

South Somerset District Council

Minutes of a meeting of the **Regulation Committee** held at the **Council Chamber, Council Offices, Brympton Way, Yeovil on Tuesday 17 December 2019.**

(10.25 am - 2.10 pm)

Present:

Members: Councillor Peter Gubbins (Chairman)

Tony Lock	Tony Capozzoli (until 1.10pm)
Sue Osborne	Neil Bloomfield
Paul Rowsell	Sarah Dyke
Andy Soughton	Nicola Clark
Linda Vijeh	Karl Gill
William Wallace	Tim Kerley
	Pauline Lock

Officers:

Jo Boucher	Case Officer (Strategy & Commissioning)
Simon Fox	Lead Specialist - Development Management
Colin Begeman	Agency Planner
Sarah Hickey	Senior Planning Lawyer

106. Apologies for Absence (Agenda Item 1)

Apologies for absence were received from Councillor Jason Baker who was substituted by Councillor Pauline Lock, Councillor Adam Dance who was substituted by Councillor Nicola Clark, Councillor Henry Hobhouse who was substituted by Councillor Sarah Dyke, Councillor Crispin Raikes who was substituted by Councillor Tim Kerley and Councillor David Recardo who was substituted by Councillor Karl Gill.

107. Declarations of Interest (Agenda Item 2)

Councillor Neil Bloomfield sought clarification regarding the Councillor substitutions at today's meeting. It was his understanding that all members who sat on this committee should be specifically trained for this purpose.

In response, the Senior Planning Lawyer advised members of the training programme and that certain parts are considered to be compulsory. Any breach of the training requirements are for the group leaders of the parties to decide whether that member can sit on the committee or not. She said it is an aspiration of the Council that all members undertake the training identified as compulsory within this programme but is not a legal requirement, and, there is nothing within the Constitution that states if this training is not completed they cannot sit on the Regulation Committee.

She said the constitution states that for substitutions there are no additional training requirements, although it is advisable in relation to the Regulation Committee that more

experienced members are chosen, where appropriate, with good working knowledge. She noted that all members were members of an Area Committee.

In response, Councillor Neil Bloomfield said his understanding was that this training requirement was mandatory. He said four of the substitutes were in fact only elected in May this year and therefore felt they had little experience.

Councillor Neil Bloomfield declared a personal interest in Agenda Items 4 and 5, Planning Applications 19/02646/OUT and 19/02656/FUL as he is a County Council member and District member for Martock. He is also the Chairman of Martock Parish Council and Chairman of the Martock Neighbourhood Plan Steering Group.

Councillor Pauline Lock declared a personal interest in Agenda Items 4 and 5, Planning Applications 19/02646/OUT and 19/02656/FUL as she is the co-owner of the piece of land in Martock but is located at the other end of the village and therefore distant from the application site.

108. Public Question Time (Agenda Item 3)

There were no questions from members of the public.

109. Planning Application 19/02646/OUT - Land OS 0002 South Of Coat Road Martock (Agenda Item 4)

Proposal: Outline application for the erection of 120 dwellings together with associated infrastructure

The Agency Planner introduced the report and explained for information that there were two applications to consider. The first being the outline with principal of development, access and indicative layout plan with detailed plans considered at reserve matters stage. The second is a full application with all matters to be considered.

He then provided members with an update, which included:

- An online petition had been submitted which was a continuation of the previous online petition, key points raised were the lack of infrastructure and no areas left for development in the village.
- Ash Parish Council have objected on the grounds of overdevelopment, lack of local infrastructure and local services unable to cope.
- Martock Parish Council had commissioned a highways consultant (SLR) to review the transport assessment and continued to read the comments made. This included the sustainability of the site to be unacceptable due to lack of footpaths, limited pedestrian links to local amenities, car parking concerns and internal layout of the roads. It raised highway safety concerns along the B3165, and inability to confirm the operation of the junction.
- The highways consultant for the applicant had provided a response to the review, stating they cannot identify any fundamental concerns on why the current proposal should be refused and the comments made are inaccurate or immaterial on transport grounds. It was also noted the Highway authority did not wish to make any further representation on this matter.

He then proceeded to give a detailed presentation, with the aid of slides explained the site and proposed plans in detail, covering:-

- Parking provision increase from previous approved scheme.
- Reserved matters application was approved in May 2015 – lapsed May 2018.
- Emerging Local Plan identifies further growth for Martock up to 2036.
- This site is identified as being suitable in the Councils' forthcoming consultation.
- Scheme will immediately contribute towards the Council's 5 year Housing Land Supply.
- Developer will contribute towards a provision of extra classroom in the local primary school.
- Developer will deliver 35% affordable housing.
- On-site play area and off-site contributions towards recreational facilities.
- No objection from the Highway Authority, Environment Agency or other technical consultees.
- CIL contribution towards local infrastructure and Parish Council.
- The applicant offered to reduce the time in which to commence the development to 1 year as way of a commitment to deliver the proposal in a timely manner and that the standard time commencement condition should be amended accordingly.
- An additional condition was suggested to commit the applicant to the reduction in carbon emissions produced by the development to be in accordance with the sustainability statement produced by Environmental Economics dated 12 Dec 2019.
- The Environmental Economics report commits the developer to a 19% carbon
- Proposed flooding drainage scheme and its future management and maintenance.
- Future financial contributions towards the provision of local and strategic facilities.
- Condition 14 regarding landscaping was amended to include a linked reference to Informative 08 regarding consultation to be undertaken with South Somerset District Council's Tree Officer and in conjunction with the Portfolio Holder for Environment regarding tree planting.

He therefore concluded that after considering all of the responses and advice, as outlined in the agenda report, his proposal was to approve the application as set out in the agenda report.

In response to questions from Members, the Agency Planner and Lead Specialist - Planning advised:

- Limited weight should be attributed to the current status of the Martock Neighbourhood Plan, and although it can be acknowledged, it should be advised the this site is detailed in the emerging local plan review as a preferred option moving forward irrespective of the decision made today.
- Proposed housing will be over the minimum building regulation standards and will result in a total carbon reduction of 19.2%.
- The relevant history of the site is a detail of this application, and for members to take into consideration if they so wish.
- In response to a question regarding policy EQ1 Members were advised that respective revisions to Building Regulations had caught up with the requirements of the policy and the code for sustainable homes and as such the proposed recommendations in the submitted sustainability statement was significantly over and above policy EQ1 and the Building Regulations of today.

- Parking is not a matter for consideration in this outline application.
- This application seeks to address a district wide housing need to meet the Council's obligation.
- The aspiration of the developer is to provide smaller homes which will respond best to the local market.
- The Neighbourhood plan will achieve status when it is made.
- Facts and information given to members are given for the context of this application and the weight attributed to this information is for the members to consider.
- Possible minor safety concerns of the scheme refer to the internal road layout and not the access on to Coat road.
- It had been previously identified that Hills lane could provide a suitable linkage to the primary school and into the centre.
- Acknowledge there is some need for improvement on current footpath and believe this is an opportunity to seek improvement from the developer.
- Improvement to the footpath would require land owner consent and that these improvements would only be to the surface. Believe it would support the availability for access for all.

