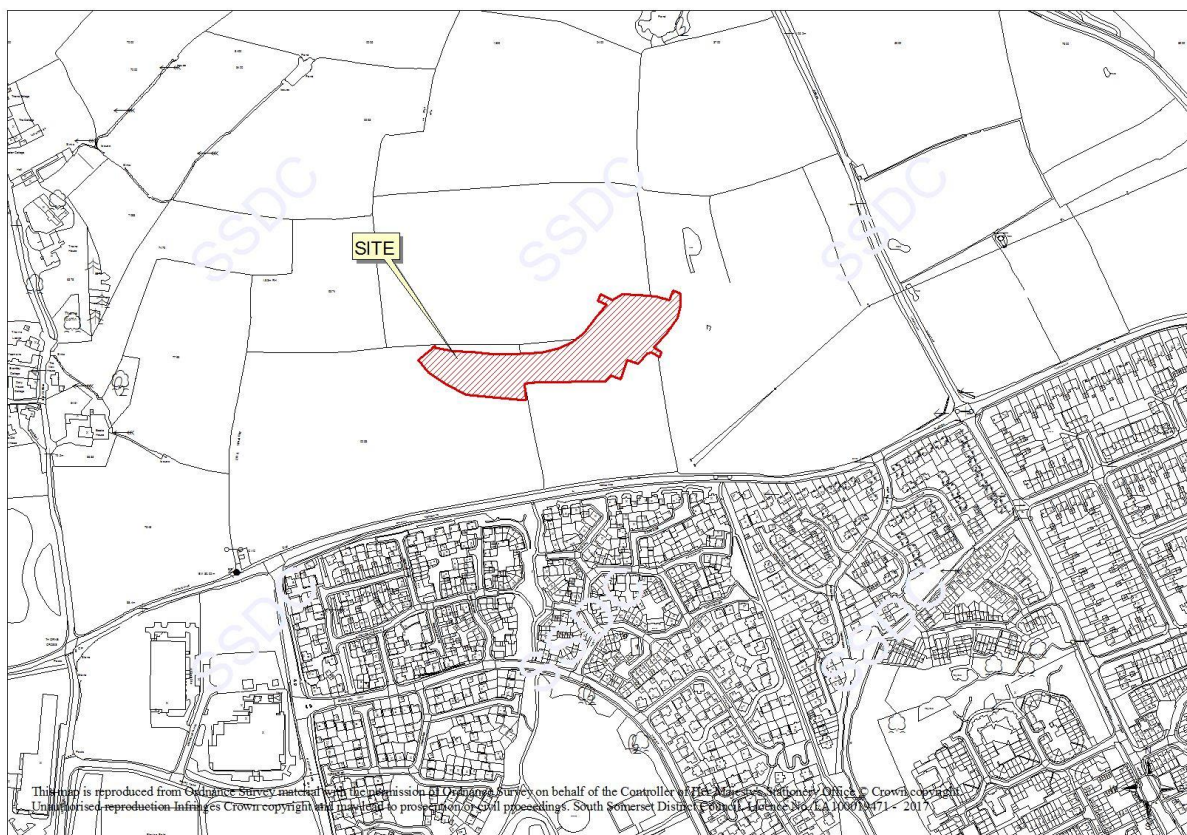
Officer Report on Planning Application: 17/03214/REM

