

Area North Committee – 24 April 2013

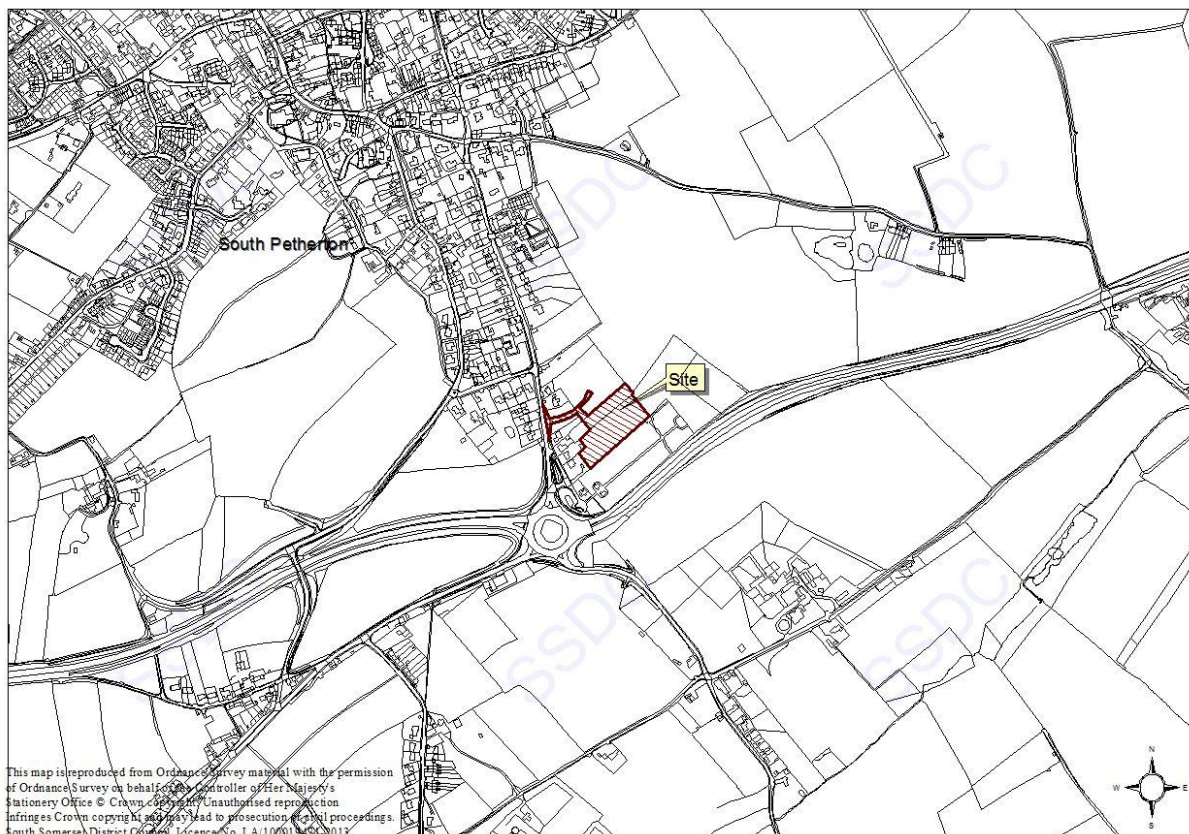
Officer Report On Planning Application: 12/04885/FUL