Councillor Louise Clarke, Ward member voiced her objection of the application. She felt that Coat Road was already an extremely busy road and that the proposed junction was not appropriate. She also raised safety concern regarding school children walking to school and that if approved this development would take Martock to 46% over the initial local plan housing target.

The committee was then addressed by two representatives of Martock Parish Council.

Their comments included:

- Welcomed the changes to the interpretation of Policy EQ1 but as this effects the consideration of the application believe it should be brought back to the Parish Council to make representation regarding these changes.
- NHS England is a statutory consultee, however no contact has been made with the medical practice in Martock and as this will have a direct impact on the surgery. SSDC have a duty of care for the health and well-being of the local community.

A member of Ash Parish Council spoke in objection of the application. His comments included:

- The development would have a huge impact on the traffic flow through Ash village as the main street is only single lane and already extremely busy.
- Martock and the surrounding road infrastructure is not equipped to deal with the increased number of houses and traffic.

Five members of the public then spoke in opposition of the application. Their comments included:

- History of flooding in the area and concerned the impact the scheme will have on the surrounding area both now and in the future.
- Environment Agency admit they do not provide the full accurate data maps, this should be obtained and assessed before a firm decision can be made on the drainage of this scheme.

- There have been 49 flood warnings in Martock since 2013.
- Raised concern regarding the previous refused application and believed bullying tactics were taken by the developer to ensure SSDC do not defend the appeal.
- Questioned the timing on the two new applications submitted which believed to be the identical of that of the previous application.
- Referred to the Climate Emergency and believed SSDC have a duty of care for the well being of Martock.
- Martock is not classed as a market town and therefore does not provide adequate local facilities to support this development.
- The site is of great benefit of local wildlife and ecology, which will be adversely impacted.
- The village infrastructure is not equipped to deal with the increased number of houses and traffic.
- Disappointed that only limited weight had been given to the impact on the surrounding countryside and views of Martock.
- This is an over supply of housing in an unsustainable location.

The Applicant then addressed the committee. His comments included:

- Good sustainable location with no technical reasons why this application should not be supported.
- No objections had been received from statutory consultees.
- The increase in number of dwellings is to enable smaller quantity of units.
- Affordable housing is a key priority for local residents. This scheme will supply 35% affordable housing.
- Issue regarding carbon reduction can be dealt with by condition.

Councillor Neil Bloomfield, Ward member voiced his opposition of the application. His comments included:

- Martock is a rural centre with very limited facilities.
- Martock already has an 80% out commute and with limited employment opportunities in Martock this proposal will only add to the increase in traffic.
- The village infrastructure is not equipped to deal with the increased number of houses and traffic and will have a huge impact on road safety in the village of Ash and the local roads serving Martock.
- The Parish Council has committed a large amount of money on a highways consultant review, which has raised a counter review of the scheme and disappointed that this has been overlooked.
- The proposal does not provide any improvements to the junction at Coat Road.
- This development will only exacerbate the current issues regarding local facilities such as the doctor's surgery, which is currently at the bottom of the league table for GP's in Somerset. Believe we have a duty of care to look after the needs of local people already living in the village.
- Consider it 120 homes just 'dumped' on the side of a community.
- Concerned that the footpath will not be upgraded as no guarantee or confirmation regarding land ownership.
- The proposal is on an unsustainable site that contains housing that is not needed.
- History of flooding in the area and concerned the impact the scheme will have on the surrounding area.

- Residents have been asked what they want but sadly no reference has been made to the neighbourhood plan.
- This development is in the wrong place and will become a community in it's own right and separate from Martock with no community benefit.
- Development will create a blight to other nearby communities.

During members' discussion, several comments were made including:

- Need to consider the Environmental Policies that SSDC are supporting and welcome the commitment to reduce the carbon emissions.
- Acknowledge the increase in commuter traffic; however, as we live in a rural area this is inevitable.
- Appreciate the concerns of the local residents and Parish Council, however cannot see any clear reasons to refuse the application on planning policy grounds.
- Welcome the commitment from the applicant to reduce the carbon emissions by 19.2%.
- Development will provide much needed affordable housing.
- Appreciate local concerns but believe there is a need to balance out between what local residents want and the opportunity for people to live in a smaller development outside of the major towns.
- Do not believe the carbon issues have been truly considered and therefore need to fully examine policy EQ1 before a condition can be imposed regarding this issue.
- Raised concern regarding residential amenity of the existing residents.
- Believe this application is not radically different from that of the previously refused application on this site.
- Hugely frustrating that smaller communities are bullied into having development.
- Martock is already the third most deprived parish in South Somerset and therefore more affordable housing will create additional problems for the parish.

During the discussion it was proposed and subsequently seconded to approve the application as per the officer's recommendation, as set out in the agenda report and subject to the additional condition relating to the carbon saving measures and a revision to the time limit condition to change from 3 years to 1 year at the applicants request.

The Chairman noted this proposal and explained it would be taken first when put to the vote.

Following a further discussion, it was then proposed and subsequently seconded to refuse the application for the following reasons:

1. The site is unsustainable.
2. The number of housing is excessive for that required by the community.
3. Skews the settlement strategy by around 50% beyond the indicative figure of the current local plan.
4. Detrimental impact on the immediate and extended highway infrastructure.

To enable the vote, the Lead Specialist - Planning clarified to members that it was his understanding that the proposal to approve the application was subject to an additional condition as follows:

'That the development hereby permitted shall be carried out in accordance with the sustainability statement produced by Environmental Economic dated 12th Dec 2019, dwellings shall not be occupied unless all measures have been fully carried out'.

It was also agreed that a condition be imposed to ensure that the development shall begin no later than one year from the date of this approval.

At the conclusion of the debate, members also unanimously agreed that a named vote be taken.

As previously stated by the Chairman, the proposal to approve the application was taken first as per the officer's recommendation to approve the application as set out in the agenda report with the additional condition as previously read out by the Lead Specialist - Planning and with condition for the one year timeframe. On being put to the vote this was taken as 10 votes in favour, 4 against and 0 abstentions.

RESOLVED:

That planning application **19/02646/OUT** be approved subject to:-

- i. The prior completion of a Section 106 planning obligation (in a form acceptable to the Council's solicitor(s)) before the decision notice granting planning permission is issued, to secure the following:
 - a) Secure a contribution of £193,365 towards the provision of sport, play and strategic facilities (to the satisfaction of the Local Planning Authority);
 - b) Ensure the provision, including future ownership and management of an outdoor equipped play area, to accord with SSDC LEAP specifications, (to the satisfaction of the Local Planning Authority);
 - c) Secure a contribution of £3,204.51 towards the provision of off-site public open space enhancements and £18,000 (or reduced amount, if the developer carries out some of the work, with the Council's guidance and specification) towards a mitigation fund to enhance the Sustainable Urban Drainage System (SuDs) (to the satisfaction of the Local Planning Authority);
 - d) Secure a contribution of £187,814 towards early years places to the satisfaction of Somerset County Council. A contribution towards primary places of £50,000 will also be required;
 - e) Ensure at least 35% of the dwellings are affordable with an appropriate tenure split (to the satisfaction of the Local Planning Authority); and
- ii. conditions, as set out below:

01. Notwithstanding the local concerns, the development proposed in this sustainable location is considered to be acceptable by reason that it respects the character and appearance of the area and would not be harmful to general visual amenity, residential amenity, ecology, archaeology or highway safety, without compromising the provision of services and facilities in the settlement, and provides for appropriate drainage mitigation. As such the proposal complies with the policies of the South Somerset Local Plan (2006-2028) and the aims and objectives of the National Planning Policy Framework.

