

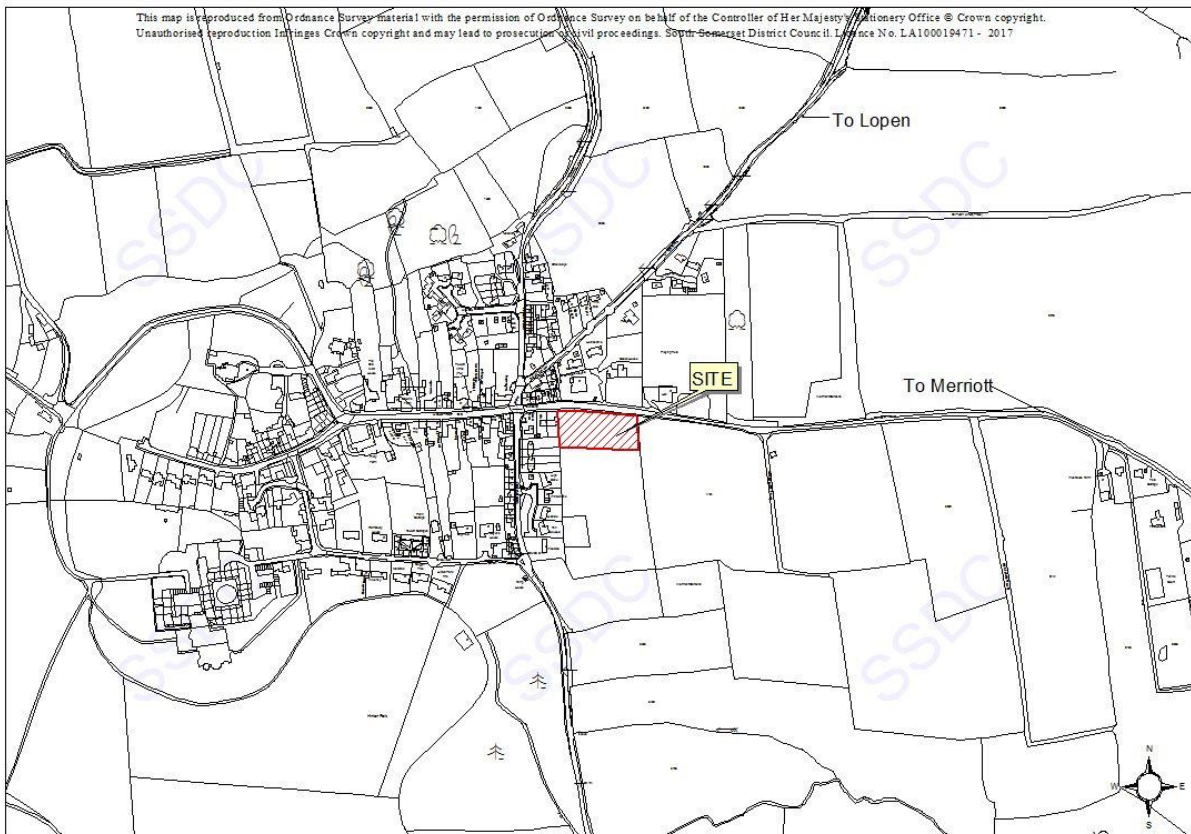
Officer Report On Planning Application: 17/02545/FUL

Proposal :	The erection of 10 No. dwellings with associated car parking, landscaping and drainage details
Site Address:	Land Opposite St Georges House Merriott Road
Parish:	Hinton St George
EGGWOOD Ward (SSDC Member)	Cllr P Maxwell
Recommending Case Officer:	Andrew Gunn Tel: (01935) 462192 Email: andrew.gunn@southsomerset.gov.uk
Target date :	12th September 2017
Applicant :	Strawberry Property
Agent: (no agent if blank)	CSJ Planning 1 Host Street Bristol BS1 5BU
Application Type :	Major Dwlg 10 or more or site 0.5ha+

REASON FOR REFERRAL TO COMMITTEE

The application is referred to Area West Committee at the request of the Ward member and in agreement with the Chair in order for the Committee to fully discuss the key planning issues raised by local residents and the Parish Council.

