

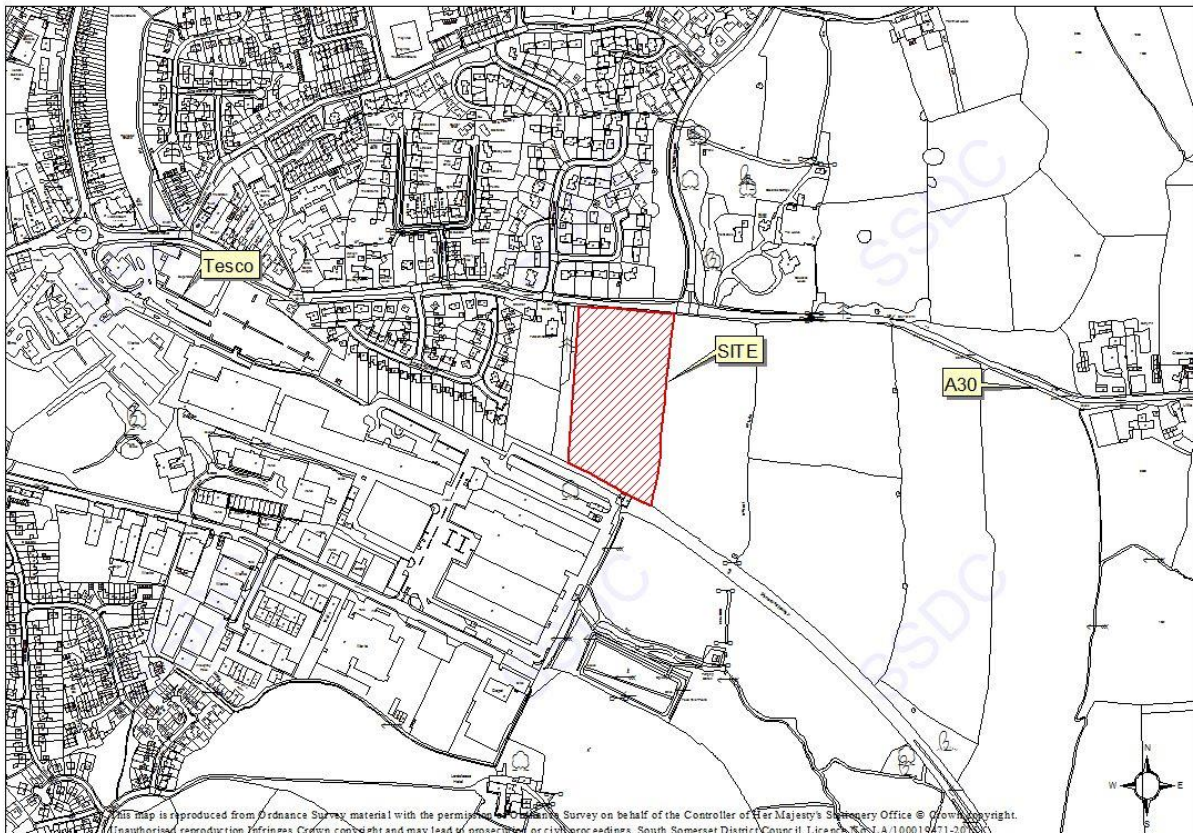
Officer Report On Planning Application: 14/04399/FUL

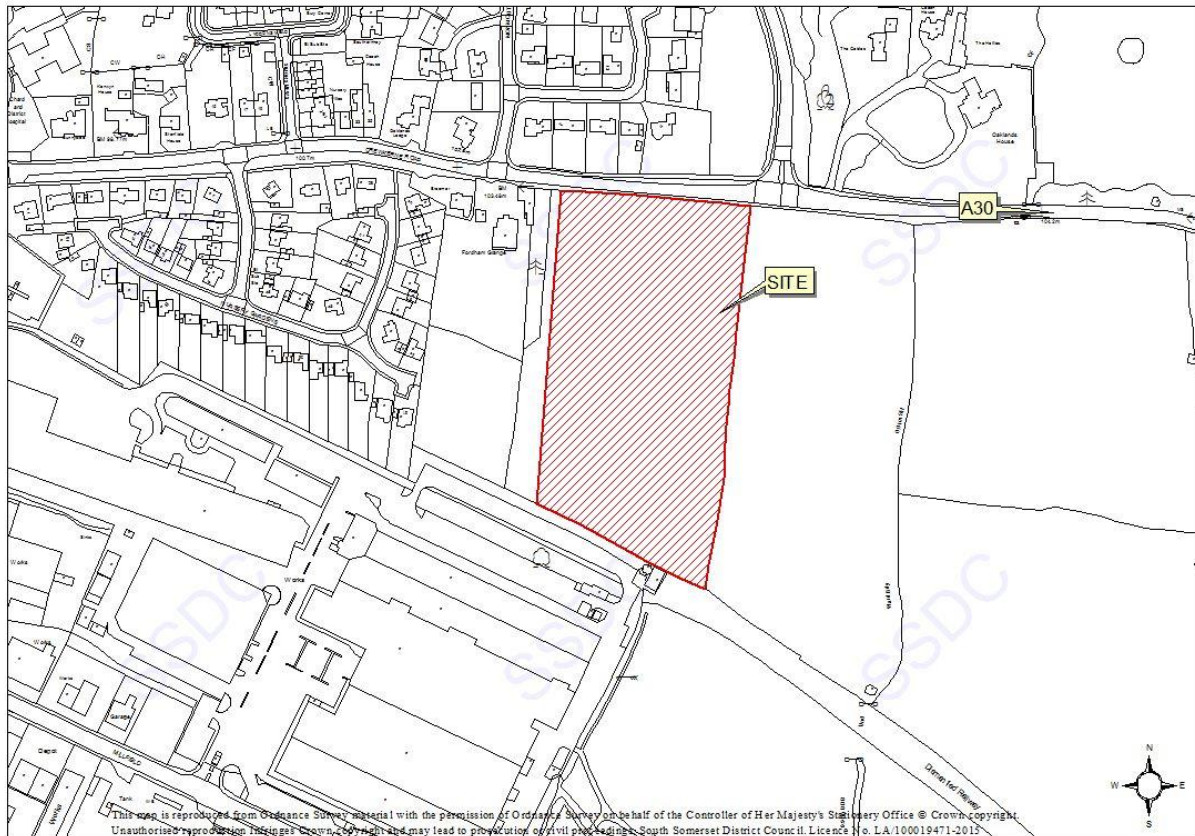
Proposal:	Erection of 72 dwellings with vehicular access and supporting infrastructure (GR 333519/108681)
Site Address:	Land At Crewkerne Road Chard
Parish:	Chard
JOCELYN (CHARD) Ward (SSDC Member)	Cllr D M Bulmer
Recommending Case Officer:	Andrew Gunn Tel: (01935) 462192 Email: andrew.gunn@southsomerset.gov.uk
Target date:	30th December 2014
Applicant:	Mr Paul Hoffmann
Agent: (no agent if blank)	
Application Type:	Major Dwlg's 10 or more or site 0.5ha+

REASON FOR REFERRAL TO COMMITTEE

The application has been referred to Area West Committee at the request of the Ward Member and in agreement with the Chair in order for a full discussion and consideration by Members in respect of the relationship with Numatic International Ltd and highway issues.