SUBJECT TO THE FOLLOWING:

01. Details of the appearance, landscaping, layout and scale (herein called the "reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

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

02. All reserved matters shall be submitted in the form of one application to show a comprehensive and coherent scheme with respect to appearance, landscaping, layout and scale to the local planning authority before the expiration of three years from the date of this permission, and before any development is commenced on site. The development shall begin no later than one year from the date of this permission or not later than two years from the approval of the reserved matters application.

Reason: As required by Section 92(2) of the Town and Country Planning Act 1990.

03. The development hereby permitted shall comprise no more than 120 dwellings.

Reason: To ensure that the level and density of development is appropriate to the location and commensurate with levels of contributions sought in accordance with policies SD1, SS6, HG3 and HW1 of the South Somerset Local Plan.

04. Unless where superseded by any of the following conditions, or by the obligations contained within the accompanying Section 106 Agreement, the development hereby permitted shall be carried out in accordance with the approved plans:

PL01 Site Location Plan
PL02 Existing Site Plan
PL03 Illustrative Site Plan

Reason: For the avoidance of doubt as to the development authorised and in the interests of proper planning.

05. Details of the following shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of each element of the proposal respectively;

- a) details of materials (including the provision of samples where appropriate) to be used for the external walls and roofs, including details of roof verge finishes;
- b) details of the recessing, materials and finish (including the provision of samples where appropriate) to be used for all new windows (including any roof lights) and doors;
- c) details of position and colour finish of meter cupboards, gas boxes, rainwater goods, soil and waste pipes (soil and waste pipes are expected to be run internally).
- d) Details of the material finish and construction of the private residential parking spaces. Unless otherwise agreed in writing by the Local Planning Authority, the parking spaces shall be constructed of porous materials;
- e) Details of the final treatment of Cobdens Rhyne, including materials and finish of the proposed bridge and culvert headwalls;

- f) Details of the materials for the construction of the proposed bin/cycle stores and bin collection points;
- g) Details of the design and material finish of the proposed sub-station.

Once approved such details shall be fully implemented and thereafter shall not be altered without the prior written consent of the Local Planning Authority.

Reason: In the interests of visual amenity, in accordance with policy EQ2 of the South Somerset Local Plan (2006-2028) and the provisions of the National Planning Policy Framework.

06. Within two months of the commencement of the permission hereby approved, details of the surface water drainage scheme based on sustainable drainage principles together with a programme of implementation, management and maintenance for the lifetime of the development have been submitted to and approved in writing by the Local Planning Authority. The drainage strategy shall ensure that surface water runoff post development is attenuated on site and discharged at a rate and volume no greater than greenfield runoff rates and volumes. The submitted details shall also include a management and maintenance plan, which shall include, details of land ownership, maintenance responsibilities, a description of the system, the identification of individual assets, services and access requirements, and details of routine and periodic maintenance activities. The scheme shall subsequently be implemented in accordance with the approved details before any of the dwellings hereby permitted are first occupied. Following its installation such approved scheme shall be permanently retained, managed and maintained thereafter, in accordance with the details agreed.

Reason: In the interests of highway safety and to ensure that the development is served by a satisfactory system of drainage, in accordance with policies TA5, EQ1, EQ2 and EQ7 of the South Somerset Local Plan (2006-2028) and the provisions of the National Planning Policy Framework.

07. The works, including groundworks and vegetative clearance, 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 pursuant to The Protection of Badgers Act 1992 authorising the development to go ahead; or
 - b) a statement in writing from the ecologist to the effect that he/she does not consider that the development will require a licence.

Reason: In the interests of a UK protected species and its resting places, and in accordance with policy EQ4 of the South Somerset Local Plan (2006-2028) and the provisions of the National Planning Policy Framework.

08. All external lighting shall be installed strictly in accordance with the specifications and locations set out in the design (Designs For Lighting LTD, Document Ref. 0906-DLF-LC-001-A, Dec 2018) as submitted and shall be maintained thereafter in accordance with the design. Under no circumstances should any other external lighting be installed without prior consent in writing from the Local Planning Authority.

Reason: In the interests of the 'Favourable Conservation Status' of populations of European protected species and in accordance with policy EQ4 of the South Somerset Local Plan (2006-2028) and the provisions of the National Planning Policy Framework.

09. No vegetation removal works around the site shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of the 10m hedgerow section to be removed and any trees, shrubs and scrub and tall ruderal vegetation to be cleared for active birds' nests immediately before works proceed and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason: Nesting birds are afforded protection under the Wildlife and Countryside Act 1981 (as amended). Although this is a legal obligation the law does not specify a time period - some species can breed outside the time frame given.

10. Prior to clearance (same day) the 10m section of hedgerow to be cleared will first be inspected by a suitably qualified ecologist for presence of any nests or any other evidence of dormice. If hedgerow removal is undertaken between May and October, then following the hedge being found clear of any evidence of dormice it will be removed by hand and by mechanical excavator under the supervision of a suitably qualified ecologist. If hedgerow removal is to begin outside of these months, then it must be undertaken in two stages. Firstly any trees and shrubs within the section of hedgerow to be cleared will be cut down to 1m high above ground level, leaving trunks and root systems intact, between November and March inclusive, to avoid the period when dormice might be found in nests above ground and when the foliage on the vegetation is minimal. The clearance will be undertaken sensitively by hand using hedge cutters and saws. All cut material will be removed from the site. The second phase of the hedge removal will involve the removal of the root bases of the cleared trees and shrubs. This will be undertaken between May and October, when the animals are active and able to respond immediately. Clearance of the hedge will be undertaken by hand and by mechanical excavator under the supervision of a licensed ecologist. If any evidence of dormice is found all work will immediately cease and Natural England contacted. A letter confirming the successful undertaking of the hedgerow section will be sent to the LPA.

Reason: In the interests of a UK and European protected species. To ensure the development contributes to the Government's target of no net biodiversity loss and to provide gain where possible as set out in the National Planning Policy Framework; policy EQ4 of the South Somerset Local Plan (2006-2028); and the council's obligations for biodiversity under the Natural Environment and Rural Communities Act 2006.

11. Any works in the existing attenuation basin should be undertaken with care to avoid unnecessary harm to amphibians and reptiles encountered. Any animals found should be carefully moved to a nearby place of safety. In the unlikely event that a great crested newt is encountered, works must stop and Natural England consulted. If habitat management to the attenuation basin is required, e.g. strimming, this should be undertaken in winter, or at other times of year to a height of at least 50mm.

