

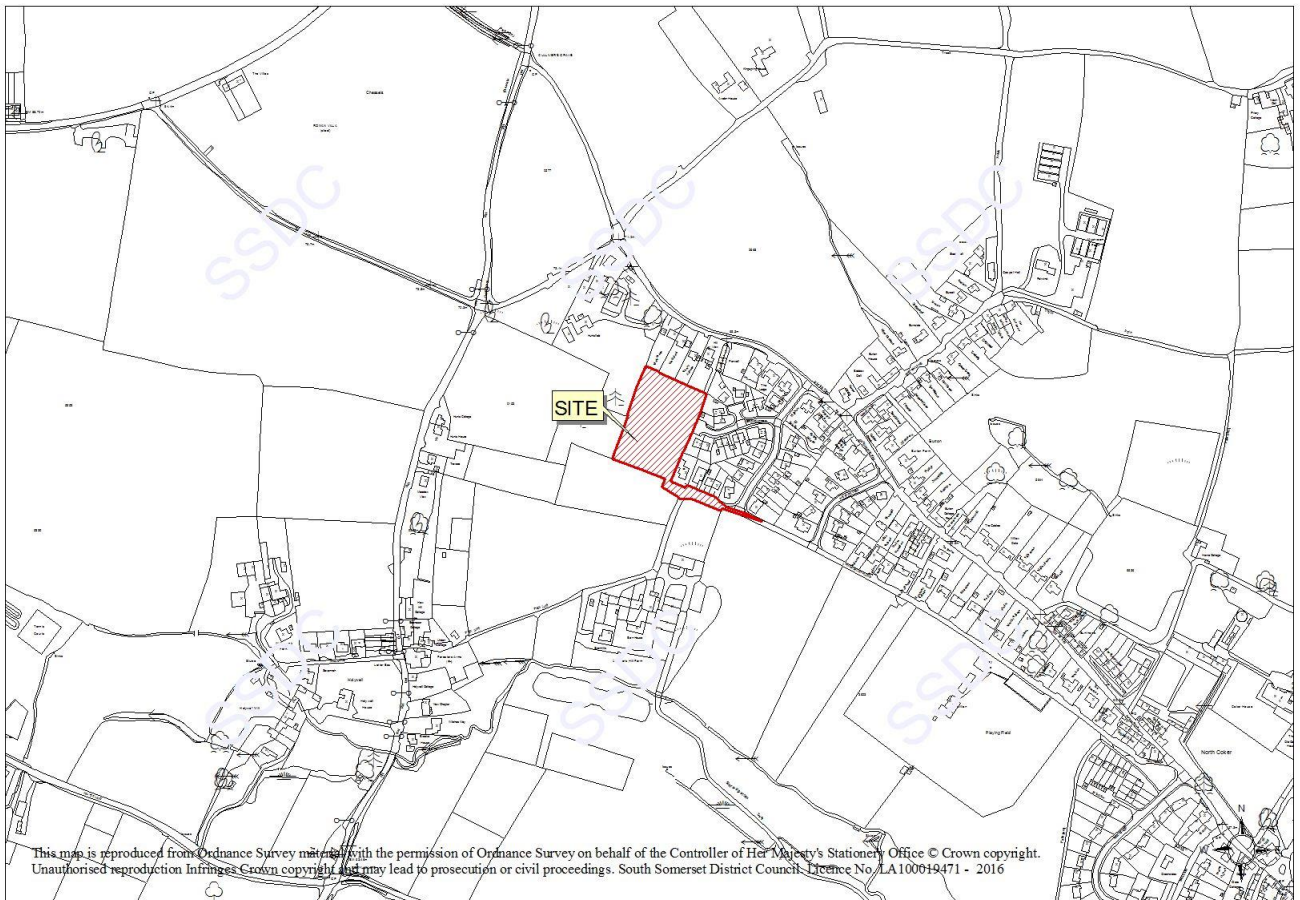
Officer Report On Planning Application: 15/05325/OUT

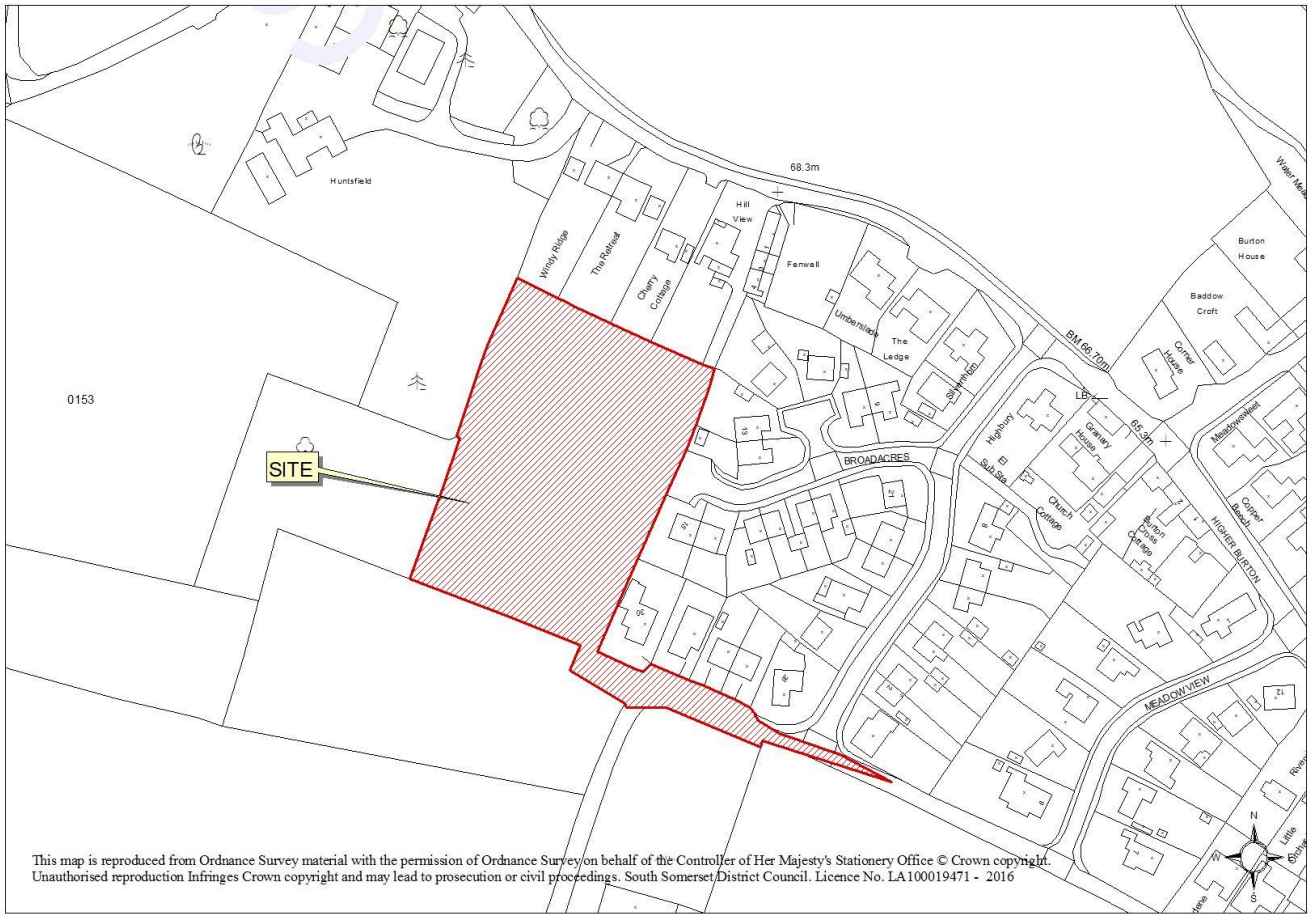
Site Address:	Land Adjacent Broadacres East Coker
Ward :	COKER
Proposal :	Outline application for the erection of 14 No. single storey dwellings, new vehicular access and associated works (GR 353159/113479)
Recommending Case Officer:	Andrew Collins, Planning Officer
Target date :	2nd March 2016
Applicant :	Boon Brown Architects Ltd
Type : 01	Major Dwlg 10 or more or site 0.5ha+

Reason for Referral to Committee

This application is referred for Committee consideration at the request of the Ward Members in accordance with the scheme of delegation and with the agreement of the Vice Chairman due to concerns raised by the Parish Council and local residents. The application constitutes a major development in a Rural Settlement and a previous scheme, dismissed at appeal, was similarly considered by the committee.

