

Area North Committee – 23 March 2011

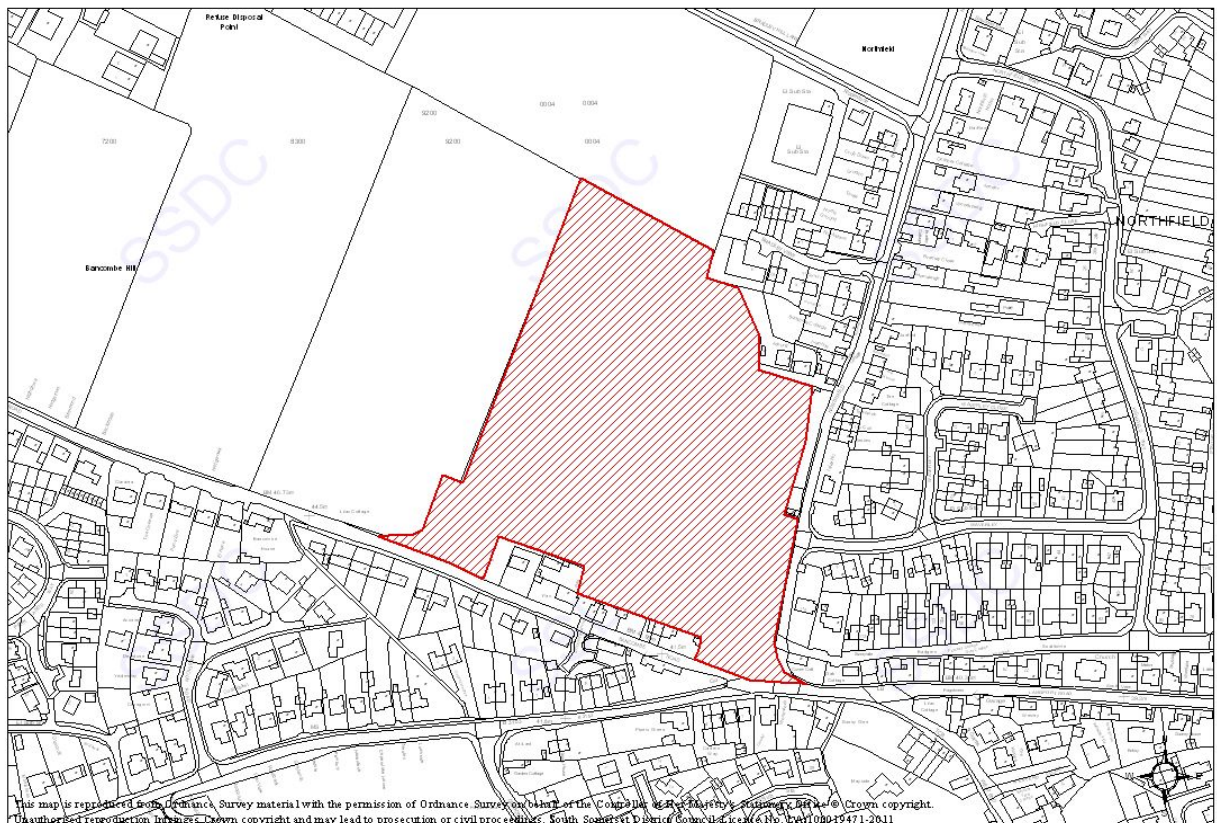
Officer Report On Planning Application: 10/03704/FUL

Proposal:	The erection of 133 dwellings and associated garages, highway works and landscaping (GR: 348022/128828)
Site Address:	Land At Northfield Farm, Northfield
Parish:	Somerton
WESSEX Ward (SSDC Members)	Mrs Jill Beale (Cllr) Mr Tony Canvin (Cllr)
Recommending Case Officer:	Claire Alers-Hankey Tel: 01935 462295 Email: claire.alers-hankey@southsomerset.gov.uk
Target date:	29th December 2010
Applicant:	Bellway Homes
Agent: (no agent if blank)	APT Design Ltd (FAO: Mr Graham Chambers) Angel Crescent, Bridgwater TA6 3EW
Application Type:	Major Dwlg 10 or more or site 0.5ha+

REASON FOR REFERRAL TO COMMITTEE

This 'major major' application is referred to the committee in accordance with the scheme of delegation, with the agreement of the Chairman and Ward Members due to the level of interest it has generated and the importance for Somerton.

SITE DESCRIPTION AND PROPOSAL



This rectangular, 3.89 hectare site is located on the northwest outskirts of Somerton, between Bancombe Road and Northfield and is allocated in the Local Plan for residential development. It is largely level agricultural land with Northfield Farmhouse, a Grade II listed building, and various modern and traditional farm buildings in the southeast corner of the site.

This application, as amended, seeks planning permission for the erection of 133 dwellings at a density of 34/ha, with associated garages, highway works and landscaping comprising:-

- 6 one bedroom flats
- 12 two bedroom flats over garages (FOGs)
- 13 two bedroom houses
- 75 three bedroom houses
- 21 four bedroom houses
- 5 five bedroom houses
- 1 bungalow to meet a special local affordable need
- 267 parking spaces (ave. 2 spaces per unit)
- A LEAP and buffer zone (1,912m²)

46 'affordable' units (34.6%) would be provided, 31 for rent accommodation and 15 shared ownership. It would be provided in clusters throughout the site.

