

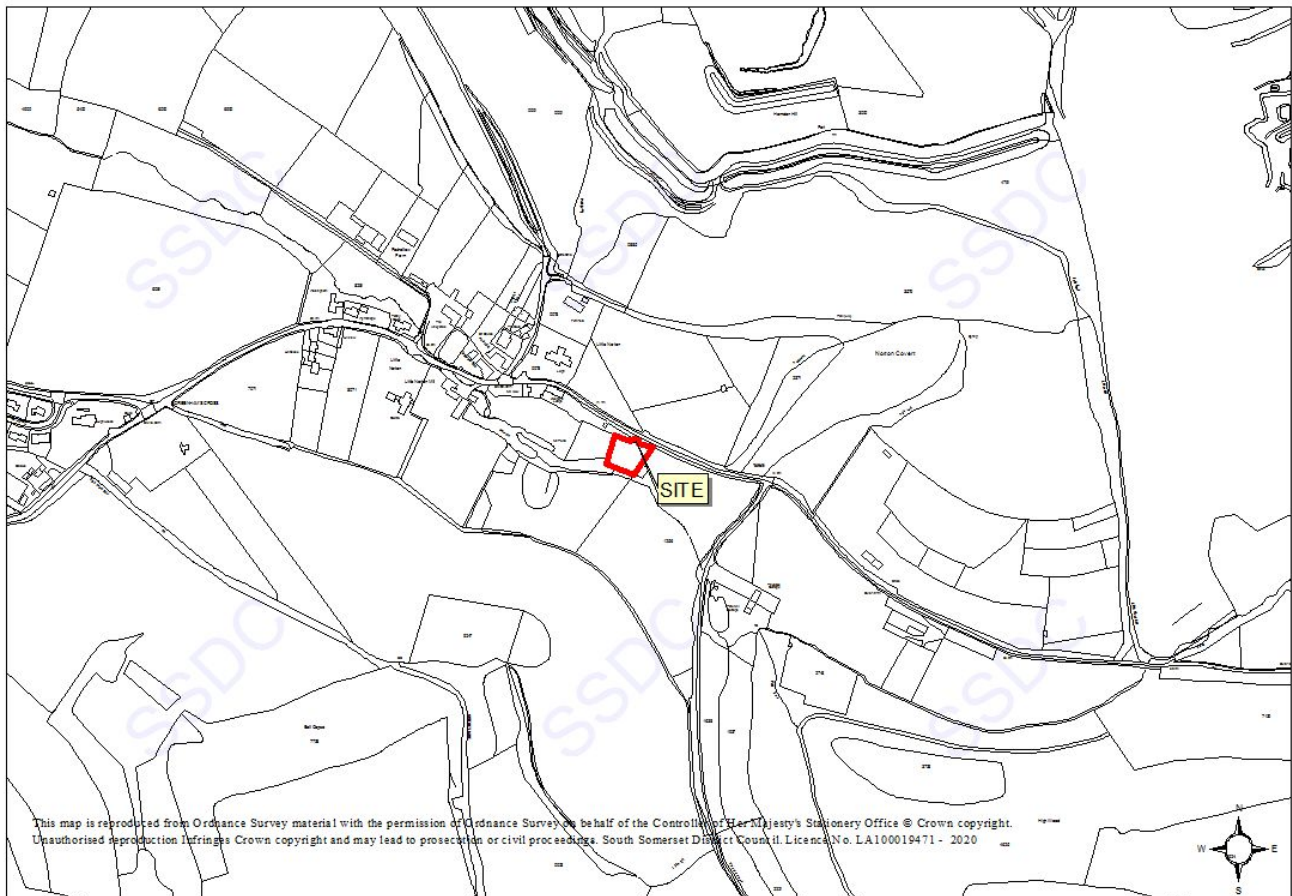
## Officer Report on Planning Application: 19/03241/OUT

