



JOINT AREA COMMITTEES IN SOUTH SOMERSET
Officer Report On Planning Application:
08/05090/FUL

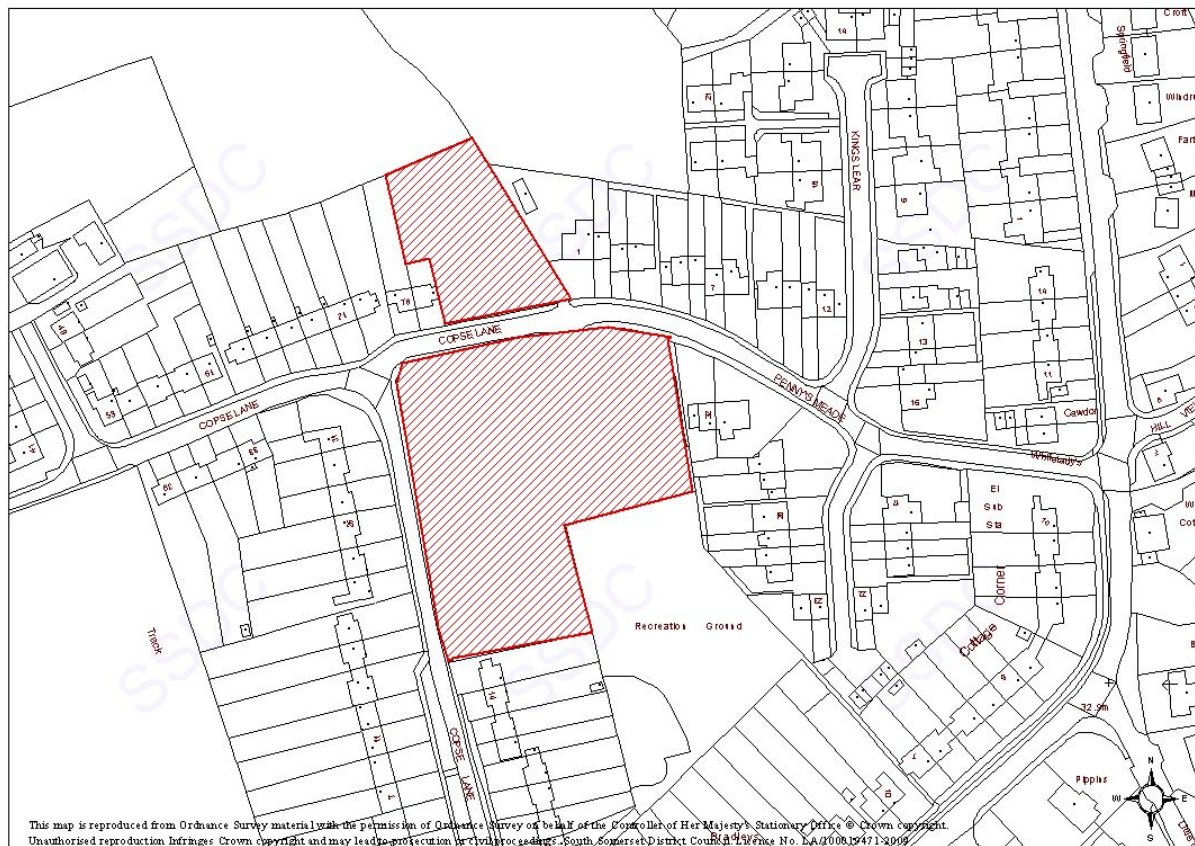


Proposal:	Demolition of existing buildings and the construction of 40 dwellings (GR335071/117656)
Site Address:	Land and Garages at Copse Lane, Ilton
Parish:	Ilton
Ward: (SSDC Member)	ISLEMOOR Mrs S N Steele (Cllr)
Division (SCC Member)	ISLEMOOR Mr D Nelson (Cllr)
Recommending Case Officer:	Mr Adrian Noon Tel: 01935 462370 Email: adrian.noon@southsomerset.gov.uk
Target date:	16th March 2009
Applicant:	South Somerset Homes
Application Type:	Major Dwellings 10 or more or site 0.5ha+

REASONS FOR REFERRAL TO COMMITTEE

This is a major application that has been referred to the Area Committee at the discretion of the Team Leader in agreement with the Area Chairman.

