

South Somerset District Council

Minutes of a meeting of the **Regulation Committee** held at the **Virtual Meeting - Virtual Meeting using Zoom meeting software on Tuesday 2 June 2020.**

(2.00 - 4.26 pm)

Present:

Members: Councillor Peter Gubbins (Chairman)

Jason Baker	Crispin Raikes
Neil Bloomfield	David Recardo
Malcolm Cavill	Andy Soughton
Adam Dance	Paul Rowsell
Henry Hobhouse	Linda Vijeh
Tony Lock	William Wallace
Sue Osborne	

Other members:

Hayward Burt

Officers

Sarah Hickey	Senior Planning Lawyer
Stephen Baimbridge	Specialist (Development Management)
David Kenyon	Planning Consultant
Angela Cox	Specialist-Democratic Services (Strategy & Commissioning)
Jo Boucher	Case Officer – Strategy & Commissioning

121. Minutes (Agenda Item 1)

The minutes of the Regulation Committee meetings held on 17th September 2019, 15th October 2019, 29th October 2019 and 18th Feb 2020. Also the minutes of the virtual consultative meeting of Regulation Committee members held on Tuesday 21st April 2020, copies of which had been circulated, were agreed as a correct record and signed by the Chairman.

122. Apologies for Absence (Agenda Item 2)

There were no apologies for absence.

123. Declarations of Interest (Agenda Item 3)

There were no declarations of interest.

124. Public Question Time (Agenda Item 4)

There were no questions from members of the public.

125. Planning Application - 19/01604/OUT - Land at Coombe Farm Os Plots 4300 Part and 4613 Part West Street Templecombe (Agenda Item 5)

Proposal: Outline application with all matters reserved save for access for residential development for up to 49 dwellings including landscaping, drainage and new vehicle access from West Street, Templecombe BA8 0LG

The Planning Consultant introduced the report and advised that the site was approximately 2.5ha of greenfield land on the western edge of Templecombe. The site was adjacent to a residential estate and permission had already been granted for 4 new dwellings at Coombe Farm to the West of the site. The proposed access to the site from the A357 would be through Vine Street, Westcombe and West Street. The existing hedge boundary would be retained with a pavement to link the development to the village centre. The existing field access would be widened to be the main access which was the main consideration as all other matters would be subject to a reserved matters application.

The Planning Consultant advised that a further plan had been submitted by the Applicant to confirm the area of land proposed for public open space. Reference was made to an updated Travel Plan submitted by the Applicant's Highway Consultant showing the local infrastructure and anticipated routes people would use to access local services, roads with pavements and those roads without pavements.

The Planning Consultant noted the narrow access along Vine Street which was a one way street and the on-street parking further along the road. He drew Members attention to an existing permission for 70 dwellings at Slades Hill and also 19 dwellings at Throop Road, Templecombe. He said that there were over 30 objections to the application and none in support. He drew Members attention to the housing land supply, the accessibility and highway safety. In respect of the latter, he read out a statement prepared by the County Highway Authority clarifying its reasoning behind its recommendation of no highways objection. He concluded that on balance the conflict with the development plan was not sufficient to significantly and demonstrably outweigh the significant and moderate weights that were given to the benefits of the proposal. He mentioned a recent appeal at Henstridge which had been allowed in a rural settlement in 2018 which he asked Members to consider.

The Planning Consultant said that an updated Highways Technical Note had been received from the Applicant which had been forwarded to members of the Committee. It had been suggested that should the Highway Authority agree the Applicant would be prepared to make financial contributions towards carriageway markings and signage. He advised that he had sought legal opinion and as the Highway Authority had raised no objections, the proposed contributions would not be necessary and therefore unsound. The Highway Authority had commented that the majority of the routes benefited from footways or walkable verges and as such already catered for the slight increase in pedestrian traffic generated by the development site. The proposed markings would not be acceptable by the Highway Authority. He also updated that a legal opinion had been submitted by the Solicitors acting on behalf of the Applicant raising strong reservations about the reasons for refusal not being supported at appeal and possible successful application for costs.

The Planning Consultant concluded that his recommendation was for approval of the application subject to a S106 agreement, conditions and informatives as set out in the report.

In response to questions, the Planning Consultant informed members of the following:

- The letters submitted should be considered as material considerations and were in the public domain and available on the Council's website. The legal letter and opinion which set out in clear and concise detail the Solicitor's opinion on the suggested reason for refusal being unsound should be viewed as a material consideration. It was up to members of the Committee to decide whether they were in agreement with the opinions made. If any letters were received in the timeframe where they couldn't be individually forwarded to members they would be included as part of the Officers update.
- Government Guidance and the Law was clear with regard to imposing planning conditions and legal agreements. Contributions volunteered by an applicant did not mean that they should be accepted and had to meet various tests. The proposed development was acceptable without the proposed additional financial contributions.

The Senior Planning Lawyer confirmed that the S106 contribution proposed by the Applicant was not deemed necessary and did not meet the necessary tests. If accepted, it could lead to a challenge of the permission at a later stage. In terms of the legal opinion that had been received, she confirmed that it raised issues that members had been previously advised on at the last Regulation Committee meeting and there were no new issues that members were not aware of. She advised that the weight given to matters was a decision to be taken by members.

Ward Member, Cllr Hayward Burt felt that the application should be refused as it failed to comply with a number of policy areas within the current Local Plan and NPPF. The site had had two previous applications both of which were refused on appeal. He stated that the proposal would result in an overall level of growth within the settlement hierarchy and contrary to policy SS2 and SS5. The application did not have the support of the local community and there had been very little engagement. The proposal did not provide employment opportunities or necessary meet an identified housing need in the community. In addition, it did not create community facilities or services including onsite provision. He said that Policy SS5 in the Local Plan set out housing targets for 14 settlements but Templecombe was not included and was a rural settlement. Taking into account all applications and completions, he referred to the potential for 293 dwellings to be built in Templecombe and should this application be approved for a further 49 dwellings, this would result in a 22% increase in the number of dwellings in the village since 2011. Granting permission for the application would result in a level of growth commensurable with a rural centre. He referred to the NPPF which stated that in rural area planning policies and decisions should be responsive to local circumstances and support housing policy and developments that reflect local needs. The proposed application would mean up to 100 more cars and the route to and from the site was through a narrow single access road. He stated that the lack of a 5 year housing land supply should not be used as a reason in favour of granting permission.