Reason: Reptiles and amphibians species are afforded protection from intentional and reckless killing or injury under the Wildlife and Countryside Act 1981 (as amended). Outside the period from April to October these species are likely to be in torpor or hibernation when disturbance is likely to pose a risk to survival.

12. The scheme hereby approved shall be carried out in accordance with the details and recommendations identified with the submitted Landscape Management Plan (Golby and Luck - Ref. GL1040, dated 20th December 2018) and the submitted Ecological Impact Assessment (Green Ecology - Ref. 0748-EclA-FM, dated December 2018).

Reason: To ensure the development contributes to the Government's target of no net biodiversity loss as set out in the National Planning Policy Framework; policy EQ4 of the South Somerset Local Plan (2006-2028); and the council's obligations for biodiversity under the Natural Environment and Rural Communities Act 2006.

13. 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, the submitted scheme of tree and hedgerow protection measures prepared by Green Ecology (Ref: 0748-AMS -AE & 0748/TPP pp1-3) shall be installed in their entirety and made ready for inspection. Prior to commencement of the development, the suitability of the tree and hedgerow protection measures shall be confirmed in-writing by a representative of the Council (to arrange, please contact us at planning@southsomerset.gov.uk or call 01935 462670). The approved tree and hedgerow protection measures shall remain implemented in their entirety for the duration of the construction of the development and may only be moved, removed or dismantled with the prior consent of the Council in-writing.

Reason: To preserve the health, structure and amenity value of existing landscape features (trees) in accordance with the policies EQ2, EQ4 and EQ5 of the South Somerset Local Plan (2006-2028) and the provisions of the National Planning Policy Framework.

14. A scheme of landscaping shall be submitted to and approved in writing by the Local Planning Authority, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained. All planting, seeding, turfing or earth moulding comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following completion of the development hereby permitted or after the development hereby permitted is first brought into use, whichever is sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. (Note: Informative 08)

Reason: In the interests of visual amenity, in accordance with policy EQ2 of the South Somerset Local Plan (2006-2028) and the provisions of the National Planning Policy Framework.

15. Before the commencement of the development hereby permitted the applicant, or their agents or successors in title, shall have secured the implementation of a

programme of archaeological work in accordance with a Written Scheme of Investigation (WSI) which has been submitted and approved in writing by the Planning Authority. The WSI shall include details of phasing of the investigations, the archaeological excavation, the recording of the heritage asset, the analysis of evidence recovered from the site and publication of the results. The development hereby permitted shall be carried out in accordance with the approved scheme."

Reason: In the interests of safeguarding any archaeological remains on the site and in accordance with Policy EQ3 of the South Somerset Local Plan (2006-2028) and the provisions of the National Planning Policy Framework.

16. No building shall be occupied within a phase as set out within the WSI until the site archaeological investigation for that phase has been completed and post-excavation analysis has been initiated in accordance with Written Scheme of Investigation approved under the Program of Works condition and provision made for analysis, dissemination of results and archive deposition has been secured.

Reason: In the interests of safeguarding any archaeological remains on the site and in accordance with Policy EQ3 of the South Somerset Local Plan (2006-2028) and the provisions of the National Planning Policy Framework.

17. The scheme hereby approved shall be carried out in accordance with the details contained within the submitted Construction Environmental Management Plan (BDW Exeter, dated December 2018), unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard residential amenity and highway safety, in accordance with policies TA5 and EQ7 of the South Somerset Local Plan (2006-2028) and the provisions of the National Planning Policy Framework.

18. The proposed estate roads, footways, footpaths, tactile paving, cycleways, verges, junctions, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car, motorcycle and cycle parking, and street furniture shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing before their construction begins. For this purpose, plans and sections, indicating as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority.

Reason: In the interests of highway safety, in accordance with policy TA5 of the South Somerset Local Plan (2006-2028) and the provisions of the National Planning Policy Framework.

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

Reason: In the interests of highway safety, in accordance with policy TA5 of the South Somerset Local Plan (2006-2028) and the provisions of the National Planning Policy Framework.

20. The area allocated for parking and turning on the submitted plans unless otherwise agreed in writing by the Local Planning Authority, and shall thereafter be kept clear of obstruction used only for parking and turning of vehicles in connection with the development hereby permitted. The approved parking spaces shall be provided before each dwelling to which they relate are first occupied.

Reason: In the interests of highway safety, in accordance with policies TA5 and TA6 of the South Somerset Local Plan (2006-2028) and the provisions of the National Planning Policy Framework.

21. Prior to the occupation of any part of the development hereby permitted, a Travel Plan is to be submitted to and approved in writing by the Local Planning Authority. Such Travel Plan should include soft and hard measures to promote sustainable travel as well as targets and safeguards by which to measure the success of the plan. There should be a timetable for implementation of the measures and for the monitoring of travel habits. The development shall not be occupied unless the agreed measures are being implemented in accordance with the agreed timetable. The measures should continue to be implemented as long as any part of the development is occupied.

Reason: In the interests of highway safety, in accordance with policy TA5 of the South Somerset Local Plan (2006-2028) and the provisions of the National Planning Policy Framework.

22. At the proposed access onto Coat Road, there shall be no obstruction to visibility greater than 300mm above adjoining road level in advance of lines drawn 2.4m back from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge 48m to the west and 54m to the east of the access. Such visibility shall be fully provided before the development hereby permitted is occupied and shall thereafter be maintained at all times.

Reason: In the interests of highway safety, in accordance with policy TA5 of the South Somerset Local Plan (2006-2028) and the provisions of the National Planning Policy Framework.

23. The proposed new residential development shall include 16amp electric charging points for electric vehicles, accessible to all residences, details of which shall have been submitted to and approved in writing by the Local Planning Authority prior to any part of the development hereby permitted being first occupied, as required by Policy TA1 (ii) (low carbon travel) of the adopted South Somerset Local Plan and paras 35, 93 and 94 of the NPPF. Once approved, such details shall be completed and maintained in accordance with the details and timetable agreed.

Reason: To ensure that the development is resilient and sustainable in accordance with policy TA1 of the South Somerset Local Plan (2006-2028) and the provisions of the National Planning Policy Framework.

24. The development hereby permitted shall be carried out in accordance with the Sustainability Statement produced by Environmental Economics dated 12 December 2019. The dwellings shall not be occupied unless all measures have been fully carried out.

Reason: To ensure the development addresses climate change by utilising sustainable construction methods to minimise carbon dioxide emissions in accordance with Policy EQ1 of the South Somerset Local Plan (2006-2028) and the aims and objectives of the National Planning Policy Framework.

Informatives:

01. Please be advised that approval of this application by South Somerset District Council will attract a liability payment under the Community Infrastructure Levy. CIL is a mandatory financial charge on development and you will be notified of the amount of CIL being charged on this development in a CIL Liability Notice.

You are required to complete and return Form 1 Assumption of Liability as soon as possible and to avoid additional financial penalties it is important that you notify us of the date you plan to commence development before any work takes place. Please complete and return Form 6 Commencement Notice.

