

## Officer Report on Planning Application: 18/00176/REM

<b>Proposal :</b>	Application for Reserved Matters following approval 13/01869/OUT to include approval of appearance, landscaping, layout and scale for the erection of 97 dwellings
<b>Site Address:</b>	Land at Bunford Hollow, West Coker BA20 2HE
<b>Parish:</b>	West Coker
<b>COKER Ward (SSDC Member)</b>	Cllr Gina Seaton Cllr Cathy Bakewell
<b>Recommending Case Officer:</b>	Linda Hayden Tel: 01935 462534 Email: linda.hayden@southsomerset.gov.uk
<b>Target date :</b>	18th April 2018
<b>Applicant :</b>	Kier Living Limited
<b>Agent: (no agent if blank)</b>	PCL Planning Ltd 1st Floor, 3 Silverdown Office Park Fair Oak Close Clyst Honiton Exeter, EX5 2UX
<b>Application Type :</b>	Major Dwlgs 10 or more or site 0.5ha+

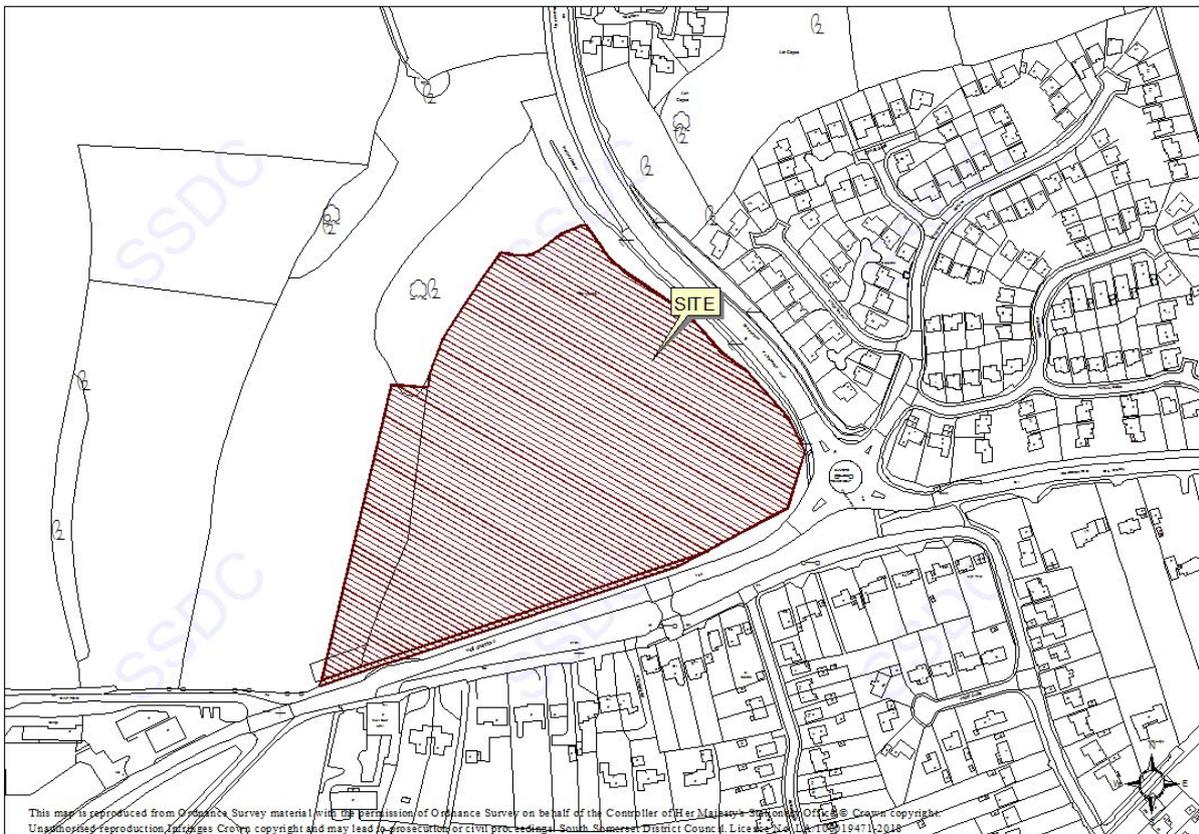
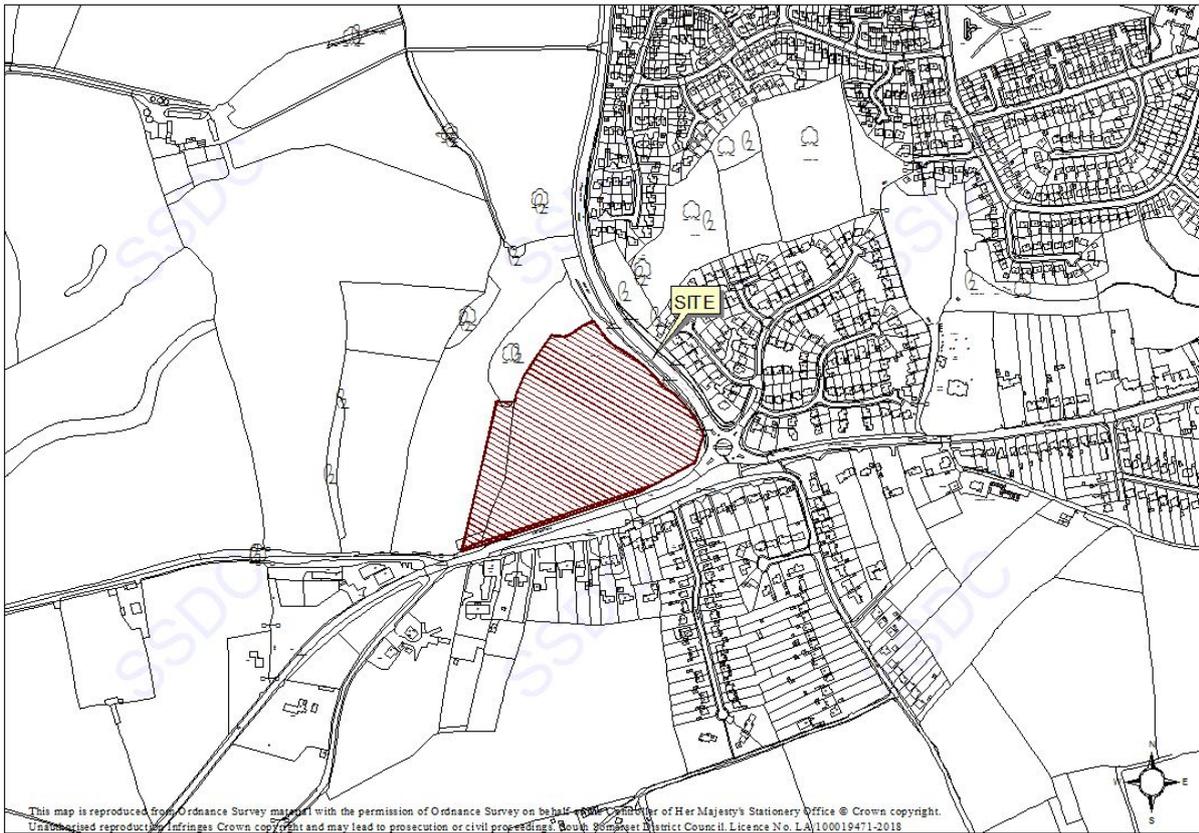
### REASON FOR REFERRAL TO COMMITTEE

The application has been referred to committee by the Ward Members with the agreement of the Lead Specialist for Planning to allow discussion of the planning issues given that the outline application was considered by Area South.

This application has also been 2-starred under the Scheme of Delegation - referral of applications to the Regulation Committee for determination. In collective agreement with the Leader, Portfolio Holder, Area Chairs, Director (Service Delivery), Monitoring Officer, and Lead Specialist (Planning) all major applications will be 2-starred for the immediate future to safeguard the Council's performance, pending a more substantive review.

The Area Committees will still be able to approve and condition major applications. However, if a committee is minded to refuse a major application, whilst it will be able to debate the issues and indicate grounds for refusal, the final determination will be made by the Regulation Committee.

### SITE DESCRIPTION AND PROPOSAL



The application site lies within West Coker parish and comprises an almost triangular agricultural field bordered by residential development at West Coker Road to the south, Bunford Hollow/Watercombe Lane to the east and by open countryside to the north and west.

Amounting to 4.26ha, the site, known as Bunford Heights, is relatively flat as far as the northern/western edge which falls away to an attractive coombe. Distant views can be achieved here through the open boundary to open countryside. A small woodland area is evident wrapping around the northern boundary, a linear woodland is evident to the east and to the south is hedging and trees.

A public footpath (Y 29/20) runs along the eastern/northern edge and through the woodland connecting West Coker Road to Bunford Hollow/Watercombe Lane.

Outline permission (13/01869/OUT) with all matters reserved for later approval except means of access, was approved in 2015 for residential development of the site. As part of the development the following was secured through a S106 agreement:

- i) The provision of Affordable Housing comprising 35% affordable housing split 67:33 in favour of social rent with access to further public subsidy.
- (ii) Community, Health Service and Leisure contributions towards outdoor playing space, sport and recreation facilities (as detailed in the consultations section of this report), all to the satisfaction of the Council's Community, Health and Leisure unit based on a formula of £6,350.41 per dwelling;
- (iii) The provision of the on-site LEAP and youth facilities, capital revenue contributions for developing and maintaining the facilities, with appropriate trigger points;
- (iv) The provision of landscaping and open space to include:
  - a) design standard (SSDC Landscape Design - A Guide to Good Practice and the Addendum thereto).
  - b) maintenance period
  - c) street trees
  - d) commuted sums
  - e) transfer
- (v) Enhancement of the bus stop (raised kerbs and DDA compliant) and provision of a bus shelter at the existing bus stop on West Coker Road, with a commuted sum for maintenance of the shelter;
- (vi) Residential travel plan and sustainable travel incentives;
- (vii) Education contribution towards to the provision of primary school places based on the formula of 30 places per 150 dwellings @ £12,257 per place with appropriate trigger points;
- (viii) Education contribution towards to the provision of secondary school places based on the formula of 30 places per 210 dwellings @ £18,469 per place with appropriate trigger points;
- (ix) Index linking of all financial payments,
- (x) A planning obligation monitoring fee (20% of the planning fee), and
- (xi) A financial contribution of £15,000 towards the Western Corridor Works (specifically the roundabout works to the bottom of Bunford Hollow/Lysander Road)

This is a Reserved Matters application dealing with all of the reserved matters (appearance, landscaping, layout and scale) for the erection of 97 dwellings. The proposed development will be accessed via a spine road from the A30 with a number of internal spur roads. The proposed density is 23 dwellings per hectare with areas of public open space and a children's play area and youth

facilities. The proposed housing is of a traditional vernacular style, between 2 and 2.5 storeys in height and to be constructed in a mix of red and buff brick with a small amount of rendered dwellings. Roofs would be natural slate or clay tiled. The plans have been amended in order to address the comments of Historic England.

The applicant has also submitted the following documentation in support of the application:

- Planning Statement
- Design and Access Statement
- Landscaping details - All for approval:
- Landscape masterplan (SPP 3012 P001 Rev C)
- Planting plan (SPP 3012 P 92 002)
- Drainage details:
- Surface water drainage strategy (C-05515-C-0110 Rev E)
- Foul water drainage strategy (C-05515-C-0111 Rev B)
- Exceedance run-off plan (C-05515-C-0112 Rev A)
- Drainage calculations
- Highways details:
- Transport Assessment
- Travel Plan - For approval
- Section 38 plan (C-05515-C-0105 Rev B)
- Vehicle tracking plan (C-05515-C-0106 Rev C)
- Statement of Community Involvement
- Arboricultural Impact Assessment (with Tree Protection Plan)
- Arboricultural Method Statement
- Woodland Management Plan
- Ecological Impact Assessment
- Supplementary ground investigations
- Heritage statement
- Noise assessment
- Construction Management and Phasing Plan (CMPP) and Construction Environmental Management Plan (CEMP)
- Sustainability letter

Whilst the plans currently show full provision of affordable housing, there is a pending application (18/00324/DPO) to vary the section 106 agreement to allow for a reduction in the number of affordable units on the site.

A small convenience store is located within the nearby service station to the east and the outline approval included improvements to general pedestrian/cycle access to this local facility. The same links will also improve access to the bus stop located on the north side of West Coker Road near the Camp Hill/Holywell junction.

The applicant has held a public consultation event and a statement of community involvement has been submitted with the application.

## **HISTORY**

18/00324/DPO - Application to modify a S106 agreement between Abbey Manor Developments Ltd and Edward Nicholas Braybon Clive Ponsonby-Fayne and South Somerset District Council dated 6th November 2015 in relation to affordable dwellings. Pending - not yet determined.

13/01869/OUT - Residential development, associated landscaping, open space and new vehicular access. Approved 9/11/2015.

## **POLICY**

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

For the purposes of determining current applications the local planning authority considers that the adopted development plan comprises the policies of the South Somerset Local Plan 2006 2028 (adopted March 2015).

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

Policy SD1 - Sustainable Development

Policy SS1 - Settlement Strategy, Yeovil is defined as a Strategically Significant Town and the prime focus for development in South Somerset.

Policy SS4 - District Wide Housing Provision

Policy SS5 - Delivering New Housing Growth

Policy SS6 - Infrastructure Delivery

Policy HG3 - Provision of Affordable Housing

Policy HG5 - Achieving a Mix of Market Housing

Policy EQ1 - Addressing Climate Change in South Somerset

Policy EQ2 - General Development

Policy EQ3 - Historic Environment

Policy EQ4 - Biodiversity

Policy TA3 - Sustainable Travel at Chard and Yeovil

Policy TA4 - Travel Plans

Policy TA5 - Transport Impact of New Development

Policy TA6 - Parking Standards

Policy HW1 - Provision of Open Space, Outdoor Playing Space, Sports, Cultural and Community Facilities in New Development

Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 require authorities considering applications for planning permission or listed building consent for works that affect a listed building to have special regard to certain matters, including the desirability of preserving the setting of the building. The setting is often an essential part of the building's character, especially if a garden or grounds have been laid out to complement its design or function.

### National Planning Policy Framework - July 2018

Chapter 2 - Achieving sustainable development

Chapter 4 - Decision-making

Chapter 5 - Delivering a sufficient supply of homes

Chapter 8 - Promoting healthy and safe communities

Chapter 9 - Promoting sustainable transport

Chapter 11 - Making effective use of land

Chapter 12 - Achieving well-designed places

Chapter 15 - Conserving and enhancing the natural environment

Chapter 16 - Conserving and enhancing the historic environment

(Note: In September 2017 a report was accepted by the District Executive that confirmed that the Council is currently unable to demonstrate that it has a 5 year supply of deliverable housing Land. With regard to the new NPPF this advises that failure to show a five-year housing land supply or meet delivery targets will trigger the presumption in favour of sustainable development for housing applications. Footnote 7 of the finalised version says that the presumption in favour of sustainable development will apply to applications that include housing provision "where the local planning authority cannot demonstrate a five-year supply of deliverable housing sites, with the appropriate buffer, or where the Housing Delivery Test indicates that the delivery of housing was less than 75 per cent of the housing requirement over the previous three years".)

## Planning Policy Guidance

Climate change

Conserving and enhancing the historic environment

Design

Natural Environment

Open space, sports and recreation facilities, public rights of way and local green space

Planning obligations

Travel plans, transport assessments and statements in decision making

Tree preservation orders and trees in conservation areas

## Other

Somerset County Council Parking Strategy (March 2012)

## **CONSULTATIONS**

### West Coker Parish Council:

In response to original plans:

- *'The PC would like to see safe pedestrian access from Bunford Heights, across the A30 (on West Coker Road), towards Nash Lane / Helena Road direction - to give safe passage for those walking to Yeovil or to the Bus Stop.'*
- *'The PC would like to see safe pedestrian access from the development to Bunford Lane / Lysander / Trading Estate direction.'*
- *'The PC would like to see the proposed footpath removed from the top perimeter of the development - by Bunford Roundabout at the top of Bunford Lane, as they feel this is not the safest place for pedestrians - preferable to pick up on the pedestrian crossing from Nash Lane / West Coker Rd and cross onto Bunford Lane, rather than an additional crossing here. Point one above would make the current crossing accessible to pedestrians.'*

In response to amended plans:

*'Just to let you know the Parish Council met last week to discuss the amendments in this application. The members agree the additional information on tree planting and design are good and have their support. If the Social Housing element is to be removed from this development then the PC would expect to see a good element of Social Housing included in the Bunford Hollow application.'*

*The PC is disappointed not to see amendments to the pedestrian crossing at the SE side of the development - as per our previous comments regarding this application.'*

*Could you please amend the application details as the location is still stated as 'Bunford Hollow' when it should read 'Bunford Heights' and this is confusing to our members.'?*

### Yeovil Town Council (neighbouring parish):

Resolution: Approval.

### East Coker Parish Council (neighbouring parish):

In response to original application:

*'Please note for your records, East Coker Parish Council object to any application under reserved matters until such time as the social housing element of this development has been resolved.'*

In response to amended application:

*'Further to discussions with my Council, they would like to make the following comment;*

*East Coker Parish Council would re-affirm their decision of 15th February 2018 and would still wish to see the full amount of affordable and social housing as set out by Government.'*

### Highways Authority (Somerset CC):

Advise that the layout does not raise any significant highway safety concerns but there are some issues that the applicant will need to address should they wish to pursue adoption. Advise that the applicant also needs to be made aware of highways drainage issues and that these will need to be addressed. However, they do not wish to raise an objection and recommend the imposition of a number of conditions.

(Officer note: Some of the conditions proposed by the County Highway Authority have already been attached at the outline stage and so it would not be appropriate to repeat them on this reserved matters application.)

Archaeologist (SCC):

*'As this is a reserved matter application there are no archaeological implications to this proposal. This is because the archaeological condition was placed on outline permission and the applicant has carried out excavation on the site and has agreed the funding for post-excavation analysis and publication. Therefore we have no objections to this current RM application on archaeological grounds.'*

SSDC Conservation Officer:

In response to original plans:

Concurred with the comments of Historic England and raised issues regarding the layout and buildings design/materials.

In response to first set of amended plans:

*'The Historic England comments still refer to a level of harm that will arise from the scheme. Some additional landscape mitigation has been put forward, but it hasn't gone as far as been suggested in terms of pushing the built edge right back and forming a proper extension to the existing woodland.'*

*In terms of the design of the scheme few of the observations I put forward previously have been accommodated, but I have still have many issues with the layout and plot design.*

*Therefore, taking no board the HE position, and the remaining concerns about the design proposed it would appear appropriate to refuse the current application; on the basis that any public benefits that arise do not outweigh the harm to the setting of Brympton d'Evercy.'*

In response to the most recent set of amended plans:

Has verbally confirmed that the distancing of the dwellings from the western boundary has improved the impact on the setting of the heritage to enable the public benefits to outweigh the harm to the heritage asset.

Historic England:

In response to original application:

*'Historic England Advice*

*Historic England has provided advice to your authority over a number of years regarding the south west expansion of Yeovil. Our advice has focused on the cumulative impact on the significance the designated heritage assets at Brympton d'Evercy derive from their settings of proposed schemes eroding the rural fringe of the town and the urbanising effect of development encroaching further beyond the A3088. In providing your authority with advice Historic England's specialist staff have visited the sites in question and viewed the proposed development areas from the surrounding landscape, including from the Grade I listed Brympton House (NHLE 1057261) and within the Grade II\* Registered Park and Garden (NHLE 1000506).*

*Historic England also advises in general that in the delivery of any development consented in this part of the town your authority consider the opportunity presented for it to draw on the unique*

*character of the historic landscape in which it would sit, ensure that it meets the challenges associated with the need to avoid, minimise or appropriately mitigate any harmful impacts, and encourage a sensitive response to those historic surroundings in the detailing and quality of any consented schemes.*

*The current proposals comprise an application for reserved matters following outline approval of a scheme (13/01869/OUT) for the erection of 97 dwellings, to include approval of appearance, landscaping, layout and scale. Historic England previously assured that the proposed mitigation is sufficient to address the harm caused to your satisfaction.*

*Historic England's advice is provided in line with the importance attached to significance and setting with respect to heritage assets as recognised by the Government's National Planning Policy Framework (NPPF) and in guidance, including the Planning Practice Guidance (PPG), and good practice advice notes produced by Historic England on behalf of the Historic Environment Forum (Historic Environment Good Practice Advice in Planning Notes (2015)).*

*In Historic England's view the proposed scheme will be visible at the top of the hill to the south east of Brympton d'Evercy. We have previously discussed jointly with your authority and the applicant the opportunities to extend the tree line to mask the front of the development and welcome the incorporation of this in the most recent plans submitted. However we remain concerned that some elements of the development will intrude into views from the house and its registered landscape. In reviewing the proposals on site we identified that the plots with the highest potential for visibility appear in our opinion to be 88-93 and 95. We consider there may be opportunity to reduce the visual intrusion of the development further by setting it back behind the line of these plots as in earlier iterations of the proposed layout (August 2017 in Design & Access Statement). Notwithstanding this we welcome the fact that properties 90-92 under the current layout face over the intervening landscape and would encourage you to ensure that any development that will be visible from the designated heritage assets at Brympton d'Evercy is of high quality, responding sensitively to the character of the surrounding historic landscape.*

#### *Recommendation*

*Historic England has concerns regarding the application on heritage grounds.*

*We recommend that your authority ensure you are satisfied, in consultation with your specialist conservation advisors, that you have sufficient information on the impact of the proposed layout and appearance of the consented scheme as well as in relation to the effect of the proposed mitigation to be convinced that all opportunities to avoid or minimise harm to designated heritage assets have been designed in. This will enable you to make your determination in accordance with the principles and policies set out under paragraphs 128, 129, 131 and 132 of the NPPF.*

*In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.*

*Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice. If there are any material changes to the proposals, or you would like further advice, please contact us.'*

*In response to first set of amendments:*

#### *'Historic England Advice*

*In Historic England's most recent advice of 16 February 2018 we advised that your authority should request visual confirmation (in the form of visualisations and/or photomontages) of the impact of the development in views from the designated heritage assets at Brympton d'Evercy to be assured that the proposed mitigation is sufficient to address the harm caused to your satisfaction. We also expressed our continued concerns that, despite the positive extension of the tree line to mask the*

*front of the development, some elements of the development will intrude into views from the house and its registered landscape. We advised that in reviewing the proposals on site we identified that the plots with the highest potential for visibility appear in our opinion to be 88-93 and 95 and that we considered there may be opportunity to reduce the visual intrusion of the development further by setting it back behind the line of these plots as in earlier iterations of the proposed layout (August 2017 in Design & Access Statement). In general we encouraged you to ensure that any development that will be visible from the designated heritage assets at Brympton d'Evercy is of high quality, responding sensitively to the character of the surrounding historic landscape.*

*The additional information submitted with specific reference to heritage matters comprises an addendum to the previously submitted Heritage Statement and a series of viewpoint analyses illustrating a single view of the development site from Brympton d'Evercy and associated changes in this view as a result of the development at 1, 5 and 20 years. A revised layout is included with explanations in various supporting documents and a revised Design and Access Statement. These documents indicate that the western edge of the development, a key issue in the comments of both Historic England and other consultees, has been pushed a few metres to the east to enable incorporation of an increased density of mitigation planting to reduce the long term visibility of the completed development in views from Brympton d'Evercy.*

#### *Historic England Position*

*We welcome the submission of visualisations to clarify the impact of the proposals on an example of views from within the Brympton d'Evercy estate illustrating the type of changes that would be experienced over time within its setting as a result of the development if consented. Having reviewed the additional submitted information we are still not convinced that further reduction in the harm caused could not be achieved by setting back the development behind plots 88-93 and 95 following the line of the western edge of development in the August 2017 scheme. We advise that your authority consider this when making your determination. Nevertheless, the amendments to incorporate an increased density of planting are welcomed. With the correct selection of species, taking a lead from the nature of the historic and existing planting in the surrounding ornamented agricultural landscape so that the additions appear as an extension to the existing scarp woodland, increased planting on the western edge has potential to help reduce the long term visual impacts in the view illustrated. This may not however, on the basis of the current submission, preclude all views of the development from within Brympton d'Evercy taking account of the impact of seasonal changes in visual permeability.*

*The photomontages also clearly demonstrate the harm that will be caused in the short term. The photomontages illustrate the change to the distinctive landscape feature formed by the green slope of the scarp up towards Camp and West Coker Roads. We remain of the opinion that this forms an important element within the ornamented agricultural land, being highly visible in views from the principle rooms at Brympton House. As a result the proposed development would, in our opinion, have a significant impact on this view through the intrusion, particularly in the short term, of modern development at the top of this slope and of the reduction in the visible extent of this landscape feature.*

*We do not agree with the applicant's assessment in the amended Heritage Statement that there will be no impact on the setting or heritage significance of the designated heritage assets at Brympton d'Evercy. Our view on the basis of this additional information has not changed. We remain of the opinion that the level of harm is, as we original assessed, within the range of less than substantial.*

#### *Recommendation*

*Historic England has concerns regarding the application on heritage grounds.*

*Our concerns have been expressed previously and the applicant has responded and made some positive amendments to the scheme as a result. Historic England's position on the basis of the amended scheme is set out above with reference to key issues we recommend your authority give particular consideration to in discussion with your specialist conservation and landscape advisers*

as part of your decision taking process.

*It is for your authority to consider whether sufficient reduction in the harm caused has been made at the current time, and whether you consider the harm is outweighed by any public benefits arising from the proposed scheme. Since our remit does not extend to the planning balance [NPPF 134] that you must make taking account of all material considerations, we therefore recommend that you ensure you are satisfied, in consultation with your specialist conservation advisors and on the basis of our advice, that you have sufficient understanding of the impact of the amended proposals and appearance of the consented scheme as well as in relation to the effect of the amended mitigation to be convinced that all opportunities to avoid or minimise harm to designated heritage assets have been designed in. This will enable you to make your determination in accordance with the principles and policies set out under paragraphs 129, 131, 132 and 134 of the NPPF.*

*Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice. If there are any material changes to the proposals, or you would like further advice, please contact us.'*

In response to latest set of amended plans:

*Historic England Advice*

*The additional information submitted comprises an amended site layout plan (drawing 1053-942-0101 Revision P4) on which plots 86-93 have been amended to move away from the western boundary on the basis of Historic England's previous advice. We welcome this amendment to the scheme and consider that this will help to reduce the harm caused by the proposed scheme in conjunction with the increased density of planting proposed on the same western boundary of the development. We refer you to our advice of 14 May 2018 in order to ensure that the approach to planting on that boundary is in keeping with the existing historic planting in the surrounding ornamented agricultural landscape.*

*Recommendation*

*Historic England has concerns regarding the application on heritage grounds.*

*Our concerns have been expressed previously and the applicant has responded and made an additional positive amendment to the scheme as a result. Historic England's position on the basis of the amended scheme remains that it will cause a level of harm to the significance the designated heritage assets at Brympton d'Evercy derive from their settings, and we remain of the opinion that the level of harm is within the range of less than substantial.*

*It is therefore for your authority to consider whether sufficient reduction in the harm caused has been made at the current time, and whether you consider the harm is outweighed by any public benefits arising from the proposed scheme. Since our remit does not extend to the planning balance [NPPF 134] that you must make taking account of all material considerations, we therefore recommend that you ensure you are satisfied, in consultation with your specialist conservation advisors and on the basis of all of our advice in relation to the scheme, that you have sufficient understanding of the impact of the amended proposals and appearance of the consented scheme as well as in relation to the effect of the amended mitigation to be convinced that all opportunities to avoid or minimise harm to designated heritage assets have been designed in. This will enable you to make your determination in accordance with the principles and policies set out under paragraphs 129, 131, 132 and 134 of the NPPF.*

*Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice. If there are any material changes to the proposals, or you would like further advice, please contact us.'*

SSDC Landscape Architect:

In response to original plans:

*'this proposal follows in the wake of the outline approval of application 13/01869 for 80 houses, to establish the principle of development to be acceptable. The application now before us seeks*

consent for 97 dwellings.

*From a landscape perspective, the development of the site was considered to be acceptable at outline stage, as it lays adjacent housing to the east and south that share the same general plateau location, to set it alongside a residential context, whilst there is an established tree presence to the north that provides visual enclosure, and relates to the wider scarp woodland that separates the housing off the West Coker road, from that of the main town to the north. The prime landscape sensitivity was identified as the open west boundary, and the potential for visual effects to impact upon views from the adjacent countryside, and Brympton House, circa 1.5km to the northwest.*

*The detailed layout that has now come forward offers a development that has a loose grain to its west side, whilst the eastern quadrant of the site is of a tighter urban grain, consistent with an urban site. Most of the development is 2-storey, but with the inclusion of some 3-storey units toward the site's southeast corner, adjacent the roundabout. This part of Yeovil is not characterised by 3 storey dwellings, and these taller dwellings will have some prominence, and present an emphatic built frontage to the scheme, at variance with its built surrounds. The 3-storey 'Norford', arranged in a block of four, has the capacity to be particularly dominant, not only in its immediate street environment, but also upon those houses that lay to the north of this block, and thus in its shadow. I consider the proposal will better respect the local residential context (as required by LP policy EQ2) if 3-storey elements are removed from the scheme.*

*The housing density at the west side of the site is more dilute, and appropriate to context. However, it is the treatment of the western edge that continues to raise issues:*

- 1) The extent of the garden to plot 95 runs too far west, and both disrupts the edge line of the development, and reduces the capacity for additional tree planting along this edge. I would advise that it doesn't extend beyond the northward projection of the road line fronting plots 90-92, and that trees are included in this zone;*
- 2) The housing edge is designed to face west, thereby enabling greater control over house lighting and PD works along this outward facing edge. However, noting the proposed materials for plots 89-92 and 95, I am not persuaded that the incorporation of buff bricks (89, 95) will appear sufficiently subdued when viewing this housing edge from the west, nor can we be assured that the red brick elevations (90-92) will be sufficiently subdued to ensure a sense of recession that dull tones enable. Certainly we need to condition the need for prior approval of the materials, to ensure satisfactory control of this edge's finishes, though there is the option of a heather brown brick finish for these plots only. Slate roofs are acceptable.*
- 3) I had understood more land to be available for planting to the west of the scheme. Whilst I understand the intentions of the planting proposal, it is limited by virtue of the limited space available, and I am not convinced that there will be sufficient density of planting to suitably buffer this edge. I return to this issue later.*

*The above comments relate to the likely visual effects of development as viewed from open countryside to the west, and Brympton House and garden. A heritage assessment has been submitted as part of the application, which considers the likely effects of this development upon this latter receptor, which acknowledges that.. 'fragmented but sustained views from Brympton RPG towards the Site may be possible from higher ground in the north-east corner of the parkland, and from the first floor of Brympton House at its east end ... but with mitigation of ...existing landscape screening; low density housing in the western half of the Site, particularly along the sensitive western boundary; and a wide western boundary easement with planting, comprising a double row of trees and native scrub ... the proposed development is predicted to offer no impact to the landscape setting of Brympton RPG and the group of designated assets contained therein'. Whilst I consider that the likely visual effects are likely to be no more than minor adverse before mitigation, I am not persuaded that the level of mitigation proposed will result in 'no impact'. To that end, it will be helpful for this to be demonstrated, as Historic England have requested. The option is to gain an agreement for off-site planting that wraps around the site as a continuation of the woodland belt to the north of the site, to create a feature that is a clear continuation of the scarp*

*woodland, to thus deflect prospect of the development, and negate any potential negative effect as viewed from Brympton House and garden.*

*A landscape proposal forms part of the submission, along with a woodland management plan. The landscape proposals are broadly acceptable, though I note that our tree officer has made a number of recommendations for change. All I would add, is that the west edge of the tree planting should utilise the species present in the woodland only - oak; beech and elm - to ensure coherence. The intention of the woodland management scheme is to maintain and enhance the woodland, and to ensure the successful natural regeneration of appropriate tree species within the woodland. Whilst this objective is essential to the success of the scheme, I note that its application is limited to the woody belt that runs alongside Bunford Hollow only, and the tree belt to the north - which has the main landscape role in visually and physically containing the site, lays outside site ownership. It is essential that this woodland is appropriately managed to ensure its longevity, and as with the off-site planting, I would like to explore the options available to us, to ensure this outcome.'*

(Officer Note: The Landscape Officer has now retired and so there are no further comments from him in relation to the amended plans.)

#### Strategic Housing:

No comments received.

#### SSDC Ecologist:

In response to original plans:

Supported the views of the Tree Officer and Landscape Officer with regard to hedging, woodland management plan and Plot 95.

With regard to the ecology report and mitigation, the Ecologist broadly agrees with the conclusions and recommendations of the Ecological Impact Assessment. He advises that this didn't identify any particularly significant issues but there is some low potential for impact to relatively widespread species (e.g. badger and slow worm) and appropriate mitigation is included in the report. The Ecologist recommends a condition to deal with this issue.

The Ecologist further advises that para 118 of the NPPF expects development to deliver some enhancement for biodiversity and he therefore recommends a condition requiring submission of details of measures for the enhancement of biodiversity.

In response to amended plans:

Notes that a native hedge has now replaced the proposed beech hedge and this should be better for biodiversity and in landscape terms. Notes that Plot 95 now has a native hedge to link in with existing woodland but queries the 'easement'. Confirms support for the landscape planting plan but notes that the landscape master plan still refers to a beech hedge. Queries if existing hedge along southern boundary is retained/managed.

#### SSDC Tree Officer:

In response to original plans:

Expressed concerns about the removal of the roadside boundary hedgerow but welcomed removal of Cypress trees. Suggested coppicing of native hedge and supported beech hedge alongside retained hedgerow which contains young Oak trees. Suggested revisions to planting stock/details of planting/tree protection details/woodland management plan.

In response to updated details:

Confirms that the latest tree protection and woodland management details are most satisfactory but notes:

- Contradictory details between landscaping plans
- Suggest minor changes to proposed species of Malus and replacement of Salix with hazel

#### SSDC Rights of Way Officer:

*'I can confirm that there is a public right of way (PROW) recorded on the Definitive Map that runs through the site at the present time (public footpath Y 29/20). I have attached a plan for your information.*

*The outline application ref. 13/01869/OUT made reference to a potential diversion of path Y29/20 but the path does not appear to have been diverted and therefore this development will obstruct the path.*

*Before we can respond to this application, we would like to see a proposed route of the diverted path shown on a plan by the applicant and clarification that the applicant has control of the land that the proposed alternative path will be located on.'*

(Officer note: It is understood that an application will be made to divert the right of way, however, the requirement for a diversion does not prevent the determination of this application.)

SSDC Open Spaces Officer:

In response to original plans:

*'The 'Landscape Planting Plan' identifies approximately 1.14ha of open space, an amount in excess of that required for a development of this size, which is pleasing to see.*

*We are encouraged by the inclusion of a green entrance and the design of this space has created a substantial and useable area of Public Open Space. Likewise, the inclusion of a centrally located area, which helps to break up the built form and provide a central point in the style of a village green which can be accessed by all residents, is an encouraging feature. We would like to see, however, this central area increased slightly to make more of a substantial and useable feature for the estimated 200+ plus residents of this site, and feel this could be easily done by decreasing the area along the southern boundary/entrance.*

*Additionally, because the development is on an escarpment, we would like to see more street tree planting to help further break up the built form.'*

SSDC Environmental Protection Officer:

*'Condition 9 of the approval 13/01869/OUT reads;*

*09. The application for approval of the reserved matters shall include a sound insulation scheme to mitigate traffic noise identified in the submitted Noise Assessment (SPL Acoustics-March 2013). Thereafter the scheme shall be fully implemented as part of the development and following its installation shall be permanently retained and maintained. The agreed scheme shall detail the following:*

- Size and position of acoustic barriers.*
- Predicted effectiveness of acoustic barriers.*
- Maintenance arrangements of acoustic barriers.*
- Orientation and layout of dwellings.*
- Sound insulation measures of individual dwellings.*
- Predicted effectiveness of sound insulation measures in individual dwellings.*

*Reason: To safeguard residential amenity to accord with policies ST6 and EP1 of the South Somerset Local Plan (adopted April 2006).*

*It is not clear to me from the materials submitted that the planning authority is in a position to discharge this condition.'*

Crime Prevention Design Adviser:

Response to original plans:

No objection subject to comments:

- 'I have concerns regarding the re-routing of the existing PROW across the site. It does not appear on any of the drawings. It would offer an easy escape route for the opportunist criminal*
- If it edges the site to the East and North, then it makes a number of properties and vehicles*

*vulnerable from the rear. Units 57 to 67, 95 to 97 & 80 will benefit from a robust boundary treatment. Please consider 2.1 metre height rather than the traditional 1.8 to reduce the risk of scaling'*

Response to amended plans:  
No objection or comments.

#### Wessex Water:

Advise that the site will be served by separate systems of drainage constructed to current adoptable standards. Confirm that the Foul Water Drainage is as anticipated and the point of connection can be confirmed at detailed design stage. With regard to surface water drainage they advise that the will be discharged to local land drainage systems which will require the approval of the local Lead Flood Authority.

They also provide technical advice regarding servicing for plots 79 and 68.

#### Local Lead Flood Authority:

Have requested additional information to deal with a number of requirements of the condition attached to the outline consent including: details of attenuation storage systems/greenfield run-off rate calculations/drainage calculations/proposed pollution control measures/details of outfall arrangement/confirmation that drainage ditch is adequate/clarification of removal of soakaways/proposals for 1 in 100 year event/confirmation from Wessex Water and Somerset County Council that they will adopt proposed drainage systems.

#### Climate Change Officer:

Has raised issues regarding building orientation/daylighting and shading. Suggests that a better layout is possible within the constraints of the site to address these issues. Also advises that the appearance of the dwellings impacts on their capability to accommodate solar panels. Advises that para 96 of the NPPF and policy EQ1 of the South Somerset Local Plan 2006-2028 support good orientation and consideration of appearance to minimise energy use and mitigate climate change.

### **REPRESENTATIONS**

Neighbouring properties to the site have been notified. A press advert has been placed and 2 site notices have also been displayed (major development).

Two letters of representation have been received; one in support and one letter of objection. The letter of objection makes the following comments:

- Object most strongly to this as it would be saturating the area on prime agricultural land
- There are three other proposals in the vicinity which are for houses on prime agricultural land.
- This will make a traffic blockage on the A30
- Infrastructure of the area is not fit for purpose

The letter of support makes the following comments:

- Given position of site and investigations carried out (archaeology etc.) and good level of consultation/communication have no objection to this proposal by a local developer with an excellent reputation

### **CONSIDERATIONS**

#### Principle of Development

The principle of developing this site for residential development has been established by the outline permission (13/01869/OUT) granted in 2015. As such, the issue of the loss of 'best and most versatile' agricultural land has already been assessed and found to be acceptable.

The outline permission included 'access' as a matter for consideration at the outline stage and, as such, there is detailed consent in place for the proposed access arrangements. The key issues therefore are the 'reserved matters', i.e. layout, scale, appearance and landscaping.

### Layout, Landscape Impact

The application site does represent a natural rounding off to the south west of Yeovil's urban area and is a flat site adjacent to a steep sided coombe. To the north is land with approval for new commercial development. Save for the public right of way that crosses through it the site is well hidden from other public vantage points by existing planted boundaries on the east and southern sides and by the wooded area to the north/northwest.

The historic park of Brympton d'Evercy is just under 1km to the west of the site. The Historical Assessment of Yeovil Periphery (July 2010) notes that the park and gardens of Brympton d'Evercy are Grade II\* listed and were originally laid out in the 17th Century. The pleasure grounds are described as extending to 9 hectares and the park to around 36 hectares. Brympton House is Grade I listed. Whilst the wider area is considered highly sensitive in terms of both the receiving landscape and the setting of historic assets only the western tip, falls within the visual envelope of the Historic Park and Garden. This is mostly due to the existing wooded area to the north/north west. Proposed planting along the western edge would also provide a robust and defensible edge to the expanded settlement and one that reflects local landscape character.

The application has amended in order to address the concerns of Historic England who have welcome the amendments but remain of the view that the proposal will cause a level of harm to the significance the designated heritage assets at Brympton d'Evercy derive from their settings and they remain of the opinion that the level of harm is within the range of less than substantial. They therefore advise that it is for the local authority to consider where sufficient reduction in the harm caused has been made at the current time, and where the local authority considers the harm to be outweighed by any public benefits arising from the proposed scheme. Historic England's remit does not extend to the planning balance and they therefore recommend consultation with the local authority's specialist conservation advisors combined with Historic England advice so that sufficient understanding of the impact of the amended proposals and appearance of the consented scheme as well as in relation to the effect of the amended mitigation to be convinced that all opportunities to avoid or minimise harm to designated heritage assets have been designed in. They conclude that this will then enable a determination in accordance with the principles and policies set out under paragraphs 129, 131, 132 and 134 of the 2012 NPPF. Since making their comments the revised NPPF has been published which makes some changes to the guidance in relation to the historic environment but retains the advice that in the case of a development proposal leading to less than substantial harm to the significance of a designated heritage asset (new paragraph 196), this harm should be weighed against the public benefits of the proposal.

Given that Historic England have advised that the proposal will result in less than substantial harm it is necessary to weigh the harm against the public benefits of the proposal. In this case, the site has been granted outline consent for residential development and the plans have been amended in order to reduce the impact upon the setting of the listed assets. The only part of the site that would be visible from Brympton d'Evercy would be the section of the site at the western edge. The proposed dwellings on this part of the site have now been set back by at least 28m with a landscaped area to the front. There are size dwellings proposed in this part of the site with large areas of public open space and the proposed play area. Given this set back and additional landscaping it is felt that the applicants have taken full opportunity to minimise the harm to the heritage asset. Furthermore, the Council does not currently benefit from a five year supply of housing land and as such appropriate weight has to be given to the provision of housing on a sustainable site that benefits from outline permission. In addition, the scheme provides other public benefits such as affordable housing, off-site highway/pedestrian/cycle improvements and public open space. As such, it is considered that there are public benefits to the scheme that weigh heavily in the schemes favour which allow for a favourable recommendation despite the harm caused to the heritage asset.

It is therefore considered the site can be developed in a manner to safeguard the setting of the Historic Park and Garden and the wider landscape in general in accordance with the NPPF and Local Policies EQ2 and EQ3.

### Scale and appearance

The application has been amended to take into account the comments of the Landscape Officer and Conservation Officer with regard to scale and appearance of the dwellings. Appropriate amendments have been made to the buildings design and scale in order that the development will contribute positively to the character of the area. It is felt that the amended plans have now dealt with the majority of the issues that have been raised and the development is now acceptable in terms of its scale and design.

### Highway Implications

The highway works were agreed at the outline stage and this involved the creation of a vehicular access off West Coker Road, located approx. 70m to the west of the junction with Nash Lane and approx. 175m from the roundabout. To facilitate access into the site and enhance access to Nash Lane right turn lanes are to be created and the carriageway widened locally to three lanes. In addition to the vehicular access, improved pedestrian connectivity was included on an east-west axis along West Coker Road from the roundabout across the frontage of the site in the form of a footway/pavement link to the White Post Garage. The garage contains a well-stocked convenience shop and at present has very poor and potentially unsafe pedestrian access. The footway/pavement will also take in and improve access to the bus stop which is on the east bound carriageway and itself will be upgraded. There is also a crossing point via a pedestrian central refuge island close to the proposed new vehicular access. The crossing point will be linked to Nash Lane through the existing verge via a short pathway. An additional stretch of pavement on the site side will also be provided to link this point to the bus-stop.

In terms of the detailed highway layout the County Highway Authority have advised that the proposal will be subject to the Advance Payments Code (APC) unless the internal estate roads are constructed to an adoptable/appropriate standards. The County Highway Authority have confirmed that they have no objection to the proposed internal road layout but there are issues that may affect the adoptability of the internal estate roads. They also provide advice regarding the required details for the footway/cycleway routes and onsite drainage. Overall, the County Highway Authority have confirmed that they do not wish to raise an objection to the proposal subject to the imposition of a number of conditions. However, it should be noted that a number of the conditions recommended by the County Highway Authority have already been imposed at the outline stage and two other conditions in relation to the use of garages and a highway condition survey are not appropriate to be added to a reserved matters consent as they should have been suggested by the County Highway Authority at the outline stage.

With regard to parking, 225 car parking spaces are to be provided across the site and cycle parking can be provided within garages/sheds. The parking provision accords with the parking standards and is therefore considered to be acceptable.

The proposal is therefore considered to accord with policies TA5 and TA6 of the South Somerset Local Plan 2006-2028.

### Affordable Housing

Currently, this is to be provided in accordance with the details agreed under the S106 agreement associated with the outline consent however it is noted that there is a current application that has been submitted to vary the agreement to decrease the amount of affordable housing provided because of viability issues. This will be considered separately from this application.

### Trees/landscaping

The plans for the landscaping of the site along with the retention of existing hedgerows and trees have been amended in accordance with the advice of the Landscape Officer, Ecologist and Arboricultural Officer. As such, there are now comprehensive plans proposed along with a woodland management strategy to cover the whole site and provide appropriate planting solutions that will enhance the immediate setting and larger rural environment.

### Wildlife

The application is supported by an Ecological Impact Assessment which didn't identify any particularly significant impacts. However, the Ecologist advises there is some low potential for impact to relatively widespread protected species (e.g. badger and slow worm) and slow worm and therefore a condition is recommended to require appropriate mitigation. In addition, the ecologist recommends a condition to require measures for the enhancement of biodiversity.

It is therefore considered the proposal complies with the NPPF and policy EQ4 of the Local Plan.

### Drainage

The Local Lead Flood Authority has requested additional information to deal with the drainage issues at the site before being able to confirm that the detailed arrangements are acceptable. As such, it will be necessary to include a condition to deal with this issue.

### Play, Sport and Open Space Provision

This has been secured through the s106 agreement associated with the outline permission and the plans include appropriate provision of on-site play facilities.

### Public Right of Way

A public right of way runs through the site and therefore a diversion order will be required in order to reroute the footpath. It is understood that discussions are taking place with the relevant landowners to divert the path on land adjacent to the site in order to ensure the provision of pedestrian and cycling links. The diversion order would be secured through alternative regulations and does not preclude the grant of planning permission which doesn't override the requirement to seek the relevant diversion of the footpath.

### Other Matters

Comments of the Parish Council - The plans are considered to show appropriate arrangements for pedestrian/cycle routes around and through the site. There is existing infrastructure to support pedestrians and cyclists accessing the bus stops within the vicinity and to access West Coker Road and Lysander Road. The plans have been fully considered by the County Highway Authority who are content with the proposals.

Sound Insulation - It is proposed that the windows will be double glazed to provide an appropriate level of sound insulation for the development and this is considered to be acceptable in light of the noise assessment information that has been provided.

Comments of Climate Change Officer - Whilst the comments regarding layout are noted, it is also important to ensure that the scheme provides a high standard of design layout. The application is accompanied by a letter which sets out the sustainable items that will be included within the development and these include water usage controls/garden space for outdoor clothes drying/energy labelled goods/water collection butts/cycle storage and composting facilities. As such, it is considered that the developer is intending to provide a scheme that incorporates sustainable features whilst still achieving a high quality layout.

### Conclusion

For the reasons set out above it is considered that these reserved matters should be approved subject to the following conditions.

## **RECOMMENDATION**

Grant consent for the following reason:

01. The proposal is of a satisfactory layout, appearance, scale and landscaping that would have

no adverse impacts on visual or residential amenity, ecology, flood risk, highways safety, heritage assets or landscape character. The proposal would result in less than substantial harm to the setting of the heritage asset and the public benefits of the proposal outweigh this harm. As such the proposal complies with the policies of the South Somerset Local Plan 2006-2028 and the provisions of the National Planning Policy Framework.

**SUBJECT TO THE FOLLOWING:**

01. The development hereby permitted shall be carried out in accordance with the plans as set out on the Plans List as set out in the agent's email of 16 July 2018.

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

02. All protected species mitigation measures, prior to and during development, as outlined in the Ecological Impact Assessment (Greenecology, January 2018), shall be undertaken in full unless otherwise agreed in writing with the local planning authority.

Reason: To minimise the risk of harm to legally protected species in accordance with the Wildlife and Countryside Act 1981 (as amended) and for the protection of biodiversity in accordance with NPPF and Local Plan Policy EQ4.

03. Prior to the commencement of development, details of measures for the enhancement of biodiversity (e.g. bat and bird boxes, wildflower sowing and management) shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme 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 and Local Plan Policy EQ4.

04. No building operations above damp proof course level of the dwellings and garages shall take place until details of:

- specific external wall materials, finishes and colours including sample panels for approval on site to show masonry coursing, jointing, bond and pointing and render finishes.
- details of any proposed parapets, string courses, plinths and mouldings
- specific window and door design details including sections and wall opening details including arch, lintel, cill, window/door surround and reveal depth.
- details of any porches and door hoods
- position and details of meter boxes and any external flue, vent and extract terminals
- roof materials, including samples
- roof ridge, hip, eaves, verge and rainwater goods details
- any chimney, dormer and roof light details.
- external works details of any steps, walls and copings, railings and fencing.
- details of any permanent external lighting proposed on building including any street lighting to be mounted on buildings (not including individual security lighting).

Reason: To ensure that attention to detail is given to provide quality of design in the proposed development in accordance with Policy EQ2 of the South Somerset Local Plan.

05. The development shall take place fully in accordance with the Woodland Management Plan and Arboricultural Method Statement dated March 2018 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure appropriate planting is carried out and existing trees and hedgerows protected in accordance with Policies EQ2, EQ4, EQ5 and EQ6 of the South Somerset Local Plan.

06. The proposed landscape scheme shall be carried out in accordance with details as indicated on approved plans SPP 3012 92-01 Rev F Planting Plan and SPP 3012 P001 Rev H Landscape Master Plan, unless otherwise agreed in writing by the Local Planning Authority. 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 any part of the development hereby permitted 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: In the interests of visual amenity, in accordance with policy EQ2 of the South Somerset Local Plan 2006 and advice within the National Planning Policy Framework.

07. Prior to the commencement of the development hereby permitted, details of the drainage systems as required by the Local Lead Flood Authority in their email of 11 July 2017 shall be submitted to and agreed in writing. The development shall take place fully in accordance with the agreed details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site in accordance with the NPPF.

08. Prior to the commencement of any dwelling on any phase or part thereof, a strategy for the storage and collection of domestic recycling and refuse for that phase or part thereof shall be submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include the locations of collection points (communal if necessary).

Reason: To promote sustainable construction as advocated by the National Planning Policy Framework.

09. 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 and in accordance with Policy TA5 of the South Somerset Local Plan (2006-2028).

10. 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 and in accordance with Policy TA5 of the South Somerset Local Plan (2006-2028).

11. In the interests of sustainable development none of the dwellings hereby permitted shall be occupied until a network of cycleway and footpath connections has 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: In the interests of highway safety and in accordance with Policy TA5 of the South Somerset Local Plan (2006-2028).

12. Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to and approved in writing by the Local Planning Authority. Such provision shall be installed before first occupation and thereafter maintained at all times.

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

13. 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.

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

14. 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 and in accordance with Policy TA5 of the South Somerset Local Plan (2006-2028).

15. The area allocated for parking and turning on the submitted plan, drawing number C-05515/C/0105, 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 and in accordance with Policy TA5 of the South Somerset Local Plan (2006-2028).

**Informatives:**

01. You are reminded that legal Agreement under S106 of the Town and Country Planning Act associated with outline planning permission 13/01869/OUT remains applicable.
  02. You are reminded that a Right of Way crosses this site which will require a formal Diversion Order. Advice can be gained from the Rights of Way Officer.
  03. All Highway, footway and cycleway works will require a legal agreement with SCC Highway Authority well in advance of works and before they start. Requirement to secure an agreement under Section 278 Highways Act 1980 for the necessary works.
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