

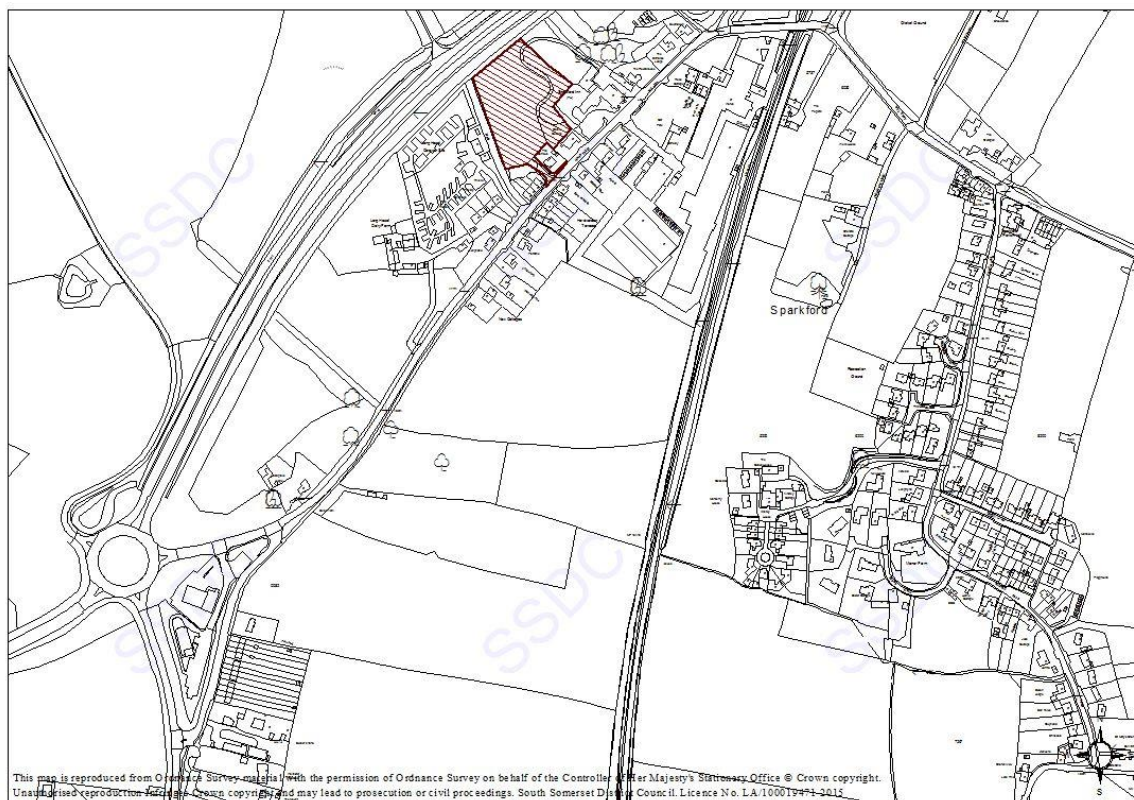
Officer Report on Planning Application: 14/05052/FUL

