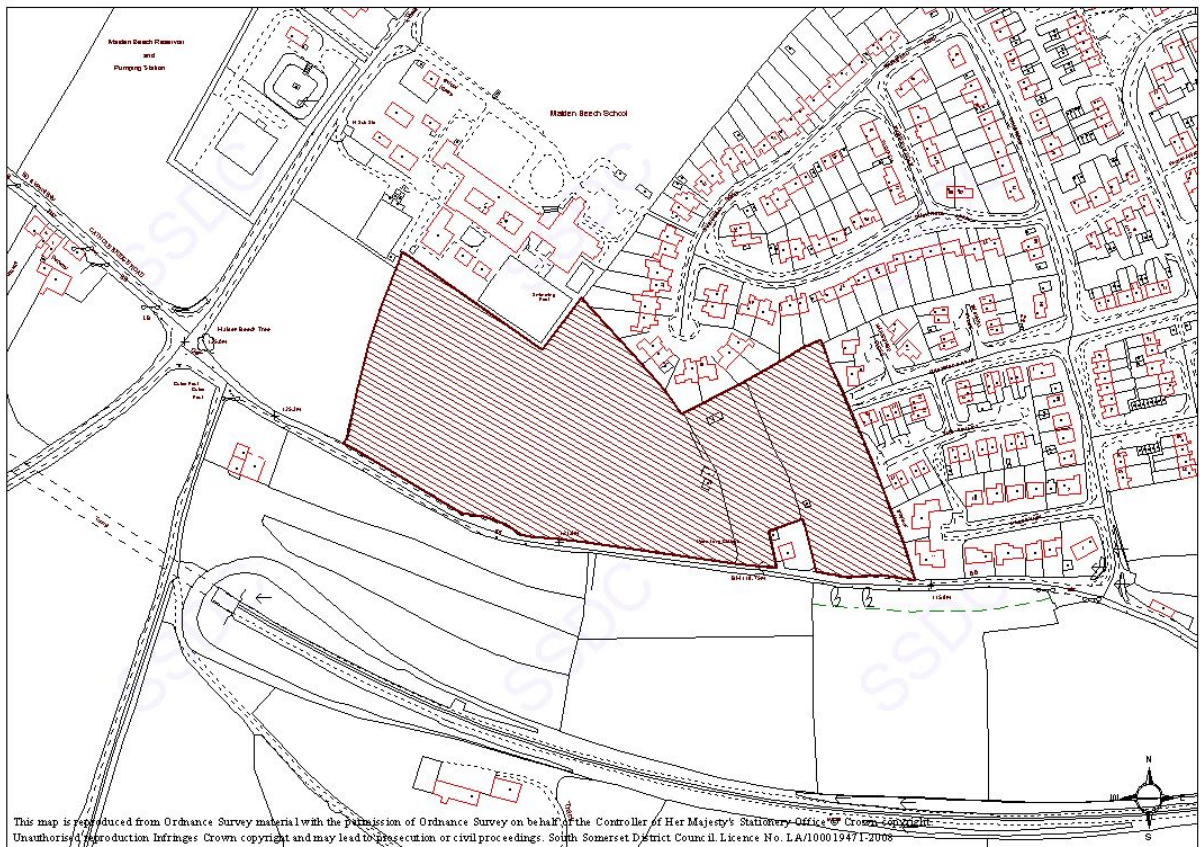


**OFFICER: Dave Norris 01935 462382 [Item 3]**  
**APPL.NO: 07/04736/FUL APPLICATION TYPE: Full Application**  
**PARISH: Crewkerne WARD: CREWKERNE TOWN**  
**DESCRIPTION: The erection of 114 No. dwellinghouses (GR 343850/108551)**  
**LOCATION: Land At Maiden Beech Cathole Bridge Road Crewkerne Somerset TA18 8PE**  
**APPLICANT: Persimmon Homes South West**  
**AGENT: Turner Holden White Young Green Hawkridge House Chelston Business Park Wellington Somerset TA21 8YA**  
**DATE ACCEPTED: 5 November 2007**

**REASON FOR REFERRAL TO COMMITTEE:**

The application is presented to Committee at the discretion of the Team Leader as a major development which has significant implications in relation to relevant policies, and a significant impact on infrastructure in the town. The application was deferred at the last committee to allow time for the flooding issue to be resolved with the Environment Agency.

**LOCATION:**



The application site is located within the development limits of Crewkerne on the southern edge of the town situated between Kingswood Road and Maiden Beech crossroads. To the northwest of the site are Maiden Beech School and its sports facilities. To the north and east the site is bordered by existing housing development built in the last 30 years; to the south by Cathole Bridge Road beyond which are fields and the Exeter to Waterloo railway line, and the west by the school playing fields. The site is bounded on three sides by existing development.

