

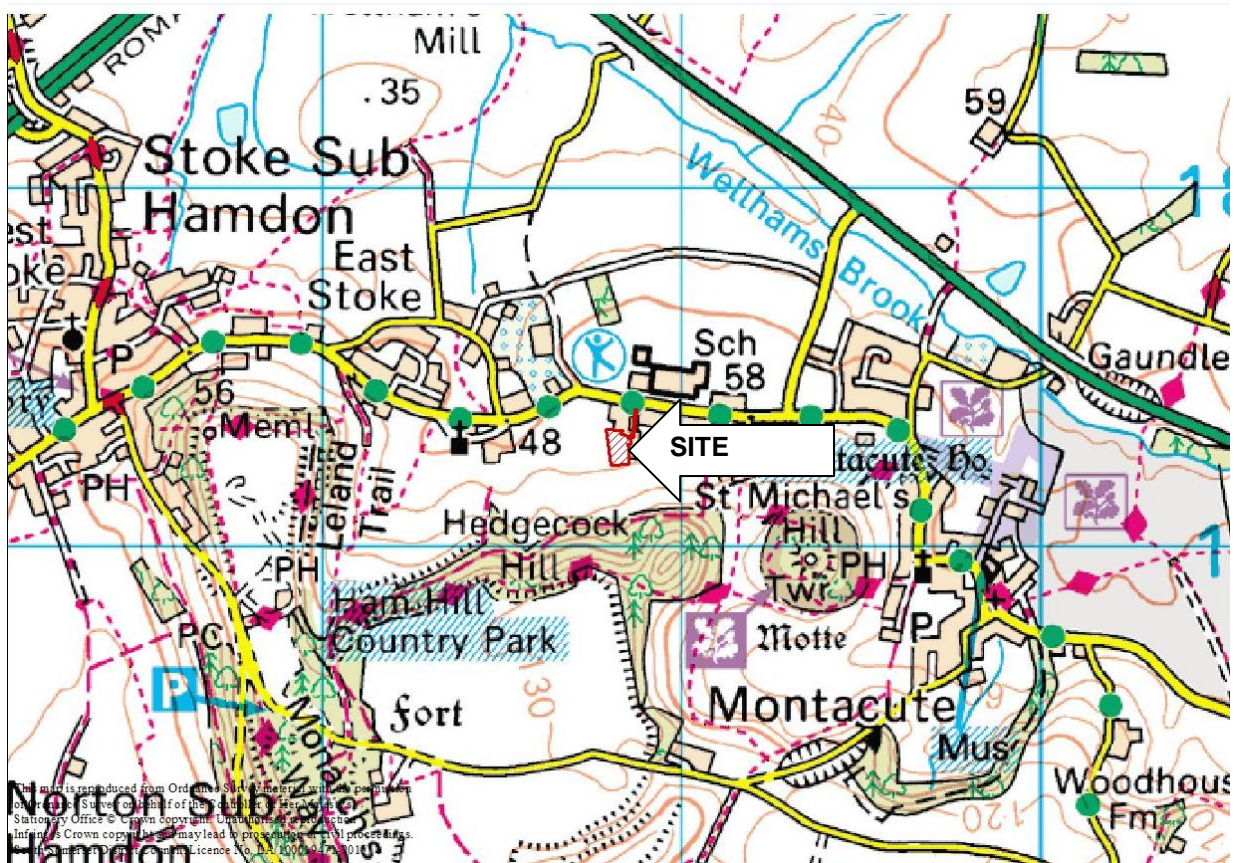
## Officer Report On Planning Application: 14/05319/FUL

<b>Proposal :</b>	Demolition of existing nursery buildings and erection of 11 houses and associated access works (Revised scheme) (GR 348846/117307)
<b>Site Address:</b>	Land Adjoining Woodside, Montacute Road.
<b>Parish:</b>	Stoke Sub Hamdon
<b>ST MICHAELS Ward (SSDC Member)</b>	Cllr Jo Roundell Greene
<b>Recommending Case Officer:</b>	Tel: 01935 462430 Email: alex.skidmore@southsomerset.gov.uk
<b>Target date :</b>	25th February 2015
<b>Applicant :</b>	Brookvale
<b>Agent: (no agent if blank)</b>	Boon Brown Architects, Motivo, Alvington, Yeovil BA20 2FG
<b>Application Type :</b>	Major Dwlgns 10 or more or site 0.5ha+