SITE DESCRIPTION





The application site is located on the southern side of the A30 Crewkerne Road, on the eastern edge of Chard. The site is currently grassed agricultural land comprising an area of 2.2 hectares. The land slopes down from north to south with an overall drop in ground level of around 15 metres. There are currently 2 agricultural accesses serving the site from the A30. The site is currently bounded by a mix of mature hedgerows, trees and fencing. Mixed land uses adjoin the site - residential to the north and the upper west boundary, agricultural land to the lower west boundary, Numatic and the old railway line to the south and agricultural land to the east. A main badger sett is located on the lower half of the eastern boundary.

PROPOSAL

This application, as amended, seeks consent for the erection of 72 dwellings, of which 14 (20%) of the houses will be affordable, a new vehicular access and associated infrastructure. A full planning application has been submitted and therefore, all of the details including layout, design, access, landscaping are sought for approval. The site is located on land within phase 2 of the Chard Plan with this being proposed as one of the earlier sites to come forward.

The proposed scheme includes a new vehicular access from the A30, located towards the eastern side of the site frontage. The scheme has been amended to include a right-turn land for eastbound vehicles turning into the site. 90 metres of visibility is available in both directions along the A30 measures 2.4m back along the proposed access road. Two central pedestrian refuges are provided on the A30 one either side of the site access. An additional footway is to be provided on the southern side of the A30 running west to the crossing point.

An estate road would run in a southerly direction from the A30 access until the centre of the site where it then turns westwards towards the western boundary. The road then runs south

for a short distance before running back eastwards across the site stopping in the bottom south east corner of the site. Pedestrian links will run through the site and connectivity will be provided to adjacent sites, in particular, cycle/pedestrian access to the former railway line in the south west corner, of which it is proposed to become part of the Stop Line Way cycle route.

The scheme, as amended, includes a total of 174 spaces, which includes 106 off road and 8 on road spaces, 15 of which are visitor spaces, and 60 garage spaces. Cycle parking will also be provided at a ratio of 1 space per bedroom, including a communal cycle store for the residents of the block of flats.

A mix of house designs and sizes are proposed throughout the site, ranging from detached, semi-detached, one block of flats and 5 separate blocks of terracing. The 3 storey flats building is located centrally at the front of the site with the largest terraced block comprising 9 units will be located along the southernmost part of the site. The houses will be constructed using a mix of brick and render for the walls with slate and double romans for the roofs. The majority of the gardens will be divided with 1.8 m high close boarded fencing with some brick and rendered walls.

Development has been pulled away from the lower half of the eastern boundary in order to provide an adequate buffer for the identified main badger sett.

A small grasscrete area will be created in the top north-west corner, accessed via the existing agricultural access from the A30. This will be provided and the access retained to maintain access rights for an adjacent landowner. No access will be allowed to the development.

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act 2004 repeats the duty imposed under S54A of the Town and Country Planning Act 1990 and requires that decision must be made in accordance with relevant Development Plan Documents unless material considerations indicate otherwise,

Relevant Development Plan Documents

South Somerset Local Plan (Adopted 2015)

SD1 - Sustainable Development

SS1 - Settlement Policy

SS4 - District Wide Housing provision.

SS5 - Delivering New Housing Growth

SS6 - Infrastructure Delivery

PMT1 - Chard Strategic Growth Area

PMT2 - Chard Phasing

HG3 - Provision of Affordable Housing.

TA4 - Travel Plans

TA5 - Transport Impact of New Development

TA6 - Parking Standards

HW1 - Provision of Open Space, Outdoor Playing space, Sports, cultural and Community Facilities in new Development.

EQ2 - General Development

EQ4 - Biodiversity

Relevant material considerations:

National Planning Policy Framework.
Core Planning principles
Chapter 6 - Delivering a wide choice of high quality homes
Chapter 7 - Requiring Good Design
Chapter 11 - Conserving and enhancing the natural environment

Chard Regeneration Plan.

CONSULTATIONS

Chard Town Council: (first response)

Recommend approval in principle. The committee considered that regarding the plans for CEDA and future growth in Chard, provisions should be made to allow egress to the south east of the development to allow it to link to future development. The Member's recognized that the town's transport infrastructure is vital to the future growth of the Chard but that their preference would be that in time only one junction and one roundabout would be situated on Crewkerne Road.

The members expressed concerns regarding highway issues, particularly with the speed and volume of traffic along Crewkerne Road. The Town Council will insist that a SID is installed at Crewkerne Road to gather information on actual speeds and also to ask what, if any, traffic calming measures could be installed to mitigate further risk. It was noted that the development will for some s106 contributions from SSDC but the question is to be raised at what point will the new developments trigger the need for a new primary school in Chard?

Chard Town Council: (second response - amended plans in respect of some house design changes)

Approval to the amended plan, however comments from the recommendation of the original plans still stand.

Chard Town Council: (third response following amended plans)

Agrees the approval of this application subject to the following recommendations:

- 1) That a review of the planned access onto Crewkerne Road is carried out to satisfy concerns expressed about the safety of the current proposals.
- 2) That there is provision made for a safe route to school given that the nearest primary school is located on the opposite side of the A30 to the planned development.
- 3) Conditions are imposed to ensure the future maintenance of the hedge on the eastern edge of the development and to ensure that the continuous nature of the hedge is not breached by the construction of any gateway or fence.
- 4) That the planned provision of 20% affordable housing is honoured and not subject to further reduction. Councillors feel that this provision is too low and that any reduction would be detrimental to the interests of the residents of Chard.
- 5) That measures are put in place to ensure that the planned development does not have an adverse impact on the future of neighbouring employers.

Environmental Health (first response):

Noise

Whenever a new residential development is proposed adjacent to existing industrial areas, great care has to be taken in order to avoid as far as possible two potential consequences, these being

- o That the new residential units are not subjected to compromised amenity due to noise.

- o That the existing commercial unit(s) are not unreasonably impeded in their operation because of the presence of new sensitive receptors.

In order to understand the potential for these two negative impacts we requested that the developer commission a noise assessment for the development. This noise assessment has since been updated to reflected new national guidance on the impact of industrial noise on residential developments.

The data presented within the survey shows that there is the potential for adverse impact on the southern boundary of the site. However the developer has orientated the properties most exposed to the noise from Numatic away from the noise source. Plots 64 - 72 have no sensitive living spaces facing to the south, while Plot 63's most sensitive living spaces are orientated to the north and east away from the noise source. These buildings also serve to screen the rest of the development from the noise source. In addition the developer is proposing a specific standard of triple glazing, acoustic ventilation and addition acoustic fencing in order to minimise adverse impact at ground level.

The applicant has demonstrated that these measures should be sufficient to mitigate against the adverse noise impact which has been predicted by the noise survey. Should the application be approved it is very important that these orientations and other acoustic attenuation measures be preserved by condition.

However when considering the application I have the following comments.

- o This view is reached based on the data presented. It is based on modelled information and a "snapshot" of the present acoustic environment. There will be an uncertainty associated with the model and a snapshot survey may not have captured all likely noise sources or noisy activities.
- o This assessment is based on the current noise environment. The introduction of new receptors close to an existing commercial unit may restrict future development options for the commercial unit. For example the introduction of new air handling plant or more intensive shift activity could have an adverse impact on the new dwellings. It is difficult to definite the amount of acoustic "headspace" the commercial unit has because of the subjective nature of noise. In practice it may be that the presence of the new dwellings will restrict any future ability of the commercial site to produce more noise. Therefore the views of the occupier of the commercial unit in this regard should be carefully considered.
- o Following the site meeting which took place on the 20th October, Numatics have provided information on the future plans for the site. This indicates that activities are likely to increase in intensity on the site, with the assembly process being brought closer to the proposed development and some possible shift work into more sensitive times of the day. I have a particular concern regarding the movement of forklifts on the site and the associated use of reversing beepers. This noise can be intrusive and intermittent, which could give rise to future noise complaints. In addition the plans for a backup diesel generator would introduce a new noise source on that side of the site.