The Committee was then addressed by a member of the Parish Council who said that the Parish Council were unable to support any aspect of the application. The Parish Council were concerned that with so many applications being approved there was a risk that the Council's 5 year housing land supply would have been achieved given that information was used from August 2019. The desire to meet the 5 year housing land

supply continued to leave Templecombe vulnerable to applications delivering housing with the most profit and where developers wanted to build and not those that benefit the community or where there was greatest need. Reference was made to the number of houses acceptable in rural settlements and that all developments would result in a 22% increase. The local infrastructure including employment opportunities, health service and education and highway infrastructure were inadequate to support any further addition growth to a rural settlement. She believed that the majority of the grass verges were privately owned and therefore not part of public access and not an alternative to pavements. With regards to other facilities in the village, she mentioned that the shop was only accessible by pavement and that the school, church, village hall were all over 1km away and only accessible through unpaved narrow one way village roads which encouraged car use even for short journeys.

The Committee were then addressed by 4 local residents whose comments included:-

- Templecombe did not want or need more housing and had more than fulfilled its obligation quota.
- A recent development still had approximately 30% of properties not sold either rented by the developer or standing empty.
- The future of the housing market was uncertain with the possibility of decreasing values and a raft of let properties likely to flood the market.
- Properties in Templecombe were under the national average price, a reflection of lack of employment opportunities in the area.
- A reduction in selling price was likely to affect the developer's profit margin and could result in S106 adjustments.
- Due to lack of employment opportunities, new homeowners would be forced to travel to work.
- A357 busy road and recent traffic counts were not representative of normal traffic volumes. The road narrowed significantly for one mile managed by two sets of single traffic lights and three calming islands with the pavement very sparse.
- Grass verges were not located in the pinch points of Vine Street, top of West Street and Westcombe. The only three routes of access to the development, two of which had no pavements and one with significant double parking, rendering it very narrow and only room for one car at a time.
- The active applications for 289 dwellings equated to a 40% increase on the 2011 figures. There was no requirement to identify any accumulative impact as a result of the applications on the community however this should not be ignored.
- The Council had a duty to manage disproportionate growth in any settlement despite the failure to supply housing in the district as a whole.
- SSDC policies were out of date.
- The proposed new development plan suggested that Abbas and Templecombe should be placed in the new category in the planning hierarchy as a village.
- The most dangerous section of road was along Vine Street with front doors opening directly onto the road. The top section of West Street was 100 metres long with traffic going both ways with no pavement and high hedges both sides. The road was also heavily used by recreational walkers, cyclists and horse riders.
- Concern over the exit route from the development at West Street towards Bowden Road by Combe Farm becoming a bottle neck due to the increase in traffic flow.

The Committee was shown a video submitted by a local resident in objection to the application who was unable to attend the meeting.

The Applicant made reference to the Council not being able to demonstrate a 5 year housing land supply and Local Plan Policies being out of date including Policies SS1, SS2 and SS5 and in such circumstances NPPF paragraph 11d and its approach must be used. He noted that Councillors were reminded of the reasons for the Henstridge and Coat Road, Martock appeals by the Planning Officer and the Council's Legal representative at the last meeting. He commented that the Planning Officer's pre-application discussions had all been taken on board and the Parish Council had been consulted before submission of the application. He noted that there were no outstanding technical planning reasons to warrant refusal of the application. He reminded members that the objections received represented less than 2% of the Templecombe population. He concluded that the application had followed the correct planning procedures and protocols, satisfied both the Council's and independent professional consultants and complied with planning guidelines.

The Transport Planning Consultant for the applicant advised that a pedestrian access audit had been prepared in response to members concerns raised at the last meeting. Members were shown a plan which identified the parts of Vine Street without footways. He believed that the green verges along Vine Street were in the ownership of the Highway Authority and were 'walkable' and featured street furniture and highway signs. The narrow section at the eastern end of Vine Street would only be used to reach the bus stop and all the other amenities in the village would be accessed by another route via the northern section of Vine Street. Both sections of Vine Street without footways were straight with clear visibility between drivers and pedestrians using them and both had operated safely with shared surfaces for many years connecting a large area of housing on the south western side of the village with amenities. He said that the development would add very little traffic to Vine Street which would continue to operate safely as a shared surface.

The other Ward Member, Cllr William Wallace concurred with the comments made by his fellow ward member. He said that the application did not comply with SS1, SS2 and SS5 and therefore supported refusal of the application for the same two reasons agreed at the last meeting of the Regulation Committee. He noted that the lack of a 5 year housing land supply was not necessary conclusive in favour of granting planning permission. He concluded by proposing that the application be refused permission and this be seconded by Councillor Henry Hobhouse.

The Senior Planning Lawyer cautioned Members about adopting the reasons for refusal put forward at the last meeting. The first reason to refuse the application was very similar to that put forward for the Coat Road, Martock application the previous year upon which Counsel advice had been taken and also similar to the Henstridge appeal. She said a planning inspector would consider whether 49 dwellings would result in the distortion of the settlement hierarchy and also there needed to be evidence within the reason of the actual harm in land use terms or consequences for the performance of the Local Plan being in conflict with the policies. She felt the stated reason for refusal was not sufficient on its own and she asked Members to consider this in the first reason of refusal. She further advised that the second proposed reason to refuse the application was not supported by the statutory consultee, and, although there were local issues regarding highways, the reason for refusal came with the usual warnings members would expect. In terms of the weight, she advised that even if the arguments on scale and serious compromise to the policy made out, the harm caused would be given limited weight in the planning balance due to the Council's inability to identify the Templecombe specific harm and the Council's housing policies being out of date. She referred to there being other minor harms as a result of the development such as construction noise,

these harms would be balanced against the significant benefits of the development including provision of housing and financial contributions. Given the lack of a 5 year housing land supply, the harm identified would have to significantly and demonstrably outweigh the benefits of the scheme for the planning inspector to agree permission should not be issued.