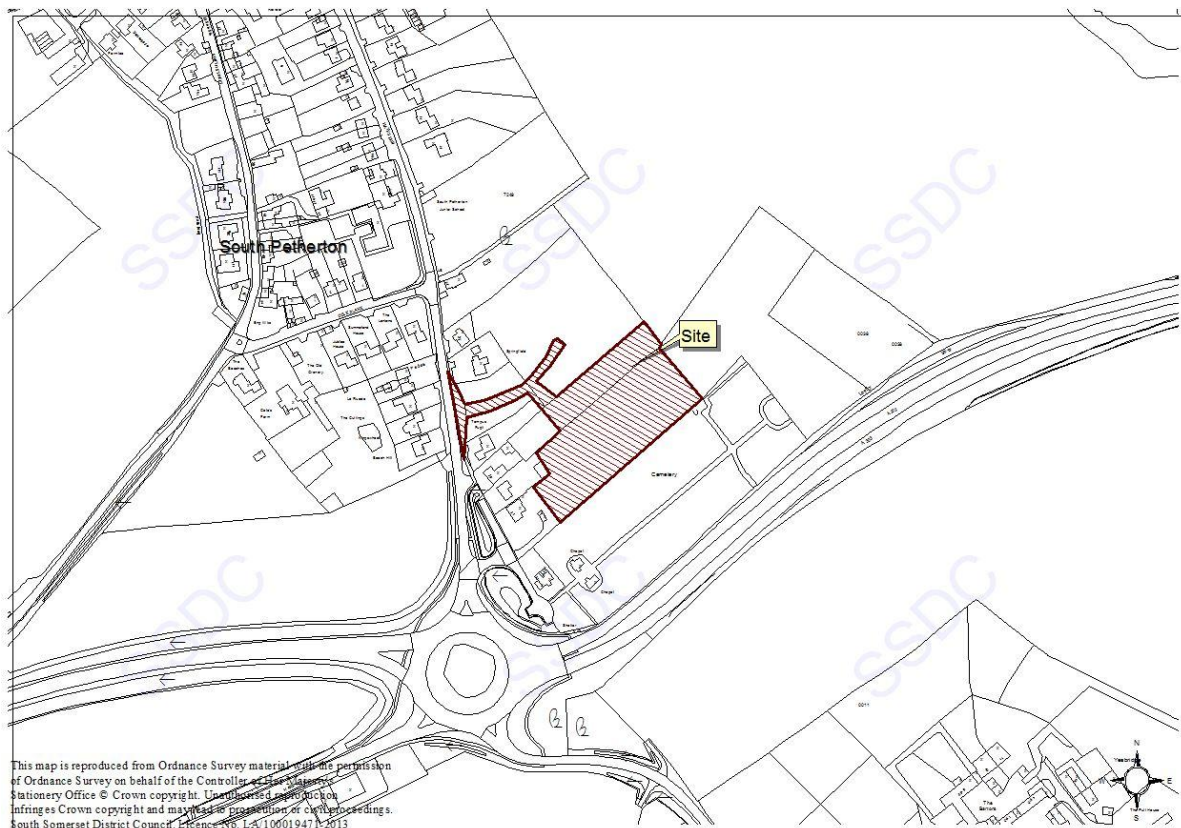
Proposal :	The erection of 22 No. dwellings with associated access, parking and landscaping. (GR 343715/116356)
Site Address:	Land At Hayes End, South Petherton
Parish:	South Petherton
SOUTH PETHERTON Ward (SSDC Members)	Cllr Paul Thompson Cllr Barry Walker
Recommending Case Officer:	Linda Hayden Tel: 01935 462534 Email: linda.hayden@southsomerset.gov.uk
Target date :	4th April 2013
Applicant :	Mr & Mrs K A Duffield
Agent: (no agent if blank)	Mr Matt Frost, Boon Brown Motivo, Alvington, Yeovil, Somerset BA20 2FG
Application Type :	Major Dwlg's 10 or more or site 0.5ha+

REASON FOR REFERRAL TO PLANNING COMMITTEE

The application is before the committee as the recommendation is for approval, which represents a departure from the development plan, and also in order to enable the relevant issues to be debated.

SITE DESCRIPTION AND PROPOSAL





The application site is a rectangular shaped piece of land extending to 0.87 hectares to the east of Hayes End, close to its junction with the A303 on the southern outskirts of South Petherton. The site is adjacent to the allocated housing site Chapel Fields (HG/SOPE/1) that is currently being developed with 29 houses. The application site comprises vacant paddock/un-kept grassland and is relatively flat. The site adjoins the cemetery to the south west (including a mature hedgerow), community woodland to the north-west with residential development to the other two sides. There is a badger sett in the north-west corner of the site. The site sits outside but adjacent to the South Petherton development area.

The application proposes the erection of 20 houses (10 detached houses, 3 semi-detached pairs and a terrace of four units) and 2 flats (coach houses), 8 of the properties (to include the two flats) will be affordable units. The site would be accessed via the existing Chapel Fields access and is effectively a continuation of the Chapel Fields development with similarly designed dwellings fronting onto the main estate road. 61 parking spaces are proposed which equates to 2.8 spaces per dwelling; all dwellings have at least 2 off road parking spaces. The application includes provision of a 3.5m wide landscaped buffer strip between the south-eastern boundary and the cemetery; there is also a 2m high acoustic fence proposed along the property boundaries on the southern side of the site in order to provide noise protection from the nearby A303 trunk road. All dwellings have rear gardens and rear access to facilitate easier movement of waste and recycling bins. Pedestrian access to the community woodland will be provided at the north-west of the site.