Given these uncertainties it is my judgement that the potential for the new dwellings to be exposed to elevated and intrusive noise does exist and that this poses a risk of an unacceptable adverse impact on the new dwellings. In addition the presence of these new dwelling could impose restrictions on the commercial activities of Numatics, restrictions which do not presently exist. So while the developer has thought carefully on how to mitigate against the risk, it is my recommendation that the application be refused.

Case officer comment:

Following receipt of the above comments and concerns, meetings and discussions were held with the applicant and their noise consultant. On-going discussions were held with their consultant, Mr Richard Sharland and the Council's Environmental Health Officers. Moreover, all parties visited Numatic at different times to gain a clearer understanding of how they currently operated, their future plans and to assess the potential for noise

Environmental Health (Second response):

After to my comments of the 29th October 2015, this department has had further meetings and discussions with the applicant and his acoustic consultant.

Following these discussions and applicant has undertaken more work to assess the likely future noise from the Numatic site and the acoustic characteristics of the building envelop. I refer to Richard Sharland's letters of the 4th December 2015 and 21st January 2016.

After careful consideration this department has concluded that the reassurance provided by this work, together with the high quality of the acoustic design of the development itself, is enough for us to conclude that it is unlikely that there will be a significant adverse effect on residential amenity. This is based on the current observed noise levels and likely future noise levels generated by the Numatic site.

I therefore withdraw my previous objections and recommend approval.

Economic Development:

Please see below considerations of the Application's implications for Numatic International Ltd (Numatic) and the wider Chard economy.

Throughout the company's 47 year history, Numatic has followed a continuous programme of expansion of its facilities to meet the increasing demand for products. Outgrowing various sites, Numatic has moved from Crewkerne to Beaminster and then the current site in Chard in 1990. The move to Chard was accompanied by recognition that increased production capacity and greater manufacturing expertise was essential for the company to remain competitive in world markets. Numatic has indicated that the development and expansion of the Chard site and its production facilities will continue into the future. For example, the current factory extension will provide the space needed to increase sales in 2016/17 by 25 per cent. Increased sales can lead to new job creation both in the company and supply chains, new investment in Chard and new infrastructure.

During the CEDA public consultation process Numatic management has repeatedly expressed concerns about the growth of the CEDA area near the site and the implications for their development plans. The main concern is the building of houses immediately adjacent to the factory and the potential for creating a statutory noise nuisance. Approving the building of houses on the C G Fry land is likely to hinder Numatic's development and expansion plans on that section of their site.

It is important to note that being considerate of surrounding residential properties, Numatic has deliberately laid out the factory so that those processes that run 24/7 are at the rear, South-Eastern end of the site, as far away from the houses in Nursery Gardens as possible. To meet increasing demand for products, it is likely that Numatic will need to expand these 24/7 processes throughout the site, including the area adjacent to the proposed housing development.

It is importantly to further note that at no stage has Numatic management expressed concern

over the broader CEDA plans. Rather, the linking of the A358 to the A30 has been viewed as having a positive impact on the businesses in the Millfield Industrial Estate.

Enabling Numatic to react to the world market and expand in Chard is a high Economic Development priority for South Somerset District Council. Numatic currently employs just under 1000 people and has a significant positive economic and social impact on Chard and the wider District. Impediments to Numatic's development and expansion in Chard need to be removed. It would be devastating to Chard and the wider District if Numatic determined the current site was unable to accommodate any future expansion plans. As such, consideration should be given to how the Council can best assist the company in meeting its future growth needs as well as safeguarding the existing operation in relation to the proposed housing development.

Highway Authority: (first response - summary of key points)

The Highway Authority originally objected to the application on the basis that they did not consider that the first proposed access arrangements can achieve a safe and suitable means of access onto Crewkerne Road nor were there sufficient parking spaces provided .

Primary Access; the main vehicular access to the proposed development site will take the form of a simple major/minor priority give-way junction with the A30 Crewkerne Road.

No provision has been made to introduce a dedicated lane to facilitate the waiting of vehicles on the A30 Crewkerne Road prior to turning right into the proposed development access. Given the currently-submitted scheme proposals, it would appear that any stationary vehicle (waiting to turn right) would obstruct the A30 eastbound through movement for vehicles. This could potentially cause highway safety concerns, possibly resulting in rear-end-shunt type collisions occurring.

Whilst in this instance the requirement for a right turn lane may fall below that of the Standard TD 42/95 of the DMRB. Para 2.15 (Mandatory Box Directive) of TD 42/95. Having reviewed the proposal and the local highway network it would appear that Somerset County Council have previously secured and delivered a right turn lane approximately 40metres (Oaklands Avenue) east of the proposed site access to ensure that vehicle movements are free flowing.

Therefore, the Highway Authority feel it would be also appropriate to provide a right turn lane in this location opposed to a simple priority junction thus minimising the possibility of localised rear-end shunting and other junction related accidents. Reviewing Personal Injury Accidents data at the Oaklands Avenue junction; it can be seen that there have been no recorded Personal Injury Accidents in this location, therefore it would appear that a junction arrangement of this nature would raise no cause for concern on highway safety grounds.

By introducing a right turn lane into the site SCC feel that this will maintain a constant approach to the design of highway infrastructure in this locality and delivery of a suitable highway scheme.

Pedestrian Crossing Facility; the proposed crossing will link to the existing footway along the northern side of the A30 Crewkerne Road.

Drawing No. PHL/101 Rev A submitted within the TA indicates that overall carriageway widths (between kerbs) at the proposed pedestrian refuge island appear to be in the region of 3.4m on the north side of the A30 and 3.0m on the south side. Best practice advises against reducing the available width of carriageways to between 2.75m - 3.25m. Cyclists are

considered to be especially vulnerable to vehicle overtaking conflicts when carriageways are narrowed to these widths. The advice (Local Transport Note (LTN) 2/08 Cycle Infrastructure Design) is that minimum kerb-to-kerb carriageway widths of 4m should be provided to enable safer conditions for cyclists adjacent to physical road narrowing features, e.g. pedestrian refuge islands.

There is no tactile paving area proposed within the pedestrian refuge island on the A30 Crewkerne Road. The absence of tactile paving could exacerbate highway safety conditions for any visually impaired pedestrians that may need to utilise the proposed uncontrolled crossing point. Appropriate type and layout of tactile paving should be incorporated as part of the proposed central refuge island.

There are no inter-visibility splays shown on the drawing to enable pedestrians to see and be seen by motorists approaching the proposed uncontrolled crossing point on the A30 located just east of the development access. The extent of the required inter-visibility splays should be provided commensurate with the 30mph speed limit.

There are no highway lighting proposals provided at this stage. It is acknowledged that there are already street lights present along the A30 Crewkerne Road. However, the highway infrastructure proposals to construct a new access to serve the development site and central pedestrian refuge island on the A30 may require the highway lighting arrangements to be altered. It is recommended that the Designer of these highway infrastructure proposals consults with the County Council's Highway Lighting Group at an early stage.