During the discussion the following comments were made:

- Concerns over the use of Vine Street by construction traffic and the possibility of including a condition to ensure construction traffic comes in through Bowden Road/West Street.
- Each application should be considered on its own merits however more and more reference was being made to other applications and planning inspector decisions.
- There were no dedicated cycle facilities outlined in the Travel Plan.
- The school would be at over capacity.
- 22% in terms of increase in traffic given the location and the need to access other facilities nearby which would not be done on foot, and there being no evidence to prove that it would not happen, was not considered to be minor.
- Concerns over lack of highway visits to the site.
- There was already a large vehicular movement through the village, any additional traffic would not make a serious impact to the community.

The meeting was adjourned for 5 minutes whilst the officers and Councillors William Wallace and Henry Hobhouse discussed the proposed reasons to refuse the application.

The proposal to refuse the application for the same two reasons agreed at the last Regulation Committee subject to a minor amendment to include Policy TA5 and the NPPF rather than a specific policy was lost by 6 votes in favour, 8 votes against and 0 abstentions. It was subsequently proposed and seconded to approve the application as per the officer's recommendation outlined in the agenda report. A vote was taken and the application was granted by 8 votes in favour, 6 against and 0 abstentions.

RESOLVED: That Planning Application No. 19/01604/OUT be GRANTED permission subject to:

The prior completion of a section 106 agreement (in a form acceptable to the Council's solicitor(s)) before the decision notice granting outline planning permission is issued to secure the following:

a) Affordable Housing Provision

i) 35% affordable housing, split 80 / 20, social rent / intermediate product;

ii) Exact details of numbers, type, bedroom mix, tenure and locations on site shall be to the satisfaction of the Lead Specialist Planning in consultation with the Council's Housing Development Officer;

iii) Adherence to the following minimum space standards (GIA) for the affordable units:

1 bed flat

47sqm

1 bedroom house	55 sqm	
2 bedroom house	76 sqm	(86 sqm if 3 storey)
3 bedroom house	86 sqm	(94 sqm if 3 storey)
4 bedroom house	106sqm	(114sqm if 3 storey)

iv) Timing of the construction of the affordable units and its phasing in relation to occupancy of the market housing;

v) Prior to commencement of development, the Council's Housing Development Officer to be informed of the selected affordable housing association partner for the delivery of the affordable units and arrangements for the transfer of the affordable units to that affordable housing association partner. The following is a list of the Council's main housing association partners, but this is not to be considered as exhaustive:

- LiveWest Housing
- Magna Housing
- Stonewater Housing and,
- Yarlington Housing Group;

vi) All rented affordable units to be made available to anyone registered on Homefinder Somerset; and

vii) Arrangements to ensure that the provision of affordable units is affordable for both first and subsequent occupiers of the affordable units, and the occupancy criteria to be used for determining the identity of occupiers of the affordable units and the means by which such occupancy criteria shall be enforced.

b) Education Financial Contribution

A financial contribution of £324,406 (calculations based on 49 dwellings) to be paid to the Somerset County Council as Education Authority towards the improvement and/or expansion of early years and primary education provision in the Parish. Flexible formulae to be included should fewer than 49 dwellings be constructed. Initial payment prior to occupation of 33% of dwellings, second payment prior to 66% occupation of dwellings and final payment prior to 100% occupation of dwellings.

c) Equipped Play Area and Youth Facilities Financial Contribution

Off-site financial contribution of £1,583 per dwelling towards the enhancement of the existing equipped play area and youth facilities at Templecombe Recreation Ground and associated maintenance commuted sums, the total amount payable upon occupation of the first 25% of proposed dwellings - (£77,569 based on 49 dwellings).

d) Travel Plan

The implementation of the approved Travel Plan to the satisfaction of the County Highway Authority, to operate from first occupation of the development for a period of 5 years, to allow its objectives to be fulfilled, (such date of first occupation having been notified in writing to the Local Planning Authority by the applicant/developer

either prior to said occupation commencing or no later than 7 days from the date of said first occupation having occurred).

e) Highway Mitigation Measures

i) The access road to be constructed in accordance with current highway policy standards;

ii) Provision of pedestrian access in the eastern corner of the site onto West Street;

iii) Provision of pedestrian / cycle access in the western corner of the site onto West Street

f) Management Company or Other Arrangements

Submission of details of any public body or statutory undertaker, Resident's Management Company, other management company or any other arrangements to manage and maintain public open space; potential surface water attenuation pond or similar sustainable urban drainage system; landscape "buffer zones", including all retained and new hedgerows within the application site itself and along the application site's boundaries; and any roads and/or footpaths that may not be adopted by the Highway Authority prior to first occupation of any dwelling unit hereby permitted (such date of first occupation having been notified in writing to the Local Planning Authority by the applicant/developer either prior to said occupation commencing or no later than 7 days from the date of said first occupation having occurred).

And for the following reason:

01. The Council's lack of a five year housing land supply lends significant weight when considering the planning balance. In this case, the site is located in a sustainable location with access to a high range of services and facilities. The proposal is not considered to result in such a significant and adverse impact upon visual amenity, residential amenity, highway safety, flood risk/drainage or ecology/biodiversity as to justify a refusal of planning permission. Therefore, in terms of the 'planning balance', it is considered that there are no adverse impacts that would 'significantly and demonstrably' outweigh the benefits of providing up to 49 dwellings in this sustainable location. The proposal is considered to be in accordance with Policies SD1, SS1, SS2, SS4, SS5, SS6, HG3, TA5, TA6, HW1, EQ1, EQ2, EQ4 and EQ5 of the South Somerset Local Plan 2006-2028 and the aims and objectives of the NPPF.

SUBJECT TO THE FOLLOWING:

01. Approval of appearance, landscaping, layout and scale (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason: To accord with the provisions of Article 3 of the Town and Country Planning (General Development Procedure) Order 2015.

02. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

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

03. The development hereby permitted shall be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: In accordance with the provisions of S92 (2) Town and Country Planning Act 1990 (as amended by S51 (2) Planning and Compulsory Purchase Act 2004).

04. The development hereby permitted shall be restricted to no more than 49 dwellings.

Reason: To avoid any ambiguity as to what is approved.