The application is supported by:-

- Design and Access Statement
- Statement of Community Involvement
- Transport Assessment and Travel Plan
- Ecological Assessment

- Noise Assessment
- Arboricultural Report

HISTORY

There is no planning history for this site.

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.

In March 2012 the existing national Planning Policy Statements and Guidance Notes (PPS's and PPG's) were superseded by the publication of the National Planning Policy Framework.

In March 2013 the Government advised of its intention to revoke the Regional Spatial Strategy and the Somerset and Exmoor National Park Joint Structure Plan Review. At the present time the following are considered to be the relevant planning documents:-

Somerset and Exmoor National Park Joint Structure Plan Review 1991-2011:

STR1 - Sustainable Development
 Policy 1 - Nature Conservation
 Policy 33 - Provision for Housing
 Policy 35 - Affordable Housing
 Policy 48 - Access and Parking
 Policy 49 - Transport Requirements of New Development

South Somerset Local Plan (Adopted April 2006):

ST3 - Development Area
 ST5 - General Principles of Development
 ST6 - The Quality of Development
 ST7 - Public Space
 ST10 - Planning Obligations
 EC3 - Landscape Character
 EC8 - Protected Species
 EU4 - Drainage
 TP1 - New Development and Pedestrian Movement
 TP2 - Travel Plans
 TP4 - Road Design
 TP7 - Car Parking
 CR2 - Provision for Outdoor Playing Space and Amenity Space in New Development
 CR3 - Off-Site Provision of Outdoor Playing Space and Amenity Space in New Development
 CR4 - Amenity Open Space
 HG7 - Affordable Housing

Other Material Considerations

The Appeal Decision for land to the rear of Wincanton Community Hospital, Dancing Lane, Wincanton established that as of 29th August 2012 South Somerset does not have a 5 year supply of deliverable housing land. The Inspector quotes the South West RSS as the basis for assessing need, until such time as it is formally revoked, or the South Somerset Local Plan is afforded weight having been through an inspection process. The Inspector also used the development industry assessment of build rates on sites that have planning permission.

In such circumstances, the National Planning Policy Framework (NPPF) advises that relevant policies for the supply of housing should not be considered up to date (NPPF para 49). Housing applications should be considered in the context of the presumption in favour of development. In this Council's case, the principal effect is that saved policy ST3 Development Limits no longer applies in relation to housing or mixed proposals.

The Framework also advises that where relevant policies are out of date, permission should be granted unless any adverse impacts of so doing would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole or where specific policies in the Framework indicate development should be restricted. (NPPF para 37). This means that normal development management criteria will continue to apply in terms of landscape, historic environment, access, flooding, environmental damage, amenity etc. There is no automatic assumption that sites will be approved.)

CONSULTATIONS

South Petherton Parish Council:- In response to original plans recommend refusal of this application for the following reasons:

- The development proposed is not considered to be sustainable development on the following grounds:
- The location of the site exceeds the recommended maximum walking distance of 800m (IHT Guidelines for providing journeys on foot and NPPF para. 38) from the town centre and, as such, will foster growth in the need to travel and fails to promote a thriving town centre.
- The quality and safety of the walking routes to the town centre are, in places, too narrow or absent altogether.
- The walking routes are not accessible to all including pushchair and wheelchair users.
- There are no pedestrian crossing facilities at key junctions and the current arrangements are inadequate and unsafe.
- Other objections and concerns relating to the cemetery:
- Locating dwellings as close as proposed will have an overbearing impact on the cemetery (SSDC's landscape officer has already objected along similar lines).
- Whilst the cemetery already suffers high noise levels from the A303, there is a concern that this will be increased by the proposed new development. The various hard surfaces facing the cemetery and the A303 are likely to reflect road noise back into the cemetery increasing the already high level of ambient noise.
- The gardens of various family houses back directly onto the cemetery and, as such, a new form of noise pollution will be introduced to the cemetery.
- Without any significant separation between the gardens and the cemetery, it is likely that balls etc. will regularly drop into the cemetery.
- Whilst it is accepted that many of the issues raised may be solvable through a changed layout, landscaping, noise dampening measures and improvements to

highways, it is a priority for South Petherton to promote a thriving village centre and, as such, any new development should be located within a reasonable and safe walking distance of the shops.'

In response to amended plans recommended refusal until pavement access for all users has been improved.