You are advised to visit our website for further details <https://www.southsomerset.gov.uk/cil> or email cil@southsomerset.gov.uk.

02. The applicant will be required to secure an appropriate legal agreement/ licence for any works within or adjacent to the public highway required as part of this development, and they are advised to contact Somerset County Council to make the necessary arrangements well in advance of such works starting.
03. During construction, excavations or large pipes (>200mm diameter) must be covered at night. Any trenches will need a means of escape, for example a plank or sloped end, to allow any animals to escape.
04. The applicant is advised that prior to works commencing onsite Land Drainage Consent is required under section 23 and 66 of the Land Drainage Act 1991, from the Parrett Internal Drainage Board for any construction in or within 9m of a watercourse and for the introduction of additional flow into a watercourse in the Board's District.
05. Water efficiency measures should be incorporated into this scheme. This conserves water for the natural environment and allows cost savings for future occupants. The development should include water efficient systems and fittings such as: dual-flush toilets; water-saving taps; water butts; showers and baths. Greywater recycling and rainwater harvesting should also be considered.
06. Safeguards should be implemented during the construction phase to minimise the risks of pollution and detrimental effects to the water interests in and around the site. Such safeguards should cover the use of plant and machinery, oils/chemicals and materials; the use and routing of heavy plant and vehicles; the location and form of work and storage areas and compounds and the control and removal of spoil and wastes. We recommend the applicant refer to our Pollution Prevention Guidelines, which can be found at: <https://www.gov.uk/guidance/pollution-prevention-for-businesses>.

07. If any controlled waste is to be removed off site, then site operator must ensure a registered waste carrier is used to convey the waste material off site to a suitably authorised facility. If the applicant require more specific guidance it is available on our website <https://www.gov.uk/how-to-classify-different-types-of-waste>.
08. In relation to Condition 14: In discharging this condition consultation will be undertaken with South Somerset District Council's Tree Officer and in conjunction with the Portfolio Holder for Environment regarding tree planting.

(voting: 10 in favour, 4 against, 0 abstentions)

		For	Against	Abstain
1.	PAULINE LOCK	x		
2.	NEIL BLOOMFIELD		x	
3.	TONY CAPOZZOLI	x		
4.	NICOLA CLARKE	x		
5.	PETER GUBBINS	x		
6.	SARAH DYKE	x		
7.	TONY LOCK	x		
8.	SUE OSBORNE		x	
9.	TIM KERLEY	x		
10.	KARL GILL	x		
11.	PAUL ROWSELL	x		
12.	ANDY SOUGHTON	x		
13.	LINDA VIJEH		x	
14.	WILLIAM WALLACE		x	

110. Planning Application 19/02656/FUL - Land OS 0002 South Of Coat Road Martock (Agenda Item 5)

Proposal: The erection of 120 dwellings together with associated infrastructure including access/highway improvements, drainage and attenuation, play area, open space and landscaping (Re-Submission)

The Agency Planner introduced the report and provided members with an update, which included:

- Ash Parish Council have objected on the grounds of overdevelopment, lack of local infrastructure and local services unable to cope.
- Martock Parish Council had commissioned a highways consultant (SLR) to review the transport assessment, which concludes the sustainability of the site is not considered to be optimised. Concerns also raised regarding car parking, the site is not within walking distance to the village amenities, inaccurate accident data and the assessment has discounted against the previous application.
- The highways consultant for the applicant had provided a response to the review, believing the SLR consultants were trying to 'muddy' the waters.
- Noted the key consideration that Highway Authority had not raised any objections to the proposal.

He then proceeded to give a detailed presentation, with the aid of slides explained the site and proposed plans in detail, covering:-

- The key considerations being detailed planning application, principle of development, visual amenity/local character, residential amenity, highway safety and drainage issues.
- Landscape and boundary of the site.
- Layout of the site including the two proposed attenuation basins.
- Pedestrian and cycle links from the site including the agreement from the applicant to upgrade Hills Lane surface.
- The increase in the provision of car parking spaces by 41 bringing a total of 311 spaces, therefore fully policy compliant.
- Proposed layout plan which omits any 5 bed houses and the reduction in 4 bed units to 2-3 bed units.
- Proposed access plans of the site and tracking of refuse vehicles. The Highway Authority consider these acceptable.
- An additional condition was suggested to commit the applicant to the reduction in carbon emissions produced by the development to be in accordance with the sustainability statement produced by Environmental Economics dated 12 Dec 2019.
- Noted site was in flood zone 1 and LPFA and Wessex Water have not raised any objections to the surface water mitigation.
- Inclusion of Section 106 agreement will secure the contributions toward the provision of sports/play and strategic facilities, off site public open space, education and affordable housing.
- Design and layout of proposed dwellings.
- Proposed landscaping scheme including retaining mature boundary hedging and significant amount of new tree planting.

- The applicant offered to reduce the time in which to commence the development to 1 year as way of a commitment to deliver the proposal in a timely manner and that the standard time commencement condition should be amended accordingly.

He therefore concluded that after considering all of the responses and advice, as outlined in the agenda report, his proposal was to approve the application as set out in the agenda report.

In response to questions from Members, the Agency Planner and Lead Specialist - Planning advised:

- Do not consider the increase of 6% in housing from one site would be detrimental to Martock.
- Appreciate the comments made by the Crime Officer regarding the proposed car parking spaces in proximity to the play area. However, it is the opinion that this is not a significant issue given other similar applications and sites, which already have car parking spaces close to play areas.
- Within the section 106 legal agreement the developer will be invited to submit details of a management company. If chosen it is likely that the residents would have to pay a fee for the management and maintenance of the public open space and play area.
- Confirmed that a condition is already included to ensure trees planted are appropriate for their setting, however an extra informative can be included to help maximise the number of trees on the site in consultation with the Council's tree officer.
- Appreciate not always agree with the Statutory Consultees advice, however would need to have valid planning reasons to do so.
- Confirmed that existing trees on the northern boundary will be retained and increased planting on Coat Road.

Councillor Louise Clarke, Ward member voiced her objection of the application. She believed the village infrastructure is not equipped to deal with the increase in housing with the local school and doctor's surgery already at capacity. She said it was wonderful to have proposed new trees and parking spaces but the main issue was where the residents of these homes were going to work and where the children were going to go to school.

Four members of the public then spoke in opposition of the application. Their comments included:

- Concern regarding the carbon emissions of the development including the poor solar orientation on most of the houses.
- The proposed dwellings do not meet the required insulation standards and carbon emission of out commuting to Yeovil.
- Believe there is a need to reduce the number of proposed houses on the site to help mitigate the traffic issues on the local road network and surrounding villages.
- Concern regarding the overlooking and impact of residential amenity and contravention of guidelines regarding the 21-metre distance ruling on adjacent properties.
- Developers do not care about the damage that they inflict on the local community.
- This development is for the wrong number of houses of the wrong type in the wrong place at the wrong time.