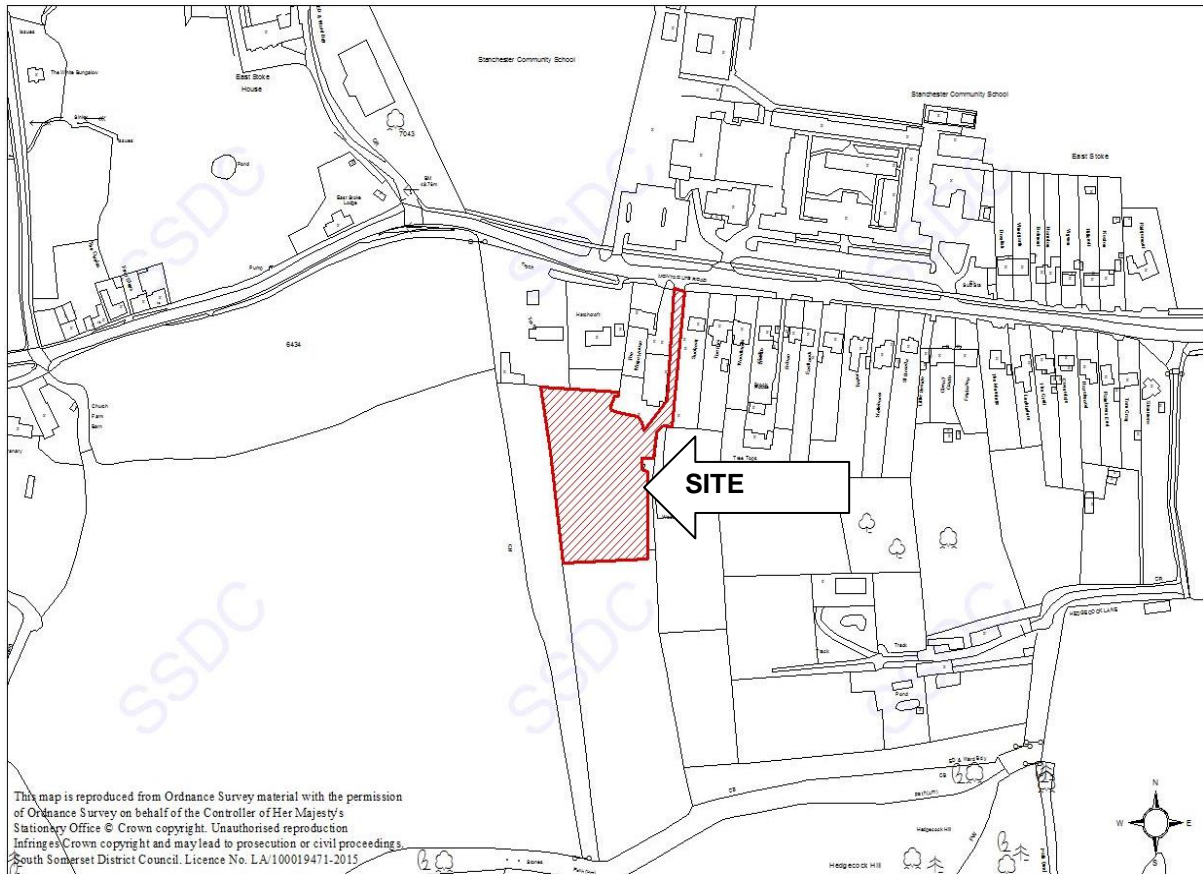
### REASON FOR REFERRAL TO COMMITTEE

This application is referred to committee at the request of the Ward Member with the agreement of the Chair to enable the local issues raised to be debated.

### SITE DESCRIPTION AND PROPOSAL



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This application is seeking full planning permission for the redevelopment of this former nursery site including the demolition of the existing structures and erection of 11 dwellings with associated access works. The application is a revised proposal and follows an unsuccessful application for 12 dwellings which was refused last year.

The application site is a former nursery site situated behind existing residential development and a convenience store, which front on to Montacute Road, and is remote from any development areas (approximately 1.1km to the west of the site). There are a number of facilities in close vicinity to the site including Stanchester Community School, sports centre, the Co-op grocery, is within an easy walking distance of the recreation ground in Montacute and is located on a bus route.

Access to the site is via the existing Co-op access which gives on to Montacute Road (classified C road) and utilises the existing service road to the side of the store which leads to the loading area at the rear. The site is in a poor condition with the glasshouses in an overgrown condition with much of the glazing broken, there is an assortment of other associated buildings on the site, most of which are of tin construction, as well as an area dedicated to the storage of caravans. There are numerous mature trees and hedgerows growing around the perimeter of the site. To the east of the site is a residential bungalow with agricultural land to the rear and west.

The site is relatively close to the grade I listed park and garden associated to Montacute House, East Stoke House, Lodge and Lodge Gates (all grade II listed), East Stoke conservation area and a number of archaeological features including two Scheduled Ancient Monuments, (SM) Hamdon Hill Camp and Montacute Castle, and another area of high archaeological potential which covers much of the escarpment to the south and the village of Montacute to the east.