SITE DESCRIPTION AND PROPOSAL



This level 0.75ha site is currently occupied by 16 terraced and semi-detached two storey houses laid out facing Copse Lane, an area of open space comprising grass and a horse chestnut tree and an area of lock-up garages. The site is within settlement limits, backing onto open countryside to the north and the recreation ground to the southeast.

The proposal is for the redevelopment of the site and the erection of 40 dwellings comprising 12 three bedroom houses, 16 two bedroom houses (including 1 bungalow), 4 one bedroom houses, 4 two

bedroom flats and 4 one bedroom flats. All existing structures would be demolished.

The development would be in two parts. The large site to the south and east of Copse Lane (backing onto the recreation ground) would provide 33 units. These would front onto Copse lane with a cul-de-sac at the rear with 11 properties at the rear backing onto the recreation ground. The smaller part (backing onto the open fields) could comprise 4 units fronting onto Copse Lane with 3 at the rear.

73 parking spaces would be provided - 60 for the new houses (1.5 per dwelling) plus 13 spaces to replace the demolished garages. Small landscaped areas would be left including the corner of Copse Lane with a feature tree, however no informal areas of public open space would be provided on site.

The application is supported by a design and access statement, a statement of community involvement and a flood risk and runoff assessment. A draft Section 106 agreement has been provided to deliver affordable housing and outdoor play and amenity space.

HISTORY

17901 Planning permission granted for 6 pairs of semi-detached houses, access road and pedestrian access (03/11/52).

07/03952/FUL Planning permission refused (17/04/08) for erection of 41 dwellings on the grounds that:-

- 1. The proposal would result in housing in close proximity to a well-used recreation ground. This would be likely to result in occupiers of the new houses suffering unacceptable levels of noise and disturbance, and/or to the legitimate use of the recreation ground for play being prejudiced. The proposal is therefore contrary to policies EP1 and ST6 of the South Somerset Local Plan (2006) and advice contained within PPG17 (Planning for Sports, Open Space and Recreation)*
- 2. The proposals would result in the unacceptable loss of an open space with visual, environmental and amenity value, contrary to Policies ST6 and CR2 of the South Somerset Local Plan 2006 and advice contained within PPG17 (Planning for Sports, Open Space and Recreation)*
- 3. The proposal will result in the loss of existing parking provision and the applicant has not demonstrated that this will not result in the displacement of parked cars on to the existing highway resulting in an unacceptable potential for the scheme to impede the free-flow of traffic on the highway resulting in a hazard to all road users. The proposal is therefore contrary to ST5 and TP7 of the South Somerset Local Plan (2006) and Policy 48 of the Joint Somerset & Exmoor Structure Plan Review (2000).*
- 4. The proposed layout indicates a footpath on the edge of the site which has the unacceptable potential to be a crime generator which will lead to increased social tension, higher risk of criminal damage and anti-social behaviour. The proposal does not therefore promote a safe environment and is contrary to policy ST9 of the South Somerset Local Plan (2006) and advice contained within PPS1 (Delivering Sustainable Development) and the ODPM document 'Safer Places - The Planning System and Crime Prevention' (2004).*
- 5. The applicant has failed to submit a Flood Risk Assessment (FRA) for a development that is located within an area where there is a known local flooding issue and as such it is considered that there is an unacceptable potential for this development to exacerbate the situation and therefore the development is contrary to Policy EU5 of the South Somerset Local Plan 2006 and advice contained within PPS25.*

A subsequent appeal was dismissed with Inspector agreeing that the proposed layout conflicted with policy ST9 (reason 4) and that the loss of existing parking (the garages) was unacceptable without the provision of replacement off-street spaces (reason 3). She held that the unmitigated loss of the existing open space was objectionable (reason 2), however, she indicated that this loss could be mitigated by enhancement works to the recreation ground. Reason 5 was also supported with the need for a FRA being upheld.

However the Inspector did not support reason 1, finding that the development could coexist with the

activities at the recreation ground. She commented that the layout was broadly acceptable.