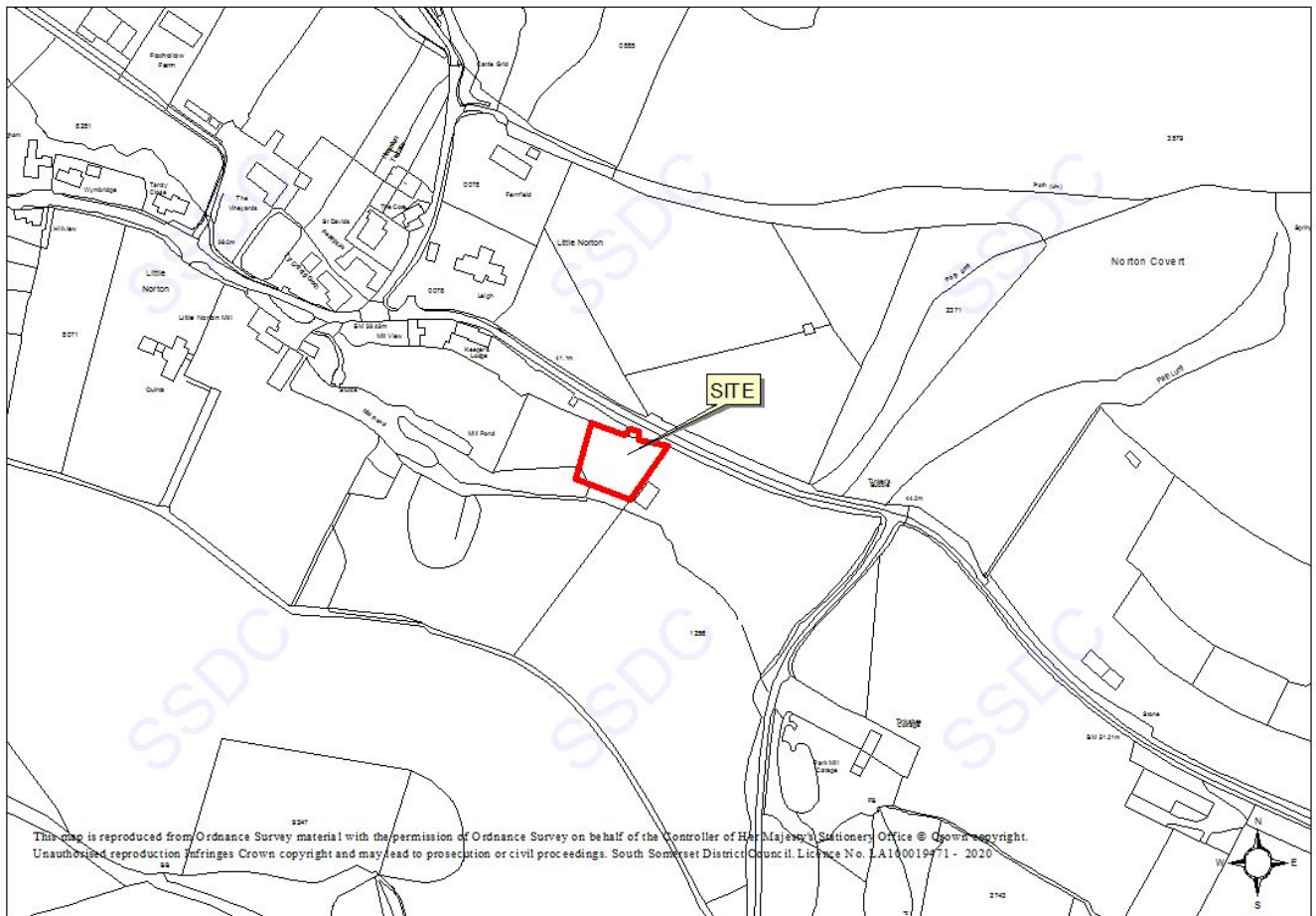
<b>Proposal:</b>	Outline application for the erection of 1 No. dwelling with all matters reserved except access.
<b>Site Address:</b>	Land East of Keepers Lodge, Little Norton, Norton Sub Hamdon, TA14 6TE
<b>Parish:</b>	Norton Sub Hamdon
<b>HAMDON Ward (SSDC Member)</b>	Cllr Mike Hewitson
<b>Recommending Case Officer:</b>	Jacqui Churchill
<b>Target date :</b>	24th January 2020
<b>Applicant :</b>	Mr & Mrs M McKellar
<b>Agent: (no agent if blank)</b>	Paul Dance Ltd, Foxgloves, 11 North Street, Stoke Sub Hamdon Somerset TA14 6QR
<b>Application Type:</b>	Minor Dwellings 1-9 site less than 1ha

### REASON FOR REFERRAL TO COMMITTEE

At the request of the Ward Member and with the agreement of the Area Chairman, this application is referred to Area Committee for consideration for debate, particularly in relation to the impact on a tree and sustainability.

### SITE DESCRIPTION AND PROPOSAL





This is an application seeking outline planning consent with all matters reserved except access, for the erection of 1 no. dwelling at land East of Keepers Lodge, Little Norton.

The site is located in the village of little Norton on land to the east of Keepers Lodge. The site is within an agricultural field and will be accessed from the highway to the north of the plot.