**PROPOSAL:**

The proposal is for full planning permission for 114 houses of mixed type including 40 units of affordable housing (35% of the total). The site is allocated in the SSDC Local Plan 2006, it is

3.5 hectares in area, and the resultant density will be 32.6 dwellings per hectare. Access will be via an elongation of Kingswood Road. In addition, there will be an emergency entrance onto Cathole Bridge Road.

The design proposes a road running through the centre of the site with a narrowing near the start to ensure traffic enters the main part of the site at an appropriate speed. Block paving is also proposed along the road to provide for additional traffic calming. Two main areas of open space are proposed, one to the west on the boundary with the school sports field and one in the main body of the site. The open space within the main part of the site will be used to provide a LEAP (local equipped area for play). A strip of open space is also proposed along the boundary with Cathole Bridge Road.

There is a mix of housing types proposed. Both the houses for sale and the affordable housing will comprise three storey apartments (with 2 bedroom units), two-bedroom coach houses, two/three/four bedroom houses and a three-storey four-bedroom house. A three-bedroom bungalow available for the disabled has been included within the affordable element at the request of the Housing Department. The three storey elements are situated at the south of the site within the central band running east to west.

Also proposed is a pedestrian access to Maiden Beech School from the site, this is subject to agreement with the School and Local Education Authority.

Accompanying the application is a planning statement which outlines the planning case for the grant of planning permission and includes a summary of the other supporting documents i.e. a statement of community involvement, a transport assessment, a drainage assessment, a landscape and visual appraisal, an ecology report and finally a design and concept statement. A Flood Risk Assessment has been submitted in response to a request from the Environment Agency.

The principal design objectives as set out in the 2005 outline application have been applied to this full application. These are:

- Creating a woodland buffer along southern and western edges of the site
- Retaining existing hedgerow and trees as far as possible and supplement existing planting
- An area of open space that will be used as a LEAP
- Mitigate hedgerow removal with further planting
- Vary the height and design of the housing to provide interest
- Retain a flexible approach with regards to boundary treatment with 'sensitive' neighbours
- Provide a sensitive planting buffer to the western boundary of Upon Lang Cottage
- Use materials which follow the landscape character and respect local vernacular
- Include in built traffic calming
- Housing with frontages facing the road
- Promote enclosure of the street by building blocks
- Creation of street spaces of varying character
- Dealing with parking issues within plots
- Reducing highway requirements through design

The application states that the design approach taken is to provide a street structure for the benefit of pedestrians and to provide built-in traffic calming principally by building layout. The design objectives are proposed to create a building dominated, pedestrian friendly, housing environment.

#### RELEVANT HISTORY:

78/1658 - use of land for storage of bulk milk tanks & improve access - refused 1979

83/2117 - use of land for storage of bulk tanks & surplus lorries - refused 1984

89/1656 - 4 detached dwellings & 10 terraced dwellings - refused 1989 (appeal dismissed)

90/8097 - 17 dwellings (outline) - refused 1990 (appeal dismissed)  
00/00425 - formation of access to school playing fields - approved 2000  
05/02889/OUT - Outline application for residential development (including strategic landscaping). At the Area West Committee on 15 November 2006 it was resolved: that planning permission be granted subject to:-

- 1) the applicant entering into an agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) to secure the following:-
  - a) provision of affordable housing at a rate of 35% with the percentage of social rented and shared equity to be determined;
  - b) off-site highway works and/or contributions as appropriate as outlined in the agenda report, including the submission and implementation of a travel plan and public transport contributions;
  - c) education contribution;
  - d) public open space and off-site play space contributions together with long term management proposals;
- 2) Conditions 1-26 and note 1 set out in the agenda report;
- 3) details regarding the appropriate contributions relating to the Section 106 Agreement and the inclusion of any additional conditions in any permission being delegated to the Head of Development and Building Control in consultation with the ward members.

The associated Section 106 agreement is still under discussion and is yet to be agreed and signed, therefore, the outline consent has not been issued.

The site was proposed for development in the Draft SSDC Local Plan in 1994 and has been retained in the various stages of the Local Plan since then. The site was the subject of objections to the local plan Inquiry. The Local Plan Inspector supported its allocation of approximately 100 dwellings. This has subsequently been confirmed by the Council in its proposed modifications and then followed through into the now adopted Local Plan.

#### POLICY:

The development plan for the area comprises the Draft Regional Spatial Strategy (RSS) formerly known as Regional Planning Guidance for the South West (RPG10) September 2001, Somerset & Exmoor National Park Joint Structure Plan Review (SENPJSPR) April 2000 and the South Somerset Local Plan (Adopted April 2006) (SSLP).