The proposed buildings would be a mix of largely two-storey terraces and detached dwellings, and a small proportion of single storey/three storey, semi-detached, and FOG development. A large percentage of dwellings also have garages. The materials are stated as being a mix of natural stone, reconstituted stone and smooth cast render with slate effect tiles and pantiles.

The main access route for the site would be via a new junction on Langport Road. This would entail the stopping up of the current exits of Bancombe Road and Northfield onto Langport Road. A new route through the site would maintain a direct link to Bancombe Road to the west of the site and a further access would be created to Northfield directly opposite Waverley.

The application has been amended to provide a larger area of on-site open space, which has resulted in a reduction of the number of houses proposed from an original 138 to 133. The internal estate road layout has also been amended to reflect this change. The proposal is supported by a landscaping scheme, Geology Survey, Archaeological Assessment, Travel Plan, Design and Access Statement, Tree and Hedgerow Appraisal, Ecological Assessment, Statement of Significance, Housing Need Report, Statement of Community Involvement, Transport Assessment and Flood Risk Assessment (FRA).

In response to initial highways concerns a further highway assessment to supplement the initial Transport Assessment has been submitted. Some changes to details have been made in response to comments received from the Conservation Officer and the Landscape Architect and a further geophysical survey has been submitted to address initial comments made by the County Archaeologist. Additionally, further information on runoff calculations and discharge rates has been submitted in response to concerns raised by the Environment Agency and the Council's engineer.

HISTORY

2006 - Local plan adopted allocating this site for residential development (policy Proposal HG/SOME/1)

Previous planning history relates to operational development at Northfield Farm.

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.

Saved policies of the Somerset and Exmoor National Park Joint Structure Plan Review 1991-2011:

Policy STR1 - Sustainable Development
 Policy STR2 - Towns
 Policy STR4 - Sustainable Development in Towns
 Policy STR7 - Implementation of the Strategy
 Policy 5 - Landscape Character
 Policy 9 - The Built Historic Environment
 Policy 11 - Areas of High Archaeological Potential
 Policy 33 - Provision of Housing
 Policy 35 - Affordable Housing
 Policy 37 - Facilities for Sport and Recreation Within Settlements
 Policy 39 - Transport and Development
 Policy 48 - Access and Parking
 Policy 49 - Transport Requirements of New Development
 Policy 50 - Traffic Management

Saved policies of the South Somerset Local Plan (Adopted April 2006):
 Proposal HG/SOME/1 – allocates this site for residential development:-

Land north of Bancombe Road, Somerton, amounting to approximately 4.1 hectares (10.1 acres) is allocated for residential development. The development will be subject to the following:

- *Expected to accommodate about 140 dwellings of which 35% should be affordable after the provision of an extensive buffer zone between employment land and the proposed residential area, and the provision of open space and children's play area in accordance with policy CR2;*
- *Access from Northfield and Bancombe Road;*
- *Improvements to the substandard junction of Bancombe Road, Langport Road and Northfield;*
- *Retention of the listed farmhouse and other buildings and land as necessary to protect its setting;*
- *Provision of buffer zone to separate employment and residential uses;*
- *Provision of amenity open space and children's play area;*
- *Footpath links through site to avoid pedestrian use of Bancombe Road and to create links between the existing development and the proposed development;*
- *The allocation being phased for development after 2007.*

Other Policies

Policy ST5 - General Principles of Development
 Policy ST6 - The Quality of Development
 Policy ST7 - Public Space
 Policy ST9 - Crime Prevention
 Policy ST10 - Planning Obligations
 Policy EC3 - Landscape Character
 Policy EC8 - Protected Species
 Policy EH5 - Development Proposals Affecting the Setting of Listed Buildings
 Policy EH12 - Areas of Archaeological Potential
 Policy EP5 - Contaminated Land
 Policy EP6 - Demolition and Construction Sites
 Policy EU4 - Water Services
 Policy TP1 - New Development and Pedestrian Provision
 Policy TP2 - Travel Plans
 Policy TP3 - Cycle Parking
 Policy TP4 - Safer Environments for New Developments and Existing Residential Areas
 Policy TP7 - Residential Parking Provision
 Policy HG1 & HG2 - Provision for New Housing Development
 Policy HG4 - Housing Densities
 Policy HG6 - Affordable Housing
 Policy HG7 - Affordable Housing - Site Targets and Thresholds
 Policy HG8 - Affordable Housing - Commutation of Requirement
 Policy CR2 - Provision of Outdoor Playing Space and Amenity Space in New Development
 Policy CR4 - Provision of Amenity Open Space

National Guidance

PPS1 - Sustainable Development
 PPS3 - Housing
 PPS5 - Planning for the Historic Environment
 PPG13 - Transport
 PPG17 - Planning for Open Space, Sport and Recreation
 PPS25 - Flooding

South Somerset Sustainable Community Strategy

Goal 3 - Healthy Environments
 Goal 4 - Quality Public Services
 Goal 7 - Distinctiveness
 Goal 8 - Quality Development
 Goal 9 – Homes

Other Legislation

The Conservation of Habitats and Species Regulations 2010 (the 'Habitats Regulations 2010')
 The Wildlife and Countryside Act 1981 (as amended).
 Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (the 'Habitats Directive').

CONSULTATIONS

Two rounds of consultation have been carried out, firstly in relation to the proposal as submitted and secondly in relation to the amendment to the detail and the additional highways information.