Observations made during the site visit confirm there to be a significant change in vertical alignment of the A30 Crewkerne Road for road users approaching the proposed development site access from the east. It appears that the proposed development site access and the pedestrian refuge island are to be located on the downhill side of a vertical crest hog curve. Concern is expressed about highway safety conditions for pedestrians to see and be seen by vehicles approaching the proposed refuge island when travelling westbound along the A30.

If a central refuge island is to be introduced on the A30 as currently proposed, it is paramount in highway safety terms that pedestrians must be able to see and be seen (in both vertical and horizontal planes) by motorists approaching in both directions along the A30 (but especially from the east) over an acceptable Stopping Sight Distance (SSD) in order to minimise potential conflicts. It is strongly recommended that traffic speed surveys are carried out on the A30 Crewkerne Road to establish the actual operational approach speed of traffic to the proposed central refuge island and development access location.

At the detailed design stages of these proposals the Designer should provide drawings showing the vertical and horizontal alignment profiles along the A30 incorporating the proposed central refuge island and development access. The Designer should demonstrate that adequate inter-visibility splays can be achieved based on measured vehicle speed survey data to enable pedestrians to see and be seen by approaching vehicles at the proposed central refuge island and from the proposed development access. Criteria described with the Highway Agency Standards HD 42/95 and TD 9/93 should be considered by the Designer as a basis for establishing the required inter-visibility splays.

In view of the highway safety concerns expressed above, it is recommended that an internally illuminated Refuge Beacon and pole is incorporated into the construction of the proposed refuge island on the A30.

Secondary access; this access is not considered acceptable; it should be removed and relocated within the proposed site internal layout. The Highway Authority does not consider

that a secondary access onto the A30 appropriate.

As a result in this instance it is considered that the proposed access arrangements do not meet the requirements of the Highway Authority.

In terms of parking, the scheme originally provided a total of 133 spaces, which constitutes a 36.5 spaces shortfall from the optimum standard in the County Council's adopted parking strategy.

The Highway Authority also commented on the internal layout of the proposal offering technical advice on visibility at junctions and on bends, straight lengths over 70m require speed reducing features, submission of a swept path analysis to ensure refused vehicles can manoeuvre through the site, carriageway and footway widths, dimensions of parking spaces, maximum gradients, drainage, need to discuss adoption at the technical detail design stage, and a full Travel Plan is required to be submitted.

Highway Authority: (revised comments following submission of amended plans) (officer summary)

Following submission of the Highway Authority's comments, the applicant undertook to address the main areas of concern.

A right hand turn lane is now proposed for eastbound vehicles turning into the site which the Highway Authority welcomes.

A swept path analysis has been undertaken which demonstrates that the largest vehicle types can now be accommodated within the highway network.

90 metres of visibility is available in both directions along the A30 as requested by the Highway Authority to address concerns relating to the speed of traffic as it enters Chard from the east.

An additional central pedestrian refuge has been provided at the western end of the right hand turn lane and an additional footway on the southern side of the A30.

The Highway Authority accept that the existing agricultural access from the A30 will remain but to only provide access to an adjacent field. The internal access road has been redesigned to prevent residential access.

A pedestrian footway has been created to link with the western boundary and any future development in that field.

Car parking spaces have been increased to 174 - this meets the County optimum standards.

Cycle parking will be provided at a ratio of 1 space per bedroom and a communal cycle store for the flats.

The internal estate road layout concerns have largely been addressed. The technical detail design stage will resolve any minor remaining issues.

The Transport Assessment has been remodelled to show traffic flow for now and at 2020.

The access is forecast to operate with plenty of spare capacity now and in 2020.

A draft Travel Plan is requested.

On the basis of the above, the Highway Authority raises no objection subject to entering into a S106 agreement to secure:

Off-site highway works to include the access, right hand turn lane, pedestrian crossings and visibility splays on the A30, pedestrian connections and a Travel Plan. Plus conditions and informatives.

Landscape: (first response)

I have reviewed the above application seeking to construct 72 dwellings to the south of the Crewkerne road, and have no landscape issues with either the principle of development in

this location, nor the general arrangement of the buildings on site, which correspond to both the site's topography and field pattern, and appear to respect the RPAs of the surrounding woody vegetation.

I have some concern relating to the access. I suspect that there will be a need to provide a far greater visibility splay than the plans indicate. These are long-established hedges, which are a major component of the local landscape. As I recollect it, the Chard UDF indicated the main site access to lay to the east, rather than support too many punctuations of the A30 roadside hedge. Consequently, unless the site access need remove no more of the existing roadside hedge than the plans currently indicate, then I would press for an adherence to the UDF's access arrangements.

I note that detailed landscape proposals are submitted, and other than two points of detail, I am satisfied with them. The two items requiring amendment are;

(a) remove *Betula* from the tree species - it is neither typical of the established hedgerow trees, nor does it prosper in the long-term in local soils. I would suggest *Pyrus 'chanticleer'* would make a suitable replacement, and;

(b) remove the *Vinca* and *Pachysandra* as groundcover in the public space, which we have found do not thrive where there is public pressure, and their maintenance is too intensive.

Landscape: (second response following submission of amended plans)

No further comments on the layout, and I note the impact upon the hedgerow at the site entrance to be small scale, to thus deal with that potential issue. Regarding the landscape plans, in relation to my initial comments, I await the tow minor amendments to be made to the landscape proposals. In addition, and for information, on the matter of birch, given the allergenic effects of birch pollen, SSDC now discourages the planting of birch within residential areas.

Conservation:

Although this site is part of the Chard UDF Stop Line Slopes development area, the remaining lack of clarity about the highway arrangement required for this area and therefore access to this parcel is a problem. The UDF seems to imply access from the south side of the site which would allow the preservation of the verdant frontage to Crewkerne Road, which the proposal would open up. If you are minded to accept the access from Crewkerne Road, the layout and design of the buildings raises no concerns from me. I would say it is important to ensure the connection out of this site on the south boundary to maximise permeability in the longer term.

Climate Change Officer: (summary)

Objects to the application because the opportunity to maximise solar orientation within the constraints of the site has not been taken. 26 of the 72 dwellings are not orientated sufficiently to achieve maximum gain from solar products.

Ecologist: (first response summary)

Satisfied with the ecological survey undertaken and broadly agree with its conclusions and outline mitigation. Raised an objection to the proposed road layout in the south east corner of the site and recommend the spur or turning head of the estate road is redesigned to terminate no closer than 5 metres from the east boundary hedge bank. The ecologist is otherwise satisfied with the proposals subject to conditions in respect of badger mitigation, a method statement for avoiding harm to dormice, biodiversity enhancement and control of

lighting.

Ecologist (additional comments following submission of amended plans):

I note the revised layout plan has slightly reduced the proximity of the road to the hedge and badger sett in the south east corner. This therefore overcomes my earlier objection. Otherwise no change to my comments made in my response dated 18 Nov 2014.

Natural England:

No objection. They advise the LPA to obtain their own specialist ecological advice when determining the environmental impacts of the development and refer to their own standing advice.

Somerset Wildlife Trust: (summary)

Object to the application. It is adjacent to the Chard Railway Fields Local Wildlife Site and the potential harmful impact of the development on this by noise, lighting and cat predation. There should be buffer and/or green space adjacent to the north, east and southern boundaries as advised by the ecology report. No recognition of the limitation imposed by the presence of badgers on site.

Officer comment:

The ecological report submitted as part of this application has been used to inform the layout and has been assessed by the Council's ecologist. The layout around the main badger sett has been amended and an acceptable buffer zone has now been created following the ecologist's advice. The impact of lighting has been recognised and a condition as advised by the ecologist will be attached to minimise the impact of lighting on wildlife interests. The Council's Ecologist does not consider that the development would have detrimental impact on the wildlife site to the south east of the site.