#### *RPG10 (Adopted Sep 2001)*

Section 2 of RPG10 sets out the vision, aims and key objectives for the southwest. In particular, Policy VS1 outlines the vision of RPG including the promotion of sustainable patterns of development, minimising the need to travel and concentrating growth in designated centres of growth. Policy VIS 2 outlines the principles for future development that should be reflected within local development plans. These principles include the need to use land efficiently with high quality design, the provision of a balance of land uses i.e. a mix of housing types, business/commercial development, education and leisure facilities and recreation uses. In addition, it outlines the need to meet the economic and social needs of rural communities and promotes the provision and enhancement of public transport services and walking and cycling networks.

Policy SS 2 relates to the location and distribution of development. This provides an urban focus upon future development with growth taking place primarily within the Principal Urban Areas (PUA's) for example Taunton. These areas provide the best opportunity for accommodating growth in the most sustainable way. Outside of the PUA's, growth can be provided in other designated centres for growth to meet housing and employment needs in the sub- region (Yeovil). It also outlines the role of towns that should be designated to act as

local service centres for the wider rural areas. Crewkerne with its wide hinterland acts as a local service centre for many smaller towns and villages in the area.

The role of towns is supported by Policy SS 7, which focuses upon meeting local needs. It stresses that towns that can serve wider rural areas should be identified to accommodate smaller scale development.

Policy HO 3 relates to provision of affordable housing and seeks to ensure that sufficient affordable housing is provided by local authorities in order to meet the identified community housing need. The Maiden Beech allocation seeks 35% affordable dwellings.

Policy HO 6 seeks to promote strong and stable communities through provision of a wide mix of housing types and tenure options. This includes the provision of affordable housing and good quality design reflecting local distinctiveness.

Policy TRAN 1 focuses upon reducing the need to travel. This can be achieved by the appropriate location of new development and creating a balanced mix of uses in new developments.

#### *Regional Spatial Strategy:*

Regional Planning Guidance for the South West (RPG10) (adopted 2001) currently has the status of RSS and forms part of the development plan. In June 2006, the South West Regional Assembly formally submitted the draft Regional Spatial Strategy (RSS) to the Government Office for the South West.

The South West Regional Assembly submitted the final draft of the RSS to the Government Office for the South West on the 26th April 2006. Consultation responses were submitted to the independent Examination in Public (EiP panel). The EiP ran from April to July 2007 and the panel are expected to produce their report at the start of 2008. The emerging RSS vision is to deliver sustainable communities and a more sustainable future for the region. The spatial strategy focuses most new development in a limited number of Strategic Significant Cities and Towns (Development Policy A). Below these places, locally significant development will be appropriate in settlements with a range of existing services and facilities and the potential for sustainable development (Development Policy B). The RSS will provide housing totals for authorities and housing market areas, which for South Somerset are coincidental and are likely to be very close to existing Joint Structure Plan levels. Yeovil is included in the Strategically Significant Cities and Towns and has an annual target of 320 dwellings (2006-2026). Development Policy H proposes a target of at least 50% of new development on previously developed land (pdl). Policy H1 identifies a target of at least 30% of new housing that should be affordable housing, with rates up to 60% or higher in areas of greatest need.

#### *Somerset and Exmoor National Park Joint Structure Plan (2000):*

The Structure Plan reflects the key strategic aims of national and regional policy and sets the strategic context for the delivery of housing and employment at the district level. Its key objective is the delivery of sustainable forms of development (Policy STR1) with the focus on new development in towns (Policy STR4) where sustainable development objectives can be best achieved, particularly in terms of reducing the need to travel. Crewkerne is defined within the structure plan as a town, which will function as an appropriate location for residential, education and employment use (Policy STR2).

Policy 16 sets the level of provision within the various Somerset districts for industrial, warehouse and business development. Similarly Policy 33 outlines the provision for housing across Somerset with South Somerset providing 30.6% of the total requirement (13700 dwellings). Policy 35 relates to the provision of affordable housing in order to meet identified local need. Policy 49 advises that proposals for development should be compatible with the existing transport infrastructure, or, if not, provision should be made for improvements to enable development to proceed.



*Structure Plan Review (Deposit Draft 2004):*

Since publication of the Structure Plan, RPG 10 has been published along with other changes in national planning policy guidance. Thus, in order to keep the guidance in the Structure Plan up to date, a Joint Structure Plan Alteration (Deposit Draft) was published in 2004. As an alteration, many of the policies remain unchanged. Importantly it reiterates the general approach of the adopted plan with regard to future development and growth. However, the altered structure plan has been put on hold and will not be carried through to adoption and thus carries only limited weight.