Somerton Town Council - Initially deferred comment to allow clarification of highway position. Subsequently raised objections to the proposal with regard to the proposed highway works with the closure of both Bancombe Road and Northfield and the retrograde impact on other sections of highway in the area, particularly Waverley, Highfield Way and Behind Berry. Would support the provision of a roundabout in this location. Concern also raised over drainage as already instances of flooding downstream of the site. Attenuation of the surface water flows arising from site need to take into account run-off from adjacent fields. Concern raised over local infant school and academy being at capacity. Requested that improvements to width of Bancombe Road are made, and that maximum funding from s106 agreement to be allocated to Somerton and not to wider District area.

County Highway Authority - Initial response confirmed that the layout drawing is generally acceptable and could form the basis of a S.278 agreement requiring the estate road through the new estate linking Bancombe Road/Northfield and Langport Road to be completed and open to traffic before either Northfield or Bancombe Road would be closed off to vehicular traffic. Concern was raised over the lack of detailed data in the Transport Assessment (TA) and it was requested that the applicant provide an addendum to the TA, which incorporates baseline data for existing flows of traffic from the surrounding highway network.

The initial comments in relation to the updated information confirm that the Highways Authority agrees with the conclusion insofar as the traffic impact would be acceptable and that there is no technical justification for any additional offsite works in this case.

At the time of writing final comments to include suitable conditions were awaited and will be reported to committee.

Area Engineer - considers that the general principles and proposed arrangements for dealing with surface water as set out in FRA are sound. No objection subject to safeguarding condition relating to drainage layout and carious control features.

County Education Officer - Notes that infant school places are nearly at capacity, so that the school would have insufficient places to accommodate additional children living in the proposed dwellings. There is currently surplus capacity at the local junior school, which is likely to remain the case for the foreseeable future, so additional accommodation for this tier is not required at the present time. Requests that a contribution of £147,084 be sought to address the need for 12 infant school places.

It is noted that there is capacity at the catchment secondary school, Huish Episcopi, although having recently achieved sixth form status its role will inevitably increase. However it is acknowledged that this school now has academy status and will therefore have to be consulted separately.

Huish Episcopi Academy - Comments that the Academy has very limited available capacity. Expects that the development would generate a need for 20 secondary school places and therefore seeks a contribution of £369,380 (based DfE 'Basic Need Cost Multiplier' of £18,469 per place) to address this increased need.

Housing Officer - Accepts the provision of 34.6% affordable homes (46 units) to be provided on the site on the basis of:-

- 6 x 1 bed units
- 16 x 2 bed units
- 21 x 3 bed units
- 2 x 4 bed units
- 1 x bespoke bungalow for a disabled occupier.

Planning Policy - Are satisfied that the proposal is broadly compliant with the saved proposal HG/SOME/1, and therefore has raised no objections.

Conservation Manager - Confirmed layout is satisfactory. Initial comments raised a number of comments relating to specific detail, and following the receipt of amended plans the Conservation Officer confirmed no objection.

Environmental Protection Officer - No observations

Contaminated Land Officer - Notes that the site contains two small areas of infilled land. Recommends safeguarding conditions to ensure any potential contaminated land is investigated and appropriate mitigation carried out.

Ecologist - Accepts that survey work undertaken, which identifies a low level presence of badgers, bats and slow-worms, is appropriate and does not dispute the findings. Considers that any issues are "*of low conservation significance and not of sufficient importance to warrant further Local Planning Authority control*". A condition to ensure compliance with the recommendations of the submitted report is recommended.

Landscape Architect - No landscape issues subject to safeguarding condition to agree landscaping.

Environment Agency - Accepts findings and recommendations of submitted FRA as supplemented. No objection subject to safeguarding conditions and informatives.

County Archaeologist - No objection subject to recommended condition to secure programme of archaeological work.

Leisure Policy Co-ordinator - Recommends a contribution of £5,814.97 per dwelling (£773,391.30) be sought towards the provision of equipped play spaces, youth facilities, playing pitches, changing room provision and strategic community facilities to meet the demands arising from the occupiers of the new dwellings.

Open Spaces Officer - No objection on the basis that adequate onsite provision for Public Open Space has been made.

Senior Play and Youth Facilities Officer - Notes the revised plan has adequate buffer zones between the play area and dwellings, the location and orientation of the LEAP is good and the size is acceptable.

Climate Change Officer - Objects to the proposal on the basis that there is no mention of renewable energy within any of the documents supporting the application. Furthermore some of the roofs are not solar orientated.

REPRESENTATIONS

63 letters of objection have been received. The issues raised can broadly be grouped as:-

- Design and Detail
- Density, Layout and Landscaping
- Access and Parking
- Impact on Amenity
- Pressure on existing facilities and services
- Drainage and flooding

Design and Detail

- Cheap building materials will be used
- Use of render is not appropriate
- The design is bland
- Vehicle openings in the buildings should have a flat arch typical of the area
- Proposed development is not in keeping with the architectural design of local houses

Density, Layout and Landscaping

- Density of housing proposed is too high
- Hedge boundary adjacent to Northfield should be maintained
- Wild Cherry tree on site must be preserved
- There is no proper planting on the site boundaries proposed
- The site should have more green spaces and allotments
- Gardens should be larger
- Mixed social housing and private housing should not be mixed together due to difficulty of people trying to sell private housing
- Proposal fails to take account of the historic settlement
- Why is the affordable housing centred on Bancombe Road?
- Removing old wall in front of listed farmhouse would detract from rural feel of area
- Damage to the environment