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act 2004 repeats the duty imposed under S54A of the Town and Country Planning Act 1990 and requires that decision must be made in accordance with relevant Development Plan Documents unless material considerations indicate otherwise.

Relevant Development Plan Documents

Draft Regional Spatial Strategy for the South West (Proposed Changes June 2008):

Development Policy C - Development at in Small Towns and Villages

Development Policy D - Required Infrastructure for Development

Development Policy E - High Quality Design

Development Policy G - Sustainable Construction

Development Policy H - Reusing Land

TR1 - Demand Management and Public Transport

H2 - Housing Densities

Somerset and Exmoor National Park Joint Structure Plan (adopted April 2000):

STR1 - Sustainable Development

Policy 39 - Transport and Development

Policy 48 - Access and Parking

Policy 49 - Transport requirements of new development

South Somerset Local Plan (adopted April 2006):

Policy ST1 - Rural Centres

Policy ST5 - The Quality of Development

Policy ST6 - Landscape and Architectural Design

Policy ST9 - Crime Prevention

Policy ST10 - Planning obligations

Policy EP1 - Noise Sensitive Development

Policy EU4 - Drainage

Policy HG1 - Provision for New Housing Development

Policy HG4 - Housing Density

Policy HG6 - Affordable Housing Target

Policy HG7 - Affordable Housing

Policy CR2 - On site Outdoor Play and Amenity Space

Policy CR3 - Off site provision of Outdoor Play and Amenity Space

Policy CR4 - Amenity Open Space

Policy TP1 - Pedestrian Provision

Policy TP4 - Road Design

Policy TP7 - Car Parking

Policy-related Material Considerations

None relevant

National Guidance

PPS1 - Delivering Sustainable Development

PPS3 - Housing

PPG13 - Transport

PPG17 - Planning for open space, sport and recreation

PPS24 - Noise

PPS25 - Flooding

South Somerset Sustainable Community Strategy

Goal 3 - Healthy Environments

Goal 4 - Services and Facilities

Goal 8 - High Quality Homes

Goal 9 - A Balanced housing Market

Parish/Town Plan - Ilton

No conflict

Other Relevant Documents:
None

CONSULTATIONS

Ilton Parish Council

The PC opposes this application for the following reasons:-

- The development should not increase the risk of flooding
- Concerned about less than 2 spaces per dwelling. Consider the additional 13 spaces to inadequate to compensate for the loss of the garages
- Conflict with the recreation ground; believe the inspector only considered noise and did not fully consider the impact of ball games, particularly the existing goal posts which have been in this position for over 30 years.
- Loss of informal open space is unacceptable. The village is already under provided for and there is no scope to extend the recreation ground. A financial contribution could not replace the loss of the open space and any increased use of the recreation ground would only put further pressure on a limited space, adding to the conflict identified above.
- Boundary treatments are unsuitable particularly the hedge to the recreation ground which would be sandwiched between a 1.8m timber fence and a chain link fence, is difficult to maintain and encroaches the recreation ground.

The Chairman of the PC has added a number of observations challenging the highways officer's comments in particular the access to the smaller site and the acceptance of the parking provision. Clarification of where the 13 additional spaces would be is sought.

Local Highway Authority

With regard to parking provision observes that:-

"Given the composition of the dwellings proposed in this application the development should be served by a maximum of seventy-one parking spaces. The Parking Strategy goes on to comment that this level can be reduced. However, this depends on the proximity of the site to the local services and facilities of the settlement. Given the location of the site this development qualifies for a 10% reduction. When this reduction is applied the proposal should provide sixty-four parking spaces. Whilst it is acknowledged that the level proposed falls short of the number it is felt that this level is acceptable."

The provision of a continuous footpath long the Copse Lane frontage is welcomed and subject to safeguarding conditions to ensure the formation and maintenance of visibility splays and proper construction no objection is raised.

The comments of the Chairman of the PC have been put to the highways officer who has indicated that he stands by his observations, however his formal response will be reported to the Committee.

