

## Officer Report for Planning Applications: 14/02554/OUT and 15/03942/FUL

<b>Site Address</b>	Land at Upper Mudford, Primrose Lane, Yeovil, Somerset
<b>Ward</b>	
<b>Parish/Town Council</b>	Mudford
<b>Proposal</b>	<p><b>14/02554/OUT:</b> Outline planning application for up to 765 dwellings (C3); 65 bed Care Home; 2.02ha of employment land (B1); Community Building; Neighbourhood Centre comprising up to 1000m2 retail, (A1, A2,A3, A5) and a Health Centre (D1); new means of access to A359 and to Lyde Road; Master Plan layout, (roads; landscaping; drainage) and associated off site works.</p> <p><b>15/03942/FUL:</b> Engineering works to create two attenuation basins and a landscape buffer to support application 14/02554/OUT (GR 357198/118268)</p>
<b>Case Officer</b>	Marc Dorfman/Simon Fox <a href="mailto:marc.dorfman@southsomerset.gov.uk">marc.dorfman@southsomerset.gov.uk</a> <a href="mailto:simon.fox@southsomerset.gov.uk">simon.fox@southsomerset.gov.uk</a>
<b>Target date</b>	<p>14/02554/OUT: 12-6-14  15/03942/FUL: 17-9-15</p> <p>The outline application (14/02554) is an Environmental Impact Assessment application and through negotiation has had a number of re- submissions and re-consultations in May 2015 and August 2018 when the master plan was changed and it was agreed the EIA assessment should relate to both applications. In February 2019 there was public consultation on the viability assessment and proposed s106 community benefits.</p>
<b>Applicant</b>	Abbey Manor Group Ltd
<b>Type</b>	Major Dwellings of 10 or more or site 0.5ha+ 1,000m2/more than 1ha.

### REASON FOR REFERRAL & POSSIBLE MHCLG HOLDING DIRECTION

This application is referred to both Area South and Area East Committees for comment and then on to Regulation Committee for a formal and final decision. This is because the application site boundary is within both Area Committee boundaries.

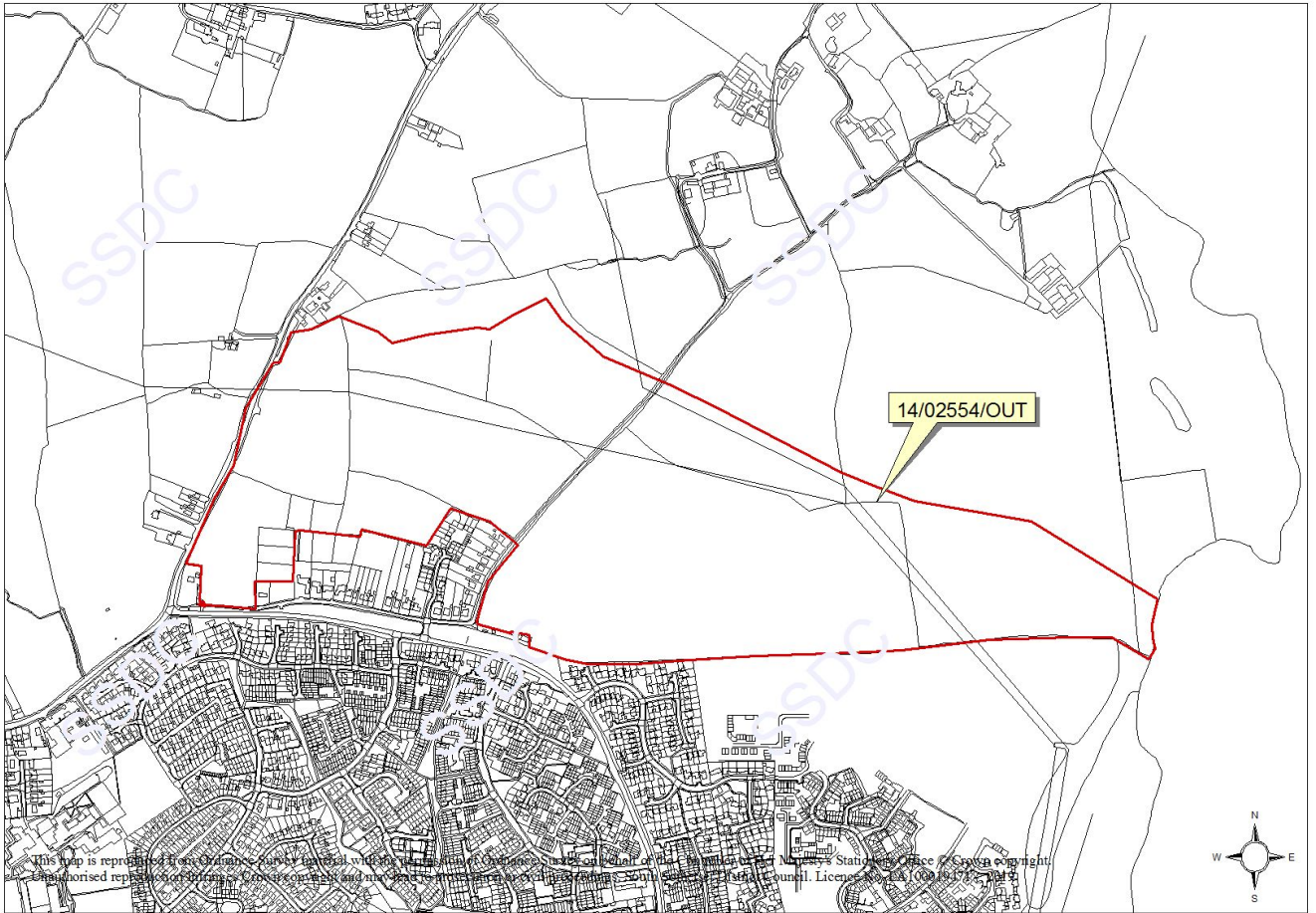
This application is also under a holding direction by the Secretary of State for the Environment (MHCLG). Should the scheme be approved it must first go to MHCLG for review, before a final SSDC decision can be made.

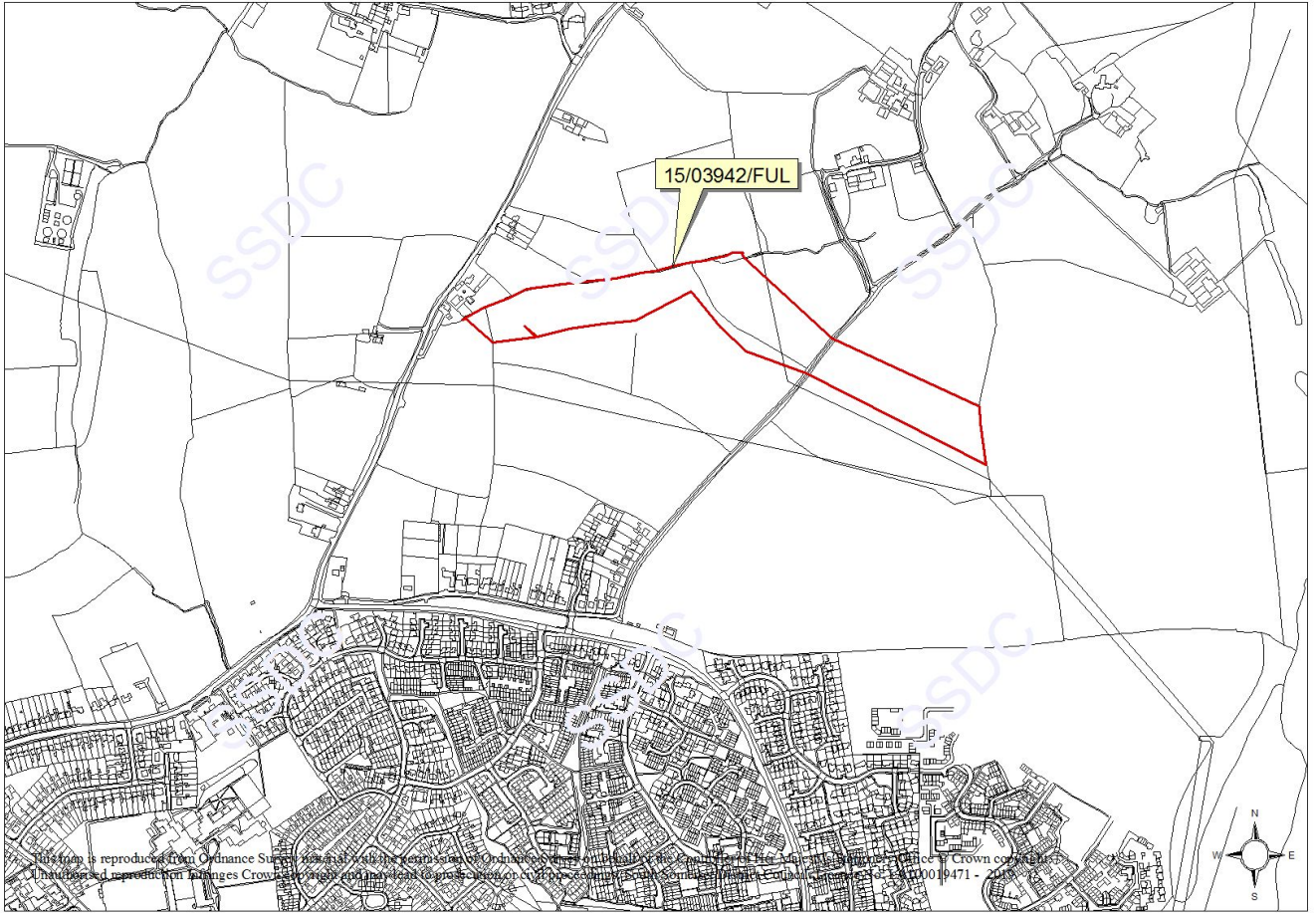
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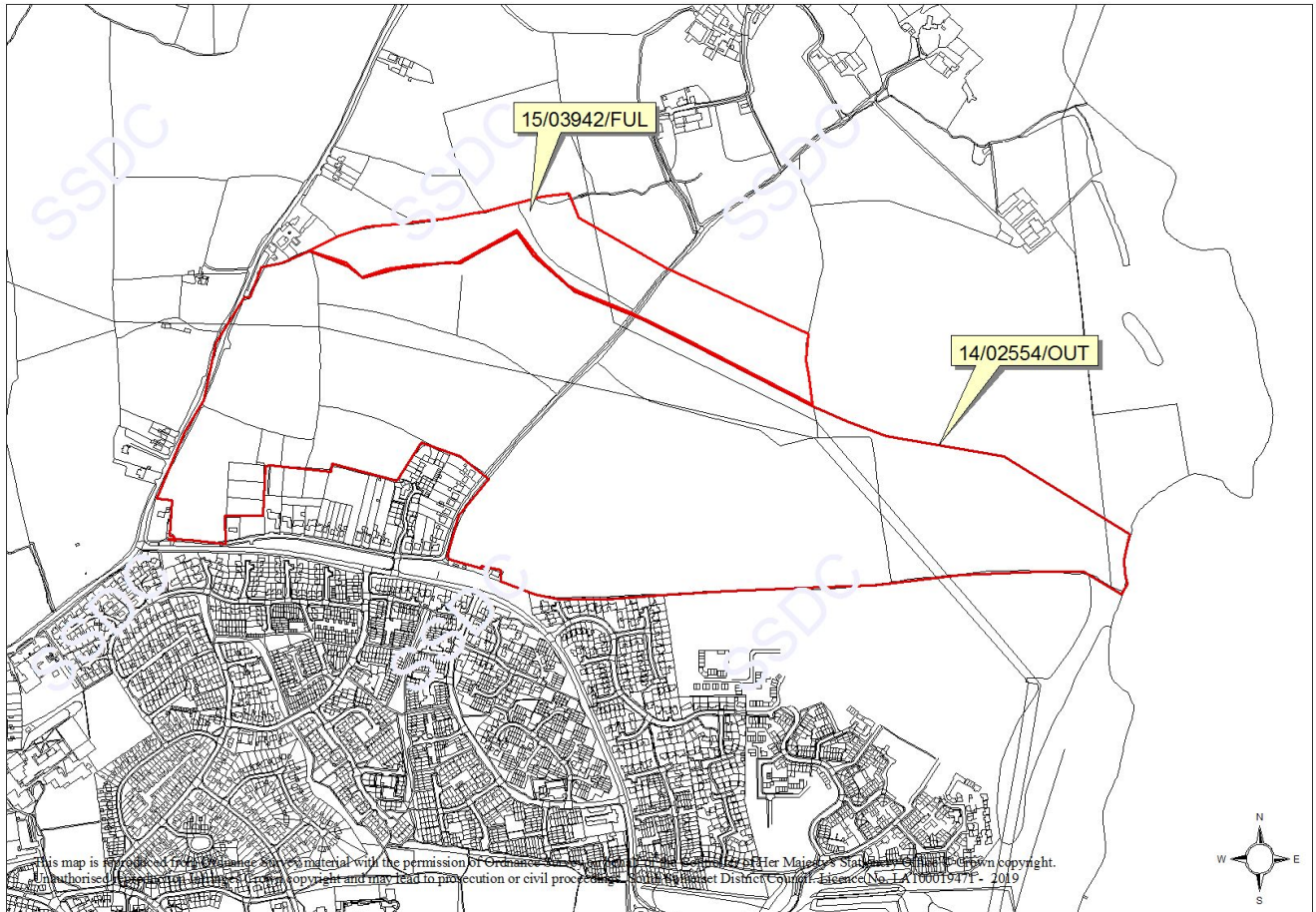
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# 1. SITE PLANS & DESCRIPTION





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The two sites comprise 51.2 hectares of open farmland, just north of the current main Yeovil settlement boundary established by the northern end of Lyde Road and the Wyndham Park neighbourhood. This boundary is punctured at this point by a small residential development on Primrose Lane and The Grange.

The 2013 SSDC Peripheral Study, describes the site as **“a rolling extension to Yeovil’s northern escarpment, less dramatic than the incised main escarpment, (to the west)”**. The site is bounded by and contains fences and hedgerows. There is limited tree presence on site, but those that exist are covered by a Tree Preservation Order, (and are proposed to be kept in the proposed development scheme). From the top of the escarpment, (Wyndham Park, Lyde Road and Primrose Lane – the southern side of the site), the site falls east towards the Yeo valley and river, to the north to Up Mudford hamlet and to the west to the A359, Combe House and Oaklands.

To the south the site is bounded by the Wyndham Park neighbourhood and homes off Redwood Road, Lyde Road and some 60 homes accessed by Primrose Lane and The Grange. To the west is Mudford Hill A359. To the north are agricultural fields and associated farmsteads, a high pressure gas main and Up Mudford hamlet. To the east lies fields and the River Yeo which flows north to the River Parrett.

The immediate area is characterized by 3 land and settlement forms:

- Suburban – Primrose Lane homes and Lyde Road – to the south west
  - Urban – Wyndham Park – to the south east
  - Rural – farmland and small hamlets and villages – to the northwest, the north and north east.
- This is the predominant land and settlement form.

There are long attractive views from the site particularly to the north and north east over traditional

Somerset countryside of rolling hills, small villages, hamlets and farmsteads. Equally and critically for the consideration of planning permission, there are attractive views towards the site and again particularly from the north and north east.

From the west, views are somewhat restricted because of the western tree buffer along the A359 on the site and the incised main escarpment to the west that forms the urban limit to Yeovil. Nevertheless, the site can be seen from Sock Lane/Sock Hill and from Stone Lane further west, (where development has been allowed to break through the normal northern boundary of Yeovil, by some 500m). Views from the “suburban south west” are restricted because of tree planting and the Primrose Lane development, but views from the rear of Primrose Lane/The Grange properties are unrestricted. Views from the “urban south east” boundary and the northern edge of Wyndham Park are unrestricted.

The majority of the site is in Flood Zone 1, (low probability of flooding). The very eastern corner of the site, closest to the Yeo River is in Flood Zone 3 on which the application proposes no development, only open space.

The majority of the site is Grade 3b agricultural land, (i.e. not “best and most versatile”). Central and south-western parts of the site are Grades 3a and 2 respectively. Within the site there are no Public Rights of Way.

## **2. PROPOSAL**

The site is subject of a Local Plan Allocation for a Sustainable Urban Extension to the north east of Yeovil.

The proposal being considered is for two applications - a full application 15/0392/FUL, for 2 northern attenuation ponds and landscaping serving the outline scheme 14/02554/OUT, for a new village sized extension to Yeovil. (The full application was submitted following a request from the County Education Service for the early development of a new primary school on the site which would have required attenuation measures. The County LEA changed its mind and instead opted to build a school at Wyndham Park).

These joint applications seek approval for:

- Up to 765 homes of which 15% (115) would be affordable
- In addition to Primrose Lane, 3 new points of vehicular access are proposed:
  - A main new 3 arm roundabout access and east/west spine road from the A359.
  - A new limited road access with a bus gate from Lyde Road to service a smaller number of homes and the neighbourhood centre.
  - And a new limited road access with a bus gate to service a proposed community centre off the Collingwood Road roundabout on the existing 800 home Wyndham Park neighbourhood.
- Provision for bus gates from both Lyde Road and Collingwood roundabout, serving both the proposed new UE and Wyndham Park. Funding to support a bus service.
- Primrose Lane, which currently runs from Lyde Road to Up Mudford and Mudford via Hales Meadow, would cease to be a through route. It would act as a vehicle access road for existing Primrose Lane homes and those in The Grange. North of Primrose Lane homes, the road would become a pedestrian, cycle and open space route until the spine road. This would prevent rat running through Primrose Lane.
- The land budget proposes at total of 51.2ha. This would be made up of
  - 2.0ha employment,
  - 0.6ha care home
  - 0.7ha neighbourhood centre, (shops, health centre & community centre)
  - 27.3ha residential and

- 20.6ha of informal landscaped open space, parkland corridors, play areas and formal sports pitches, (40% of the total 51.2ha). This 40% does not count residential gardens, incidental open space around the employment uses and care home, nor the 6.9ha of proposed open space woodland and 2 northern attenuation ponds, within the adjacent and linked full application proposal (15/03942/FUL).
- The proposed neighbourhood centre would link to Wyndham Park via a landscaped foot and cycle path as well as via a bus link. The integrated Primrose Lane/Wyndham Park centre would link to the town centre by a bus service and cycle paths via Lyde Road, via the eastern country park and via Runnymede Road/Cavalier Way.
- A new community centre is proposed to service both the urban extension and Wyndham Park. This is designed to be close to Wyndham Park along with primary school sports pitches and communal play area, (including MUGA and NEAP).
- The scheme will fund an extension to the existing primary school as well as preschool facilities
- To the north of the site, in walk distance from the proposed community centre, the scheme would provide more formal sports pitches.
- A 65 bed Nursing/Care home
- 2.0Ha of employment land, (equivalent to 500-700 job spaces based on 4/5000m<sup>2</sup> of floor space per hectare for B1, and then divided by 16m<sup>2</sup> per worker)
- Drainage infrastructure and other associated highway works

### **3. PROPOSED S106 COMMUNITY BENEFITS AGREEMENT & THE SCHEME VIABILITY ASSESSMENT**

**Proposed s106 cash contribution is proposed to be £9,648,238, plus £904,892 for off - site highway works, giving a total s106 package of some £10,553,130.** Please see Appendix 1 "Viability Assessment and proposed s106/278 Community Benefits".

In addition to the formal s106 package of £10.5m, the following community benefits are also proposed to be provided:

- £4.8m for affordable housing (15% - 115)
- Community land valued at £9m, (sports pitches land for the primary school at £400k; formal sports pitches valued at £1m and open space and parkland at £7.6m)
- Public open space works valued at £1.8m and
- Other on site infrastructure works valued at £0.9m

Community Benefit contributions are proposed under 6 headings: Education; Open Space, Leisure and Play; Community and Culture; Green Infrastructure; Affordable Housing and Highways and Transport.

These sums and projects were developed out of a negotiated balance between Local Plan policy requirements, site development costs and projected market values from the provision of 765 homes with different percentages of affordable homes, in different quantities of affordable tenures, (details in Appendix 1 "The Scheme Viability Assessment"). This document was also put out to public consultation.

The components of what is known as "Legal Agreement Heads of Terms" are proposed to be as follows:

#### **3.1 Education**

The **£3,400,000 Primary and Pre - School** contribution to extend existing primary school at Wyndham Park to create a 14 class school with Preschool facilities. Land will be provided for

playing fields and for Primary School to be extended - value £400,000.

