

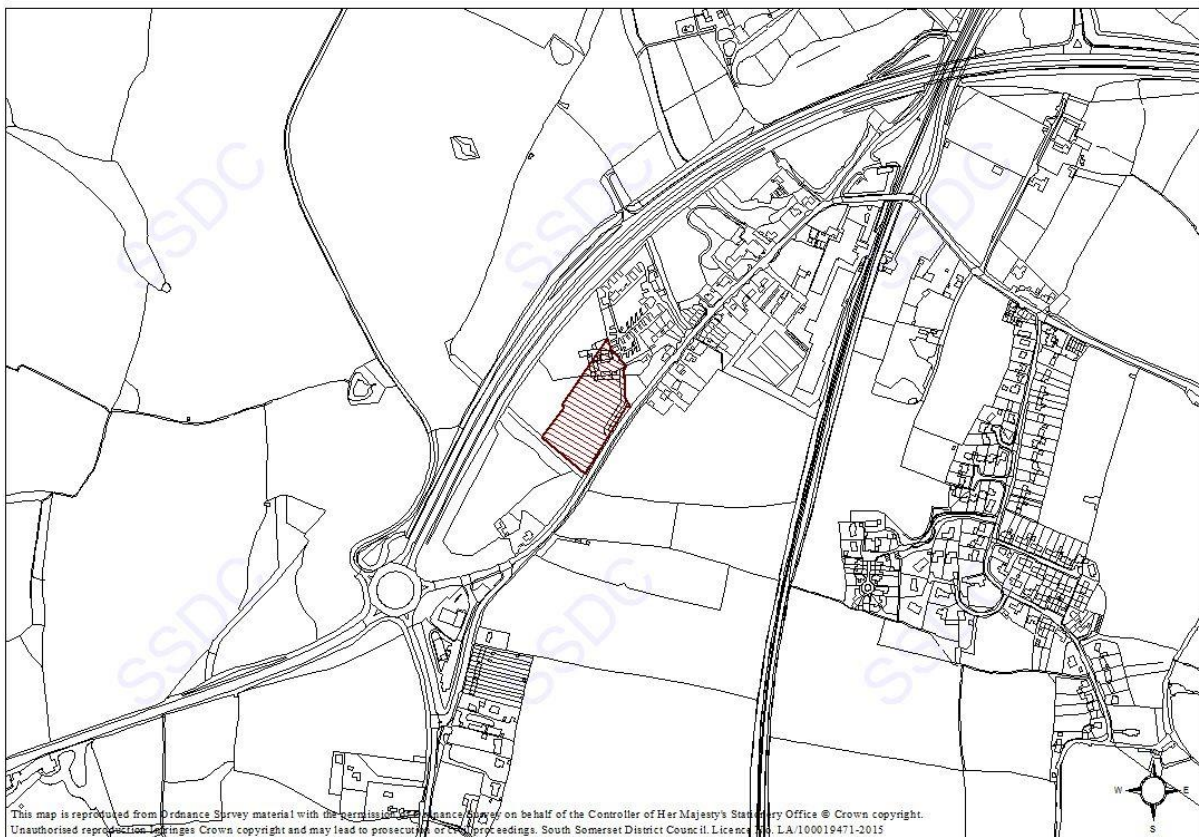
## Officer Report on Planning Application: 14/01958/FUL

<b>Proposal :</b>	Erection of 28 No. dwellinghouses and 1 No. Commercial Unit all with associated highways and landscaping (GR:360155/126174)
<b>Site Address:</b>	Longhazel Farm High Street Sparkford
<b>Parish:</b>	Sparkford
<b>CAMELOT Ward (SSDC Member)</b>	Cllr Mike Lewis
<b>Recommending Case Officer:</b>	Tel: 01935 462370 Email: adrian.noon@southsomerset.gov.uk
<b>Target date :</b>	1st August 2014
<b>Applicant :</b>	Richard Mead
<b>Agent:</b>	Mike Payne, Boon Brown, Motivo, Alvington, Yeovil, BA20 2FG
<b>Application Type :</b>	Major Dwlg's 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





This level 1.16 hectare site comprises a residential barn conversion, the former yard of Long Hazel Dairy Farm, now in use as a motor vehicle upholstery business, a paddock and existing vehicular access. It is on the western edge of Sparkford village, on the northside of the A359. A 60m strip of the paddock would be retained in agricultural use to provide a buffer to the A303. To the east is the caravan park at Long Hazel Park, to the west and south is agricultural land. Immediately to the southwest is the original listed gate house that once served Hazelgrove House, c. 800m to the north and now severed from this historic entrance by the A303.