Access and Parking

- Increase in traffic flow through surrounding residential area, which is single laned in places, is unacceptable and is dangerous to pedestrians and inconvenient for road users
- Poor road layout
- Blocking off bottom end of Northfield will force all traffic through the new estate
- Traffic will use Waverley and Behind Berry as a means of access to the town centre and the east side of the town, but this route was not designed for such an amount of through traffic the proposal would generate
- Bottleneck in Northfield has no pavement and is dangerous, and should not be subjected to an increase in traffic. There are existing parking problems along this stretch
- Northfield should be widened and off street parking and a pavement provided
- Increased traffic around roads of local infant school and fire station
- The junction of Bancombe Road, Langport Road, Northfield and the new development should be a roundabout - this design was proposed when the site was allocated
- Infrastructure should be in place prior to occupation of dwellings
- There is no provision of a zebra crossing anywhere
- Two car parking spaces per dwelling is not enough

- Cycling opportunities are not improved
- Northfield and Bancombe Road should not be shut off and a campaign to seek losses to local residents will be made against the planning authority
- Possibility that the Traffic Assessment is wrong should be considered now. What come back is there when the TA is proved as inaccurate?
- Railway station should be reopened and current bus service is insufficient for new population
- Improvements should be made for increased use of pedestrian route to sports/recreation ground
- The submitted Traffic Assessment makes a number of inaccurate observations, which are misleading - the surrounding roads are narrow and do not always have a footpath
- Traffic data submitted with application refers only to traffic generated by development, not exiting traffic as well
- A Road Closure Impact Study should be carried out to fully assess the proposals on the surrounding highway network
- Existing residents are inconvenienced by greater travel
- Traffic island proposed on the south side of Bancombe Road will restrict access to adjacent property
- The new estate should be completely serviced by its own adequate roads
- On street parking is a huge problem in surrounding area
- The new estate road through the site should run parallel to Bancombe Road
- Drop off areas should be established for parents to drop children off at school
- Speeds bumps should be put on roads near school
- There should be a footpath from Bancombe Road up to the Trading Estate
- Development would have negative impact on town centre parking
- Interpretation of HG/SOME/1 has been taken too literally by the developer
- Amended plans make minimal alteration despite strong local opposition to original plans

Impact on Amenity

- It is not clear how surrounding properties will be protected during construction and how construction traffic will access the site, or how asbestos will be disposed of
- It is not clear how privacy of residential properties adjacent to the site will be protected
- Youths may convene at dead end of Bancombe Road, and Bancombe Road should not be accessible to pedestrians from the new development
- Overlooking of C type houses over strip of land on Northfield, which may prevent future development of this strip
- Proposal will cause noise, air and light pollution

Pressure on existing facilities and services

- Facilities and services in Somerton are not adequate to accommodate additional people development would create
- Existing doctor surgery is oversubscribed and cannot cope with additional patients
- There are no jobs in Somerton for residents of the proposal and therefore people will commute to Yeovil
- Proposal offers little in way of affordable housing
- The proposal does not add any form of commercial development
- Site should accommodate a community hall type facility

Other Comments

- The new homes will not be for local people

- Adverse effect on value of nearby properties
- No proper public consultation has taken place
- Is the site to be phased?
- The houses would be better off spread around the town
- Applicant should be required to enter into planning obligations
- The application is of no benefit to local residents, only benefit is to applicant
- The SSDC website is constantly out of action, meaning trips to the local planning office have to be made to view plans

Additionally the minutes of a public meeting have been provided which raise the following summarised concerns:

- Proposed road layout, increase in traffic and impact on surrounding highway network and local residents
- Increased pressure on local infant school
- Road layout would encourage trade drivers to go to Langport and be put off driving to Somerton
- Listed farmhouse was in the way of a diverted Bancombe Road route
- Support voiced for roundabout proposal
- Development too dense
- Already speeding in several surrounding roads close to the site
- Increased demand on doctor and schools
- Disposal of asbestos on existing barns to be demolished
- Whether sewage treatment and surface water disposal adequate
- Maximum number of houses should be 116
- Lack of open space and trees
- Too many roads within site
- Sequence of building operations important
- No zebra crossing
- Traffic report only focuses on peak times
- Cycle path provision
- Inadequate parking
- Traffic surveys submitted so far inadequate

1 LETTER OF SUPPORT - Has been received, commenting that the closure of the Bancombe Road/Langport Road junction will encourage trading estate traffic to use Cartway Lane.

CONSIDERATIONS

The site has been allocated for residential development by saved policy HG/SOME/1 of the South Somerset Local Plan, therefore the principle of residential development on this site is deemed as acceptable, and would deliver housing in accordance with Policies HG1, HG2 and HG6 of the Local Plan.

No objections have been raised to any impact on archaeological and contamination issues or regarding the setting of the listed building. With regard to ecology, no significant issues have been identified by the submitted report, the findings of which are supported by the Council's ecologist who confirms that, subject to an appropriate safeguarding condition, the favourable conservation status of protected species would be maintained in accordance with the relevant safeguarding legislation referred to above.

Accordingly, subject to safeguarding conditions these aspects of the application are considered acceptable with no conflict to Policies EC8, EH5, EH12 and EP5 of the Local Plan.