SITE DESCRIPTION





The application site is currently a vacant field totalling 0.41 hectares located on the southern side of Merriott Road, on the eastern side of Hinton St George. An agricultural access towards the north western corner of the site serves the site from Merriott Road. A grass track leads from this access to the rear of the site providing access into an adjacent field. The boundaries of the site are defined by hedgerows with a few small trees located within the site. Residential dwellings are located to the north and west of the site, with agricultural land to the south and Jubilee Wood to the east.

PROPOSAL

The application seeks consent for the erection of 10 dwellings, associated access, parking, and landscaping. The scheme will provide a range of dwellings sizes with 3 no. 2 beds, 3 no. 3 beds and 4 no.4 beds with a mix of 4 detached dwellings and 2 blocks of terraced dwellings comprising 3 dwellings in each block.

The dwellings will be laid out with a central terrace in the centre of the site adjacent to Merriott Road. A further single detached dwelling will be located along the site frontage in the north east corner. Three further detached dwellings will be located along the rear of the site with the second terraced block running at right angles to Merriott Road located along the north western boundary. These will be offered as affordable housing. Each of the units will have their own garden areas with a mix of railings, ham stone walls and planting along the individual boundaries with boarded and field gates at the vehicular entrances. A green area will be provided at the front of the site adjacent to the terraced block.

Two vehicular access points will be provided from Merriott Road along with retention of and access to the existing agricultural access at the rear of the site. The internal road will be 6 metres in width designed as a shared surface. Visibility splays of 2.4 metres x 43 metres shall be provided at the 2 access points. 34 parking spaces are being provided, 6 of which will be provided in the form of car ports.

The majority of the dwellings will be constructed using hamstone with the terrace of 3 in the north-west

part of the site in horizontal timber boarding. Roofs will largely be double roman clay tiles with some natural slate. Ridge tiles will be in clay with red brick chimneys with watertabling in hamstone. Windows and doors will be in painted timber. Street lighting will be provided in the form of traditional black cast metal, with 2 replacements lights on Merriott Road and 2 within the site. Low level timber bollard lighting would be provided within the site around the southern and eastern perimeter.

The application was supported by a Design and Access Statement, a Planning Supporting Statement, a Planning Obligations Statement, Ecological Appraisal, and a Highway technical Note on Access. The agent also submitted a number of computer generated images showing the dwellings and street scenes and a response to the comments received from local residents.

HISTORY

821798 - Outline application for residential development (withdrawn).

Advised that it was outside of development limit and adjacent to the Conservation Area. Also in a Special Landscape Area.

830020 - Outline application for the erection of 10 houses and garages (refused).

Refused due to harm to the rural character of the designated Special Landscape Area, harm to the setting of the adjoining Conservation Area, contrary to the policies in the adopted Structure plan for the control of development (outside of the development area) and design and layout of the scheme is not appropriate for the site.

841910 - The construction of a vehicular access to land (OS plot no 2854) (refused)

This was refused because it was close to the recreation ground and there was an inadequate visibility splay being provided.

871048 - Relocation of vehicular access and right of way to field (refused).

Reason as per 1984 scheme.

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 Strategy

SS2 - Development in Rural Settlements

SS4 - District Wide Housing Provision

SS5 - Delivering New Housing Growth

SS6 - Infrastructure Delivery

HG3 - Provision of affordable Housing

TA5 - Transport Impact of New Development

TA6 - Parking Standards

EQ1 - Addressing Climate Change in South Somerset

EQ2 - General Development

EQ4 - Biodiversity

Other Relevant Documents/ Material Considerations

National Planning policy Framework
Achieving Sustainable Development
Core Planning Principles
Chapter 6 Delivering a Wide Choice of High Quality Homes
Chapter 7 - Requiring Good Design
Chapter 8 - Promoting Healthy Communities
Chapter 11 - Conserving and Enhancing the Natural Environment
Chapter 12 - Conserving and Enhancing the Historic Environment

Somerset County Council Parking Strategy

Hinton St George Village Design Statement

CONSULTATIONS

Hinton St George Parish Council:

At Hinton St. George Parish Council meeting held on July 17th the following determination was unanimously voted upon for the stated reasons below. Application refused.

Relevant Planning Policies: SS2, HG8, EC3/4, NPPF, SSSDC Housing Needs Survey 2012, Rural Action Housing Plan 2013/14.

Reasons: Application contrary to policies listed above, namely,

Adversely affects the setting of rural landscape and character, abutting Conservation Area of village having a negative impact.