- Martock is already ahead of its housing needs target and therefore this development is not required at this time.
- Believe this development to be in an unsustainable location, which will result in a huge increase in car journeys, therefore should be sited near the major towns where there will be less of an environmental impact.

The Applicant then addressed the committee. His comments included:

- Clarified there is a commitment by the applicant to achieve the reduction in carbon emission by various means within the scheme.
- Clarified there are no close boarded fencing within the public domain.
- Anticipate the maintenance and management of the public open space including the LEAP and attenuation ponds will go out to a management company in perpetuity.
- Noted that the principle of development had now been approved on the site.

Councillor Neil Bloomfield, Ward member voiced his opposition of the application. His comments included:

- Believe the development would have a huge environmental impact and should consider the Council's environmental policy.
- 120 houses is too many on this site in the wrong place.
- Believe this development will be bolted on to the side of Martock and will be detrimental to the villages of Martock and Ash.
- Disappointed that we keep destroying open countryside.
- Disappointed only minimal carbon reduction by the developer.
- Extremely disappointed for the people of Martock if permission is granted and that the development will add nothing to the village.

During members' discussion, comments were made including:

- Acknowledge the increase in commuter traffic; however, the assumption that everyone will commute to Yeovil is not founded.
- The Local plan states that 71% of housing should be built in Yeovil.

In response to further questions the Lead Specialist – Planning clarified to members:

- Policy EQ2 relating to residential amenity and guidance that relates to ascertaining window to window distances and his reason for considering this to be acceptable in relation to the close proximity of the adjacent No 29 property.
- Showed on the proposed plan the houses selected and considered acceptable where the roof slopes are fully aligned for solar panels for that purpose.

Following a short discussion it was then proposed and subsequently seconded to approve the application as per the officer's recommendation, as set out in the agenda report and subject to the additional Condition 21: that the development be carried out in accordance with the Sustainability Statement produced by Environmental Economics dated 12 December 2019 (the dwellings shall not be occupied unless all measures have been fully carried out), and, the additional informative 08 which was linked to Condition 12 regarding trees and landscaping at the site.

It was also unanimously agreed by members that a named vote be taken.

On being put to the vote this was taken as 9 votes in favour, 2 against and 1 abstention.

RESOLVED:

That planning application **19/02656/FUL** be approved subject to:-

- i. The prior completion of a Section 106 planning obligation (in a form acceptable to the Council's solicitor(s)) before the decision notice granting planning permission is issued, to secure the following:
 - a) Secure a contribution of £193,365 towards the provision of sport, play and strategic facilities (to the satisfaction of the Local Planning Authority);
 - b) Ensure the provision, including future ownership and management of an outdoor equipped play area, to accord with SSSC LEAP specifications, (to the satisfaction of the Local Planning Authority);
 - c) Secure a contribution of £3,204.51 towards the provision of off-site public open space enhancements and £18,000 (or reduced amount, if the developer carries out some of the work, with the Council's guidance and specification) towards a mitigation fund to enhance the Sustainable Urban Drainage System (SuDs) (to the satisfaction of the Local Planning Authority);
 - d) Secure a contribution of £187,814 towards early year's places to the satisfaction of Somerset County Council. A contribution towards primary places of £50,000 will also be required;
 - e) Ensure at least 35% of the dwellings are affordable with an appropriate tenure split (to the satisfaction of the Local Planning Authority); and
- ii. conditions, as set out below:

01. Notwithstanding the local concerns, the development proposed in this sustainable location is considered to be acceptable by reason that it respects the character and appearance of the area and would not be harmful to general visual amenity, residential amenity, ecology, archaeology or highway safety, without compromising the provision of services and facilities in the settlement, and provides for appropriate drainage mitigation. As such the proposal complies with the policies of the South Somerset Local Plan (2006-2028) and the aims and objectives of the National Planning Policy Framework.

SUBJECT TO THE FOLLOWING:

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

Reason: To accord with the provisions of section 91(1) of the Town and Country Planning Act 1990, and to demonstrate the applicant's commitment to delivering the proposed housing in a timely manner.

02. Unless where superseded by any of the following conditions, or by the obligations contained within the accompanying Section 106 Agreement, the development hereby permitted shall be carried out in accordance with the approved plans listed:
- Affordable Housing Statement (Origin 3)
 - Arboricultural Impact Assessment and Method Statement (Green Ecology)
 - CEMP (Barratt Homes)
 - Design and Access Statement (Roberts Limbrick)
 - Ecological Impact Assessment (Green Ecology)
 - Flood Risk Assessment and Drainage Strategy (Calibro)
 - Landscape Risk Assessment and Soft Landscape Proposals (Golby and Luck)
 - Outdoor Lighting Report and Drawings (Designs for Lighting)
 - Planning Statement (Origin 3)
 - Site Waste Management Plan (Barratt Homes)
 - Statement in Support of Planning Application (BDW Developments)
 - Statement of Community Involvement (Foundation Communications)
 - Sustainability Statement (Environmental Economics)
 - Transport Assessment and Travel Plan (Calibro)
 - Drawings:
 - PL01 Site Location Plan
 - PL02 Existing Site Plan
 - PL03 B Proposed Site Plan
 - PL04 B Proposed Boundaries Plan
 - PL05 B Proposed Materials Plan
 - PL06B Affordable Housing Plan
 - PL07B Proposed Heights Plan
 - PL08B Proposed Waste Management Plan
 - PL09B Proposed Car Parking Plan
 - PL13 Land Ownership Plan
 - PL14 Proposed Site Sections
 - PL15 Street Elevation
 - PL20A Kenley Housetype
 - PL21A Palmerston Housetype
 - PL22A Maidstone T1 Housetype
 - PL23A Maidstone T2 Housetype
 - PL24A Moresby Housetype
 - PL25A Chester Housetype
 - PL26A Alderney Housetype
 - PL27A Radleigh Housetype
 - PL28A Typoe 58-59 Housetype
 - PL29A Type 50 Housetype
 - PL30A Type 51 Housetype
 - PL31A Type 52 Housetype
 - PL32 Kenley Housetype
 - PL33 Palmerston Housetype
 - PL34 Maidstone T1 Housetype
 - PL35 Moresby Housetype
 - PL36 Chester Housetype
 - PL37 Alderney Housetype
 - PL38 Radleigh Housetype
 - PL39 Type 50 Housetype
 - PL50 Garages

- PL51 Substation
- PL52 Bin and Cycle Store

Reason: For the avoidance of doubt as to the development authorised and in the interests of proper planning.

03. Details of the following shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of each element of the proposal respectively;
- a) details of materials (including the provision of samples where appropriate) to be used for the external walls and roofs, including details of roof verge finishes;
 - b) details of the recessing, materials and finish (including the provision of samples where appropriate) to be used for all new windows (including any roof lights) and doors;
 - c) details of position and colour finish of meter cupboards, gas boxes, rainwater goods, soil and waste pipes (soil and waste pipes are expected to be run internally).
 - d) Details of the material finish and construction of the private residential parking spaces. Unless otherwise agreed in writing by the Local Planning Authority, the parking spaces shall be constructed of porous materials;
 - e) Details of the final treatment of Cobdens Rhyne, including materials and finish of the proposed bridge and culvert headwalls;
 - f) Details of the materials for the construction of the proposed bin/cycle stores and bin collection points;
 - g) Details of the design and material finish of the proposed sub-station.