The relevant issues to be considered are:

- Design and Detail
- Layout and Landscaping
- Access and Parking
- Impact on Amenity
- Developer Obligations

Design and Detail

The proposal incorporates a variation of different house types, with the majority being two-storey, but with five three-storey dwellings and some single storey development, a bungalow and garaging. A range of house types are also proposed, with terracing, semi detached and detached all featuring within the proposal. It is considered the houses are all of a design and proportion that is appropriate to the locality and the variation of house types will offer visual interest to the site yet maintain a level of uniformity and cohesion. The five 3-storey houses proposed are set within the site and do not form part of the external street scenes. Situated at the centre of the site and overlooking the public open space, it is not considered they would be incongruous in their setting and would provide focal points within the development.

Initial comments made by the Conservation Officer relating to specific details have been incorporated into the amended plans. As such the design and detailing of the proposed buildings is considered acceptable, and subject to conditions to require samples and agreement of materials and detailing, the impact on the character and appearance of the locality and the listed Northfield Farmhouse would be acceptable and in this respect the proposal complies with policies ST5 and ST6.

Objection has been raised by a local resident to the use of render. However, only ten houses are proposed to be render, and it is considered its use will break up the development and add visual interest.

Layout and Landscaping

A number of objections have been received stating the density of the proposal is too high. The density of the housing is approximately 34 houses per hectare, which is in line with the policy requirement of HG4 of 30 houses per hectare. While the recent amendments to PPS3 took away a minimum density requirement the thrust of PPS3, with regard to the efficient use of land has not been materially changed. This remains local plan policy as stated by Policies HG4 and ST5. Furthermore, policy HG/SOME/1 allocates the site for 140 dwellings so the Inspector was clearly satisfied that the site could accommodate a higher number of dwellings.

The proposal makes provision for on site Public Open Space and a Local Equipped Area for Play (LEAP). The size and layout of the on site open space and play area meet the requirements of Policy CR2. As the policy requirement is met, no off site provision is sought.

All of the houses have private gardens (with the exception of the FOGs, of which only a few have gardens) that are considered of an adequate size for future occupiers. In

addition to private gardens, there are a number of small green spaces and planted areas scattered across the site that will also contribute to the landscaping of the site. On a precautionary basis and to safeguard open space within the development a condition is recommended to withdraw permitted development rights with respect to extensions and outbuildings.

The layout is characterised by houses facing the street frontage with gardens and parking to the rear, with is characteristic of the locality.

It is considered that the layout and landscaping comply with policies ST5, ST6, ST7, ST9, EC3, CR2, CR4 and HG4.

Access and Parking

The Traffic Assessment (TA) as supplemented, contains traffic modelling of the existing Langport Road/Northfield/Bancombe Road junction and the Northfield junctions with Behind Berry and Waverley, and concludes that the proposed new junction has the capacity to accommodate traffic generated as a result of the development, as well as all existing traffic. It is also stated that the preferred route for traffic from the development, Bancombe Road and Northfield to the town centre and eastern side of the town would be via the improved Langport Road junction. Furthermore it is concluded that Waverley and Behind Berry would not be used as a rat run, due to the more efficient working of the proposed Langport Road junction.

Whilst there is considerable local objection to the proposed revisions and the potential knock-on effects, the Highway Authority accepts the findings and conclusions of the TA and raises no objection to the access and junction arrangements. It is not considered that there is any evidence to justify over-riding this advice, nor would it be justified to insist that the developer redesign the access arrangements based on a suggestion by a third party.

Two car parking spaces are provided for each house and one car parking space is provided for the one-bedroom flats. This level of parking is acceptable and meets the requirements of TP7. In addition to the car parking provision, cycle storage provision is made for each property and 18 motorcycle parking spaces are provided.

A number of detailed points regarding the estate road were raised in the initial consultation response from the Highway Authority, and these have been addressed in the amended layout plan received. The road through the site has been designed to discourage through traffic and to limit speed. It is not considered that any benefit would be achieved by encouraging through traffic or higher vehicle speeds.

A number of local residents and the Town Council have suggested that a roundabout should be used at the Langport Road junction. This is not considered to be a viable option due to insufficient area in this location to accommodate a roundabout. Local residents have also suggested that a strip of land on the west side of Northfield should be used as a pavement, however this land is not owned by the Highway Authority or the applicant and is therefore out of the control of this application. Concern has also been raised that the addendum to the TA may be wrong. The Highway Authority and Local Planning Authority requested additional information that was duly submitted, and has been thoroughly assessed in relation to this application. One local resident is concerned the traffic island proposed at the Langport Road junction will restrict access into their property on the other side of the road. The road at this point is of adequate width and it is considered this concern is unfounded.

Another concern raised by a local resident is that the road infrastructure should be provided before the houses are occupied. It is acknowledged that is a reasonable point and can be secured by condition and the section 106, to be provided at the appropriate stage of the development.

On the basis of the above, it is considered the access and parking as proposed complies with policies ST5, TP1, TP2, TP3, TP4, TP7 of the Local Plan and policies 39, 28, 49 and 50 of the Structure Plan.

Impact on Amenity

Concerns have been made with regard to the impact of construction works. While construction by its very nature is disruptive, it cannot be used to justify withholding planning permission. In this circumstance it is considered appropriate to impose a condition requiring agreement of a Construction Management Plan, so that the Local Planning Authority can exert a degree of control over the building phase. Concern has also been raised over the disposal of asbestos from the demolition of agricultural buildings. This is controlled by separate regulations.