RSPB (Royal Society for the Protection of Birds): (summary)

The RSPB is in support of the principles set out in the Ecology report referencing the recommended mitigation options in respect of no vegetative clearance between 31st March to 31st August. They also recommend the installation of nesting/roosting boxes on dwellings.

SSDC Streetscene services (summary):

The scheme will provide 0.25 hectares of informal open space which is above that required by SSDC. Raise concern about the location of the open space as it is primarily a long linear area situated to one side of the development which is poorly positioned to be of benefit to future residents. Understand why the open space has been positioned in this location to help accommodate the badger sett but would require a more centrally located space. Encouraged by the design of a green entrance to the site and happy to see gateway planting as part of the development. Also advice about the use of certain non-invasive ground cover plants.

Community, Health and Leisure: (summary)

A total of £293,339 (excluding land acquisition costs) is sought towards the following:
Equipped play space - £57,026 (capital contribution) and £32,939 (commuted sum).
Youth facilities - £11,197 (Capital contribution) and £4,410 (commuted sum).
Playing pitches - £27,886 (capital contribution) and £19,898 (commuted sum).
Changing rooms - £56,616 (capital contribution) and £4,555 (commuted sum).

In light of the CIL regulations which do not allow more than 5 pooled contributions towards one particular project, the original request in respect of contributions towards the artificial grass pitch at CRESTA, Octagon Theatre and the indoor tennis centre are now withdrawn.

Members will be recall that in August 2014, they had resolved to secure land acquisition costs from developments in Chard, in respect of playing pitches and changing rooms, where those developments were not providing on site provision. This would require the developer to undertake viability assessments to compare the profit margin and residual land value between providing such facilities on and then off site. The figure of £44,433 has been requested to go towards land acquisition costs. As will be outlined later in this report, a viability assessment was required of the whole development and this will be discussed in the considerations part of this report.

Housing Development Officer: (first response summary)

Originally sought 35% as affordable housing (25 dwellings) with 2/3 for social rent and 1/3 intermediate. All should meet the minimum space requirement and expect them to be provided through one of the Council's approved Housing Associations. The affordable housing should be pepper-potted throughout the site and the outward appearance to be generally consistent with the market housing on site.

Housing Development Officer: (second response)

Following on from the viability study and our acceptance of the reduction in affordable units on the site, I would like to propose the following property mix
Based on 15 affordable dwellings - all at social rent.

I would expect the affordable units to be split into 3 clusters of 5 units across the site, and that the units are developed to blend in with the proposed housing styles and prefer the dwellings to be houses or if flats have the appearance of houses.

1 x 4 bed parlour (8 person) - 126sqm
4 x 3 bed (6 person) - 86sqm
8 x 2 bed (4 person) - 76sqm
2 x 1 bed (4 person) - 47sqm (flat)

If possible we would like the 106 to give us the opportunity to bring the level back up to 35% affordable on site if grant is available to do this. The s106 should also include a schedule of approved housing association partners for delivery of the affordable units. At the moment our main partners are:

Bournemouth Churches Housing Association (BCHA), Knightstone Housing, Stonewater Housing and Yarlington Housing

County Education:

You will be aware, from the statements I made in relation to the recent appeals for proposed developments at Mount Hindrance and Crimchard, of the concerns of the County Council about the cumulative impact of these and other developments in the pipeline on school place availability in the town. I am also aware of pre-application discussions and consultations relating to a development of about 335 dwellings in the town and this would add yet further pressure on school places. The rolls at the existing primary schools are already forecast to significantly exceed capacity across the town without additional development being approved and built. The roll at Holyrood Academy is also forecast to exceed capacity if all this development proceeds. Furthermore, evidence was provided at the above Inquiries there is a

very limited availability of pre-school places in the town.

Financial contributions should therefore be sought in connection with this development of 72 dwellings, to be used towards providing additional education facilities and capacity in the town. A development of this size would equate to the need for 14 primary school places, with a notional cost of £12,257 per place; and ten secondary school places, with a cost per place of £18,469. Two pre-school places would be required.

The sums to be secured through a Section 106 agreement would therefore be calculated as follows:

14 x £12,257 = £171,598 (primary);
10 x £18,469 = £184,690 secondary; and
2 x £12,257 = £24,515

Officer comment

In respect of a point raised by the Town Council about the trigger point for a new primary school, this application isn't of a scale to warrant a new school. However, as more applications come forward in Chard, there will be a point at which time a new school will be required. The Chard Plan makes provision for 2 new Primary schools. The Council will advise the Education Authority about new housing proposals and will seek their advice as to when a new primary school will be required.

County Archaeologist:

As far as we are aware, there are limited or no archaeological implications to this proposal and we therefore have no objections on archaeological grounds.

Crime prevention Design Advisor: (summary)

-concern regarding the provision of gates to the rear fence line from the narrow strip of land on the eastern boundary. Very high proportion of domestic dwelling burglaries occur through the rear.

Query what fence line to properties on the western side of the site?

Plots 39 would benefit from a window in the blank gable end as it abuts public space

Plot 47 would benefit from a window in the blank gable end to allow resident to view their parking spaces.

Environment Agency: (summary)

No objection to the application but recommend conditions in respect of submission of a surface water run off scheme for the site through the use of Sustainable drainage systems and a scheme for the future responsibility and maintenance of the drainage system. Notes are also recommended in respect of sustainable construction, pollution prevention during construction and waste management.

Wessex Water: (summary)

No objection. Wessex Water have requested a condition in respect of submitting a foul water drainage strategy to cover points of connection to their system and capacity improvements at the sewage pumping station, all in accord with the approved details and to an agreed timetable. Wessex Water also advise that a new ring main will be required for the whole of the proposed new development in Chard. A contribution shall be sought from all developers although details of this have yet to be confirmed. An oral update will be given to members if any further information is received.

REPRESENTATIONS

10 letters/email have been received, 8 of which object and 2 representations.

The main points of objection are as follows:

Highways

- Safety along A30. A very busy road and fast traffic.
- Traffic does not adhere to the 30mph speed limit
- Poor visibility for pedestrians
- No pavement on south side of A30, thus have to cross A30 to reach a pavement
- Proposed island in the middle is inadequate.
- Accident waiting to happen
- Frequent construction traffic during construction dangerous and cause delays.

Infrastructure

- no additional facilities are proposed; the schools surgeries and dental practices are already overcrowded.
- Application too premature before necessary infrastructure is in place.

Design/layout

- Development too dense
- Designs not in keeping with the area
- Idea of a 'Play hub' does not support developing the independence of children by going to their local play area

Ecology

- Habitat and feeding areas for badgers would be lost.

Need

- Is there a need for more housing given the amount of development currently taking place and proposed in Chard?

Affordable Housing

- The number of affordable houses should be increased.

3 of the 8 letters have been received from Numatic International Ltd. The following comments have been made:

- Numatic's factory is immediately adjacent to the proposed development and have on numerous previous occasions suggested that this area be designated as employment land, rather than housing.
- Key concern is that should housing be built, will then have noise complaints from new residents.
- Numatic employs over 800 people and certain parts of the site are run 24/7.
- Only remaining volume manufacturer of vacuum cleaners in the UK and vulnerable to any future move to curtail operations.
- Would welcome the planning committee to the site.