The site slopes down towards to the south before the land to the rear raises sharply further south. The site is located to the east of Keepers Lodge with Tinkers Bubble further to the east a little over 500m from the developed edge of Norton Sub Hamdon. The site is also just outside the conservation area to the west and approximately 150m away from Grade II listed Building Norton Mill. There is existing residential development to the north-west of the site. Open countryside lies in the other directions.

The application is submitted with a Design and Access Statement and Ecology Appraisal.

## HISTORY

19/00345/PREAPP - Erection of a dwelling

## POLICY

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11, and 12 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.

The South Somerset Local Plan (2006 - 2028) was adopted on the 5th March 2015. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) and Section 70(2) of the Town and Country Planning Act 1990 (as amended), the adopted local plan now forms part of the development plan. As such, decisions on the award of planning permission should be made in accordance with this development plan, unless material considerations indicate otherwise. Legislation and national policy are clear that the starting point for decision-making is the development plan, where development that accords with an up-to-date local plan should be approved, and proposed development that conflicts should be refused, unless other material considerations indicate otherwise.

South Somerset Local Plan (2006-2028) Policies:

- SD1 - Sustainable Development
- SS1 - Settlement Strategy - identifies Horton as a Rural Settlement
- SS2- Development in rural settlements
- SS4 - District Wide Housing Provision
- SS5 - Delivering New Housing Growth
- SS6 - Infrastructure Delivery
- HG4 - Affordable housing contributions
- TA1 - Low Carbon Travel
- TA5 - Transport Impact of New development
- TA6 - Parking Standards
- EQ2 - General development
- EQ3 - Historic Environment
- EQ4 - Biodiversity
- EQ5 - Green Infrastructure
- EQ7 - Pollution

National Planning Policy Framework

- Chapter 2: Achieving sustainable development
- Chapter 5: Delivering a sufficient supply of homes
- 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

National Planning Practice Guidance

- Design
- Climate Change

National Design Guide 2019

Other Material Considerations:

Somerset County Council Parking Strategy (September 2013)

Somerset County Council Highways Development Control - Standing Advice (June 2017)

(Note: In August 2018 a report was accepted by the District Executive that confirmed that the Council is currently unable to demonstrate that it has a 5 year supply of deliverable housing land as required by paragraph 73 of the NPPF. In such circumstances paragraph 11 d) In relation to decision taking is engaged, this states:-

*"where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*

- I. *the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- II. *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."*

Footnote 7 to Paragraph 11 explains that:

*"This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 73); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years."*

## **ENVIRONMENTAL IMPACT ASSESSMENT**

None required

## **CONSULTATIONS:**

**Norton sub Hamdon Parish Council:** *The Parish Council objected to this planning application. The reasons are as follows:*

1. *The lane is not suitable for more development. It is very narrow and is totally unsuitable for future development of any kind.*
2. *The lane is more of a farm track - it is used predominantly for farm machinery, walkers and horse riders and is not suitable for any more traffic. It is not well maintained.*
3. *It is a very wet area - surrounded by natural springs. There is a very large flow of water continually flowing from the valleys. Anymore development will effect flooding.*
4. *The drainage system at Little Norton is already at its limit and can take no further building.*
5. *This is a historic village in an area of outstanding natural beauty. Ham Hill sits above this site and further development would have a huge negative impact on this beautiful rural area. The proposal would seriously harm the character of the area and any building would fail to enhance or preserve the character or appearance. Any building here would be visible from Ham Hill.*
6. *Norton sub Hamdon Parish Council do not like outline planning applications and in the past have not accepted them. Again, this is due to the history of this ham stone village.*
7. *The roots of the ash tree near the entrance would be destroyed. The Parish Council would like to see a TPO placed on this tree.*
8. *Allowing this application would open up further planning opportunities in this area which the Parish Council would also not support. It is very important that this does not set a precedent for any other planning proposals in Little Norton.*
9. *There is no further requirement for more properties in Little Norton. It is a small hamlet and should be protected and remain as this - part of the local history. There is already a bed and breakfast in Little Norton plus self-catering at Little Norton Mill.*
10. *The Parish Council would not support a planning application on this site.*
11. *This is greenbelt land. This land should remain agricultural land.*
12. *Very concerned about wildlife in this area. This is a well known area for badgers, foxes, deer, slow worms and toads.*

**SCC Highways:** Referred to standing advice.

**SSDC Highway Consultant:** *Acceptance to the principle of the proposed development in this location*

*must be largely a planning matter to determine, having regard to accessibility and connectivity, access to local services/facilities, etc. I note the public highway is mainly single vehicle width in the vicinity of the site, but the traffic impact of the scheme on the local highway network would not be significant or severe. The details submitted in respect of the means of access in terms of width, geometry and visibility splays, are satisfactory. While the site access appears to be located just outside the 30mph speed limit, it is unlikely that traffic speeds past the site are significantly more than 30mph. At least the first 5m of the access must be properly consolidated and surfaced (not loose stone or gravel). The level of on-site parking will depend upon the number of bedrooms proposed for the dwelling but the extent of the curtilage of the site suggests that an adequate level can be provided independent of turning. This aspect can be conditioned in addition to a condition being imposed relating to the surface of the access.*