County Highway Authority:- Following a request for further information the applicant's highway consultants (Hydrock) produced a detailed report. In light of this additional information the County Highway Authority has confirmed that this has addressed their previous concerns. As such, the County Highway Authority has confirmed that there is no highway objection to the application subject to conditions being attached.

Highways Agency:- The Agency accepts that the proposals will not have a significant detrimental impact on the operation of the A303 truck road and therefore have no objections.

Environmental Protection Unit:- Originally had concerns about the impact of noise from the A303. The agents have therefore proposed an acoustic fence to deal with this issue and the Environmental Protection Officer has confirmed that he can no longer sustain an objection subject to a condition to ensure that the fence is maintained and retained.

Landscape Officer:- Originally had concerns about the proposed layout but following the submission of an amended plan which includes the 3.5m buffer zone has confirmed objection is withdrawn subject to the imposition of landscaping condition.

Planning Policy:- 'Having regard to the lack of a 5 year housing supply, there are no policy objections to this proposal in relation to policy ST3. However other policy considerations will still apply.'

Housing:- Originally wanted 100% affordable housing on the basis that the site is outside the development limit. Following advice regarding the issue of the 5 year land supply, they have verbally confirmed that 35% is acceptable on the basis of 2/3rds social rent and 1/3rd for shared ownership/other intermediate products. However, they do have some concerns about the two flats and would rather see the affordable dwellings spread throughout the site.

Community, Health and Leisure (SSDC):- Seeks a contribution of £91,148.43 (£4,143.11per dwelling) towards the increased demand for outdoor playing space, sport and recreation facilities should the scheme be approved. This can be broken down as follows:

- £45,378.89 to be used for local facilities.
- £26,280.79 to be used for strategic facilities.
- £18,586.29 as a commuted sum towards local services.
- £902.46 as the Community, Health and Leisure Service administration fee.

They recommend that £30,758.52 is required upon the occupation of the first 25% of the proposed dwellings, £34,109.12 is required upon the occupation of 50% of the proposed dwellings, and that the final £26,280.79 is required upon the occupation of 75% of the proposed dwellings.

Open Spaces Officer:- Verbally confirmed that as the site will provide open access to

the community woodland at the rear then there is no requirement for off-site contributions.

Climate Change Officer:- Suggests that we should expect renewables to be explicitly detailed at the application stage and notes that they are not. He notes the requirement of the changes to Part L of the building regulations, coming into force during 2013, which will incorporate the energy requirements for Level of the Code for Sustainable Homes. He states that level is unlikely to be achieved without an element of renewables. He notes that the application states an intention to reach Code Level 3, but states this will not be sufficient to meet building regulations at the time of construction.

He notes that the majority of dwellings are well orientated for solar gain. But there is some concern about shaded gardens and roof forms. He suggests that solar panels and a wood burning district heat system would be the most obvious choice for the site.

He states that he would like to see a section the application explaining how the requirement to comply with level 4 of the Code for Sustainable Homes will be met. He objects to the application until such an explanation has been provided.

(Officer Note:- The agent has confirmed that they would be happy to accept a condition requiring that the properties are built to Code Level 4.)

Ecologist (SSDC):- Confirmed that he is satisfied with the principle of relocating the badger sett to the community woodland. Has requested that a condition be imposed requiring details of the mitigation.

Somerset Wildlife Trust:- Advise that they fully agree with the recommendations of the Ecological Assessment and that these recommendations should be incorporated into the planning conditions.

Environment Agency:- No comments.

Wessex Water:- Evidence submitted by the applicant from Wessex Water indicates that the existing drainage infrastructure for the adjacent site has the capacity to accommodate the requirements of the proposed additional dwellings.

Area Engineer:- 'The email from Wessex Water referred to in para 6.30 of the Planning statement and attached at Appendix 2 is noted and on the basis of this I am satisfied with the Drainage Strategy. But will need to see drainage details for approval - condition required.'

REPRESENTATIONS

Ten letters of objection were received in response to the original plans, the objections are summarised as follows:-

- The proposed site is not currently included for development.
- Question if there is a need for additional housing including shared ownership/affordable housing.
- Concerned about traffic implications as entrance is at narrow part of Hayes End and this causes problems with HGV's. Also access is near the school.
- Increase in traffic has resulted in damage to neighbouring garden walls. The new access is being used as a turning point for HGV's.
- New access to Chapel Fields is dangerous and development will result in additional

traffic that will cause tail backs on the A303. The access was only built to accommodate 29 homes.