Following submission of amended plans, Numatic submitted further correspondence and appreciate the considerable further attention given to the potential for noise from their site. However, still consider that the development is totally inappropriate next to an industrial estate.

Land would be better used for commercial/industrial development

Wish to continue expanding in Chard. Started in 1988 with 12 acres and now have 26 acres.

We are a responsible employer and go to great lengths to be a good neighbour. Have

located 24/7 operations away from current dwellings in Nursery Gardens.

Numatic brings significant benefits to the town - wage bill over £30m and many other local suppliers of goods and services benefit from our existence.

Looking to locate standby pumps and water sprinkler system adjacent to the site.

Difficult to predict what facilities and resources we will need in the future.

Following a site visit by the case officer and Environmental Health Officer to the site, an additional letter was submitted by Numatic. This letter focused upon the future development proposed by Numatic

In particular, Building 8 which is closest to the site has been used for many years as a goods in warehouse, with 6-8 workers and single shift. This will now be moved to the new building (25). Building 8 will then be an assembly room with 40 workers. Likely to be 2 shifts in the future from 06.00-22.00.

Assembly not particularly noisy but associated fork lift movements cause us concern regarding possible complaints.

Have used up most available space on site. Current projects previously mentioned ie sprinkler system with associated pumps and back-up generator system to be used in the event of a power cut.

The chiller is located to the rear of building 7 which must run 24/7. It is in full operational mode in the summer, thus louder than when the noise measurements were made.

The letters making representations make the following points:

- Wanted assurance that due consideration has been given to the provision of service such as school places, medical facilities and employment.
- Development will not impact on writers property will result in increased level s of traffic on the A30.
- Suggests a traffic calming scheme to improve safety along A30.

CONSIDERATIONS

Principle of development

Chard is identified as a Primary Market Town within the South Somerset Local Plan and as such plays a significant role in delivering the district's required growth through until 2028 and beyond. Historically, the growth of Chard has been problematic, due primarily to a requirement to provide a distributor road in its entirety from the Tatworth Road through to the northern section of the Furnham Road in the area of the Chard Business Park. Due to a significant lack of progress the district council worked with relevant bodies and the community to produce the Chard Regeneration Plan. This document identified that the previous requirement to secure a relief road in its entirety right from the outset was unrealistic. In lieu of this requirement the Implementation Plan advocated an approach that would allow different parcels of land to be developed individually provided that they included the required infrastructure for their scheme and didn't prejudice the development of other parcels within the growth area.

Policy PMT 1 clarifies what is expected within the Chard Strategic Growth Area:

- 2716 dwellings (some beyond 2028)
- 13 ha of employment land
- primary schools, neighbourhood centres, highway works, public open space etc.

This site is included as part of the Council's growth area for Chard, known as the Chard Regeneration Plan. Therefore, the principle of residential development is considered to be

acceptable on this site and planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

Highways/Parking

In regard to the new residential access, amendments have been made to the application to address the initial concerns of the Highway Authority. A right hand turn lane is now proposed as requested by the Highway Authority for eastbound vehicles turning into the site. This will prevent vehicles wishing to turn right into the site from obstructing the route of eastbound vehicles on the A30.

A swept path analysis has been undertaken which demonstrates that the largest vehicle types can now be accommodated within the highway network. 90 metres of visibility is available in both directions along the A30 as requested by the Highway Authority to address concerns relating to the speed of traffic as it enters Chard from the east.

With regard to the internal road layout, the revised Transport Assessment has satisfactorily addressed the initial concerns of the Highway Authority in respect of size of turning heads, tracking for refuse vehicles, adequate visibility splays, introduction of a speed table and revision to the gradients. As usual, final technical approval of the layout will need to be granted by the Highway Authority before adoption of the highway.

Improved footpath links are proposed across the front of the site and 2 pedestrian refuges are proposed to assist crossing the A30. The Highway Authority had requested these improvements and the application has been amended accordingly.

With regard to parking provision, the scheme has been amended and now proposes a total of 174 spaces, 15 of which are visitor spaces. This is slightly above the adopted County standard but is accepted by the Highway Authority. Adequate cycling provision has also been included. Accordingly, no objection is raised to the scheme in respect of parking provision.

The Highway Authority have requested submission of a draft Travel Plan in order to begin to assess its contents now rather than at a later date. A Framework Travel Plan was included as part of the Transport Assessment but lacked information. The applicant has stated that a Travel Plan will be submitted and secured as part of the legal agreement. On this basis, the LPA is satisfied that an adequate Travel Plan will be submitted.

The Highway Authority are now satisfied that the existing agricultural access in the north west corner of the site will be retained only for such purposes with no residential access provided.

On the basis that the Highway Authority are now satisfied with the scheme following amendments to the plans and an updated Transport Assessment, highway related matters are now considered to be acceptable and no objection is raised to the scheme on highway grounds.

It would be useful at this point to say that the highway proposals for this scheme do generally reflect those outlined in the Chard Regeneration Plan. This site was not proposed to provide part of the main strategic road linking the A30 with the A358. Connection from the A30 into the site is shown in the Chard Plan. Moreover, a connection is shown in the south east corner of the site and a pedestrian/cycle link will be created to connect to the proposed Stop Line Way. The strategic route is proposed to the field to the east accessed via a new

arm of a new roundabout at the southern end of Oaklands Avenue. Whilst it is accepted that in an ideal world, if the road linkages to the east had been formulated and subject to firm proposals, the current developer may have been able to work with the adjacent developer. However, there are no proposals from the adjacent landowner and therefore, the merits and highway arrangements of the current application have to be assessed. For the reason outlined above, the highway proposals are considered to be acceptable.

Numatic International Ltd.

Members will be aware that Numatic International Ltd is located immediately to the south of the application site. They employ over 900 people and are most famous for the manufacture of the Henry vacuum cleaners. The importance of this business to the town and beyond is clearly beyond doubt. Members will note that Numatic have written to the Council to express their objections to this scheme and to the possible noise complaints that may be made by future residents.

The applicant is fully aware of the concerns expressed by Numatic and have visited their site to hear those concerns and to obtain a clear understanding of how Numatic work and their future plans. The applicant's noise consultant has also visited the site in order to inform the updated assessment of noise at the site. The Council's Environmental Health Officers have sought additional information during the course of the application and this has been undertaken by the noise consultant. In particular, the applicant was asked to undertake a fresh noise assessment to reflect new national guidance on the impact of industrial noise on residential developments.

As a result of this further assessment, the developer has orientated/designed the properties most exposed to noise from Numatic ie Plots 64-72, with their most sensitive living spaces to the north and east away from the noise source. These buildings will also serve to screen the rest of the development from the noise source. In addition, those dwellings will be constructed with triple glazing, acoustic ventilation and acoustic fencing to minimise the adverse impact at ground level.

A further noise assessment has been undertaken at the request of the Council to examine the acoustic characteristics of the Numatic building and likely noise sources outside of their buildings. Analysis was undertaken of noise break out from the building, along with assessment of the proposed sprinkler system which might be installed between the factory and the north boundary, a standby generator and the impact of fork lift movements running along the access road on the north side of the building.

The Council's Environmental Health Officers have assessed these additional noise reports and given them very careful consideration. As members will note from their comments outlined earlier in this report, they have concluded that 'it is unlikely that there will be a significant adverse effect on residential amenity. This is based on the current observed noise levels and the likely future noise levels generated by the Numatics site. The initial objection has therefore been withdrawn.