**SSDC Tree Officer:** *"I have noted the presence of a large tree adjoining the proposed entrance, as indicated by the red arrow shown above. Whilst I appreciate the outline nature of the application, I have serious concerns regarding the potential impact of the proposal upon the trees and hedgerows in the vicinity. The requirements of constructing a Highways access and the provision of below-ground services are of particular concern.*

*The ecology survey does not focus upon the trees and hedgerows themselves and the statement (highlighted with a red arrow) made in regards to the Hedgerows Regulations within the paragraph below may well be misleading. It appears that no arboricultural input has been provided in support of the proposal.*

*I am obliged to object on the basis that the proposal appears to be harmful to existing landscape features (trees and hedgerows), which I believe is contrary to The South Somerset Local Plan (2006 - 2028); EQ2: General Development & EQ5: Green Infrastructure."*

**The Countryside Charity Somerset** - (in summary) Object.

- *CPRE Somerset considers the development proposal is contrary to NPPF 2019 paragraph 79 which states that Planning*
- *Policies should avoid the development of isolated homes in the countryside under certain circumstances apply which has not been demonstrated.*
- *The proposal does not demonstrate contribution to or enhancement of the natural and local environment of the wooded scarp of the ancient monument of Ham Hill which is contrary to Paragraph 170 of the NPPF. CPRE Somerset considers the proposal encourages the use of 3+ motor vehicles contributing to environmental pollution.*
- *Valuable land is removed from potential food production which is irreplaceable for food security*
- *NPPF paragraph 170 recognises the wider benefits such land plays in terms of reducing flood risk through water holding capacity*
- *The proposed site environs produces 0.25-0.5 nanowatts/cm<sup>2</sup>/sr of light pollution classed as near 'darker skies' Unless strictly controlled, any external lighting will increase light pollution being detrimental to dark night skies, the nocturnal feeding habits and circadian rhythms of nocturnal fauna and human health contrary to NPPF Paragraph 180.*

*CPRE Somerset requests that should the case officer be minded to approve the application then SSDC is mindful of and ensures that appropriate lighting conditions are put in place to conserve dark skies of Ham Hill and insist that external lighting should be downward emitting lighting with clear glazing to reduce light scatter. Max permitted colour temperature of light sources to be 3000K, ideally light switching to be via passive Infra-Red (PIR) detectors with daylight sensing.*

**Ancient Monument Society** - No response

**Archaeology** - No objections

**Ecology** - No objections subject to conditions and informative.

**Forestry Commission** - On this occasion due to the scale of the proposed development and the distance from the ancient woodland we have no comments to make. Reference to standing advice made.

## **REPRESENTATIONS**

Six neighbours were notified and a site notice displayed. Five letters of objection have been received from neighbouring properties. In summary the comments made were:

- There is a tree that should be protected at the point of access to the site
- Previous refused applications in locality of Little Norton due to impact on rural appearance / undesirable extension into open countryside / precedent
- Impact on Setting of Conservation Area
- Concerns that planting on boundaries will have to be coniferous to provide screening all year round
- Views of the proposal would be seen from their sitting room and garden as well as the highway
- It is not affordable housing
- Concern that proposal sets a precedent for development eastwards
- Impact on rural views from higher points around Little Norton and from Ham Hill
- Impact on wildlife
- Highway safety issues - Increase in traffic / road used for walkers, cyclist and horse riders
- Large volume of water passing down the two valleys, development may impede its flow
- Access is via a dangerous blind bend at bottom of hill

## **CONSIDERATIONS**

The main issues to assess as part of this application is the principle of housing in this location and the proposals' impact on visual amenity, impact on setting of heritage assets, landscape character, residential amenity and highway safety.

### **Principle of Development:**

The starting point for decision-making is the statutory development plan, which is the South Somerset Local Plan (2006 - 2028). Adopted in March 2015, this provides the policy framework through which to make decisions on whether or not to grant planning permission for development in the district.

However, the lack of a five-year housing land supply means that policies relating to the supply of housing should not be considered up-to-date. As such, proposals for residential development fall to be determined in light of Paragraph 11 which states that where development plan policies are out-of-date planning permission should be granted unless:

- the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this framework taken as a whole.