## RELEVANT HISTORY:

The site has a long and varied history, the most relevant include:

14/02193/FUL: Demolition of existing nursery buildings and erection of 12 houses and associated access works. Refused for the following reasons:

- “01. The proposal would provide for 12 houses on a site of over 0.5 hectares without provision for affordable housing. No justification has been provided for the artificial reduction in site size which is achieved by simply leaving a landscaping area within the applicants ownership but outside the redline, accordingly the proposal is the unjustified piecemeal development of the available site apparently to avoid reasonable planning obligations. As such the proposal is contrary to Policies ST10 and HG7 of the South Somerset Local Plan and the policies contained within the National Planning Policy Framework.*
- 02. The proposal, by reason of the layout, garden size and relationship with the service yard to the retail store, particularly for Plots 3,4 and 5, would result in a poor standard of amenity for future occupiers of these dwellings by reason of lack of amenity space, noise and disturbance. As such the proposal is contrary to Policy ST6 of the South Somerset Local Plan and the policies contained within the National Planning Policy Framework.*
- 03. The proposal, by reason of the layout and inadequate parking provision would result in insufficient parking for future occupiers which would lead to cars being parked on the shared access road to the detriment of residential amenity and highway safety. As such the proposal is contrary to Policies ST5 and ST6 of the South Somerset Local Plan and the policies contained within the National Planning Policy Framework.”*

03/01674/COU: Use of land for storage of 15 caravans (renewal of 97/00244/COU). Permitted.

03/01670/COL: Certificate of lawfulness for use of land for residential purposes and retention of buildings. Permitted.

97/00244/COU: Use of land for storage of 15 caravans. Permitted.

96/02501/FUL: Use of land for parking of one ice cream van. Permitted.

952303: Continued use of land as site for storage of touring caravans. Permitted.

1570/C: Continued use of land for the sale of nursery and garden products. Permitted (1973).

802479: Use of land adjacent to The White House as a site for a mobile home. Refused (1981).

989/A: Erection of a bungalow: Refused (1973).

82743: Erection of glasshouse. Permitted (1969).

989: Erection of a block of glasshouses. Permitted (1949).

## 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.

For the purposes of determining current applications the local planning authority considers that the adopted development plan comprises the saved policies of the South Somerset Local Plan 2006. On the 8th January 2015, South Somerset District Council received the

Inspector's Report into the emerging South Somerset Local Plan (2006 – 2028). The conclusion of the report is that the local plan is 'sound', subject to a number of agreed modifications.

Under the terms of Paragraph 216 of the National Planning Policy Framework (NPPF) weight should be given to relevant policies in emerging plans according to "the stage of preparation" and therefore the emerging local plan must be given substantial weight in decision-taking and it is therefore essential that the development is considered against all relevant policies.

On this basis the following policies are considered relevant:-

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

SD1 - Sustainable Development

SS2 - Development in Rural Settlements

HG3 – Provision of Affordable Housing

TA5 - Transport Impact of New Development

TA6 - Parking Standards

HG3 – Provision of Affordable Housing

HW1 – Provision of open space, outdoor playing space, sports, cultural and community facilities in new development

EQ2 - General Development

EQ3 - Historic Environment

EQ4 – Biodiversity

EQ5 – Green Infrastructure

EQ7 – Pollution Control

#### Saved Policies of the South Somerset Local Plan

ST3 - Development Areas

ST5 - General Principles of Development

ST6 - The Quality of Development

ST10 - Planning Obligations

EC3 - Landscape Character

EC7 - Networks of Natural Habitats

EC8 - Protected Species

EH1 - Conservation Areas

EH5 - Development Proposals Affecting the Setting of Listed Buildings

EH8 - Historic Parks and Gardens

EH11 - Archaeological Sites of National Importance (Schedule Ancient Monuments)

EH12 - Areas of High Archaeological Potential and Other Areas of Archaeological Sites

EP1 - Pollution and Noise

EP3 - Lighting

EU4 - Water Services

HG7 - Affordable Housing

TP7 - Car Parking

CR2 - Provision of Outdoor Playing Space and Amenity Space in New Development

CR3 - Off-Site Provision

CR4 - Provision of Amenity Open Space

#### National Planning Policy Framework

Part 1 - Building a strong, competitive economy

Part 4 - Promoting sustainable transport

Part 6 - Delivering a wide choice of high quality homes

Part 7 - Requiring good design

Part 8 - Promoting Healthy Communities

Part 10 - Meeting the challenge of climate change, flooding and coastal change  
Part 11 - Conserving and enhancing the natural environment  
Part 12 - Conserving and enhancing the historic environment

National Planning Practice Guidance

Conserving and enhancing historic environment

Natural environment

Noise

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

Planning obligations

## CONSULTATIONS

**Stoke Sub Hamdon Parish Council:** Object on the grounds that the access has not been changed, is still too narrow and the entrance to the main road will be dangerous due to the amount of traffic. Also there needs to be a pavement on both sides to ensure the safety of pedestrians.

**Montacute Parish Council (adjoining parish):** No comments received.

**County Highways:** Raise no objection to the principle of residential development on this site but notes that the level of parking provision is below that set out within the Somerset County Parking Strategy and on this basis the application is unacceptable. In the event the application is approved request an estate roads condition.

They also noted that the access width is sufficient to accommodate two-way traffic movements and where the access meets Montacute Road the geometry is sufficiently good for vehicles to enter and leave satisfactorily. The gradient close to the road is steeper than would be normally acceptable and this means the road serving the dwellings could not be adopted. Visibility for emerging vehicles meets the required 2.4m x 43m with no obstructions greater than 900mm in either direction. The highway authority is of the view that traffic generation for the new use is similar to that of the existing use.

**Planning Policy:** No objection. Referred to their comments made for the previous application and stated that the provision of four affordable houses is welcomed.

By way of a reminder, although saved Policy ST3 has sustainability aspects which are in line with the general thrust of the NPPF, given the age of this policy it is considered to be overly restrictive in relation to positively seeking opportunities to meet development needs (NPPF, para 14).

The NPPF states (para 216) that the more advanced the stage of preparation, the greater the weight that may be given to emerging plans. The emerging Local Plan 2006-2028 (eLP) is now at a very advanced stage with further Main Modifications having been submitted on 7th November 2014 and it has been confirmed by PINS that the Inspector's Report will be sent to the Council for fact checking later this month.

(Previous comments) Overall, the proposal is contrary to saved Policy ST3. However, on balance given Paragraph 14 of the NPPF, the advanced stage of the eLP, the fact that Stoke Sub Hamdon is a sustainable settlement and the small scale growth proposed appears consistent with eLP Policy SS5, if you can be satisfied that the proposal accords with other saved Local Plan policies, then subject to no other consultee raising an objection which renders the proposal unacceptable, no planning policy objection is raised to the principle of

development in this location.

**Strategic Housing:** Request three, two-bedroom dwellings and one, three-bedroom dwelling. The houses to be provided in a cluster of four is acceptable on this site.

**Climate Change Officer:** Recommended that should the application be approved that the layout be amended to allow for better orientation of the dwellings so as to maximise on solar gain.

**Natural England:** Made no objection and referred to their standing advice.

**Ecology:** No objection, subject to an additional clause added to a landscaping condition to the effect that the landscaping scheme shall include the retention or planting of tree species that will be beneficial to bats and the imposition of a condition to protect nesting birds.

Bats were recorded foraging and commuting over the site. The numbers and species recorded were typical for the habitat present and the size of the site. The development would result in some loss of bat feeding habitat and possibly also minor disruption to commuting routes. Whilst this would be a detrimental impact, I consider the level of impact would be relatively low and not significant enough to act as a significant constraint to the proposed development. Legislation doesn't specifically protect feeding areas of bats.

**County Archaeology:** No objections

**English Heritage:** The application be determined in accordance with national and local policy guidance and on the basis of your specialist conservation advice.

**Leisure Policy:** Seek a contribution of £70,164 (equating to £6,379 per dwelling) towards the increased demand for outdoor playing space, sport and recreation facilities should the scheme be approved as follows:

- £41,695 for local facilities, to go towards enhancing off-site equipped play provision, youth facilities, playing pitch provision, changing room provision at Stoke Sub Hamdon / Montacute and towards the provision of a new or enhanced community hall at Montacute;
- £17,750 for strategic facilities, to go towards theatre, indoor tennis centre, artificial pitches, swimming pool in Yeovil and a new sports hall in Yeovil or enhanced sports hall facilities at Stanchester Academy School;
- £10,024 as a commuted sum towards local services;
- £695 as the Community Health and Leisure Service administration fee.

**Landscape Officer:** I have some concerns over the proposed area of development. The current settlement pattern of East Stoke is emphatically linear and primarily addresses the Stoke Road, with minimal backland development. The recently published PPG (Natural Environment) has re-iterated the need to reference local character in planning for change due to development, without sacrifice of character and distinctiveness. A layout in the form suggested is clearly at variance with the existing settlement pattern, to fail to relate to local context, and thus not satisfy the guidance, and our LP policy ST5 para 4.

However, I believe there is an acceptance that this application site might be considered as previously developed land, to enable development of this site to be a possibility. Hence, whilst the proposed layout is quite condensed when considered alongside the dilute settlement arrangement around it, there are positives to the layout in that;

- (a) Its southern extent broadly corresponds to the adjacent 'Woodside' to the east, to obtrude no further south than is presently established by residential form;
- (b) The higher density areas of housing are concentrated toward the north end of the site, and;
- (c) Conversely, the breaks between the house forms at the southern end of the site, and the (comparably) more dilute layout better relates to the pattern of surrounding built form.

There remains one element of the proposal that raises concern. The housing block plots 1-4 are too tight to the west boundary, as is the garage block for plots 5-7. This close proximity raises the visual profile of the development as viewed from the west and southwest, yet allows too little space for meaningful landscape treatment to the west boundary. I would advise that both built elements are shifted 2-3 metres to the east, to better dilute the visual impact and to allow for greater provision of landscape treatment.

If you are minded to approve, please condition the submission of a pre-commencement landscape submission, which should aim to provide a tree and shrub belt that will soften the edge of the development as viewed from the west and south, along with a commitment to long-term management.

**Arborist:** (Previous comments) No objection. If retained the line of young Lombardy Poplars could prove problematic and resented by future residents. The same could apply to the poor quality Spruce plantation. The trees on and adjoining the site have relatively low arboricultural values and ought not to constrain development.

**Environmental Protection:** The nearby shop is subject to deliveries seven days a week with delivery times varying from papers at 3-4.00am to food deliveries between 8.00am – 4.00pm. To lessen the impact of these deliveries it is suggested that the applicant install an acoustic fence about 1.8m in height on the boundary with the retail premises and along the boundary wall of plot 1 to provide some form of acoustic protection from noise as a result of these deliveries.

**Somerset Waste Partnership:** No comments received.

**Police Liaison:** No comments received.

**Wessex Water:** Raised no objections

## REPRESENTATIONS

Written representations have been received from ten local residents the following comments and concerns:

- East Stoke has a rustic simplicity and rural charm which will be spoilt by yet another housing estate.
- This will set a precedent for other potential development.
- There is no need for any more houses in East Stoke.
- Local amenities and infrastructure could not cope with more houses and residents.
- Loss of privacy. The development will cause overlooking, particularly in winter when the leaves are off the trees.
- Over shadowing of my property.
- Noise and light pollution.

- Pollution from increased traffic / cars.
- Impact on wildlife. There is an abundance of wildlife including bats, deer, badgers and birds, their habitat should be protected, a bat survey should be undertaken.
- It is vital that we protect the trees in the vicinity.
- The Co-op car park is already hazardous without the addition more traffic from this development.
- The Co-op store has a one way system for traffic, will the proposed housing estate occupants adhere to this? It gets extremely congested and causes havoc on the main road.
- Delivery and bin lorries turning will be a hazard to children playing on the estate.
- Delivery lorries will obstruct the proposed footway from the site as well as forward visibility for drivers entering and existing the site.
- The additional traffic will be a danger to school children using the Co-op.
- Parents often park along the access road the site whilst waiting to pick up children and will cause problems for future occupants of the site.
- No visitor parking has been provided within the development, this will result in vehicles being parked within the delivery turning head causing an obstruction.
- There is an existing horticultural business adjacent to the proposed new development access and has various tractors and trailers entering and leaving on a regular basis. There will be conflict between the established traffic flow from this business and that of the new site.
- The vertical alignments of the access from Montacute Road into the development are excessive and can result in vehicles grounding as they come and go.
- A new footway has been shown alongside the shop which will end at the front of the shop leaving pedestrians to cross the shop traffic then walk in the access road to cross the main road.
- A safer means of access would be to create a separate means of access by demolishing the White House which the applicant owns.
- Construction traffic will be a hazard to pedestrian access to the shop.
- Additional cars parking along Montacute Road would cause blind spots for existing homeowners in the area and cause congestion especially during term time.
- Increased traffic through the village.
- Montacute Road is already busy and dangerous without adding further to this.
- Access to Woodside would be hindered due to the volume of traffic from the new development.
- Unless a zebra crossing with traffic lights is installed we can see no safe way to cross the road.
- Will the occupants have to take their bins down to the roadside.
- Harmful landscape impact, in particular views from Ham Hill.
- The two-storey houses will replace what are currently single storey structures and will be more visible from Ham Hill and St Michaels Mount and be out of keeping with the rest of the neighbourhood.
- The development will not preserve or enhance the nearby conservation area.
- Where will the caravan park be relocated to.
- Will devalue house prices.

## **CONSIDERATIONS**

This application is seeking full planning permission to erect 11 two-storey dwellings and carry out associated works to the access.



### **Principle:**

The site is located outside the development area of Stoke Sub Hamdon as defined by the current local plan and as such is contrary to saved policy ST3 of the current local plan. Policy ST3 however is not consistent with the NPPF as it is overly restrictive particularly in light of paragraphs 54 and 55 of the NPPF which aim to facilitate appropriate and sustainable housing to meet local need. Furthermore, the emerging local plan is now at a very advanced stage and should be given considerable weight alongside the provisions of the NPPF, whilst the current local plan is increasingly out of date. The key policy of the emerging local plan against which this development should be considered is policy SS2.

East Stoke has a range of day to day facilities including a grocery store, secondary school with a community sports centre, is within a comfortable walking distance of Montacute recreation ground and located on a bus route. It is further noted that the settlements of both Montacute and Stoke-Sub-Hamdon contain a range of services including primary schools and shops. On this basis it is accepted that East Stoke is a sustainable location for modest levels of new residential development.

Whilst 11 dwellings is a relatively modest scale it should also be considered cumulatively along with any other dwellings already granted. It is noted that planning consent has been granted on two other sites within East Stoke last year allowing a total of 19 new houses. The existing number of houses within this part of East Stoke is 32 and whilst the current proposal along with the consents already granted will represent a doubling in house numbers it is not considered that the cumulative impact in this instance will have a negative impact upon the scale and character of this settlement. Any further future developments in the vicinity however will have to be given very careful consideration in this regard.

The development includes the provision of 35% affordable housing and as such will contribute towards meeting the housing needs of the district and the applicant has agreed to the financial contributions sought by leisure policy towards off-site leisure and recreational facilities to the benefit of the local community.

On this basis it is considered that the proposed development broadly accords with the requirements of policy SS2 of the emerging local plan and the objectives of the National Planning Policy Framework for sustainable development and is therefore acceptable in principle.

### **Impact on local landscape and visual amenity:**

The Landscape Officer has expressed some reservations about the development of this site given the predominantly linear settlement pattern of East Stoke but raises no substantive objections based on the understanding that this is a brownfield site. Whilst its status is still considered to be greenfield this has been diluted somewhat with the permanent permission in 2003 allowing part of the site to be used for caravan storage. Bearing in mind the presence of the former nursery buildings on the site, including the old glasshouses (albeit now in ruins), tin barns, storage container and hardstanding, the redevelopment of the site with housing is not considered to raise any substantive landscape harm. Provided a suitable landscaping scheme is secured through condition aimed at providing tree and shrub planting along the west and south boundaries the proposal is acceptable from a landscape perspective.

In terms of the density, general layout and house design there are no specific concerns. The layout makes good use of the site and includes a range of house sizes from the smaller two-bedroom houses arranged in a terrace at the northern end of the site and mix of detached

and semi-detached three and four bedroom houses further into the site. The palette of materials include brick for plots 1-4 (the terrace) and local natural stone for the remaining houses with clay roof tiles. Overall the general design should not appear at odds with existing development in the locality.

### **Impact upon historic assets**

The site is relatively close to a number of heritage assets as detailed at the beginning of the report under site description and it is noted that several local residents have raised concern as to the impact the development would have in relation to Ham Hill and St Michaels Mount, in particular views from these Scheduled Ancient Monuments (SM), as well as the nearby conservation.

East Stoke conservation area is situated a short distance to the north and west of the site encompassing the church and East Stoke House. The position of the site set behind the existing roadside development and the retention and supplementing of the existing tree belt that runs along the western perimeter of the site should ensure that this development has a discrete presence when viewed from the conservation and as such has little impact upon its setting and general character. In regard to the nearby SM's, both English Heritage and County Archaeology have been consulted, however neither consultee have objected to this proposal and it is not considered that the proposal will result in any significant adverse impact upon their settings.

### **Residential amenity:**

Concerns have been raised by several neighbours about the loss of amenity to their properties including loss of light and privacy as well as light, noise and increased air pollution.

Plots 1-4 are orientated with their rear elevations facing directly north and into the rear of two neighbouring residential properties, The Stables and Hatchcroft. Whilst the outlook and character to the rear of these two properties will undoubtedly be altered as a result of this proposal, due to the intervening distance (in excess of 30 metres) from the rear of Plots 1-4 to the neighbours, the resulting relationship will not be anything out of the ordinary to that experienced by most householders and it is not considered to cause a demonstrable loss of privacy or any other significant overbearing or loss of light concerns.

Plots 10 and 11 are positioned close to the east boundary of the site, with Plot 10 orientated gable end and in line with the neighbouring bungalow known as Woodside and Plot 11 sat forward of this property facing diagonally towards the front of the bungalow. Again there is no doubt that the character of the surroundings of Woodside will be altered by this development however due to the oblique angle of any views from Plot 11 towards Woodside and the intervening distance of 20 plus metres the resulting loss of privacy should be relatively limited and not so severe as to represent a demonstrable loss of privacy. A window is proposed at first floor level within the east elevation of Plot 10 which faces directly towards Woodside. There numerous windows within the west elevation of Woodside and whilst most of these appear to be obscurely glazed the occupiers may wish to alter this in the future and it is not considered unreasonable that they should expect a reasonable level of privacy to this side of the property which the side window in Plot 10 would affect. For this reason it is considered appropriate to restrict this window, through a condition, to being fixed closed and obscurely glazed in order to protect the neighbour's amenity.

With regard to concerns relating to increased light, noise and air pollution, the overall scale of this development is relatively modest and given its residential nature it is unclear why the

proposal should lead to any significant increases in noise and air pollution that would be harmful to existing properties in the locality. In terms of light pollution, whilst there is street lighting along this stretch of Montacute Road at present to the rear of the properties bordering the site there is no lighting it is not disputed that would be little to no light pollution here. In this instance, it is not considered unreasonable to impose a condition to control the type of street lighting to be installed, preferably to low level, down lighters, in order to minimise light pollution both to protect neighbour amenity and the semi-rural character of the area.

Relationship issues between this development and the adjacent Co-op were raised as a concern under the previous application in view of the close proximity of some of the houses to this service area, which includes the a bin store, loading and turning area for deliveries. Under the current application the position of Plots 1-4 has been amended increasing the separation between this service area and these dwellings from that previously proposed. Provided an acoustic screen is installed in this area of the site the Environmental Health Officer raises no objection to this amended scheme.

### **Highway safety:**

The highway authority has raised no concerns in terms of sharing the existing access and service road as a means of access to the site. The access road meets the width requirement to support two-way traffic and although the gradient of the access where it meets the main road is steeper than the highway authority would prefer they have raised no highway safety objection to this. In terms of issues arising as a result of shop patrons not understanding that the access road supports two-way traffic, there is no reason why this could not be overcome by appropriate road markings on the access road. As such whilst concerns have been raised by the Parish Council and local residents in respect of the proposed access arrangements there is no evidence to support the view that this would be detrimental to highway safety and they are considered to be acceptable.

The highway authority has, however, identified a shortfall in on-site parking provision based on the development falling within the St Michaels Parish and therefore located within Zone C (green zone) under the Somerset County Parking Strategy. The applicant has agreed to revise the scheme to include an additional six parking spaces to address this shortfall, however, this revision had yet to be received at the time of writing this report. On the basis that an appropriate revised layout is received in time to address this issue then there is no reason why the development should lead to an increase in on-street parking in the area or that the development should be harmful to highway safety.

With regard to concerns relating to increased traffic on the local road network as a result of this proposal, whilst it is inevitable that it will result in an incremental increase, there is no evidence to support the suggestion that the existing road infrastructure could not accommodate this.

### **Ecology:**

No substantive ecology concerns have been identified as part of this proposal which could not be satisfactorily addressed by way of planning conditions.

### **Planning obligations:**

The proposed development will result in an increased demand for outdoor play space, sport and recreation facilities and in accordance with saved policies CR3, ST5 and ST10 of the South Somerset Local Plan an off-site contribution towards the provision and maintenance of

these facilities is requested of £6,379 per dwelling (equating to an overall total of £70,164) which can be broken down as:

- £41,695 for local facilities, to go towards enhancing off-site equipped play provision, youth facilities, playing pitch provision, changing room provision at Stoke Sub Hamdon / Montacute and towards the provision of a new or enhanced community hall at Montacute;
- £17,750 for strategic facilities, to go towards theatre, indoor tennis centre, artificial pitches, swimming pool in Yeovil and a new sports hall in Yeovil or enhanced sports hall facilities at Stanchester Academy School;
- £10,024 as a commuted sum towards local services;
- £695 as the Community Health and Leisure Service administration fee.

The applicant has raised no objection to making these contributions and has also agreed to the request for 35% of the houses to be affordable which equates to four of the dwellings (plots 1-4), 3 x two bedroom houses and 1 x three bedroom house as requested by Strategic Housing. Provided these requirements are secured through the prior completion of a Section 106 agreement the application is considered to comply with the relevant saved and emerging local plan policies and the aims of the NPPF.

### **Conclusion:**

Given the limited weight that can be given to saved policy ST3, and the site's location within easy walking distance of a range of key day to day services and facilities it is considered that this is a sustainable location for new residential development. The proposal does not give rise to any cumulative related concerns when considered alongside development already permitted within the locality and the applicant has agreed to the provision of affordable housing and paying the appropriate contributions, as such the development is considered to be acceptable in principle.

No adverse impacts on the setting of the nearby heritage assets, landscape, ecology, drainage or residential amenity have been identified that justify withholding planning permission. Provided an appropriate revised site plan is received addressing the shortfall in parking provision, the proposed development is considered to be an acceptable form of development that accords with the saved policies of the current Local Plan, the policies of the emerging Local Plan and the aims and provisions of the NPPF. On this basis the application is therefore recommended for approval.

### **RECOMMENDATION**

That application reference 14/05319/FUL be approved subject to:

01. The prior completion of a section 106 planning agreement (in a form acceptable to the Council's solicitor(s)) before the decision notice granting planning permission is issued to secure:-
  - (a) A contribution of £70,164 (or £6,379 per dwelling) towards offsite recreational infrastructure, to the satisfaction of the Assistant Director (Wellbeing) broken down as:
    - £41,695 for local facilities;
    - £17,750 for strategic facilities;

- £10,024 as a commuted sum towards local services;
- £695 as the Community Health and Leisure Service administration fee.

(b) At least 35% of the dwellings as affordable dwellings of a tenure that is acceptable to the Corporate Strategic Housing Manager.

02. and the following conditions

**Justification:**

Notwithstanding the local concerns, by reason of the range of services and facilities to be found in the locality this is considered to be a sustainable location in principle for appropriate development. The erection of 11 dwellings on this site raises no substantive landscape, residential amenity, ecology, drainage or highway safety concerns and respects the setting of nearby heritage assets. As such the proposal accords with the policies of the emerging South Somerset Local Plan, the saved policies of the South Somerset Local Plan (2006) and the provisions of the National Planning Policy Framework.

**Subject to the following conditions:**

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

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

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

- drawings numbered 3348/02 Rev A, 3348/22 Rev A and 3348/11 Rev A received 20/01/2015; and
- drawings numbered 3348/04, 3348/10, 3348/12, 3348/13, 3348/14, 3348/15, 3348/16 and 3348/21 received 26/11/2014.

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

03. No works shall be carried out unless particulars of the following have been submitted to and approved in writing by the Local Planning Authority;

- a) materials (including the provision of samples where appropriate) to be used for all external walls and roofs;
- b) full details of the new natural stonework walls, including the materials, coursing, bonding, mortar profile, colour and texture, to be provided in the form of a sample panel to be made available on site;
- c) details of the design, materials and external finish for all external doors, windows, boarding, openings and lintels;
- d) details of all roof eaves, verges and abutments, including detailed section drawings as appropriate, and all new guttering, down pipes and other rainwater goods, and external plumbing;
- e) details of the surface material for the parking and turning area.

Reason: In the interest of visual amenity to accord with saved policies ST5 and ST6 of the South Somerset Local Plan 2006.

04. Before any of the development hereby permitted is commenced details of the internal ground floor levels of the dwellings to be erected on the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in complete accordance with the agreed details.

Reason: In the interest of visual amenity to accord with saved policies ST5 and ST6 of the South Somerset Local Plan 2006.

05. No development shall take place until a detailed scheme of landscaping, based upon drawing number 3348/02 Rev A, and which includes the retention or planting of tree species that will be beneficial to bats, has been submitted to and approved in writing by the local planning authority. The landscaping scheme shall include indications of all existing trees and hedgerows on and immediately adjacent to the site, 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 completion of the development. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To safeguard the rural character of the area and for the conservation of biodiversity to accord with saved policies ST5, ST6, EC7 and EC8 of the South Somerset Local Plan 2006.

06. No development shall take place until a scheme for the provision, including a timetable, and management of the communal amenity space has been submitted to and approved in writing by the local planning authority. The communal amenity space shall be provided and managed in accordance with the approved details.

Reason: To safeguard the rural character of the area to accord with saved policies ST5 and ST6 of the South Somerset Local Plan 2006.

07. No removal of vegetation that may be used by nesting birds (trees, shrubs, hedges, bramble, ivy or other climbing plants) nor works to or demolition of buildings or structures that may be used by nesting birds, shall be carried out between 1<sup>st</sup> March and 31<sup>st</sup> August inclusive in any year, unless previously checked by a competent person for the presence of nesting birds. If nests are encountered, the nests and eggs or birds, must not be disturbed until all young have left the nest.

Reason: To avoid disturbance to nesting birds thereby ensuring compliance with the Wildlife and Countryside Act 1981, as amended by the CROW Act 2000, and in accordance with Policy EC8 of the adopted South Somerset Local Plan.

08. The proposed estate roads, footways, footpaths, tactile paving, cycleways, bus stops/bus lay-bys, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car, motorcycle and cycle parking, and street furniture shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing before their construction begins. For this purpose, plans and sections, indicating as appropriate, the design,

layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority.

Reason: In the interest of highway safety to accord with saved policy ST5 of the South Somerset Local Plan 2006.

09. No house hereby permitted shall be occupied until a properly consolidated and surfaced vehicular and pedestrian access to it has been provided in accordance with details which have been previously submitted to and approved in writing by the local planning authority.

Reason: In the interest of highway safety to accord with saved policy ST5 of the South Somerset Local Plan 2006

10. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for: site construction access; the parking of vehicles of site operatives and visitors; loading and unloading of plant and materials; storage of plant and materials used in constructing the development; the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate; wheel washing facilities; measures to control the emission of dust and dirt during construction.

Reason: In the interest of highway safety to accord with saved policy ST5 of the South Somerset Local Plan 2006

11. Demolition or construction works (including the operation of any machinery) and the delivery or despatching of any construction materials, shall not take place outside 0800 hours to 1800 hours Mondays to Fridays nor at any time on Saturdays, Sundays, Bank or Public Holidays.

Reason: In the interest of residential amenity to accord with saved policy ST6 of the South Somerset Local Plan 2006.

12. No development shall take place until details of all external road lighting and a timetable for its provision have been submitted to and approved in writing by the local planning authority. The external lighting shall be installed in accordance with the approved details and timetable and shall not be altered without the written agreement of the local planning authority.

Reason: In the interest of highway safety to accord with saved policy ST5 of the South Somerset Local Plan 2006

13. No work shall be carried out unless details of an acoustic barrier (to include details of siting, height, design and construction), to protect the amenities of occupiers of the new dwellings from disturbance from the adjacent retail unit, has been submitted to and agreed in writing by the local planning authority. The acoustic barrier shall be installed in full compliance with the agreed details prior to the first occupation of the dwellings hereby approved.

Reason: In the interest of residential amenity to accord with saved policy ST6 of the South Somerset Local Plan 2006.

14. Prior the dwelling identified as Plot 10 on the approved plans is first brought into use the first floor window within the east elevation shall be fitted with obscure glass (and fixed closed) and shall be permanently retained and maintained in this fashion thereafter.

Reason: In the interest of residential amenity to accord with saved policy ST6 of the South Somerset Local Plan 2006.

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows/dormer windows other than those expressly authorised by this permission shall be constructed.

Reason: In the interest of residential amenity to accord with saved policy ST6 of the South Somerset Local Plan 2006.

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