The proposal was originally for 31 dwellings and a commercial unit to re-house the existing business, however following concerns about the layout, design and setting of the listed gated house the scheme has been amended (016/01/15) the reposition the commercial unit and amended the design/layout, as a result the number of dwellings proposed has dropped to 28. The proposed landscaping has been amended (05/02/15) to address concerns raised by the landscape architect and the layout adjusted (06/02/15) to address issues raised by the police architectural liaison officer

The proposal comprises a mix of 2, 3 and 4 bedroom houses, including a replacement bungalow for the site owner, a new commercial unit for the relocation of the site owner's vehicle upholstery business and associated access arrangements. It is supported by:-

- Design and Access Statement
- Transport Statement
- Travel Plan
- Flood Risk Statement
- Ecology Survey
- Species Survey

**RELEVANT HISTORY:**

None relevant to this proposal; previous history relates historic agricultural use and diversification.

**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  
SS6 – Infrastructure Delivery  
HG3 – Provision of Affordable Housing  
TA5 - Transport Impact of New Development  
TA6 - Parking Standards  
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  
EP4 – Expansion of Existing Businesses in the Countryside

**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

### **CONSULTATIONS**

**Sparkford Parish Council:** initially did not formal state either support or objection, the following comments were provided:-

*Several councillors questioned the need for more housing in Sparkford, given the approximately 50 new houses that have been built in the last 8 years, with the latest development on the Old Coal Yard due for completion soon, and the affordable housing need addressed by Yarlinton's Bennett Close project. Following the completion of the latter, the Parish Council has no stated housing need in Sparkford. Policy SS2 suggests that there should be identified housing need in Rural Settlements to justify development and supporting evidence included in an application, neither of which are apparent here. The Parish Council has always been aware that the site of this application is not the only land between the A303 and High Street and has been, and still is, concerned about the number of houses which could potentially be built here if all of the land were to gain residential planning permission.*

*Several concerns were raised about sustainability, in particular the provision of jobs, education, health care, and retail and leisure facilities in the local area. Sparkford does have a number of well-established business, but none that are actively recruiting in the sort of numbers which this proposed development would represent. The 2011 Census showed that in Sparkford 34% of the population were not in employment, 8% worked at home, 51% went to work in private motorised transport, 6% on foot or bicycle, and 1 person used the bus service.*

*There is no evidence that the Education Authority and the GP Health Centre have been consulted and confirmed their ability to absorb and if necessary fund the facilities for the extra population.*

*Retail and leisure facilities in Sparkford are limited and, as for most existing residents, are met by using cars to go to larger local towns like Wincanton and Yeovil. SS2 suggests that "evidence for a development being of a strong sustainable nature is particularly important to provide."*

*Very considerable concern was raised by councillors about the inability of the sewerage and rainwater drainage systems to cope with additional volumes, given the problems with both that already exist.*

*GGA Associates acknowledge that surface/roof water drainage from the site cannot be accommodated by soakaways. The ditch to the front of the site is a ditch in name only, does not flow anywhere, and once filled with rainwater overflows onto the A359. Their solution is to divert the outflow under the A359 and ultimately into the drainage ditch serving Ainstey Drive, Manor Close and Church Road (north west side). This ditch always overtops in moderate rainfall, flooding Church Road. Any additional volume would only exacerbate the situation unless Highways were to radically improve the culvert under Church Road.*

*Wessex Water acknowledge an existing sewage problem in Sparkford, leading to backing-up of household toilets in Church Road. The problem is exacerbated by the infiltration of ground water into the pipework after rain. Councillors believe that infrastructure work is urgently required to address this problem. The housing development at the Old Coal Yard will add to this problem when they are occupied in October 2014. Unless Wessex/Summerfield are proposing to enhance the sewerage system to cope with the additional volumes, the residents of Church Road will suffer further. Wessex Water has correctly identified that the pipework beside the site of this application has sufficient capacity, but not the shortcomings of the pipework between High Street and the treatment works.*

*Under a general heading of highways/traffic, it was difficult to reconcile the traffic flow figures presented by the TPA report and the ongoing SID figures for the detection devices installed periodically in the village by Somerset Highways. In general, TPA figures are lower than SID. However this may be explained by the ATC device being used by TPA being located on the National Speed Limit sections of the road, thus missing all traffic to and from the village via the Castle Cary Road and Sparkford Road. Excessive speed of traffic entering Sparkford on the A359/High Street, where this application site is, has been amply demonstrated by SID results and is the subject of ongoing discussions between the Parish Council and Highways.*

*There is no local authority school bus service to/from schools in the Cadburys, as suggested.*

*There is no continuous footpath from the site to Queen Camel (primary school; post office/shop; health centre), as suggested. The A359 has to be crossed twice, both within the national (60mph) speed limit area.*

*It was suggested that the SSDC Development Officer be asked if that part of the village could be made available for commercial/industrial use. Having lost the Old Coal Yard site, considered perfect for such use, to housing, the Parish Council would like an increase in employment units of all types, but needs a site. The site in this application, with its proximity to the A303/A359, would be ideal for warehousing/distribution or light industrial and commercial units. While there was support for the expansion of the established business on the site into new premises, there was disappointment that there are no other industrial/business units proposed, to balance the 31 houses.*

It was subsequently clarified that:-

*During the PC meeting there was no request for, nor proposal to, take a formal vote on supporting or objecting to the application.*

*The [four] councillors who already objected did so both on the general level (no identified need for housing in Sparkford; danger of opening the door for development of the rest of the land adjacent to the application; land suitable for*

*business/commercial use being approved for housing at the expense of local job creation, etc) and at the infrastructure (foul and surface water drainage inadequacies) level. Two more councillors have objected at the infrastructure level, one of them with further concerns at the domino effect (outlined above). I'm afraid that this makes it difficult to pin down an absolute majority view, but I think it would be fair to say that, at the very least, no one has put forward a case for this housing being needed in Sparkford, nor for any perceived benefits which 106 contributions might bring to the parish. The narrow focus of the latter on "Sport & Leisure" is considered perverse policy, particularly as there are much more pressing infrastructure problems to be attended to. Councillors are also well aware of planning policy and how this application does not appear to fit well within the SS2 guidelines.*

*There are seven councillors on Sparkford PC, with one having declared an interest as the landowner....which makes a total of 4 against on all levels, and 2 against at the infrastructure level.*

**County Highways:** no objection subject conditions

**Highways Agency** – No objection

**Planning Policy:** originally commented that:-

*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 Sparkford has access to basic facilities such as a shop and pub and the scale of growth proposed appears consistent with eLP Policy SS2, if you can be satisfied that the proposal accords with other saved Local Plan policies and the requirements of eLP Policy SS2, 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.*

Subsequently it is advised that:-

*.... the South Somerset Local Plan 2006-2028 is proposed to be adopted on 5<sup>th</sup> March 2015 after which time Policy ST3 will no longer be saved. As such, the proposal should be assessed against Policy SS2 and the other adopted Local Plan policies.*

**Housing:** requests 35% affordable housing based on a tenure split of 67/33 in favour of rented accommodation.

**Climate Change Officer:** cannot commend this application with the site layout as currently shown because it is evident that no consideration has been given to solar orientation or renewables.

**Natural England** – no objection subject to referral to standing advice and achieving biodiversity improvements.

**Ecology:** No objection, subject to safeguarding conditions

**County Archaeology:** notes that:-

*Although there are currently no archaeological sites recorded within the boundaries of the application area, investigations to the southwest have identified a range of archaeological features. The proposal may therefore impact upon a heritage asset.*

*However, there is currently insufficient information contained within the application on the nature of any archaeological remains to properly assess their interest.*

*For this reason I recommend that the applicant be asked to provide further information on any archaeological remains on the site prior to the determination of this application. This should initially comprise a geophysical survey. Depending upon the results of this investigation, it may be necessary to carry out further trial trench evaluation as indicated in paragraph 128 of the National Planning Policy Framework.*

**Leisure Policy:** Seek a contribution of £150,931 (equating to £5,390 per dwelling) towards the increased demand for outdoor playing space, sport and recreation facilities should the scheme be approved as follows:

- £138,346 for local facilities, to go towards enhancing off-site equipped play provision and youth facilities at Sparkford Playing Field and changing room provision at Sparkford Cricket Club and towards the enhancement of Sparkford Village Hall;
- £39,929 for strategic facilities, to go towards theatre provision and an indoor tennis centre in Yeovil, , artificial pitches and swimming pool provision in Wincanton and a new sports hall;
- £17,553 as a commuted sum towards local services;

**Landscape Officer:** no objection to amended scheme

**Conservation Manager:** initially raised concerns about the setting of the listed gate house to Hazelgrove House

**Environmental Protection:** no objections

**Economic development officer:** No objection.

**Police Architectural Liaison Officer:** No objection subject to suggested revisions.

**Environment Agency –** No objection subject to conditions

**Wessex Water –** No objection

## **REPRESENTATIONS**

15 letters were received as a result of the initial consultations, 10 in support, with 3 objections and two raising concerns that should be addressed in any approval. The objections are on the grounds of:-

- There has been significant development in Sparkford in recent years
- Poor drainage
- No school or doctors surgery in the village
- Local infrastructure (schools and doctors) wouldn't cope.
- Insufficient jobs in village
- An estate in this edge of village location would be a step too far and is not needed
- Increased traffic , need for speed restrictions and a crossing point
- What would happen to the land behind?

The concerns raised are:-

- Plan appears include land owned by caravan park;

- Possible over looking to caravan park
- Impact on visibility for users of the caravan park should occupiers of new houses park on the main road
- Lack on continuous footpath along north side of High street
- Construction noise
- Any play space should be sited away from the caravan park

It is suggested that conditions could be imposed to address these issues.

Another local resident has experienced flooding from the site and hopes that the scheme will put in new highways drains that will prevent reoccurrence.

The supporters cite:-

- Good to see a thriving business grow
- Proposed scheme will help support local firm
- Well thought out application
- Options to introduce traffic calming
- Will benefit current and future generations
- Plenty of job opportunities in and around Sparkford
- New homes will encourage staff of existing to move to Sparkford
- Provision of affordable housing could enable to me to move to Sparkford and save the daily commute
- Occupiers of the homes will support local services
- Well related by development area with no adverse impact
- Meets community sustainability/house supply objectives, in particular first time buyers and expanding families
- Secure immediate and long terms future for village

In response to the amended plans the owners of the caravan park has confirmed that the plans have now been revised to omit their land.

## **CONSIDERATIONS**

### **Principle**

Whilst the site is located outside the development area of Sparkford as defined by the 2006 local plan policy SS2 is now to be given significant weight given the highly advanced stage of the local plan. This policy supports modest developments in rural settlements that have access to key services, where they bring forward employment opportunities or enhancements to communities facilities or meet an identified housing need. Such schemes should be commensurate with the scale and character of the settlement and generally have the support of the community.

Policy EP4 allows for appropriately scaled expansion of established rural businesses subject to consideration of the impacts. Whilst this policy seeks to contain expansion to the curtilage area, in this instance the proposal is for a mixed use development with a rural settlement where policy SS2 also applies.

Sparkford has access to a range of day to day facilities including a convenience store at the A303 services , a church, a village hall, a public house and recreation facilities. Furthermore there are good local employment opportunities at the Haynes site and other local commercial sites. On this basis it is considered that Sparkford is a sustainable location for a development of this size, which would not be out of scale with the settlement.



Local concerns have been raised with regard to possible cumulative impacts of the proposal with others recently approved at the former coal yard and at the affordable housing exception site. These have been approved under the previous policy regime and are not considered to be an inappropriate level of growth for a sustainable rural settlement such as Sparkford, which benefits from better than average transport links (A303/A359) and is well served by employment opportunities. In such circumstances policy SS2 allows for higher levels of growth. On this basis when considered cumulatively with previous development it is not considered that the current proposal is excessive, for out of character with Sparkford.

The scheme would bring forward employment opportunities with the expansion of the Piper's site, it would enable the provision of enhanced community facilities through the requested sports, arts and leisure obligations and would deliver a mix of affordable and open market housing that would contribute toward both local and district wide need.

On this basis it is considered that the proposed development broadly accords with the requirements of policies SS2 and EP4 of the 2006-2028 local plan and the objectives of the National Planning Policy Framework for sustainable development. It is therefore acceptable in principle, subject to consideration of the detail.

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

The Landscape Officer and Conservation Manager have expressed some reservations about the layout of the development and the relationship with the listed gate house. The applicant has amended the scheme in response to the issues raised and as a result these objections have been withdrawn. The proposal, as amended, relaxes the development and introduces a better layout with improved parking and amenity space for future residents. The commercial building has been moved back on the site to create an open landscaped area as a visual buffer to what would inevitably be a large building and service area.

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 terraces and pairs to a mix of detached and semi-detached three and four bedroom houses. The palette of materials includes brick, reconstituted stone and render with tiled roofs. Overall the general design would not be at odds with existing development in the locality.

Conditions are recommended to ensure that appropriate material details are agreed and that the submitted landscape plan is adhered to. On this basis it is considered that the proposal would comply with policies EQ2 and EQ5 of the local plan.

### **Impact upon historic assets**

The conservation manager is satisfied that the revised layout would safeguard the setting of the listed gate house to Hazelgrove House as required by policy EQ3. Whilst the County Archaeologist has asked for additional details prior to the determination of the application, she notes that there are no identified archaeological sites on this site. A geophysical survey is suggested, followed, if necessary by an exploratory trial trench evaluation. It is considered that this could reasonably be required by condition. Should anything be found the applicant would have to agree a way forward with the archaeologists to ensure compliance with policy EQ3.

### **Residential Amenity**

Concerns have been raised by the caravan site owners about possible loss of privacy from

upper windows to plots 13-15. These plots would be c. 8m from the eastern boundary. It is not considered that this would be unreasonably close to the nearest pitches on the caravan site, given the opportunity to provide boundary screening and the separation that exists between pitches on the caravan site.

There are no concerns with regard to the amenities of any existing residential properties and it is considered that the proposed layout would provide for adequate amenities for future occupiers. A construction management condition could be imposed to minimise the impact of the construction phase.

With regard to the commercial building, it is proposed that this would be used by the existing vehicle upholstery business. It is not considered that would be incompatible with the proposed houses and a condition could ensure the use is limited to this activity or other uses within the B1/B8 use classes which would also be acceptable in proximity to residential properties.

On this basis the proposal complies with the requirements of policy EQ2.

### **Highway Safety**

The highway authority has raised no concerns about the proposed access arrangements or any impacts on the wider highways network. Whilst there is a degree of local concerns about the possibility of parking on the High Street, the proposal provides sufficient on this parking to meet the County's standards. It would not be reasonable therefore to presume that future residents would park on the main road. If this happens and proves to be a problem there is other, highways legislation to address the situation.

On this basis, and subject to the conditions suggested by the highways authority it is considered that the proposal complies with policies TA5 and TA6.

### **Other Issues**

No substantive ecology or drainage concerns have been identified as part of this proposal which could not be satisfactorily addressed by way of planning conditions. With regard to the parish council's comments the following observations are offered:-

- Whilst the county education authority have not commented, it is noted from the latest Somerset School Organisation Plan there is capacity at the primary schools in North Cadbury and Queen Camel in the coming years. Confirmation of this has been sought and will be reported to the committee.
- No issues with GP health care have been identified
- It is accepted that in Rural Settlements retail trips for anything other than convenience shopping in the local store will be by car; indeed most leisure trips will also be car dependent. It is not considered that this justifies resisting modest levels of development in rural settlements which have at least a basic range of services. This reflects the thrust of policy SS2 which would also support appropriate levels of commercial growth should a suitable site come forward in the village.

### **Planning Obligations**

The proposed development will result in an increased demand for outdoor play space, sport and recreation facilities and in accordance with policies HW1 an off-site contribution towards the provision and maintenance of these facilities is requested of £5,390 per dwelling (equating to an overall total of £150,931)

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 as requested by the housing officer. Provided these requirements are secured through the prior completion of a Section 106 agreement the application is considered to comply with policies SS6, HW1 and HG3 and the aims of the NPPF.

### **Conclusion:**

The site is considered to be in a sustainable with access to a range of day to day services and facilities. 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. On this basis the proposal is considered to be an acceptable form of development that accords with the policies of the Local Plan, and the aims and provisions of the NPPF.

### **RECOMMENDATION**

That application reference 14/01958/FUL be approved subject to 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 £150,931 ( £5,390 per dwelling) towards offsite recreational infrastructure, to the satisfaction of the Assistant Director (Wellbeing) broken down as:
  - £138,346 for local facilities, to go towards enhancing off-site equipped play provision and youth facilities at Sparkford Playing Field and changing room provision at Sparkford Cricket Club and towards the enhancement of Sparkford Village Hall;
  - £39,929 for strategic facilities, to go towards theatre provision and an indoor tennis centre in Yeovil, , artificial pitches and swimming pool provision in Wincanton and a new sports hall;
  - £17,553 as a commuted sum towards local services;
- (b) At least 35% of the dwellings as affordable dwellings of a tenure that is acceptable to the Corporate Strategic Housing Manager.

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 28 dwellings and a commercial unit would provide employment opportunities, make provision for enhancements to community facilities and would contribute to the supply of local housing without undue impacts in terms of landscape, residential amenity, ecology, drainage or highway safety impacts and would respect the setting of nearby heritage assets. As such the proposal accords with the policies of the South Somerset Local Plan 2006 - 2028 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 (except where directed otherwise by the conditions below):

- Site location plan – 2878/110A received 28/01/15
- Proposed layout – 2878/100 C received 06/02/15
- Landscape proposal - 633-01B received 05/02/15
- drawing numbers 2878/101B; 2878/102B; 2878/103B; 2878/104B; 2878/105B; 2878/106B; 2878/108A; 2878/109A; 2878/111A; 2878/112A; 2878/113A; 2878/114A; 2878/115A; 2878/116A; 2878/117A; 2878/118A; 2878/119A; 2878/120A; 2878/122A received 16/01/15.

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

03. No development hereby approved 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) details of the design, materials and external finish for all external doors, windows, boarding, openings and lintels;
- c) details of all roof eaves, verges and abutments and all new guttering, down pipes and other rainwater goods, and external plumbing;
- d) details of all hard surfacing and boundary treatments.

Once approved such details shall be implemented as part of the development unless agreed otherwise in writing by the local planning authority.

Reason: In the interest of visual amenity in accordance with policy EQ2 of the South Somerset Local Plan 2006-2028.

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 in accordance with policy EQ2 of the South Somerset Local Plan 2006-2028.

05. The development shall be carried out in accordance with the landscaping shown on drawing 633/01B. All planting, seeding, turfing or earth moulding shown on this approved plan shall be carried out in the first planting and seeding season following the completion of the relevant part 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 policies EQ2 and EQ5 of the South Somerset Local Plan 2006-2028.

06. The development hereby permitted shall not commence unless a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include construction operation hours, construction vehicular routes to and from site, construction delivery hours, car parking for contractors and specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice. Once approved the development shall be carried out in accordance with the approved Construction Management Plan.

Reason: To safeguard the amenities of the locality in accordance with Policy EQ2 of the South Somerset Local Plan 2006-2028.

07. No development hereby approved shall commence until a detailed surface water drainage scheme for the site, generally in accordance with the submitted Flood Risk Assessment by Gary Gabriel Associates has been submitted to and approved in writing by the local planning authority. Such scheme shall include measure to prevent the run-off of surface water from private plots onto the highways. The scheme shall subsequently be implemented in accordance with the approved details before the development is occupied.

Reason: To ensure the development is properly drained in accordance with policy EQ1 of the South Somerset Local Plan 2006-2028 and the provisions of the National Planning Policy Framework

08. No development approved by this permission shall be occupied or brought into use until a scheme for the future responsibility and maintenance of the surface water drainage system has been submitted to and approved by the Local Planning Authority. The approved drainage works shall be completed and maintained in accordance with the details agreed.

Reason: To ensure the development is properly drained in accordance with policy EQ1 of the South Somerset Local Plan 2006-2028 and the provisions of the National Planning Policy Framework

09. No removal of any hedge (or part thereof) shall be undertaken until a Method Statement detailing precautionary measures for the avoidance of harm to dormice has been submitted to and approved in writing by the local planning authority. All hedge removal shall be undertaken in full accordance with the approved Method Statement unless otherwise approved in writing by the local planning authority.

Reason: For the conservation and protection of species of biodiversity importance in accordance with policy EQ4 of the South Somerset local Plan 2006-2028.

10. 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: For the conservation and protection of species of biodiversity importance in accordance with policy EQ4 of the South Somerset local Plan 2006-2028.

11. Prior to the commencement of the dwellings hereby approved details of measures for the enhancement of biodiversity shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity enhancement measures shall be implemented in accordance with the approved details unless otherwise approved in writing by the local planning authority.

Reason: For the conservation and protection of species of biodiversity importance in accordance with policy EQ4 of the South Somerset local Plan 2006-2028.

12. The proposed access shall be constructed in accordance with details shown on the submitted plan, drawing number Transport Statement Figure 3.1, and shall be available for use before any commencement on site. Once constructed the access shall be maintained thereafter in that condition at all times.

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

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

Reason: In the interests of highways safety and to safeguard the visual amenities of the locality in accordance with policies EQ2 and TA5 of the South Somerset Local Plan 2006-2028.

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

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

15. The areas allocated for parking and turning on the submitted plan, drawing number 2872/100C, shall be kept clear of obstruction and shall not be used other than for parking and turning of vehicles in connection with the development hereby permitted.

Reason: In the interests of highways safety and to safeguard the residential amenities of the locality in accordance with policies EQ2, TA5 and TA6 of the South Somerset Local Plan 2006-2028.

16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order), the use of any garage hereby permitted, as part of this development shall not be used

other than for the parking of domestic vehicles and not further ancillary residential accommodation, business use or any other purpose whatsoever.

Reason: In the interests of highways safety and to ensure that adequate parking provision is maintained in accordance with policies TA5 and TA6 of the South Somerset Local Plan 2006-2028.

17. All the recommendations of the Approved Travel Plan shall be implemented in accordance with the timetable therein. Thereafter the development shall operate the Approved Travel Plan or any variation of the Travel Plan agreed in writing by the Local Planning Authority.

Reason: In the interests of promoting sustainable development in accordance with the provisions of the National Planning Policy Framework

18. At the proposed access there shall be no obstruction to visibility greater than 300 millimetres above adjoining road level within the visibility splays shown on the submitted plan, drawing number Transport Statement Figure 3.1. Such visibility splays shall be constructed prior to the commencement of the development hereby permitted and shall thereafter be maintained at all times.

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

19. The commercial building hereby approved shall only be used for purposes of a vehicle upholstery business or for uses falling within B1 or B8 of the Use Classes Order.

Reason: In the interests of residential amenity in accordance with policy EQ2 of the South Somerset Local Plan 2006-2028.