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

#### Sustainability of the settlement:

Although Little Norton does not have any services itself, it is well-related to Norton sub Hamdon which does have a good range of facilities. Therefore, Little Norton would be considered as a 'Rural Settlement' as designated with the Local Plan and as such Policy SS2 applies. This states:

"Development in Rural Settlements (not Market Towns or Rural Centres) will be strictly controlled and limited to that which:

- Provides employment opportunities appropriate to the scale of the settlement; and/or
- Creates or enhances community facilities and services to serve the settlement; and/or
- Meets identified housing need, particularly for affordable housing.

Development will be permitted where it is commensurate with the scale and character of the settlement, provides for one or more of the types of development above, and increases the sustainability of a settlement in general. Proposals should be consistent with relevant community led plans, and should generally have the support of the local community following robust engagement and consultation. Proposals for housing development should only be permitted in Rural Settlements that have access to two or more key services listed at Paragraph 5.41".

Policy SS2 sets a relatively restrictive approach to development in rural settlements in that the principle of housing is not automatically accepted as it is predicated upon the compliance of the proposal with the above requirements. However, SS2 is given reduced weight in determination of this proposal due to the lack of 5 year housing land supply.

It is considered that there would be partial compliance with SS2. Local housing need is not robustly evidenced within the application and the dwelling would not provide affordable housing, however it is accepted that there is a general housing need across the district. Also of relevance is whether, the Little Norton meet basic 'sustainability criteria' in terms of the provision of basic local facilities. Policy SS2 requires two facilities such as a public house and shop for a settlement to be considered appropriate (amongst other criteria) for housing development.

As a starting point, Norton Sub Hamdon is considered to be a generally sustainable location, where development could be acceptable in principle. Despite policy SS2 being viewed as out of date, the village has several key services referred to in this policy. There are a good range of facilities to be found within the village, including a village store and post office, primary school, village hall, public house and recreation ground. Taking the above into account, it is considered that the development of housing within the village itself could be acceptable in principle, subject of course to the assessment of other appropriate local and national policy considerations, to determine whether there are any adverse impacts that would significantly and demonstrably outweigh the benefits. In this case, the site does lie beyond the village edge, within the adjoining hamlet of Little Norton, however it is well related to Norton sub Hamdon and within a close proximity to the village centre and its services.

There is no formal footway, linking the site to the village edge, however there is street lighting approx. 160m to the west of the site through little Norton. Despite suggestions that this is a busy rat-run to and from Ham Hill, it was noted when carrying out a site visit that the road is well used by pedestrians. Therefore despite the lack of footway, it is not considered that this would prevent or actively discourage pedestrian access of the main village.

Taking into account the above, and the lack of 5 year land supply, it is considered that the development of this site for residential purposes could be acceptable in principle, subject of course to the assessment of other appropriate local and national policy considerations, to determine whether there are any adverse impacts that would significantly and demonstrably outweigh the benefits.

### **Scale and Appearance:**

This is an outline application only and as such the principle of housing is being assessed, no details are submitted in regard to design.

The proposal is to be sited to the east of Keepers Lodge. It is noted that the land slopes gently down from the highway towards the rear of the plot. Land to the rear, which is also within the ownership of the applicant, then slopes more steeply upwards in a southerly direction.

Following a site visit it was apparent the siting would be relatively unobtrusive, shielded from some views outside the site with the established mature hedges and trees along the east and west boundaries. Grade II Little Norton Mill lies to the approx. 120m west of the site. No objections have been raised by the Conservation Officer. As such, it is not considered that the proposal will introduce harm to the setting of the listed building.

As the application is in outline form with all matters reserved it is difficult to fully comment on the scale and appearance of the proposed dwellings. The majority of matters to consider such as layout, appearance of the proposed dwelling would be assessed at reserved matters stage so no issues are considered as part of this outline application. It is considered that a dwelling would sit comfortably within the site and could be designed to limit its effect on visual amenity and wider landscape character in accordance with policy EQ2 of the South Somerset Local Plan and the NPPF.

Concerns have been raised in regards to the impact on Ham Hill. The site sits low in the landscape and is well contained with established trees on the boundary. Although no response has been received from the Ancient Monument Society, it is noted that no objections have been raised by the Conservation Officer or South West Heritage Trust. As such, it is not considered that the proposal would introduce demonstrable harm to the visual amenity of the area in accordance with Policy EQ2 of the South Somerset Local Plan 2006-28. However, in view of the sensitive nature of the site and in order to safeguard the character and appearance of, not only the development itself, but that of the wider locality, a condition is recommended removing 'permitted development' rights relating to extensions and alterations to the dwellings (including the construction of dormer windows or other roof alterations).