The **£2,684,988 Secondary Education** contributions is made up of a payment of £3,509 for each of the 765 dwellings proposed on the site.

### 3.2 Open Space and Play

The **Public Open Space** Contribution of **£824,400** would comprise:

- £30k for growing/allotments
- £180k for 2 LEAP play areas (£90k each)
- £267,371 for proposed Large Play Area on the boundary between Mudford/Wyndham close to the existing Wyndham Park Primary School
- £47,499 for the proposed Large Joint MUGA. (It is proposed that the £80k MUGA Wyndham s106 is added to the £47,499 to make a budget of £127,499 to create a joint MUGA next to the proposed Mudford Large Play Area. This would still leave £63,691 of Wyndham s106 funds to spend on landscaping for the Wyndham Circus site and the original Wyndham MUGA site).
- £299,530 – Playing pitches

### 3.3 Open Space and Play Commuted Sum

The **Play and Open Space Commuted maintenance and management** fund is proposed to be **£553,771**.

### 3.4 Highways and Transport

The **Transport** Contribution of **£1,394,750** would comprise:

- £189,750 to fund a travel plan coordinator and travel plans to promote sustainable transport for each home, (details to be agreed as part of any reserved matters scheme)
- £300,000 for a Bus Service contribution,
- £60,000 for Bus stops and shelters,
- £550,000 for the Lyde road cycle project to link the site, Wyndham neighbourhood via Lyde Road to Pen Mill Station and the town centre
- £200,000 for an urban cycle route to the town centre via Runnymede Road/Cavalier Way to community sports facilities, Birchfield School and the town centre.
- £80,000 for the riverside walk/ country park pedestrian and cycle links,
- £10,000 signage for the Mudford village cycle lane route, and
- £5,000 for the cost of the traffic regulation orders.

The total costs of works for **off - site Infrastructure improvements** has been assessed as **£904,892** for the purpose of the viability assessment. These works will include improvements to Mudford Road/ Lyde Road Signal junction, road markings at St Michaels Avenue/ Mudford Road Junction and the pedestrian and cycle access improvements on Lyde Road, Primrose Lane and Runnymede Road.

These are estimated costs. Any s106/s278 agreement that may accompany any agreement to approve, would require the delivery of these works, whatever the costs, within reason.

### 3.5 Strategic Facilities – Community Building and Sustainable Development Innovation Fund



- **£370,329 from the proposed Mudford SUE** to jointly fund a new Community Hall, Sports Hall and Changing Rooms for both the Wyndham Park and Mudford communities. (To this sum it is proposed to add the reserved SSDC allocated £400k capital funding and £299,671 reserved Wyndham Park s106 funds for a community centre. **This would make a Community Buildings fund of £1,000,000**).
- **£150k for a Sustainable Construction and Renewable Energy Innovation Fund.** Should the scheme be approved, the applicant is required to submit a Sustainable Construction condition, and the proposed Fund would be available to the LPA to challenge the applicant's proposals and incentivize sustainable improvements – particularly in renewable energy. A £10k cap for feasibility and assessment work is proposed with the remaining £140k to be allocated to formal incentives and improvements.

### 3.6 Community Projects

- **£15,000** has been allowed for a contribution towards **public art on site**
- **£120,000 for Mudford Parish Council**, to contribute to the following PC highlighted projects: traffic calming; public car park extension and the local cemetery.

### 3.7 Green Infrastructure

The total cost of the works for Green Infrastructure, (NB not part of the proposed cash s106 sums) has been assessed as some **£1,881,635**. These works will include ground modelling, structural landscaping, incidental open space, buffer planting and the landscaped event space. Land will be provided for all these areas.

### 3.8 Affordable Housing (AH)

Of the 765 proposed units, Affordable Housing (AH) is proposed to be 15% and is costed at **£4,809,088**. Total AH units proposed to be provided is 115, comprising 30 social rent; 28 affordable rent; 30 shared ownership and 27 discounted sale.

The affordable housing policy target for the two Yeovil Urban Extensions is 30%, subject to viability considerations. It has been assessed that given all the community benefits required for a new neighbourhood, given the appraised land and development costs and reasonable developer profit and risk - that 15% is a reasonable AH contribution.

Appendix 1 sets out the proposed development's "Viability Assessment". This demonstrates that whilst the SSDC CIL Inspector was prepared to accept a land valuation of £200k per acre for housing land, (equivalent to some 9/10 times more than existing agricultural land values at £20/22k per acre), the current Mudford proposal seeks a Residual Land Value of £75k per acre – only 3 to 4 times more than existing use value. This demonstrates value for money for the risk of housing development over a 10 year development programme. For this reason, no "housing clawback" s106 element is proposed.

### 3.9 SSDC s106 Legal Fees

The sum of **£115,000** has been allowed for the cost of local authority fees (County and District) in dealing with the S.106 and the Bonds required for the works. And a sum of **£20,000** has been allowed for s106 Monitoring which has been allowed since 1<sup>st</sup> September 2019. A total of **£135,000**

### 3.10 S106 Trigger Headings

Should planning permission be approved the following infrastructure and community benefits along with appropriate trigger dates and delivery will be incorporated into a S106 agreement:

- i) A395 (Mudford Hill) New Access, Roundabout and Site Spine Road
- ii) Lyde Road New Access and Bus Gate, (including bus gate, pedestrian, cycle, emergency vehicle and turning heads).
- iii) Potential Collingwood Roundabout New Access and Bus Gate: Prior to commencement of development. Details will include pedestrian, vehicle and cycle links from Collingwood Roundabout to the proposed community centre, to the spine road and access for emergency vehicles and buses.
- iv) Primrose Lane Design and "Traffic Calming" (i.e. designs for modifications to the highway layout where Primrose Lane meets the internal spine road).
- v) A359/Lyde Road Junction Improvements, to deliver a "two lane improvement" on all arms, taking appropriate account of the "traffic signalization" scheme at this location and the A359/Combe Street Land new roundabout, (both these latter to improvements, to be provided by the separate Wyndham Park scheme that has been previously approved and subject to a separate s106 agreement).
- vi) A359 and St Michael's Avenue Junction Improvement comprising a "keep clear" markings.
- vii) Cycle and Pedestrian Network, Links and Crossings - a scheme of pedestrian and cycle improvements, including footways, cycle ways toucan crossings on, adjacent to or approaching Lyde Road and Mudford Hill. These aim to support pedestrian and cycle access between the site and Wyndham Park, Pen Mill Station and the town centre.
- viii) Contributions towards Bus Services; Routes, Infrastructure and Costs
- ix) Residential and Commercial Travel Plans
- x) Affordable Housing
- xi) Community, Health and Leisure: land and financial contributions for community facilities, including community and sports hall; sports changing rooms/building and pitches; youth facilities; equipped play spaces
- xii) Open Space and Landscaping: long term maintenance and management regime and retention of 40% open space development component
- xiii) Community and Employment Land: servicing of land
- xiv) Education: land for sports pitches and financial contributions for pre - school, primary and secondary
- xv) Mudford Parish Council
- xvi) Public Art and neighbourhood infrastructure
- xvii) Indexing
- xviii) S106 legal and professional fees
- xix) A "Reallocation of Funds" clause that ensures that should allocated developer funds for community benefits not be required to deliver the benefit, (e.g. "costs less") or because the community benefit would be provided or part provided in a different way or from alternative funding sources, then the original developer funds would be reallocated to a s106 SSDC pot for benefits to this site, to be approved by SSDC.
- xx) Other s106 trigger headings that may be found "necessary, reasonable and related to the site and development" should the application be approved.

## 4. HISTORY

There have been no significant planning applications on the site.  
Environmental Impact Assessment (EIA) Scoping Opinion (16.5.14).

## 5. POLICY

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

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.

South Somerset District Council Local Plan 2006 to 2028, (adopted in 2015).

Relevant policies:

### 5.1 South Somerset Local Plan (2006-2028)

SD1 – Sustainable Development  
SS1 – Settlement Hierarchy  
SS3 – Delivering New Employment Land  
SS4 – District-wide Housing Provision  
SS5 – Delivering New Housing Growth  
SS6 – Infrastructure Delivery  
YV1 – Urban Framework and Greenfield Housing for Yeovil  
YV2 – Yeovil Sustainable Urban Extensions  
YV5 – Delivering Sustainable Travel at the Yeovil Sustainable Urban Extensions  
EQ1 – Addressing Climate Change in South Somerset  
EQ2 – Design & General Development  
EQ3 – Historic Environment  
EQ4 – Biodiversity  
EQ5 – Green Infrastructure  
HG3 – Provision of Affordable Housing  
HG5 – Achieving a Mix of Market Housing  
HG6 – Care Homes & Specialist Accommodation  
TA1 – Low Carbon Travel  
TA3 – Sustainable Travel at Chard and Yeovil  
TA 4 – Travel Plans  
TA5 – Transport Impact of New Development  
TA6 – Parking Standards  
HW1 – Provision of Open Space, Outdoor Playing Space, Sports, Cultural and Community Facilities in Development

### 2015 Planning Inspector Report on the Final Modifications to the Local Plan and Comments on the North Eastern Proposed Sustainable Urban Extension (UE)

The Inspector confirmed 5 important strategic planning issues for the UE:

- There was both design and housing capacity sense in allocating 2 UE sites (south and north east), rather than 1 larger UE - or a “necklace” scheme, (which would have 7441 homes - Yeovil’s share – 47% - of the District’s 15,950 target, scattered across town). A single larger UE would have too much of a design and landscape impact on Yeovil, whilst the “necklace”

approach would not be able to deliver the associated community facilities and public transport benefits of bigger development blocks

- An earlier Local Plan Inspector in 2003 had been clear that the north eastern UE, “should not breach the escarpment without strong grounds”. Those grounds were in 2015 now in place. The 2013 Strategic Peripheral Landscape Strategy had shown the north eastern UE could be achieved and large development sites had been reduced.
- Any development on this north eastern site would have a visual impact...” but even when viewed from Marston Magna, (north of the proposed site), development already breaks the skyline and appears along it....and landscape mitigation would work”.
- With appropriate testing, assessment and planning conditions the suspected “anthrax issue” could be resolved and managed, particularly since all tests in 2012 had proved negative.
- Issues relating to transport and traffic, site access, health and education community infrastructure and the northern gas pipeline – could all be resolved by design, conditions and s106/278 agreements.

## **5.2 Key SSDC Urban Extension Policies and Guidelines**

**YV1 - 1,565 dwellings through Sustainable Urban Extensions**

**YV2 - 765 dwellings in a north east urban extension**

**YV5 - Sustainable Travel in Yeovil’s urban extensions**

### Strategic Land Use Elements

- 765 homes and 30% affordable, (subject to viability)
- Approximately 2.58ha of employment land, (equivalent to 10,400m<sup>2</sup> of floor space and 650 job spaces – 4000m<sup>2</sup> of floor space per hectare and 16m<sup>2</sup> per employee). And one job per new household or access to jobs by walking, bike or public transport
- Primary school
- Health centre
- Neighbourhood centre with shops and community centre
- Generous landscaped public open space and formal sports pitches and play areas

### Key Planning Standards

- 40% of the site as greenspace
- Lifetime homes
- Net gain in biodiversity and strong green and healthy infrastructure, (spots facilities; parks, promoting walking and cycling)

### Special Landscape Guidelines for the North East UE because of the site’s Location

- Conserve the settings of heritage assets
- Set development back from the A359
- Retain existing trees and hedgerows
- Enhance planting along existing hedgerows
- Re introduce woodland planting in the north and north east as a landscape buffer
- Integrate with Wyndham Park with street patterns, corresponding open space and tree planting
- Development on boundary with Wyndham Park where it would not impact on local views
- Divide scheme into discreet development areas encased in landscape. Avoid steep and highly visible slopes
- Bulkier development on areas of less elevation where it could be visually contained

### Sustainable Transport Policies

- Delivery of “non – car” travel options
- Network of on - site foot and cycle paths, linked to walking and cycling routes to the town centre, Pen Mill station and job opportunities
- Car parking that gives priority to electric cars, car sharing, walking, cycling and public transport
- Provision of a new bus service linking the site to the town centre, job opportunities and Pen Mill. 400m walk distance to a bus stop
- S106/278 agreements to deliver traffic mitigation and support for “non – car” modes

### Sustainable Construction and Management Aspirations

- Minimize vulnerability to climate change as set out in Local Plan Policy EQ1
- Water conservation
- Flood prevention
- Waste and landfill limitation and support for recycling
- Long term governance structures to ensure ongoing sustainable development

### Garden Village/City Credentials – 11 Qualities

(“Garden City Principles” – TCPA 2017 and “Garden Communities” – MHCLG 2018)

- Strong local vision and community engagement – designed through public consultation and in a way that respects the natural and historic environment.
- Stewardship – a place that cares for its community assets, infrastructure and public realm, (either through community ownership of land or other means).
- Strategic Fit – holistically planned and adopted by the Local Planning Authority growth options and locational assessment.
- Future proofed – a place that is resilient and can adapt to changing demographics and the impacts of climate change. A place that will conserve water and mitigate against flooding. A place that will anticipate technological change – electric and driverless cars and renewable energy. (TCPA emphasizes, “a place that uses zero – carbon and energy-positive technology to ensure climate resilience”).
- Strategic infrastructure – access to road, rail. Supports high speed broadband. Utility capacity. Plans for social infrastructure.
- Land value capture – delivers community and physical infrastructure through an appropriate form of land value capture.
- Access to finance and private sector investment – through direct investment or developer contributions.
- Clear identity – meaning a “sense of place” with a coherent centre and public realm
- Sustainable scale and well designed – the extension or village has day to day services within a walking distance, (local retail, community and recreational facilities) and it is connected to more strategic services and jobs by public transport and reasonable cycling distances.
- Great homes – distinctive and quality homes. Quality materials. Affordable homes and homes for all stages in life. (TCPA emphasises “homes with gardens, combining the best of town and country”).

- Transport – promotion of public transport, walking and cycling. Easy to navigate and to get to education, strategic health care, shopping and jobs.
- Healthy places and Green space – green and active environment and facilities – open space, growing space, play and sports space and encouraging walking and cycling. Considers opportunities to deliver environmental gains, “biodiversity net gain” and enhancements to natural capital.

An assessment of how this application meets the above “Key SSDC Urban Extension Policies and Guidelines” is set out at Sections 8-16 of this report.

### **5.3 National Guidance - National Planning Policy Framework July 2019**

Chapter 2 - Achieving sustainable development  
 Chapter 4 – Decision-making  
 Chapter 5 – Delivering a sufficient supply of homes  
 Chapter 6 – Building a strong, competitive economy  
 Chapter 8 – Promoting healthy and safe communities  
 Chapter 9 – Promoting sustainable transport  
 Chapter 12 – Achieving well-designed places  
 Chapter 15 – Conserving and enhancing the natural environment  
 Chapter 16 - Conserving and enhancing the historic environment

### **5.4 National Planning Practice Guidance**

Viability Assessments

### **5.5 Other**

Somerset County Council Parking Strategy (March 2012)

## **6. CONSULTATIONS**

This application is an Environmental Assessment scheme. Neighbour letter notifications were sent out and site notices were erected, in addition to the normal internal and external consultation with key stakeholders.

### Key Stakeholder Consultation Comments and LPA Officer Responses

#### **Mudford Parish Council**

(15-3-15, 15-7-15, 6-10-15, 22-10-15, 31-3-16, 1-11-17, 26-10-18 and 1-4-19 Mudford PC, Richard Buxton and Tony Cavalier) **Object.**

Mudford PC has made a number objections over the last 5 years culminating in the production of considered consultant reports in 4 key areas. Along with some general objections, objections on the grounds of drainage, landscape impact, land contamination, (anthrax) and transport & highways are summarised below.

#### General Comments

- Want to see the costs associated with the land that may be contaminated
- Concerned about lack of affordable housing

- Proposed allocation of £20k to Mudford Parish Council is insufficient. The minimum should be £300k for schemes including traffic calming and an extension to the PC cemetery.

#### Drainage and Flooding – Such, Salinger and Peters (2015 and 2018)

- There should be more detail about the long term maintenance of the proposed drainage scheme
- Concern about attenuation ponds design and if they will provide the correct discharge rates
- The attenuation ponds will need further detailed design work
- There needs to be a maintenance plan for the proposed swales
- Any condition of the scheme needs to ensure the most up to date “climate change allowance” is allocated
- Overland exceedance flow routes need to be shown for Pond 3
- It needs to be clear that the scheme will be designed to 2018 drainage standards
- Concern that the “headwall invert level” of the drainage scheme is not correct

#### Further Objections @ 18-9-19

- Re – emphasizing lack of long term maintenance details and design details
- Need for adoption system for the attenuation ponds

#### Landscape and Visual Impact – David Jarviss (October 2018)

- The scheme does not address the concerns of the Council’s own Landscape Architect and Conservation Officer. The scheme does not address Historic England concerns.
- The scheme does not deliver 40% green space
- The applicant’s assessment too simplistic to properly assess the impact of the scheme
- The assessment by the applicant has been undertaken “in full leaf” – the impact could be worse in the winter months
- The applicant’s assessment “plays down” the visibility of the site from important locations and has provided no “photomontages” to evidence opinions taken

#### Further Objections @ 18-9-19

- The 40% open space component of the scheme has been wrongly calculated and should not include playing fields, play areas and attenuation basins which cannot be properly planted to mitigate development on the slope to screen views into the site from the wider northern landscape.
- The applicant’s landscape methodology is broadly correct, but is simplistic and lacks subtlety.

#### Contamination & Anthrax – LQM (January and September 2018).

- The applicant’s evidence on testing for anthrax and assessing the risk is poorly structured and inconsistent. There is insufficient testing to prove the site is safe
- The testing does not prove that there are no animal burial pits on the site
- The developer must demonstrate that there has been adequate site investigation by a competent professional and that the site was safe and suitable for development – this has not been done
- There needs to be a plan for if anthrax is subsequently found once development has been carried out and occupied
- The anthrax issue should be completely resolved before any planning decision is made – if this is not done the site may not be safe, and therefore the only reasonable decision that could be made is to refuse development

#### Further Objections @ 18-9-19

- The LPA seems to believe there are no old “burial sites” on the land – not enough evidence to conclude this.
- Whilst Public Health England, (the foremost authority in the country) have concluded that “the site has been extensively investigated, and ...all samples tested have been negative” – it is not agreed that the site has been extensively investigated.
- The LPA must not assume that parts of the site are not contaminated.
- It is not a reasonable approach to rely on a planning condition to deal with so little initial investigation or to find a viable remediation condition, should an anthrax spore be

subsequently found on site.

#### Highways and Transport - Railton (2015 and 2018):

- Application should be refused on the basis of failure to undertake proper traffic and transport assessments.
- vehicle trip figures seem low – there is likely to be more congestion than estimated by the applicant's consultants and the Highway Authority
- Particular under estimate of impact on the relatively narrow and windy A359 junctions and highway safety issues for villages on the A359 not properly considered.
- impact on A303 will be greater than proposed
- The development site has low transport sustainability – i.e. it is not close to Yeovil town centre and employment uses and existing non car transport is poor. Long term viability of any new bus service is not clear.
- Proposed "travel plans" by the applicant are inadequate

#### Further Objections @ 18-9-19

- Extra road access from Lyde road into the site not properly assessed and not clear how Primrose Lane will be successfully closed
- 2019 assessment year inappropriate. Assessments need to be repeated for 2027. There should not be reliance on traffic surveys in 2010/11
- Injury Data used in the assessment is from 2013 – this should be updated before a decision made
- The proposed scheme should further assess more "sensitive groups and interests" before any decision is made
- Local Parish Council Traffic Counts (Aug 2019) show Mudford Village traffic counts to be on average between 4800 – 4900 travelling both south and north through the village every day. MPC argues that these are very different from the Applicant's submissions which should be re assessed before an SSDC Planning Cttee decision is made.

#### Officer Response

##### General:

- Any cost for dealing with land contamination has been taken into account in the viability appraisal, (Appendix 1) which was published for public consultation.
- The published viability appraisal sets out the reasons for the proposed 15%, rather than the 30% affordable housing target. (The SSDC Local Plan target for SUEs are subject to viability assessments).
- The viability appraisal and detailed content of the proposed community benefits have been published for consultation. It is noted that Mudford PC believe it should be provided with much more than the "published" £20k - this allocation has been revised to £120k as a result of consultation comments. Ultimately it will be for the SSDC Regulation Planning Committee to decide, but the LPA believe a reasonable allocation of the proposed s106 has been recommended. If the scheme is approved the Parish Council will also benefit from the proposed £10m of s106 area – wide community benefits.