It is fully appreciated that the relationship between Numatic and the proposed residential development is sensitive. The applicant has undertaken a number of noise assessments at the request of the Council's officers in order to provide the clearest picture possible as to the likely noise impacts of the development on future occupiers. This has been based on information about current activity and some future projects that Numatic are wishing to undertake. Whilst it is not possible to have a picture of what may happen in regard to operating practices and hence possible noise implications in the longer term, based on the fact that this site is identified for housing in the Chard Plan, the current available evidence

and the design/layout of the scheme at the southern end of the site, it is not considered that there will be a significant adverse effect on residential amenity that warrants a refusal of the application on noise grounds.

Design, layout and density

The scheme will provide a broad mix of houses designs, sizes and materials catering for a range of different occupiers. The scheme is considered to be satisfactorily laid out providing reasonable levels of garden space, and providing good footway access within and to adjacent sites. The internal roads have been designed to keep speeds down with traffic calming measures proposed on the longest section of straight road.

In terms of site density, taking out the open space, the scheme will be around 36 dwellings per hectare which is considered to be appropriate and in accord with the Chard Plan. This suggests a density of between 30-40 dwellings per hectare. The location of the open space has been queried. Whilst a more central location is noted, given the need to provide a buffer zone around the main badger sett, and that this green, undeveloped area within the south east of the site will link to the Stop Line cycle Way and pedestrian route, it is considered acceptable in this case to create the open space in this part of the site.

Residential amenity

Aside from the amenity issues discussed in relation to the Numatic site, it is not considered that the scheme will cause any adverse harm to the amenity of any existing residential occupiers. The site adjoins fields along the whole of the eastern boundary and lower half of the western boundary, an access track along the northern half of the western boundary, with the A30 to the north. In addition, the internal layout will not rise to any adverse overlooking or loss of privacy within the new properties.

Ecology

The applicant has undertaken a full ecological survey of the site and the report submitted with the application. As members will note, the scheme was amended to provide the required buffer zone around a main badger sett along the lower half of the eastern boundary. The ecologist is otherwise satisfied with the proposals subject to conditions in respect of badger mitigation, a method statement for avoiding harm to dormice, biodiversity enhancement and control of lighting.

Viability

This development has been subject to a detailed viability assessment as the applicant advised that the scheme was not viable with a 100% policy compliant scheme. A viability report was submitted by the applicant and this has been thoroughly assessed by the District Valuer (DV). A meeting was also held with all parties to discuss the viability issues. The conclusion of those discussions is that the scheme will provide 14 (20%) affordable homes and the full level of financial contributions totalling £718,575 towards sport, play and education. A point has been made by the Town Council about ensuring that the level of affordable housing is not further reduced. Whilst the applicant will enter into a legal agreement to provide 20% affordable homes, any applicant is entitled to apply to reduce the level of affordable housing if there are proven viability issues. This scheme has gone through a viability exercise, however there can be no guarantee that viability issues would not come into play at some point in the future. In that scenario, a viability report will be required and examined again by the District Valuer.

Conclusion

This site forms part of the larger area designated within the Chard Plan for future growth and thus is in accord with the Council's strategic aims for the town. It is considered that the layout of the scheme and highway proposals are acceptable. The relationship of the site with the adjacent Numatic factory have been carefully assessed by the Council's Environmental Health team. It is concluded that there will not be a significant adverse effect on residential amenity. The scheme is in accord with the Chard Plan and meets the policies and objectives of the South Somerset Local Plan and the NPPF. The application is therefore recommended for approval.

SECTION 106 PLANNING OBLIGATION

The application be approved subject to:

- a) 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, the said planning permission to cover the following terms/issues:
 - 1) The provision of 20% affordable housing;
 - 2) Contribution towards the provision of sport, open space, play and strategic facilities, including land acquisition costs towards pitches and changing rooms;
 - 3) Contribution towards education provision;
 - 4) Submission of a Travel Plan; and
 - 5) Off-site highway works to include the new vehicular access, right hand turn lane, pedestrian crossings and visibility splays on the A30, pedestrian connections in the west and south-east sections of the site and a Travel Plan.

- b) planning conditions as outlined below.

RECOMMENDATION

Grant Permission

01. The proposed development is located within part of the larger area identified for residential development in the Chard Regeneration Plan. It will provide much needed market and affordable housing and make a significant contribution towards education, sport, play and open space provision in the town. The design and layout of the scheme is considered to be acceptable and will provide a safe means of vehicular and pedestrian access. The layout and design of the scheme will ensure that there is an acceptable relationship with the adjacent industrial business. The scheme is in accordance with Policies SD1, SS1, SS4, SS5, SS6, PMT1, PMT2, HG3, TA4, TA5, TA6, HW1, EQ2 and EQ4 of the adopted South Somerset Local Plan; the Core Planning principles, Chapters 6, 7 and 11 of the National Planning Policy Framework and the aims and objectives of the Chard Regeneration Plan.

SUBJECT TO THE FOLLOWING:

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

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

02. The construction of the houses and flats hereby permitted shall not be commenced until particulars of the materials (including the provision of samples where appropriate) to be used for external walls and roofs have been submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the character and appearance of the area to accord with Policy EQ2 of the South Somerset Local Plan.

03. The construction of the dwellings and flats hereby permitted shall not be commenced until details of all eaves/fascia board detailing, guttering, downpipes and other rainwater goods shall be submitted to and approved in writing by the Local Planning Authority. Such details once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: To safeguard the character and appearance of the area to accord with Policy EQ2 of the South Somerset Local Plan.

04. No work shall commence on the development hereby permitted until the highway works shown generally on Drawing Number 0119/PHL/201/1 (entitled 'Preliminary Highway Layout') have been carried out in accordance with a design and specification to be approved in writing by the Local Planning Authority and to be fully implemented in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety to accord with Policy TA5 of the South Somerset Local Plan.

05. In the interests of sustainable development no more than 65 of the dwellings hereby permitted shall be occupied until the cycle and footpath connections to the south and west site boundaries have been constructed within the development site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

Reason: To promote alternative modes of transport to accord with Policy of the South Somerset Local Plan and the NPPF.

06. None of the dwellings hereby permitted shall be occupied until a scheme of street lighting has been installed in accordance with a design and specification to be approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety to accord with Policy TA5 of the South Somerset Local Plan.

07. There shall be an area of hard standing at least 5.5 metres in length (as measured from the nearside edge of the highway to the face of the garage doors), where the doors are of a roller shutter/sliding/inward opening type. There shall be an area of hard standing at least 6 metres in length (as measured from the nearside edge of the highway to the face of the garage doors), where the doors are of an up-and-over type.

Reason: In the interests of highway safety to accord with Policy TA5 of the South Somerset Local Plan.

08. 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 to accord with Policy TA5 of the South Somerset Local Plan.

09. No work shall commence on the development site until an appropriate right of discharge for surface water has been obtained before being submitted to and approved in writing by the Local Planning Authority. A drainage scheme for the site showing details of gullies, connections, soak ways and means of attenuation on site shall be submitted to and approved in writing by the Local Planning Authority. The drainage works shall be carried out in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety to accord with Policy TA5 of the South Somerset Local Plan.

10. 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 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 to accord with Policy TA5 of the South Somerset Local Plan.

11. The houses and flats hereby permitted shall not be first occupied until parking spaces as detailed on Drawing Number 0119/PHL/201/1 have been provided and constructed within the site in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. Such parking and turning spaces shall be kept clear of obstruction at all times and shall not be used other than for the parking and turning of vehicles in connection with the development hereby permitted.