Once approved such details shall be fully implemented and thereafter shall not be altered without the prior written consent of the Local Planning Authority.

Reason: In the interests of visual amenity, in accordance with policy EQ2 of the South Somerset Local Plan (2006-2028) and the provisions of the National Planning Policy Framework.

04. Within two months of the commencement of the permission hereby approved, details of the surface water drainage scheme based on sustainable drainage principles together with a programme of implementation, management and maintenance for the lifetime of the development have been submitted to and approved in writing by the Local Planning Authority. The drainage strategy shall ensure that surface water runoff post development is attenuated on site and discharged at a rate and volume no greater than greenfield runoff rates and volumes. The submitted details shall also include a management and maintenance plan, which shall include, details of land ownership, maintenance responsibilities, a description of the system, the identification of individual assets, services and access requirements, and details of routine and periodic maintenance activities. The scheme shall subsequently be implemented in accordance with the approved details before any of the dwellings hereby permitted are first occupied. Following its installation such approved scheme shall be permanently retained, managed and maintained thereafter, in accordance with the details agreed.

Reason: In the interests of highway safety and to ensure that the development is served by a satisfactory system of drainage, in accordance with policies TA5, EQ1,

EQ2 and EQ7 of the South Somerset Local Plan (2006-2028) and the provisions of the National Planning Policy Framework.

05. The works, including groundworks and vegetative clearance, 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 pursuant to The Protection of Badgers Act 1992 authorising the development to go ahead; or
- b) a statement in writing from the ecologist to the effect that he/she does not consider that the development will require a licence.

Reason: In the interests of a UK protected species and its resting places, and in accordance with policy EQ4 of the South Somerset Local Plan (2006-2028) and the provisions of the National Planning Policy Framework.

06. All external lighting shall be installed strictly in accordance with the specifications and locations set out in the design (Designs For Lighting LTD, Document Ref. 0906-DLF-LC-001-A, Dec 2018) as submitted and shall be maintained thereafter in accordance with the design. Under no circumstances should any other external lighting be installed without prior consent in writing from the Local Planning Authority.

Reason: In the interests of the 'Favourable Conservation Status' of populations of European protected species and in accordance with policy EQ4 of the South Somerset Local Plan (2006-2028) and the provisions of the National Planning Policy Framework.

07. No vegetation removal works around the site shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of the 10m hedgerow section to be removed and any trees, shrubs and scrub and tall ruderal vegetation to be cleared for active birds' nests immediately before works proceed and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason: Nesting birds are afforded protection under the Wildlife and Countryside Act 1981 (as amended). Although this is a legal obligation the law does not specify a time period - some species can breed outside the time frame given.

08. Prior to clearance (same day) the 10m section of hedgerow to be cleared will first be inspected by a suitably qualified ecologist for presence of any nests or any other evidence of dormice. If hedgerow removal is undertaken between May and October, then following the hedge being found clear of any evidence of dormice it will be removed by hand and by mechanical excavator under the supervision of a suitably qualified ecologist. If hedgerow removal is to begin outside of these months, then it must be undertaken in two stages. Firstly any trees and shrubs within the section of hedgerow to be cleared will be cut down to 1m high above ground level, leaving trunks and root systems intact, between November and March inclusive, to avoid the period when dormice might be found in nests above ground and when the foliage on the vegetation is minimal. The clearance will be undertaken sensitively by hand using hedge cutters and saws. All cut material will

be removed from the site. The second phase of the hedge removal will involve the removal of the root bases of the cleared trees and shrubs. This will be undertaken between May and October, when the animals are active and able to respond immediately. Clearance of the hedge will be undertaken by hand and by mechanical excavator under the supervision of a licensed ecologist. If any evidence of dormice is found all work will immediately cease and Natural England contacted. A letter confirming the successful undertaking of the hedgerow section will be sent to the LPA.

Reason: In the interests of a UK and European protected species. To ensure the development contributes to the Government's target of no net biodiversity loss and to provide gain where possible as set out in the National Planning Policy Framework; policy EQ4 of the South Somerset Local Plan (2006-2028); and the council's obligations for biodiversity under the Natural Environment and Rural Communities Act 2006.

09. Any works in the existing attenuation basin should be undertaken with care to avoid unnecessary harm to amphibians and reptiles encountered. Any animals found should be carefully moved to a nearby place of safety. In the unlikely event that a great crested newt is encountered, works must stop and Natural England consulted. If habitat management to the attenuation basin is required, e.g. strimming, this should be undertaken in winter, or at other times of year to a height of at least 50mm.

Reason: Reptiles and amphibians species are afforded protection from intentional and reckless killing or injury under the Wildlife and Countryside Act 1981 (as amended). Outside the period from April to October these species are likely to be in torpor or hibernation when disturbance is likely to pose a risk to survival.

10. The scheme hereby approved shall be carried out in accordance with the details and recommendations identified with the submitted Landscape Management Plan (Golby and Luck - Ref. GL1040, dated 20th December 2018) and the submitted Ecological Impact Assessment (Green Ecology - Ref. 0748-EclA-FM, dated December 2018).

Reason: To ensure the development contributes to the Government's target of no net biodiversity loss as set out in the National Planning Policy Framework; policy EQ4 of the South Somerset Local Plan (2006-2028); and the council's obligations for biodiversity under the Natural Environment and Rural Communities Act 2006.

11. 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, the submitted scheme of tree and hedgerow protection measures prepared by Green Ecology (Ref: 0748-AMS -AE & 0748/TPP pp1-3) shall be installed in their entirety and made ready for inspection. Prior to commencement of the development, the suitability of the tree and hedgerow protection measures shall be confirmed in-writing by a representative of the Council (to arrange, please contact us at planning@southsomerset.gov.uk or call 01935 462670). The approved tree and hedgerow protection measures shall remain implemented in their entirety for the duration of the construction of the development and may only be moved, removed or dismantled with the prior consent of the Council in-writing.

Reason: To preserve the health, structure and amenity value of existing landscape features (trees) in accordance with the policies EQ2, EQ4 and EQ5 of the South Somerset Local Plan (2006-2028) and the provisions of the National Planning Policy Framework.

12. A scheme of landscaping shall be submitted to and approved in writing by the Local Planning Authority, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained. All planting, seeding, turfing or earth moulding comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following completion of the development hereby permitted or after the development hereby permitted is first brought into use, whichever is sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of visual amenity, in accordance with policy EQ2 of the South Somerset Local Plan (2006-2028) and the provisions of the National Planning Policy Framework. (Note: Informative 08)

13. Before the commencement of the development hereby permitted the applicant, or their agents or successors in title, shall have secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation (WSI) which has been submitted and approved in writing by the Planning Authority. The WSI shall include details of phasing of the investigations, the archaeological excavation, the recording of the heritage asset, the analysis of evidence recovered from the site and publication of the results. The development hereby permitted shall be carried out in accordance with the approved scheme."