- Concerned about the adequacy and safety of the footpath access to the village from the site. There are no street lights in this part of the road.
- The Transport Assessment only focuses on the impact upon the A303, it should look at all access routes into the village, some of which are in a poor state of repair.
- The amenities are too distant from the site and will lead to more vehicular traffic in the village centre. Bus services are to be reduced.
- Concerned about implications of more construction traffic.
- Object to the application on the grounds of health and safety.
- Suggest that parking restrictions should be imposed along this part of Hayes End.
- The proposal should not be considered until the Chapel Fields development is completed and the full impact is known.
- Parish and District Council should consider this and any other proposals for the village to meet the current development requirement and those for the future of the village up to 2028 before any decision is made on the application.
- Concerned about long term changes in the character of the village.
- Concerned about wildlife issues - there are badgers and deer on the site.
- Question the noise level survey results.
- Social houses should be dispersed throughout the site. The access to the affordable housing is not to be adopted, this will cause two problems; it will be built to a lower standard; and the non-going maintenance will have to be borne by the future occupiers.
- The Housing Officer requires that the land is entirely developed for social housing.
- The new houses could detract from the peaceful aspect of the cemetery and cause upset to relatives.
- The extension of the Persimmon development (St Michaels Close) will provide new houses to meet the village's requirements over the next few years.
- Question if there are employment opportunities within a commutable distance?

CONSIDERATIONS

The main planning considerations for this application are considered to be; the principle of residential development of this site; impact upon highway safety; impact upon neighbouring amenity; landscape impact/design; ecological impact; and planning obligations.

Principle

As noted in the Policy section part of this report, the effect of the appeal decision for land to the rear of Wincanton Community Hospital, Dancing Lane, Wincanton established that as of 29th August 2012 South Somerset does not have a 5 year supply of deliverable housing land.

In such circumstances, the National Planning Policy Framework (NPPF) advises that housing applications should be considered in the context of the presumption in favour of development. The principal effect of this decision is that saved policy ST3 Development Limits no longer applies in relation to housing or mixed proposals. In this case, the application site is adjacent to an allocated housing site within the development boundary of South Petherton. As such, the adjacent site was considered to be a sustainable location for some development in the 2006 plan. South Petherton is a large village containing a variety of shops, services, facilities, and employment opportunities. Given that the site is immediately adjacent to the existing built form, and development area, of South Petherton the site is considered to be a sustainable location for residential

development, and the principle is therefore considered to be acceptable. It should be noted that the NPPF still recognises that normal development management criteria will continue to apply in terms of landscape, historic environment, access, flooding, environmental damage, amenity etc.

Highway Safety

This application is accompanied by a highly detailed Transport Assessment along with a draft Travel Plan Statement. These documents contain evidence and analysis of the transport implications of the development. These documents were thoroughly assessed by the County Highway Authority who determined that additional information and remodelling of some of the data was required. The applicant's Transport Consultant supplied the additional information requested and as a result the County Highway Authority has confirmed that they have no objection to the proposals subject to the imposition of conditions. In addition, the proposals have been considered by the Highways Agency due to the proximity of the A303 trunk road and they have confirmed that they have no objection to the proposals. As such, whilst the comments of the residents are noted, it is not considered that it would be possible to substantiate a reason for refusal on the grounds of highway safety. The transport documents supplied have clearly and demonstrably assessed the potential transport implications of the development and this data has been found to be sound by the County Highway Authority.

In terms of the comments of Parish Council and residents regarding pavement access, it should be noted that the plans have been amended to remove trees near to the site pavements in order to prevent possible slipping by pedestrians and confirmation that cross-over dropped kerbs are included at the entrance to the site off Chapel Fields. It has to be noted that it would not be reasonable to require the developer to improve all the pavements from the site into the village centre as the development of 22 homes would not lead to a significant increase in the use of these pavements. The pavements into the village centre are all part of the public highway and as such it is for the County Highway Authority to ensure that they remain clear and unobstructed.

Neighbouring Amenity

In terms of the layout of the proposed site, due to the orientation of the majority of properties there is unlikely to be any significant loss of amenity to existing residents or to the future residents of Chapel Fields. The back to back distances to existing properties in Hayes End are in excess of 29 metres and as such there is unlikely to be any significant overlooking of adjoining houses and gardens.