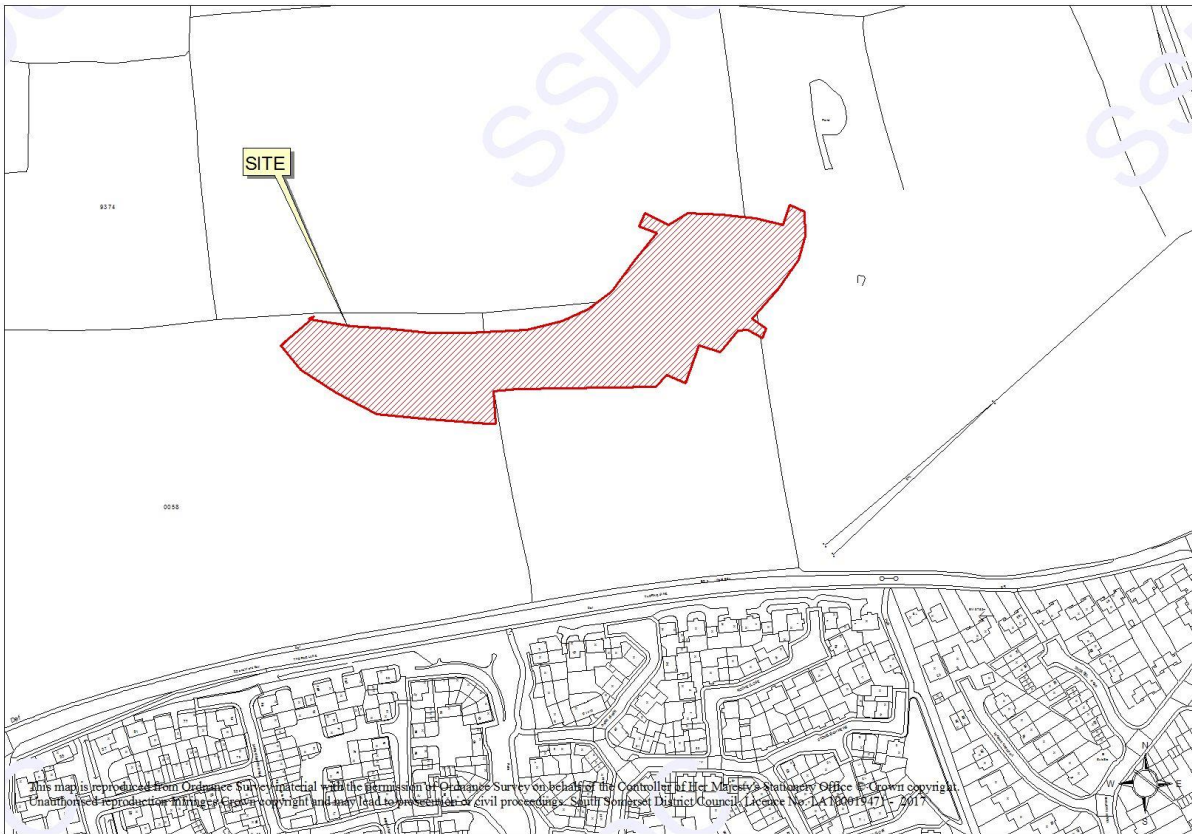
Proposal:	Reserved Matters: The erection of 31 dwellings, garages, associated access, drainage and landscaping.
Site Address:	Land to the North of Thorne Lane, Yeovil
Parish:	Yeovil Without
WARDS OF YEOVIL WITHOUT Ward (SSDC Member)	Cllr G Dibben Cllr M Lock Cllr G J Oakes
Recommending Case Officer:	Simon Fox
Target date :	23rd October 2017
Applicant :	Brimsmore Landowners
Agent: (no agent if blank)	Lewis Wyatt (construction) Ltd 1 Parkstone Road Poole Dorset BH15 2NN
Application Type :	Major Dwlgs 10 or more or site 0.5ha+

REASON FOR REFERRAL

This application is referred for Committee consideration as it comprises part of a larger scale major residential key site.

SITE DESCRIPTION AND PROPOSAL





The application site, commonly known as the Brimsmore Key site, lies on the northern edge of Yeovil's built limits off Thorne Lane. The site is subject of a Local Plan allocation and related outline planning permission for approximately 830 dwellings, primary school, a local centre with shops, community hall, sports provision, open space and community woodland. Significant related off-site highway improvement works are secured by means of a planning obligation.