*South Somerset Local Plan (2006):*

The SSLP was adopted on the 27th April 2006 and replaces the Crewkerne Local Plan.

The strategy of the SSLP reflects guidance in RPG 10, the adopted structure plan and national planning policy guidance. The key aim is to achieve more sustainable patterns of development by focusing the majority of growth in the towns. Yeovil is identified in RPG10 as a Designated Area for Growth and thus is allocated the biggest growth in terms of housing and employment. However, as per the guidance in RPG10, development plans should identify, where appropriate, towns to accommodate smaller scale development to serve local needs and make services available to the wider rural area. Thus, as identified in the Structure Plan, Crewkerne is identified as a town providing a general employment and service function and is considered suitable for future growth. It is therefore one of the primary locations for future development as identified in the SSLP.

There are a range of policies in the SSLP which will support the delivery of a sustainable and high quality development on the application site. Policy ST5 relates to the general principles of development and sets out a range of criteria, which need to be considered in making planning decisions. The development will also need to meet the quality of development criteria of Policy ST6.

With regard to transport issues, the SSLP contains various policies that reflect national and regional guidance in terms of providing new developments that reduce the need to travel, particularly by private car and the promotion of alternative means of travel. Policy TP1 relates to pedestrian and cycling provision in new developments. Furthermore, with regard to promoting and delivering sustainable transport objectives, Policy TP2 requires the submission of a travel plan. Policy TP5 will seek to ensure that developments, which are likely to generate significant levels of traffic demand should be accessible by a choice of means of transport other than the car, including public transport. Policy TP6 sets maximum levels of parking for non-residential uses. Policy TP7 sets the maximum off-road residential parking standards. Within towns, the provision is 1.5 parking spaces per dwelling. However, this should be set at a lower level where locations are particularly accessible or for housing types with less demand than family housing.

With regard to housing, Policy HG1 relates to the provision of housing to meet the overall requirement for the district. Policy HG2 lists the housing allocations within the district, including KS/CREW/1. Policy HG3 relates to the phasing policy. This policy seeks to ensure that priority is given to the development of previously developed brownfield sites and the phased release of allocated greenfield sites, including the 3 key site allocations outside of Yeovil. This application site is therefore subject to the phasing policy and this issue was debated during the consideration of the last application and it was agreed whilst this is a green field site it would be acceptable to allow this development to come forward now.

Policy HG4 relates to housing densities and seeks a net density of at least 30 dwellings per hectare on every new development. This reflects national guidance outlined in PPG3. Higher densities will be sought in locations with good public transport accessibility. On larger developments such as this proposal, a range of densities may be appropriate provided the overall average net density is 30 dwellings per hectare. Policy HG6 relates to the total number

of affordable homes the council will seek to achieve in the district. Policy HG7 relates to affordable housing within new housing developments.

In relation to the provision of outdoor playing space and amenity Space, Policy CR2 is relevant. This policy sets the standard requirement per 1000 population for adults, young people and children's various play space requirements.

Proposal HG/CREW/3, Chapter 15 of the adopted Local Plan allocates the site for housing to accommodate approximately 110 dwellings:

"Land at Maiden Beech, Crewkerne, (approximately 3.5 hectares/8.6 acres) is allocated for housing development and is expected to provide approximately 110 dwellings. The development will be subject to:

- Provision of a target of 35% affordable housing;
- Woodland buffer along the southern and western edges;
- Appropriate contributions towards improvements to affected highway infrastructure
- The allocation being phased for development after 2007."

Further relevant policies from the SSSLP are:

- ST7 - Quality of open space
- ST8 - Sustainable construction
- ST9 - Crime prevention
- ST10 - Planning obligations
- EP3 - Light pollution
- TP1 - New development and pedestrian provision
- TP4 - Design of residential roads
- TP5 - Public transport
- TP7 - Parking provision
- EC7 - Landscape features of major importance to wildlife
- EC8 - Protected wildlife species

#### *Government Policy:*

National planning guidance is provided in Planning Policy Statement 1: Delivering Sustainable Development (PPS1), Planning Policy Statement 3: Housing (PPS3), Planning Policy Guidance Note 4: Industrial and Commercial Development and Small Firms (PPG4), and Planning Policy Guidance Note 13: Transport (PPG13).

All these documents emphasise the importance of sustainable development and promote the use of already developed land in the most efficient ways. In relation to housing PPS3 promotes principles of sustainable development and for housing to be provided in the most sustainable way. It continues to encourage efficient use of land with particular reference to redevelopment of brownfield land and density. It advises on the carrying out of housing market and housing land assembly assessments. PPG4 encourages economic development and emphasises the need to take account of both locational demands of business and wider environmental objectives.