Reason: In the interests of safeguarding any archaeological remains on the site and in accordance with Policy EQ3 of the South Somerset Local Plan (2006-2028) and the provisions of the National Planning Policy Framework.

14. No building shall be occupied within a phase as set out within the WSI until the site archaeological investigation for that phase has been completed and post-excavation analysis has been initiated in accordance with Written Scheme of Investigation approved under the Program of Works condition and provision made for analysis, dissemination of results and archive deposition has been secured.

Reason: In the interests of safeguarding any archaeological remains on the site and in accordance with Policy EQ3 of the South Somerset Local Plan (2006-2028) and the provisions of the National Planning Policy Framework.

15. The scheme hereby approved shall be carried out in accordance with the details contained within the submitted Construction Environmental Management Plan (BDW Exeter, dated December 2018), unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard residential amenity and highway safety, in accordance with policies TA5 and EQ7 of the South Somerset Local Plan (2006-2028 and the provisions of the National Planning Policy Framework.

16. The proposed estate roads, footways, footpaths, tactile paving, cycleways, verges, junctions, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car, motorcycle and cycle parking, and street furniture shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing before their construction begins. For this purpose, plans and sections, indicating as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority.

Reason: In the interests of highway safety, in accordance with policy TA5 of the South Somerset Local Plan (2006-2028) and the provisions of the National Planning Policy Framework.

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

Reason: In the interests of highway safety, in accordance with policy TA5 of the South Somerset Local Plan (2006-2028) and the provisions of the National Planning Policy Framework.

18. The area allocated for parking and turning on the submitted plans unless otherwise agreed in writing by the Local Planning Authority, and shall thereafter be kept clear of obstruction used only for parking and turning of vehicles in connection with the development hereby permitted. The approved parking spaces shall be provided before each dwelling to which they relate are first occupied.

Reason: In the interests of highway safety, in accordance with policies TA5 and TA6 of the South Somerset Local Plan (2006-2028) and the provisions of the National Planning Policy Framework.

19. At the proposed access onto Coat Road, there shall be no obstruction to visibility greater than 300mm above adjoining road level in advance of lines drawn 2.4m back from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge 48m to the west and 54m to the east of the access. Such visibility shall be fully provided before the development hereby permitted is occupied and shall thereafter be maintained at all times.

Reason: In the interests of highway safety, in accordance with policy TA5 of the South Somerset Local Plan (2006-2028) and the provisions of the National Planning Policy Framework.

20. Within six months of the commencement of the permission hereby approved, a scheme shall be provided to enable a footpath/cycle link to be created, linking the application site to the Public Right of Way to the south (PROW Y 16/31 Hills Lane). The scheme should include the provision of a level and properly consolidated (hard surfaced) path, at least 3m in width, taken up to the existing hard surfaced (tarmacked) parts of Hills Orchard and Beech Road, unless an alternative scheme is agreed in writing by the Local Planning Authority. Unless otherwise agreed in writing by the Local Planning Authority, the scheme shall be agreed prior to the

occupation of the 60th dwelling of the development hereby permitted and the works shall be fully carried out prior to the occupation of the 100th dwelling.

Reason: In the interests of providing safe and accessible routes to local services and to promote healthy and safe communities, in accordance with policies SD1, TA1 and EQ2 of the South Somerset Local Plan (2006-2028) and the provisions of the National Planning Policy Framework.

21. The development hereby permitted shall be carried out in accordance with the Sustainability Statement produced by Environmental Economics dated 12 December 2019. The dwellings shall not be occupied unless all measures have been fully carried out.

Reason: To ensure the development addresses climate change by utilising sustainable construction methods to minimise carbon dioxide emissions in accordance with Policy EQ1 of the South Somerset Local Plan (2006-2028) and the aims and objectives of the National Planning Policy Framework.

Informatives:

01. Please be advised that approval of this application by South Somerset District Council will attract a liability payment under the Community Infrastructure Levy. CIL is a mandatory financial charge on development and you will be notified of the amount of CIL being charged on this development in a CIL Liability Notice.

You are required to complete and return Form 1 Assumption of Liability as soon as possible and to avoid additional financial penalties it is important that you notify us of the date you plan to commence development before any work takes place. Please complete and return Form 6 Commencement Notice.

You are advised to visit our website for further details <https://www.southsomerset.gov.uk/cil> or email cil@southsomerset.gov.uk.

02. The applicant will be required to secure an appropriate legal agreement/ licence for any works within or adjacent to the public highway required as part of this development, and they are advised to contact Somerset County Council to make the necessary arrangements well in advance of such works starting.
03. During construction, excavations or large pipes (>200mm diameter) must be covered at night. Any trenches will need a means of escape, for example a plank or sloped end, to allow any animals to escape.
04. The applicant is advised that prior to works commencing onsite Land Drainage Consent is required under section 23 and 66 of the Land Drainage Act 1991, from the Parrett Internal Drainage Board for any construction in or within 9m of a watercourse and for the introduction of additional flow into a watercourse in the Board's District.
05. Water efficiency measures should be incorporated into this scheme. This conserves water for the natural environment and allows cost savings for future occupants. The development should include water efficient systems and fittings such as: dual-flush toilets; water-saving taps; water butts; showers and baths. Greywater recycling and rainwater harvesting should also be considered.

06. Safeguards should be implemented during the construction phase to minimise the risks of pollution and detrimental effects to the water interests in and around the site. Such safeguards should cover the use of plant and machinery, oils/chemicals and materials; the use and routing of heavy plant and vehicles; the location and form of work and storage areas and compounds and the control and removal of spoil and wastes. We recommend the applicant refer to our Pollution Prevention Guidelines, which can be found at: <https://www.gov.uk/guidance/pollution-prevention-for-businesses>.
07. If any controlled waste is to be removed off site, then site operator must ensure a registered waste carrier is used to convey the waste material off site to a suitably authorised facility. If the applicant require more specific guidance it is available on our website <https://www.gov.uk/how-to-classify-different-types-of-waste>
08. In relation to Condition 12: In discharging this condition consultation will be undertaken with South Somerset District Council's Tree Officer and in conjunction with the Portfolio Holder for Environment regarding tree planting.

(voting: 9 in favour, 2 against, 1 abstentions)

		For	Against	Abstain
1.	PAULINE LOCK	x		
2.	NEIL BLOOMFIELD		x	
3.	TONY CAPOZZOLI	Absent		
4.	NICOLA CLARKE	x		
5.	PETER GUBBINS	x		
6.	SARAH DYKE	x		
7.	TONY LOCK	x		
8.	SUE OSBORNE		x	
9.	TIM KERLEY	x		
10.	KARL GILL	x		
11.	PAUL ROWSELL	x		
12.	ANDY SOUGHTON	x		

		For	Against	Abstain
13.	LINDA VIJEH	Absent		
14.	WILLIAM WALLACE			x

111. Date of Next Meeting (Agenda Item 6)

Members noted the date of the next meeting.

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Chairman

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Date