Site Description and Proposal





This application seeks outline permission for the erection of up to 14 single storey dwellings with associated access and landscaping. All matters are to be reserved with the exception of access and scale. The site consists of an agricultural field currently empty. The field slopes gently upwards towards the north-western corner and is bounded by a mix of type and features. The Eastern boundary is bounded by mixed timber fences backing onto residential rear gardens, the northern by a mix of fences and hedges also backing onto rear gardens. Along the western boundary is a mix of post and wire fencing, post and rail fencing and a poor hedge. The Southern boundary comprises a mixed species hedge of various quality and type. The site is bounded by a variety of residential properties to the north and east of the site, with open countryside to the south and west.

It is proposed to provide vehicular access to the site through the existing access on the southern boundary from the existing unclassified highway known as Long Furlong Lane. As part of the submitted plans, for consideration the existing road is to be widened and a footpath is created. On the back edge of the proposed footway a native species hedgerow is proposed. At the western end of the lane a shared surface is proposed to enter the site. This proposed access is the same as the access in the last application (14/01266/OUT) which the Planning Inspector deemed to be acceptable and costs were awarded against the Local Planning Authority.

Long Furlong Lane continues through 90 degrees by turning south and this serves Skinner's Hill Farm.

An existing access to a paddock will remain to the west of the new road. This goes to third party land outside of the application site.

The indicative submitted layout plans shows the introduction of new buffer planting zone in the south-western corner of the site. The layout shows an area of open space along the western boundary. The layout shows a 'C' shaped road ending in a turning area and private parking court.

During the course of the application further information has been received in relation to landscape area, general location for new development and an area to be kept clear. Also an amended plan has been received to address the Tree Officer's comments.

The application is supported by:

- Design and Access Statement
- Tree Report
- Archaeological Field Evaluation
- Archaeological Geophysics Report
- Ecological Survey and addendum
- Planning Statement
- Transport Assessment and updated covering letter
- Landscape and Visual Impact Assessment
- Various indicative plans

HISTORY

14/01266/OUT - Residential development, new vehicular access and associated works - Application Refused - 03/07/14. Appeal dismissed - 15/04/15

This application was refused for the following reasons;

"The principle of development in this location is unacceptable because;

- *The access arrangements to and from Skinners Hill Farm due to carriageway width, alignment and forward visibility would be detrimental to highway safety.*
- *The proposal is beyond the established built limits of North Coker which would be detrimental to the open countryside.*
- *The proposal is not responsive to the emerging Local Plan and emerging neighbourhood plan in particular to this locality and does not consider local circumstances.*
- *It leads to the incremental loss of Grade I (the best and most versatile) agricultural land.*

As such the proposal is contrary to the NPPF in particular Paragraphs 54 and 112 and Policies ST3, ST5 and EC3 of the South Somerset Local Plan."

The appeal was dismissed but only on 2 reasons; - 1) the proposal did not contribute to the provision and choice or new housing in the district including affordable housing and the proposal does not generally have the support of the local community. 2) Landscape harm caused from long distant views and the village's countryside setting being diminished.

The other reasons for refusal were not upheld and costs were awarded against the Council in relation to bullet points 1 and 3 in relation to the emerging neighbourhood plan.

14/02642/EIASS - Request for screening opinion for residential development, new vehicular access and associated works - EIA Not required - 17/06/14

92/00833/FUL - Construction of access road, the erection of six low cost houses and the provision of parking facilities - Application Refused - 20/01/1993. Dismissed on appeal.

92/00832/FUL - The erection of eight low cost houses and the provision of parking facilities - Application Refused - 02/07/1992

91/00934/FUL - The erection of twelve low cost houses and the provision of parking facilities - Application Refused - 09/01/1992

781884 - Outline. Erection of six bungalows and eight dwellinghouses - Application refused - 16/11/78. Appeal Dismissed.

63905/C - Development of land for residential purposes - Refused - 20/12/73. Appeal Dismissed.

63905/B - Development of land for residential purposes - Refused - 8/9/72. Appeal Dismissed.

63905/A - Development of land for residential purposes - Refused - 23/12/69

63905 - Development of land for residential purposes - Refused - 11/12/69

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.

The development plan comprises the policies of the South Somerset Local Plan (2006-2028).

The policies of most relevance to the proposal are:

South Somerset Local Plan (2006-2028)

SD1 - Sustainable Development

SS1 - Settlement Strategy

SS2 - Development in Rural Settlements

SS4 - District Wide Housing Provision

SS5 - Delivering New Housing Growth

SS6 - Infrastructure Delivery

HG3 - Provision of Affordable Housing

HG5 - Achieving a Mix of Market Housing

TA1 - Low Carbon Travel

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

Other

The National Planning Policy Framework (2012) forms a material planning consideration:

Core Planning Principles

Chapter 4 - Promoting Sustainable Transport

Chapter 6 - Delivering a Wide Choice of High Quality Homes

Chapter 7 - Requiring Good Design

Chapter 8 - Promoting Healthy Communities

Chapter 10 - Meeting the Challenge of Climate Change, Flooding and Coastal Change

Chapter 11 - Conserving and Enhancing the Natural Environment

Chapter 12 - Conserving and Enhancing the Historic Environment

Also relevant:

Somerset County Council Parking Strategy (September 2013)

South Somerset District Council Statement of Community Involvement (December 2015)

Material Considerations

Appeal

APP/R3325/W/15/3063768 (14/03636/OUT) - Residential development comprising of up to

16 dwellings, associated parking, landscaping and construction of access from Tanyard - Land at Tanyard, Broadway, Ilminster, Somerset, TA19 9JT

"20. In my experience, it is not unusual for neighbouring residents to raise objections when planning applications / appeals are submitted. Established planning law does not require public support before permission can be granted. For a settlement of the size of Broadway the level of local opposition could not be reasonably be described as substantial or overwhelming. Even if it was, the provisions of LP policy SS2 would not prevent permission being granted.

21. Whilst 'localism' is an important Government objective the Framework also seeks to boost significantly the supply of housing. Where these cannot be reconciled a decision must be based on the weight of the evidence. I shall undertake the necessary planning balance after considering all matters.

22. Some residents are likely to be very disappointed if permission is granted. Nevertheless, others, including the wider public, could find it difficult to comprehend how permission could be withheld for a scheme of residential development in an area where there is a need for affordable housing and a shortfall in the supply of market housing. An approval would be unlikely to significantly undermine public confidence in the planning system."

Land Supply

The Council's current position is that it does not have the required 5 year supply of housing land and as such the housing constraint part of Policy SS2 of the adopted Local Plan is considered to be out of date. As at September 2015 it was recorded in the Five-year Housing Land Supply Update that the Council's supply was just over 4 years, 4 months.

CONSULTATIONS

East Coker Parish Council:

"The Parish Council would recommend refusal for the following reasons;

- The development does not compliment the Village
- There hasn't been sufficient public consultation
- Impact on the landscape
- Not a sustainable development"

County Highway Authority

Following a site visit the Highway Authority has the following observations to make on the highway and transportation aspects of the proposal.

The appeal decision relating to application reference 14/01266/OUT for 19 dwellings on the same site is a material consideration in looking at this proposal. The Planning Inspector was clear that the traffic associated with 19 dwellings would not lead to any highway safety concerns and that the proposed improvements to Long Furlong Lane were acceptable and would help mitigate any impact the traffic may have on that section of highway.