#### CONSULTATIONS:

##### *Crewkerne Town Council:*

Recommend approval subject to:-

1. The boundary treatments being agreed with SSSDC Planning Officer.
2. No windows facing existing buildings
3. A condition that any first floor windows applied for in the future facing adjoining properties must be subject to a planning application.
4. Provision of an adequate water supply by Wessex Water
5. Stability of the retaining wall adjacent to No.'s 49-53 Bushfield Road

6. Details of the building materials to be agreed to the satisfaction of the SSDC Planning Officer
7. Consideration be given to the provision of allotments
8. The provision of a lockable gate to the school grounds to be controlled by Maiden Beech School

Additional comments relating to amended drawings:

- 2 windows on northern elevation of bungalow to be obscure glazed
- the disabled persons bungalow on plot 50 needs to be compliant with Part M of Building Regs
- would not want the landscaping on northern boundary to be too tall
- some concerns about dogs accessing and fouling play area
- plot 2 needs to be readjusted to avoid overlooking

*County Highway Authority:*

Have submitted initial comments to the developer with various requests for amendments. This included a request that the main roadway through the site be widened to 6 metres to facilitate the possibility of developing the sports fields to the west of the application site. Further comments will be reported at the meeting. Their requirements for the outline development in terms of the s.106 were:-

- make a contribution towards highway infrastructure improvements inclusive of but not limited to pedestrian crossing facilities, traffic priorities, roundabouts, pedestrian accessibility at Market Street, junction of Lyme Road and Lang Road, and traffic calming in Kithill Road.
- make a contribution towards the bus interchange in Crewkerne town centre
- provide bus passes for each household in the first year as part of a welcome pack
- provide and implement a travel plan.

*Somerset CC Property Services (Education):*

The development would result in additional demand for places at local schools and, in the event of planning permission being granted the County Council would seek contributions to provide additional accommodation as necessary through the completion of an agreement under section 106 of the Town and Country Planning Act 1990. They have had detailed discussions with the developer through negotiations on the s.106 for the outline application. The heads of terms agreed to date are:-

- Social rented dwellings (assuming 17.5% of total social housing) excluded from the calculations.
- Educational contributions of £1,465 per non-social rented dwelling, to be paid prior to the first occupation of any dwelling; and to be used for the provision or enhancement of educational facilities within the catchment area. The calculation of this sum takes into account spare capacity at the local schools.
- A temporary classroom contribution of £89,000 to be requested by the County Council by Notice at the point planning permission is granted by the CLR development in Crewkerne.
- Contributions to be indexed linked to the DCSF Basic Need Cross Multiplier.
- Contributions to be the subject of a Bond.
- Contributions to be returned if not committed within 10 years of receipt.

*Environment Agency:*

Comments have now been received from the EA and they do not raise any objection subject to the inclusion of appropriate conditions.

*Housing Officer:*

I am assuming that you have already noted the number of properties, making it a 'qualifying site' and as such we should be expecting 35% affordable housing as a contribution from the developer. I believe Lynne Axford has also had discussions regarding the provision of a 3 x bed disabled bungalow.

*SSDC Landscape Architect:*

Broadly content with the proposals but has requested a number of minor alterations to the landscape plans. Amended drawings have addressed most of the landscape issues. A planning condition that will finalise the landscaping is necessary.

*Natural England:*

Withdraw their objection following submission of Wildlife Survey. This is subject to the inclusion of their recommended condition and the proposal being carried out in strict accordance with the details of the application. Advise that the mitigation proposals are assured through a planning condition using all the recommendations and comments contained within the 'Discussion and Recommendations' section of the Extended Phase 1 Survey undertaken by Michael Woods Associates in October 2007. Further the applicants should be informed that planning permission, if granted, does not absolve them from complying with the relevant law, including obtaining and complying with the terms and conditions of any licences required as described in Part IV of the Circular 06/2005.

*SSDC Technical Services:*

Request that drainage details be submitted for approval. These will need to incorporate SUDs system to ensure that surface water run-off is controlled to an agreed amount. Use of open spaces as possible floodable areas could be considered. Flood Risk Assessment, including assessment of existing drainage systems, is required.