Extension of the confines of Hinton St. George has an undesirable impact on surrounding open countryside.

Will not enhance the landscape or visual amenity of the Conservation Area and falls short of conforming to the HSG Village Design Statement.

Local Community best placed to determine local housing need. There is none.

Scale and design of development unacceptable and inappropriate for such a strategic and visible site at entrance of village.

Traffic generated will impact on all single track roads in and out of village, and pose extra danger to a specified cycle route, pedestrians, charity runs and horse riders.

Conservation Officer:

The village of Hinton St George is a historic planned village, and is one with a high density of heritage assets, many of which are highly graded. Notably the Church, Hinton House with its park and garden, Manor House, Church and village cross. The village has suffered little 20th development which has surrounded many of our historic villages and fundamentally altered the setting of many heritage assets.

We have a statutory duty to pay special attention in the exercise of planning functions to the desirability of preserving or enhancing the character or appearance of a conservation area. We must also 'have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. There does not have to be inter-visibility between an asset and the land for this to affect the setting.

Applicants for consent that affects a heritage asset must be able to justify their proposals. The NPPF

says that the LPA should require an applicant to describe the significance of any heritage asset affected including any contribution made to their setting. This should be sufficient to understand the potential impact of the proposal on its significance. As a minimum the Heritage Environment Record should be consulted and the building assessed using appropriate expertise where necessary. When considering the impact of development, great weight should be given to the asset's conservation. Any harm or loss should require clear and convincing justification from the applicant. Any harm should be judged against the public benefit, including securing the optimum viable use. (The optimum use is the one that causes the least harm to the significance of the asset).

The site is not on land with any heritage category, but it is immediately opposite part of the conservation area, is on the approach to the village alongside the road, is visible from the west along the road from the conservation area and listed buildings, and has distant views from the south. The road which it is beside is an eighteenth century turnpike.

The site is on the south side of the road as the village is approached and is the last open field before the built development. This development on the south side is mid to late 20th Century, and there is no evidence that this land was previously developed. There is no discussion of the significance of this land as it relates to the conservation area or any of the other heritage assets.

On the basis of the information we have the primary significance of this land is aesthetic, in how the open area contributes to and leads into the tightly defined village core. It also would appear to have an aspect of a planned view from St Georges House (in the conservation area) to the south and fortuitous views back from the east end of High Street.

This planned view and fortuitous views would be interrupted and there would an effect on the setting of the conservation area by reasons of the loss of open space, and the introduction of noise, movement and lighting into the views. In my view the setting of the conservation area would be noticeably changed when approaching the site from the east and west, and there would be a slight to locally moderate adverse impact on the setting of the conservation area to be weighed in the balance as outlined in the NPPF and case law.

What I consider that this proposal has in its favour is the clear effort that has gone into the design to fully integrate the housing, in terms of materials, form, massing, position* and detail. Three matters concern me on top of the normal need for attention to detail:

- The access must try to avoid the standard use of kerbs and road markings;
- I note the use of clay tiles, but these must be dark in tone bright terracotta tiles will stand out from the south and are to be avoided;
- the gable end of plot one is onto the street. I can find no other example of this form in Hinton, and am feel that the design should look to turn the corner in a softer way, the gable will be clearly visible looking east from High Street, and is too assertive.

Landscape Officer:

I recollect the pre-app and my initial response follows, which sets out site context. Subsequent to the pre-app, the layout has been amended, and now includes further terraced properties fronting onto the Merriott road, which better relates the proposal to the character of Townsend/High Street.

I have expressed a concern that the application site provides an immediate open setting to the village conservation area east edge, and has value in enabling mid- and long views south toward the Windwhistle skyline. I view development on open farmland that has historically assisted in the definition of the village's residential area as eroding local character. However, I do not consider the potential impact of development to be substantially adverse, and I acknowledge the revised design, with its reference to local vernacular, and its improved street form, to be appropriate to Hinton. Consequently, whilst I have reservations over the proposal, I do not raise landscape grounds for refusal.

Regarding landscape treatment, the D&A statement suggests both hard and soft treatments for the development. Whilst I have no issues with the hard landscape/boundary treatments that are put forward, there are a number of changes I would advise for the planting strategy;

(a) avoid too many thorny species in the native hedgerow (east and south boundary) which are not maintenance friendly, additionally blackthorn will create a suckering problem. Many of the local hedges have a hawthorn base, along with a high proportion of field maple; hazel and common dogwood, and I would advise these 4 species are utilised outside the residential areas. Also avoid cherry laurel, which is non-native, and does not lend itself to close-management.