##### Drainage and Flood:

- Wessex Water, the LLFA and Environment Agency support the applicant's flood management, drainage and sewer proposals. Two pumping stations are proposed.
- Detailed flood management, drainage and foul flow conditions are proposed and have been agreed by the applicant.
- Concerns raised by Mudford PC about detailed design, maintenance and management issue will be addressed at the "reserved matters" stage should the scheme be approved. Proposed Conditions 7 and 8 set out below demonstrate this.

##### Landscape:

- The key long views of the site are from the south west side of Church Farmhouse in Trent,



(but not other listed buildings), from Western Road between Over Compton, Trent and the Trent Railway Bridge, from the Monarch's Way public footpath and from Rowbarrow Hill, between Western Road and the A359. There are glimpses of the site from Mudford Village that has a good number of listed buildings and there are extensive views of the site from unlisted Mudford homes on Hales Meadow. The greatest landscape and setting impact will be on the hamlet of Up Mudford. There are some very long views from further to the north, but at that these distances it is the Yeovil northern escarpment ridge that draws the eye and the east – west open fields of the site's slope are in a "thin middle" field of view that retains landscape below and sky above. From both long and middle distances it is clear the escarpment is breached with development, (Primrose Lane and Wyndham Park to some extent), – however, even if this were not the case – the proposed development of the site would still retain large views of sky above the escarpment ridge and greenspace, often with substantial trees, hedgerows and open fields below it, in wide fields of view – thus maintaining the dominating rural view and context.

- The scheme is designed to integrate into the surroundings of this northern escarpment, to mitigate long views from the north, including from heritage assets, and to strongly buffer the development from its closest neighbours in Up Mudford and on the A359. The scheme does this through its proposed 16 development blocks set in 40% landscaped open space, with no development at the eastern end of the escarpment, (closest to Trent and Over Compton), a strong retained and planted boundary to the A359 and a wide tranche of open space, sports pitches, attenuation ponds, parkland and new woodlands to buffer the northern boundary of the scheme's closest neighbours in Up Mudford. Six "south – north" parkland and viewing corridors further soften the replacement of fields, (note with no protective planning designation) with development. The Yeovil ridge level, (the southern boundary), which is the landmark feature when viewed from the north and north east is retained by controlling heights across the whole development site. At the southern edge the scheme links closely with the existing Wyndham Park development to create a new integrated neighbourhood centre, but without altering this northern Yeovil ridge of high trees, strong planting and landscaped homes.
- The views north from properties off Redwood Road and on the northern boundary Wyndham Park are compromised in lieu of the planning aim to create a strong new integrated neighbourhood centre. Views from here will change from mainly open rural landscapes to a shorted and contained view of a tree lined and landscaped east – west cycle and footpath, primary school playing fields and general play areas an extended neighbourhood centre, some new homes and the employment zone. With all the development areas encased in its own landscape.
- During the SSDC Local Plan 2006-28 Examination, the Planning Inspector also considered that because of the topography of the site, it was inevitable that almost any strategic development would have a visual impact on the setting of Yeovil. The Inspector also agreed with the findings of SSDC's Peripheral Landscape Study, which concluded that the 40% open space standard for the site and structural landscape would help assimilate the site into its wider context.
- The Mudford proposed 40% open space is policy compliant and has been correctly calculated by the applicant. This is set out by the 2013 Yeovil Peripheral Landscape Study which explains at para 4.2, page 5, that "...balanced against these built and surfaced works is the allowance of 40% open space, which will include for playing fields and multi-functional open space; and an additional allowance for strategic landscape provision...".
- The Local Plan policy for the Mudford site seeks..."bulkier development on flatter topography, and visually contained areas, (i.e.land close to Up Mudford hamlet)...and avoid development on steeper and highly visible slopes". However once considering the site and application in detail, the LPA believes Local Plan policy can be best delivered in the following way:
  - a) encourage the application to limit height across the whole site and then limit density at the top of the escarpment, (an important landmark element from distant views),

- b) focus development in the middle of the site, (but not at the eastern edge), and use north-south open space corridors to protect landscape views into the site from the north and north – east, and finally to
- c) provide a strong and deep landscape and open space buffer for the closest and most impacted neighbours in Up Mudford and the closest listed buildings – effectively giving Up Mudford a new “contained” landscaped context, in return for the loss of the original “open” context.

The above strategy is further supported because long and medium views into the site from the north, whilst seeing “east – west” development on the slope, (mitigated by a series of north-south open space corridors), will be seen in a “a wide but thin view” with sky above and landscape below, thus supporting both the site’s integration into the general landscape view – and properly buffering the Up Mudford hamlet.

#### Contamination:

- Public Health England (PHE) and SSDC’s Environmental Health Service have no objection to development on the site.
- A “belt and braces” pre commencement planning condition will be imposed, (agreed by the applicant) to further allay public fears about contamination, (Condition Nos 9+15).
- Both the Council’s advisors and the independent PHE have found:
  - i) The site has been extensively tested and all tests have proved negative in terms of anthrax
  - ii) Impartial Public Health England testing of the applicant’s soil samples has been expert and robust, and no indication of anthrax has been found.
  - iii) Anthrax has reduced to one death a year in the country - and this is usually due to imported feed/hides. Contamination on/from grazing land is generally not evident in the country. And there has been no cases of anthrax infection of humans in association with development areas – whether land was previously grazed farmland or brownfield site, such as tanneries.
  - iv) There is no evidence from the testing of any old tannery works on this site.
  - v) Anthrax spores tend not to spread
  - vi) Testing is best done at known burial pits and associated water areas e.g. ditches and drainage. This testing has been done by the applicant and no tests have found any sign of anthrax. No actual burial sites have been found, only suspected burial sites and then once tested, no sign of anthrax has been found.
  - vii) There have been no cases of infected grazing livestock, since the historic incident, which might have been expected in the presence of anthrax
  - viii) Additional testing will be secured by condition before any construction commences
  - ix) The site is safe for development

#### Further Objections @ 18-9-19 and Responses

- Objection: The LPA seems to believe there are no old “burial sites” on the land – not enough evidence to conclude this  
Response: This is not true. To date the evidence for “burial sites” is anecdotal. All actual, physical tests carried out to date have all proved negative. Notwithstanding this the LPA is proposing a “belt and braces” planning conditions Nos 9/15 set out below.
- Objection: Whilst Public Health England, (the foremost authority in the country) have concluded that “the site has been extensively investigated, and ...all samples tested have been negative” – it is not agreed that the site has been extensively investigated.  
Response: PHE is the foremost authority on contamination in the country. Notwithstanding PHE’s view that the site has been extensively investigated, PHE has suggested some further tests in advance of any development. This will be done and is set out in proposed Conditions

Nos 9/15. In addition to this, Condition 9 also sets out a further regime of testing to be carried out through - out the life of the development.

- Objection: The LPA must not assume that parts of the site are not contaminated  
Response: The LPA does not assume this and Condition Nos 9 proves this.
  
- Objection: It is not a reasonable approach to rely on a planning condition to deal with so little initial investigation or to find a viable remediation condition, should an anthrax spore be subsequently found on site.  
Response: This is not agreed. The site has been extensively investigated – this has been agreed by the independent Public Health England – and further, to date, no trace of anthrax contamination has been found. Notwithstanding this, the proposed Condition Nos 9 sets out an “industry standard” precautionary condition that will ensure the site will be completely investigated before each phase of development begins and should contamination be found, this will be removed/dealt with on the advice of industry experts. This is a reasonable and normal approach to planning and risk management.

#### Transport and Highways:

- There are no objections from the Highways Agency and Dorset County Highways. Somerset County Highways supports the scheme.
- The application has assessed the traffic and transport implications of the proposal based on guidelines set out by the County Highways Authority and the national Highways Agency.
- There will be traffic growth on the network as a result of the proposed development, but most of the growth would be there in any case, (natural growth). There will be no significant impact on the trunk road network.
- More locally, a range of improvements would be required to mitigate congestion at key junctions and these are proposed to be supported, (see Section 3 and condition 30).
- There are no traffic and transport reasons or highway safety concerns that would warrant an objection.
- Indeed, the scheme will provide real opportunities to development “non - car” travel to local facilities through walking, cycling and use of new bus services.
- County Highway Authority agreed that the Parsons Brinkerhoff “trip rates” could be used for the submitted Transport Assessment (TA), subject to additional sensitivity tests for each of the key land use types, (nursing home, neighbourhood centre, health centre, school, employment and residential) of the proposed scheme, and for particular junctions of concern. The applicant’s TA assesses traffic in 2014 and 2019 and an Addendum submitted in May 2018 reviews the TA “traffic growth” and baseline data. Whilst baseline data is currently predicting a “slow – down” in traffic growth, (because of “flat” UK productivity; fall off in car purchases; Brexit), the Mudford scenarios have used a positive growth trajectory to ensure an assessment of the worst case scenario.
- With regard to concerns about the “future assessment year” – it should be noted that all applications that come forward in advance of the Mudford scheme, are required to take “scheme Mudford” into account as a “commitment”, and therefore any concerns about “un-tested future impacts” fall away.
- The proposed access into the site from Lyde Road was assessed as part of the TA in February 2015. So this access has been assessed. In any case it will only serve a very limited element of the proposed new development.
- The extra emphasis of the whole scheme on sustainable modes of travel will support all “sensitive groups and interests”. The proposed closure of Primrose Lane will further support this. The TA looked at sensitive groups and locations and accident levels and there have been no objections from SCC Highways subject to appropriate congestion and access mitigation and standard planning conditions.
- Alternative access routes to the main road network means that the risk of the closure of Primrose Lane “not being supported” is very small – it makes good access, urban design and

highway safety sense. Should the closure not be supported, the proposed scheme would not be undermined and could function without the closure.

**Yeovil Without Parish Council ([clerk@yeovilwithoutparishcouncil.gov.uk](mailto:clerk@yeovilwithoutparishcouncil.gov.uk) Ms. Appleby)  
Stated to also be on behalf of Brympton, Chilthorne Domer and Tintinhull Parish Councils  
(30-6-14, 7-4-15) **Object****

TPO on all trees on the site should remain. Anthrax possibility needs to be resolved.

New limited access road between Collingwood roundabout and community centre should also be car access, not just a bus gate.

Construction traffic for the new/extended school should come from Wyndham Park

New limited access from Lyde Road to site should be a roundabout.

Concerns that the applicant's Transport Assessment (TA) is not robust and that there will be more traffic and congestion than predicted.

The Local Plan SUE housing allocation of 1565 new homes should all be built in south Yeovil not in the north east – better access to the town centre, public transport and strategic access roads more appropriate.

**Officer Response:** TPO will remain in place. No roundabout for the Lyde Road new access since it is a "limited access" route and bus gate. Construction traffic routes will be decided at "reserved matters" stage. Transport Assessment data and traffic counts have been considered by the Somerset HA and no objections have resulted. No objections either from Highway Agency or Dorset County Highway. See also Section 11 of the report below. The possibility of anthrax on the site has been robustly tested. The site is safe for development and a "belt and braces" condition has been proposed at Nos 23 below. The proposed site of this UE is in a sustainable transport location and through highway and transport mitigation will not significantly impact on the landscape value or traffic congestion in the area.

**Yeovil Town Parish Council  
(24-9-14) **Object/Concerns****

The site must have public transport. There needs to be adequate community facilities to support housing growth.

Highway improvements are needed before the new housing arrives.

There should be a substantial proportion of affordable homes on this site. Too much land allocated for employment.

The development is too big on the valued rural site. Too prominent on the skyline. Concern about loss of good agricultural land and potential flooding

**Officer Response** – There will be public transport and cycle path improvements and there will be new community facilities. There is proposed to be 15% affordable homes (115) and Appendix 1 Viability Appraisal shows this is reasonable. Employment land allocated – some 2.6ha (2ha business and 0.6ha care home) out of 51 is not significant and provides for a good land use balance. The adverse landscape impact is mitigated by the design of the scheme and a 40% allocation to open space. There is some loss of good agricultural land, but the scheme will provide a "growing area" and the homes are a critical strategic housing need. Wessex Water, Environment Agency and LLFA all have no objection to the scheme subject to the normal planning conditions to manage surface water, foul flow and drainage.

**Queen Thorne Parish Council (Dorset)  
(13-10-14, 18-3-15, 9-10-18 and 16 +20-5-19) **Object.****

Unacceptable landscape intrusion by development and adverse impact on the setting, (i.e. the rural backdrop) of Trent Conservation Area Listed Buildings. Object on the ground of possible anthrax contamination and possible flooding. Local farmers are concerned about flooding and the combination of flooding and the possible spread of anthrax, (bio security). In terms of drainage there seems to be no proposed long term maintenance/management of surface water drainage. Concerned also about sewer capacity and maintenance.

Object on the grounds of traffic congestion on the A359 which will lead to more rat running around Trent, Over Compton and Queen Thorne. Please will Dorset Highways examine this issue and support these objections. (NB response from DCC Transport Development Management on 17-10-18: likely harm to Dorset Highway network would be below the threshold for any objection on highway grounds. Fears of “rat – running traffic” are not supported by DCC Transport Development Management).

**Officer Response:** see comments in response to Mudford Parish Council

#### **Dorset Council Ward Member**

(29-5-19 Robin Legg) **Object**

Landscape intrusion and adverse impact on the setting, (i.e. the rural backdrop) of Trent Conservation Area and in particular the Church of St Andrews, The Chantry and the Church Farmhouse. Support objections from Mudford and Queen Thorne parish Councils. Object on the ground of possible anthrax contamination

**Officer Response:** see comments in response to Mudford Parish Council

#### **Dorset Council Planning Service**

(7-6-19 Jean Marshall) **No Objection, but some concerns**

Scheme is in accordance with Local Plan Policy YV2 and the mix of development is acceptable, therefore no policy objections. School provision is being made.

Concern about objections raised by local ward member Robin Legg and Queen Thorne Parish with regard to flooding and possible anthrax contamination, particularly the link between these two issues.

**Officer Response:** see comments in response to Mudford Parish Council

#### **Dorset County Council Planning Service**

(14-9-15 Mike Garrity) **No Objection, but some concerns**

Landscape impact; provision of school capacity and transport impact and infrastructure.

**Officer Response:** Design and landscape mitigation has met the 8 tests set out in the SSDC Local Plan at para 6.32 linked to YV2. Please see below Officer Responses to representations made by Historic England and Planning Considerations section 10 below. Both the Somerset and Dorset County Highway Authorities have no objection to the scheme. And Somerset County Education Service has no objection to the scheme and its proposed provision of resources for pre, primary and secondary education.

#### **Dorset County Council – Transport Development Management**

(17-10-18 Ian Madgwick) **No Objection**

Likely harm to Dorset Highway network from the proposed SUE would be below the threshold for any objection on highway grounds. Fear of “rat – running traffic” in Trent, over Compton and Queen Thorne is not supported by DCC Transport Development Management.

**Officer Response:** This view is supported by Somerset County Council Highway Authority.

#### **West Dorset District Council – Planning Service**

(11-9-15 Hilary Jordan) **No Objection but some concerns**

Concern to harm of landscape back drop performed by the site when viewed from West Dorset and Trent. Need for landscape mitigation and better configuration of the open spaces. Concern about transport impact and implications.

**Officer Response:** See comments made above in relation to representations from Mudford Parish Council, Dorset County Transport and Dorset County Planning Service.

#### **Education (Somerset County Council)**

(2018) **No objection**, subject to financial contributions to be secured through a S106 Agreement. £6,084,988 agreed in principle, (Pre School/Primary £3,400,000 & land and Secondary £2,684,988)

Officer Response – Section 3 of the report and Appendix 1 show these sums are agreed.

### **Highway Authority (Somerset County Council)**

(8-11-18) **No objection**

The Highway Authority and the Highways Agency supports the applicant's traffic model and its assumptions and has no objection to the scheme subject to conditions and s106/278 obligations set out in Section 3 of this report. These relate to the following Highway and Transport improvements:

- i) A395 New Access and Spine Road
- ii) Lyde Road New Access and Bus Gate
- iii) Collingwood Roundabout New Access and Bus Gate
- iv) Block "A" Access off Primrose Lane
- v) Primrose Lane Re Design and Calming
- vi) A359/Lyde Road Junction Improvements, (signalization and two lanes on all arms)
- vii) A359 and St Michael's Avenue Junction Improvements, (a "keep clear" improvement)
- viii) Lyde Road and Mudford Hill Cycle and Pedestrian Network and Crossings
- ix) Bus Services
- x) Travel Plans for homes and employment
- xi) Bus Service Costs
- xii) Cycle and Pedestrian Links from the site to Yeovil town via Lyde Road; via Runnymede Rd/Cavalier Way and via Wyndham Park and the Countryside Park
- xiii) Taking appropriate account of the separately approved Wyndham Park Development highway improvements, (i.e. A30 Sherbourne Road/Lyde Road mini roundabout and traffic signals; A359 Mudford Road/Combe Street Lane new roundabout and Lyde Road/Mudford Hill junction signalisation).

Officer Response – SSDC supports and agrees with the Highway Authority. See also more detailed assessment at Planning Considerations Section 11. Both SSDC and SCC Highways Authority will ensure that the highway and transport planning obligations linked to the Wyndham Park 800 unit planning scheme are implemented to appropriately take account of the Mudford development should it be approved.

### **Highway Agency (Somerset County Council)**

(28-7-14) **No objection**

The Highway Agency confirms that the proposed development is not likely to give rise to a severe impact on the operation of any part of the trunk road, and in particular the four junctions on the A303 – Cartgate Roundabout, Tintinhull Forts, Ilchester Mead and Sparkford Roundabout.

Officer Response – none.

### **SSDC Climate Change Officer**

(7-7-14) **Concern at lack of comprehensive addressing of sustainable design issues – particularly renewable energy.**

Officer Response – Conditions 11 and 14 propose that before any first phase begins a Review of how the proposed scheme will meet Local Plan aims for "**Sustainable Construction and Minimising Carbon Emissions**" will be submitted in writing and approved by the authority. This will address all the Climate Change aims of the Local Plan as set out in EQ1 of the Plan. Please note that sustainable development issues are divided into 6 areas – construction, (including energy, materials and orientation); transport; waste management /recycling; ecology, water conservation and prevention of flooding), and that this outline application begins to address 3 of these 6 issues. Section 3 above sets out a proposed "Sustainable Construction and Renewable Energy Innovation Fund" to scrutinize and

support improvements in the scheme once the applicant submits this pre commencement condition.

### **SSDC Public and Environmental Health**

(28-6-19) **No objection.**

Subject to condition set out at 23 “Land Contamination” being imposed.

**Officer Response** – SSDC Environmental Health in considering the evidence submitted, including that of Public Health England (PHE) found that - subject to a “belt and braces” condition in case contamination/anthrax were found as the site is developed – the site is safe for development. SSDC Environmental Health found that:

- i) The site has been extensively tested and no tests have proved positive in terms of anthrax
- ii) Impartial Public Health England testing of the applicant’s soil samples has been expert and robust, and no indication of anthrax has been found.
- iii) Anthrax has reduced to one death a year in the country - and this is usually due to imported feed/hides. Contamination on/from grazing land is generally not evident in the country. And there has been no cases of anthrax infection of humans, in association with development areas – whether land was previously grazed farmland or brownfield site, such as tanneries.
- iv) There is no evidence from the testing of any old tannery works on this site.
- v) Anthrax spores tend to not spread
- vi) Testing is best done at known burial pits and associated water areas e.g. ditches and drainage. This testing has been done by the applicant and no tests have found any sign of anthrax. No actual burial sites have been found, only suspected burial sites and then once tested, no sign of anthrax has been found.
- vii) The site is safe for development

### **Public Health England**

(19-2-18; 6-11-18; 12-12-18) The site has been extensively tested. There is no evidence of anthrax. It is worth carrying out further tests to allay public fears.

**Officer Response** – the site is safe for development. Further testing of the soil is proposed, should permission be granted, as development progresses to each phase of development. This is normal in terms of conditional planning approval and in terms of environmental health standards.

### **Historic England (HE)**

(10-4-15 and 15-10-18) **Support and Concern.**

HE do not rule out the possibility of the site being suitable for residential.