Environmental Protection Unit

No objection, however previously noted that the application site is within Noise Exposure Category (NEC) B due to noise from aircraft associated with RNAS Merryfield. PPG24 defines NEC B as where noise should be taken into account and where appropriate conditions imposed to ensure an adequate level of protection against noise. Therefore recommends a condition requiring the submission of a scheme of works for acoustic insulation for approval.

Police Architectural Liaison Officer

Supports, considers all 'Secure by design' issues to have been addressed.

Landscape Officer

No objections to the layout, however is concerned that very little on site amenity space is provided and what is provided is less than would be required by policy CR2. It is suggested that the necessary space be provided as an extension to the recreation ground. With regard to the detail it is suggested minor changes to the species and positions would be necessary.

Open Spaces Officer

Advises that preferred option would be to provide an area of Open Space of sufficient size to comply with policy CR2 attached to the existing recreation ground. For 40 houses this would be .0363 - .0454ha. For the uplift of 24 houses this would be .0218 - .0272ha. If this cannot be achieved, an off site contribution to be spent on the recreation ground at a rate of £237.50 per bedroom plus a percentage (20%) for a landscape architect's fees to redesign.

Play & Youth Facilities Officer

Remains concerned about the relationship between the dwellings and recreation ground, observing that:-

"The council has quite rightly adopted standards (based on NPFA guidelines) to ensure future developments and openspace are well designed with adequate buffer zones to help avoid conflict between residents and users of openspaces. As this application fails to take proper account of our adopted standards I must object and recommend refusal. However, I accept you are likely to take account of the recent appeal decision and balancing all the other planning factors when considering this application."

In the event that planning permission is granted it is recommended a contribution of £32,359.46 should be sought towards the provision of equipped play areas and youth facilities to meet the demands arising from the occupiers of the additional 24 houses.

Leisure Facilities Officer

Recommends that a contribution of £69,781 be sought towards the provision of playing pitches and strategic community facilities to meet the demands arising from the occupiers of the additional 24 houses.

Trees Officer

Previously observed that the horse chestnut tree to be felled is scarred and unsuitable for long-term retention.

Technical Services

I am satisfied that the Flood Risk Assessment properly addresses the issues of surface water disposal. The outline design and strategy are sound but we will require further details for approval in due course (this can be conditioned). There are existing flooding problems at this location and although we can't ask for these to be dealt with as part of this application I believe that there may actually be some improvements as a result of the development.

Ministry of Defence

No safeguarding objections.

REPRESENTATIONS

7 representations have been received objecting to the development making the following comments:

- Over development
- Loss of green space and horse chestnut tree in front of garages;
- Loss of existing play area where children can play and be seen by their parents;
- Access to park will make children have to cross more roads and parents will not know their children are safe;
- flooding due increased intensity of rainfall;
- More extensive study is needed to ensure existing housing is not put at greater risk of flooding;
- lack of drainage and local services to cope;
- school could not accommodate extra development;
- Not enough car parking;
- Highways officer has wrongly interpreted the Somerset Local Travel Plan
- On street parking already blocks road and has been exacerbated by the demolition of the garages;
- Impact of construction vehicles;
- Flats out of character and not needed, even SSH acknowledge that they are ill-suited to a village;

- Flats will bring undesirable tenants and an increase in crime;
- Lack of consultation by developer/our comments have been ignored;
- Flats and houses still too close to the recreation ground;
- Conflict between users of the recreation ground and residents of development;
- The existing pitch within the recreation ground cannot be moved.

Some of these letters do not oppose the principle of the development and support additional affordable housing despite objecting on one or more of the above grounds.

Applicant's Response

The applicant's agent has been invited to comment on the observations received and makes the following points:-

The Planning Inspector stated that the orientation of plots and their relationships with the recreation ground was acceptable. It was also the view of the inspector that the layout, the design, and materials of the proposed new dwellings would considerably improve upon those of the existing houses. The layout remains largely unchanged, not just because it was supported by the Planning Inspector, but also because the applicants believe it represents the best solution.

It is accepted that the previous proposal did not meet the open space requirement. However, the Inspector noted that this requirement could be met by the adjacent recreation ground provided that appropriate contributions toward the increased wear and tear were to be made by the applicant. To this end, the applicant has made clear a willingness to negotiate a contribution towards play and open space.