Concern has been expressed regarding the relationship with the adjoining cemetery however, this boundary already includes a mature hedgerow and the requirement for an acoustic fence and the establishment of a 3.5m wide buffer strip that will include planting will ensure that there is an acceptable gap between the development and the cemetery. None of the proposed houses are directly on the boundary with the cemetery and as such it is not considered that overlooking of the cemetery will be significant.

Landscape Impact/Design

The site is physically contained by residential development, the cemetery and community woodland. As such, it is not considered that the proposed development will be unduly obtrusive within the wider landscape. In terms of the immediate locality the proposal does involve the removal of some trees but none of the trees are considered to be worthy of retention and it is not considered that the loss of these trees could be resisted on the grounds of landscape impact. The Landscape Officer has confirmed that he has no objection to the amended plans.

In design terms, the proposed development is a continuation of the Chapel Fields development incorporating traditional designs and materials. Houses will line the small roadway into the site with a square at the end around which additional houses will be located. Four of the houses have been designed to follow the curve of the road. As such, the estate will have a strong street scene and will form an appropriate addition to the existing estate. As such, it is considered important the estate retains this strong design approach and with the proposals for changes to permitted development allowances it is recommended that conditions be imposed to restrict extensions and outbuildings.

Ecological Impact

There is a badger sett at the north-eastern corner of the site; this will be relocated to the community woodland adjoining the site. South Petherton Parish Council is the owner of the woodland and has confirmed that they are agreeable to the establishment of a purpose built sett on this land. The Ecologist has confirmed that he has no objection to the proposals on the basis of the ecological statement subject to a condition regarding mitigation.

Planning Obligations

The SSDC Community, Health and Leisure department have sought contributions towards local and strategic outdoor playing space, sport and recreation facilities of £91,148.43 (£4,143.11 per dwelling). The applicant has agreed to pay the total contribution sought and the application is therefore considered to comply with policy ST10 of the South Somerset Local Plan.

The applicant has confirmed that eight of the twenty proposed properties will be affordable in accordance with policy HG7 (as amended) of the South Somerset Local Plan. The SSDC Housing Officer has indicated that she is happy with the proposed property mix and tenure type. She has also requested that the units should be 'pepper-potted' throughout the site and that the units are developed to blend in with those proposed. However, there is no policy to require that affordable properties are distributed throughout developments, the adjoining site has been designed with one area of affordable housing and as such it is considered unreasonable to require that this development be built in a different manner. This issue was considered by an Inspector at a recent appeal decision in Chard who determined that in the absence of local plan policy it would be inappropriate to require that affordable units be 'pepper-potted' through a housing development.

Other issues

- Code for Sustainable Homes – whilst the climate change officer raised an objection to the scheme, the District Council currently has no policies that would justify requiring the applicant to address these concerns. Nevertheless it is to be noted that the agent has agreed to a condition requiring that the dwellings would be designed to meet level four of the Code for Sustainable Homes.
- Disturbance – It is recognised that building works may cause disturbance to surrounding properties. However, these works will be temporary in nature and rarely, if ever, could this type of temporary disturbance be a reason to refuse planning permission.
- Health and Safety – The transport implications of the development have been thoroughly assessed by the County Highway Authority and found to be acceptable.
- Village wide implications – This proposal has been assessed against the relevant local plan policies and the County Highway Authority has assessed the transport implications. It is not possible to refuse this application on the basis that it should be part of a wider consideration of the settlement as a whole.

S.106 Agreement

Should the application be approved a Section 106 agreement will be necessary to:-

- Secure the agreed contribution towards strategic and local outdoor playing space, sport and recreation facilities.
- Ensure that 8 of the residential units are of affordable tenure and remain so in perpetuity.

Conclusion

In light of the Council's lack of a five year land supply, this site and its location adjacent to a recognised development area mean that where other policy criteria are met then it can be considered sustainable development. It is considered that the impact on the landscape, residential amenity and highway safety will be acceptable. The impact on local ecology is considered to be acceptable subject to suitable mitigation. The applicant has agreed to pay the appropriate contributions. The application is considered to be acceptable in all other regards.

Therefore, notwithstanding the various concerns raised, the proposed development is considered to be in accordance with policies ST3, ST5, ST6, ST7, ST10, EC3, EC8, EU4, TP1, TP2, TP4, TP7, CR2, CR3, CR4 and HG7 of the South Somerset Local Plan and the aims and provisions of the NPPF. As such the application is recommended for approval.