(b) re; tree selection, I note reference to oaks and limes, these species ultimately make big trees, unless they can be located at least 15 metres from housing, I would advise against their use. Whilst not specified, I would also advise against use of betula or sorbus: Given the allergenic effects of birch pollen, SSDC now discourages the planting of birch within residential areas. There are cultivated forms of Malus, Pyrus, Prunus or Crataegus that can be utilised instead within residential areas, and corresponding native forms for the rural interface, though we do not encourage planting of Rowan (Sorbus) as it doesn't fulfill its growth potential in local soils.

If you are minded to approve, please condition a detailed landscape proposal.

Officer comment: The applicant has been advised of the above comments and will have regard to those when submitting specific landscape details.

Highway Authority: (summary)

No objection to the application in regard to the expected traffic impact of the proposal. Car parking provision is also acceptable. Some technical layout issues were raised that would need to be agreed with the Highway Authority for necessary works within the existing highway boundary. The internal road will remain private and thus will be subject to the Advance Payments Code. This requires the road to be built and maintained to an adoptable/appropriate standard.

Ecology: (summary)

Broadly agrees with the ecology report but has sought a condition in respect of reptiles (slow worms). This requires the submission of a reptile survey. Slow worms are protected but not specifically their habitat. Provided they can be accommodated within areas free from harm either within or adjacent to the site, and or a suitable location elsewhere, this isn't a constraint to development.

Lead Flood Authority: (Somerset County Council):

No objection to the scheme subject to a condition seeking details of a surface water drainage scheme and a programme of implementation and maintenance for the lifetime of the development.

Wessex Water: (summary)

No objection. Advise regarding connection to their water supply and waste water connections. Also provide a plan/map showing approximate location of their apparatus within the vicinity of the site.

Housing Development Officer: (rural)

Accept that it is under the threshold for affordable housing i.e. 10 and under or greater than 1000sqm. Acknowledge that they have considered the local needs as per the Housing Needs Survey. Would seek a local connection criteria in regard to the affordable housing in perpetuity. Asked how the dwellings would be managed - assume this would be clarified through a legal agreement. Welcome the proposal to introduce more affordable housing to the village.

Housing Development Officer: (rural) (additional information)

The current need in Hinton St George is 1 household expressing Hinton St George as a first choice parish. Often the number of households expressing a need in a particular rural location is

under-representative of the actual need and the best way to identify the (otherwise) hidden need is through a local survey supported by the relevant Parish Council. A housing need survey was conducted in March 2013, this identified a need for 3 affordable dwellings and up to 5 bungalows for downsizing owners.

Climate Change Officer: (summary)

Welcomes general design and layout of the scheme to provide opportunities for solar gain etc. Advises on some modifications to enable south facing gardens and installation of roof integrated PV arrays.

County Archaeologist:

No objection on archaeological grounds.

Campaign for the protection of Rural England (CPRE): (summary).

The CPRE have submitted observations on the application, commenting that the application broadly meets the requirements of Policy SS2. The village does have community facilities and will provide affordable housing. It is a sensitive site on the edge of the village and details in respect of materials and landscaping will need to be carefully controlled. The CPRE accordingly seek the imposition of the conditions as recommended by consultees.

REPRESENTATIONS

55 letters/emails have been submitted objecting to the proposal with 3 letters/emails of support.

A summary of the objections are as follows:

- The village is not suitable for any significant development
- An unsustainable community -will not increase sustainability of the village
- Scheme does not have local support
- Not compliant with Policy SS2
- Local road infrastructure is not adequate to accommodate the development - single track approach roads.
- Highway safety issues due to proximity of site accesses to parked cars along this section of Merriott Road.
- Too many vehicles in the village
- Harm to the setting of the adjacent Conservation Area
- Visual harm to an important entrance to the village.
- Harm to the historic core of the village
- Loss of views across to Hinton Park and Castle Hill.
- Development only to make profit
- Need affordable housing for local families not more second homes pushing out local people.
- Where would bins be located?
- Who will maintain the green area?
- Design not in keeping with Somerset vernacular
- Would set a precedent for future development in the village
- No proven housing need. Housing survey from 2012 identified 5 residents wishing to downsize and 3 requiring affordable accommodation.
- The Council's lack of a 5 year housing supply does not mean that housing should be supported.
- Timber cladding not appropriate.
- Housing Survey from 2012 not sound.
- Previous housing development refused on this site.
- Insufficient parking provision.
- Will not create employment opportunities