The applicant has demonstrated that parking has been provided in line with current policy as acknowledged by the planning inspector. The revised submission provides for parking at the same (maximum) level - 1.5 spaces per dwelling. The loss of the car parking area adjacent to the existing garages has been addressed by the provision of additional parking area for these displaced vehicles.

In summary, the revised scheme addresses all of the reasons provided for the original planning refusal that were upheld by the planning inspector. The proposed housing scheme is a good one, and would provide much needed affordable housing in an attractive design and a well-landscaped setting.

Summarised by case officer from additional supporting Information provided by agent.

CONSIDERATIONS

The previous application and appeal has established that there is no objection in principle to the redevelopment of the site along the lines proposed. The key issue is whether or not this revised application has addressed the Inspectors concerns without introducing new issues.

In dismissing the appeal the Inspector supported the Council's objections in relation to:-

- Lack of an FRA to demonstrate that the development would not increase the risk of flooding (reason 5);
- The potential for crime due to the layout (reason 4)
- The unmitigated loss of existing of existing off street parking (reason 3)

It is considered that the applicants have taken reasonable steps to address these issues as evidenced by the support of the Technical Officer, the Police Architectural Liaison Officer and the highways officer who notes and supports the level of parking to be provided, including the 13 additional public spaces. In view of the position taken by these specialist officers it is considered that it would be unreasonable to maintain objections to these aspects of the proposal.

With regard to the second reason for refusal, whilst the Inspector upheld the Council's objection to the loss of the existing open space, she made it clear that she believed its loss could be mitigated by a contribution towards enhancement works at the adjacent recreation ground. The applicants are willing to make such a contribution, which the open spaces officer has costed at £237.50 per bedroom. In this instance as the existing open space is being redeveloped the calculation should be based on the total number of houses, i.e. 40 houses, 84 bedrooms = £19,950. Were the proposal to retain this open space then it would be reasonable to base the figure on the uplift.

The local concerns that the existing recreation ground does not have the capacity to accommodate additional use are noted, however no evidence is available to demonstrate that, with appropriate funding available, this is the case. It is therefore considered that, subject to a suitable contribution towards the enhancement of the recreation ground, this aspect of the development is now acceptable and that in terms of the provision of informal public open space the proposal complies with policies CR2 and CR4.

Notwithstanding the continued objections of the Parish Council, Local Residents and the Play and Youth Facilities Officer, the planning inspector firmly rejected the Council's objections to the proximity of the development to the recreation ground. She would have been fully aware of the position of the goals posts (from her site visit) and the level of use (from the representations made). It is accepted that some of the consultees disagree with the Inspector's comments on this issue, however, the matter has not been formally challenged and in view of the willingness of the applicant's to make a contribution to the improvement of the recreation ground (which could be spent on protective netting) it would be unreasonable to persist with this line of objection.

On this basis it is considered that the revised proposal has adequately addressed the Council's previous objections and the issues identified by the Planning Inspector. The remaining issues are therefore any new concerns that the revised application may have introduced in terms of impacts on:-

- Character and Appearance of the Area
- Residential Amenity
- Highway safety

Character and Appearance of the Area

The development around the application site is characterised by terraced 2 storey housing fronting on to, but set back from, the roads. It is accepted that this development would introduce a higher density (53.26 per hectare) than exists at present, but this is in line with Government advice in PPS3 to make efficient use of land in sustainable locations, which includes villages with development boundaries, such as Ilton.

The proposed layout would recreate the existing road frontage development, albeit with much shorter front gardens and in this respect is very similar to the previous proposal. No objection was made to this aspect of the proposal and the inspector indicated her support for the general layout. Accordingly the previous officer's comments apply equally to this proposal, namely:-

"From the roads, the main impression would again be of terraced 2 storey blocks, fronting Copse Lane. These blocks would be closer to the road than either the houses currently on site or those in the immediate neighbourhood. Whilst this would look incongruous if the proposal was only for one or two houses, it is considered that the scale of the development is large enough to create its own building line along Copse Lane, without looking out of place.