An initial application for Reserved Matters was submitted in February 2011 and approved April 2012. This concerned the southern part of the site and included 298 dwellings and the east-west internal link road from Tintinhull Road to Western Avenue. The application was split into identifiable parcels A-F.

The submission of a new application for Reserved Matters approval to supersede the 2011 application and encompass/regularise the amendments made to Area A and Area B was submitted and approved during 2016 (16/00978/REM). Area A is now substantially complete and Area B is under construction pursuant to that permission.

This application seeks Reserved Matters Approval (Appearance, Landscaping, Layout, Scale) for a further 31 dwellings to the north of Areas A and B. The units would sit within parts of Areas OS and W.

The accommodation schedule comprises:

- 13 x 3 bedroom
- 16 x 4 bedroom
- 2 x 5 bedroom

The majority of dwellings are two-storey with just six having accommodation in the roof constituting two-and-a-half-storey. The materials palette includes brick and render as a continuation of the existing development.

Save for three dwellings each property has two on-plot parking spaces and a garage. The other three properties have one on-plot parking space and a garage.

The application has been made as an interim submission to maintain a continuation of building work on the site after the completion of Area B pending the submission of a Reserved Matters application for the balance of the site (circa 642 homes).

HISTORY

The key site is allocated in the Local Plan as Policy KS/YEWI/2.

The outline planning permission granted in 2007, is in line with the Local Plan allocation. Given the scale of the development the normal time limit for the permission was extended to allow development across the site over a 10-year period. There are however, triggers within the various S106 legal agreements to ensure that the provision of affordable housing, community infrastructure, open space and highways are provided for alongside the new development.

The reserved matters approval granted in 2012 - 11/00361/REM, covers the southern section of the outline approved site and permits the erection of 298 houses and works to secure highway improvements over the junction with Thorne Lane and Western Avenue. The approved housing is all open market with the affordable provision set for a later phase further to the "triggers" of the planning obligation.

13/02934/S73 - Application to vary condition No.1 of planning approval 11/00361/REM to change details of design (approved plans): Approved 29 October 2014.

14/03596/S73 - Application to vary condition No.1 of planning approval 11/00361/REM to change details of design (approved plans): Approved 03 November 2014.

The last three applications were effectively superseded by application:

16/00978/REM - The erection of 298 dwellings, access to new primary school, link road between Western Avenue and Brimsmore House, improvement works to the local highway network, public open space, structural landscaping and alterations to Brimsmore Tree Cottage (Revisions to superseded 11/00361/REM, 13/02934/S73 and 14/03596/S73 in relation to Area 'B'): Approved: 06 June 2016

POLICY

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

On 5th March 2015 South Somerset District Council, as Local Planning Authority, adopted its Local Plan to cover the period 2006 to 2028.

On this basis the following policies are considered relevant:-

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
EQ2 - Design & General Development

EQ4 - Biodiversity
EQ5 - Green Infrastructure
EQ6 - Woodland and Forests
EQ7 - Pollution Control
HG3 - Provision of Affordable Housing
HG5 - Achieving a Mix Market Housing
TA3 - Sustainable Travel at Chard and Yeovil
TA4 - Travel Plans
TA5 - Transport Impact of New Development
TA6 - Parking Standards
HW1 - Provision of Open Space, Outdoor Playing Space, Sports, Cultural and Community Facilities in New Development.

Of particular relevance is the proposed allocation of land at Brimsmore (Thorne Lane) under proposal KS/YEWI/2 in the previous Local Plan and in this connection regard should be had to the Brimsmore Development Framework February 2005 (which accompanied the Outline Application).

National Guidance - National Planning Policy Framework:
Chapter 6 - Delivering a Wide Choice of High Quality Homes
Chapter 7 - Requiring Good Design
Chapter 11 - Conserving and Enhancing the Natural Environment

Other
Somerset County Council Parking Strategy (March 2012)

CONSULTATIONS

Yeovil Without Parish Council:
No comments received at the time of writing this report. An oral update will be given.