A summary of the supporting comments are as follows:

- This is much needed development in the village which would enhance the approach to the village.
- Additional trade/business for the shop, pub and school
- Increase number of people in village activities and help keep village alive.
- Housing in keeping with the character of the village
- Would help meet an urgent housing need in South Somerset
- Aware of demographic change in the village
- Much of the housing stock purchased as second homes resulting in a decrease in the number of full time residents in the village.
- Viability of village facilities at risk if number of residents declines.
- Villages should be allowed to have controlled growth.
- There was reasonable support in principle for development on this site at the public consultation meeting
- Street lighting could be of heritage design
- Suggests 3 bed rather than 2 bed dwellings for the affordable units
- Support but marginally too dense
- Good use could be made of the CIL payment within the village.

CONSIDERATIONS

Principle of development

The starting point for decision-making is the statutory development plan, which is the South Somerset Local Plan (2006 - 2028). This plan was adopted in March 2015 and provides the policy framework to make the decision as to whether or not to grant planning permission for development in the district.

Hinton St George is classified as a Rural Settlement in the adopted local plan. Accordingly, Policy SS2 is relevant and seeks to strictly control development and limit development to that which provides employment opportunities; creates or enhances community facilities and services to serve the settlement; and/or meets identified housing need, particularly for affordable housing. The development must be of an appropriate scale, have at least 2 of the listed facilities/services i.e. local shop, pub, village hall, church and primary school; and have the general support of the local community following engagement and consultation.

However, the above policy position has to be set against the requirement of central government for Council's to be able to demonstrate a 5 year supply of deliverable housing land. In September 2017, the Council reported a supply position of 4.2 years. Given this position, i.e. the lack of a five-year housing land supply, means that policies relating to the supply of housing, including Policy SS2, should not be considered up-to-date. As such, proposals for residential development fall to be determined under Paragraph 14 of the National Planning Policy Framework which states that where development plan policies are out-of-date planning permission should be granted unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
- specific policies in this Framework indicate development should be restricted.

According to the Woodcock Holdings Ltd High Court decision, in reaching a conclusion on an application, the appropriate weight to be attached to 'out-of-date' housing supply policies needs to be considered in the 'planning balance' of whether the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits. It falls to the local planning authority to strike the appropriate balance between the very clear benefits stemming from the delivery of houses to

meet the Council's shortfall and any harmful impacts arising from this proposal.

It is also important to note that it is clear from reading a number of appeal decisions that given the lack of a 5 year housing supply, Inspectors are only attaching limited weight to Policy SS2 in the overall balancing exercise that has to be undertaken when assessing the merits of a particular application.

The NPPF is very clear that, without a 5 year housing land supply, housing applications should be considered "in the context of the presumption in favour of sustainable development" (para. 49) and that any adverse impacts would need to significantly and demonstrably outweigh the benefits when assessed against the policies in the framework taken as whole; or specific policies in the Framework indicate development should be restricted (para.14).

Having regard to the above, the planning merits of the proposal are considered against the aims of the NPPF and these considerations are set out below:

Sustainability of the settlement

It is considered that Hinton St George is a sustainable location for some housing development given the facilities that the village provides. It is considered that the development would be acceptably located in relation to facilities. In addition, it would be likely to provide additional support for facilities such as the village shop and public house through increased patronage.

Having regard to the above it is considered that the development would comply with the relevant sections of the NPPF in respect to locating housing within existing communities where existing services and facilities would be maintained and enhanced. It is important to note that a number of appeal decisions made over the last couple of years have concluded that villages such as Hinton St George are sustainable and appropriate for some housing development.

Housing Need

Much correspondence and concern has been expressed on the topic of housing need in the village. Comment has been made that there is no need for housing in the village, with properties currently being available for sale. Moreover, that the housing needs survey undertaken a few years ago is not fit for purpose and does not justify approval of this development. As outlined earlier in this report, a housing needs survey from 2013 identified a need for 3 affordable dwellings and up to 5 bungalows for those wishing to downsize. Currently, 1 household has expressed Hinton St George a first choice parish on the Council's register. However, as advised by the Rural Housing officer, it should be borne in mind that it is often the case that the number of households expressing a need in a particular rural location is under-representative of the actual need. This is largely due to the fact that those asked do not realistically expect houses to be built in those locations.