RECOMMENDATION

That subject to no new and relevant issues being raised at the end of the re-consultation period, the Development Control Manager with the agreement of the Chair be authorised to APPROVE planning application no. 12/04885/FUL subject to:-

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

- a) The agreed contribution to off-site play provision (to the satisfaction of the Local Planning Authority):-
 - £45,378.89 to be used for local facilities.
 - £26,280.79 to be used for strategic facilities.
 - £18,586.29 as a commuted sum towards local services.
 - £902.46 as the Community, Health and Leisure Service administration fee;
- b) To ensure that eight of the residential units are affordable and remain available long term to satisfy local need as set out by policy HG9 of the South Somerset Local Plan (to the satisfaction of the Local Planning Authority);

and;

2) The following conditions:

Justification

Notwithstanding the local concerns, the provision of 22 houses in this sustainable location would contribute to the council's housing supply without demonstrable harm to

residential amenity, highway safety or visual amenity. The appropriate mitigation has been put forward to address concerns about ecological issues. As such the scheme is considered to comply with saved policies ST3, ST5, ST6, ST7, ST10, EC3, EC8, EU4, TP1, TP2, TP4, TP7, CR2, CR3, CR4 and HG7 of the South Somerset Local Plan 2006 and the aims and objectives of the NPPF.

CONDITIONS

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

Reason: To accord with the provisions of section 91(1) of the Town and Country Planning Act 1990.

02. The development hereby permitted shall be carried out in accordance with the following approved plans:

- 3164/002 (Location Plan); 2026-08.1 rev A; 3159/004, 3159/006, 3159/008 Rev A, 3159/010, 3159/012, 3159/014 Rev A, 3159/016, 3159/018 Rev A, 3159/020, 3159/030, 3159/031, 3159/033, 3164/003, 3164/005, 3164/007, 3164/009, 3164/011, 3164/013, 3164/015, 3164/017, 3164/028 and 3164/029; all received 19 December 2012;
- 3164/019 Rev A, 3164/032, 3164/035 Rev A and 3164/036 Rev A all received 3 January 2013;
- 3164/001 Rev F, 3159/037, 3159/038, 3159/039, 3159/040, 3159/041 and 5815/1 (Landscape) all received 27 February 2013;
- 3227/001 Rev G (schedule updated by agent's email of 6 March 2013) received 4 April 2013.

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

03. No development hereby approved shall be carried out until particulars of following have been submitted to and approved in writing by the Local Planning Authority;

- a) details of materials (including the provision of samples where appropriate) to be used for the external walls and roofs;
- b) panels of brickwork and stonework shall be provided on site for inspection;
- c) details of the recessing, materials and finish (including the provision of samples where appropriate) to be used for all new windows (including any rooflights) and doors;
- d) particulars of all boundary treatments and hard surfacing materials. Such details shall include the use of porous materials to the parking and turning areas;
- e) details of meter cupboards and gas boxes;

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

Reason: To safeguard the character and appearance of the area in accordance with policies ST5 and ST6 of the South Somerset Local Plan, and in the interests

of highway safety in accordance with Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review.

04. The buffer strip planting indicated on Drawing No. 5815/1 shall be undertaken in the planting season immediately following the erection of the acoustic fence, and the remainder of the planting shown on that same landscape plan, shall be undertaken during the planting season immediately following the completion of external building works; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of visual and residential amenity in accordance with Policy ST6 of the South Somerset Local Plan (2006).

05. All existing hedges or hedgerows shall be retained, unless shown on the approved drawings as being removed. All hedges and hedgerows on and immediately adjoining the site shall be protected from damage for the duration of works on the site to the satisfaction of the Local Planning Authority in accordance with the recommendations in British Standard 5837 1991. Any part(s) of hedges or hedgerows removed without the Local Planning Authority's consent or which die or become, in the opinion of the Local Planning Authority, seriously diseased or otherwise damaged within five years following contractual practicable completion of the approved development shall be replaced as soon as is reasonably practicable and, in any event, by not later than the end of the first available planting season, with plants of such size and species and in such positions as may be agreed in writing with the Local Planning Authority.

Reason: In the interests of visual and residential amenity in accordance with Policy ST6 of the South Somerset Local Plan (2006).

06. Before the development hereby permitted is a commenced, foul and surface water drainage detail to serve the development, shall be submitted to and approved in writing by the Local Planning Authority and such approved drainage details shall be completed and become fully operational before the development hereby permitted is first brought into use. Following its installation such approved scheme shall be permanently retained and maintained thereafter.