Brympton Parish Council (neighbouring PC):
Recommends approval.

Highway Authority (Somerset County Council):
No comments received at the time of writing this report. An oral update will be given.

REPRESENTATIONS

Neighbouring householders within Area A have been notified and invited to comment on the application.

No comments had been received at the time of writing this report. An oral update will be given should any be received.

CONSIDERATIONS

The principle of developing the Brimsmore Key Site is well established. This application seeks a modest parcel of units to maintain onsite building continuity in the absence of the as yet to be submitted, but imminently expected, Reserved Matters approval for the balance of the site. The consequences of not having onsite building continuity is that ground workers may be lost to other sites meaning no activity, and no sales which drives further development and infrastructure.

Matters concerning ecology, public transport, education, community facilities, highways, noise and pollution, archaeology, ground conditions, play and open space were all considered at the outline stage and in connection with Areas A and B which these parcels

bolt onto.

The conditions from the outline application persist and the same Reserved Matters conditions as imposed on the 2016 permission will be brought forward and updated in light of current circumstances.

Design and Layout

This will be the next area that the current developer, Wyatt Homes, will continue to build out after completing Areas A and B. The intentions contained within the Local Plan allocation and Development Framework document dated February 2005 are maintained. The proposed layout and dwelling types are considered acceptable. The wider issues of the overall dwelling mix/accommodation schedule will be borne out by the significantly larger Reserved Matters Approval for the balance of the site.

Highways

The Highway Authority has not yet commented on the proposal. However, the proposal is not considered to impact upon traffic flows over and above those considered at the outline stage.

The layout also continues to provide more useable on-plot parking compared to the original intentions of the outline consent.

Drainage

The arrangements regarding surface water drainage remain controlled by condition and are an extension of the strategy agreed for Areas A and B (07 and 08 of the Outline).

Foul drainage is covered by Condition 11 of the Outline permission.

Other Matters

The new REM approval allows matters regarding bin storage and land conveyancing to be more firmly controlled via conditions 08 and 09.

Due to the distance of the plots from Thorne Lane it is considered additional noise mitigation from traffic is required.

Conclusion

The proposal will maintain build continuity on this award-winning residential key site in a manner that does not raise any planning issues that have not previously been thoroughly assessed or are not covered by conditions of the section 106 agreements.

RECOMMENDATION

Grant permission for the following reason:

01. This application for Reserved Matters approval follows the grant of Outline permission ref no 05/00753/OUT and the details accord with the principles set out in the outline application and in the Local Plan allocation for this site and with the relevant planning policies, including the NPPF.

SUBJECT TO THE FOLLOWING:

01. The development hereby permitted shall be carried out in accordance with the plans as set out on the schedule dated 24th August 2017.
Reason: For the avoidance of doubt and in the interests of proper planning.