"The remaining houses would be located off two access roads off Copse Lane. It is not considered that these additional buildings would appear out of keeping when viewed from surrounding roads. They would be served off these shared surface access roads and would present an acceptable frontage to the internal roads.

"The three storey building shown on the original plans close to the corner in Copse Lane has now been deleted and replaced by more 2 storey housing. The proposed buildings would be acceptable in design and would not look out of place in their setting.

"The proposals involve the loss of the existing grassed area and horse chestnut tree that front onto Copse Lane. However, this tree is not suitable for long-term retention and the proposals make provision for new tree planting, including an open area on the inside of the corner of Copse Lane. This would help to break up the proposed built form."

The design and detailing of the proposed dwellings is considered acceptable, and subject to conditions to require the agreement of materials, detailing and landscaping, the impact on the character and appearance of the locality would be acceptable and in this respect the proposal complies with policies ST5 and ST6

Impact on Residential Amenity

Whilst the new housing would be closer to the road nowhere would two houses directly face each other at a distance of less than 20 metres, and in most places it is over 22 metres. These distances are considered acceptable, particularly as they relate to the fronts of houses, which are already less private than the backs.

The side elevation of the house on Plot 23 is now shown as being 4.75m from the side boundary to the rear garden of 32 Penny's Meade. A part hipped roof is proposed to this building and no windows are proposed to the west (side) elevation that might over look the adjacent property.

Plot 24 would be 3m from the boundary of 32 Penny's Meade and would have windows to the rear elevation, facing no. 32. However this would be the bungalow and therefore any overlooking from ground floor windows could be mitigated by normal boundary treatments. It is also noted that the area that might be affected is the front garden that is already subject to overlooking from the street.

On the south side the flank wall of plot 16 would be 5m from the boundary with 16 Copse Lane. A single first floor window to this elevation is proposed, however this would be to a hall and could therefore be conditioned to be obscurely glazed.

On the northern part of the site it is considered that sufficient separation would be maintained between plots 38, 39 and 40 (wrongly numbered as 38, 40 and 41 on the drawings) and the existing dwellings in Copse Lane and Penny's Mead to safeguard the amenities of existing residents.

Within the site it is considered that an adequate standard of amenity would be created for future occupiers and as noted above it is not considered that a substandard level of amenity would arise due to the proximity of plots 13-23 to the recreation ground.

On this basis it is considered that the proposal would not adversely affect the amenities of existing residents or result in substandard amenities for future occupiers of the development. In this respect, subject to safeguarding conditions, the proposal complies with policy ST6.

Highway Safety

The proposed access arrangements, to which there has been no objection, are acceptable to the highways officer are considered to comply with policies ST5 and TP4. Whilst the PC and local residents vigorously dispute the adequacy of the proposed parking the highways officer considers it adequate. The Inspector specifically commented that she was satisfied that 1.5 spaces per unit would make "provision for sufficient parking space for the use of future occupiers". Members are reminded that the Council did not previously object to the parking provision for the new houses.

Both the local planning authority and the Inspector were concerned about the failure to provide replacement parking for the lost garages. This application now includes 13 additional spaces (the exact number that the Inspector identified as being lost). In light of the representations made, the applicant has been requested to supply plans identifying the 13 'public' spaces.

It is not considered that there have been any material changes to policy or circumstance that could now justify seeking a different level of parking and therefore the level of parking proposed complies with policy TP7.

Other Matters

Noise and disruption - The site is within an area where noise can appropriately be dealt with by planning conditions requiring an appropriate level of noise insulation. A construction management condition could address concerns about the impact of contractor's vehicles.

Affordable Housing - the applicants are willing to enter into a S.106 agreement to deliver affordable housing on the basis the number existing SSH owned properties on site (11 - five had been acquired under the right to buy and have been reacquired) plus 35% of the additional 24 units (9), a total of 20. This would comply with policy HG7.

Sports, Arts & Leisure - officers have requested contributions based on the uplift (24 dwellings) to provided for the increased demand that would stem from this development. Policy CR2 sets out the basis for sports and play provision and CR3 makes provision for off-site contributions where onsite provision is not feasible. Policy ST10 supports the use of planning obligations through section 106 agreements to address the need for improved infrastructure and community facilities to meet demand

arising from new development.