Reason: To ensure satisfactory drainage at the site.

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

Reason:- In the interests of highway safety and to accord with Policy ST5 of the South Somerset Local Plan (2006) and Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review 1991-2011.

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

Reason:- In the interests of highway safety and to accord with Policy ST5 of the South Somerset Local Plan (2006) and Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review 1991-2011.

09. The car parking spaces to be provided shall be kept available for the parking of motor vehicles at all times. The car parking spaces shall be used solely for the benefit of the occupants of the development hereby permitted and their visitors.

Reason:- In the interests of highway safety and to accord with Policy ST5 of the South Somerset Local Plan (2006) and Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review 1991-2011.

10. The new development shall not be commenced until a detailed Travel Plan has been submitted to and approved in writing by the Local Planning Authority. No part of the new development shall be occupied prior to implementation of those parts identified in the Approved Travel Plan as capable of being implemented prior to occupation. Those parts of the Approved Travel Plan that are identified therein as capable of implementation after occupation shall be implemented in accordance with the timetable contained therein and shall continue to be implemented as long as any part of the development is occupied.

Reason: To promote sustainable travel in accordance with policy TP2 of the South Somerset Local Plan.

11. The development hereby permitted shall not be commenced until there has been submitted to and approved in writing by the Local Planning Authority full details of mitigation and compensation measures in respect of badgers (including replacement artificial setts, and the identification and protection of any corridors or commuting routes important for the welfare of badgers). The works shall be implemented in accordance with the approved details and timing of the plan, unless otherwise approved in writing by the local planning authority.

Reason: For the conservation and protection of legally protected in accordance with Policy EC8 of the South Somerset Local Plan, and to ensure compliance with the Wildlife and Countryside Act 1981, and Protection of Badgers Act 1992.

12. The development hereby permitted shall not be commenced until a scheme for the maintenance of the buffer strip and the communal open spaces shown on the submitted plan has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented fully on the completion of that proportion of the total development specified in the scheme and the buffer strip and open space area shall thereafter be retained and maintained in complete accordance with the scheme.

Reason: In the interests of visual and residential amenity in accordance with Policy ST6 of the South Somerset Local Plan (2006).

13. The development hereby permitted shall not be commenced until full details of the acoustic fence shown on Drawing No. 3227/001 Rev G received 4 April 2013 has

been submitted to and approved in writing by the local planning authority. The fencing as approved shall be installed prior to the occupation of any dwelling hereby approved and thereafter retained in such condition to ensure its effectiveness.

Reason: In the interest of the amenity of the occupiers of the dwellings in accordance with Policy ST6 of the South Somerset Local Plan (2006).

14. The development hereby permitted shall not be commenced until full details of the proposed sheds/outbuildings for Plots 17 – 22 (inclusive) and the proposed motorcycle/bicycle store 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 and residential amenity in accordance with Policy ST6 of the South Somerset Local Plan (2006).

15. The development hereby permitted shall not be commenced until details confirming that the dwellings will be built to Code for Sustainable Homes Level 4 (December 2006) 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 order to support the move to a low carbon future in accordance with paragraph 95 of the NPPF.

16. Demolition or construction works or deliveries to the site shall not take place outside 0800 hours to 1800 hours Mondays to Fridays and 0800 hours to 1300 hours on Saturdays nor at any time on Sundays or Bank Holidays.

Reason: In the interests of residential amenity in accordance with Policy ST6 of the South Somerset Local Plan (2006).

17. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- a) the parking of vehicles of site operatives and visitors
 - b) loading and unloading of plant and materials
 - c) storage of plant and materials used in constructing the development
 - d) measures to control the emission of noise, dust and dirt during construction
 - e) routing of construction vehicles

Reason: In the interests of residential amenity in accordance with Policy ST6 of the South Somerset Local Plan (2006).

18. 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), there shall be no extensions (including dormer windows) to these buildings without the prior express grant of planning permission.

Reason: In the interests of visual and residential amenity in accordance with Policy ST6 of the South Somerset Local Plan (2006).

19. 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 garages/outbuildings shall be erected other than those expressly authorised by this permission.

Reason: In the interests of visual and residential amenity in accordance with Policy ST6 of the South Somerset Local Plan (2006).

Informatives:

01. Before this development can commence, a Licence in respect of badgers will be required from Natural England. You will need to liaise with your ecological consultant for advice and guidance on the application for this licence.
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