*SSDC Leisure and Culture:*

In terms of the relevant requirements under Policy CR2 the development generates the following requirements:-

	Minimum provision (hectares)	Maximum provision (hectares)
<b>Youth and Adult Use</b>	0.4761	0.529
a) Playing pitch element of youth and adult use	0.3713	0.4126
<b>Young People and Children's Use</b>	0.1587	0.2116
a) Outdoor equipped playgrounds	0.0529	0.0793
b) Casual or informal play space	0.1058	0.1322
<b>Total Area in Hectares Required</b>	<b>0.6348</b>	<b>0.7405</b>

Playing pitch requirements - The Council's Playing Pitch Strategy 2002 indicates that there is already a shortfall of pitches in Crewkerne. Recommend that if a pitch cannot be provided on-site then an off site provision be sought in line with Policy CR3. Currently estimate that the contribution required (based on facility development costs provided by Sports England) as £817 per person or £1,895 per dwelling (based on 2.32 people per dwelling). Therefore, it is recommended that a contribution of £216,030 be sought to address the playing pitch obligation stemming directly from this development.

Strategic Facility Requirements - Policy ST10 supports the Local Planning Authority in seeking obligations to secure or contribute to the provision of community facilities to meet the demands directly stemming from a new development. Sports England has developed a Sports Facility Calculator (SFC) to help estimate the amount of key sports community facilities



required to meet the demands of the local population in a new development. Based on the SFC, the following off-site needs have been calculated:

Swimming pools	£28,904
Sports Halls	£54,822
Total off-site contribution to strategic facilities requested:	£83,726

Outdoor Equipped Play Provision - The layout plan sets out sufficient space for a Local Equipped Area for Play (LEAP). It is recommended that SSDC should adopt the land for the play area and using a capital contribution from the applicant of £55,000, build and equip the play area. The applicant would also be required to pay a commuted sum of £44,000 to cover the maintenance costs for a ten-year period. However, it is understood that the developer is planning to install the play area as part of the development. This will be subject to the agreement as to suitability of the proposal by the Sports, Art and Leisure Service.

Youth Facility Requirements - The South Somerset Sport and Recreation Built Facilities Assessment Report has identified the deficiency of a floodlit Multi Use Games Area (MUGA) for Crewkerne. Although this development is unlikely to generate the need for a full MUGA, it is right that it contributes a proportionate amount to this type of provision in the town. We have calculated the value of the contribution for this provision as £64.20 per person. Based on the 264 people expected by this development it would result in a total contribution of £17,028.

*Wessex Water*

Comments awaited.

*Environmental Protection Unit* has no observations.

*The Architectural Liaison Officer, Avon and Somerset Police* advises that:-

- Under drives have windows/entrances to give ownership and surveillance
- Parking courts are well surveyed from dwellings attached - what lighting provision is there?
- Car ports have doors capable of supporting 5 lever mortise locks
- Timber car ports have doors capable of supporting 5 lever mortise locks
- All rear access paths (especially communal ones) have key lockable gates
- Block paving to highways are raised to act as traffic calming
- Any existing tree canopies are raised to aid surveillance
- Important to establish if the partnership homes are seeking the 'Secure by Design' accreditation.
- With regard to the boundary treatment to the school - chain link fence is not secure, would advise welded mesh fence with integrated access door.

*Arboricultural Officer:*

The only significant good individual tree is the elm. But elms are not expected to survive for long and the tree is going to be in what appears to be amenity land and should not need protection. The hedges and trees bordering the amenity site appear to have a reasonable buffer area before any dwellings and gardens. The only conflict is the parking court adjacent to old small stone barn. The area is right under the hedge and within about a metre and a half of the good elm.

REPRESENTATIONS:

21 letters of objection/concern raising the following points:

- Proximity of some houses
- Potential overlooking and loss of light particularly along site boundaries and from taller units

- General boundary treatments
- Location of electricity poles
- Concerned about the possibility of badgers and other protected wildlife species using the site. Appropriate mitigation will be needed.
- Concern about new trees damaging sewer
- Support the provision of a pedestrian link to school in order to prevent parking problems at school times
- Concerned about the loss of water pressure with demand from extra housing
- Site layout drawing does not show correct boundary
- Security concerns on boundaries between existing houses and proposed footpaths
- Emergency access onto Cathole Bridge Road could be abused
- Pedestrian access onto Cathole Bridge Road will create an unnecessary hazard. If it is made then it should preclude use by motorcycles
- Traffic on Cathole Bridge Road is a disaster with lorries and cars using nearby housing estates
- Concerned about proximity of proposed garage and request a mono-pitch roof for the structure
- Street lighting - impact on existing residents
- Concerns about extra traffic near St Bart's school
- Concerns about boundary walls and potential land slip problems
- Ownership of hedges at the rear of some dwellings needs clarification
- Concerned about differences in site levels and the potential over-bearing that may result
- Any intention to use this development as a through road to Lyme Road should be removed completely
- Concerned about possible chimney which could result in fumes and smoke blowing onto neighbouring property
- Proximity of open space and possibility of children climbing banked area - request a wall/fence be built
- Existing on-street parking problems will be exacerbated by additional traffic from development
- Concern about only one access/exit point - is this safe and manageable?
- Traffic noise
- Disruption during construction
- Traffic speeds must be reduced - a lot of children in the area
- Landscape planting should be kept to a height that will not impact upon neighbours that adjoin the site

The agents for the application met with residents whose properties back onto the application site in November 2007. The plans have been amended in response to a number of the objections sited above.