02. Prior to the commencement of any dwelling full details of the following shall be submitted to and approved in writing by the Local Planning Authority for each plot in the phase, or part thereof, to be constructed:-
- specific external wall materials, finishes and colours including sample panels for approval on site to show masonry coursing, jointing, bond and pointing and render finishes.
 - details of any proposed parapets, string courses, plinths and mouldings
 - specific window and door design details including sections and wall opening details including arch. lintel, cill, window/door surround and reveal depth.
 - details of any porches and door hoods
 - position and details of meter boxes and any external flue, vent and extract terminals
 - roof materials, including samples
 - roof ridge, hip, eaves, verge and rainwater goods details
 - any chimney, dormer and roof light details.
 - external works details of any steps, walls and copings, railings and fencing.
 - details of any permanent external lighting proposed on building including any street lighting to be mounted on buildings (not including individual security lighting).
- Reason: To ensure that attention to detail is given to provide quality of design in the proposed development in accordance with the Design masterplan and planning statement in accordance with Policy EQ2 of the South Somerset Local Plan.
03. Prior to the commencement of any dwelling full details of hard and soft landscape proposals for that phase (or part thereof) of the development shall be submitted to and approved in writing by the local planning authority. Such details shall include:
- maintenance prescriptions for existing landscape features to be retained e.g; trees and hedgerows,
 - attenuation and swale elements within public open space,
 - full details of all tree and hedgerow planting including street trees/shrubs.
- Reason: To ensure a meaningful contribution to the urban design and open space elements in accordance with Policy EQ2 and EQ5 of the South Somerset Local Plan.
04. All existing trees, hedges or hedgerows shall be retained, unless shown on the approved drawings as being removed. All trees, hedges and hedgerows on and immediately adjoining any phase or part thereof of that part of the site being developed shall be protected from damage for the duration of works on that area to the satisfaction of the Local Planning Authority in accordance with the recommendations in British Standard 5837 1991. Any part(s) of trees, hedges or hedgerows removed without the Local Planning Authority's consent or which die or become, in the opinion of the Local Planning Authority, seriously diseased or otherwise damaged within ten years following contractual practicable completion of the approved development shall be replaced as soon as is reasonably practicable and, in any event, by not later than the end of the first available planting season, with plants of such size and species and in such positions as may be agreed in writing with the Local Planning Authority.
- Reason: In the interests of the amenity of the area and to ensure proper planning of the development in accordance with Policy EQ2 and EQ5 of the South Somerset Local Plan.
05. The development hereby permitted shall only be carried out in accordance with the approved Flood Risk Assessment as amended and surface water drainage strategy, particularly limiting the surface water run-off discharge from Catchments A, B or C to be no greater than the Qbar rate as shown in Table 4 in Appendix C of that report.
- Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site in accordance with the NPPF.

06. Prior to the commencement of the surface water drainage scheme, for each phase or part thereof, a full operation and maintenance strategy shall be submitted to and formally approved in writing by the Local Planning Authority. The strategy shall identify all future land use limitations; identify the ownership, operational and maintenance arrangements for the works over the lifetime of the scheme.
Reason: To ensure that the works provide the necessary mitigation against flooding for the lifetime of the existing and proposed development in accordance with the NPPF.
07. The internal ground floor levels of the buildings to be erected shall be set as shown on Drawing No. DLS-2681/207(0717) RevB, unless any variation is first obtained in writing from the Local Planning Authority.
Reason: To ensure that attention to detail is given to provide quality of design in the proposed development in accordance with the Design masterplan and planning statement in accordance with Policy EQ2 of the South Somerset Local Plan.
08. Prior to the commencement of any dwelling a strategy for the storage and collection of domestic recycling and refuse shall be submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include the locations of collection points (communal if necessary).
Reason: To promote sustainable construction as advocated by the National Planning Policy Framework.
09. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The agreed landscape management plans shall be carried out as approved.
Reason: In the interests of visual amenity and to accord with Policies EQ2, EQ4, EQ5 and EQ6 of the South Somerset Local Plan.

Informatives:

01. You are reminded that four legal Agreements under S106 of the Town and Country Planning Act accompany this application and remain applicable in addition to the two Supplemental S106 Agreements agreed relating to community and highways.
02. You are reminded that there are informatives on the Outline Planning Permission 05/00753/OUT which remain of relevance for this and future phases of development.
03. There must be no interruption to the surface water drainage system of the surrounding land as a result of the operations on the site. Provisions must be made to ensure that all existing drainage systems continue to operate effectively and that riparian owners upstream and downstream of the site are not adversely affected.
04. You are reminded of the Duty of Care for dealing with waste which is set out in detail in the response from the Environment Agency from whom additional guidance can be gained.
05. You are reminded to ensure that any works carried out do not adversely affect third party properties particularly when working in close proximity to existing houses or boundaries to residential properties.
06. With regards to Condition 09 the Local Planning Authority is seeking a plan that shows the intended land to be conveyed to private households, to the Highway Authority, to the Local Authority and/or Management Co. if applicable.