However HE have concerns that there is some harm to some listed buildings, particularly listed churches, from the “loss of rural backdrop settings”. HE is concerned whether enough has been done to mitigate the loss of a rural backdrops. Particularly in relation to Up Mudford, the Church of St Mary in Mudford and Trent Conservation Area listed buildings, including the Church of St Andrews. HE is also concerned about the “eastern sprawl” of the scheme; the “block approach” to the scheme and the potential height of employment buildings on the eastern shoulder of the escarpment.

**Officer Response** – August 2018 Revision and re consultation provided an Environmental Statement that included an assessment of heritage assets and further assessments of landscape impact.

In reviewing the applicant’s submissions, the concerns of HE, (also those of local residents and parish councils), the LPA concludes that from distant views the key landscape feature is the escarpment ridge that comprises mature trees and a mixture of urban and suburban development. From distance, the view of the open fields of the site remains largely in a “thin field of view” with a large sky above and landscaped fields and trees below the thin field of view, and this is the context for assessing the loss of rural backdrop of listed building settings some distance from the site. The scheme meets well

the 8 landscape mitigation tests set out in para 6.32 of the Local Plan and proposes a well - considered alternative landscape context for the nearest listed buildings in Up Mudford. The scheme's 40% open space content and layout of 16 discreet blocks encased by landscape and/or tree planting will further mitigate views from the north as the landscape matures. Evidence for this is the landscaped Primrose Lane development that already breaches the escarpment ridge and does not in the LPA's opinion harm the setting backdrop of northern views and settings of listed buildings.

Local Plan para 6.32 – assessment of the 8 landscape mitigation tests that...“should help ensure development is assimilated into its surroundings”:

- i) Retain landscape buffer on A359 - Achieved
- ii) Retain mature trees and robust hedgerows - Achieved
- iii) Site divided into well landscaped development areas incorporating open space - Achieved
- iv) New woodland planting to the north west and north east as a buffer - Achieved
- v) Open space corridors and robust planting along prominent hedge lines - Achieved
- vi) Integrate development to Wyndham Park (and residents off Redwood Road), including street patterns, open space and tree planting – Achieved
- vii) Locate building growth adjacent to Wyndham Park where it is less conspicuous to local views – Not entirely supported by detailed LPA assessment. The LPA has instead encouraged the application to first integrate with the Wyndham Park land uses and neighbourhood needs at the ridge of the escarpment. Then in order to protect distant views into the site “from the north” and soften views “towards the north” the LPA has supported maintaining existing trees and planting; limiting the height of buildings and the provision of 6 “south – north” parkland and viewing corridors.
- viii) Bulkier development on flatter topography and visually contained areas. Avoid development on steeper and highly visible slopes – Not entirely supported by detailed LPA assessment. The LPA has instead encouraged the application to limit height and density at the top of the escarpment, focus development in the middle of the site, (but not at the eastern edge), so as to protect landscape views into the site and provide a strong and deep landscape buffer for the closest and most impacted neighbours in Up Mudford and the closest listed buildings – effectively giving Up Mudford a new contained landscaped context, in return for the loss of the original “open” context.

The LPA therefore concludes that the proposed layout and landscape design will mitigate some minor heritage harm to listed buildings settings linked to distant and middle distant views into the application site, (a site with no protective landscape designations), and will substantially help the development assimilate into its surroundings, particularly as the landscape matures.

### **SSDC Conservation**

(26-3-15 Duckworth) **Support and Concern**

Accept in principle an urban extension but the scheme needs to further demonstrate compliance with YV2 north east Urban Extension Master Planning tests in para 6.32 and better assessment of heritage asset settings and impact.

Officer Response – see comments above in response to Mudford Parish Council and Historic England.

### **SSDC Landscape and Master Planning**

(25-3-19 Archer) **Support and Concern**

There is scope to develop an urban extension in this location, but it will need strong landscape mitigation. LP 6.32 tests to be addressed. Support low height and density towards the top of the slope and more development in the middle. But also support more development closer to Up Mudford in order to put formal sports pitches higher up the slope to protect views “into the site”. Support the idea of “development blocks encased in landscape”, but would like to see photo montages. Concern about even some 2.5 storey heights.



**Officer Response** - see comments above in response to Mudford Parish Council and Historic England. SSDC Landscape Officer, subsequently agreed with DM Officer view on the urban and landscape design for the scheme as set out and proposed in this report.

A condition is proposed, which would require the development to be in accordance with the submitted Scale Parameters Plan.

#### **Archaeologist (Somerset Heritage Centre)**

(3-3-15). **No objection**, subject to standard condition “7 – Archaeology” requiring research and classification as each development phase is begun and excavated and an agreed programme of appropriate mitigation, all agreed with the LPA in consultation with South West Heritage Trust. The condition will require the following types of detailed assessment – desk based; geophysical; trial trenches and mitigation

**Officer Response:** Archaeology Condition 18 is proposed.

#### **Ecology SSDC and SCC Ecology Service**

(15-9-14 and 1-10-18) **No objection**, subject to Ecology conditions 10, 12,14,16,17,23,24,26 and 28 being imposed.

**Officer Response** – none.

#### **CPRE South Somerset**

##### **(9-7-14) Objection**

Loss of good agricultural land. Loss of rural landscape

**Officer Response** - SSDC Local Plan after public consultation, a public inquiry and a Strategic “Peripheral Landscape Assessment” (2013), identified this site for essential housing growth to address household growth and housing need. If approved the scheme would involve the loss of some good agricultural land and a significant change to the rural landscape. The design of the scheme will to some extent mitigate the loss of rural landscape, so that on balance the development could be supported. As part of the comprehensive proposal, “growing areas” within the site are proposed, which mitigates to some extent the loss of agricultural land. However the majority of the site is not “best and most versatile” land. Wildlife support and mitigation conditions are proposed – see Planning Consideration Section 13. No objections from SSDC and SCC Ecology Services.

#### **Natural England**

(17-6-14, 27-2-15 and 22-9-18) **No objection**.

NE’s Standing Advice on Protected Species and advises that biodiversity enhancement measures should be secured. The proposals do not appear to have a significant impact on any nationally protected species or landscapes.

**Officer Response** – Assessment of the proposals indicates no significant adverse impacts on ecology. (The scheme has been revised to include measures to support dormice movement and migration). A series of biodiversity and wildlife conditions are proposed.

#### **Somerset Wildlife Trust**

(28-6-16) **No objection**, subject to Ecology conditions 10,12, 14,16,17,23,24,26 and 28 being imposed.

**Officer Response** – none

#### **Lead Local Flood Authority (LLFA) and Environment Agency**

(19-9-14 and 17-10-18 from LLFA, and 26-9-18; 12-3-15 2-7-14 from Environment Agency) **No objection**, subject to appropriate conditions.

LLFA confirms that the proposed 3 attenuation basins on the north and north-east boundaries are correctly sized in accordance with a 1 in 100 (+30% climate change factor) event with an appropriately

controlled discharge. The discharge will be limited to the appropriate greenfield rate for each storm event, and this has been design demonstrated. The attenuation ponds connects to a new swale links that run throughout the proposed development. Along with porous paved areas and the use of oversized pipes, the ponds and swales will mitigate any flood risk and will control surface water runoff. There is also confirmation that the applicant owns all necessary land to deliver a correct flood and sustainable drainage management strategy. The LLFA and the Environment Agency have no objection to the Hydrock Flood Risk Assessment and Drainage Strategy, subject to appropriate conditions 7 (Foul Flow) 8 (Drainage and Surface Water) and 22 (Highway Surface Water) being imposed.

**Officer Response** – Research and exchanges between the applicant and Wessex Water, the Environment Agency and the LLFA concluded that the site’s natural fields were not very permeable and therefore soak ways on their own would not produce a sustainable drainage strategy. For this reason the attenuation ponds and the balancing ponds have been designed and agreed by the water and drainage authorities.

### **Wessex Water**

(19-6-14 and 26-2-15) **No objection**, subject to the proposed condition 13 “Foul Sewage” being imposed. The developer may need to consider the installation of further sewage pumping station (SPS) capacity, (with a 15m buffer zone from the nearest dwelling to protect the amenity of the residents). Connection to the public network is by application and agreement with Wessex Water (funded by the developer), who will adopt sewers and SPS through a formal agreement subject to satisfactory engineering proposals constructed to current adoptable standards

**Officer Response** – Wessex Water believes the foul water capacity of the sewer system will need to be expanded and that this can be achieved. A pre development commencement condition No 13 is proposed and agreed by the applicant. The agreed strategy, (suggested by Wessex Water), is to install two new pumping stations on site, which will discharge to the existing sewer network. This will need improvements at Hertford Road and Cavalier Way and a new underground sewage attenuation tank, (temporary storage) in Birchfield Park, before discharging into the existing sewer in Lyde Road. This strategy has informed the designs of plans in Condition 5.

### **SSDC Housing Development**

#### **(25-6-14) Concerns**

Policy is 30% affordable housing (AH) requirement, “where viable to provide, (LP Policy HG3).

**Officer Response** – after detailed scrutiny of the viability assessment by SSDC officers and the District Valuer, including challenging land values and profit margins, it has been concluded that only 15% AH (115) can be achieved along with appropriate contributions to other community benefit headings. See Section 3 of this report and Appendix 1 where a range of affordable housing thresholds have been assessed. Local Plan Policy YV2 clearly identifies affordable housing targets as subject to viability assessments.

### **SSDC Neighbourhood/Area Development**

#### **(20-8-14 Divall) Concerns**

Mudford Village to remain distinct buffered by green space; A359 traffic speeds; Parish Council infrastructure – including cemetery, car park, flood defense improvements and traffic calming.

**Officer Response** - Mudford Village, (over 1km to the north of the scheme), will still remain distinct with a green buffer if the development is approved. The proposed s106 package, (Section 3 of this report and Appendix 1), sets out £20k for parish infrastructure projects. The Parish Council will also benefit from the infrastructure improvements and community benefit contributions linked to the scheme and council tax income.

### **Crime Prevention Officer (Yeovil Police Station)**

26-9-18 **No objection**

Officer Response – noted.

### **SSDC Street Scene/Environment Services**

(19-9-18) **No objection.**

Based on the proposed 765 dwellings the development will generate 1,600 – 1,800 persons, requiring 3.14ha of public open space. The scheme provides 8.9 – 15.7ha. Overall design is encouraging. The central south – north parkland is supported, as are the various pocket parks.

Officer Response – 20.6ha will comprise open space. The proposed scheme significantly meets policy requirements.

### **Somerset Waste Partnership (SCC)**

**No Comment**

Officer Response – Planning conditions will ensure compliance with sensible “collection design” and a waste reduction strategy.

### **Sport England**

**No Comment**

Officer Response – The scheme significantly meets play and sport design standards.

## **7. REPRESENTATIONS**

Neighbouring householders who responded to the original consultation have been notified of the officer’s report and prospective Committee date.

Neighbour representations received have been summarized under issue headings. Officer responses are also provided.

### **7.1 Consultation on the Application**

- i) Difficult to see the documents and comments on the council web site.
- ii) Not given long enough to comment.
- iii) If the application is an EIA application it should be in detail.
- iv) Consultation on the applications has been a “mockery” because the LPA has no intention to consider objections
- v) Consultation should involve a debate in public where local people can give their opinion

#### Officer Response

The applications was originally submitted in March 2014 and re submitted in August 2015. Public exhibitions were held in 2012 and 2014 along with 2 parish meetings in 2014.

Public consultation on the latest revisions was undertaken in July – September 2018 and again in 2019 when the “viability assessment” was published.

More than the statutory period has been allowed for comment. A hard copy of the application documents has been available for public view at LPA Reception. Yes there were times when online viewing was disrupted and for this reason more time was added to the consultation period.

There has therefore been considerable opportunity for the public to comment. Planning Practice Guidance and planning law confirms that EIA developments can be considered in outline.

## 7.2 Principle of Development & Infrastructure

- i) The Local Plan Inquiry that led to the approval of the Local Plan 2006-28 was clear that the northern edge of Yeovil was a sensitive landscape issue. The Inspector accepted that development in the area already intrudes beyond the peripheral road network and over the scarp head, (Primrose Lane). He and the Local Authority concluded that only if there is a compelling strategic reason should expansion be considered. There is no compelling reason.
- ii) Utility services are already inadequate the SUE development will make it worse
- iii) There is insufficient primary and secondary education capacity to support this development
- iv) Why does the SUE pay no CiL, when the scheme will generate so much profit?
- v) The whole development is worrying and should be referred to central government.
- vi) The size of the new development will bring “social problems” as has been proved by how existing local estates
- vii) There is currently poor GP and Hospital Services in Yeovil – will the development improve these?
- viii) The development will reduce the well - being of existing residents
- ix) Not clear who will occupy the proposed employment space? There are so many empty premises on Yeovil trading estates
- x) The scheme will destroy the concept of “England’s green and pleasant land”
- xi) ONS household growth projections in 2018 were reduced – so we don’t need to have this development
- xii) 10% of jobs in Somerset comes from tourism – this development will help to destroy the landscape which tourists come to see and so will harm employment.
- xiii) Planners don’t live in the areas being ruined by new housing estates – we don’t need more new homes, because Brexit will mean lots of people will leave this country
- xiv) Mudford Parish Plan says only 40 new homes needed. 765 too many. Better to create a new town at Sparkford on the A303.
- xv) Yeovil’s brownfield sites in the town centre should be used before this greenfield site.
- xvi) SSDC AMR 2018 indicates the importance of affordable homes and elderly accommodation but the proposal does not provide this to any significant degree.
- xvii) Most of Yeovil’s housing need since 1975 has been provided by the north – this scheme should be built in the south along with the Keyford 800 to better balance development around the town. Since the 1970’s housing development in Yeovil has moved in a north east direction whilst retail and employment has moved in a south west direction – permission here would mean more car movements to work and shop. All major road improvements are along and close to A303, not in the north east – this is the wrong place for major development.
- xviii) Since the 1940’s Yeovil development has been confined to south of this northern ridge, thereby protecting the northern vale from light pollution and creeping development (apart from Primrose Lane/The Grange). Permission here would set a new precedent.

### Officer Response

- The provision of a major allocated and landscape assessed Local Plan housing site, in a situation where the District does not have a 5 year land supply is a compelling reason for the development of the site to be approved. The 2015 Planning Inspector clearly supported the site as an area of growth, along with growth sites in the south of Yeovil. The Inspector and the SSDC Peripheral Landscape Study 2013 both supported development on the site, subject to a 40% open space stipulation and agreed structural planting.
- Yeovil’s town centre brown field land is also identified for development, including homes.
- Utility services have confirmed the scheme can be accommodated. The scheme is supported by SCC Education. The scheme will provide a local health centre.
- Although no CiL will be payable, the scheme is proposing some £10m of community

infrastructure and benefits. If CiL were applicable the funds would go into an SSDC wide pot. By exempting this site the £10m community benefit directly supports the site and the neighbourhood.

- If SSDC approves the scheme, it will be first referred to the SoS at Central Government before any final decision is made.
- There is no evidence that the scheme will harm local well - being. It is clear that a well - designed new neighbourhood and more homes will actually support the well - being of those needing homes in Yeovil. There is significant mitigation of any adverse impact on the amenity of existing residents in the area – in any case this cannot be completely protected when a settlement is growing and homes must be provided.
- The employment land is likely to be built out as homes are occupied. Occupation of employment land takes longer than new homes. Research demonstrates the need for this growth over the next 10/15 years. It is unlikely this development will adversely affect the growth of Somerset tourism because its design is aimed integrate the scheme into the escarpment slope and over time as the propose parklands and landscape matures, this will soften views of the development site.

### 7.3 Design, Layout, Landscape and Heritage Assets

- i) Highly valued landscape and historical should not be built on.
- ii) The Wyndham Park and Primrose Lane ridge and fields below can be seen from the Trent Road, on the train to Bath. One can see it on the A303 near Cadbury Hill and from Sparkford and from Glastonbury Tor. And Yeovil is hidden by this ridge and escarpment – it should be protected from further development.
- iii) Will make worse the visual damage to the landscape for Trent and Over Compton already done by Wyndham Park. Support Historic England's view that setting of Trent's St Andrew's Church would be damaged. This site can be seen from far away in the north and will spoil the traditional rural view and the end point of Yeovil on the escarpment ridge. The development will spoil views from public footpaths in the north.
- iv) In general, the proposal will harm the rural view to the north of properties on the northern side of Redwood Road and on the boundary between the site and Wyndham Park
- v) The proposed "amphitheater" not needed
- vi) Concern about the quality of homes built – modern homes are poorly built and designed
- vii) Building on this escarpment would destroy one of the most beautiful views in South Somerset. This view can be seen from far away. The current boundary of development – Primrose Lane/The Grange is a natural Yeovil settlement boundary – development should stop here.
- viii) The applicant's report that says the impact on long views into the site will be minimal is inaccurate. 756 homes on this northern escarpment just cannot be mitigated by landscaping.
- ix) Mudford and Up Muford has a strong heritage of "mediaeval shrunken settlements and field systems" – this will be adversely impacted on by the scheme – which should be built in the south of Yeovil, not the north
- x) Residents at the northern end of Briar Close, Trent Close and Redwood Road would have their rural views taken away. Landscape buffer would be insignificant. Neighbourhood centre should move to the east, opposite Collingwood Road roundabout.
- xi) The scheme is an urban development and should be more rural/suburban – fewer homes and more open space. The scheme should be bungalows to fit with Primrose Lane, no higher than 2 storey; more homes/development at the bottom of the site; more retirement bungalows; even wider landscape buffers; less development north of No 47 Primrose Lane; 2 parking space for every home; lots of walk ways and reduce traffic speeds to make walking and cycling safe
- xii) **SUPPORT** – retaining trees and hedgerows and closure of Primrose Lane north of No 47. Plans show a lot more green space and planting. (But no information about development density and heights and parking? And there needs to be a turning head at No 47. Primrose Lane hedgerows should be kept. Landscaping around proposed employment areas to protect views from Trent – green turf roofs?)

## Officer Response

- The scheme is designed to integrate into the surroundings of this northern escarpment, to mitigate long views from the north and north east, including from heritage assets, and to strongly buffer the development from its closest neighbours in Up Mudford and on the A359. The scheme does this through its proposed 16 development blocks set in 40% landscaped open space, with no development at the eastern end of the escarpment, (closest to Trent and Over Compton), a strong retained and planted boundary to the A359 and a wide tranche of open space and some planting, including sports pitches, attenuation ponds, parkland and new woodlands to buffer the northern boundary of the scheme's closest neighbours in Up Mudford. Six "south – north" parkland and viewing corridors further soften the replacement of fields, (with no protective planning designation) with development. The Yeovil ridge level, (the southern boundary), which is the landmark feature when viewed from the north and north east is retained by controlling heights across the whole development site. At the southern edge the scheme links closely with the existing Wyndham Park development to create a new integrated neighbourhood centre, but without altering this northern Yeovil ridge of high trees, strong planting and landscaped homes.
- Existing development is already viable along the escarpment.
- The views north from properties off Redwood Road and on the northern boundary Wyndham Park are not "planning considerations". And although these may be compromised by the proposal, they should in any case be set against the planning aim to create a strong new integrated neighbourhood centre. Views from here will change from mainly open rural landscapes to a shorted and contained view of a tree lined and landscaped east – west cycle and footpath, primary school playing fields and general play areas an extended neighbourhood centre, some new homes and the employment zone. With all the development areas encased in its own landscape.
- Proposed dwellings immediately adjacent to Primrose Lane will be predominantly single storey in accordance with the submitted Scale Parameters Plan
- Further archaeological surveys will be secured by condition, which will identify heritage remains and include measures to protect their significance
- The proposed amphitheater and associated public open space will additionally provide communal areas and focal points of interests and will help minimize the landscape impact of views into the site.

## **7.4 Highways, Access and Transport**

- i) Road network is already congested, (Marston Magna, Babylon Hill, Lyde Road and Mudford Road) – the SUE development will make this worse
- ii) Homes always have more than one car and so they park on streets – this will cause congestion
- iii) Building on this site would worsen traffic and congestion on Mudford Road, Combe Street Lane, Lyde Road, St Michael's Ave and Sherborne Road. Wyndham Park has already made access worse. There have been 4 fatalities in 20 years, the new scheme will make this worse.
- iv) In Yeovil we travel when we want to in cars and that should be maintained – this SUE scheme will make more congestion and that will bring more air pollution, including rat running along St Johns Road and St Michaels Ave – so it should be allowed
- v) Cycling on the A359 will be made more dangerous by granting permission for another 765 homes
- vi) A359 is narrow and winding. It is relatively dangerous. More cars on it would make it more unsafe.
- vii) Mudford site is far from Yeovil facilities so is not in a sustainable location
- viii) Cycling from Up Mudford area is difficult and complicated.