### **Residential Amenity:**

An objection has been received from a neighbouring property in regard to loss of views from their property. The application is currently only in outline form, and there are no detailed parameters against which to assess the full final impact on residential amenity. Clearly, the creation of a new dwellinghouse will alter the current setting, which comprises a field with a timber shelter, but change of outlook and introduction of domestic characteristics would not of themselves constitute an amenity harm for planning purposes that would warrant a refusal.

Due to the size of the site, and likely separation from existing dwellings, this is not considered to raise any residential amenity issues. It is considered that a dwelling could be designed, with the appropriate orientation, window layout and landscaping to limit any adverse overlooking and could also be designed to limit any overbearing and shadowing to the neighbouring property to the west or occupiers of other existing dwellings nearby .

Ultimately however, this will be revisited when any reserved matters application is submitted, to ensure that the final scheme is appropriately designed to avoid harm to residential amenity. There are not considered to be any demonstrably harmful impacts on residential amenity in accordance with Policy EQ2 of the South Somerset Local Plan 2006-28.



**Highway Safety:**

The site is proposed to be accessed via the existing field access, with a drive to the proposed dwelling where turning and parking space would be provided. The final layout of the site would be agreed at reserved matters stage, however the indicative layout does indicate sufficient room for the provision of turning space and parking for the appropriate number of vehicles to satisfy the Somerset Parking Strategy. The Highway Authority has indicated that standing advice should apply, which includes providing appropriate levels of visibility which has been shown as provided on the plan. An objection has been received from a local resident and the Parish Council in respect to highway safety. While these concerns are noted and given careful consideration, the Highway Consultant has advised that he considers the scheme acceptable subject to certain conditions which are replicated and supported below.

Overall, having taken into account the concerns raised, as well as the comments of the Highway Authority and the Council's Highway Consultant, it is considered that the proposal would not lead to an adverse impact on highway safety.

**Trees:**

An objection has been received from a local resident based on the loss of the agricultural land and loss of trees. SSDC's Tree Officer has also raised an objection on the basis of the harmful impact on the tree at the entrance and the hedgerow. The application states that there will be no trees affected, however there are trees on the boundary where the access drive is to be formalised.

There is concern that the necessary changes required, including the possible removal of mature trees and hedgerows, to formalise the access to the field, in regard to engineering work and implementation of visibility splays will have a detrimental impact on the character of the area and landscape character. However, the Highways Consultant has stated that the visibility splays already in situ are satisfactory. As such, with no requirement for loss of hedgerows or trees to provide visibility splays it is considered that a condition could be imposed to ensure appropriate tree protection measures.

**Ecology:**

Some concerns have been raised relating to ecology. As part of the application the SCC Ecologist was consulted. Subject to the imposition of conditions and an informative as shown below no objection was raised.

**Drainage:**

Concern has been raised by the Parish Council and a neighbour that a large volume of water passes down the two valleys and the proposed development may impede its flow.

The site is not within a flood zone 2 or 3 and issues of drainage would be dealt with at reserved matters stage or through building regulations and the necessary consents from Wessex Water. A condition will be imposed to agree details of disposal of surface water within the site so as to prevent its discharge onto the highway.

**Planning Obligations:**

As of 3rd April 2017, the Council adopted CIL (Community Infrastructure Levy), which is payable on all new residential development (exceptions apply) should permission be granted, an appropriate informative will be added, advising the applicant of their obligations in this respect. The proposal will be liable for CIL at reserved matters stage.

## **Other Matters:**

It is noted that the Countryside Charity Somerset have requested that if the application is approved a condition is imposed to conserve dark skies of Ham Hill. This is supported and shown below.

## **Conclusion:**

Currently the District Council cannot satisfactorily demonstrate a five year land supply. As such, development proposals should be considered in the context of the National Planning Policy Framework, which states that these policies should be considered out of date, as they are relevant to the supply of housing. In such circumstances, the main consideration will be whether any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole.

Therefore, notwithstanding the local concerns it is not considered that this new scheme will result in any substantive visual amenity, residential amenity, setting of Conservation Area, setting of listed buildings, highway safety or other environmental concern and that overall the proposal represents an acceptable form of development that will sit comfortably within this context. On this basis the proposal accords with the local plan policies SS1, SD1, TA1, TA5, TA6, SS5, EQ1, EQ2, EQ3, EQ4, EQ5 and EQ7 and is therefore recommended for approval.

## **RECOMMENDATION**

Approve.