However, notwithstanding the status or perceived relevance of housing needs surveys/registers, it is clear that as previously outlined in this report, the Council cannot currently demonstrate a 5 year supply of housing land and accordingly is not meeting its housing targets. Thus, it is clear that there is housing need in the district. The 5 year supply shortfall applies to the whole Council area and not just in particular towns where delivery of housing has been below expected rates. Accordingly, there is a housing need and given the policy context as outlined before, applications such as this should be granted unless there are demonstrable adverse impacts that would warrant refusal.

Impact on the setting of the Conservation Area/ Listed buildings

Some of the biggest concerns raised by local residents and the PC about the scheme are in regard to the impact of the development on the setting of the adjacent Conservation Area. Whilst there are no listed buildings adjacent to the site, listed buildings can be viewed in the wider setting along the street with the site, as with the setting of the Conservation Area. The boundary of the designated Conservation Area runs to the north of the site along Merriott Road stopping at the western boundary of the village hall. To the west, it runs to the western side of South Street, excluding the post war housing to the west of the

site.

The Conservation Officer has assessed the impact of the scheme and outlines the clear legal and policy context for the assessment of development proposals affecting the setting of a Conservation Area and listed buildings. The key point is that when considering the impact of development, great weight should be given to the asset's conservation. Any harm or loss should require clear and convincing justification from the applicant and, the harm should be judged against the public benefit, including securing the optimum viable use.

The Conservation Officer has described the setting of the site and how it contributes to its wider setting and its role at the entrance to this part of the village. Development of the site along with domestic activities would clearly erode the open character and peaceful nature of the site. Accordingly, the setting of the Conservation Area would be changed when approaching the site from either the west or east. The Conservation officer concludes that there would be a slight to moderate impact on the setting of the Conservation Area. Accordingly, as per the guidance in the NPPF, on the basis that the harm would be 'less than substantial' rather than 'substantial harm or total loss' to the heritage asset, this harm should be weighed against the public benefit of the proposal. In this regard, whilst some detailed matters were raised in respect of access details, appropriate colour clay tiles and the layout of plot 1, the Conservation Officer has noted the 'clear effort that has gone into the design to fully integrate the housing in terms of massing, materials, form, position and detail'

In terms of the 3 points of concern, a condition shall be attached to any consent to agree the range of materials to be used within the scheme. These can be discussed and agreed with the Conservation officer. As the internal road is not proposed to be adopted, the applicant is keen to ensure that the access details do not harm the character of the site frontage. Kerbs and road markings will be kept to an absolute minimum. In terms of the layout of plot 1, it is not considered that the design and layout of this plot is too assertive when read against the whole new street frontage that would be created by the development.

As outlined above, an assessment of the wider setting of the site places it within views to and from the Conservation Area / listed buildings. However, whilst this association with heritage assets is clearly very important, it is also important to note that part of that assessment includes its close relationship with non heritage assets ie the village hall and the post war housing to the west, part facing Merriott Road and mostly along South Street. These existing developments are more modern additions to the village and are very visible when approaching the entrance to the village. These were identified as such by the appeal Inspector when making his assessment of the gypsy site off Merriott Road. Thus, whilst the degree of harm attributed by the Conservation Officer to the setting of heritage assets is accepted, it is important to acknowledge that part of the development's setting includes more modern, non-heritage assets.

In regard to the assessment that has to be made in regard to the public benefits of the scheme, in this case, it is considered that the development of 10 houses, including 3 affordable units, would make a valuable contribution to the Council's identified housing needs. Moreover, great care and detail has been put into the design and layout of the scheme, particularly the use of natural stone and consideration to the form/massing and layout. It is considered that the design and quality of the scheme is significantly above that of the norm which is offered by many schemes. On this basis, it is considered that the public benefit of a high quality scheme outweighs the identified harm to the setting of the Conservation Area.