Reason: In the interests of highway safety to accord with Policy TA5 of the South Somerset Local Plan.

12. The proposed internal highway layout, 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 to accord with Policy TA5 of the South Somerset Local Plan.

13. A condition survey of the existing public highway will need to be carried out and agreed with the Highway Authority prior to any works commencing on site, and any damage to the highway occurring as a result of this development is to be remedied by the developer to the satisfaction of the Highway Authority once all works have been completed on site.

Reason: In the interests of highway safety to accord with Policy TA5 of the South Somerset Local Plan.

14. No access (vehicular other otherwise) shall be permitted from the residential dwellings and estate roads hereby permitted to the A30 via the existing field gate situated east of the property known as Fordham Grange.

Reason: In the interests of highway safety to accord with Policy TA5 of the South Somerset Local Plan.

15. No development shall commence on site until an Environmental Construction Management Plan has been submitted to and agreed in writing by the Local Planning Authority. Such a plan shall include details of construction work hours, construction delivery hours, the routing of construction vehicles to and from the site, the location of the constructor's compound both for the parking of construction and contractor's vehicles and storage of materials, and the methods/practices for minimising the level of dirt and mud being brought onto the public highway, a scheme to ensure the local roads are cleaned on a regular basis and measures to minimise the level of dust created on site.

Reason: To protect the amenity of local residents during construction and to ensure the local highway network is maintained in safe and clean condition in accord with Policy EQ2 and TA5 of the South Somerset Local Plan.

16. The development hereby permitted shall not be commenced until there has been submitted to, and approved in writing by the Local Planning Authority, a badger mitigation plan detailing measures for minimising disturbance and harm to badgers and enabling badgers continued access within their territory as appropriate for their welfare, and details of barrier fencing to minimise conflict between badgers and householders. The works shall be implemented in accordance with the approved details and timing of the plan, unless otherwise approved in writing by the local planning authority.

Prior to, (and within 2 months of), commencement of each significant stage of ground works, an update survey for badger setts will be undertaken by a competent person, and if any are present within 30 metres (including on adjoining land) of the area of activity, the works shall not commence until a method statement for the protection of badgers has been produced and any necessary Natural England licences have been obtained. The method statement shall be implemented in full.

Reason: For the conservation and protection of legally protected species in accordance with Policy EQ4 of the South Somerset Local Plan, and to ensure compliance with the Wildlife and Countryside Act 1981, and Protection of Badgers Act 1992.

17. No removal of any hedge (including the creation of a site access) shall be undertaken until a Method Statement detailing precautionary measures for the avoidance of harm to dormice has been submitted to and approved in writing by the local planning authority. All hedge removal shall be undertaken in full accordance with the approved Method Statement unless otherwise approved in writing by the local planning authority.

Reason: For the conservation and protection of species of biodiversity importance in accordance with NPPF, and of legally protected species in accordance with Policy EQ4 of the South Somerset Local Plan, and to ensure compliance with the Wildlife and Countryside Act 1981 and The Habitats Regulations 2010.

18. Prior to commencement of development, details of measures for the enhancement of biodiversity shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity enhancement measures shall be implemented in

accordance with the approved details unless otherwise approved in writing by the local planning authority.

Reason: For the enhancement of biodiversity in accordance with NPPF.

19. Prior to commencement, a 'lighting design strategy for biodiversity' shall be submitted to and approved in writing by the local planning authority. The strategy shall:
- a) identify those areas/features on site that are particularly sensitive for legally protected species;
 - b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent legally protected species using their territory or having access to their breeding sites and resting places.
- All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy, unless otherwise agreed in writing with the local planning authority.

Reason: For the conservation and protection of legally protected species (bats, dormice, badgers) of recognised nature conservation importance in accordance with Policy EQ4 of the South Somerset Local Plan, and to ensure compliance with the Wildlife and Countryside Act 1981 and The Habitats Regulations 2010.

20. No development shall commence until a surface water drainage scheme for the site, based on the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage system, to accord with the NPPF.

21. No development approved by this permission shall be occupied or brought into use until a scheme for the future responsibility and maintenance of the surface water drainage system has been submitted to and approved by the Local Planning Authority. The approved drainage works shall be completed and maintained in accordance with the details and timetable agreed.

Reason: To ensure adequate adoption and maintenance and therefore better working and longer lifetime of surface water drainage schemes to accord with the NPPF.

22. The acoustic fencing along the southern boundary shall be fully erected to the satisfaction of the Local Planning Authority prior to the first occupation of Plots 63-72.

Reason: To minimise the effect of noise from Numatic to the south to accord with Policy EQ2 of the South Somerset Local Plan and the NPPF.

23. Before the development hereby permitted is commenced, foul water drainage details to serve the development, shall be submitted to and approved in writing by the Local Planning Authority and such approved drainage details shall be completed and become fully operational before the development hereby permitted is first brought into use. Following its installation such approved scheme shall be permanently retained and maintained thereafter.

Reason: To ensure that the development is adequately drained to accord with the NPPF.

24. The development hereby approved shall be carried out in accordance with the following approved plans:
Drawing number P-002 Rev F, SK-001, D2269.L.300 RevA and L.301 Rev A, D2269.L.400, D2269.L.401, D2269.L.402, P-010 to P-019, P-020/21Rev A, P-022 to 052, P-053/54 Rev A, P-055 to P-084, P-085/86 Rev A, P-087 to P-104.

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

25. Construction of Plots 63-72 shall not commence until details of the noise insulation scheme has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented prior to first occupation of these dwellings and shall not be altered or removed without the written consent of the Local Planning Authority.

Reason: To ensure that the houses are satisfactorily insulated from noise to accord with Policy EQ2 of the South Somerset Local Plan.

Informatives:

01. Reptiles (particularly slow worms) could be present on the site and could be harmed by construction activity, contrary to legislation (Wildlife and Countryside Act 1981), unless appropriate precautionary measures are employed. Suitable measures could include appropriate management of the vegetation to discourage reptiles away from areas of risk, reptile exclusion fencing, and/or translocation of animals from the site. An ecological consultant should be commissioned to undertake further reptile specific survey and provide site specific advice.
02. The surface water drainage scheme for the proposed development must meet the following criteria:
1. Any outflow from the site must be limited to the maximum allowable rate, so there is no increase in the rate and/or volume of run-off, and preferably it should be reduced.
 2. The surface water drainage system must deal with the surface water run-off from the site up to the critical 1% Annual Probability of Flooding (or 1 in a 100-year flood) event, including an allowance for climate change for the lifetime of the development. Drainage calculations must be included to demonstrate this (e.g. Windes or similar sewer modelling package calculations that include the necessary attenuation volume).
 3. If there is any surcharge and flooding from the system, overland flood flow routes and "collection" areas on site (e.g. car parks, landscaping) must be shown on a drawing. CIRIA good practice guide for designing for exceedance in urban drainage (C635) should be used.
 4. The adoption and maintenance of the drainage system must be addressed and clearly stated.

NOTES TO APPLICANT

Sustainable Construction

The Environment Agency has advised the applicant /developer of the following:

Sustainable design and construction should be implemented across the proposed development. This is important in limiting the effects of and adapting to climate change. Running costs for occupants can also be significantly reduced.

Pollution Prevention During Construction

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/government/collections/pollution-prevention-guidance-ppg>

Waste Management

Should this proposal be granted planning permission, then in accordance with the waste hierarchy, we wish the applicant to consider reduction, reuse and recovery of waste in preference to off site incineration and disposal to landfill during site construction.

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>