Comments have been made with respect to the introduction of flats and the type of tenants they might attract. Whilst flats may not be typical of villages such as Ilton there is no policy objection to them and their tenancy is not a planning matter. As a village with settlement limits Ilton is deemed to have the infrastructure to support new development. No statutory providers have objected to this proposal and a new objection on the grounds of insufficient infrastructure is considered unsustainable.

CONCLUSION

Notwithstanding the concerns of the Parish Council and local residents it is considered that this revised application has adequately addressed the concerns raised by the District Council and Planning Inspector in respect of the previous application. In doing so the applicants have not introduced any new concerns. Accordingly the proposal is considered to comply with the relevant policies.

RECOMMENDATION

That planning permission be **granted** subject to the following conditions and a S.106 agreement to deliver appropriate affordable housing, contributions towards the enhancement of the recreation ground to meet the amenity space requirements of the development and contributions towards sports, arts and leisure facilities to meet the needs of the increase population that would stem from this development

JUSTIFICATION

01. This scheme will provide additional housing within a sustainable location and will allow existing dwellings with structural problems to be replaced. This revised scheme addresses the key issues that were identified within the recent appeal decision, particularly with regard to parking, flood risk and security. The issue of open space and contributions to the adjoining play area have also been addressed and it is considered that the scheme will have an acceptable impact upon the character and amenity of the village. The proposal is therefore considered to be in accordance with the aims and objectives of policies Vis1 and Vis2 of the Regional Spatial Strategy; policies STR1, STR3, 35 and 49 of the Somerset and Exmoor National Park Joint Structure Plan (Adopted 2006) and policies ST1, ST5, ST6, ST10, EP1, HG4, HG7, TP1, TP7, EU5, CR2, and CR3 of the South Somerset Local Plan (Adopted April 2006).

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 not be commenced until particulars of the materials (including the provision of samples where appropriate) to be used for external walls and roofs have been submitted to and approved in writing by the local planning authority. Once approved such details shall be fully implemented unless agreed otherwise in writing by the local planning authority.

Reason: In the interests of visual amenity in accordance with policies ST5 and ST6 of the South Somerset Local Plan, adopted 2006.

03. Before the development hereby permitted is commenced details of the design, material and external finish to be used for all windows and doors shall be approved in writing by the local planning authority. Once approved such details shall be fully implemented unless agreed otherwise in writing by the local planning authority.

Reason: In the interests of visual amenity in accordance with policies ST5 and ST6 of the South Somerset Local Plan, adopted 2006.

04. The windows comprised in the development hereby permitted shall be recessed in accordance with details to be submitted to and approved in writing with the local planning authority before any work on the development hereby permitted is commenced.
- Reason: In the interests of visual amenity in accordance with policies ST5 and ST6 of the South Somerset Local Plan, adopted 2006.
05. The development hereby permitted shall not be commenced until particulars of all boundary treatments and hard surfacing materials have been submitted to and approved in writing by the local planning authority. Such details shall include the use of porous materials to the parking and turning areas. Once approved such details shall be fully implemented unless agreed otherwise in writing by the local planning authority.
- Reason: In the interests of visual and residential amenity and to ensure the adequate drainage of the site and to mitigate any flood risk in accordance with policies ST5, ST6 and EU4 of the South Somerset Local Plan, adopted 2006
06. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional windows shall be formed above ground floor level to the to the east elevation of plot 23 without the prior express grant of planning permission.
- Reason To safeguard residential amenity in accordance with policy ST6 of the South Somerset Local Plan, adopted 2006.
07. Prior to the development hereby approved being first brought into use the first floor window to the south elevation of plot 16 shall be fitted with obscure glass (and fixed closed) and shall be permanently retained and maintained in this fashion thereafter.
- Reason To safeguard residential amenity in accordance with policy ST6 of the South Somerset Local Plan, adopted 2006.
08. Before any part of the permitted development is commenced, a landscaping scheme, which shall include details of the species, siting and numbers to be planted, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be completely carried out within the first available planting season from the date of commencement of the development, or as otherwise extended with the agreement in writing of the Local Planning Authority.
- For a period of five 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 the appropriate trees or shrubs as may be approved in writing by the Local Planning Authority.
- Reason: In the interests of visual amenity in accordance with policies ST5 and ST6 of the South Somerset Local Plan, adopted 2006.
09. Before the development hereby permitted is commenced, the building details of a scheme of soundproofing shall be submitted to and approved in writing by the Local Planning Authority. Once approved such scheme shall be fully implemented prior to the occupation of the dwelling to which it relates.
- Reason: To safeguard residential amenity in accordance with policies EP1 and ST6 of the South Somerset Local Plan, adopted 2006.
10. There shall be no obstruction to visibility greater than 600mm above adjoining road level forward of a line drawn 2.4m back and parallel to the nearside carriageway edge over the entire site frontages along Copse Lane. Such visibility shall be fully provided before works commence on the erection of the dwellings hereby permitted and shall thereafter be maintained at all times.
- Reason: In the interests of pedestrian and highways safety in accordance with policies ST5 and TP1 of the South Somerset Local Plan (adopted April 2006).