Landscape impact

Concern has been raised that the scheme would be detrimental to local landscape character and result in loss of views across to Hinton Park and Castle Hill. The Council's Landscape officer has fully assessed the landscape impact of the scheme. He acknowledges that the site 'provides an immediate open setting to the village conservation area east edge, and has value in enabling mid- and long views

south toward the Windwhistle skyline' . Moreover, residential development on an open site on the edge of the village, would erode local character. However, the landscape officers' conclusion is that the potential impact of development is not substantially adverse. The revised design, with its reference to local vernacular, and its improved street form, is considered to be appropriate to Hinton. On this basis, it is not considered that there are landscape grounds for refusal.

Highways/parking

A number of concerns have been raised about the highway impact of the proposal. In particular, concern that the local road infrastructure is not adequate to accommodate the development with a number of single track approach roads and the conflict caused by vehicles parked along Merriott Road.

The Highway Authority have assessed the application and do not raise an objection to the proposal. Whilst the scheme would generate additional vehicular use of the local road network, it is considered that the local highway can satisfactorily accommodate the additional traffic. Appropriate visibility would be provided at the site entrances. Some technical layout issues were raised that would need to be agreed with the Highway Authority for necessary works within the existing highway boundary. These can be agreed at the technical approval stage before the development begins. The Highway Authority are satisfied with the level of parking spaces being provided within the scheme. On the basis of the above, it is not considered that there are any demonstrable adverse highway impacts that warrant refusal of the scheme.

Residential amenity

It is considered that due to the layout, orientation, siting, existing and proposed boundary treatments, it is not considered that the scheme would give rise to any adverse harm to neighbouring amenity that would warrant refusal. The rear of the 3 terraced dwellings located on the western side of the site would face towards Honeymead House. There is one ground floor window that faces towards the application site within a single storey attached garage/outbuilding. Given the erection of a 1.8metre high wooden fence and the insertion of obscured glazed windows in the first floor window of plot 3 and the bathroom window of plot 2, it is not considered that this would give rise to any adverse overlooking warranting refusal.

Previous planning applications

A number of local residents have drawn attention to the number of previously refused applications on this site, particularly those for housing. The details of the applications and dates are listed in the history section of this report. The planning history of the site and the reasons for refusal have been checked and assessed in the context of the current proposal.

The important points to note in regard to the previous housing proposals are that they were submitted a significant period of time ago ie early 1980's. Much of the policy planning context has also changed quite significantly since that time. The Special Landscape designation no longer exists nor does the Development Area as defined in previous local plans. However, impact on the setting of the adjacent Conservation Area and local landscape remain very important considerations. These issues have been assessed by the Council's Conservation and Landscape officers and taken into account as part of the overall assessment of the application.

Community Infrastructure Levy (CIL)

The scheme would be liable for CIL at a rate of £40 per square metres. The applicant has submitted Form Zero and confirmed an internal floorspace of 998.6 square metres.

CONCLUSION

Whilst the proposal has attracted a large number of objections, it is considered that the scheme will provide a high quality development that would make a contribution towards meeting the Council's housing needs. Whilst the scheme does not meet the threshold for affordable housing, 3 affordable units

would be provided as part of the development. Whilst 'less than substantial harm' has been identified to the setting of the Conservation Area, it is considered that the public benefit outweighs the identified harm. The scheme would provide a safe means of access and would not adversely harm neighbouring amenity. Accordingly, the scheme is recommended for approval.

SECTION 106 PLANNING OBLIGATION

As outlined above in this report, whilst there is no requirement for the applicant to provide affordable homes as part of this scheme, the applicant has chosen to make 3 of the homes available as affordable housing. A draft legal agreement is being prepared accordingly.

RECOMMENDATION

Grant permission.

01. The proposed development by reason of its design, siting, scale, massing and materials would make a contribution towards meeting the Council's housing needs, including the provision of affordable housing. It is considered that the identified 'less than substantial harm' to the setting of the Conservation Area and listed buildings would be outweighed by the public benefit of the scheme. A safe means of vehicular and pedestrian access would be provided and no adverse harm would be caused to neighbouring amenity. The scheme is in accord with Policies SD1, SS1, SS2, SS4, SS5, SS6, HG3, TA5, TA6, EQ2, and EQ4 of the South Somerset Local Plan, the Core Planning Principles and Chapters 6, 7, 8, 11 and 12 of the NPPF and the Somerset County Council Parking Strategy

SUBJECT TO THE FOLLOWING:

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

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

02. The development hereby approved shall be carried out in accordance with the following approved plans:

Drawing numbers: PL-01, HSG PL 01-6, 7A, 8, 9, 10A and 11.