It is not considered the proposal would have any adverse impact on the amenities of existing residents adjacent to the site, as there is adequate distance of a minimum of 20m between proposed and existing dwellings, which is generally accepted as adequate distance between residential properties. Concern has been raised about overlooking of proposed houses onto a strip of land on the eastern boundary of the site. This land is currently being used as what appears to be an allotment with no occupied buildings on site. It is considered the application needs to be assessed on its current status, and as such the proposal will not have a detrimental impact on the amenity of this piece of land.

With regard to amenity of future occupiers, the relationships between all of the proposed houses are considered to be acceptable with no overlooking, no infringement on privacy, no overbearing, and adequate light reaching each property. Furthermore, appropriate boundary treatment is incorporated into the scheme to maintain residential amenity.

On this basis it is considered that satisfactory levels of amenity will be maintained for existing residents and provided for future occupiers, as required by policies ST5, ST6 and EP6 of the Local Plan.

Developer Obligations

Affordable Housing - The applicant is willing to enter into a section 106 agreement to deliver 46 affordable houses, a percentage of 34.6%. Whilst this is lower than the 35% demanded by policy HG7, the provision also includes a bespoke disabled bungalow which takes up a larger plot than the average affordable housing unit, and consequently the Housing Officer has confirmed that this is a fair trade. Accordingly this part of the application would comply with Policies ST10, HG6, HG7 and HG8.

Conflicting views have been received from local residents with regard to the distribution and provision. One objection is that affordable housing should be kept separate from open market housing, and another objection is that the affordable housing is all focused on Bancombe Road. The affordable housing is distributed across the site in clusters, to the satisfaction of the housing manager and it is accepted that it would meet an identified need.

Sports, Arts and Leisure - Officers have requested contributions based on the uplift to provide for the increased demand that would stem from this development. Policy CR2

sets out the basis for sports and play provision and the application has accepted the need for these obligations.

Open Space - Has been accommodated within the layout, and meets the requirements of Policy CR4.

Education - The applicant has accepted the need for contributions towards primary level education. With regard to secondary education, Huish Episcopi Academy is no longer under the directorate of Somerset County Council. A request from the Head of the Academy has been made and at the time of writing is currently being clarified by the applicant.

Local residents have raised concern that existing services will not be able to cope with the additional population brought about by the development. At the time the site was allocated, the Local Plan Inspector considered the adequacy of the infrastructure to accommodate the growth generated by residential development at this scale. Therefore it is not considered appropriate to respond to this argument. A section 106 agreement can secure the planning obligations as detailed above.

Other Issues

While the Climate Change Officer has raised an objection to the proposal, his request for renewable energy requirements within the development is not based on any current saved policy, and therefore the Local Planning Authority is not in a position to insist on such requirements. The lack of renewable energy does not provide a basis for refusal.

Residents have also raised objection that no public consultation has taken place. This view is contrary to the material contained with the statement of community involvement, which gives detail of two public consultation meetings that took place prior to the submission of the planning application (several other letters from residents refer to these meetings). Local residents have also been consulted extensively during the lifetime of this current planning application.

One local resident has put forward the view that youths will commune at the dead end of Bancombe Road. While this route will be closed to traffic, it would still be open to pedestrians and is immediately adjacent to the Langport Road junction, and therefore would be highly visible and open to natural surveillance.

One suggestion put forward by a resident is that a footpath should be provided from Bancombe Road to Bancombe Trading Estate. It is considered that as this provision would not be directly related to the development, it would be unreasonable to request this.

The Parish Council and local residents have raised concern over the capability of existing surface water and foul water drainage to accommodate the development. The Environment Agency and the Area Engineer have both raised no objection to the proposal, on the basis that additional drainage data has been submitted to show that the proposed drainage systems can accommodate the additional population. Appropriate conditions have been recommended by the Environment Agency, and it is considered reasonable to use them.

Concern has been raised over the impact of the development on the value of nearby properties. This is not a planning consideration as all other aspects are considered acceptable.

Conclusion

The proposed development accords with site allocation HG/SOME/1, is of appropriate form, density, design and layout that would not have a detrimental impact on visual or residential amenity or the setting of the listed building amenity. The access and parking provision are considered to be acceptable, and adequate provision of drainage facilities has been made. As such the proposal complies with Policies ST5, ST6, ST7, ST9, ST10, EC3, EC8, EH5, EH12, EP5, EP6, EU4, TP1, TP2, TP3, TP4, TP7, HG1, HG2, HG4, HG6, HG7, HG8, CR2, and CR4 of the South Somerset Local Plan, and Policies STR1, STR2, STR4, STR7, 5, 89, 11, 33, 35, 37, 39, 48, 49, and 50 of the Somerset and Exmoor National Park Joint Structure Plan Review.

Section 106 Planning Obligations

A section 106 agreement would be necessary to ensure that 35% of the houses are affordable and that contributions towards education and sports, arts and leisure, are made at the appropriate rate, and to secure implementation of the Travel Plan and future management of the on site open space.

RECOMMENDATION

Permission be granted subject to the following:-

- a) The prior completion of a section 106 obligation (in a form acceptable to the Council's solicitor(s)) before the decision notice granting planning permission is issued to:
 - Ensure the delivery of the development with 46 affordable homes, as specified on the approved plans, with 31 for rent accommodation and 15 shared ownership to the satisfaction of the Strategic Housing Manager
 - Provide for the appropriate education contributions, as requested by the County Education Authority and Head of Huish Episcopi Academy, prior to the occupation of any dwelling
 - Provide for a contribution of £773,391.30 towards sports, arts and leisure contributions, as set out by the Leisure Policy Coordinator, prior to the occupation of any dwelling
 - Secure the provision, and appropriate future management of, the on site open space either by adoption (with an appropriate commuted sum as defined by the Open Spaces Officer) or by a Management Company
 - Ensure appropriate Travel Planning measures as agreed by the Development Manager in conjunction with the County Travel Plan Coordinator
 - Provide improvements to the Langport Road junction as identified on the approved plans and as requested by the Highway Authority prior to the commencement of development
 - A monitoring fee based on 20% of the application fee
- b) The imposition of the planning conditions set out below on the grant of planning permission.