The Headmaster of Maiden Beech School comments:-

- a) Open space land to north-west of plot 55 to be enclosed - request a redesign of the proposed access to prevent it from becoming misused
- b) Any access to school site would require a 2 metre lockable galvanised steel gate designed in keeping with others on the site
- c) Concerned about parking spaces between plot 63 and 64 may attract attempts to force entry to the school
- d) Request security fencing on boundary with school field. Minimum 2.5 metres high vertical mesh fence on development side. To be completed prior to any works.

It should be noted that the plans have been amended in light of the Headmaster's concerns apart from the inclusion of a 2.5 metre fence. This was considered to be excessive and would be visually intrusive as it would necessitate the removal of the boundary hedge. Details of the boundary treatments can be dealt by way of a planning condition.

## CONSIDERATIONS:

The principal considerations in this case centre on policy issues, transport, visual impact and design issues, and ecological issues.

### **A) Policy issues**

#### *Main Issues:*

In planning policy terms the main issues are:

- Whether the proposal accords with planning policies governing the sustainable location of new development;
- Whether there is a need for the housing development having regard to community needs, including the provision of affordable housing;
- Whether the proposal provides a high quality, sustainable development.

#### *Location of new development*

The principle of locating new development at Crewkerne is considered to be in accordance with both local and strategic policies.

The adopted Structure Plan identifies Crewkerne as a Town in Policy STR2. Policy STR4 encourages development in Towns in accordance with their role and function.

The South Somerset Local Plan adopts the settlement hierarchy and spatial strategy set out in the Structure Plan and makes provision for most new development to go to the five Towns in the District. As one of the District's larger Towns, Crewkerne is allocated around 14% of the district's total housing allocation, appropriate to its role and function as a service centre providing a range of services and facilities to a wide rural hinterland.

The Local Plan's approach to distribution of development and the Crewkerne Key Site allocation were tested at the Local Plan Inquiry (2002-2003).

In his conclusions on the patterns of development (Chapter 2, paras 13.1 - 13.67) the Local Plan Inspector supported designation of residential allocations in the five Towns, subject to the four smaller ones being subservient to Yeovil district. That accords with national, regional and strategic guidance. In terms of numbers of dwellings, the Inspector stated that 'it should be approaching the levels proposed in the draft plan' (about 858 dwellings.). On Crewkerne, in particular (paras 13.34 - 13.38), he concluded that there is need to accept fairly substantial levels of development, certainly at a level greater than its proportionate population would require. It is right that development be concentrated in what is the third largest town in the district. That accords with national, regional and strategic guidance. In terms of numbers of dwellings, the Inspector stated that 'it should be approaching the levels proposed in the draft plan' (about 858 dwellings.)

In reaching his conclusions on the distribution of development and the role of the District's smaller towns, the Inspector had explicit regard to policy guidance in RPG10 (paragraphs 13.25-13.27, Chapter 2, Local Plan Strategy).

In his conclusions on the Maiden Beech site (Chapter 15 para 9.3), the inspector reiterated that the Maiden Beech site needed to be considered on its own merits in terms of the town's role in meeting the structure plan requirement, whilst supporting the provision of 110 dwellings on the site which reflected density guidance held in PPG3.

In light of the recommendations in item 6 of chapter 10 the inspector recommended that the Maiden Beech site should be included in the plan for development in the second phase, 2007 to 2011.

The principle of development of the Maiden Beech site is supported by its allocation under proposal HG/CREW/3 in the Adopted Local Plan. The town is an appropriate location for this level of development and the site is suitable in terms of its relationship to the town and its services and can be developed without causing unacceptable harm to the setting of the town.

### *Affordable Housing*

With regard to affordable housing in Crewkerne, there is, undoubtedly a need. SSDC Housing has provided anecdotal evidence that there is a latent unsatisfied need in the town. The applicants have confirmed that they are willing to provide the required 35% affordable housing within the development with a 50/50 split between rented and shared ownership. The plots have been identified and the distribution is considered to be acceptable. A housing register survey carried out in 2005 indicated that the bulk of this need was for 2 and 3 bed units. A 3 bed bungalow has been provided to meet an identified local need.