11. The proposed estate roads, footways, footpaths, tactile paving, cycleway, bus stops/bus lay-bys, verges, junction, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and any 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 pedestrian and highways safety in accordance with policies ST5, TP1 and TP4 of the South Somerset Local Plan (adopted April 2006).

12. 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 pedestrian and highways safety in accordance with policies ST5, TP1 and TP4 of the South Somerset Local Plan (adopted April 2006).

13. The development hereby approved shall not be brought into use until that part of the service road that provides access to it has been constructed in accordance with the approved plans.

Reason: In the interests of pedestrian and highways safety in accordance with policies ST5, TP1 and TP4 of the South Somerset Local Plan (adopted April 2006).

14. Before the dwellings hereby permitted are first occupied, a 1.8m footway shall be constructed over the entire site frontages along Copse Lane in accordance with a specification to be submitted and approved in writing with the Local Planning Authority.

Reason: In the interests of pedestrian and highways safety in accordance with policies ST5 and TP1 of the South Somerset Local Plan (adopted April 2006).

15. Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway details of which shall have been submitted to and approved by the Local Planning Authority.

Reason: In the interests of pedestrian and highways safety in accordance with policies ST5, TP1 and TP4 of the South Somerset Local Plan (adopted April 2006).

16. The areas allocated for parking shall be kept clear of obstruction and shall not be converted or used other than for the parking of vehicles in connection with the development hereby permitted.

Reason - To ensure that adequate parking is provided and maintained to meet the needs of the development in accordance with policy TP7 of the South Somerset Local Plan, adopted 2006.

17. Before the development hereby approved is commenced a full surface water drainage proposal, including the supporting calculations, such be submitted to and approved in writing by the local planning authority. Once agreed the approved drainage scheme shall be fully implemented prior to the first occupation of any of the units and fully maintained in good working order at all times thereafter,

Reason - To ensure the adequate drainage of the site and to mitigate any flood risk in accordance with policy EU4 of the South Somerset Local Plan, adopted 2006.

Informatives:

01. With respect to the landscaping condition you are reminded of the observations of the council's landscape architect.
02. Where works are to be undertaken on or adjoining the publicly maintainable highway a licence

under Section 171 of the Highways Act 1980 must be obtained from the Highways Authority. Application forms can be obtained by writing to Roger Tyson of the Transport Development Group, Environment Department, County Hall, Taunton, TA1 4DY, or by telephoning him on 01823 356011. Applications should be submitted at least four weeks before works are proposed to commence in order for statutory undertakers to be consulted concerning their services. The fee for a Section 171 Licence is £250. This will entitle the developer to have his plans checked and specifications supplied. The works will also be inspected by the Superintendence team and will be signed off upon satisfactory completion.

03. Having regard to the powers of the Highway Authority under the Highway Act 1980 the applicant is advised that a Section 184 Permit must be obtained from the Highway Service Manager at least four weeks before access works are intended to commence.
-