## Officer Response

- There are no objections from the national Highways Agency and Dorset County Highways. Somerset County Highways supports the scheme.
- The application has assessed the traffic and transport implications of the proposal based on guidelines set out by the County Highways Authority and the national Highways Agency.
- There will be traffic growth on the network as a result of the proposed development, but most of the growth would be there in any case, (natural growth). There will be no significant impact on the trunk road network.
- More locally, a range of improvements would be required to mitigate congestion at key junctions and access points (see Section 3 and condition 30).
- There are no traffic and transport reasons or highway safety concerns that would warrant an objection.
- Indeed, the scheme will provide real opportunities to development “non-car” travel to local facilities through walking, cycling and use of new bus services.

## **7.5 Flood Management and Drainage, (and Waste Management)**

- i) In wet and rainy periods water literally runs off the fields and the local ditches cannot cope – I am sure the proposed attenuation ponds will just overflow also.
- ii) The proposed attenuation ponds and swales system will not work and will exacerbate river Yeo flooding, flood of the Somerset Levels and of A359.
- iii) The site currently acts like a sponge and helps release rainfall gradually into ditches and River Yeo – more homes here will stop this happening.
- iv) The area has a high water table and “impermeable” soils, making sustainable urban drainage systems difficult, (compared to the sandy soils of south Yeovil). At this site the underlying Lias clay and stone will cause flooding of Up Mudford and Mudford.
- v) There is often flooding from hard rain in Mudford, A359, Chilton Canteo and Marston Magna – a further 765 homes will make this worse.
- vi) The applicant’s report and plans that says adequate flood and drainage provision has been made is not believed
- vii) There will be extra waste, will this be properly dealt with? Sewage and dirty water management will require new infrastructure to be built and it is not clear how this will be delivered.

### Officer Response

- Wessex Water, the Local Lead Flood Authority and the Environment Agency all agree that subject to a properly implemented swales and attenuation pond system designed to deal with identified flood risk, there will be no further risk of flooding than already exists.
- And because the open fields land is not as porous as originally thought, engineered water management is likely to deal more effectively with extreme events than natural soak ways. Wessex Water and the developer understand that extra sewage capacity will need to be agreed and designed before development starts on site and that this can be achieved at the reserved matters stage.

## **7.6 Countryside and Wildlife**

- i) Little thought given to local wildlife. The scheme will harm foxes, deer, badgers, newts and nesting birds
- ii) Some of the site is Grade 1 agricultural land and should be preserved for growing

### Officer Response

Baseline surveys and analysis has been undertaken with regard to the wildlife on the site and how they can be accommodated through any construction period and once the development settles down and matures. The following proposed conditions evidence this and have been supported by SSDC Ecology advisors both at the District and County levels:

- 10 – Landscape and Ecological Management Plan & Biodiversity Net Gain Strategy (LEMP)
- 11 – Sustainable Construction and Minimising Carbon Emissions
- 16 – Adherence to the LEMP
- 17 – Construction Environmental Management Plan
- 23 – Trees and Hedgerows
- 24 – Landscaping
- 26 – Bats and Lighting Design
- 28 – Wildlife Survey and Support

There will be some loss of good agricultural land which will only be mitigated to some small extent by the inclusion of a growing area on the propose site. The majority of land on the site is not “best and most versatile” agricultural land, and additionally, LPAs must find balanced ways to preserve and integrate wildlife and provide necessary homes and community facilities for a growing population and this scheme provides a well-designed balance.

## **7.7 Housing, Community Facilities, Employment and Neighbourhood Centre**

- i) There is not the demand for this number of homes in Yeovil
- ii) This new scheme along with Wyndham Park (800), Lufton, (700), Brimsmore, (900) and possible Keyford, (800) will put an unacceptable strain on highways and local services – it should be refused
- iii) If Brimsmore and Wyndham Park is anything to go by – there would few proper affordable homes in the Up Mudford scheme.
- iv) Mudford Parish Plan says only 40 new homes needed. 765 too many. Better to create a new town at Sparkford on the A303

### Officer Response

- There is the demand for homes in the District and in Yeovil. Indeed it has been agreed in the Local Plan, (agreed through public consultation, through public inquiry and then approved by SSDC Full Council) that the main town of the District should accommodate some 7441 new homes out of target of 15950 across the whole District, up until 2028.
- The “Viability Assessment” has been published for this site – see Appendix 1. This demonstrates that a 15% affordable housing element is a reasonable % when all the other community benefits require to support an UE are also taken into account.
- To date, (2018) Yeovil has accommodated 2640. This site and that of the proposed Keyford SUE have long been agreed “sites in principle”. To date a “new town” has not been proposed by SSDC Local Planners, but consultation has now begun on the Local Plan Review for development up to 2034 and this could be suggested for additional development beyond that already allocated. Currently this UE proposal is allocated in the 2006-28 local plan to meet existing housing need.

## **7.8 Ground, Air, Light, Noise Pollution and Mitigation – Possible Anthrax**

- i) No proper testing for anthrax has taken place. No one can say the site is safe
- ii) The threat of anthrax will stop mortgage companies lending on homes in the scheme
- iii) There should be 100% assurance of no anthrax before any development is granted



- permission. The risk of development here is too great.
- iv) I imagine that anthrax spores can migrate through the process of development – permission should be refused
  - v) Anthrax spores could remain hidden in the ground for a long time – making development of the site dangerous
  - vi) The Mudford PC LQM report on anthrax is supported
  - vii) It is the responsibility of the LPA to assess the risk from anthrax, but testing of samples should be done by an impartial and independent body.
  - viii) The development will cause more air, light and noise pollution – harming elderly and infirm residents

### Officer Response

- There is a great concern amongst the general public about the possibility of anthrax on the site. However an impartial and independent body, Public Health England (PHE) has carried out tests and has confirmed the site has been extensively tested with no indication of anthrax. Tests were also carried out in 2013 in relation to application 12/04074/OUT relating to 2 dwellings adjacent to Primrose Lane – and again all tests proved negative.
- PHE believe that a final test should be undertaken on a “suspected” burial pit to a greater depth. The sensible course of action is to agree in principle that the site is safe for development and to incorporate the final recommended test by PHE into a pre commencement planning condition, along with a further cautionary planning condition relating to “further testing before each development phase begins and what to do if contamination indications are found”. In this way public concern can be allayed and much needed and well - designed development can be supported. This condition is set out at Nos 9.
- There will be more pollution, particularly in the construction phases, but once the development is completed and the landscape matures, the scheme will be well integrated into the landscape and Yeovil new north eastern edge. A lighting condition aiming to focus light onto the ground and highways will apply to the reserved matters stage.

## **8. PLANNING CONSIDERATIONS - INTRODUCTION**

An Urban Extension on this site is identified in the up to date Local Plan (2015). Policy YV1 identifies 1,565 homes to be delivered through 2 Yeovil Urban Extensions. Policy YV2 identifies 765 homes and associated community infrastructure to be located in the north east of Yeovil. The importance of Yeovil growing its planned urban extensions – in the south and the north east - is not only to support its own housing need and planned growth ambitions – but also because this would be a significant step in delivering the authority’s 5 year housing land supply and help to take pressure off the District’s Rural Settlement’s that have seen faster growth than envisaged since 2006.

The Local Plan, (Policy SS5) has a Yeovil target of 7441 homes to deliver between 2006 -28. At 2018, some 2640 had been delivered. Mudford’s 765 homes would comprise 10% of homes needed for Yeovil and 4% of homes needed across the whole South Somerset District (15,950) – a significant contribution.

**Assessment Conclusion:** These key strategic policy aims are in principle fulfilled by the planning application.

## **9. PRINCIPLE OF DEVELOPMENT & KEY INFRASTRUCTURE**

Policy YV2 sets out a list of land uses for the north – east Urban Extension. The proposal provides in

principle for all the requirements:

- 2.6ha of employment land, (2ha business and 0.6 care home and commercial), as against a policy target of 2.58
- Nos. of homes – 765
- At least 40% open space (comprising public open space 15.7ha; Community open play 1ha; School pitches 1.2ha; on – site attenuation pond and swales 2.4ha). In addition the scheme provides for 6.9ha of off – site attenuation ponds and woodland public open space.
- A health centre and a neighbourhood centre – in line with policy.
- The current proposal does not provide a new school on site. Instead, with the support of County Education, it provides funds (£6,084,988m) for a pre- school and primary extension to an existing school on its Wyndham Park boundary and land and facilities for new school pitches and formal play areas to support the school extension, as requested by the County EA.

Policy YV2 also identifies this site as a unique location for the north – east Urban Extension. Following a 2013 SSDC Peripheral Landscape and Strategic Design Study, this “Mudford Urban Extension” location was chosen and via the Local Plan Inquiry inserted into the Policy YV2.

Policy tests for the development of this site are clear – landscape mitigation, (para 6.32 of the Local Plan); adherence to sustainable development and transport and garden city design principles, (set out in YV2 and 5 and paras 6.26-6.29). These tests are addressed later in the report.

**Assessment Conclusion:** In terms of the “principle of development”, this application clearly complies with the Local Plan.

## 10. DESIGN, LAYOUT, LANDSCAPE & HERITAGE ASSETS

The most prominent views into the site are from the north and from the immediate southern boundary. From the north - the very near historic Up Mudford hamlet, the southern part of historic Mudford village, Monarch’s Way public footpath between the A359 and the railway line, and the close homes of Oaklands, Combe House, Broadview Farm and on the A359, all have meaningful views of the site. Mudford homes on Hales Meadow, (not listed or designated) would have a very strong and consistent view of the proposal. Certainly the 6 homes due west and on the western side of the A359, (Clanfield, Sunnyside, The Haven, Fairbank, Fields and Starlings), would have glimpses of the scheme but through significant existing trees and hedgerows and proposed planting. There are also stretches of the A359 driving south, just south of Marston Magna, which also have good glimpsed views of the site.

From the “immediate south” - boundary properties off Primrose Lane/The Grange, Lyde Road, some properties off Redwood Road and Wyndham Park would have views of open fields changed certainly in the foreground to landscaped development if the scheme were approved.

Sensitive heritage visual receptors, (where the site could be seen from and therefore possibly impacting on “receptor settings”) would be as follows:

From the east – the western part of Trent Conservation Area, south west face of Church Farmhouse (but not St Andrews Church yard, the Chantry nor Glebe House), and the corner of Western Street/Lower Farm in Over Compton, (but not Nether Compton).

From the north – from close to the boundary and up to 2 km away are the most significant views of the site. Up Mudford hamlet, including Manor Farm and Green Acres – both listed buildings. Through existing and planned planting the listed “Milestone” on the A359 would have the site/proposal as a backdrop. There would be glimpses of the site and proposed scheme from the historic Mudford Village which has a number of listed buildings. There would be a clear middle distance view of the site and ridge from the Monarch’s Way Public Footpath between the A359 and the railway. Views of the site

are prominent from Trent Bridge. Beyond 2k, (Anchor Farm, Hummer Farm, Adber, West Mudford, Ashington, Rimpton, Thorney medieval village – all Listed and Thorney is a Scheduled Monument), there would only be glimpses of the site/scheme, through a “thin field of view” - but the ridge profile would be clear.

From the west – there is less impact. There would be some views from Mudford Sock and Sock Hill and Stone Lane

From the south – there are no designated heritage assets.

### Urban Extension Design and Landscape Guidance

Before addressing the impacts on these important views it is relevant to assess the Local Plan para 6.32 landscape mitigation 8 tests for Policy YV2, and describe the scheme’s critical strategic design and landscape elements:

i) Set the Development Back from the A359

The scheme does set development back. All existing trees and hedgerows are retained and more are proposed to be planted.

ii) Retain Existing Trees and Hedgerows across the site

Mature trees and hedgerows across the site are proposed to be retained. Development areas have been placed in between the 8 key hedgerow lines, whilst preserving the 6 existing clusters of trees

iii/iv) Discreet Development Areas encased in landscape. Respect Hedge Lines and create Open Space Corridors.

The scheme is clearly broken into 16 development blocks. Eight to the west of Primrose Lane and 8 to its east. These development areas are separated by internal landscaped roads, foot/cycle paths and/or parkland corridors. As the landscape matures, (15-20 years) the site will present as development integrated into a landscape scheme and not the other way round.

East – west, there is a strong and wide southern landscaped corridor comprising woodlands, parkland, sports pitches, a balancing pond and substantial planting. This is the corridor that first presents itself to the scheme’s closest northern neighbours - the farmsteads of Up Mudford and homes on the east side of the A359. This acts both as a buffer to the development and a soft visual introduction to a radical change of outlook for Up Mudford.

There is a second shorter but important east – west corridor immediately north of the properties on The Grange and Primrose Lanes.

To the south, where neighbourhood centre links are needed with Wyndham Park and properties off Redwood Road, the existing mature landscaping is maintained, new planting is added and a linking foot and cycle path created.

Finally 6 “south – north” parkland corridors, (not including the landscaped set back from the A359), divide the development blocks and provide viewing corridors.

In the west, there is a parkland corridor between the rear of Primrose Lane properties and Combe House/Oaklands and a second focused along Primrose Lane which would be converted, (beyond existing homes) into a pedestrian, cycling and landscaped corridor to Up Mudford hamlet.

To east of Primrose Lane, 4 park corridors are proposed:

- Between the neighbourhood centre and the formal sports pitches
- Between Collingwood Roundabout, the community centre and the southern sports pitches
- Between the proposed 2 employment sites and proposed eastern woodland planting, and
- At the eastern escarpment shoulder where Wyndham Park meets the Country Park and the Yeo River

v) Southern Woodland Planting

A new woodland public open space feature is proposed to the north west of the site, which will also provide considerable buffering for close existing homes. Further significant tree planting to the north and north east of the site will buffer views of the formal employment areas. This planting also seeks to re provide woodland and significant tree planting that existed up until the end of the 20th century.

vi) Sensitive Development Location Adjacent to Wyndham Park and residents off Redwood Road, (with integrated street patterns, landscaping and open spaces

The proposed linear and southern Mudford neighbourhood centre is a well - designed extension of the “unfinished” Wyndham centre currently focused at the Collingwood roundabout where the local school and a round open space declare a local centre is needed. Over the immediate boundary on the application site, and close to the roundabout would be play areas, primary school sports pitches and a proposed community centre. Close also would be the employment sites. Access currently proposed would be by pedestrian and cycle way and bus gate. The Mudford neighbourhood centre would then connect to the Collingwood roundabout via a landscaped pedestrian and cycle way that would run west along the current southern boundary of the site and open up at a new public open space and south – north parkland corridor, shops, health centre and new limited access road, comprising another bus gate and new “south – north” pedestrian and cycle ways.

Currently the Wyndham Park centre, (effectively around the primary school), is somewhat isolated from Lyde Road. And properties on the southern side of Lyde Road turn their backs onto this Road which currently the effective end of Yeovil. The design of the transition to the proposed Mudford SUE and particularly the extended neighbourhood centre would give this part of Lyde Road a new and real “sense of place” and community focus serving the SUE, Wyndham Park, residents on the south side of Lyde Road and indeed Up Mudford and Mudford.

vii) Locate building growth adjacent to Wyndham Park where it is less conspicuous to local views

Overall the LPA does not entirely support this “landscape aim”. The site does not have a designated status and whilst landscape mitigation has been used to soften views out and into the site, the LPA considers that the first obligation is to design and deliver a strong neighbourhood centre that links Wyndham and the Mudford SUE. So some local Wyndham Park and Redwood Road views will be severely changed from open landscapes to a “landscaped neighbourhood centre with new community facilities”. In order to protect distant views into the site “from the north” and soften views “towards the north” from Wyndahm/Redwood, the LPA has supported maintaining existing and developing further planting; limiting the height of buildings and the provision of 6 “south – north” parkland and viewing corridors.

viii) Bulkier development on flatter topography and visually contained areas. Avoid development on steeper and highly visible slopes

This test would have supported development close to Up Mudford and the closest listed buildings. The LPA has instead encouraged the application to limit height and density at the top of the escarpment, focus development in the middle of the site, (but not at the eastern edge), so as to protect

landscape views into the site and provide a strong and deep landscape buffer for the closest and most impacted neighbours in Up Mudford and the closest listed buildings – effectively giving Up Mudford a new “contained landscaped” context, in return for the loss of the original southern “open landscape” context.

### Views into the Site – Landscape Assessment

Having set out the landscape design rationale of the proposal, it would now be appropriate to assess landscape views into the site from both local vantage points and in particular from heritage assets that may affect their settings

From the east, views are limited because of the protruding landscape shoulder that is Wyndham Park and because of the shape of the proposed development site, which is thin in the east close to the Yeo River and contains only landscape and only widens with development as the scheme moves west. So views from Nether Compton and its many listed buildings are limited. Views from Over Compton are limited to constrained views from Lower Farm Road at the junction of Western Street, once an embankment is climbed, or from some first floor windows.

Moving to the north east along Western Street, there are views of the site across fields from two breaches in the south/north hedgerow and at the junction of Western Street with the access road to Trent. These vantage points do not provide views of the whole site. The main feature of the site is its ridge against the skyline. From Western Street, if permission were granted, more development would descend the slope resulting in a visual loss of distant open fields, but in a thin and narrow field of view, leaving sky above and landscaped fields below and to the sides. The loss would be more pronounced in winter months, but overall this would be softened as site buffer landscaping matured.

From the Trent Conservation area only the southern side of Church Farmhouse can see the site, (not St Andrews Church, Glebe House or the Chantry). This view is a site wide view of some significance, but is interrupted in the near foreground by both trees and large metal farm sheds and other farm buildings. The view loss would not impact on the important ridge view, and would only be on the basis of a thin field of view, leaving sky above and landscape below.

Moving further north to Trent Bridge over the Bristol to Weymouth railway; to Monarch’s Way public footpath and to Western Street outside Anchor and Hummer Farms, (both with listed buildings) – these locations provide “middle distance” views. From Monarch’s Way, the proximity to the site makes the field of view wider and deeper, so the impact is firstly more significant, but secondly, as scheme buffer landscapes mature, the view impact will over time become less pronounced. Views from the northern part of Western Street return to “thin fields of view”. From here the proposed scheme would result in “view loss” of fields to development, but would still retain sky above a protected ridge and landscaping below the thin field of view. This would be the same from glimpsed views from the A359 south of Marston Magna.

From the north on Rowbarrow Hill, and from Mudford and Up Mudford. No strong loss of views from Rowbarrow Hill/Hinton Cross or Mudford Bridge. From these points there are only “glimpsed views” of a thin and narrow field of view. This applies to the listed buildings in Mudford village, including the Church of St Mary. Views from the south side of Mudford village, (no listed buildings) on Hales Meadow and from the A359 near the Mudford Cemetery are however quite wide and deep. Development would see a significant change to the central field of view. However the ridge/sky view and the deep fields foreground view would be maintained, whilst the middle east-west views would be mitigated in time through maturing planting and buffer landscaping. For Up Mudford and the bottom, (northern end) of Primrose Lane, the significant deep and wide views of the open fields would be lost and so would to some extent the current views of the ridge. However, the design of the scheme is to present Up Mudford and in particular the two listed buildings at Manor Farm and Green Acres with a “new landscaped view”. The proposed northern boundary to the site from A359 in the west to the Yeo River in the east is provided with a wide landscaped tranche of the application site comprising

new woodlands, substantial tree planting, landscaped attenuation ponds and both formal and informal public open space. Up Mudford would lose its current open landscaped view and clear view of the ridge. It would be replaced with a foreshortened, but bolder and larger landscape horizon sitting on its immediate southern boundary. As the new close landscape horizon grows and matures, the relatively close new development site would be increasingly screened from the hamlet and listed buildings.

From the west on the A359, from Sock Lane and Stone Lane. From the west side of the A359 residents and drivers will glimpse a significant new development to the east, particularly around the proposed new spine road roundabout access. Notwithstanding this the existing heavily treed A359 corridor on site will remain and there will be additional planting. From Sock Lane/Sock Hill, where there is a listed building, this view already concentrates in the central field of view, on the Primrose Lane/The Grange properties. There are few views from here of the site's open fields. Future views will be aware of more landscaped development, but the quality of the views will not change substantially. From Stone Lane, (Stone Farm listed building) there are dominant views of the south western end of the ridge, Primrose Lane/The Grange homes and the south western tranche of the site's open fields. Stone Lane also has strong and clear views to the east over the Yeo river valley. The near view will change if permission is granted, and more development associated with existing Primrose Lane views will replace the views south western open fields. However Stone Lane's views of fields and landscaped hills to the east and over the Yeo river valley will be maintained.

From the south - from the rear of Primrose Lane/The Grange properties, from the far northern section of Lyde Road; from the properties at the site's southern ridge boundary off Redwood Road and from Wyndham Park's northern boundary – views would change significantly. It is clear that a limited number of homes that currently have high level views over near and distant landscaped fields will by and large lose these views. For Wyndham Park and properties off Redwood Road at the southern boundary of the site, such views would be replaced with a new integrated neighbourhood centre, play areas and fields with treed and landscaped east – west paths and cycle ways. For the far south eastern properties of Wyndham Park north and eastern views will not be lost and western views of development will be buffer landscaped. For the most northern of properties on Primrose Lane/The Grange, open landscape views would be replaced with near areas of public open space, landscaped viewing corridors and middle distant new, (if overtime, landscaped), development – and this would be a significant change.

**Assessment Conclusion:** The LPA therefore concludes that the proposed layout and landscape design will mitigate some minor heritage harm to listed buildings settings linked to distant and middle distant views from the north into the application site, (a site with no protective landscape designations), and will substantially help the development assimilate into its surroundings, particularly as the landscape matures. For the most closely affected neighbours the site will present a strong and wide landscaped buffer and change the existing “open landscaped” context, into a new “contained landscaped” context – particularly as the planting matures over the next 15 – 20 years. The design of the scheme will create a new and attractive neighbourhood centre that integrates Wyndham and the proposed SUE by giving the northern end of Lyde Road a new “sense of place” linking strong planting and existing landscaping to new development that will be in keeping with the height and massing of existing development along the escarpment ridge. The new centre on Lyde Road will obviously promote sustainable transport giving priority to bus, pedestrian and cycle access, along with the downgrading of Primrose Lane to a landscaped corridor, (whilst maintaining vehicular access for existing residents).

## **11. HIGHWAYS, ACCESS & TRANSPORT**

Strategic Yeovil Wide Highway and Transport Assessments – Two Urban Extensions better than one

In 2014 SSDC commissioned, (supported by the Highway Authority), Parsons Brinkerhoff, (Transport Consultants) to review traffic modelling for the proposed two urban extension sites – Keyford 800

homes and Up Mudford 765 homes. For Up Mudford the assessment took into account the development of 2.5 ha of employment land; 765 homes; a primary school; a health centre and neighbourhood centre. The review used as a Reference Case all Local Plan Yeovil allocated homes – 7441 – being scattered in and around Yeovil by 2026 - not using any single or dual urban extension locations. The 2014 review compared the Reference Case to 1,565 homes being built in two locations at Keyford (800) and Up Mudford (765). The review concluded:

Journey Times – average AM/PM journey times in and out of Yeovil increase on all main routes by less than 60 seconds. AM peak journey times are generally higher than PM peak journey times. SSDC found this acceptable.

Traffic Flows on Key Links – impacts on traffic flow congestion were found to be generally limited with only the Keyford scheme causing an increase of more than 10% on roads compared to the Reference Case. SSDC found this to be acceptable.

Junction Congestion – the impact of two SUE sites were found to be generally small compared to one large SUE and the Reference Case. However all key junctions were found to become more congested in all development scenarios, so in considering key developments in detail, like the current Up Mudford application, schemes should be required to make key junction improvements. SSDC found this acceptable.

#### Mudford – A Sustainable Location for an Urban Extension

In 2014 the County Highway Authority confirmed that whilst the development of 2 smaller urban extensions would generate overall less congestion than one large UE - smaller UEs would provide less opportunity for increasing “non-car” travel – but obviously more opportunity for “non-car” travel than the “scattered homes” Reference Case. Notwithstanding this conclusion, the study effectively confirmed that the current Mudford proposal would be able to deliver some improvements to sustainable travel, including “new bus travel, integrated pedestrian and cycle routes, electric car charging points and changes in travel behavior”, through “personalized travel plans”. This is because the location of the site is within a 5 minute cycle ride and a 20 minute walk of local services, (local shops and schools), within 2km of Pen Mill Station, (8 min theoretical cycle ride) and 3km of the town centre and Yeovil college and hospital, (10 min theoretical cycle ride) – thus making the Mudford location a much more sustainable transport location.

#### Mudford – With Highway and Traffic Mitigation and the Promotion of Non Car Travel – A Good Site for an Urban Extension

Also in 2014 a Local Plan Project Board in 2014, (24-2-14), looked at concerns about traffic on the approach roads to the proposed Mudford UE site, (Lyde Road, Mudford Road, Combe Street Lane and Sherborne Road) and at the impact on the villages of Mudford, Marston Magna and Queen Camel. A report to the Project Board concluded that based on traffic modelling congestion at the Mudford Road/Combe Street Lane junction congestion levels here would become “high” and travel times between Mudford and the Hospital Roundabout would increase by an extra 30 – 60 seconds. The Project Board concluded that along with mitigation measures at key north eastern junctions, (e.g. the creation of a roundabout at Mudford Rd/Combe Street Lane; better right/left turns from Mudford Road into St Michaels and wider lane and traffic lights at the junction of Mudford Hill and Lyde Road), and promotion of more sustainable transport modes for residents that may live on the site, these conclusions supported the site as a location for a 765 home urban extension.

#### Up Mudford SUE Application Assessment

In terms of the detail for the current application, the Highway Agency and the County Highway Authority have confirmed that the proposed 765 home Mudford scheme would not have significant impact on the trunk road network. “Significant”, means “more than 30 two-way trips on any of the

A303 junctions in the AM/PM peak hours". These are Cartgate roundabout, Tintinhull Forts, Ilchester Mead and Sparkford roundabout.

In terms of local and trunk road "Peak Hour Trip Generation and Distribution of Trips", both the Highways Agency and the County agree that assessments of junction capacity, including assessment years and traffic growth methodology are acceptable.

County Highway Authority agreed that the Parsons Brinkerhoff "trip rates" could be used for the submitted Transport Assessment (TA), subject to additional sensitivity tests for each of the key land use types, (nursing home, neighbourhood centre, health centre, school, employment and residential) of the proposed scheme, and for particular junctions of concern. The applicant's TA assesses traffic in 2014 and 2019 and an Addendum submitted in May 2018 reviews the TA "traffic growth" and baseline data. Whilst baseline data is currently predicting a "slow – down" in traffic growth, (because of "flat" UK productivity; fall off in car purchases; Brexit), the Mudford scenarios have used a positive growth trajectory to ensure an assessment of the worst case scenario.

The Highway Agency raises no objection to the scheme. Dorset County Highways raise no objection to the scheme. Somerset Highway Authority is supportive of the scheme subject to its delivery of highway and transport improvements set out in Section 3 of the report and at proposed condition 30 which sets out the "triggers" for improvements should be delivered. The improvements can be summarized as:

- i) A395 New Access and Spine Road
- ii) Lyde Road New Access and Bus Gate
- iii) Collingwood Roundabout - New Access and provision for a new Bus Gate
- iv) Block "A" Access off Primrose Lane
- v) Primrose Lane Re Design and Calming
- vi) A359/Lyde Road Junction Improvements, (signalization and two lanes on all arms)
  - vii) A359 and St Michael's Avenue Junction Improvements, (either a turning lane or a "keep clear" improvement)
- viii) Lyde Road and Mudford Hill Cycle and Pedestrian Network and Crossings
- ix) Bus Services
- x) Travel Plans for homes and employment
- xi) Bus Service Costs
- xii) Cycle and Pedestrian Links from the site to Yeovil town via Lyde Road; via Runnymede Rd/Cavalier Way and via Wyndham Park and the Countryside Park
- xiii) Assurance that the separately approved Wyndham Park Development highway improvements, (A30 Sherborne Road/Lyde Road mini roundabout and traffic signals; A359 Mudford Road/Combe Street Lane new roundabout and Lyde Rd/Mudford Hill signalisation) will be appropriately taken into account.

#### Other Highway Improvements that will support the Mudford Proposal

The TA for the current application assumes the Highway improvements committed to by the Wyndham Park scheme will go ahead:

- A30 Sherborne Road/Lyde Road junction improvement - at the 400<sup>th</sup> dwelling.
- A359 Mudford Road/Lyde Road junction improvement, (signalization) – at the 400<sup>th</sup> dwelling.
- A359 Mudford/Combe Street Lane/Stone Lane junction improvement, (new roundabout) – at the 700<sup>th</sup> dwelling.

**Assessment Conclusion:** In terms of the "traffic and transport" issues, this application has assessed the traffic and transport implications of the proposal based on guidelines set out by the County Highways Authority and the national Highways Agency. There will be traffic growth on the network as a result of the proposed development, but most of the growth would be there in any case, (natural



growth). Locally, a range of improvements would be required to mitigate congestion at key junctions and these are proposed to be supported, (see Section 3). There are no traffic and transport reasons or highway safety concerns that would warrant an objection. Indeed, the scheme will provide real opportunities to development “non-car” travel to local facilities through walking, cycling and use of new bus services. There are no objections from the Highways Agency and Dorset County Highways. Somerset County Highways support the scheme.

## 12. FLOOD MANAGEMENT & DRAINAGE

Research and exchanges between the applicant and Wessex Water, the Environment Agency and the LLFA concluded that the site’s natural fields were not very permeable and therefore soak ways on their own would not produce a sustainable drainage strategy. For this reason the attenuation ponds and the balancing ponds have been designed and agreed by the water and drainage authorities, subject to detailed design at the reserved matters stage.

The Local Lead Flood Authority has confirmed that the proposed 2 attenuation ponds and one balancing pond on the north and north-east boundaries are correctly sized in accordance with a 1 in 100 (+30% climate change factor) event with an appropriately controlled discharge. The discharge will be limited to the appropriate greenfield rate for each storm event, and this has been design demonstrated. The attenuation ponds connects to a new swale links that run throughout the proposed development. Along with porous paved areas and the use of oversized pipes, the ponds and swales will mitigate any flood risk and will control surface water runoff. There is also confirmation that the applicant owns all necessary land to deliver a correct flood and sustainable drainage management strategy. The LLFA and the Environment Agency have no objection to the Hydrock Flood Risk Assessment and Drainage Strategy, subject to appropriate conditions 7 (Foul Flow) 8 (Drainage and Surface Water) and 22 (Highway Surface Water) being imposed. In terms of “foul flow” the developer may need to consider the installation of further sewage pumping station (SPS) capacity, with a 15m buffer zone from the nearest dwelling to protect the amenity of the residents. Connection to the public network is by application and agreement with Wessex Water (funded by the developer), who will adopt sewers through a formal agreement. Wessex Water believes the foul water capacity of the sewer system will need to be expanded and that this can be achieved. A pre development commencement condition No 7 is proposed and agreed by the applicant.

**Assessment Conclusion:** In terms of proposed prevention of flooding and ensuring that the proposed scheme is adequately served by surface water drainage and foul flow drainage, the drainage authorities have no objection, subject to conditions and therefore the application is supported.

## 13. COUNTRYSIDE & WILDLIFE

A May 2019 Ecology Assessment Update has been submitted by the applicant. A summary of its results are set out below. A suite of ecology conditions are also proposed,

Badgers: Setts are on site. Applicant’s proposals to mitigate are agreed SSDC Ecology Advisor. An artificial badger sett. Advice to developers/construction teams to cover construction excavations; avoid opening under structures overnight and advise existing and new residents that badgers will be active in the area.

Dormice: Dormice are present on the site. Applicant’s proposals to mitigate, (mouse bridges to allow movement across the site when it is completed and construction awareness) are agreed. Maintaining key existing hedgerows and trees - and shrub species if at all possible.

Reptiles: Some slow worms and common lizards found.

Nesting and Wintering Birds: A good range of birds have been found in the applicant’s surveys. The development scheme will harm the range of nesting and wintering birds.

**Bats:** Baseline surveys have found no bat roosting, but there is “commuting and foraging” on the site. The development could of course threaten bat foraging and commuting habitats, (trees and hedgerows), but it should be noted this is the same for “intensive agricultural use”. Existing trees and hedgerows are proposed to be kept and along with “new landscaping”. Bat boxes in trees and bat tubes in a percentage of peripheral building walls will be implemented. This strategy is supported by SSDC Ecology advisors. The Common and Soprano Pipistrelle bats, (common species) are unlikely to be affected at all. There will be some loss of foraging habitat for the less common Serotine and Noctule bats that like cattle pasture.

**Water Vole and Otter:** No strong evidence of presence. Nevertheless proposed conditions 20, 25 and 26 would offer some protection and mitigation should they appear during construction, if permission were granted. The proposed significant open space buffer between the River Yeo and development on the site will support any protection needs. This large wildlife area will be planted with blackthorn, hawthorn and dog rose to deter resident access, except through paths.

**Assessment Conclusion:** A total of key hedgerow habitat loss of 0.18ha is predicted, compared to the planting of some 2.95ha. A new wildlife area is proposed at the eastern end of the site and a new woodland is proposed at the north western boundary – both of which will support wildlife development. There are no statutory designated wildlife areas on the site. The scheme meets policy and mitigation standards as set out in the Local Plan with regard to wildlife and bio diversity and is supported by SSDC Ecology Advisors. In conclusion, compliance with the mitigation measures proposed in the Environment Statement will on balance result in a biodiversity net gain.

#### **14. HOUSING, COMMUNITY FACILITIES, EMPLOYMENT & NEIGHBOURHOOD CENTRE**

The scheme proposes up to 765 new homes (15% affordable), a neighbourhood centre with health facilities, land and funds for a community centre and a shop(s), subject to market requirements. Only 2.6ha of employment land is also proposed. Only 15% affordable housing (AH) is proposed, (in lieu of the 30% policy target). The Viability Assessment at Appendix 1 demonstrates that the 15% AH figure is reasonable. Appendix 1 sets out the proposed development’s “Viability Assessment”. This demonstrates that whilst the SSDC CIL Inspector was prepared to accept a land valuation of £200k per acre for housing land, (equivalent to some 9/10 times more than existing agricultural land values at £20/22k per acre), the current Mudford proposal seeks a Residual Land Value of £75k per acre – only 3 to 4 times more than existing use value. This demonstrates value for money for the risk of housing development over a 10 year development programme. For this reason, no “clawback” s106 element is proposed. On balance the loss of employment land, in lieu of the target housing figure is supported.

**Assessment Conclusion:** On balance the scheme meets SSDC policy requirements

#### **15. POLLUTION MITIGATION & CONCERN ABOUT ANTHRAX**

Surveys and desk assessments have indicated that there has been past landfill close to the northern edge of the site, (Combe Bottom) and that the site is in an area where there may be an unexploded bomb. Any approval to build will be followed up by further monitoring and appropriate and safe construction methods as with any development site. An appropriate safety distance will be maintained from the known gas pipeline that runs to the north of the site. Groundwater tests carried out indicate no chemicals leaching into the groundwater.

Noise pollution will only significantly occur during the construction phase and a “considerate constructor” code will be part of condition 12 the “Construction Environmental Management Plan” (CEMP), that will deal with construction days and times; construction site deliveries; methods to reduce construction vibration and periods of serious construction noise and limited

“idling” engines.

Air quality will not be significantly affected once the development is completed. During construction there will be dust and dirt soiling and this will be somewhat managed by the CEMP

### Anthrax Concern

Public Health England and SSDC’s Environmental Health Service have no objection to development on the site. A “belt and braces” pre commencement planning condition has been agreed by the applicant to further allay public fears about contamination, (Condition Nos 23). These two qualified public health professional bodies have found:

- i) The site has been extensively tested and no tests have proved positive in terms of anthrax
- ii) Impartial Public Health England testing of the applicant’s soil samples has been expert and robust, and no indication of anthrax has been found.
- iii) Anthrax has reduced to one death a year in the country - and this is usually due to imported feed/hides. Contamination on/from grazing land is generally not evident in the country. And there has been no cases of anthrax infection of humans, in association with development areas – whether land was previously grazed farmland or brownfield site, such as tanneries.
- iv) There is no evidence from the testing of any old tannery works on this site.
- v) Anthrax spores do not spread
- vi) Testing is best done at known burial pits and associated water areas e.g. ditches and drainage. This testing has been done by the applicant and no tests have found any sign of anthrax. No actual burial sites have been found, only suspected burial sites and then once tested, no sign of anthrax has been found.
- vii) The site is safe for development

**Assessment Conclusion:** The scheme meets SSDC policy requirements and is supported for an approval.

## **16. CONCLUSION**

The 2006-28 Local Plan sets out a range of key policies and planning guidelines which the north east UE should, on balance meet. Below these are repeated from the Policy section 5.2 and a final assessment produced, taking into account consultation comments and planning considerations already set out in the report.

### Strategic Land Use Elements

- 765 homes and 30% affordable, (subject to viability)
- Approximately 2.58ha of employment land, (equivalent to 10,400m<sup>2</sup> of floorspace and 650 job spaces – 4000m<sup>2</sup> of floorspace per hectare and 16m<sup>2</sup> per employee). One job per new household or access to jobs by walking, bike or public transport
- Primary school
- Health centre
- Neighbourhood centre with shops and community centre
- Generous landscaped public open space and formal sports pitches and play areas

**Assessment Conclusion:** All these land uses are proposed to be provided. Some 2.6ha of employment land is proposed, but only 15% affordable housing (AH) is proposed. The Viability Assessment at Appendix 1 demonstrates that the 15% AH figure is reasonable and sensible. On balance the loss of employment land, in lieu of the target housing figure is supported. The LPA particularly supports the urban design and landscape strategy for the scheme that gives the northern end of Lyde Road a “sense of place” by opening up the stretch of road to a landscaped new

neighbourhood centre that also integrates and serves homes on Primrose Lane, homes off Redwood Road and at Wyndham Park. Further north, down the slope, homes are incased in landscape and trees, separated by south – north parkland corridors, whilst existing trees and hedgerows are retained. At the northern boundary a new contained and buffered landscape is created for the historic Up Mudford hamlet and related single homes and farmsteads.

### **Key Planning Standards**

- 40% of the site as greenspace
- Lifetime homes
- Net gain in biodiversity and strong green and healthy infrastructure, (spots facilities; parks, promoting walking and cycling)

**Assessment Conclusion:** The scheme meets these standards. There are agreed conditions for “lifetime homes” and “bio diversity net gain”.

### **Special Landscape Guidelines for the North East UE because of the site’s Location**

- Conserve the settings of heritage assets
- Set development back from the A359
- Retain existing trees and hedgerows
- Enhance planting along existing hedgerows
- Re introduce woodland planting in the north and north east as a landscape buffer
- Integrate with Wyndham Park with street patterns, corresponding open space and tree planting
- Development on boundary with Wyndham Park where it would not impact on local views
- Divide scheme into discreet development areas encased in landscape. Avoid steep and highly visible slopes
- Bulkier development on areas of less elevation where it could be visually contained

**Assessment Conclusion:** The scheme broadly meets these important urban design and landscape guidelines. In assessing the scheme the LPA promoted modified versions of the penultimate two guidelines:

*“Locate building growth adjacent to Wyndham Park where it is less conspicuous to local views”*

The LPA has instead encouraged the application to first integrate with the Wyndham Park land uses and neighbourhood needs at the ridge of the escarpment. Then in order to protect distant views into the site “from the north” and soften views “towards the north” the LPA has supported maintaining existing trees and planting; limiting the height of buildings and the provision of 6 “south – north” parkland and viewing corridors.

*“Bulkier development on flatter topography and visually contained areas. Avoid development on steeper and highly visible slopes”*

The LPA has instead encouraged the application to limit height and density at the top of the escarpment, focus development in the middle of the site, (but not at the eastern edge), so as to protect landscape views into the site and provide a strong and deep landscape buffer for the closest and most impacted neighbours in Up Mudford and the closest listed buildings – effectively giving Up Mudford a new contained landscaped context, in return for the loss of the original “open” context.

It is concluded that the proposed layout and landscape design will mitigate some minor heritage harm to listed buildings settings linked to distant and middle distant views into the application site, (a site with no protective landscape designations), and will substantially help the development assimilate into its surroundings, particularly as the landscape matures.

## **Sustainable Transport Policies**

- Delivery of “non – car” travel options
- Network of on - site foot and cycle paths, linked to walking and cycling routes to the town centre, Pen Mill station and job opportunities
- Car parking that gives priority to electric cars, car sharing, walking, cycling and public transport
- Provision of a new bus service linking the site to the town centre, job opportunities and Pen Mill. 400m walk distance to a bus stop
- S106/278 agreements to deliver traffic mitigation and support for “non – car” modes

**Assessment Conclusion:** All these transport and design features have been delivered by the scheme.

## **Sustainable Construction and Management Aspirations**

- Minimize vulnerability to climate change as set out in Local Plan Policy EQ1
- Water conservation
- Flood prevention
- Waste and landfill limitation and support for recycling
- Long term governance structures to ensure ongoing sustainable development

**Assessment Conclusion:** The Sustainable Construction and Minimising Carbon Dioxide Emissions in the UE will be assessed and delivered at the reserved matters stage of the scheme, controlled by a pre commencement condition, Nos 11. It should be noted that the SSDC EQ1 divides this subject into:

- a) energy, construction and solar orientation;
- b) flood management;
- c) bio diversity;
- d) water conservation;
- e) waste minimization and at TA1
- f) sustainable transport” – and therefore 3 out of 6 areas have been substantially addressed at this outline stage.

In addition a proposed s106 clause is recommended, (“Sustainable Construction and Renewable Energy Innovation Fund”), to support on site improvements, should the scheme be approved.

## **Garden Village/City Credentials – 12 Qualities**

### **(“Garden City Principles” – TCPA 2017 and “Garden Communities” – MHCLG 2018)**

- Strong local vision and community engagement – designed through public consultation and in a way that respects the natural and historic environment.
- Stewardship – a place that cares for its community assets, infrastructure and public realm, (either through community ownership of land or other means).
- Strategic Fit – holistically planned and adopted by the Local Planning Authority growth options and locational assessment.
- Future proofed – a place that is resilient and can adapt to changing demographics and the impacts of climate change. A place that will conserve water and mitigate against flooding. A place that will anticipate technological change – electric and driverless cars and renewable energy. (TCPA emphasizes, “a place that uses zero – carbon and energy-positive technology to ensure climate resilience”).
- Strategic infrastructure – access to road, rail. Supports high speed broadband. Utility capacity. Plans for social infrastructure.

- Land value capture – delivers community and physical infrastructure through an appropriate form of land value capture.
- Access to finance and private sector investment – through direct investment or developer contributions.
- Clear identity – meaning a “sense of place” with a coherent centre and public realm
- Sustainable scale and well designed – the extension or village has day to day services within a walking distance, (local retail, community and recreational facilities) and it is connected to more strategic services and jobs by public transport and reasonable cycling distances.
- Great homes – distinctive and quality homes. Quality materials. Affordable homes and homes for all stages in life. (TCPA emphasizes “homes with gardens, combining the best of town and country”).
- Transport – promotion of public transport, walking and cycling. Easy to navigate and to get to education, strategic health care, shopping and jobs.
- Healthy places and Green space – green and active environment and facilities – open space, growing space, play and sports space and encouraging walking and cycling. Considers opportunities to deliver environmental gains, “biodiversity net gain” and enhancements to natural capital.

#### **Assessment Conclusion:**

The UE site has been assessed and agreed through the SSDC statutory plan making process including formal consultation and public inquiries. The scheme would make an important contribution to the District’s housing need and demand aims. The strategic planning process that identified the site included both strategic and local landscape and heritage asset impact reviews. The UE site and current proposal has been developed through public consultation and debate, though it must be said there is still strong local opposition to the scheme. The scheme has been adjusted as a result of consultation. The scheme is close to and supports sustainable transport to Yeovil strategic services, and on site, provides for all Local Plan demanded local infrastructure, (health, retail, community, sports, play, open space and employment).

The scheme is supported by private investment and demonstrates “land value capture” in the delivery of over £10m worth of community benefit. The community assets, public realm and public open space will all be maintained and managed and are subject to conditions linked to the County Highways Authority, Wessex Water, an Open Space Management Company and local parishes

The scheme has begun addressing at this outline stage standard “anti-climate change” design issues and this will be further addressed at the reserved matters stage through a planning condition and an Innovation Fund, particularly for Renewable Energy. The scheme has been designed “holistically” through a master plan process and has a demonstrable “sense of place”. It has an identifiable centre accessed by a network of cycle and footpaths and bus routes – which also link the UE to Yeovil centre. At this master plan stage, the scheme provides “homes with gardens” and a “viability tested” proportion of affordable homes. Planning conditions aim to control further home design quality at the reserved matters stage. The scheme provides “homes for all ages”. And the proposed UE makes a significant contribution to a “healthy and green” environment, with 40% devoted to greenspace, including parkland corridors, play areas, sports pitches, a growing area and substantial new landscaping and new woodlands. A “bio diversity net gain” condition has also been agreed.

Overall the proposal is clearly en route to meeting the 12 quality criteria of the published “Garden Village/City Principles” set out by both the Town & Country Planning Association and MHCLG.

**On the basis of the above policy and standards assessment the application is strongly supported and recommended for approval**

## **17. RECOMMENDATIONS**

### **17.1 SUBJECT TO NO HOLDING DIRECTION FROM THE SECRETARY OF STATE**

**17.2 SUBJECT TO A SIGNED S106 AGREEMENT** with the Applicant and all those with an interest in the land to secure the matters referred to in the Heads of Terms set out in **SECTION 3 of this report and Appendix 1**, with authority delegated to the Lead Specialist of the Council to negotiate the planning obligations, (which authority shall include the ability to secure the Heads of Terms through other mechanisms (e.g. conditions or s278 Agreements), where appropriate.

### **17.3 GRANT PERMISSION FOR APPLICATIONS NO. 15/03942/FUL and 14/0255/OUT FOR THE FOLLOWING REASON:**

The 2 proposals relates to the north east Yeovil allocated Sustainable Urban Extension site in the South Somerset Local Plan 2006-28, (Policy YV1, 2 and 5 – Yeovil Sustainable Urban Extensions). It is considered that the proposed two schemes would provide a sustainable development with good access to a range of services and facilities. It will make an important contribution towards meeting the district's housing needs, including 15% affordable housing. It would provide a safe means of vehicular and pedestrian access, would not adversely harm residential amenity, ecology or the local landscape and would satisfactorily mitigate for surface and foul water drainage. The proposal is in accord with SD1, SS1, SS3, SS4, SS5, SS6, HG3, HG5, TA4, TA5, TA6, HW1, EQ1, EQ2, EQ4 and YV2 and 5 of the adopted South Somerset Local Plan, the Core Planning Principles and Chapters 2, 4, 5, 6, 8, 9, 12, 15 and 16 of the National Planning Policy Framework 2019

### **17.4 SUBJECT TO THE FOLLOWING PROPOSED CONDITIONS FOR EACH SEPARATE APPLICATION & PLANNING INFORMATIVES: (Over page)**

## **PROPOSED CONDITIONS FOR 14/02554/OUT**

- A. General Conditions**
- B. Site Wide Pre Commencement Conditions for Development of Any Plot**
- C. Conditions to Accompany any Reserved Matters Application for Each Phase of Development**
- D. Instructive Conditions**

### **A. General Conditions**

- 1. Development Start Time**
- 2. Reserved Matters**
- 3. Phasing Programme**
- 4. Reserved Matters Timescale**
- 5. Plans List and Land Use Permissions**

### **B. Site Wide Pre - Commencement Conditions for Development of Any Plot**

- 6. Design Principles**
- 7. Foul Sewage Infrastructure**
- 8. Drainage and Surface Water**
- 9. Land Contamination**
- 10. Landscape and Ecological Management Plan (LEMP) & the Biodiversity Net Gain Strategy**
- 11. Sustainable Construction and Minimising Carbon Emissions**

### **C. Conditions to Accompany any Reserved Matters Application**

- 12. Adherence to Design Principles**
- 13. Adherence to Designs for a) Foul Sewage and b) Drainage and Surface Water**
- 14. Adherence to Designs for Sustainable Construction and Minimising Carbon Emissions**
- 15. Adherence to Designs for Land Contamination Mitigation**
- 16. Adherence to Designs for Landscape and Ecological Management Plan & the Biodiversity Net Gain Strategy**
- 17. Construction Environmental Management Plan**
- 18. Archaeology**
- 19. Estate Roads**
- 20. Electric Vehicle Charging**
- 21. Parking and Turning Areas to be kept clear**
- 22. Disposal of Highway Surface Water**
- 23. Tree and Hedgerows**
- 24. Landscaping**
- 25. Noise**
- 26. Bats – Lighting Design**

### **D. Instructive Conditions**

- 27. Infrastructure – Broadband**
- 28. Wildlife Survey and Support**
- 29. Pre – Occupation and Highways**
- 30. On Site Parking Provision**

## **CONDITIONS for 15/03942**



1. Development Start Timescale
2. Plans List

**INFORMATIVES for 14/02554/OUT and 15/03942**

01. Conditions
02. Approved Drawings
03. Highway Works
04. Environment Agency
05. Sustainable Urban Drainage (SUDS)
06. Drainage
07. Surface Water Attenuation
08. Soakaways
09. Flood Prevention
10. Foul Flow
11. Minimising Light Pollution
12. Slow Worms
13. Hedgerows, Trees and Scrub
14. Ecological Clerk of Works
15. Electricity Supply
16. Noise Management
17. S106 Agreement
18. Fires
19. Highway Legal Agreement
20. Lyde Road/Mudford Hill Junction
21. Traffic Regulation Orders
22. Pre Application and Public Engagement Process

**CONDITION DETAILS FOR 14/02554/OUT**

**A. General Conditions**

**1. DEVELOPMENT START TIMESCALE:** The development hereby permitted shall be begun either before the expiration of **5 years** from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

**Reason:** To enable the Local Planning Authority to review the suitability of the development in the light of altered circumstances and to accord with the provisions of Article 4 (Article 5) of the Town and Country Planning (Development Management Procedure) Order 2015.

**2. RESERVED MATTERS:** Details of appearance, layout, scale and landscaping, (hereinafter called "the reserved matters") for each phase or part thereof, shall be submitted to and approved in writing by the local planning authority before the development takes place on the relevant phase and the development shall be carried out as approved.

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

**3. PHASING PROGRAMME:** The development hereby approved shall not be commenced until a written programme, (showing the phasing of the development; the anticipated timings for the submission of Reserved Matters Applications, and the commencement of each phase), has been submitted to and approved in writing by the local planning authority. Any subsequent changes to the

agreed programme of phasing shall be submitted to and approved in writing by the local planning authority.

**Reason:** As required by Section 92(2) of the Town and Country Planning Act 1990. (Outline Planning Permission only is granted in accordance with the application submitted).

**4. RESERVED MATTERS TIMESCALE:** Prior to commencement of development of any phase or part thereof, an application for the approval of reserved matters for each phase, or part thereof, shall be submitted to and approved in writing by the local planning authority in accordance with the scheme of phasing agreed under condition 3 and each of the phases shall be completed in accordance with the phasing programme unless otherwise agreed in writing with the local planning authority. In the case of any reserved matter, all applications for approval must be made not later than the expiration of fifteen years beginning with the date of the grant of outline planning permission.

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

**5. PLANS LIST & LAND USE PERMISSIONS:** Outline planning permission is hereby granted for:

- a) Up to 765 dwellings (C3)
- b) Care Home with up to 65 bed spaces
- c) Up to 2.02ha of employment land (B1)
- d) Community Building
- e) Neighbourhood Centre comprising up to 1000m<sup>2</sup> retail, (A1, A2, A3, A5)
- f) Health Centre (D1)
- g) Associated on-site and off - site works

The development hereby permitted shall be carried out in general accordance with the following approved, illustrative plans:

- Illustrative Master Plan (1616\_2004 M)
- Land Budget & Density Plan (1616\_2002 J)
- Green Infrastructure Plan (1616\_2003 B)
- Scale Parameters Plan (1616\_2008 B)
- Landscape Strategy (CSa/2023/108E)
- Movement Parameters Plan (1616\_2010 E)

Detailed planning permission is hereby granted for the new means of access from the site to A359 and to Lyde Road, in general accordance with the following approved, detailed plans:

- Proposed Site Access (A359 Mudford Hill) – Roundabout General Arrangement (13916-C002)
- Proposed Vehicular Access and Signal Controlled Crossing on Lyde Road (13916-SKT02 E)
- Development Block A – Primrose Lane West Access General Arrangement (13916/T14 A)
- Primrose Lane/Spine Road Junction and Turning head (13916/SKT04 A)

**Reason:** As required by Town and Country Planning Act 1990, and in order to ensure compliance with the plans hereby approved. (Outline Planning Permission only is granted in accordance with the application submitted), except for the means of access which is not a reserved matter.

## **B. Site Wide Pre - Commencement Conditions for Development of Any Plot**

**6. DESIGN PRINCIPLES:** Prior to the commencement of any development, a set of Design

Principles shall be submitted to and approved in writing by the Local Planning Authority. These principles shall be formulated broadly in accordance with the aims and objectives of the Primrose Lane, Upper Mudford Design and Access Statement and the Illustrative Masterplan drawing nos.1614-2004-Rev M, both submitted with the outline application and shall include the following details:

- (a) **MOVEMENT:** The proposed movement network delineating the primary, secondary and tertiary streets and pedestrian and cycleway connections, (on site and off site links), setting out the approach to estate design, treatment of non-vehicular routes and car and cycle parking, (including a parking strategy i.e. numbers of parking spaces and types).
- (b) **LAYOUT:** The proposed layout, use and function of green and open space within the development.
- (c) **PARKING:** The approach to and design principles applied to car parking (on street and off-street), disabled parking and cycle parking.
- (d) **URBAN STRUCTURE:** Phased layout principles to include urban structure, form and layout of the built environment, building heights, densities, legibility, means of enclosure, key gateways, landmark buildings, key frontages and key groups.
- (e) **PUBLIC REALM & LANDSCAPING:** The design approach for areas within the public realm including landscaping and hard surface treatments, public and private lighting, street trees, boundary treatments, street furniture, sports facilities and play equipment including an explanation of how the design approach and layout will achieve the proposed mitigation as set out in Chapters 7 and 8 of the submitted Environmental Statement.
- (f) **SERVICES:** Servicing, including utilities, (gas, electricity, water, broadband), and the design for the storage and collection of waste and recyclable materials.
- (g) **MATERIALS:** External materials, to include a palette of wall and roof finishes, windows, doors, porches, heads, cills, chimneys, eaves, verges, rainwater goods and the public realm.
- (h) **SAFETY & ACCESS FOR ALL:** These will be the design principles that will be applied to the development to encourage security, community safety and equal access to homes, buildings and public realm. Equal access is particularly important for the infirm and disabled.

Thereafter any application for the approval of reserved matters shall comply with the approved Design Principles, unless otherwise varied in writing by the Local Planning Authority

**Reason:** To accord with the provisions of Article 4 (Article 5) of the Town and Country Planning (Development Management Procedure) Order 2015 and EQ2 of the South Somerset Local Plan.

**7. FOUL SEWAGE INFRASTRUCTURE:** No development in any phase shall commence until works for the disposal of foul sewage from that phase or any part thereof, have been provided, in accordance with details first submitted to and approved in writing by the local planning authority.

The scheme (s) once approved shall be implemented in accordance with the approved details, the relevant phase (s) and in accordance with the anticipated timetable agreed unless otherwise varied in writing by the Local Planning Authority.

**Reason:** To ensure that the development is adequately drained in accordance with the aims and objectives of Policy EQ7 of the South Somerset Local Plan (adopted March 2015) and the provisions of the NPPF.

**8. DRAINAGE & SURFACE WATER:** No development shall take place until details of a strategy for sustainable surface water and ground water drainage, (including temporary drainage provision during construction), and mechanisms for ongoing maintenance and management has been submitted to and approved in writing by the Local Planning Authority (LPA). No development on any individual phase shall take place until details of sustainable surface water and ground water drainage, (including temporary drainage provision during construction, for that phase to accord with the submitted Flood Risk Assessment dated January 2015 have been submitted to and approved by the LPA. The development shall be carried out in accordance with the above approved details and the

surface water drainage infrastructure shall be retained and maintained as such thereafter.

Where attenuation for a particular phase is to be provided by the basins approved by 15/03942/FUL, no development shall take place until the relevant attenuation basin has been constructed.

The scheme (s) once approved shall be implemented in accordance with the approved details, the relevant phase (s) and in accordance with the anticipated timetable agreed unless otherwise varied 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 Policies EQ2 and EQ7 of the South Somerset Local Plan (adopted March 2015) and the provisions of the NPPF

**9. LAND CONTAMINATION:** The development hereby permitted shall not begin until a scheme to deal with contamination of land, controlled waters and/or ground gas has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include all of the following measures, unless the Local Planning Authority dispenses with any such requirement specifically in writing. And once approved, testing, assessment, development and mitigation shall be carried out in accordance with the approved details:

- i) A scheme of further investigation, (to a depth of 2m), of the soils encountered in Trial Pit T5 reported on by Forge Environmental in their Supplemental Report of PRI006.D/SAR/003 Rev A (Aug 2018) and referred to in the Public Health England letter to Forge Environmental Management Ltd on 19-2-18
- ii) Prior to the commencement of development in each phase or part thereof the full depth of topsoil will be stripped and stockpiled. If any evidence of significant ground disturbance is identified this will be further investigated in accordance with the methodology set out in Para 3.2 of Forge Environmental Supplemental Report PRI006.D/SAR/003 Rev A (Aug 2018), and additionally by a method submitted to and approved in writing by the Local Planning Authority and in accordance with BS10175 2013
- iii) A scheme of mitigation to avoid risk of pollution of water courses and ground water that may be affected, including off site adjoining land, in incidents of heavy rainfall and/or flooding.
- iv) If during the works on each phase contamination is encountered, (e.g. including signs of burning, odour, staining of the soil, unusual coloration or soil conditions, or animal remains from the past) which has not previously been identified, then the additional contamination shall be fully assessed and an appropriate remediation scheme submitted to and approved in writing by the Local Planning Authority. This must be reported to the LPA immediately, (within 14 days) and all development work suspended.
- v) A validation report detailing the proposed remediation works and quality assurance certificates to show that the works have been carried out in full accordance with the approved methodology shall be submitted to and approved in writing by the Local Planning Authority. Details of any post-remedial sampling and analysis to show that the site has reached the required clean-up criteria shall be included in the report, together with the necessary documentation detailing what waste materials have been found and removed from the site, and how all waste material has been safely dealt with on or off site.

The scheme (s) once approved shall be implemented in accordance with the approved details, the relevant phase (s) and in accordance with the anticipated timetable agreed unless otherwise varied in writing by the Local Planning Authority.

**Reason:** To ensure that actual or potential land contamination has been investigated and any associated environmental risks have been assessed and mitigated in accordance with the aims and objectives of Policy EQ7 of the South Somerset Local Plan (adopted March 2015).

**10. LANDSCAPE & ECOLOGICAL MANGEMENT PLAN (LEMP) & BIODIVERSITY NET GAIN**

**STRATEGY:** A LEMP (referred to in paragraph 8.5.14 Chapter 8 Environment Statement), shall be submitted to, and be approved in writing by, the local planning authority prior to the commencement of the development.

The content of the LEMP shall include the following:

- a) How the Construction Environmental Management Plan - CEMP and the LEMP will be integrated
- b) Description and evaluation of the biodiversity features post “whole site development” will be developed, maintained and managed for 30 years once the final phase of development is completed. This will also include LEMP Aims and Objectives and the Biodiversity Net Gain Strategy
- c) Ecological trends and constraints on site that might influence management.
- d) Preparation of an indicative work schedule (including an annual work plan capable of being rolled forward) and how this will be monitored and developed
- e) The LEMP will cover at least the habitat and landscape design and management of the new development, that is needed to promote bats; badgers; birds; dormice; otters; invertebrates; reptiles; key plant species and pollinators.
- f) The LEMP shall include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body (ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

In particular the “Details of the LEMP & Biodiversity Net Gain Strategy” shall set out protection and mitigation details relating to the following key species:

- **BADGERS:** Anticipated timetable for the carrying out of any mitigation required, and if necessary the details of new sett requirements and foraging habitat, following any closure of any existing setts.
- **BATS - TREES:** A survey by a competent person, at an appropriate time of year to establish if bats are present in the existing trees within the relevant phase which have been approved to be felled. The survey, together with any proposed mitigation strategy shall be submitted and approved prior to any felling or works to the trees.
- **REPTILES**
- **DORMICE**
- **BIRDS,** (including swifts and swallows)
- **POLLINATORS**

The scheme (s) once approved shall be implemented in accordance with the approved details, the relevant phase (s) and in accordance with the anticipated timetable agreed unless otherwise varied in writing by the Local Planning Authority.

**Reasons:** In the interests of European and UK protected and priority species and in accordance with policies EC7, EC8 and EQ4 of the South Somerset Local Plan, in order to:

- to protect badgers, their habitat and setts from damage or disturbance during development operations bearing in mind the animal and its setts are specially protected through the Protection of Badgers Act 1992;
- to protect and safeguard slow worms which have been identified on part of the site and which are specially protected under Section 9(5)(a) and 9(5)(b) of the Wildlife and Countryside Act 1981 (as amended), and

- to protect dormice and their habitat from damage or disturbance bearing in mind that the dormouse is included on Schedule 5 and fully protected under Section 9 of the Wildlife and Countryside Act 1991 (as amended) and the Conservation (Natural Habitats & Countryside) Regulations 1994 and 2017.

**11. SUSTAINABLE CONSTRUCTION & MINIMISING CARBON EMISSIONS:** Prior to the commencement on site, a “Review Addressing Climate Change in South Somerset Policy EQ1 (RACCSS)” for the whole site, will be produced which sets out how the development proposes to address the following measures set out in Policy EQ1 within the viability parameters already established by the viability appraisal produced for this the outline application:

- Minimisation of Carbon Dioxide emissions through energy efficiency; renewable and low carbon energy solutions
- Minimisation of Flood Risk and maximisation of Water Conservation
- Solar orientation, maximising natural shade and cooling, water efficiency and flood resilience in addressing the impact of Climate change
- How the impact of climate change may affect the measures proposed to enhance the biodiversity of the site.

The scheme (s) once approved shall be implemented in accordance with the approved details, the relevant phase (s) and in accordance with the anticipated timetable agreed unless otherwise varied in writing by the Local Planning Authority.

**Reason:** in the interests of address climate change and reducing carbon emissions in accordance with policy EQ1 of the South Somerset Local Plan.

### **C. Conditions to Accompany any Reserved Matters Application**

**12. ADHERENCE TO DESIGN PRINCIPLES:** A “Statement of Adherence” shall be submitted as part of any Reserved Matters application.

Adherence to **Condition 6 DESIGN PRINCIPLES**

The Statement of Adherence and scheme (s) once submitted in writing to and approved by the Local Planning Authority, shall be implemented in accordance with the approved details, the relevant phase (s) and in accordance with the anticipated timetable agreed unless otherwise varied in writing by the Local Planning Authority.

**Reason:** To accord with the provisions of Article 4 (Article 5) of the Town and Country Planning (Development Management Procedure) Order 2015 and EQ2 of the South Somerset Local Plan.

**13. ADHERENCE TO DESIGNS FOR A) FOUL SEWAGE INFRASTRUCTURE and B) DRAINAGE & SURFACE WATER:**

Prior to the development of any phase or part thereof, a “Statement of Adherence” shall be submitted in writing and approved by the Local Planning Authority as part of any Reserved Matters application. Adherence to **Conditions 7 and 8 FOUL SEWAGE INFRASTRUCTURE DRAINAGE & SURFACE WATER.**

The approved Statement of Adherence and scheme (s) shall be implemented in accordance with the approved details, the relevant phase (s) and in accordance with the anticipated timetable agreed unless otherwise varied in writing by the Local Planning Authority.

**Reason:** To ensure that the development is adequately drained and to prevent flooding by ensuring the satisfactory storage of/disposal of foul and surface water from the site. In accordance with Policies

EQ2 and EQ7 of the South Somerset Local Plan (adopted March 2015) and the provisions of the NPPF

**14. ADHERENCE TO DESIGNS FOR SUSTAINABLE CONSTRUCTION & MINIMISING CARBON EMISSIONS:** Prior to the development of any phase or part thereof, a “Statement of Adherence” shall be submitted in writing to and approved by the Local Planning Authority as part of any Reserved Matters application.

Adherence to **Condition 11. SUSTAINABLE CONSTRUCTION & MINIMISING CARBON EMISSIONS.**

The approved Statement of Adherence and scheme (s) shall be implemented in accordance with the approved details, the relevant phase (s) and in accordance with the anticipated timetable agreed unless otherwise varied in writing by the Local Planning Authority.

**Reason:** in the interests of address climate change and reducing carbon emissions in accordance with policy EQ1 of the South Somerset Local Plan.

**15. ADHERENCE TO DESIGNS FOR LAND CONTAMINATION MITIGATION:** Prior to the development of any phase or part thereof, a “Statement of Adherence” shall be submitted in writing to and approved by the Local Planning Authority as part of any Reserved Matters application.

Adherence to **Condition 9. LAND CONTAMINATION**

The approved Statement of Adherence and scheme (s) shall be implemented in accordance with the approved details, the relevant phase (s) and in accordance with the anticipated timetable agreed unless otherwise varied in writing by the Local Planning Authority.

**Reason:** To ensure that actual or potential land contamination has been investigated and any associated environmental risks have been assessed and mitigated in accordance with the aims and objectives of Policy EQ7 of the South Somerset Local Plan (adopted March 2015).

**16. ADHERENCE TO DESIGNS FOR LANDSCAPE & ECOLOGICAL MANGEMENT PLAN (LEMP) & BIODIVERSITY NET GAIN STRATEGY:** Prior to the development of any phase or part thereof, a “Statement of Adherence” shall be submitted in writing to and approved by the Local Planning Authority as part of any Reserved Matters application.

Adherence to **Condition 10. LANDSCAPE & ECOLOGICAL MANGEMENT PLAN (LEMP) & BIODIVERSITY NET GAIN STRATEGY.**

The approved Statement of Adherence and scheme (s) shall be implemented in accordance with the approved details, the relevant phase (s) and in accordance with the anticipated timetable agreed unless otherwise varied in writing by the Local Planning Authority.

**Reasons:** In the interests of European and UK protected and priority species and in accordance with policies EC7, EC8 and EQ4 of the South Somerset Local Plan, in order to:

- to protect badgers, their habitat and setts from damage or disturbance during development operations bearing in mind the animal and its setts are specially protected through the Protection of Badgers Act 1992;
- to protect and safeguard slow worms which have been identified on part of the site and which are specially protected under Section 9(5)(a) and 9(5)(b) of the Wildlife and Countryside Act 1981 (as amended), and
- to protect dormice and their habitat from damage or disturbance bearing in mind that the dormouse is included on Schedule 5 and fully protected under Section 9 of the Wildlife and Countryside Act 1991 (as amended) and the Conservation (Natural Habitats & Countryside) Regulations 1994 and 2017.

**17. CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN (CEMP):** No development

shall take place on any phase or part thereof, until a Construction Environmental Management Plan (CEMP) for that part of the development has been submitted to and approved in writing by the local planning authority. The CEMP shall include construction vehicle movements, construction operation hours, and construction vehicular routes to and from site, construction delivery hours, expected number of construction vehicles per day, car parking for contractors together with measures to prevent the emission of dust, mud, slurry, and other debris on the highway and for the mitigation of other construction impacts, (including lorry wheel washing). The CEMP will also include physical measures and sensitive working practices to avoid unnecessary biodiversity and wildlife disturbance and destruction and shall be based on the mitigation measures set out in Chapter 8 of the submitted Environment Statement (ES). These will be measures that will support the post development "Landscape & Ecological Management Plan" described in paragraph 8.5.14 of ES Chapter 8, (and referred to in Conditions 10 and 16 above). If appropriate an ecological clerk of works will be used to oversee biodiversity and wildlife protection during construction. If appropriate the CEMP may include registration with the "Considerate Constructor Scheme". All development shall then be carried out strictly in accordance with the approved Construction Environmental Management Plan, which shall be based on the mitigation measures set out in Chapter 8 of the submitted Environment Statement

**Reason:** To minimize the impact of construction activities on local residents to accord with Policies TA5, EQ2 and EQ7 of the South Somerset Local Plan (adopted March 2015).

**18. ARCHAEOLOGY:** No development shall take place on any phase or part thereof, unless the implementation of a programme of archaeological work involving further evaluation and subsequent mitigation has been secured in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

**Reason:** In the interests of preserving the archaeological interests to accord with the 2006-28 South Somerset Local Plan.

**19. ESTATE ROAD DETAILS:** For each phase or part thereof the proposed estate roads, footways, footpaths, public rights of way, (footpath and bridle ways), cycle ways, tactile paving, bus stops/bus lay-bys, verges, junctions, street lighting, (for residential, commercial and open space areas), 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 provision & spaces and street furniture - shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing before any construction begins. For this purpose, plans and sections, indicating as appropriate, the design, layout, levels, gradients, materials, facility specifications and method of construction shall be submitted in writing to and approved by the Local planning authority.

**Reason:** In the interests of highway safety to accord with Policy TA5 of the South Somerset Local Plan (adopted March 2015).

**20. VEHICLE ELECTRIC CHARGING POINTS:** Prior to first occupation of the dwellings in a phase, or part thereof, hereby permitted, provision will be made for electric vehicle charging points, of at least 16 amps, for each dwelling adjacent to their designated parking spaces or garages or in communal charging areas shown on the approved plan. Sufficient provision for at least one electric vehicle charging points per dwelling shall be provided in this way.

The scheme (s) shall be implemented in accordance with the approved details, the relevant phase (s) and in accordance with the anticipated timetable agreed unless otherwise varied in writing by the Local Planning Authority.

**Reason:** To ensure that the development is resilient and sustainable in accordance with Policy TA1 (Low Carbon Travel) of the adopted South Somerset Local Plan and the provisions of the NPPF.



**21. PARKING AND TURNING AREAS KEPT CLEAR:** Within the phase which includes the Local Centre an area shall be allocated for parking and turning on the submitted plans and, once details have been approved, these areas shall be constructed in accordance with the approved plans and thereafter 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 interest of highway safety to accord with Policy TA5 of the South Somerset Local Plan (adopted March 2015).

**22. DISPOSAL OF HIGHWAY SURFACE WATER:** Within each phase or part thereof 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).

**23. TREES & HEDGEROWS:** All existing trees, hedges or hedgerows shall be retained where possible, unless shown on the detailed drawings approved as part of the reserved matters as being removed or relocated. All trees, hedges and hedgerows on any phase or part thereof of that part of the site being developed shall be protected from damage for the duration of works on that area to the satisfaction of the local planning authority in accordance with the recommendations in British Standard 5837 1991. Any part(s) of trees, hedges or hedgerows removed without the local planning authority's consent or which die or become, in the opinion of the local planning authority, seriously diseased or otherwise damaged within 5 years following contractual practicable completion of the relevant approved phase of development shall be replaced as soon as is reasonably practicable and, in any event, by not later than the end of the first available planting season, with plants of such size and species and in such positions as may be agreed in writing with the local planning authority.

**Reason:** To ensure that hedges, hedgerows and trees to be retained are adequately protected from damage to their health and stability throughout the construction period in accordance with Policies EQ2 and EQ5 of the South Somerset Local Plan (adopted March 2015).

**24. LANDSCAPING:** No phase of the development or part thereof hereby permitted shall be commenced unless there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping for that phase or part thereof, which shall seek to achieve the mitigation measures set out in Chapter 7 of the submitted Environment Statement, 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 buildings in that phase 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 the visual amenity of the area in accordance with Policy ST6 of the South Somerset Local Plan (adopted March 2015).

**25. NOISE:** Prior to the erection of the superstructure of any dwelling within a phase or part of a phase within those parts of the site defined as noise sensitive in ES Chapter 12 - Noise and Vibration, a scheme of noise mitigation shall be submitted to and approved by the Local Planning Authority. Any measures identified should be completed prior to the occupation of buildings within the defined noise

sensitive area.

**Reason:** To ensure proper planning of properties potentially affected by noise in the interests of amenities of occupiers and in accordance with saved Policy EQ7 of the South Somerset Local Plan (adopted March 2015).

26. **BATS – LIGHTING DESIGN:** Prior to commencement of development of any phase or part thereof, where there is potential for adverse impacts on bats as identified in the submitted Environment Statement, a lighting strategy shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- b) show how and where external lighting will be installed (through the provision of lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the design, and these shall be maintained thereafter in accordance with the design. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

**Reason:** in the interests of the 'Favourable Conservation Status' of populations of European protected species and in accordance with policy EQ4 of the South Somerset Local Plan

#### **D. Instructive Conditions**

27. **INFRASTRUCTURE – BROADBAND:** Prior to the occupation of any dwelling, the developer will register the site with "Openreach" for new broadband provision. Prior to the occupation of any dwellings within a phase or part thereof, the developer will ensure that the appropriate ducting is provided within that phase.

**Reason:** In the interests of low carbon travel and the aims of Policy TA1 of the South Somerset Local Plan (2006-2028).

28. **WILDLIFE SURVEYS AND SUPPORT:** If any phase of the development is to be commenced after a date that is 2 years from the date of this consent, no part of that phase of development shall be carried out unless it has been agreed in writing with the Local Planning Authority whether a further supplemental survey, in respect of that part, shall be commissioned in respect of any wildlife survey over two years old at the time of commencement. Should such a survey be required then any mitigation requirements that may be identified by it shall be fully implemented.

**Reason:** In order to protect legally protected species in accordance with Policies EC7 and EC8 of the South Somerset Local Plan (adopted March 2015).

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

**Reason:** In order to ensure that adequate access arrangements exist for each building prior to occupation

**30. ON SITE PARKING PROVISION:** The areas allocated for parking shall be properly consolidated before the building(s) to which they relate are first occupied and shall not be used other than for the parking of vehicles in connection with the development hereby permitted.

**Reason:** In the interest of highway safety to accord with Policy TA5 of the South Somerset Local Plan (adopted March 2015).

#### **CONDITION DETAILS for 15/03942**

- 1. DEVELOPMENT START TIMESCALE:** The development hereby permitted shall be begun before the expiry of ten years from the date of this permission.

**Reason:** In accordance with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2. PLANS LIST & APPROVED DEVELOPMENT:** The development hereby permitted for 2 attenuation ponds and associated landscaping and infrastructure, shall be carried out in accordance with the following approved plans and documents:

- Illustrative Master Plan (1616\_2004 M)
- Flood Risk Assessment (submitted 15<sup>th</sup> September 2015)
- General Arrangement of Attenuation Pond 1 (13916-C101 E) (submitted 7<sup>th</sup> September 2018)
- General Arrangement of Attenuation Pond 2 (13916-C102 E) (submitted 7<sup>th</sup> September 2018)
- Pond Catchment and Phasing Plan (13916-C107 A) (submitted 7<sup>th</sup> September 2018)
- Proposed Fill Area Plan Layout and Sections (13916-C104 A) (submitted 7<sup>th</sup> September 2018)
- Landscape Strategy (CSa/2023/108 E) (submitted 10<sup>th</sup> May 2019)

**Reason:** As required by Town and Country Planning Act 1990, and in order to ensure compliance with the plans hereby approved.

## INFORMATIVES for both 14/02554/OUT and 15/03942/FUL

01. **CONDITIONS:** You are advised that for the purposes of the conditions set out above, the term 'commencement' shall be taken as defined in the S106 which accompanies this application, wherein 'commencement' is defined.
02. **APPROVED DRAWINGS:** You are advised that for the purposes of the above conditions the term 'approved drawings' takes the meaning of those to be approved under any subsequent Reserved Matters together with the base plans set out at Condition 5 and the Environmental Statement, whichever is the later to be approved.
03. **HIGHWAY WORKS:** In regard to the highway works, the applicant is advised to contact the Highway Authority as soon as practicable in order that the appropriate legal agreement can be completed prior to the commencement of highway works.
04. **ENVIRONMENT AGENCY:** You are advised to consult the Environment Agency in respect of any discharge.
05. **SUSTAINABLE URBAN DRAINAGE SYSTEMS (SUDS):** It is recommended that the developer(s) investigate the use of SUDS for surface water drainage on this site, in order to reduce the rate of run-off and to reduce pollution risks.
06. **DRAINAGE:** Provision must be made to ensure that all existing drainage systems continue to operate effectively and that riparian owners upstream and downstream of the site are not adversely affected. In addition the development must not adversely affect any legal water interests in the area, including wells, springs and private abstract.
07. **SURFACE WATER ATTENUATION:** The proposed surface water attenuation ponds will be designed to be continued to be grazed. If given this purpose there are also ways they could be used to provide a wetland habitat, the LPA would support this. You are advised to contact the local planning authority ecologists about the detailed design.
08. **SOAKAWAYS:** Only clean, uncontaminated surface water from roofs and paved areas shall be discharged to any soak away or swale.
09. **FLOOD PREVENTION:** You should ensure that the proposal does not affect any flood defenses and you should consult the Lead Local Flood Authority in this respect.
10. **FOUL FLOW:** In terms of foul flow the development will be unable to gravitate to the anticipated connection point and will require an on-site pumping station. You are advised to consult the Environment Agency and Wessex Water at the earliest opportunity.
11. **MINIMISING LIGHT POLLUTION:** Any floodlighting shall take the form of Full Cut-off (FCO) lighting, set at 90 degrees to the ground. Any such lighting should minimise shedding light into wildlife habitats and nearby housing.
12. **SLOW WORMS:** Any slow worm survey that may be required should include: methods for the safe trapping and translocation of slow worms from areas where they are likely to come to harm from construction activities, identification of refuge or reception areas, the provision of protection to those areas, and methods for preventing slow worms re-entering the areas from which they have been translocated.

13. **HEDGEROWS, TREES & SCRUB:** You are advised that the removal of hedgerows, scrub and trees must be timed to avoid the bird nesting season (March-September) in order to comply with the Wildlife and Countryside Act 1981 (as amended).
14. **ECOLOGICAL CLERK OF WORKS:** You are recommended to consider retaining an "Ecological Clerk of Works" to oversee the implementation of works in relation to wildlife to accord with the law, British Standards and good practice.
15. **ELECTRICITY SUPPLY:** You are advised to contact Scottish and Southern Electricity, Yeovil in respect of electricity supply, installation of underground cables and provision of new on-site electricity sub-stations together with off-site works.
16. **NOISE MANAGEMENT:** In the interest of good practice it is recommended that noise levels for the scheme should aim to achieve Leq 16 hr: 50 and 55dB in outdoor living areas. For indoor living areas during the night time (23.00 - 07.00hrs) the recommended level is Leq 8hr: 30 dB to prevent sleep disturbance. For indoor areas during the day time (07.00-23.00hrs) a level of Leq 16hr: 40dB is generally acceptable.
17. **S106 AGREEMENT:** Your attention is drawn to the agreement made under Section 106 of the Town and Country Planning Act 1990, relating to this site/property.
18. **FIRES:** You are advised that no burning of materials should take place where it could cause damage to any tree, tree group or hedgerow retained or planted on the site or adjoining land.
19. **SCC HIGHWAY LEGAL AGREEMENT:** The applicant will be required to enter into suitable legal agreements with the Highway Authority to secure the construction of the highway works necessary as part of this development. Please ensure that an advisory note is attached requesting that the developer contact the Highway Authority to progress this agreement well in advance of commencement of development.
20. **LYDE ROAD/MUDFORD HILL PRIORITY JUNCTION:** In the interests of financial efficiency it would appear beneficial for the works to install the signalised junction on Lyde Road/A359 Mudford Hill to be a joint scheme between this developer and the developer of the adjacent Wyndham Park site.
21. **TRAFFIC REGULATION ORDERS:** Any amendments to existing highway user rights on any route should be confirmed via an appropriate Traffic Regulation Order prior to works commencing on the routes affected. Undertaking works without the benefit of a suitable Order may constitute a breach of the Highways Act 1980 and appropriate actions will be undertaken by this Authority. In the event of permission being granted, the Highway Authority would recommend that the following conditions are imposed.
22. **PRE APPLICATION & PUBLIC ENGAGEMENT PROCESS:** The applicant is encouraged to enter into early pre application and public engagement on the details of the scheme to help improve the design and delivery of the pre commencement and reserved matters conditions.