Reason: To avoid doubt as to the scheme approved and in the interests of proper planning.

03. The development hereby permitted shall not be commenced (including any ground works or site clearance) until a survey to determine presence/absence of slow worms, plus if present, a mitigation plan or method statement detailing measures to avoid harm to slow worms, has been submitted to and approved in writing by the local planning authority. The works shall be implemented in accordance with the approved details and timing of the mitigation plan / method statement, unless otherwise approved in writing by the local planning authority.

Reason: For the protection and conservation of a priority species in accordance with policy EQ4 of the South Somerset Local Plan, NPPF and to ensure compliance with the Wildlife and Countryside Act 1981 (as amended).

04. The development hereby permitted shall not be commenced until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of the development, as well as

details of any changes proposed in existing ground levels; all planting, seeding, turfing or earth moulding comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To protect the amenity of the area to accord with Policy EQ2 of the South Somerset Local Plan.

05. 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.

06. There shall be no obstruction to visibility greater than 600 millimetres above adjoining road level in advance of lines drawn 2.4 metres back from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge 43 metres either side of the accesses. Such visibility shall be fully provided before the development hereby permitted is commenced and shall thereafter be maintained at all times.

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

07. There shall be no obstruction to visibility greater than 600 millimetres above adjoining road level in advance of lines drawn 1.5 metres back from the carriageway edge at the uncontrolled pedestrian crossing and extending to points on the nearside carriageway edge 43 metres either side of the uncontrolled pedestrian crossing. Such visibility shall be fully provided before the development hereby permitted is occupied and shall thereafter be maintained at all times.

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

08. 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/ 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.

09. 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.

10. No work shall commence on the development site until an appropriate right of discharge for surface water has been obtained. A drainage scheme for the site showing details of gullies, connections, soakaways 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. The areas allocated for parking and turning on the submitted plan, drawing number HSG PL-03 05.06.17, shall be kept clear of obstruction and shall not be used other than for 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.

11. The new development shall not be commenced until a detailed Travel Plan has been submitted to and approved in writing by the Local Planning Authority. No part of the new development shall be occupied prior to implementation of those parts identified in the Approved Travel Plan as capable of being implemented prior to occupation. Those parts of the Approved Travel Plan that are identified therein as capable of implementation after occupation shall be implemented in accordance with the timetable contained therein and shall continue to be implemented as long as any part of the development is occupied.

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

12. No development shall commence unless a Construction Traffic and Management Plan has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved plan. The plan shall include:
 - Construction vehicle movements;
 - Construction operation hours;
 - Construction vehicular routes to and from site;
 - Construction delivery hours;
 - Expected number of construction vehicles per day;
 - Car parking for contractors;
 - Specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice;
 - A scheme to encourage the use of Public Transport amongst contractors; and
 - Measures to avoid traffic congestion impacting upon the Strategic Road Network.Wheel washing facilities and measures to ensure that the public highway is kept clean.

13. The development hereby permitted shall not be commenced until particulars of the materials (including the provision of samples where appropriate) to be used for external walls, roofs, windows, external doors and rainwater goods have been submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the amenity of the area and Conservation Area to accord with Policy EQ2 and EQ3 of the South Somerset Local Plan.

14. 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 satisfactorily drained in accord with the NPPF.

15. No development shall be commenced until details of the surface water drainage scheme based on sustainable drainage principles together with 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 runoff post development is attenuated on site and discharged at a rate and volume no greater than greenfield runoff rates and volumes. Such works shall be carried out in accordance with the approved details.

These details shall include: -

- Details of phasing (where appropriate) and information of maintenance of drainage systems during construction of this and any other subsequent phases.
- 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 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.
- Any works required off site to ensure adequate 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).
- 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 100yr (plus 40% allowance for climate change) must be controlled within the designed exceedance routes demonstrated to prevent flooding or damage to properties.
- A management and maintenance plan for the lifetime of the development which shall include 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: To ensure that the development is served by a satisfactory system of surface water drainage and that the approved system is retained, managed and maintained in accordance with the approved details throughout the lifetime of the development, in accordance with paragraph 17 and sections 10 and 11 of the National Planning Policy Framework, Paragraph 103 of the National Planning Policy Framework and the Technical Guidance to the National Planning Policy Framework (March 2015).