Justification

The proposed development accords with site allocation HG/SOME/1 and would deliver housing towards the needs identified by policies HG1 and HG2 of the South Somerset

Local Plan. It is of appropriate form, density, design and layout that would not have a detrimental impact on amenity. The access and parking provision are considered to be acceptable, and adequate provision of drainage facilities has been made and appropriate planning obligations with regard to affordable housing, education and sports, arts and leisure facilities have been agreed. As such the proposal complies with Policies ST5, ST6, ST7, ST9, ST10, EC3, EC8, EH5, EH12, EP5, EP6, EU4, TP1, TP2, TP3, TP4, TP7, HG4, HG6, HG7, HG8, CR2, and CR4 of the South Somerset Local Plan, and Policies STR1, STR2, STR4, STR7, 5, 89, 11, 33, 35,37, 39, 48, 49, and 50 of the Somerset and Exmoor National Park Joint Structure Plan Review.

Conditions

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

Reason: In accordance with the provisions of Section 91 Town and Country Planning Act 1990 (as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004).

02. No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works including sustainable drainage principles has been submitted to, and approved in writing by the Local Planning Authority. The submitted details shall clarify the intended future ownership and maintenance provision for all drainage works serving the site. The approved drainage works shall be completed in accordance with the details and timetable agreed.

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal, in accordance with PPS25.

03. No development approved by this permission shall commence until a scheme for water efficiency has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the agreed details.

Reason: In the interests of sustainable development and prudent use of natural materials, in accordance with PPS1.

04. The development hereby permitted shall not commence until 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 anti-pollution measures to be adopted to mitigate construction impacts and a scheme to encourage the use of public transport amongst contractors. The development shall be carried out strictly in accordance with the approved Construction Management Plan.

Reason: In the interests of highways safety and to safeguard the amenities of the locality in accordance with policies EP6, ST5 and ST6 of the South Somerset Local Plan.

05. Prior to the commencement of development the applicant shall investigate the history and current condition of the site to determine the likelihood of the existence of contamination arising from previous uses. The applicant shall:-

- (a) provide a written report to the Local Planning Authority which shall include details of the previous uses of the site and a description of the current condition of the site with regard to any activities that may have caused contamination. The report shall confirm whether or not it is likely that contamination may be present on the site.
- (b) If the report indicates that contamination may be present on or under the site, or if evidence of contamination is found, a more detailed site investigation and risk assessment shall be carried out in line with current guidance. This should determine whether any contamination could pose a risk to future users of the site or the environment.
- (c) If remedial works are required, details shall be submitted to the Local Planning Authority, and these shall be accepted in writing and thereafter implemented. On completion of any required remedial works the applicant shall provide written confirmation that the works have been completed in accordance with the agreed remediation strategy.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, in accordance with policy EP5 of the South Somerset Local Plan..

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

Reason: In the interests of the archaeological potential of the site, in accordance with Policy EH12 of the South Somerset Local Plan.

07. No works shall be carried out unless 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

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 landscaping scheme, the trees and shrubs shall be protected and maintained in a healthy weed free condition 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: 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 South Somerset Local Plan Policy ST6.

09. The boundary treatments shown on the approved plans shall be completed before the part of the development to which it relates is occupied and thereafter maintained as such, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the proposed development makes a satisfactory contribution to the local character and distinctiveness of the area and in the interests of the amenities of the neighbouring residents in accordance with South Somerset Local Plan Policy ST6.

10. Notwithstanding the approved plan no works shall be carried out unless details of all existing levels and proposed finished ground and floor levels have been submitted to and approved by the local planning authority. The scheme shall be completed in accordance with the approved details.

Reason: In the interests of residential amenity to accord with policies ST5 and ST6 of the South Somerset Local Plan

11. Before the dwellings hereby permitted are commenced details of the design, recessing, material and external finish to be used for all windows and doors, including cill and lintel details where appropriate, 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

12. Before the dwellings hereby permitted are commenced details of all eaves/fascia board detailing, guttering, downpipes and other rainwater goods shall be 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

13. Notwithstanding the approved plan the dwellings hereby permitted shall not be commenced until particulars of all 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 where appropriate. Once approved such details shall be fully implemented and maintained at all times thereafter unless agreed otherwise in writing by the local planning authority.

Reason: In the interests of visual amenity and to mitigate any flood risk in accordance with policies ST5, ST6 and EU4 of the South Somerset Local Plan.

14. 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 extensions (including dormer windows) or outbuildings shall be added without the prior express grant of planning permission.

Reason: In the interests of visual amenity and to safeguard residential amenity in accordance with policies ST5 and ST6 of the South Somerset Local Plan

15. The areas allocated for parking, including garages and car ports, 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

16. All electrical and telephone services to the development shall be run underground. All service intakes to the dwellings shall be run internally and not visible on the exterior. All meter cupboards and gas boxes shall be positioned on the dwellings in accordance with details, which shall have been previously submitted to and approved in writing by the Local Planning Authority and thereafter retained in such form.