05. The development hereby permitted shall accord with the following approved plans in respect of the extent of application site to which this grant of outline planning permission relates and also the proposed access details:

Drawing no. 2607-DR-A-050-001 Rev A: Indicative Site Layout

Drawing no. 2607-DR-A-050-002 Rev A: Illustrative Site Plan

Drawing no. 2607-DR-A-050-003 Rev A: Location Plan

Drawing no. 2607-DR-A-080-004 Rev A: Indicative Site Frontage Detail

Drawing no. 2607-DR-A-080-005: Access Detail

For the avoidance of doubt, the appearance, landscaping, layout and scale of the proposed development as indicated on said drawings are shown solely for illustrative purposes and are subject to further approval of 'reserved matters' the subject of conditions 01 and 02.

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

06. Prior to commencement of the development, site vegetative clearance, ground-works, heavy machinery entering site or the on-site storage of materials, a scheme of tree and hedgerow protection measures prepared by a suitably

experienced and qualified arboricultural consultant in accordance with British Standard 5837: 2012 - 'Trees in relation to design, demolition and construction' shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include locations and details of all protective fencing to be erected to protect retained trees and hedgerows (including informative signage thereon), together with written confirmation that, within all tree and hedgerow protection zones,:

- (a) no materials, equipment, machinery or structure shall be attached to or supported by any part of the retained trees and hedgerows and no materials shall be stored, temporary buildings erected, moveable structures, works, plant or machinery placed or ground levels altered;
- (b) there shall be no mixing of cement or use of other contaminating materials or substances shall take place;
- (c) levels shall not be raised or lowered in relation to existing ground levels;
- (d) no roots shall be cut, trenches dug or soil removed;
- (e) no buildings, hardened areas or other engineering operations shall be constructed or carried out; and
- (f) no vehicles shall be driven over that protected area.

Reason: The submission and agreement of a scheme of tree and hedgerow protection measures prepared by a suitably experienced and qualified arboricultural consultant prior to commencement of development is fundamental to enable the Local Planning Authority to consider all tree and hedgerow protection measures in order to preserve existing landscape features (trees and hedgerows), in the interests of visual amenity and biodiversity having regard to Policies EQ2, EQ4 and EQ5 of the South Somerset Local Plan and relevant guidance within the NPPF.

07. Prior to commencement of development, site vegetative clearance, ground-works, heavy machinery entering site or the on-site storage of materials, the tree and hedgerow protection scheme approved pursuant to condition 06 shall be installed and the suitability of the tree and hedgerow protection measures confirmed in writing by the Local Planning Authority within 21 days from written notification of completion of the approved protection scheme.

The approved tree and hedgerow protection scheme shall remain implemented in its entirety for the duration of the construction of the development and shall only be moved, removed or dismantled with the prior written consent of the Local Planning Authority.

Reason: The full implementation of an approved scheme of tree and hedgerow protection measures prepared by a suitably experienced and qualified arboricultural consultant

prior to commencement of development is fundamental to preserve existing landscape features (trees and hedgerows), in the interests of visual amenity and biodiversity having regard to Policies EQ2, EQ4 and EQ5 of the South Somerset Local Plan and relevant guidance within the NPPF.

08. No development shall be commenced until details of the surface water drainage scheme based on sustainable drainage principles which aim to enhance biodiversity, amenity value, water quality and provide flood risk benefits (i.e. four pillars of SuDS) to meet wider sustainability aims, together with details of a programme of implementation and maintenance for the lifetime of the development, have been submitted to and approved in writing by the Local Planning Authority. The drainage strategy shall ensure that surface water run-off post development is attenuated on site and discharged at a rate and volume no greater than 2 l/s. Such works shall be carried out in accordance with the approved details.

These details shall include:

(a) Details of phasing (where appropriate) and information of maintenance of drainage systems during construction of this and any other subsequent phases.

(b) Information about the design storm period and intensity, discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance (6 metres minimum), the sustainable methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters.

(c) Details of methods and means for the provision within the site for the disposal of surface water so as to prevent its discharge onto the highway.

(d) Any works and permissions required outside the application site boundary to ensure discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant).

(e) Flood water exceedance routes both on and off site, note, no part of the site must be allowed to flood during any storm up to and including the 1 in 30 event, flooding during storm events in excess of this including the 1 in 100 yr (plus 40% allowance for climate change) must be controlled within the designed exceedance routes demonstrated to prevent flooding or damage to properties.

(f) A management and maintenance plan for the lifetime of the development which shall include information regarding systems both inside and outside the application boundary, the arrangements for adoption by an appropriate public body or statutory undertaker, management company or maintenance by a Residents' Management Company and / or any other arrangements to secure the operation and maintenance to an approved standard and working condition throughout the lifetime of the development.

Reason: The agreement of details of a surface water drainage scheme and a programme of implementation and maintenance for the lifetime of the development prior to commencement of development is fundamental to ensure that the development is served by a satisfactory system of surface water drainage, which will aim to enhance biodiversity, amenity value, water quality and provide flood risk benefits (i.e. four pillars of SuDS) to meet wider sustainability aims, and that the approved system is retained, managed and maintained throughout the lifetime of the development, in accordance with Policy EQ1 of the South Somerset Local Plan, relevant guidance within the NPPF and the Technical Guidance to the NPPF.

09. No development shall commence unless a Construction Environmental Management Plan (CEMP), including a method statement detailing the working methods to be employed on site during the construction works (and preparation associated with construction works), has been submitted to and approved in writing by the Local Planning Authority. Thereafter, throughout the construction period, the approved details within the CEMP shall be strictly adhered to.

The CEMP shall include:

(a) Details of the phasing of construction traffic for the development, including expected numbers of construction vehicles per day, temporary highway vehicle and pedestrian routings, means of access, times and days of large vehicle movements to and from the site, and suitable off-highway parking for all construction related vehicles.

(b) Measures to avoid traffic congestion impacting upon the Strategic Road Network.

(c) The location area(s) to be used for the parking of vehicles of site operatives and visitors during the construction phase. Any vehicles visiting or attending at the site shall not be parked on any access roads serving the site which would cause obstruction to the free passage of other vehicle users of said roads.

(d) A schedule for the delivery, loading and unloading of all

plant and materials to the site, including the times of such loading and unloading; details of how deliveries, loading and unloading of plant and materials would not take place during peak-time hours of the highway network in the vicinity of the application site; and details of the nature and number of vehicles, temporary warning signs to be used, and measures to manage crossings across the public highway.

(e) The hours of construction operations, and deliveries to and removal of plant, equipment, machinery and waste from the site. Such construction works and deliveries shall be carried out only between 08.00 hours and 18.00 hours Mondays to Fridays; 08.00 hours and 13.00 hours on Saturdays, and at no times on Sundays and Bank or Public Holidays, unless the Local Planning Authority gives prior written agreement to any changes in the stated hours.

(f) Details of temporary site compounds including temporary structures/buildings, fencing and proposed provision for the storage of plant and materials to be used in connection with the construction of the development.

(g) A scheme for recycling/disposing of waste resulting from any demolition and construction works. There shall be no burning of materials arising on site during any phase of demolition and site clearance works and during the construction process, unless prior written approval is obtained from the Local Planning Authority.

(h) The siting and design of wheel washing facilities and management of any subsequent run-off resulting from their use.

(i) Measures to control the emission of dust, mud/dirt, noise, vibration and external lighting (including security lighting) during the construction period. Regard shall be had to mitigation measures as defined in BS 5228: Parts 1 and 2: 2009 Noise and Vibration Control on Construction and Open Sites.

(j) Details of any piling together with details of how any associated vibration will be monitored and controlled.

(k) The location and noise levels of any site electricity generators.

(l) Management of surface water run-off from the site in general during the construction period.

(m) Specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice.

(n) A scheme to encourage the use of Public Transport amongst contactors.

(o) A risk assessment of potentially damaging construction activities and identification of "biodiversity protection zones", together with the location and timing of sensitive works to avoid harm to biodiversity features and the times during construction when specialist ecologists need to be present on site to oversee works.

(p) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements) to biodiversity on site, including habitat (trees and hedgerows) and protected species (bats, birds, badgers, hazel dormice and reptiles).

(q) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person, including regular compliance site meetings with the County Council's Ecologist (frequency to be agreed, for example, every 3 months during construction phases).

(r) Contact telephone number/s and email address/es of the site manager(s) and/or other person/s associated with the management of operations at the site.

Reason: The agreement of details of a Construction Environmental Management Plan prior to the commencement of development is fundamental to ensure a satisfactory level of environmental protection; to minimise disturbance to local residents; the prevention of harm being caused to the amenity of the area; in the interests of highway safety during the construction process, and in the interests of European and UK protected species, having regard to Policies TA5, EQ2, EQ4 and EQ7 of the South Somerset Local Plan and relevant guidance in the NPPF.

10. Prior to commencement of development, a noise mitigation scheme prepared by a suitably qualified acoustic consultant shall be submitted to, and approved in writing by, the Local Planning Authority detailing what measures, if any, may be necessary to ensure that any noise associated with the railway line to the north of the application site and from Coombe Farm to the west does not cause detriment to the amenities (including habitable rooms and gardens) of future residents/occupiers of the residential development hereby permitted. Such a scheme shall take the form of a written report detailing all measurements taken and results obtained, together with any sound reduction scheme recommended and calculations and reasoning upon which any such scheme is based. The approved measures within

the noise mitigation scheme shall be implemented in their entirety prior to occupation of any individual dwelling unity, unless the Local Planning Authority gives prior written approval to any alternative period for completion.

Thereafter, the approved noise mitigation scheme shall be retained and maintained and not altered in any manner without the prior permission in writing of the Local Planning Authority.

Reason: The agreement of details of a noise mitigation scheme prepared by a suitably qualified acoustic consultant prior to commencement of development is fundamental to enable the Local Planning Authority to consider noise mitigation measures in order to protect the amenities of future residents having regard to the proximity to the railway line and neighbouring farm, in accordance with Policies EQ2 and EQ7 of the South Somerset Local Plan and relevant guidance within the NPPF.

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

- a) Description and evaluation of features to be created, restored, protected and managed, including the addition of native wild flower grassland areas and edges to open spaces and native pollinator friendly wetland plants to be planted within the SuDS.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organization responsible for implementation of the plan.
- h) On-going monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies)/new residents responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still

delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: 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, and the Council's obligations for biodiversity under the Natural Environment and Rural Communities Act 2006.

12. The landscaping scheme submitted in accordance with condition 01 of this outline grant of planning permission shall include details of:

(a) Planting plans (to a recognised scale) and schedules indicating the location, number, species, density, form root types/root volumes and size of proposed tree, hedge and shrub, and also including native species which occur locally and chosen to provide food for insects on which bats feed. All new trees and hedges planted on site should ideally be from local native stock, such as blackthorn, field maple, ash, hornbeam, hazel, dogwood, spindle and/or beech. All new shrubs must be high nectar producing to encourage a range of invertebrates to the site, to provide continued foraging for bats, and the shrubs must also appeal to night-flying moths which are a key food source for bats.

(b) The method and specifications for operations associated with installation including ground preparation, the use of bio-degradable weed-suppressing geo-textile, staking/supporting, tying, guarding, strimmer-guarding and surface-mulching; and planting establishment, protection, management and maintenance of all retained and new tree, hedge and shrub planting.

(c) Written specifications including cultivation and other operations associated with tree, plant and grass establishment.

(d) Existing landscape features such as trees, hedges and shrubs which are to be retained and/or removed, accurately plotted (where appropriate).

(e) Existing and proposed finished levels (to include details of grading and contouring of land and any earthworks and details showing the relationship of any proposed mounding to existing vegetation and surrounding landform where appropriate).

(f) The means of accommodating change in level (e.g. retaining walls, steps, railings, walls, gates, ramps, or other supporting structures).

(g) The location, type and materials to be used for hard surfacing (including where applicable for permeable paving, refuse/recycling storage areas, tree pit design, underground modular systems, sustainable urban drainage integration and use within tree Root Protection Areas), including specifications and details of manufacturer, type and design, colour and bonding pattern where appropriate. Samples may be required to be submitted and approved.

(h) The position, design, materials, means of construction of all site enclosures and boundary treatments (e.g. fences, walls, railings, hedge (banks)), where appropriate.

(i) An on-going management and maintenance plan of all the approved landscaping features; and

(j) A timetable for the implementation of the approved hard and soft landscaping scheme.

(k) The body or organization responsible for implementation, and subsequent management and maintenance, of the approved landscaping plan.

There shall be no excavation or raising or lowering of levels within any prescribed root protection areas of retained trees and hedges unless previously approved in writing by the Local Planning Authority.

The approved hard and soft landscaping scheme shall be carried out strictly in accordance with the approved timetable of implementation and shall thereafter be protected, managed and maintained in accordance with the approved scheme.

Reason: To clarify the level of detail of landscaping to form part of any subsequent application for reserved matters in order to safeguard and enhance the landscape character and visual amenity of the area; to help assimilate the development into its immediate surrounds; and to provide ecological, environmental and biodiversity benefits, having regard to Policies EQ2, EQ4 and EQ5 of the South Somerset Local Plan and relevant guidance within the NPPF.

13. Except for any trees, hedges or shrubs that may be identified for removal on the approved landscaping plans and schedule approved pursuant to condition 12, if within a period of five years from the date of the completion of the dwellings or completion of the approved landscaping scheme pursuant to condition 09 (whichever is the later), any retained tree, hedge or shrubs are felled, removed, uprooted, destroyed or die, or become in the opinion of the

Local Planning Authority seriously damaged, diseased or defective, it/they shall be replaced by planting as originally approved, unless the Local Planning authority gives its written approval to any variation. This replacement planting shall be undertaken before the end of the first available planting season (October to March inclusive for bare root plants), following the removal, uprooting, destruction or death of the original trees or plants.

Reason: To ensure the environment of the development is improved and enhanced, having regard to Policies EQ2, EQ4 and EQ5 of the South Somerset Local Plan and relevant guidance within the NPPF.

14. Ground investigation works shall be undertaken in order to establish the soil classification, moisture contents, plasticity indexes and CBR values. The ground investigation report (including exploratory holes logs, in-situ and laboratory test results, together with the interpretation of the data used to establish the Design CBR value), and a geotechnical report providing details of site contamination of any type, soil classification at formation level, CBR values, ground water levels, and safe earthworks slopes shall be submitted to the Local Planning Authority for review and approval at the detailed design stage.

Reason: To clarify the level of detail of ground investigation works to be undertaken to form part of any subsequent application for reserved matters in the interests of highway safety and public convenience, having regard to Policies TA5 and TA6 of the South Somerset Local Plan and relevant guidance within the NPPF.

15. No works involving the removal of potential bird nesting habitats, comprised of trees, hedges, scrub, shrubs and ruderal vegetation, shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of all such trees, hedges, scrub, shrubs and ruderal vegetation for active birds' nests immediately before works proceed and vegetation is cleared 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 and written agreement from the Local Planning Authority so obtained.

Under no circumstances should blocking bird access to certain areas and features in using plastic bird netting hung over the gaps and apertures be carried out, as this can lead to entrapment from birds caught in netting.

Reason: To provide adequate safeguards for nesting birds,

which are afforded protection under the Wildlife and Countryside Act 1981 (as amended), having regard to Policy EQ4 of the South Somerset Local Plan and relevant guidance within the NPPF.

16. A static bat detector survey shall be undertaken on site to ascertain the use of the site by commuting and foraging bats. Static detectors shall be deployed on site between April and October for a period of one week per month. Initially, three months' worth of data shall be collected, to gain an understanding of the use of the site by bats. The data gathered shall be used to inform the overall site layout, landscaping and any lighting schemes.

Reason: All bats are afforded protection under the Habitats Regulations 2017 by which populations are to be maintained at Favourable Conservation Status as defined under Article 1 of the Habitats Directive 1992. Lacking evidence to the contrary it must be assumed the boundary hedgerows and trees forms part of the habitat available to maintain local bat populations. Bat species are adversely affected by the introduction of artificial lighting on commuting routes, which in effect can cause severance between roosts and foraging areas. A dark boundary area will also help maintain other light sensitive species on site and contribute towards conserving biodiversity.

17. Any trenches or large pipes (greater than 200mm diameter) must be covered at night. Any open excavations left exposed overnight during the construction phase shall have a means of escape for badgers and other mammals. This will comprise a shallow sloped edge or board (of at least 30cm width) set at an angle of no more than 30°

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 and the council's obligations for biodiversity under the Natural Environment and Rural Communities Act 2006. To ensure compliance with the Protection of Badgers Act 1992, which affords badger setts protection from intentional or reckless interference.

18. Any vegetation in the construction area, comprised of grassland and tall ruderal herbs should initially be reduced to a height of 10 centimetres above ground level, brushings and cuttings removed and the remainder left for a minimum period of 48 hours of fine warm weather before clearing to minimise the risk of harming/killing any reptiles that may be present and to encourage their movement onto adjoining land. This work may only be undertaken during the period between March and October.

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; South Somerset District Council Local Plan - Policy EQ4 Biodiversity; and the Council's obligations for biodiversity under the Natural Environment and Rural Communities Act 2006.

19. The proposed estate roads, footways, footpaths, tactile paving, cycleways, bus stops/bus lay-bys, verges, junctions, street lighting, 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 indicated on the approved drawings and any outstanding details to be submitted to and 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 and in accordance with Policies TA5 and TA6 of the South Somerset Local Plan and relevant guidance within the NPPF

20. Before the dwellings hereby permitted are first occupied, the vehicular and pedestrian accesses shall be constructed generally in accordance with the approved drawings nos. 2607-DR-A-050-001 Rev A, 2607-DR-A-050-004 Rev A and 2607-DR-A-050-005 and shall be properly consolidated and surfaced (not loose stone or gravel), the details of which shall have been submitted to and approved in writing by the Local Planning Authority. The accesses shall be maintained in the agreed form thereafter at all times.

Reason: In the interests of sustainable development and highway safety, further to Policies EQ2, TA1, TA5 and EQ2 of the South Somerset Local Plan and relevant guidance within the NPPF.

21. Unless otherwise agreed in writing by the Local Planning Authority in consultation with the County Highway Authority, no dwelling hereby permitted shall be occupied until bollards, or similar features, to prevent vehicular access onto the footpaths have been provided/constructed on all the footpaths that enter /exit the site from West Street, in accordance with details previously submitted to and approved in writing by the Local Planning Authority. Such details shall indicate their locations, numbers, appearance/design, materials of construction, colour

finishes and heights. The approved bollards or similar features shall thereafter be maintained and retained in situ at all times, unless the Local Planning Authority consents in writing to their removal.

Reason: To prevent unacceptable vehicular and pedestrian conflict in the interests of public safety and convenience, having regard to Policies EQ2, TA1 and TA5 of the South Somerset Local Plan and relevant guidance within the NPPF.

22. No dwelling hereby permitted shall be occupied until a scheme of street lighting has been installed to serve the development in accordance with a design and specification to be approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety, further to Policies TA5 and EQ2 of the South Somerset Local Plan and relevant guidance within the NPPF.

23. No dwelling hereby permitted shall be occupied until a network of cycleway and footpath connections has been constructed within the application site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of sustainable development and highway safety, in accordance with Policies TA1, TA5 and TA6 of the South Somerset Local Plan and relevant guidance within the NPPF.

24. All garaging, parking and turning spaces shall be provided, laid out, surfaced, drained and (where appropriate) delineated in accordance with plans to be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the dwellings hereby permitted to which they serve. Thereafter they shall be maintained and retained for such purposes of parking and turning of vehicles (including motorcycles and bicycles) incidental to the occupation and enjoyment of the dwellings and kept permanently free from any other forms of obstruction. Nor shall any proposed garages be used for, or in connection with, any commercial trade or business purposes and they shall not be converted into habitable accommodation, including domestic workshop, study, games room and similar uses, without the prior written approval of the Local Planning Authority.

Reason: To protect the visual and residential amenities of the site and surrounds and to ensure that adequate on-site parking and turning spaces are provided and thereafter retained to enable vehicles to turn on-site without having to reverse onto the County highway, in the interests of and for

the safety of persons and vehicles using the development and the adjoining road, having regard to Policies EQ2, TA1, TA5 and TA6 of the South Somerset Local Plan and relevant guidance within the NPPF.

25. No dwelling hereby permitted shall be occupied until electric vehicle charging points (EVCP's) rated at a minimum of 16 amps have been provided for each dwelling within its associated garage and/or parking space. Such provision shall be in accordance with details indicating siting, numbers, design, rating and appearance of the EVCP's which shall be previously submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure provision of EVCP's for low emission vehicles as part of the transition to a low carbon economy, having regard to Policy TA1 of the South Somerset Local Plan and relevant guidance within the NPPF.

26. No dwelling hereby permitted shall be occupied until refuse and recycling storage areas have been provided to serve each dwelling in accordance with details previously submitted to and approved in writing by the Local Planning Authority. Such details shall include the siting, area and means of hardening, draining and screening of such refuse/recycling storage areas. The refuse/recycling storage areas shall thereafter be retained and maintained as such, unless the Local Planning Authority gives prior written approval to any subsequent variations.

Reason: In order to provide adequate provision of on-site refuse and recycling storage to serve the development to ensure that any impact on visual and residential amenity is kept to a minimum, having regard to Policy EQ2 of the South Somerset Local Plan and relevant guidance within the NPPF.

27. 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 and in accordance with Policies TA5 and TA6 of the South Somerset Local Plan and relevant guidance within the NPPF.

28. From the vehicular access hereby permitted, there shall be no obstruction to visibility greater than 600mm 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 43m either side of the access. Such visibility shall be fully provided before the development hereby permitted is first occupied and shall thereafter be maintained at all times.

Reason: In the interests of highway safety further to Policies TA5 and EQ2 of the South Somerset Local Plan and relevant guidance within the NPPF.

29. The gradients of the proposed drives to the dwellings hereby permitted shall not be steeper than 1 in 10 and shall be permanently retained at that gradient thereafter at all times.

Reason: In the interests of highway safety, further to Policies TA5 and EQ2 of the South Somerset Local Plan and relevant guidance within the NPPF.

30. Except for the installation of any street lighting approved pursuant to condition 22, prior to the erection, installation, fixing, placement and/or operation of any other external lighting on the site (including on any of the buildings themselves), details of such external lighting shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include the equipment and supporting structures, positions, sizes, heights, type, luminance/light intensity, direction and cowling of all external lights to the buildings and any other parts of the application site and the hours at which such lighting is to be operated.

No artificial lighting associated with the development shall illuminate the boundary habitats, newly created habitats, or any proposed bat boxes, bat roosts or flight paths used by foraging or commuting bats.

The external lighting shall thereafter be carried out in accordance with the approved details (unless the Local Planning Authority gives prior written approval to any subsequent variations), and shall thereafter be retained in that form.

Reason: To safeguard the rural character and appearance of the locality; to safeguard the residential amenities of owners/occupiers of neighbouring property; to safeguard any biodiversity interests; and in the interests of public safety and convenience, having regard to Policies EQ2, EQ4 and TA5 of the South Somerset Local Plan and relevant guidance within the NPPF.

31. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing

immediately to the Local Planning authority by the applicant/developer. Such unsuspected contamination may include obvious visual or olfactory residues, asbestos including asbestos containing materials such as roofing, buried drums, drains, interceptors, additional fuel storage tanks or any other unexpected hazards that may be discovered during site works.

An investigation and risk assessment must be undertaken and, where necessary, a remediation scheme must be prepared; these will be subject to the written approval of the Local Planning Authority. Following the completion of any measures identified in the approved remediation scheme a validation report must be prepared, which will be subject to approval in writing from the Local Planning Authority prior to the occupation of any dwellings so affected by the contaminated area.

Reason: In the event that unsuspected contamination is encountered, the agreement of various risk assessments and any necessary remediation measures and validation report undertaken is fundamental to ensure that risks from land contamination to the future users of the land are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors, having regard to Policies EQ2 and EQ7 of the South Somerset Local Plan and relevant guidance within the NPPF.

32. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking, re-enacting or modifying that Order), no development of the types described in the following Classes of Schedule 2 shall be undertaken without the express grant of planning permission, other than that expressly authorised by this permission:

- (a) Part 1, Class A (enlargements, improvements or other alterations);
- (b) Part 1, Class B (roof additions);
- (c) Part 1, Class C (other roof alterations); and
- (e) Part 2, Class A (gates, fences, walls or other means of enclosure);

Reason: To enable the Local Planning Authority to exercise control over development in order to safeguard the character and appearance of the locality in general, by ensuring there are no inappropriate extensions to dwellings and means of enclosure when viewed from public vantage points; to prevent unacceptable harm being caused to the residential amenity of occupiers of adjoining property; to safeguard biodiversity interests; and to safeguard on-site

parking and circulation areas, having regard to Policies EQ2, EQ4, TA5 and TA6 of the South Somerset Local Plan and relevant guidance within the NPPF.

33. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking, re-enacting or modifying that Order), no construction of any gas compounds, electricity substations, buildings for the purposes of electronic communications or water pumping stations shall commence prior to the submission to and written approval from the Local Planning Authority relating to details of the siting, levels, elevations, dimensions, external materials, access arrangements, boundary treatments and landscaping for each of those utility buildings or compounds. Development shall thereafter be undertaken only in accordance with the approved details.

Reason: To ensure that the siting and external appearance of any utility compounds and buildings is acceptable in relation to the character and visual amenity of the development and the wider area and in the interests of protecting the amenity of occupiers of neighbouring dwellings and buildings; maintaining highway safety; protecting biodiversity; protecting green infrastructure resources; and having regard to Policies EQ2, EQ4, EQ5, TA5 and TA6 of the South Somerset Local Plan and relevant guidance within the NPPF.

Informatives:

01. Legal Agreement

This permission shall be read in conjunction with the legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended) entered into between South Somerset District Council and xxxx and dated xxx 2020.

02. CIL

Please be advised that subsequent full or reserved matters approval 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

03. Birds

The developer/applicant is reminded of the legal protection afforded to nesting birds under the Wildlife and Countryside Act 1981 (as amended). In the event that nesting birds are encountered during implementation of this permission it is recommended that works stop until the young have fledged or then advice is sought from a suitably qualified and experienced ecologist at the earliest possible opportunity.

In the event that vegetation removal will be taking place then further consultation must be sought prior to this.

04. Bats

The developers and their contractors are reminded of the legal protection afforded to bats and bat roosts under legislation including the Conservation of Habitats and Species Regulations 2017. In the event that bats are encountered during implementation of this permission it is recommended that works stop and advice is sought from a suitably qualified, licensed and experienced ecologist at the earliest possible opportunity.

05. LEMP

In respect of condition 11d), the appropriate management options for achieving aims and objectives should include:

- a) At least 49 bird boxes as per recommendation by the RSPB in its consultation response;
- b) A suitable number of bat boxes – at least one per house;
- c) At least one integrated bee brick (<https://www.nhbs.com/bee-brick>) must be built into the external wall space of the each new building. The bricks will be placed one meter above ground level on a south facing aspect, vegetation must not block the entrance holes;
- d) Any new fencing must have accessible hedgehog holes, measuring 13cm x 13cm to allow the movement of hedgerows into and out of the site;
- e) All new shrubs must be high nectar producing to encourage a range of invertebrates to the site, to provide continued foraging for bats. The shrubs must also appeal to night-flying moths which are a key food source for bats. The Royal Horticultural Society guide, "RHS Perfect for Pollinators, www.rhs.org.uk/perfectforpollinators" provides a list of suitable plants both native and non-native;
- f) Where the landscaping scheme allows all new trees planted on site should ideally be from local native stock, such as field maple, ash, hornbeam, dogwood, spindle and beech.

06. Land Drainage Act

Somerset County Council is the Lead Local Flood Authority (LLFA) as defined by the Flood and Water Management Act 2010 and the Flood Risk Regulations 2009. Under section 23 of the Land Drainage Act there is a legal requirement to seek consent from the

relevant authority before piping/culverting or obstructing a watercourse, whether permanent or temporary. This may also include repairs to certain existing structures and maintenance works. This requirement still applies even if planning permission has been granted.

For more information, please visit <https://www.somerset.gov.uk/waste-planning-and-land/apply-for-consent-to-work-on-an-ordinary-watercourse/>

07. Traffic Impact

A condition survey of the existing public Highway should be agreed in advance of any site works. Any damage to the existing Highway caused as a result of this development is to be remedied by the developer before occupation of any dwellings. Photographs taken prior to construction starts should be available on request.

08. Odour from Neighbouring Farm

Occupiers of the residential units hereby approved may from time to time experience some odour annoyance associated with the neighbouring farm. It should be noted that such annoyances may not necessarily be actionable under Environmental Health powers bestowed upon the Council. Further advice can be obtained from the District Council's Environmental Protection Team.

09. Contamination

It should be noted that, with reference to the National Planning Policy Framework (February 2019) paragraph 179, where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

10. Lighting

In respect of condition 30, light could cause nuisance to existing residential properties and ecological interests. Any lighting should be screened to minimise direct illumination falling on land outside of the development. Appropriate shields, baffles, louvres or diffusers should be installed prior to their use to ensure that nuisance to nearby properties is minimised. As well as giving consideration to direct glare, any lighting scheme shall also take into account upward reflection. Any lighting scheme should be designed in accordance with the Institute of Lighting Engineers "Guidance Notes" for the Reduction of Light Pollution (2011) or similar guidance recognised by the Council, and also Guidance Note 08/18 "Bats and artificial lighting in the UK", issued by the Bat Conservation Trust and Institution of Lighting Professionals.

11. Designing Out Crime

As suggested by the Avon & Somerset Constabulary – Designing Out Crime Officer, when considering the layout of the residential estate blank gable end walls/elevations that abut public spaces should be avoided, but where they are unavoidable, a buffer zone should be introduced to avoid issues such as graffiti, loitering and ball games.

(Voting: 8 in favour, 6 against, 0 abstentions)

126. 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