01. The proposed development is considered to be acceptable in principle, contributing towards identified local and district-wide housing need, without significantly and demonstrably harming the character of the surrounding area, the setting of the Conservation Area, the setting of the Listed Building, residential amenity, highway safety, or local ecology. The proposal is considered to accord with policies SD1, SS1, SS2, SS4, SS5, TA1, TA5, TA6, EQ2, EQ3, EQ4 EQ5, and EQ7 of the South Somerset Local Plan (2006-2028) and the provisions of the NPPF 2019.

## **SUBJECT TO THE FOLLOWING:**

01. Details of the layout, appearance, landscaping and scale (hereinafter called the "reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

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

02. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission and the development shall begin no later than 3 years from the date of this permission or not later than 2 years from the approval of the last "reserved matters" to be approved.

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

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

Drawing No. 01 - Location / Site Plan

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

04. The proposed access shall be constructed in accordance with details shown on the submitted plan, drawing number Drawing No. 01 - Location / Site Plan, and shall be available for use before first occupation. Once constructed the access shall be maintained thereafter in that condition at all times.

Reason: In the interests of highway safety and in accordance with Policy TA5 of the South Somerset District Local Plan.

05. 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 (trigger point) and thereafter maintained at all times.

Reason: In the interests of highway safety and in accordance with Policy TA5 of the South Somerset District Local Plan.

06. Any entrance gate(s) shall be set back a minimum distance of five metres from the edge of the adjoining carriageway and the sides of the access shall be splayed from the centre of the access at such distance from the carriageway edge at an angle of 45 degrees. These works shall be fully implemented before the access concerned is first brought into use.

Reason: In the interests of highway safety and in accordance with Policies TA5 and TA6 of the South Somerset District Local Plan

07. Before the dwelling hereby permitted is first occupied the visibility splays shown on approved drawing 'Drawing No. 01 - Location / Site Plan' shall be fully provided, with no obstruction to visibility within those splays greater than 600mm above adjoining road level, and shall thereafter be maintained at all times.

Reason: In the interests of highway safety further to policy TA5 of the South Somerset Local Plan 2006-2028

08. Prior to first occupation of the dwellings hereby permitted, a 16amp electric charging point for electric vehicles shall be provided adjacent to the parking spaces or within any garages in association with each dwellinghouse. Once installed such electric charging points shall be retained and maintained in working order, unless otherwise agreed in writing with 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.

09. Before the dwelling hereby permitted is first occupied, at least the first 5m of the vehicular access shall be properly consolidated and surfaced (not loose stone or gravel) details of which shall have been submitted to and approved in writing by the Local Planning Authority. The accesses shall be constructed in accordance with the agreed design and shall be maintained in the agreed form thereafter at all times.

Reason: In the interests of highway safety further to policy TA5 of the South Somerset Local Plan 2006-2028.

10. All parking and turning spaces shall be provided and laid out in accordance with plan ref Drawing No. 01 and shall be maintained and retained for such purposes of parking and turning of vehicles

(including motorcycles and bicycles) incidental to the occupation and enjoyment of the dwellings hereby permitted to which they serve, and kept permanently free from any other forms of obstruction.

Reason: To ensure that adequate on-site parking and turning spaces are provided and thereafter retained to enable vehicles to turn on-site without having to reverse onto the County highway, in the interests of and for the safety of persons and vehicles using the development and the adjoining road, having regard to Policies EQ2 and TA5 of the South Somerset Local Plan and relevant guidance within the NPPF.

11. Prior to commencement of the development, site vegetative clearance, demolition of existing structures, ground-works, heavy machinery entering site or the on-site storage of materials, a scheme of tree and hedgerow protection measures (to include details specifically addressing the required installation of below-ground services, drainage measures and specially engineered no-dig anti-compaction permeable hard-surfacing) shall be prepared by a suitably qualified Arboricultural Consultant who is familiar with supporting planning applications in accordance with British Standard 5837: 2012 - Trees in relation to design, demolition and construction and the prepared scheme shall be submitted to the Council for their approval in-writing. Prior to commencement of the development, the appointed Arboricultural Consultant shall inspect and confirm in-writing to the Council (contact us at [planning@southsomerset.gov.uk](mailto:planning@southsomerset.gov.uk)) that the installation of the approved tree and hedgerow protection measures has been carried out to a satisfactory standard. Boundary hedgerows and trees will be subject to a 10m buffer marked by Heras fencing erected prior to works commencing. No materials or plant should be allowed within the buffer zone. The approved protection requirements must remain implemented in their entirety for the duration of the construction of the development and may only be moved, removed or dismantled with the prior consent of the Council in-writing.

Reason: To preserve existing landscape features (trees and hedgerows) in accordance with the Council's policies as stated within The South Somerset Local Plan (2006 - 2028); EQ2: General Development, EQ4: Bio-Diversity & EQ5: Green Infrastructure.