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

17. Before the dwellings hereby permitted are commenced, details of lighting in off-street areas shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To minimise light pollution in accordance with policy EP9 of the South Somerset Local Plan

18. No part of the development shall be occupied unless that part of the estate road network that provides access to it has been constructed in accordance with the approved plans.

Reason: To ensure that adequate access arrangements exist for each building prior to occupation, in accordance with Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review.

19. The protection of wildlife identified in the ecological report shall be carried out in accordance with the recommendations of the report by Ecology Solutions Ltd, dated May 2010.

Reason: To safeguard the ecologic interests the site in accordance with policy EC8 of the South Somerset Local Plan.

20. The development hereby permitted shall not be commenced until a programme showing the phasing of the development has been submitted to and approved by the Local Planning Authority. Following such approval and commencement of the development hereby permitted the works comprised in the development shall not be carried out otherwise than in complete accordance with such approved programme or such other phasing programme as the Local Planning Authority may in writing subsequently approve.

Reason: To ensure the comprehensive development of the site in line with the planning obligations that have been agreed in accordance with policy ST10 of the South Somerset Local Plan.

21. The development hereby permitted shall be carried out in accordance with the following approved plans: 1049/01L, 1049/02/01C, 1049/02/03, 1049/02/02E, 1049/03B, 1049/04B, 1049/06/01C, 1049/06/02C, 1049/06/03C, 1049/11C, 1049/10C, 1049/07E, 1049/09A, Parking Schedule Rev C, Archaeological Assessment dated April 2010, Geophysical Survey dated February 2011, Flood Risk Assessment dated July 2010, additional information relating to run-off data submitted on 2nd November 2010, Transport Assessment issued 22nd July 2010, Supplement to Transport Assessment issued 8th December 2010, Design and Access Statement, Travel Plan issued 22nd July 2010, Ecological Assessment dated May 2010, 1049/08, 1049/20/10, 1049/20/11, 1049/20/12, 1049/20/13, 1049/20/14, 1049/20/15, 1049/20/01, 1049/20/02, 1049/21/10, 1049/21/11, 1049/21/12, 1049/21/13, 1049/21/01, 1049/21/02, 1049/22/10, 1049/22/11, 1049/22/01, 1049/22/02, 1049/23/10, 1049/23/11, 1049/23/12, 1049/23/01, 1049/23/02, 1049/23/03, 1049/23/04, 1049/23/05, 1049/23/06, 1049/24/10, 1049/24/01, 1049/24/02, 1049/25/10, 1049/25/11, 1049/25/12, 1049/25/13, 1049/25/14, 1049/25/01, 1049/25/02, 1049/25/03, 1049/25/04, 1049/27/10, 1049/27/01, 1049/27/02, 1049/28/10, 1049/28/01, 1049/29/10, 1049/29/11, 1049/29/01, 1049/29/02, 1049/30/10, 1049/30/11, 1049/30/12, 1049/30/13, 1049/30/14, 1049/30/15, 1049/30/16, 1049/30/17, 1049/30/18, 1049/30/01, 1049/30/02, 1049/30/03, 1049/30/04, 1049/31/10, 1049/31/11, 1049/31/12, 1049/31/13, 1049/31/14, 1049/31/15, 1049/31/01, 1049/31/02, 1049/31/03, 1049/31/04, 1049/32/10, 1049/32/11, 1049/32/12, 1049/32/01, 1049/32/02, 1049/33/10, 1049/33/11, 1049/33/01, 1049/33/02, 1049/33/03, 1049/35/10, 1049/35/11, 1049/35/12, 1049/35/13, 1049/35/01, 1049/35/02, 1049/35/03, 1049/35/04, 1049/36/10, 1049/36/11, 1049/36/12, 1049/36/13, 1049/36/01, 1049/36/02, 1049/37/10, 1049/37/01, 1049/37/02, 1049/37/03, 1049/38/20, 1049/38/21, 1049/38/22, 1049/38/23, 1049/38/24, 1049/38/25, 1049/38/26, 1049/38/27, 1049/38/28, 1049/38/29, 1049/38/30, 1049/38/01, 1049/38/02, 1049/38/03, 1049/38/04, 1049/38/05, 1049/38/06, 1049/38/07, 1049/38/08, 1049/38/09, 1049/38/10, 1049/38/11, 1049/38/12, 1049/39/10, 1049/39/11, 1049/39/12, 1049/39/13, 1049/39/01, 1049/39/02, 1049/39/03, 1049/39/04, 1049/50/01, 1049/50/02, 1049/50/03, 1049/50/04, 1049/50/05, 1049/50/06, 1049/50/07, 1049/50/08, 1049/50/09.

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

22. Any highway conditions as deemed reasonable and necessary.

Informatives:

You are reminded of the contents of the Environment Agency's letter of 16th November 2010, a copy of which is available on the District Council web site.

With regard to condition 02 the details to be submitted should demonstrate that there must be no interruption to the surface water and/or land drainage system of the surrounding land as a result of the operations on the site. Provisions must be made to ensure that all existing drainage systems continue to operate effectively.

With regard to condition 03 the details to be submitted should include water efficient systems and fittings. These should include dual-flush toilets, water butts, water saving taps, showers and baths, and appliances with the highest water efficiency rating (as a minimum). Grey-water recycling and rainwater harvesting should be considered.