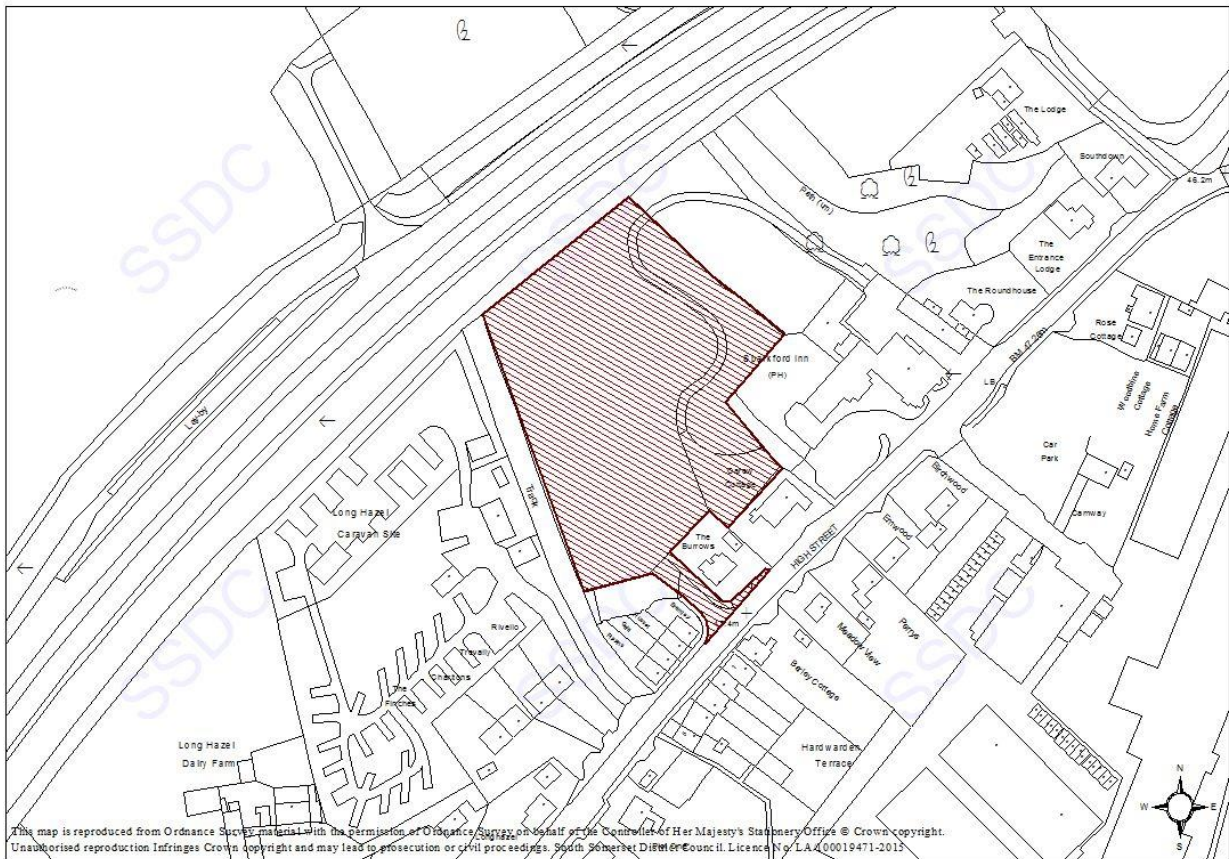
Proposal :	Residential development of 11 dwellings (GR: 360265/126329)
Site Address:	Land Os 3432 (rear Of The Burrows) High Street Sparkford
Parish:	Sparkford
CAMELOT Ward (SSDC Member)	Cllr M. Lewis
Recommending Case Officer:	Dominic Heath-Coleman Tel: 01935 462643 Email: dominic.heath-coleman@southsomerset.gov.uk
Target date :	10th February 2015
Applicant :	Mr & Mrs Nigel Tucker
Agent: (no agent if blank)	Mr Stuart Sinclair Seymour Studios, Bratton Seymour, Wincanton, BA9 8BY
Application Type :	Major DwlgS 10 or more or site 0.5ha+

REASON FOR REFERRAL TO COMMITTEE

At the time of the agenda deadline and when the application was advertised locally, the recommendation to approve the proposal represented a departure from the adopted development plan in terms of saved policy ST3 of the local plan. However, at the time of writing the emerging local plan must be given substantial weight in decision-taking and, indeed, by the date of the committee it is anticipated that the emerging local plan may be formally adopted and therefore form the development plan against which decisions should be taken. The application is therefore at the committee to allow the application to be assessed against the policies of the emerging local plan, which at the very least must be afforded substantial weight.

SITE DESCRIPTION AND PROPOSAL





This application seeks permission for the residential development of land for 11 dwellings. The site consists of a broadly flat agricultural field laid to grass, with an area of conifer trees to the north east. The boundaries are for the most part heavily vegetated. The site is bounded by a variety of residential properties and a public house to the south, with open land to the east, the A303 trunk road to the north, and a caravan park and various residential properties to the west. The site is not with a development area as defined by the local plan.

It is proposed to provide vehicular access to the site through the southern boundary of the site, making use of an existing vehicular access onto the High Street.

The proposed layout is for the provision of 11 dwellings set a round a central cul-de-sac. It is proposed to provide a semi-detached pair and a terrace of four two-storey dwellings at the southern end of the site, with the provision of 2 detached bungalows and 3 detached two-storey houses at the northern end of the site.

The application is supported by:

- Design and Access Statement
- Flood Risk Assessment
- Noise Impact Report
- Extended Phase 1 Habitat Survey
- Various plans and elevations

RELEVANT HISTORY

On the application site:

15/00928/EIASS - Residential development of 11 dwellings - EIA not required 26/02/2015

14/02556/FUL - Residential development of 11 dwellings - Application withdrawn 11/09/2014

97/00005/REF - Residential development of land and formation of vehicular access - Appeal dismissed 13/05/1997

95/02676/OUT - Residential development of land and formation of vehicular access - Application refused 11/01/1996

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)

Policy SD1 - Sustainable Development
Policy SS1 - Settlement Strategy
Policy SS2 - Development in Rural Settlements
Policy TA5 - Transport Impacts of New Development
Policy TA6 - Parking Standards
Policy EQ1 – Addressing Climate Change in South Somerset
Policy EQ2 - General Development

Saved policies of the South Somerset Local Plan (Adopted April 2006):

ST3 - Development Area
ST5 - General Principles of Development
ST6 - The Quality of Development
ST9 - Crime Prevention
ST10 - Planning Obligations
EC3 - Landscape Character
EC8 - Protected Species
EU4 - Drainage
TP1 - New Development and Pedestrian Movement
TP4 - Road Design
TP7 - Car Parking

National Planning Policy Framework

Chapter 6 - Delivering a Wide Choice of High Quality Homes
Chapter 7 - Requiring Good Design

CONSULTATIONS

Sparkford Parish Council - Does not specifically object to the application, but notes local concerns in regard to highway safety at the point of access between the site and the High Street, drainage issues (in particular sewage/sewerage, and whether the site is unsuitable for development because of noise from the A303.

County Highway Authority - Initially raised several concerns. On the receipt of the amended plans in draft, and prior to formal consultation, they had the following comments to make:

They sought confirmation as to ownership and highlighted the requirements for formal adoption. They suggested that a 2 metre margin should be added to the proposed turning arms and highlighted the required space in front of garage doors. They requested details of any landscaping on or directly adjacent to the proposed highway. They stated that the submitted flood risk assessment is still under review. They stated that all of these points needed to be addressed but that none would constitute a reason for refusal. They stated that the proposed level of parking is acceptable, with the proposed 41 spaces being a slight overprovision, but not an unacceptable overprovision given the need for visitor parking. They summarised by stating that the highway authority has no objection subject to conditions to control:

- Details of the estate roads etc.
- The provision and maintenance of the proposed parking arrangements
- Details of the surface of the proposed access
- That each dwelling is properly served by footpath and carriageway prior to occupation
- Appropriate drainage details

The final position of the highway authority can be confirmed as an update to committee if any different to the above.

Police Crime Prevention Design Advisor - Notes proposal for rear parking court behind to the rear of the terraced units. He states that these are known crime generators and suggest it would be better located to the front of the dwellings to allow natural surveillance.

SSDC Landscape Architect - Notes that whilst the site lies outside the development footprint of the village, it is an area of limited visual profile due to it lying between the developed frontage of the High Street, and the tree-planted edge of the A303 road corridor. As such, he concludes that the landscape and visual impact of development here would be minimal, and argues that if the proposal accords with emerging policy SS2, then there is no substantive landscape case to tell against the principle of development here. He goes on to criticise the design of the proposed dwellings, but advises consulting with the SSDC Conservation Manager in this regard.

SSDC Conservation Manager [Verbal] - No objections. He considers the proposed design to be in line with extensive pre-application discussions.

SSDC Community, Health and Leisure - Requests a contribution towards:

- Local facilities of £54,350, divided as:
 - £9,504 towards equipped play space at Sparkford Playing Field
 - £1,866 towards youth facilities at Sparkford Playing Field
 - £8,901 towards changing rooms at Sparkford Cricket Club
 - £17,039 towards Sparkford Village Hall
- Strategic facilities of £15,686, divided as:

- £3,459 towards the Octagon Theatre in Yeovil
- £888 towards Artificial Grass Pitch provision in Wincanton
- £2,023 towards the provisions of a learner pool at Wincanton Sports Centre
- £2,619 towards a new indoor tennis centre in Yeovil
- £6,698 towards the development of a centrally based 8 court district wide competition sports hall
- Commuted sums of £6,896, divided as:
 - £5,490 towards marinating the play area as Sparkford Playing Field
 - £690 towards marinating the youth facilities at Sparkford Playing Field
 - £716 towards maintaining the changing rooms at Sparkford Cricket Club

This would be total contribution of £59,893 (£5,445 per dwelling).

They did also ask for a monitoring fee £599, but due to recent case law this fee can no longer be requested.

SSDC Ecologist - No objections subject to conditions to protect slow worms and nesting birds.

Highways Agency - No objections

Wessex Water - Notes that new water supply and waste water connects will be required from Wessex Water to serve the proposed development and advise as to how the developer can achieve this. They state that no building will be permitted within the statutory easement width of 3 metres from a public sewer pipeline without agreement from Wessex Water. They suggest that separate systems of drainage will be required to serve the proposed development and that no surface water connections will be permitted to the foul sewer system.

SSDC Environmental Protection Unit - Notes that road traffic noise from the A303 is a major consideration. He notes the submitted survey indicates that mitigation measures would be required in order to protect future residents from the effect of road traffic noise. He states that this concern is reflected in the proposed design and layout, to such an extent that he judges the most sensitive living spaces are likely to be protected against the worst effects of noise. He notes that the external spaces are likely to be subject to average noise levels marginally above the World Health Organisation recommended levels. He recommends that a condition is imposed on any permission to secure the installation of an acoustic barrier along the site boundary towards the A303.

SCC Archaeology - Notes the possible presence of archaeological features on site, but confirms that in this particular case the archaeological issues on the site can be dealt with through the use of a condition. He suggests the appropriate wording for such a condition.

REPRESENTATIONS

Letters of objection have been received from the occupiers of 4 properties in Sparkford. Objections were raised on the following grounds:

- The proposal would spoil the objector's rural views and tranquil rural locality.
- The level of development in Sparkford recently has been excessive and therefore any new-build project should be rejected.
- The proposal will overlook the rear of the objector's house and their garden. The proposed planting screen will remove sunlight.
- The proposed screening is not appropriate, being deciduous, and should be looked

at again.

- The proposal will overlook the caravan site and intrude on their privacy.
- The proposal will cause disturbance during construction and subsequently.
- The proposal could exacerbate existing drainage difficulties.
- The proposal would have an adverse impact on local wildlife, and the submitted habitat survey is not accurate.
- The infrastructure of Sparkford cannot support more houses, for example, the sewers are at capacity and the schools overloaded.
- The traffic impacts of the proposed development will be adverse and exacerbate existing problems in the village.
- The access is not safe due to poor visibility.
- Concern that there will be an impact in terms of noise, damage, and inconvenience on the existing car park area to the rear of the objector's property.
- The proposal should be checked and enforced for quality to ensure there is not a wider impact on the village.
- Traffic noise from the A303 is continuous and increased by echoing.
- The developer should consider tarmacking the existing gravelled car park and transferring it to the existing owners at no expense to them.
- The density of the proposed development would be overbearing, out-of-scale and out of character with existing development in the vicinity.

CONSIDERATIONS

The main areas of consideration are considered to be:

- Principle of Development
- Highways
- Visual Amenity
- Residential Amenity
- Planning Obligations

Principle of Development

Concerns have been raised as to the principle of development, specifically as to the amount of development that has been carried out in the village in recent years which the objector has argued to have been excessive.

The site is located outside the development area defined by the current local and is therefore contrary to policy ST3. However, as stated above, the emerging local plan is at an advanced stage and the scheme should be considered against its policies. In this case the policy of most relevance is policy SS2, which deals with development in rural settlements, and in particular settlements containing two or more key services. Sparkford falls within this category. Policy SS2 allows for development in rural settlements, but controls and limits it "...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 and identified housing need, particularly for affordable housing."

In this case the proposal provides houses towards the district wide identified need for housing. More importantly however, the applicants have agreed to pay a contribution towards community, health, and leisure facilities including a contribution of £61,246 to be spent locally. As such, the proposal is considered to enhance community facilities and to therefore comply with emerging plan policy SS2.

Notwithstanding local concerns in relation to principle, it is therefore considered that the principle of the proposed residential development of this site is acceptable and the application therefore falls to be determined on the basis of its impacts.

Highways

Concerns have been raised by neighbouring occupiers regarding the potential impact of the proposed development on the surrounding highway network, in regard to traffic generation and highway safety. The concerns regarding the potential impact relating to highway matters are multiple and various.

The county highway authority was consulted as to these impacts and all highway aspects relating to the development. They have assessed the impact of the proposal. They have concluded that there is no traffic impact grounds for a recommendation of refusal, subject to the imposition of certain conditions on any permission issued.

Accordingly, whilst local concerns are noted, it is considered that the proposed access arrangements and local highway network are capable of accommodating the traffic generated by the development without detriment to highway safety. As such the proposal complies with saved policies ST5, TP1 and TP4 of the local plan, and emerging local plan policies TA5, TA6, and EQ2.

Visual Amenity

Concerns have been raised regarding the impact of the proposal on the rural character of the area. The SSDC Landscape Architect was consulted as to the visual impacts of the scheme. He noted that whilst the site lies outside the development footprint of the village, it is an area of limited visual profile due to it laying between the developed frontage of the High Street, and the tree-planted edge of the A303 road corridor. As such, he concludes that the landscape and visual impact of development here would be minimal, and argues that if the proposal accords with emerging policy SS2, then there is no substantive landscape case to tell against the principle of development here. He did raise some concerns with design of the proposed dwellings, but advised consulting with the SSDC Conservation Manager in this regard. The SSDC Conservation Manager advised that he was content with the proposed design and that it accorded with the extensive pre-application discussions that had been carried out.

A neighbour has raised a specific concern with the proposed density, suggesting that it will be very high and entirely at odds with local character. However, at a density of approximately 12.64 dwellings per hectare the density is in fact very low and not at odds with the loose grain of the prevailing local character.

On this basis it is considered that the proposal complies with saved policies ST5, ST6 and EC3 of the local plan and emerging plan policy EQ2 and would not have such a harmful impact that permission should be withheld on the grounds of visual amenity. The various concerns of the neighbouring occupiers regarding the impact of any development on the visual amenity of the area have been considered but are not considered to outweigh the conclusions of the SSDC Landscape Architect and the SSDC Conservation Manager as to the visual impacts of the scheme.

Residential Amenity

Concerns have been raised by the occupiers of neighbouring properties regarding the potential impacts of the development on their residential amenity by way of loss of privacy

and outlook, and a general disturbance to the tranquillity of the area. However, it is considered that the proposal has been carefully designed to avoid any undue overlooking of neighbouring properties and, although there will be an inevitable increase in noise and disturbance through the development of a green field site, the distances involved are such in this case that it would not warrant refusal.

A concern has been raised that the proposed screening will effectively block sunlight from the objector's property. However, the screening referred to is to the north of adjoining properties and therefore unlikely to have a significant impact on daylight levels. Any trees that reach such a height as to cause a nuisance can be controlled through other legislation. A further concern has been raised that the screen is deciduous and therefore not appropriate for protecting privacy. However, such screening is not considered necessary to protect amenity in any case.

Therefore, notwithstanding the concerns of the neighbouring occupiers, it can be concluded that the proposed development will not cause demonstrable harm to the residential amenity of adjoining occupiers in accordance with saved policy ST6 of the South Somerset Local Plan and emerging plan policy EQ2.

Planning Obligations

A contribution of £59,893 (or £5,445 per dwelling) has been sought towards Sport, Art and Leisure. The requested contribution can be broken down as follows:

- Local facilities of £54,350, divided as:
 - £9,504 towards equipped play space at Sparkford Playing Field
 - £1,866 towards youth facilities at Sparkford Playing Field
 - £8,901 towards changing rooms at Sparkford Cricket Club
 - £17,039 towards Sparkford Village Hall
- Strategic facilities of £15,686, divided as:
 - £3,459 towards the Octagon Theatre in Yeovil
 - £888 towards Artificial Grass Pitch provision in Wincanton
 - £2,023 towards the provisions of a learner pool at Wincanton Sports Centre
 - £2,619 towards a new indoor tennis centre in Yeovil
 - £6,698 towards the development of a centrally based 8 court district wide competition sports hall
- Commuted sums of £6,896, divided as:
 - £5,490 towards marinating the play area at Sparkford Playing Field
 - £690 towards marinating the youth facilities at Sparkford Playing Field
 - £716 towards maintaining the changing rooms at Sparkford Cricket Club

Accordingly, should the application be approved a Section 106 agreement will be necessary to secure the agreed contribution towards strategic and local outdoor playing space, sport and recreation facilities.

The applicant has agreed to these obligations, and the proposal would therefore comply with saved policies ST5, ST10, and CR2 of the local plan.

EIA

The requirements of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 have been considered. A screening and scoping assessment was carried out in accordance with the regulations. The screening opinion issued by the LPA was that, given the nature of the site and the type of development proposed, the development will not have significant environmental effects and that no environmental statement is required for the purposes of environmental impact assessment.

Other Matters

Concerns have been raised regarding the adequacy of the local sewerage network. Wessex Water has raised no concerns in this regard.

A number of concerns have been raised regarding whether Sparkford has the necessary infrastructure and facilities to cope with the proposed development. Specific concerns were raised in relation to sewerage and schools. However, such concerns are not supported by technical consultees or service providers and, where necessary, details can be conditioned. When considered alongside recent approvals and other schemes currently under consideration in the locality, there is no evidence to suggest that the impacts on local infrastructure would be so significant as to warrant refusal of the scheme.

A neighbour has raised a concern regarding the loss of their rural views. However, the loss of a private view has been held not to carry significant weight as a material consideration within the planning process.

Concerns have been raised that the proposal could exacerbate existing local drainage details. However, no evidence has been forward to substantiate that there are local difficulties in relation to drainage. The site is not with an Environment Agency flood zone, and Wessex Water have not raised a concern in this regard. As such, it is considered that an appropriate drainage mechanism can be secured through the use of a condition on any permission issued.

Local concerns have been raised as to the impact of the proposal on local wildlife and there have been suggestions of inaccuracies in the submitted habitat survey. The SSDC Ecologist was consulted in this regard and concluded that there are no objections to the proposal subject to the imposition of suitable conditions on any permission.

A neighbour has raised a concern regarding the quality of the build, suggesting that any quality issues should be checked and enforced to ensure that there is not a wider impact on the village. Any permission would be subject to conditions to control the detailing of external materials, and the development would be subject to building regulations in terms of internal and external build quality. As such, this is not a planning matter that needs to be considered further here.

Concerns have been raised regarding the impact of traffic noise on the proposal from the nearby A303. The Highways Agency and the SSDC Environmental Protection Unit were consulted in this regard. They were satisfied that occupiers of the development would have a satisfactory level of amenity, provided that a suitable acoustic barrier is installed. It is considered that the details of such a barrier can be secured through an appropriate condition.

A neighbour has suggested than an existing gravel car park in the vicinity of the development should be tarmacked by the developer and given to local occupiers at no expense to them. However, this is not a matter that relates directly to the development under consideration and cannot be considered here.

The police architectural liaison officer has raised a concern with the proposed rear parking court included in the design, stating that rear parking courts are considered as potential crime generators and that there could be adequate space to the front of the relevant properties for the parking of vehicles. However, it is considered that to provide adequate parking to the front would compromise the design, and in any case there is considerable natural surveillance of the parking court in question.

Conclusion

Given the limited weight that can be given to saved policy ST3 of the local plan (2006) and the application's accordance with emerging plan policy SS2, it is considered that, in principle, it is a sustainable location for development. No adverse impacts on the landscape, ecology, drainage, residential amenity or highway safety have been identified that justify withholding planning permission and all matters of detail would be adequately controlled by the agreement of details required by condition. The applicant has agreed to pay the appropriate contributions.

Therefore, notwithstanding the various concerns raised, the proposed development is considered to be in accordance with policies ST3, ST5, ST6, ST9, ST10, EC3, EC8, EU4, TP1, TP4, and TP7 of the South Somerset Local Plan, emerging plan policies SD1, SS1, SS2, TA5, TA6, EQ1, and EQ2, and the aims and provisions of the NPPF. As such the application is recommended for approval.

RECOMMENDATION

That application reference 14/05052/FUL be approved subject to:-

a) The prior completion of a section 106 agreement (in a form acceptable to the Council's solicitor(s)) before the decision notice granting planning permission is issued to:-

- 1) Secure a contribution of £5,445 per dwelling towards the increased demand for outdoor playing space, sport and recreation facilities to the satisfaction of the Assistant Director (Wellbeing).

b) The following conditions:

Notwithstanding the local concerns, the provision of 11 houses in this location would contribute to the council's housing supply and would enhance community facilities and services to serve the settlement without demonstrable harm to residential amenity, highway safety, ecology or visual amenity, and without compromising the provision of services and facilities in the settlement. As such the scheme is considered to comply with the saved policies of the local plan, emerging local plan policies, and the aims and objectives of the NPPF.

SUBJECT TO THE FOLLOWING:

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: TC1345/1d, TC1345/2d, TC1345/3d, TC1345/4b, TC1345/5b, TC1345/6, and TC1345/7b received 10 February 2015.

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

03. The development hereby permitted shall not be commenced until such time as a surface water drainage scheme (including a full drainage masterplan and associated

drainage calculations) has been submitted to, and approved in writing by, the Local Planning Authority (LPA).

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the LPA.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage system and in the interests of highway safety and in accordance with saved policy ST5 of the local plan, and emerging plan policy TA5.

04. The development hereby permitted shall not be commenced until such time as details of an acoustic barrier in relation to road noise from the A303 has been submitted to and approved in writing by the Local Planning Authority (LPA).

The barrier shall be fully erected and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the details, or within any other period as may subsequently be agreed, in writing, by the LPA.

Reason: To protect the residential amenity of future residents of the development hereby approved in accordance with saved policy ST6 of the local plan, and emerging plan policy EQ2.

05. The proposed estate roads, footways, footpaths, tactile paving, verges, junctions, street lighting, sewers, drains, 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 highway safety and in accordance with saved policy ST5 of the local plan, and emerging plan policy TA5.

06. The dwellings hereby permitted shall not be occupied until parking spaces as detailed on Drawing No TC1345/2d and in accordance with Somerset County Council parking standards have been provided and constructed within the site in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. Such parking and turning spaces shall be kept clear of obstruction at all times and shall not be used other than for the parking and turning of vehicles in connection with the development hereby permitted.

Reason: In the interests of highway safety and in accordance with saved policy ST5 of the local plan, and emerging plan policy TA5.

07. The Development hereby permitted shall not be commenced, other than in relation to the provision of an access, until a properly consolidated and surfaced access has been constructed (not loose stone or gravel) details of which shall have been submitted to and approved in writing by the Local Planning Authority. The access shall be constructed in accordance with the agreed design and shall be maintained in the agreed form thereafter at all times.

Reason: In the interests of highway safety and in accordance with saved policy ST5 of the local plan, and emerging plan policy TA5.

08. The proposed internal layout, 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 highway safety and in accordance with saved policy ST5 of the local plan, and emerging plan policy TA5.

09. No development hereby approved shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the local planning authority.

Reason: In the interests of protecting heritage assets and in accordance with paragraph 141 of the NPPF.

10. The development hereby permitted shall not be commenced (including any ground works or site clearance) until a mitigation plan or method statement detailing measures to avoid harm to reptiles, has been submitted to and approved in writing by the local planning authority (unless a reptile-specific survey has been undertaken in accordance with current best practice and has confirmed the likely absence of reptiles). The works shall be implemented in accordance with the approved details and timing of the mitigation plan / method statement, unless otherwise approved in writing by the local planning authority.

Reason: For the protection of a legally protected species to accord with policy EC8 of the South Somerset Local Plan, and to ensure compliance with the Wildlife and Countryside Act 1981 (as amended), and for the conservation of a 'priority species' in accordance with NPPF.

11. 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 1st March and 31st 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.

12. No work shall be carried out on site until particulars of the following have been submitted to and approved in writing by the Local Planning Authority:
- a) details of materials (including the provision of samples where appropriate) to be used for the external walls and roofs;
 - b) a sample panel, to be prepared for inspection on site, to show the mortar mix and coursing of the external walls;
 - c) details of the recessing, materials and finish (including the provision of samples where appropriate) to be used for all new windows (including any rooflights) and doors;
 - d) details of all hardstanding and boundaries
 - e) details of the rainwater goods and eaves and fascia details and treatment.

Once approved such details shall be fully implemented unless agreed otherwise in writing by the Local Planning Authority.

Reason: To safeguard the character and appearance of the area in accordance with saved policies ST5 and ST6 of the South Somerset Local Plan and policy EQ2 of the emerging local plan.

13. The development hereby permitted shall not be commenced until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of the development, as well as details of any changes proposed in existing ground levels; all planting, seeding, turving or earth moulding comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To safeguard the character and appearance of the area in accordance with saved policies ST5 and ST6 of the South Somerset Local Plan and policy EQ2 of the emerging local plan.