### *Sustainable Location*

There can be no doubt that the site is sustainable in real terms notwithstanding it is a greenfield site. The site is well located in relation to existing services such as schools and has been shown for development in the Local Plan for over 10 years. The submission of a Travel Plan, and appropriate contributions for bus pass provision together with suitable conditions on cycleway and pedestrian links all point to a favourable recommendation. No objections have been received from the Highway Authority in this respect.

Whilst this is a greenfield site, it was established during consideration of the previous outline application that it would be right to bring it forward for development now. The dates allowed for such development being 2007-2011. Furthermore, the key sites in Yeovil have all now been agreed. Even with the current site permitted it appears that the Council is on or close to targets regarding the number of new dwellings permitted on recycled land over the plan period. The number of dwellings put forward with this application represents a reasonable density over the requirements set out in PPS3. In this respect an approval would be in accord with policy HG3.

## **B) Transport Issues**

The County Highway Authority appear content to require the developer to contribute towards the greater needs of the town overall. It is clear that the new development will have an impact on infrastructure needs in the town. The overall contribution requested will however make some provision for additional traffic calming if that is deemed a priority.

The County Highway Authority have requested that the site be developed with a spine road running through the centre of the site connecting to the western boundary. This advice is a recommendation only and needs to be set in context with an appropriate design. It is considered that provided the estate roads meet acceptable adoption standards there is no requirement to layout the site as suggested by Highways. To do so would result in a poor design that could have the perverse effect of increasing traffic speeds in the site. The proposed layout includes a number of twists and turns in the site that should help to reduce traffic speeds to an acceptable level as well as providing an interesting layout.

## **C) Visual Impact and Design Issues**

The proposed design and layout follow the design principles set out to respect the landscape character of the area. This includes the creation of a landscaped buffer and open space along the southern and western edges of the site; retention of many existing hedgerows and trees; the variation of building heights within the development to provide interest and townscape character; and use of materials to respect the local vernacular. The three storey elements are located so as to ensure the least impact upon surrounding properties to the north and east. The individual property on the southern boundary 'Upon Lang Cottage' will have a three-storey building to the rear but this is sited 22 metres from the rear boundary and screened by a number of mature trees. The design incorporates parking courts and coach houses to

ensure that cars do not dominate the area. It is therefore considered that the proposal is acceptable in overall visual impact terms given its location on the development edge with development on three sides.

Residents who are closest to the site have raised concerns relating to loss of privacy, domination, overlooking and treatment of the boundaries with the site. In terms of loss of privacy and domination, it is considered that the taller elements of the proposal have been sited so as to minimise the impact. Should permission be granted conditions could be attached to preclude the installation of additional windows at first floor level to protect neighbouring amenity. With regard to boundary treatments, this can also be dealt with by condition. It is understood that due to maintenance concerns a number of local residents would wish to see the removal of hedges from their rear boundaries. As these would be in private rear gardens, no objection is raised to such a proposal.

#### **D) Ecological Issues**

Natural England have withdrawn their objection to the proposal in light of the new wildlife survey. As such, it is considered that with the appropriate mitigation measures that can be imposed by way of condition the proposal is acceptable.

#### **CONCLUSION:**

The proposed development is considered to be in line with the policies as set out in the RSS, Somerset and Exmoor Joint Structure Plan, and the SSDC Local Plan taking into account relevant factors such as the need for affordable housing, the lack of any significant visual impact, appropriate mitigation with regard to protected species, and the acceptability of the site in sustainable development and transport terms together with the sites location within the existing development limits of the town. Subject to appropriate conditions and infrastructure requirements the development will not adversely impact on local residential amenities.

#### **RECOMMENDATION:**

That the application reference 07/04736/FUL be approved subject to:

- (a) the prior completion of a section 106 planning obligation(s) (in a form acceptable to the Council's solicitor(s)) before the decision notice granting planning permission is issued, the said planning obligation to cover the following items/issues:
  - i) contribution to highway works
  - ii) contribution to education
  - iii) contribution to off-site strategic sport facilities
  - iv) contribution to off-site playing pitches
  - v) provision of affordable housing
  - vi) provision of land for an on-site play area
  - vii) contribution to equip and maintain the play area
  - viii) Travel Plan
  - ix) Contribution towards youth facilities
- (b) the imposition of the planning conditions below on the grant of planning permission.

The proposed development is considered to be in line with the policies as set out in the RSS, Somerset and Exmoor Joint Structure Plan, and the SSDC Local Plan taking into account relevant factors such as the need for affordable housing, the lack of any significant visual impact, lack of impact on protected species, and the acceptability of the site in sustainable development and transport terms together with the sites location within the existing development limits of the town. