

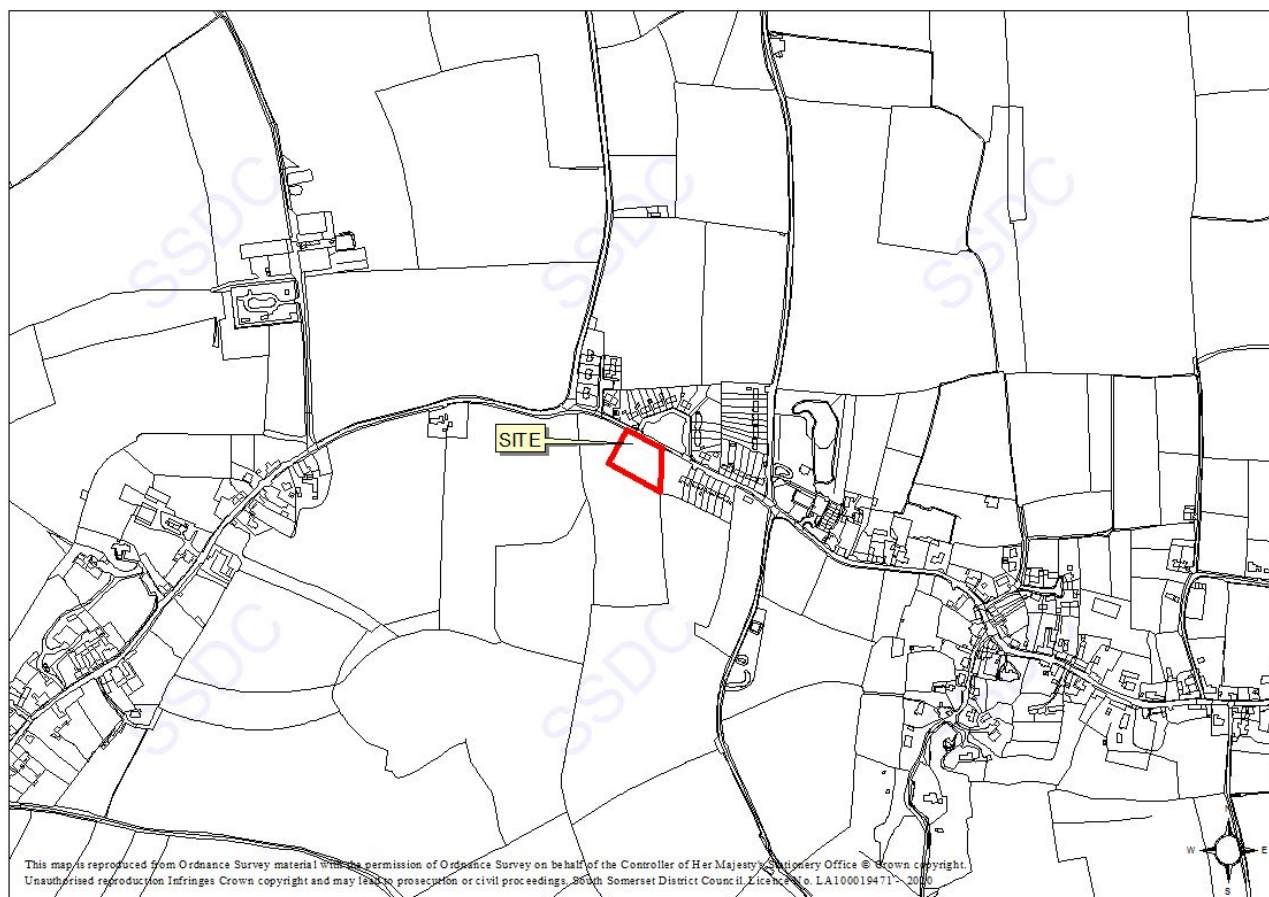
Officer Report On Planning Application: 20/00287/OUT

Proposal :	Outline application with all matters reserved save for access for the erection of 6 No. dwellings
Site Address:	Land Os 4400, Highfields, Main Street, Barrington TA19 0JJ
Parish:	Barrington
BURROW HILL Ward (SSDC Member)	Cllr M Stanton
Recommending Case Officer:	Colin Arnold
Target date :	16th March 2020
Applicant :	Mr E Lucas
Agent: (no agent if blank)	Mr Paul Dance, Symonds & Sampson, 11 North Street, Stoke Sub Hamdon Somerset TA14 6QQ
Application Type :	Minor Dwellings 1-9 site less than 1ha

REASON FOR REFERRAL TO COMMITTEE

The Ward Member did not agree with the officer's recommendation in particularly in relation to surface water flooding issues. Area Chairman subsequently agreed that the application should be heard by the committee.

SITE DESCRIPTION AND PROPOSAL





The application seeks outline planning permission with access (some matters reserved) for the erection of 6 number dwellings (4 x three bedroom houses and 2 x two bedroom houses).

The site is to the south of Main Street and is immediately adjacent to the deemed settlement boundary of Barrington.

The site is adjacent to, and seen in the urban context of, the village of Barrington. The village is one that does qualify as a 'Rural Settlement' in the SSDC Settlement Hierarchy. The site is in Flood Zone 1 and fronts on to a speed restricted (30mph) classified highway.

This is a Greenfield site.

RELEVANT HISTORY

The site has no relevant planning history.

POLICY

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

For the purposes of determining current applications the local planning authority considers that the

adopted development plan comprises the policies of the South Somerset Local Plan 2006 2028 (adopted March 2015).

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

Policy SD1 - Sustainable Development
Policy SS1 - Settlement Strategy
Policy SS2 - Development in Rural Settlements
Policy SS4 - District-wide Housing Provision
Policy SS5 - Delivering New Housing Growth
Policy TA1 - Low Carbon Travel
Policy TA5 - Transport Impact of New Development
Policy EQ1 - Addressing Climate Change in South Somerset
Policy EQ2 - General Development

National Planning Policy Framework - March 2019

Planning Practice Guidance (PPG)

National Design Guide - September 2019

Other

Somerset County Council Parking Strategy (September 2013)

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

CONSULTATIONS

Barrington Parish Council: state in their objection / concerns the following:

'Barrington Parish Council considered this application at meeting this week and have the following points to make:

- i. The addition of 3 new accesses onto the highways is seen as being unsuitable as this lane is narrow and speeding traffic is a problem, which will make an already dangerous stretch of road even more hazardous for pedestrians, cyclists & horse riders. It is to be noted that there is no pavement and many children have to walk along this stretch of road to catch school buses.
- ii. Water run-off from the existing properties on this side (top side) of the road has increased the flooding risk for properties in Sharlands considerably, as has been demonstrated in recent weather conditions (despite a planning condition requiring a drain across the driveway that SSDC seem powerless to enforce). The existing drains, as designed, do not cope with the current water flow, the Parish Council regularly asking County Highways to clear the drains as the water rises, threatening to flood properties at the bottom of Sharlands. This development would further exasperate the problems & worries for residents.
- iii. More loss of hedgerows and destroying valuable wildlife habitats, which are not being replaced as has been demonstrated by the existing properties west of Highfields (despite another planning condition that SSDC seem powerless to enforce).
- iv. This proposal is causing much stress and anxiety to the residents of Sharlands in particular, as was obvious by the responses the Parish Council received after the neighbour notifications went out. It is a very unpopular site for development and once again the Parish Council wish to say

that the top side of this road is wholly unsuitable for development as the safety and water run-off issues are significant.'

County Archaeology: The County Archaeologist has stated:

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

County Ecologist: The County Ecologist has stated:

'Recommendations

In accordance with local and national policy, wildlife legislation, and to follow the requirements of the mitigation hierarchy and for biodiversity net gain, please attach the following conditions to any planning permission granted.

Badgers

Please attach the following informative

- 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.

Construction Environmental Management Plan

- No proposed access works and associated development shall take place (including ground works and vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include the following:
 - a. Risk assessment of potentially damaging construction activities.
 - b. Identification of "biodiversity protection zones".
 - c. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements) to biodiversity on site, including habitats (trees, hedgerows and field edges) and protected species (birds, badgers, reptiles and amphibians), followed by appropriate mitigation, as required.
 - d. The location and timing of sensitive works to avoid harm to biodiversity features.
 - e. The times during construction when specialist ecologists need to be present on site to oversee works.
 - f. Responsible persons, lines of communication and written notifications of operations to the Local Planning Authority
 - g. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person [including regular compliance site meetings with the Council Biodiversity Officer and Landscape Officer (frequency to be agreed, for example, every 3 months during construction phases)];
 - h. Use of protective fences, exclusion barriers and warning signs.
 - i. [Ongoing monitoring, including compliance checks by a competent person(s) during

construction and immediately post-completion of construction works]

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of European and UK protected species. UK priority species and habitats listed on s41 of the Natural Environment and Rural Communities Act 2006 and in accordance with South Somerset District Council Local Plan - Policy EQ4 Biodiversity

Lighting

Bats are active at night and are sensitive to light pollution. The introduction of artificial light might mean such species are disturbed and/or discouraged from using their breeding and resting places, established flyways or foraging areas. Such disturbance can constitute an offence under relevant wildlife legislation.

The following condition for bats can be applied to other light sensitive species as well. The first is usually applied to larger development sites.

- Prior to occupation, a "lighting design for bats and biodiversity]" for the development 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 (hedgerows, trees, bat boxes and any created grassland) and that are likely to cause disturbance in or around their breeding sites and 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 a 'lighting contour plans and' if appropriate 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 breeding sites and 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 South Somerset District Council Local Plan - Policy EQ4 Biodiversity.

Landscape and Ecological Management Plan

- A Landscape and Ecological Management Plan (LEMP) 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. Description and evaluation of features to be managed.
 - b. Ecological trends and constraints on site that might influence management.
 - c. Aims and objectives of management.
 - d. Appropriate management options for achieving aims and objectives.
 - e. Prescriptions for management actions.
 - f. Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
 - g. Details of the body or organization responsible for implementation of the plan.

h. On-going monitoring and remedial measures.

The LEMP shall also 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. The approved plan will be implemented in accordance with the approved details.

Reason: In the interests of the 'Favourable Conservation Status' of populations of European and UK protected species, UK priority species and habitats listed on s41 of the Natural Environment and Rural Communities Act 2006 and in accordance with South Somerset District Council Local Plan - Policy EQ4 Biodiversity.

As enhancement and compensation measures, and in accordance with National Planning Policy Framework (NPPF), please apply the following conditions to any planning permission granted.

Biodiversity Enhancement (Net Gain)

- A Biodiversity Mitigation and Enhancement Plan (BMEP) shall be submitted to, and be approved in writing by, the Local Planning Authority prior commencement or prior to commencement of construction works. Photographs of the installed features will also be submitted to the Local Planning Authority prior to occupation: The content of the BMEP shall include the following:
 - a. A [Habitat 001] bat box or similar will be built into the structure of 3 houses, positioned at least four metres above ground level and away from windows of the west or south facing elevation
 - b. A cluster of five Schwegler 1a swift bricks or similar will be built into the structure of 1 house, built into the wall at least 60cm apart, at least 5m above ground level on the north facing elevation [of Plots xx]
 - c. A cluster of three Vivra Pro Woodstone House Martin nests or similar will be mounted directly under the eaves of the north elevation of 2 houses.
 - d. Two Schwegler 1SP Sparrow terraces or similar at least one metre apart mounted on 1 house or garages, away from windows on the north elevations .
 - e. A bee brick built into the structure of 3 houses or garages, located 1 metre above ground level on the south or southeast elevation.
 - f. Any new fencing must have accessible hedgehog holes, measuring 13cm x 13cm to allow the movement of hedgehogs into and out of the site
 - g. New shrubs to include plants that are high nectar producing to encourage a range of invertebrates to the site, to provide continued foraging for bats. The shrubs must also appeal to night-flying moths which are a key food source for bats. The Royal Horticultural Society guide, "RHS Perfect for Pollinators, www.rhs.org.uk/perfectforpollinators" provides a list of suitable plants both native and non-native.

Reason: In accordance with Government policy for the enhancement of biodiversity within development as set out in paragraph 170(d) of the National Planning Policy Framework

Provided the above conditions are applied as worded, I have no objection to this application.

County Highways: The County Highways Officer has stated:

'The proposal site lies off the classified main street on the western edge of Barrington where the site frontage lies within a posted speed limit of 30mph.

In terms of residual cumulative impact, it is the view of the Highway Authority that the proposed development is unlikely to have a severe impact on the local highway network. As such there is no objection to the principle of this application.

The applicant has proposed to construct 2 new accesses and alter an existing field access each of which would serve two dwellings. The Highway Authority do not see the necessity of providing three access points for the proposal, where the multiplicity of such accesses over a short distance only increases the likelihood of vehicle conflict. The applicant should also be mindful that if consent is granted in its current layout, it may warrant three separate legal agreements to accommodate works for each access.

Therefore, it is advised that the proposed access into the site is revised and the proposed development be served off a single access point, that would afford two way vehicle flow onto the public highway network and provide the appropriate visibility splays (2.4m x 43m in both directions).

The existing highway along an element of the site frontage, for a period does not appear to allow safe two way vehicle flow. There is an opportunity for the developer to make minor alterations to the existing highway that would modestly widen the classified road and provide safer two way vehicle flow along the site frontage of the site as well as allow greater manoeuvrability for vehicles entering/exiting the site.

Detail of such alterations should be provided in the next submission for assessment.

Subject to consent, the applicant needs to provide appropriate vehicle parking in line with the Somerset Parking Strategy (SPS). The site sits in zone B of the SPS parking map. Detail of parking standards can be found in the public domain. Cycle parking needs to also be provided at a rate of 1 per bedroom and be safe, secure, sheltered and accessible. The Highway Authority expect Electric Vehicle Charging Points to be provided for all dwellings as part of SCC policy. All vehicles must be able to enter the public highway in a forward gear.

With the above in mind, there is no objection to the principle of the development proposed, however it is the view of the Highway Authority that the proposal does not warrant three separate access points and as such it is advised that this is revisited along with minor alterations to existing highway along an element of the site frontage where applicable to the satisfaction of the Highway Authority prior to any highway related conditions being provided.'

Following receipt of amended plans showing a single access point for the development:

In our previous comments dated 14 February 2020, the Highway Authority had no objections to the principle of the development however recommended that the original proposal of three access points were revisited/reduced and minor alterations were made to the existing highway along the site frontage.

In response, the applicant has submitted drawing no 6.4 (Location/Site Plan) in support of the application.

The proposal would now see the 6 residential units served off a single point of access, its proximity being where there is an existing field gate to the site. The supporting document also details alterations and widening of the existing highway to 5 metres along the existing site frontage.

Whilst the dimensions indicated are considered as acceptable in this instance, it is noted however, that the supporting drawing is not appropriately scaled and therefore cannot be considered for reference by way of condition.

Given the footfall likely associated with the development to/from local amenities, it is advised that an appropriate footway/clear margin is provided into the access to remove any potential Non-Motorised User - vehicle confliction. Alternatively, the applicant may wish to consider providing a separate NMU access point along the site frontage onto the public highway, with appropriate visibility splays in line with a recognised design standard.

The indicative vehicle parking levels shown on the supporting document are in line with the Somerset Parking Strategy. Should consent be granted, it is expected that sufficient parking will be delivered at reserved matters stage. Parking dimensions will need to be in line with a recognised design standard, and sufficient space provided to ensure the designated spaces are not contrived, demonstrated by a swept path analysis. As mentioned in our previous comments dated 14 February 2020, appropriate cycle parking needs to be provided, access to electric vehicle charging points would also be recommended as part of SCC policy. Appropriate bin storage for collections need to be carefully considered prior to reserved matters, whilst being mindful of Manual for Streets guidance.

In the interest of moving the application forward, detail of the works on the highway are likely to be secured through a suitable legal agreement and condition as outlined (see below recommended conditions)

Natural England (NE): NE state that:

Natural England has no comments to make on this application.

REPRESENTATIONS

13 letters of objection have been received citing the following material issues:

- Building on Agricultural Land is contrary to NPPG and the Development Plan;
- Impact on Highway Safety;
- Congestion;
- Inadequate road width;
- Impact on other highway users (not vehicle);
- Loss of hedgerow / biodiversity impact;
- Flooding (surface water run-off);
- Drainage
- Should have I been informed when it went from three accesses down to one?
- What will be done to reduce traffic speed in area
- Existing housing available in village (including next door to the site)

CONSIDERATIONS

Principle of Development

The proposal seeks outline planning permission for the construction of 6 open market dwellings.

In policy context, national guidance contained within the NPPF sets out a presumption in favour of sustainable development. The NPPF states that in order to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Furthermore, the NPPF advises that planning decisions should avoid the development of isolated homes in the countryside unless one or more of a certain set of circumstances are met. Such circumstances

include

- (i) there being an essential need for rural workers;
- (ii) enabling development to secure the future of heritage assets;
- (iii) re-using redundant or disused buildings;
- (iv) subdivision of an existing dwelling; or
- (v) the design of the new dwelling is of exceptional quality. None of those five circumstances apply in this instance.

Policy SD1 of the Local Plan also recognises that, when considering development proposals, the Council will take a proactive approach to reflect the presumption in favour of sustainable development contained in the NPPF and seek to secure development that improves the economic, social and environmental conditions within the District. Planning applications that accord with the policies in the Local Plan will be approved without delay, unless material considerations indicate otherwise.

Policy SS1 highlights the areas where new development is expected to be focused, grouping certain towns and villages into a hierarchy, of settlements including the Strategically Significant Town (Yeovil), Primary Market Towns, Local Market Towns and Rural Centres. All other settlements are 'Rural Settlements', which Policy SS1 states "will be considered as part of the countryside to which national countryside protection policies apply (subject to the exceptions identified in Policy SS2)".

Policy SS2 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" Those key services referred to in paragraph 5.41 of the Local Plan are local convenience shop, post office, pub, children's play area/sports pitch, village hall/community centre, health centre, faith facility and primary school.

The site is located outside of any development areas or directions of growth as defined by the local plan. As such, policy SS2 of the South Somerset Local Plan is of most relevance. However, elements of policy SS2 must be considered out of date, as SSDC cannot currently demonstrate a five year supply of housing land. It is noted that Barrington would be considered as a broadly sustainable location under policy SS2, as it contains more than two basic services and facilities - in this case a village hall, church and pub.

The principle of modest residential development within the settlement must therefore be considered acceptable, subject, of course, to full consideration of site specific impacts. Furthermore the benefit of contributing to the supply of housing in the district outweighs the lack of local benefits that would have been previously required by policy SS2.

It is therefore considered that, notwithstanding the lack of compliance with local plan policy, the principle of development is acceptable in accordance with the aims and provisions of the NPPF.

Residential Amenity:

The scheme is not considered to have any adverse impact on the occupiers of existing dwellings nearby (opposite and adjacent). Due to the size of the site, and likely separation from new dwellings, this is not considered to raise any issues. 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.

Drainage (Surface Water):

Objections received have stated concerns in relation to the management of surface water run-off from a developed site that is in a position elevated above properties to the east.

For clarity, the site is in Flood Zone 1.

In this instance a site specific Flood Risk Assessment has not accompanied the application as such a document is not a formal requirement for validation purposes.

Government Guidance states the following in relation to the need for an FRA:

'When you need an assessment

You need to do a flood risk assessment for most developments within one of the flood zones.

This includes developments:

- in flood zone 2 or 3 including minor development and change of use;
- more than 1 hectare (ha) in flood zone 1;
- less than 1 ha in flood zone 1, including a change of use in development type to a more vulnerable class (for example from commercial to residential), where they could be affected by sources of flooding other than rivers and the sea (for example surface water drains, reservoirs);
- in an area within flood zone 1 which has critical drainage problems as notified by the Environment Agency.'

The site is less than 1 hectare and is in Flood Zone 1. In addition, although the site use to a more vulnerable class, no other sources of flooding have been identified (other than potential increase in surface water run-off from the site were it to be developed).

As the planning application seeks outline consent, and as there are no evidence of 'other sources' of flooding identified that could impact the site or beyond (the quantum of built development proposed is not known so potential runoff rates are not known), such matters (being the management of surface water) can be reasonably managed by way of planning conditions (in addition to reserved matters details).

Knowing the above it is not considered that, at this stage, the proposal would contribute to off-site increase in surface water run-off. As such the proposal, in outline form, is considered to accord with Policy EQ1 of the Development Plan.

Highway Safety:

The County Highways on receipt of amended plans are satisfied that the development can be carried

out in a safe manner utilising a single point of access and in accordance with appropriate conditions which are outlined below. In the absence of any highways objections the objectors concerns whilst duly noted cannot be used as a reason for refusal in this instance.

Biodiversity Impact:

Objections received have cited impact on biodiversity and loss of habitat (through removal of hedgerow).

In this instance, the statutory consultee (SCC Ecology Services) have reviewed the submitted 'Biodiversity Survey / Assessment' (Lowans Ecology and Associates) and considered the habitat and ecology aspects of the site and have concluded that there would be no demonstrable harm to either, subject to the inclusion of appropriate planning conditions as detailed in their recommendation.

Subject to the inclusion of the planning conditions, as advised, the proposal is considered to be in accordance with Policy EQ4 of the Development Plan.

5 Year Housing Land Supply (5YHLS)

Key to any 'planning balance' consideration is the fact that SSDC cannot demonstrate a deliverable 5YHLS.

In this instance the Council accepts that it is unable to demonstrate a five-year housing land supply and that a presumption in favour of sustainable development exists. Paragraph 11 of the National Planning Policy Framework (NPPF) states that plans and decisions should apply a presumption in favour of sustainable development and grant permission when decision taking where the policies which are most important for determining the application are out-of-date (this includes circumstances where there is no five-year supply of deliverable housing sites with the appropriate buffer), and therefore less weight can be afforded to policies that affect the supply of housing. Paragraph 11 is therefore a significant material consideration with regard to the tilted balance of the presumption of sustainable development.

The proposed scheme would deliver 6 dwelling towards the 5YHLS, and this should be afforded significant material weight in deliberations.

Planning Obligations:

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

No other obligations are requested as the indicative numbers and site size (under 10 units and less than 0.5ha) is under the national threshold. A condition will however be added to limit the final number of dwellings to no more than 6, to comply with these requirements.

Conclusion and Planning Balance

The development proposes the construction of 6 open market properties. The site is considered to be in sufficiently close proximity to Barrington as to qualify as being 'in' a Rural Settlement.

It is accepted that the scheme accords with the requirements of Policy SS2 of the Development Plan, but as the site is unallocated so is technically a departure from the Development Plan it falls to consideration of the scheme on 'planning balance'.

From consultee responses received it is evident that the scheme can be delivered, subject to adherence

to planning conditions. Knowing this, the weighting of delivery of six dwellings where there is no 5YHLS is considerable in this case.

In summary, as the proposal is compliant with adopted settlement policies of the Development Plan, the delivery of six dwellings in a sustainable location, that could contribute towards the under supply of the 5YHLS is considered sufficient to justify supporting the scheme.

As such it is recommended that this outline planning application should be approved as it accords with policies SD1, SS1, SS2, SS4, SS5, TA1, TA5, EQ1, and EQ2 of the South Somerset Local Plan (2006-2028) and the provisions of the NPPF.

RECOMMENDATION

Permission be granted subject to planning conditions:

01. The development proposes the construction of 6 open market properties. The site is considered to be in sufficiently close proximity to Barrington as to qualify as being 'in' a Rural Settlement. It is accepted that the scheme accords with the requirements of Policy SS2 of the Development Plan, but as the site is unallocated so is technically a departure from the Development Plan it falls to consideration of the scheme on 'planning balance'. From consultee responses received it is evident that the scheme can be delivered, subject to adherence to planning conditions. Knowing this, the weighting of delivery of six dwellings where there is no 5YHLS is considerable in this case. In summary, as the proposal is compliant with adopted settlement policies of the Development Plan, the delivery of six dwellings in a sustainable location, that could contribute towards the under supply of the 5YHLS is considered sufficient to justify supporting the scheme.

This outline planning application therefore accords with policies SD1, SS1, SS2, SS4, SS5, TA1, TA5, EQ1, and EQ2 of the South Somerset Local Plan (2006-2028) and the provisions of the NPPF.

SUBJECT TO THE FOLLOWING:

01. An application for approval of the reserved matters for the six dwellings approved 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.

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:

Site Location 1:1250 drawing 6.3

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

04. No proposed access works and associated development shall take place (including ground works and vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include the following:
- a. Risk assessment of potentially damaging construction activities.
 - b. Identification of "biodiversity protection zones".
 - c. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements) to biodiversity on site, including habitats (trees, hedgerows and field edges) and protected species (birds, badgers, reptiles and amphibians), followed by appropriate mitigation, as required.
 - d. The location and timing of sensitive works to avoid harm to biodiversity features.
 - e. The times during construction when specialist ecologists need to be present on site to oversee works.
 - f. Responsible persons, lines of communication and written notifications of operations to the Local Planning Authority
 - g. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person [including regular compliance site meetings with the Council Biodiversity Officer and Landscape Officer (frequency to be agreed, for example, every 3 months during construction phases)];
 - h. Use of protective fences, exclusion barriers and warning signs.
 - i. [Ongoing monitoring, including compliance checks by a competent person(s) during construction and immediately post-completion of construction works]

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of biodiversity and in accordance with Policy EQ4 of the South Somerset District Local Plan.

05. Prior to occupation, a "lighting design for bats and biodiversity]" for the development 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 (hedgerows, trees, bat boxes and any created grassland) and that are likely to cause disturbance in or around their breeding sites and 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 a 'lighting contour plans and' if appropriate 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 breeding sites and 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 biodiversity and in accordance with Policy EQ4 of the South Somerset District Local Plan

06. A Landscape and Ecological Management Plan (LEMP) 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) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organization responsible for implementation of the plan.
- h) On-going monitoring and remedial measures.

The LEMP shall also 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. The approved plan will be implemented in accordance with the approved details.

Reason: In the interests of biodiversity and in accordance with Policy EQ4 of the South Somerset District Local Plan

07. A Biodiversity Mitigation and Enhancement Plan (BMEP) shall be submitted to, and be approved in writing by, the Local Planning Authority prior commencement or prior to commencement of construction works. Photographs of the installed features will also be submitted to the Local Planning Authority prior to occupation: The content of the BMEP shall include the following:

- a) A [Habibat 001] bat box or similar will be built into the structure of 3 houses, positioned at least four metres above ground level and away from windows of the west or south facing elevation
- b) A cluster of five Schwegler 1a swift bricks or similar will be built into the structure of 1 house, built into the wall at least 60cm apart, at least 5m above ground level on the north facing elevation [of Plots xx]
- c) A cluster of three Vivra Pro Woodstone House Martin nests or similar will be mounted directly under the eaves of the north elevation of 2 houses.
- d) Two Schwegler 1SP Sparrow terraces or similar at least one metre apart mounted on 1 house or garages, away from windows on the north elevations .
- e) A bee brick built into the structure of 3 houses or garages, located 1 metre above ground level on the south or southeast elevation.
- f) Any new fencing must have accessible hedgehog holes, measuring 13cm x 13cm to allow the movement of hedgehogs into and out of the site
- g) New shrubs to include plants that are high nectar producing to encourage a range of invertebrates to the site, to provide continued foraging for bats. The shrubs must also appeal to night-flying moths which are a key food source for bats. The Royal Horticultural Society guide, "RHS Perfect for Pollinators, www.rhs.org.uk/perfectforpollinators" provides a list of suitable plants both native and non-native.

Reason: In the interests of biodiversity and in accordance with Policy EQ4 of the South Somerset District Local Plan

08. No work shall commence on the development site until the developer has submitted and had approved by the Local Planning Authority full details of the access to be provided onto and along the public highway (Main Street). No part of the development hereby permitted shall be occupied until the approved detail has been fully constructed.

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

09. 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 commencement 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.

10. There shall be no obstruction to visibility greater than 300 millimetres above adjoining road level in advance of lines drawn 2.4 metres back from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge 43 metres either side of the access. Such visibility shall be fully provided before the development hereby permitted is commenced brought into use and shall thereafter be maintained at all times.

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

11. The development hereby permitted shall not be first occupied until an agreed number of vehicle parking spaces and layout for the development have been provided and approved in conjunction with the Local Planning Authority. The said spaces and access thereto shall be properly consolidated and surfaced and shall thereafter be kept clear of obstruction at all times and not used other than for the parking of vehicles or for the purpose of access.

Reason: In the interests of highway safety and to ensure that there is adequate off street parking available for the development proposed in accordance with Policies TA5 and TA6 of the South Somerset District Local Plan.

12. Prior to first occupation of the development hereby permitted, access to covered cycle and, numbers and spaces to be fully in accordance with a detailed scheme to be submitted to and approved in writing by the Local Planning Authority.

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

13. During the construction phase, the applicant shall ensure that all vehicles leaving the site are in such condition as not to emit dust or deposit mud, slurry or other debris on the highway. In particular (but without prejudice to the foregoing), efficient means shall be installed, maintained and employed for cleaning the wheels of all lorries leaving the site, details of which shall have been agreed in advance in writing by the Local Planning Authority and fully implemented prior to commencement and thereafter maintained until the construction of the site discontinues.

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

14. Prior to first occupation of the dwellings hereby permitted, electric charging points (of a minimum 16amps) for electric vehicles shall be provided adjacent to the parking spaces or within the garages shown on the approved plan. Sufficient electric charging points for at least one per dwelling shall be provided in this way. Once installed such 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.

Informatives:

01. The County Highways Authority advises:

The applicant will be required to enter into a suitable legal agreement 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

02. Please be advised that approval of this application by South Somerset District Council will attract a liability payment under the Community Infrastructure Levy. CIL is a mandatory financial charge on development and you will be notified of the amount of CIL being charged on this development in a CIL Liability Notice.

You are required to complete and return Form 1 Assumption of Liability as soon as possible and to avoid additional financial penalties it is important that you notify us of the date you plan to commence development before any work takes place. Please complete and return Form 6 Commencement Notice.

You are advised to visit our website for further details <https://www.southsomerset.gov.uk/cil> or email cil@southsomerset.gov.uk.

03. The SCC Ecologist advises:

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.