Suggests conditions are imposed relating to details of road layout, roads, footpaths and turning spaces constructed before occupation, parking spaces, surface water disposal, level and details of Long Furlong Lane, CEMP and road condition survey.

SSDC Housing Officer:

"Policy requires 35% affordable housing split 67:33 social rent: intermediate.

On that basis we require 5 units with 3 for social rent and 2 units for shared ownership/other intermediate products,

I would expect the units are developed to blend in with the proposed housing styles and

types on the site. Given the current proposed development we would therefore expect 5 detached bungalows.

I would like to recommend the following property mix based on the current Housing Need Register data and existing social housing stock levels in the area.

4 x 2 bed (4 person) bungalows

1 x 3 bed bungalow (6 person) (specially adapted for a disabled family)

I would expect our prevailing minimum space standards should also be adhered to, the bespoke unit by nature is not subject to these minimums.

2 bedroom house 76 sqm

The s106 should also include a schedule of approved housing association partners for delivery of the affordable units. At the moment our main partners are:

Bournemouth Churches Housing Association (BCHA)

Knightstone Housing

Stonewater Housing and,

Yarlington Housing Group"

SSDC Environmental Protection Unit:

"No comments to make."

SSDC Planning Policy:

"The development plan for South Somerset comprises the adopted Local Plan 2006-2028, and the saved policies and proposals from the Local Plan 1991-2011. The National Planning Policy Framework (NPPF) is an important material consideration. I also note that an appeal was dismissed on the site for a slightly larger proposal in April 2015.

The current lack of a five-year housing land supply in the district means that relevant policies to the supply of housing are considered out-of-date, and therefore permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits; or specific policies in the NPPF indicate development should be restricted (Local Plan Policy SD1, NPPF para 49 and 14). It has been held in recent appeal decisions that the housing supply provisions of Policy SS2 should not be considered up to date.

The proposal is located adjacent to North Coker, which has several services and facilities that warrant it being a 'Rural Settlement' in the adopted Local Plan. Policy SS2 strictly controls and limits development, although proposals that meet identified housing need, particularly for affordable housing, are one of the limited circumstances under which development may be permitted. Development should also be commensurate with the scale and character of the settlement, increase its sustainability, be consistent with community led plans, and generally have the support of the local community following robust engagement and consultation.

The applicant has referenced evidence from the emerging East Coker Neighbourhood Plan, and the proposal appears to be broadly compatible with this work by being small scale in nature, and seeking to meet housing need through 'lifetime homes' and affordable dwellings. These aspects are also consistent with the policy criterion referenced above relating to meeting identified housing need. However, it is not clear whether there has been robust community engagement on this latest proposal.

The proposal is also consistent with Policy HG3 through the provision of 5 affordable dwellings (35% of the total).

Overall, the proposal is broadly consistent with Policy SS2, apart from one aspect as it is not clear whether the proposal has the support of the local community following robust engagement and consultation. The current lack of a five-year housing land supply means that there must be significant reasons to warrant refusing the scheme."

SSDC Landscape Architect :

"I have reviewed the revised application seeking residential development of land to the west

of Broadacres, and recollect the earlier appeal decision that, surprisingly, found against this site. I had previously offered the following view to the initial application:

In most instances, I am not supportive of development at the edge of our rural villages, for whilst national planning policy no longer states an intent to protect the countryside for its own sake, recent national guidance re-iterates one of the NPPF core principles that planning should recognise the intrinsic character and beauty of the countryside, to thus place some value on the inherent quality of the countryside.

In this instance, the application plot is a small pasture, rectangular in shape, and lined by village-edge housing on two sides, whilst the other two sides are undeveloped, and comprise a mix of garden and small paddocks. It is overlooked by its immediate residential surround, but is otherwise visually unobtrusive. There are long views toward the site, from the raised elevation of the Coker ridge to the south, though it can be noted that from the ridge and its associated rights of way, the plot is not a large component of the view, and it is seen against a backdrop of village house forms.

Clearly the proposal will result in an erosion of the countryside - by virtue of domestic expansion into agricultural land. However, the impact goes little beyond that, any change in the local landscape character does not extend far beyond the site bounds, for the site is bounded by other small fields where not abutted by housing, and there are few landscape features affected by the proposal. I would acknowledge that other than site access, this proposal does not impact upon existing landscape features, nor does it extend disproportionately into land of greater visual profile, or the wider field pattern of the agricultural landscape. Hence whilst I have reservations of the principle of such development, I have to acknowledge that the proposal will not create a significant landscape impact, and thus there is no basis to raise a landscape objection.

As the Planning Inspector raised landscape as a reason for refusal of the previous scheme, I have revisited the main vantage points, and considered the views toward the site in tandem with the revised layout proposal, which is now much less intensive; single-storey only; and is offered with a robust landscape proposal. I note that this new layout has been informed by an independent landscape and visual appraisal (LVA) and this has led to the subsequent residential layout and planting mitigation. The LVA considers the visual impacts to be low as viewed from the majority of public vantage points, with the potential to be further reduced by the lower profile of the revised scheme and its associated landscape treatment. I do not disagree with this judgement, and noting the positive amendments to the layout that have further reduced the potential visibility of this application proposal, I have no reason to amend my earlier view, and consider this to be a site that is capable of accommodating development in the form proposed by this application."

SSDC Community, Health and Leisure:

Requests the following contributions are sought in line with Policies HW1, SS6 and EQ2 of the adopted South Somerset Local Plan and paragraphs 203-206 of the NPPF, on the basis of 14 dwellings

- Local facilities £52,131

This is broken down as such;

Equipped Play Space towards enhancing the play area at East Coker recreation ground - £11,883

Youth Facilities towards the provision of youth facilities at East Coker recreation ground - £2,333

Playing Pitches towards the enhancement or expansion of existing pitches at East Coker recreation ground - £5,482

Changing rooms towards the enhancement of existing changing rooms at East Coker recreation ground - £11,129

Community Halls towards the enhancement of East Coker Village Hall - £21,304

- Strategic facilities £9,588

This is broken down as;

Theatres and art centres towards a new studio theatre at the Octagon theatre, Yeovil or towards the stage refit at the Westlands Entertainment complex - £4,324

Artificial Grass Pitches - £0

Swimming Pools - £0

Indoor Tennis Centres - £0

Sports Halls towards the enhancement of existing sports halls in Yeovil - £5,264

- Commuted sums £12,533

This is broken down as;

Equipped Play Space towards the play area at East Coker recreation ground - £6,864

Youth Facilities towards the provision of youth facilities at East Coker recreation ground - £863

Playing Pitches towards the enhancement or expansion of existing pitches at East Coker recreation ground - £9,911

Changing rooms towards the enhancement of existing changing rooms at East Coker recreation ground - £895

- Community, Health and Leisure Service administration fee £743

This equates per dwelling as being;

- Local facilities £5,357

Therefore in calculating all the above the total contribution sought is £74,995

SSDC Ecologist :

He initially commented that notes of the Ecological Appraisal and the addendum and is satisfied with the findings.

Agrees with the submitted appraisal that there is a risk of slow worms on the site and recommends that a method statement in dealing with them is conditioned.

There are signs of badger activity on site and a possible outlier sett was noted. On this basis an informative is proposed.

Notes that this type of development is not included within the SSSI Impact Risk Zones as does not constitute aviation, industrial, landfill and composting developments.

SSDC Tree Officer:

"I have studied the tree report, am familiar with the site and can confirm that the arboricultural impacts of this proposal are relatively low. Because of the outline nature of the proposal, a specific scheme of protection measures has not yet been provided.

I have noted the landscape plan relating to the proposed removal and re-instatement of the hedgerow upon the corner. To optimise the successful establishment of the new hedgerow, I'd recommend the use of stock and rabbit-proof fencing, 'cell-grown' tree stock (as opposed to 'bare-rooted') and the installation of coir mulch-matting firmly secured with pegs to avoid competing vegetation. Whilst I appreciate the outline nature of the proposal, these essential details are currently missing from the current landscaping plan (Drawing No: 3353/003). (This has now been addressed in the submitted amended plan.)

If consent is to be granted, I would also be grateful if you would consider imposing a tree and hedgerow protection condition."

SCC Archaeology:

"An archaeological evaluation has taken place on this site that revealed reasonably significant archaeological remains relating to Roman period settlement.

For this reason I recommend that the developer be required to archaeologically excavate the heritage asset and provide a report on any discoveries made as indicated in the National Planning Policy Framework (Paragraph 141). This should be secured by the use of model condition 55 attached to any permission granted.

'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."

Avon and Somerset Constabulary Crime Prevention Design Advisor:

Has no objection. Requests that at the appropriate time consideration is given to provide gable end windows to allow surveillance of the parking spaces and either a gable end window or robust boundary treatment to the dwelling abutting the public open space to meet 'Crime Prevention through Environmental Design' 'Secured by Design' and 'Safer Place' requirements.

Wessex Water:

New water supply and waste water connections will be required from Wessex Water to serve this development. Separate systems will be required as surface water connections will not be permitted to the foul sewer system.

Somerset Waste Partnership:

Refers to their guidance on line.

Lead Local Flood Authority:

"The development indicates an increase in impermeable areas that will generate an increase in surface water runoff. This has the potential to increase flood risk to the adjacent properties or the highway if not adequately controlled.

The applicant has not provided details of the proposed drainage designs for the capture and removal of surface water from the development. Due to the location of the site and the proposed increase in impermeable areas it will be necessary to provide these details.

The LLFA has no objection to the proposed development, as submitted, subject to (a) drainage condition being applied."

CPRE Somerset:

"CPRE Somerset opposes this application and supports the objections that have been made by local residents.

We remain very concerned at the Applicant's failure to file a Statement of Community Involvement (SCI). As stated, SSDC's own new SCI is now in force and in our view an Applicant SCI is called for.

The Applicant refers to the draft East Coker Neighbourhood Plan ('NP') and says in its Planning Statement at paragraph 5.50 "..... it is clear that the early evidence base to date points to a local need within East Coker for more affordable housing and housing suitable to accommodate an ageing population. This proposal seeks to address this local need." The draft NP is very much an evolving document and a considerable way from fruition. It is our understanding that draft policies are still being developed that the Parish Council says are still to be subject to further public consultation before being seen by SSDC (who may or may not suggest changes), examination by an Inspector and then a referendum. Any suggestion that what the draft NP currently says (or is said in any accompanying NP document) is evidence of the application meeting community requirements is bizarre and certainly no reason for not doing proper community engagement properly evidenced by an Applicant's SCI.

In our view it is also impossible for SSDC to undertake a proper consideration of this application in the context of Policy SS2 without an Applicant's SCI

The fact of SSDC not having a 5 year housing land supply does not affect non-housing supply policies, notably in the context of this application landscape policies. Non-housing supply policies are unaffected and continue to bear the full statutory presumption in their favour and they should be the starting point for SSDC in the decision-making process.

Even if SS2 was to be considered a housing supply policy (and only the Courts can

definitively decide that), that only goes to the weight, not the validity, of that Policy in the decision-making process. The Policy remains extant, it is part of the statutory development plan and must be taken into account by SSDC.

This application cites the lack of a 5 year land supply in its' favour. However, although paragraphs 14 and 49 of the NPPF are engaged, this does not avoid the overall NPPF requirement for an application to comprise sustainable development and for the application to be "assessed against the policies in this Framework taken as a whole" see NPPF para. 14. On any proper consideration this proposed development is not sustainable development and should be refused.

We note the views of SSDC's Landscape Architect in his e-mail of 22 December 2015. Landscape impact is clearly a matter of subjective opinion to a large extent. However, Mr Archer's views are clearly not shared by many local residents, by Council Members who refused the last application, or by the Planning Inspector who considered the subsequent appeal of that refusal.

The Applicant has taken steps to address landscape impact but we query whether any such mitigation will be sufficient given the local topography.

We note that the Applicant's Archaeological Report says that "Any development of this site is likely to have adverse impact on the sub-surface archaeological remains." It seems that the site is of archaeological interest and therefore if this application is granted any planning permission should have a condition imposed on it requiring full archaeological investigation and recording before any development commences.

It seems to CPRE that the objections to development upheld by the Planning Inspector on appeal in respect of the previous application are still good for this new application. CPRE is not against suitable development taking place in village communities. Indeed if they are to remain vibrant, thriving communities such development is needed, particularly for local people. But this is the wrong site in the wrong location for a development scheme as now proposed".

REPRESENTATIONS

23 letters of objection and 2 letters of support have been received.

Objections were raised on the following grounds:

Principle of Development:

- o Amount of development is not justified.
- o Questions if there is a need for more houses in East Coker.
- o The site is outside of the village built line.
- o The shop has closed but still referred to in the accessibility statement.
- o Development on this site has been refused before.
- o The school and pre-school are over-subscribed.
- o Currently in preparation is the East Coker Neighbourhood Plan and this would development would affect this.
- o Applications have been refused in the past on the site and dismissed on appeal.
- o The loss of Grade I agricultural land which is contrary to Paragraph 112 of the NPPF.
- o The lack of a 5 Year land supply does not take into account the Yeovil Urban Extension.
- o This appears to be an attempt to swallow up East Coker and not be a separate settlement to Yeovil.
- o The Council has yet to complete its 'Housing Plan' and any new development should not be accepted until completed.
- o Lack of public engagement on this revised application.
- o Lack of necessary facilities in East Coker such as surgery, pharmacy, shop or post office.
- o Not a small scale development as detailed in SS2.

- o Additional development in the village is not needed - refers to Keyford, Yeovil Court application at appeal and Bunford Heights.
- o Emphasises planning requirements that decisions should be made in accordance with the Development Plan unless material considerations indicate otherwise. Does not consider that this proposal complies with adopted policy and no material considerations outweigh this.
- o Questions the 5 year supply issue and the problem relates to previous years of development during the recession. As opposed to allowing sites on rural settlements a proper assessment and study in a comprehensive manner should be undertaken to direct larger settlements taking up the shortfall.
- o Argues that as East Coker does not have a development boundary and therefore in open countryside, the site should therefore provide 65% affordable housing.

Highways:

- o Amount of traffic using site.
- o Narrow lanes surrounding East Coker.
- o Access unsuitable and potentially dangerous.
- o Already roads at saturation point at peak times.
- o Increased traffic using Broadacres estate.
- o There is limited availability to accommodate bicycles in the surrounding area.
- o Long Furlong Lane is a narrow country lane with few passing places and only part of it is to be improved.
- o Long Furlong Lane is well used and serves the playing fields and pre-school.
- o There are many users of the lane including young families, horses and walkers who would be put at risk.
- o The new access to the site would be a hazard to neighbour's property.
- o There are a lot of stables nearby with associated equestrian traffic on the roads. The development would be a danger to these uses.
- o Long Furlong Lane is very narrow and vision is limited when accessing the lane.
- o The country lanes in the village are mostly within pavements and were not designed to take large traffic flows.
- o The access is extremely constricted and looks as if traffic flow will be compromised.
- o Skinner's Hill Farm has an equestrian stables and the safety to horses is a key issue.
- o There have been accidents on the junction with the A30 at the Whitepost Garage and in Higher Burton
- o Concerns during construction period with an increase in heavy vehicles.
- o Footpaths are impassable during or after bad weather.
- o Footpaths are not suitable for people with walking problems, a buggy or wheelchair.
- o You cannot cycle on footpaths.
- o The access has not changed which was previously refused at appeal.
- o Highways report same as previous application and shop has subsequently closed.
- o Concerns over construction traffic during construction.

Residential Amenity:

- o Neighbour owns adjoining land with an existing entrance opposite. The existing lane is already very busy and the existing farm gate opens outwards and this would block access to the site for horseboxes, trailers etc entering / exiting neighbour's site.
- o Concerns about overlooking of existing dwelling due to changes in height
- o The outlook of neighbouring properties would be affected this would be affected.
- o Loss of privacy and overlooking from the access road.
- o Increase level of noise and disturbance with traffic noise and fumes.
- o Refers to relevant articles of the Human Rights Act.
- o Loss of views.
- o The size of the dwellings could result in people extending into the roof space and

therefore overlooking.

Visual Amenity:

- o Trees were recently removed before the application was submitted.
- o Could set an undesirable precedent.
- o The site was previously designated as a 'Special Landscape Area' and see no reason why this should change.
- o There would be light pollution and with street lamps a loss of a dark skies area.
- o To preserve the character of the area the new single storey buildings shall be no higher than existing.
- o Planting is proposed to the south and west but does not consider residents to the north of the site.
- o Proposed dwellings are too close to the northern boundary.
- o Considers that the buildings are not single storey due to the roof pitch of 45 degrees results in much higher buildings than is shown on the plans and more akin to chalet bungalows as opposed to bungalows adjacent the site.
- o How is the open space proposed to be retained to ensure another dwelling is not erected on site?
- o Open parking sites can be untidy.
- o The landscape assessment is open to a matter of judgement in relation to assessing impact. The mitigation measures proposed - a landscape buffer, an area of open space and reduced height of the dwellings has not addressed the Inspector's concerns.

Flooding:

- o Long Furlong Lane has flooded in past for weeks at a time.
- o Proposal could increase flooding - Gardens were flooded by water running off the fields and if tarmacked it would make matters worse.
- o Increased flooding has undermined the steep banks of the narrow lanes.

Other Matters:

- o Concerns over drainage and sewage systems.
- o Effect upon badger population and if disturbed could move to gardens and cause problems with holes.
- o Facts in relation to distance to train station, width of roads and other details in the transport assessment are not accurate and there is no dedicated bus service, only a limited service with none at the weekend and very limited space for wheelchairs. The bus also does not allow ability to get to and from Yeovil during normal working hours (09:00 - 17:30)
- o There is a history of archaeological finds in the near vicinity of this site.
- o Question over land ownership.
- o Application submitted just before Christmas with limited chance to comment on the plans
- o Concerns over what 'associated works' means

APPLICANT'S CASE

In the conclusion of the Planning Statement it is stated that;

- 7.1 *The application site comprises suitable housing land in a sustainable location that is immediately available, deliverable and viable for housing development to help address the current identified shortfall in the five-year supply of deliverable housing sites within the District. The proposal supports a positive economic, social and environmental dimension and, therefore, is compliant with the NPPF: presumption in favour of sustainable development.*

- 7.2 *This proposed development represents an opportunity to bring the application site into active residential use, providing a type of housing particularly suited to occupation by elderly residents and for which there is a documented local need. The proposal is therefore in accordance with Local Plan Policy SS2.*
- 7.3 *The revised indicative proposals will not harm local landscape character and provide a firm basis upon which other matters relating to appearance, landscaping, layout can be further addressed at the reserved matters stage. It has been demonstrated that the detailed access proposals and associated highway works will have no detrimental impact upon highway safety.*
- 7.4 *It has been comprehensively demonstrated by this planning statement, and other supporting documents, that the proposal complies with all relevant policies of the Development Plan, national planning policy and, is supported by material planning considerations. Accordingly it is respectfully contended that planning permission ought to be granted in accordance with the presumption in favour of sustainable development established by the NPPF."*

CONSIDERATIONS

Planning application 12/01266/OUT was refused on 03 July 2014 for the following reason;

"The principle of development in this location is unacceptable because;

- o The access arrangements to and from Skinners Hill Farm due to carriageway width, alignment and forward visibility would be detrimental to highway safety.*
- o The proposal is beyond the established built limits of North Coker which would be detrimental to the open countryside.*
- o The proposal is not responsive to the emerging Local Plan and emerging neighbourhood plan in particular to this locality and does not consider local circumstances.*
- o It leads to the incremental loss of Grade 1 (the best and most versatile) agricultural land.*

As such the proposal is contrary to the NPPF in particular Paragraphs 54 and 112 and Policies ST3, ST5 and EC3 of the South Somerset Local Plan."

The appeal was dismissed but only on 2 reasons; - 1) the proposal did not contribute to the provision and choice of new housing in the district including affordable housing and the proposal does not generally have the support of the local community. 2) Landscape harm caused from long distant views and the village's countryside setting being diminished.

The other reasons for refusal were not upheld and costs were awarded against the Council in relation to bullet points 1 and 3.

In relation to the loss of Grade 1 agricultural land, the inspector said;

"22. It is not disputed that the scheme would result in the loss of Grade 1 land. However, given the scale of development that is proposed (the site is some 0.7 hectares in area and an indicative housing total of 19 units is suggested), I share the appellant's view that the appeal scheme would not be 'significant' in the terms of the Framework. Therefore, while some Grade 1 land would be lost, I conclude that the proposal would not conflict with the requirements of paragraph 112 of the Framework in that respect."

In considering the previous reasons for refusal to application 14/01266/OUT (as detailed above) and the subsequent appeal decision the main areas of consideration are considered to be:

- o Principle of Development
- o Visual Amenity and Landscape Impact
- o Planning Obligations

Principle of Development

The starting point for decision-making is that the LPA must carry out its decision-making functions in compliance with Section 38(6) of the Planning and Compulsory Purchase Act (2008) and Section 70(2) of the Town and Country Planning Act (1990), which require that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

Paragraph 12 of the National Planning Policy Framework (NPPF) confirms that the NPPF does not change the statutory status of the development plan as the starting point for decision-making. It also confirms that proposed development which accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise.

The development plan constitutes the adopted South Somerset Local Plan (2006-2028). Paragraph 14 of the NPPF establishes the "*presumption in favour of sustainable development*" running through both plan-making and decision-taking. For the purposes of decision-taking this means:

"Approving development proposals that accord with the development plan without delay; and Where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

- *Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in this Framework taken as a whole; or*
- *Specific policies in this Framework indicate development should be restricted".*

In considering sustainable development, Local Plan Policy SD1 states that the Council will take a proactive approach to reflect the presumption in favour of sustainable development. Paragraph 49 of the NPPF sets out how applications for housing should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites. As at September 2015 it was recorded in the Five-year Housing Land Supply Update that the Council's supply was just over 4 years, 4 months. The Council, at present, therefore cannot demonstrate a five-year supply of deliverable housing land.

Given this, the relevant policies for the supply of housing should be considered out-of-date and the implication of Paragraph 49 of the NPPF is engaged. Before considering the implications of this one must return to the fundamental issue of compliance with the development plan.

Policy SS1 of the adopted plan sets out the settlement strategy for development in South Somerset. It states that Rural Settlements will be considered as part of the countryside to which national countryside protection policies apply. This is notwithstanding the exceptions in Policy SS2.

Policy SS2 builds on the recognition in the NPPF (paras 54-55) that some housing in rural areas should be provided to meet identified need to enhance or maintain their sustainability. Local Plan Policy SS4 sets out the housing provision target within the plan period. The Local Plan Policy SS5 target is 2,242 dwellings in rural settlements up to 2028. Policy SS2 then sets out that in order to enable people to live as sustainably as possible new housing should

only be located in those Rural Settlements that offer a range (two or more) of the following services, or that provide these within a cluster of settlements:

- Local convenience shop
- Post office
- Pub
- Children's play area/sports pitch
- Village hall/community centre
- Health centre
- Faith facility
- Primary school.

In the case of East Coker it is evident that it has a pub, play area/sports field, primary school, village hall and church. The nearest health centres are in West Coker or Yeovil. East Coker therefore provides sufficient services for Policy SS2 to apply.

As such Policy SS2 states,

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

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

Development will be permitted where it is commensurate with the scale and character of the settlement, provides for one or more of the types of development above, and increases the sustainability of a settlement in general.

Proposals should be consistent with relevant community led plans, and should generally have the support of the local community following robust engagement and consultation.

Proposals for housing development should only be permitted in Rural Settlements that have access to two or more key services listed at Paragraph 5.41".

In response the following assessment is made.

"Provides employment opportunities appropriate to the scale of the settlement"

The proposal does not expressly propose development that would in itself lead to job creation in the village, other than of course the short term construction jobs to which some weight can be given.

"Creates or enhances community facilities and services to serve the settlement"

The proposal does not expressly propose development that would in itself lead to the creation or enhancement of community facilities and services, other than the increased population may help sustain those remaining local services. There is a standard obligation request towards local play, sport and youth facilities which amounts to £74,995. This can be afforded some weight.

"Meets identified housing need, particularly for affordable housing"

The key consideration within this application is whether the proposed dwellings meet an identified need in the village. It has been confirmed, at 6.13 of the Planning Statement that the proposal will provide 35% affordable housing. This would assist in meeting the identified need for affordable housing in this part of the district. The open market housing would assist in meeting the shortfall in housing supply within South Somerset. This can be given significant weight in the planning balance.

Furthermore all of the proposed dwellings are single-storey bungalows, and will be conditioned as such.

As well as seeking to mitigate landscape impacts the provision of bungalows has also been proposed due to a suggested requirement in the emerging Neighbourhood Plan. The agent has undertaken a robust assessment of the evidence base published to support the emerging Neighbourhood Plan and notes the housing objectives to *"support the provision of small scale suitable development that meets the need of the parish community including affordable housing, family housing and housing suitable for older people, enabling people with a local connection to stay in the Parish throughout their lifetime"*.

The proposal also includes provision of a unit suitable for an identified local person with specific needs due to disability. This unit has been included at the request of the Council's Housing Officer.

Finally, and in addition the agent has agreed to include a local preference clause to the affordable units. This would guarantee access for local people in housing need, ensuring they can retain their connection to the parish. Those older people with financial means can also access the open market bungalows as part of a move to downsize. With the exception of the tailored needs unit, which is 3bed, all the others are 2bed which is seen to provide a positive contribution to the housing mix in East Coker. The mix of tenures provides 9 open market, 2 shared ownership and 3 affordable rent properties which is welcome.

"...commensurate with the scale and character of the settlement"

Policy SS2 requires the development to be consistent with the scale and character of the settlement whilst Policy EQ2 refers to design and landscape considerations.

Concerns have been raised by neighbouring occupiers regarding the impact of the proposal on the character of the area and the wider landscape character. This revised application has attempted to address the Planning Inspector's previous concerns by providing a landscape buffer at the southern / western corner of the site, a gap an open space near the turning head in Broadacres and the reduced height of the dwellings. The application is also now supported with a Landscape and Visual Impact Assessment (LVIA) by a qualified landscape architect using established methods for assessing impact. The SSDC Landscape Architect has been consulted and has revisited the main vantage points together with the proposed revised layout. He agrees with the conclusions made in the LVIA to the visual impacts of the scheme. He noted that the application site there were long views towards the site from Coker ridge to the South, but the site is not a strong component of this view and is seen against a backdrop of village house forms.

The visual impact does not extend beyond the site bounds and is bounded by small fields. Therefore there is little impact beyond the principle of the development. Landscape features are not affected save for the access and any development would not be unduly prominent on the wider landscape. In assessing the character of development it is also considered that the proposal results in a rounding off of the existing development.

This results in the amended scheme being able to be mitigated against and address the Inspectors concerns in this matter. The Inspector also raised concerns over the loss of views over open countryside from the existing cul-de-sac turning head. This has been addressed by the providing of an open gap in the form of the private parking court and open space through the site.

The proposed mitigation to the landscape concerns raised, including the aforementioned landscape buffer at the southern/western corner of the site, a gap of open space near the turning head in Broadacres and the area of informal open space plus the reduced height of the dwellings can be controlled by a combination of conditions and the planning obligation.

The indicative plans show 14 dwellings with a total site area of 0.7 hectares. This gives a site wide density of 20 dwellings per hectare. In considering this location on the edge of the village this is considered to be appropriate. This is an outline application with all matters reserved save for access and scale. It has been detailed on the application form and in the indicative plans that 14 single storey dwellings are proposed. However a reserved matters application could be submitted with a much greater number of dwellings. Due to the nature of the site and the need to provide the buffer zone and open space to address previous concerns it is not considered that a greater number of single storey dwellings could be accommodated on site. As such it is necessary to restrict the overall number permitted to 14.

On this basis, and subject to the agreement of a suitable design and other appropriate landscaping measures at the reserved matter stage, it is considered that the proposal complies with Policy EQ2. 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 as to the visual impacts of the scheme.

Public Consultation and Engagement

As well as Local Plan Policy SS2 encouraging robust engagement and consultation, the NPPF also encourages early engagement to improve the efficiency and effectiveness of the planning application system. It states 'good quality pre-application discussion enables better coordination between public and private resources and improved outcomes for the community'.

It is noted and has been acknowledged by the agent that there has not been any community engagement. But the appeal decision for Broadway is noted and that there have been 11 less letters of representation in this revised application. Concern has been raised over a lack of a Statement of Community Involvement (SCI). The Council's adopted document in relation to major applications states "*Where appropriate, the submission of a statement of community involvement will be sought as supporting information.*" In considering the history of the site and the number of dwellings proposed a formal SCI was not deemed to be necessary. However a brief SCI has been requested detailing what the agent has done in relation to this application and the previous application. Notwithstanding this information it is acknowledged that the agent did engage with the Local Planning Authority in pre-application and in addition during the course of this application the agent attended the Parish Council meeting to answer any queries. The lack of public consultation prior to the submission of an application on its own if all other matters are considered appropriate is not a justifiable reason for refusal. A Statement of Community Involvement has now been submitted by the applicant.

Conclusion of Assessment - Policy SS2

It is considered this proposal wholly meets the intentions of Policies SS2, HG3 and HG5. It remains therefore an assessment as to whether there are any material considerations that outweigh this assessed compliance with the Local Plan.

It is noted from the planning history that there have been a number of applications for residential development in the past with various appeals. The latest appeal decision comprises a material consideration, the findings of which can be attributed significant weight in the planning balance.

As such what follows is an assessment of potential other impacts within this application.

Residential Amenity

The occupiers of a chalet bungalow at 30 Broadacres have raised a specific concern regarding the impact of the proposed new access on their residential amenity. Their property

is sited to the east of the proposed new access into the site from Long Furlong Lane and the proposed access is to go round 2 sides of their property. They are concerned about the potential for disturbance to their property from the traffic using the new access, through disturbance as the application site is higher than the neighbouring property. Also they consider that their private amenity area would be overlooked. The indicative plans show landscaping on the boundary with Broadacres and this can be conditioned as part of any reserved matters application. However, whilst it will undoubtedly have some impact on their residential amenity, it is not considered that the impact would be significant enough to warrant refusal of the scheme.

Concerns have been raised by the occupiers of properties in Broadacres and Higher Burton regarding the potential impacts of the development on their residential amenity by way of overlooking and overbearing. These dwellings are now proposed to be single storey and scale is for consideration now. Indicative plans have been submitted showing the typical street scenes. Subject to the consideration of the layout and appearance at reserved matters stage it is not considered that the development of this site would give rise to any overlooking or loss of light and privacy to any existing residents in these areas. However it is considered that it is necessary to impose a condition at this stage restricting the dwellings to single storey only.

It can therefore be concluded that the proposed dwellings could be developed in a way that would not cause demonstrable harm to the residential amenity of adjoining occupiers in accordance with Policy EQ2 of the South Somerset Local Plan.

Archaeology

The county archaeologist was consulted as to the impacts of the development on any archaeology in the area. Survey work has been undertaken on site and there could be reasonably significant archaeological remains relating to a Roman period settlement. A detailed report has now been submitted following trenching carried out on the site. This identified significant archaeology including ditches and finds included pottery samples. As such they recommended that the developer be required to archaeologically excavate the heritage asset and provide a report as to any discoveries in accordance with the NPPF. They suggested that this can be achieved through the imposition of a suitable condition on any permission issued.

It is therefore considered that, although there are archaeological remains on the site, they should not constrain the proposed development subject to a suitable programme of archaeological work being carried out by the developer in accordance with aims and objectives of the NPPF and Policy EQ3 of the South Somerset Local Plan.

Ecology

A large number of concerns were submitted by neighbouring occupiers in relation to the impact of the proposal on local ecology. In addition to the Ecology Report, an addendum to the Ecology Report has been submitted regarding great crested newts. The SSDC Ecologist has assessed all reports. He supports the findings of the submitted ecological reports and does not raise any concerns regarding the principle of the development subject to a condition regarding slow worms and an informative regarding badgers. As such the proposal is considered not to have an impact on local ecology or protected species significant enough to warrant refusal of the scheme in accordance with Policy EQ4 of the South Somerset Local Plan and the aims and objectives of the NPPF.

Loss of Grade I Agricultural Land

It has been confirmed that the site is on Grade I agricultural land. The loss of the agricultural land was a previous reason for refusal and the inspector considered that the loss would be

significant in the terms of the NPPF. He concludes by stating that whilst some Grade I land would be lost the proposal would not conflict with the requirements of paragraph 112 of the NPPF.

Flooding and Drainage

Since the previous, the lead authority considering flooding is the County Council known as the Lead Local Flood Authority. They require that detailed drainage information be provided by way of condition to ensure that surface water run-off rates is attenuated on site and that are discharged at rate no greater than greenfield runoff rates. The site is located within the Environment Agency flood zone 1 and is therefore not considered to be an area at risk of flooding. Therefore, notwithstanding the concerns of the neighbouring occupiers, and subject to the imposition of suitable conditions on any permission issued, it is considered that the proposed development would not increase the risk of flooding to existing properties in accordance with the aims and objectives of the NPPF and the local plan. Wessex Water has commented that there is adequate supply in the area and this can be dealt with at reserved matters stage. The drainage proposals are considered to be adequate subject to a condition to secure further details.

Highways

A large number of concerns have been raised by neighbouring occupiers regarding the potential impact of the proposed development on the surrounding highway network. This was not raised as a reason for refusal previously and 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 including the submitted transport assessment. 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.

Concern has also been expressed over the proposed access into the site and potential conflicts with Skinners Hill Farm. This aspect has not changed since the previous appeal decision. This was a reason for refusal previously. However in the appeal the Inspector concluded that the access was acceptable. It is also worth noting that the District Council had costs awarded against it in relation to not demonstrating with detailed substantive technical evidence that the access was unacceptable. The Inspector concluded that this resulted in unreasonable behaviour.

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 highways safety. As such the proposal complies with Policies TA5 and TA6 of the local plan.

Planning Obligations and Viability

If the application is approved planning obligations would be sought for the Community, Health and Leisure contribution and the affordable housing. This will be secured by a planning obligation under Local Plan Policies SS6 and HW1 and Section 106 of the Planning Act. Given the sensitivities it is also necessary to seek control regarding landscaping elements.

As such, in detail the s106 will secure:

- o Sport, Art and Leisure - a contribution of £74,995 (£5,357 per dwelling) is sought towards the increased demand for outdoor playing space, sport and recreation facilities.
- o Affordable Housing - whilst the housing officer requests 5 affordable houses this is an outline application with all matters reserved. The application seeks permission for 14 bungalows. At this point the S106 agreement should oblige the developer to provide

- at least 35% of the dwellings as affordable with a tenure split of 67:33 in favour of rented accommodation over shared ownership/other intermediate products.
- o Landscaping - the provision, management and maintenance of the buffer zone, hedgerow maintenance corridor and public open space.

It is considered that the requests comply with the tests sets out in paragraph 2014 of the NPPF and the 2010 CIL Regulations. At the time of writing this report no indication had been made regarding the viability of the development given the levels of contribution sought.

Infrastructure and Facilities

A number of concerns have been raised regarding whether East/North Coker have the necessary infrastructure and facilities to cope with the proposed development. However such concerns are not supported by technical consultees or service providers. No service supply issues (e.g. education, healthcare etc.) have been identified in East/North Coker by the local plan process. Indeed no critical infrastructure issues relevant to this development are identified by the Council's Report on Infrastructure Planning in South Somerset.

EIA

The requirements of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 have been considered. Whilst a major application the proposals do not fall under either Schedule 1 or 2 development and as such a screening and scoping assessment was not required. Also in considering the constraints of the site and the information provided it is not considered that an environmental statement is required for the purposes of environmental impact assessment.

Other Matters

Concern has been raised over the application access encroaching upon land owned by 30 Broadacres. In this regard the agent has provided Land Registry details to show that the land falls within land controlled by the Highways Authority. The relevant certificates have been served upon the Highways Authority and 2 other 3rd parties.

It is also considered the comments of the Avon and Somerset Constabulary Crime Prevention Design Advisor can be accommodated and revisited at the reserved matters stage.

CONCLUSION

In returning to the planning balance weight can be attributable to reducing the shortfall in housing supply in the district, the provision of housing that meets an identified need, the off-site play and sport contributions and the jobs retained/created in the construction phase.

Significant weight is attributable to the fact that the Council cannot demonstrate a five-year housing land supply and the lack of a technical objection on highways, ecology, landscape, flooding, archaeological, community infrastructure and/or residential amenity grounds which, with the matters in the preceding paragraph, in accordance with paragraph 49 of the NPPF result in there being no identified adverse impacts from granting permission that would significantly and demonstrably outweigh the benefits when assessed against the policies in the National Planning Policy Framework when taken as a whole.

The findings of the recent appeal decision are also to be given significant weight. It is now considered the reasons for dismissing the appeal have been fully addressed. Regard is paid to the mitigation now proposed to quell landscape concerns.

Notwithstanding the various objections from the parish council and neighbouring occupiers in relation to principle, it is considered that the proposal would not set any kind of undesirable

precedent. All other matters regarding the principle of the development raised by the parish council and neighbouring occupiers have been considered, but are not considered to outweigh the considerations outlined above.

There are no outstanding issues that cannot be adequately controlled by planning condition, planning obligation or via the approval of the reserved matters.

As such this proposal given these circumstances gains a positive recommendation.

RECOMMENDATION:

Grant planning permission for the following reason, 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:-
 - i) Secure a contribution of £5,357 per dwelling towards the increased demand for outdoor playing space, sport and recreation facilities;
 - ii) Ensure at least 35% of the dwellings (5 dwellings) are affordable with a tenure split of 67:33 in favour of rented accommodation over other intermediate types.
 - To include the provision of a bespoke unit for specific needs due to disability - 1 x 3bed bungalow (6 person).
 - To also secure a local preference clause for eligible persons, typically with a connection to the parish (currently resident, family, work)
 - To include the following cascade for the 'local preference' clause:
 1. The target parish of East Coker, then
 2. 'Doughnut' ring of adjacent parishes; Closworth, West Coker, Barwick and Stoford, Hardington Mandeville, then finally
 3. Resident of South Somerset
 4. Beyond South Somerset
 - iii) To define and secure the development area, the strategic landscaping and open space (and its future maintenance), and the building free zone as detailed in the email and plan (3353/005) received on 5 February 2015.
- (b) the imposition of the planning conditions set out below on the grant of planning permission.

The Council cannot currently demonstrate a five year housing land supply and there are no adverse impacts of granting permission that would significantly and demonstrably outweigh the benefits when assessed against the policies in the National Planning Policy Framework when taken as a whole.

The proposal seeks to provide housing in a rural settlement, in a manner that is commensurate to the scale and character of the area and would increase the sustainability of the settlement generally.

Notwithstanding the local concerns, the provision of up to 20 dwellings in this sustainable location would contribute to the council's housing supply without demonstrable harm to archaeology, 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 policies SS2, SS4, SS5, SS6, HG3, HG5, TA1, TA5, TA6, HW1, EQ2, EQ3, EQ4 and EQ5 of the South Somerset Local Plan and the aims and objectives of the NPPF.

SUBJECT TO THE FOLLOWING CONDITIONS:

01. Details of the appearance, landscaping and layout (herein after called the "reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.

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

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

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

03. The development hereby permitted shall be carried out in accordance with the following approved plans: 3353/002 and 3353/004B received 27 November 2015 and amended drawing 3353/003A received 5 February 2016.

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

04. The application for approval of the reserved matters shall include details of the finished floor levels and resulting ridge heights of the buildings to be erected on the site.

Reason: In the interests of the visual and residential amenity of the area, in accordance with policies EQ2 of the South Somerset Local Plan (2006-2028).

05. The residential development hereby approved shall comprise no more than 14 single storey dwellings.

Reason: To ensure that the level and density of development is appropriate to the location, considering the open space and strategic landscaping requirements in accordance with EQ2 of the adopted South Somerset Local Plan (2006 - 2028).

06. The landscaping/planting scheme shown on the submitted amended plan 3353/003A received on 5 February 2016 shall be completely carried out within the first available planting season from the date of commencement of the development.

For a period of twenty years after the completion of the planting scheme, the trees and shrubs shall be protected and maintained in a healthy weed free condition to the satisfaction of the Local Planning Authority and any trees or shrubs that cease to grow, shall be replaced by trees or shrubs of similar size and species or other appropriate trees or shrubs as may be approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed development makes a satisfactory contribution to the preservation and enhancement of the local character and distinctiveness of the area in accordance with Policy EQ2 of the adopted South Somerset Local (2006-2028).

07. Prior to commencement of this planning permission, site vegetation clearance, demolition of existing structures, ground-works, heavy-machinery entering site or the on-site storage of materials, an Arboricultural Method Statement and a Tree and

Hedgerow Protection Plan shall be prepared in accordance with British Standard 5837: 2012 - Trees in relation to design, demolition and construction and these details shall be submitted to the Council. On approval of the tree and hedgerow protection details by the Council in-writing, a site-meeting between the appointed Arboricultural Consultant, the Site Manager and the Council's Tree Officer (Phil Poulton: 01935 462670 or 07968 428026) shall be arranged at a mutually convenient time. The locations and suitability of the tree and hedgerow protection measures (specifically the fencing & signage) shall be inspected by the Tree Officer and confirmed in-writing by the Council to be satisfactory prior to commencement of the development. The approved tree and hedgerow protection requirements shall remain implemented in their entirety for the duration of the construction of the development and the protective fencing & signage may only be moved or dismantled with the prior consent of the Council in-writing.

Reason: To preserve the health, structure and amenity value of existing landscape features (trees and hedgerows) in accordance with the Council's statutory duties relating to The Town & Country Planning Act, 1990 (as amended) and the following policies as stated within The South Somerset Local Plan (2006 - 2028); EQ2: General Development, EQ4: Bio-Diversity & EQ5: Green Infrastructure.

08. No works shall be undertaken unless 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 interest of archaeology in accordance with Policy EQ3 of the adopted South Somerset Local Plan (2006 - 2028).

09. No works shall be undertaken (including any ground works or site clearance) unless a method statement detailing measures to avoid harm to slow worms, has been submitted to and approved in writing by the local planning authority. The works shall be implemented in accordance with the approved details and timing of the 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 EQ4 of the South Somerset Local Plan (2006 - 2028), and to ensure compliance with the Wildlife and Countryside Act 1981 (as amended).

10. No development shall be commenced until details of the surface water drainage scheme based on sustainable drainage principles together with a programme of implementation and maintenance for the lifetime of the development have been submitted to and approved by the Local Planning Authority. The drainage strategy shall ensure that surface water runoff post development is attenuated on site and discharged at a rate no greater than greenfield runoff rates. Such works shall be carried out in accordance with the approved details.

These details shall include: -

- o Details of phasing (where appropriate) and information of maintenance of drainage systems during construction of this and any other subsequent phases.
- o Information about the design storm period and intensity, discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance (6 metres minimum), the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or

- o surface waters.
- o Any works required off site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant).
- o Flood water exceedance routes both on and off site, note, no part of the site must be allowed to flood during any storm duration unless it has been specifically designed to do so.
- o A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by an appropriate public body or statutory undertaker, management company or maintenance by a Residents' Management Company and / or any other arrangements to secure the operation and maintenance to an approved standard and working condition throughout the lifetime of the development

Reason: To ensure that the development is served by a satisfactory system of surface water drainage and that the approved system is retained, managed and maintained in accordance with the approved details throughout the lifetime of the development, in accordance with paragraph 17 and 103 and sections 10 and 11 of the National Planning Policy Framework and the Technical Guidance to the National Planning Policy Framework (March 2015).

11. 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 highway safety in accordance with Policy TA5 of the adopted South Somerset Local Plan (2006 - 2028).

12. The development hereby permitted shall not be occupied until parking spaces for the proposed dwellings in line with the SCC Countywide Parking Policy have been provided in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. In addition as well a properly consolidated and surfaced turning space for vehicles have been provided and constructed within the site. Such parking and turning spaces shall be kept clear of obstruction at all times.

Reason: In the interests of highway safety in accordance with Policies TA5 and TA6 of the South Somerset Local Plan (2006 - 2028).

13. No works shall be undertaken unless detailed plans have been submitted to and approved in writing by the Local Planning Authority (in conjunction with the local highway authority) relating to line, level and layout of the proposed alterations to Long Furlong Lane (as shown generally in accordance with the submitted plans) including its means of construction and surface water drainage. The approved access road improvements shall be laid out constructed in accordance with the requirements of a Section 278 Agreement under the provisions of the Highway Act 1980 and completed in their entirety to the LPA's written satisfaction prior to any work commencing on any dwelling hereby approved.

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

14. No works shall be undertaken unless a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority (in consultation with Somerset County Council). The plan shall include construction vehicle movements, construction operation hours, construction vehicular routes to and from site, construction delivery hours, expected number of construction vehicles per day, car parking for contractors, specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice. The development shall be carried out strictly in accordance with the approved Construction Management Plan.

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

15. The application for approval of the reserved matters shall include a strategy for the storage and collection of domestic recycling and refuse. Such a scheme shall include the locations of collection points (communal if necessary) and access routes thereto.

Reason: To promote sustainable construction as advocated by the National Planning Policy Framework.

Informatives:

01. You are reminded that the County Highway Authority have requested that a Condition Survey of the existing public highway will need to be carried out and agreed with the Highway Authority prior to any works commencing on site, and any damage to the highway occurring as a result of this development will have to be remedied by the developer to the satisfaction of the Highway Authority once all works have been completed on site.
02. Badgers are present on the site and may create 'outlier setts' (temporary setts) at any time, which could require identifying an exclusion zone or require closure under licence from Natural England (normally restricted to July to November inclusive). Update surveys for badgers are recommended prior to commencing development (particularly each new stage of ground works or excavations) in order to minimise the risk of damaging setts in contravention to the Protection of Badgers Act 1992, and introducing delays to the development. Site specific advice from an ecological consultant is recommended in order to inform appropriate exclusion zones and protection, timing of sensitive operations (which may be limited to July to November), and assistance with the application for sett closure licence from Natural England.
03. You are reminded of the Section 106 that accompanies this application.