12. No works shall be undertaken until there has been submitted to and approved in writing by the Local Planning Authority, a scheme of landscaping. The submitted scheme shall clearly confirm the details and dimensions of any intended tree or shrub planting, earth-moulding, seeding, turfing and surfacing. All planting stock shall be specified as UK-grown, and details shall be provided in regards to the planting locations, numbers of individual species, sizes, forms, root-types/root volumes and the intended timing of planting. The installation details regarding ground-preparation, weed-suppression, staking/supporting, tying, guarding, strimmer-guarding and mulching shall also be included within the submitted scheme. All planting comprised in the approved scheme shall be carried out within the dormant planting season (November to February inclusively) upon or prior to the first occupation of the development hereby approved; and if any trees or shrubs which within a period of ten years from the completion of the development die, are removed or in the opinion of the Council, become seriously damaged or diseased, they shall be replaced by the landowner in the next planting season with trees/shrubs of the same approved specification, in the same location; unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure the planting of new trees and shrubs in accordance with the Council's statutory duties relating to The Town & Country Planning Act, 1990 (as amended)[1] and the following policies of The South Somerset Local Plan (2006 - 2028); EQ2: General Development, EQ4: Bio-Diversity & EQ5: Green Infrastructure.

13. No building demolition and vegetation removal works around the site shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of the field shelter and any hedgerow sections to be cut back or scrub and tall ruderal

vegetation to be cleared for active birds' nests immediately before works proceed and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason: Nesting birds are afforded protection under the Wildlife and Countryside Act 1981 (as amended). Although this is a legal obligation the law does not specify a time period - some species can breed outside the time frame given.

14. Prior to the occupation of the dwellinghouse hereby approved details of any external lighting including measures to prevent light spillage and pollution shall be submitted to and approved in writing by the Local Planning Authority. Any external lighting should be downward emitting lighting with clear glazing to reduce light scatter. The maximum permitted colour temperature of light sources to be 3000K, light switching to be via passive Infra-Red (PIR) detectors with daylight sensing. Once agreed such details shall not be altered without the prior written consent of the local planning authority.

Reason: In the interests of visual amenity and to comply with Policy EQ2 of the South Somerset Local Plan (2006-2028).

15. The construction of the new dwelling hereby permitted shall not commence until all the existing field shelter has been completely demolished / removed from the site (as indicated on the submitted plan Drawing No. 01) and all materials resulting from said demolitions, have been removed from the site in their entirety.

Reason: To safeguard the character and appearance of the locality in general, having regard to Policies EQ2 and EQ3 of the South Somerset Local Plan and relevant guidance within the NPPF.

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

- (a) Part 1, Class A (enlargements, improvements or other alterations);
- (b) Part 1, Class B (additions etc. to the roof of a dwellinghouse);
- (c) Part 1, Class C (other roof alterations); and
- (d) Part 1, Class E (incidental buildings, enclosures, swimming or other pools);
- (e) Part 2, Class A (gates, fences, walls or other means of enclosure);
- (f) Part 2, Class B (means of access to a highway);
- (g) Part 2, Class C (exterior painting);
- (h) Part 14, Classes A and B (solar equipment);
- (i) Part 14, Classes C and D (ground and water source heat pumps);
- (j) Part 14, Class G (air source heat pump);
- (k) Part 14, Classes H and I (wind turbine for microgeneration).

Reason: To enable the Local Planning Authority to exercise control over development in order to:

- (i) safeguard the character and appearance of the development itself and the locality in general, by ensuring there are no inappropriate extensions, buildings or other alterations within the curtilages of the dwellings;
- (ii) preserve and enhance the setting of the Listed Building;
- (iii) ensure there is no resultant detriment to ecological, environmental and biodiversity interests;
- (iv) prevent unacceptable harm being caused to the residential amenity of occupiers of adjoining property;

- (v) safeguard on-site parking and circulation areas; and
- (vi) ensure there is no unacceptable surface water run-off,

having regard to Policies EQ1, EQ2, EQ3, EQ4, TA5 and TA6 of the South Somerset Local Plan and relevant guidance within the NPPF.

**Informatives:**

01. The developers are reminded of the legal protection afforded to badgers and their resting places under the Protection of Badgers Act 1992 (as amended). It is advised that during construction, excavations or large pipes (>200mm diameter) must be covered at night. Any open excavations will need a means of escape, for example a plank or sloped end, to allow any animals to escape. In the event that badgers or signs of badgers are unexpectedly encountered during implementation of this permission it is recommended that works stop until advice is sought from a suitably qualified and experienced ecologist at the earliest possible opportunity.
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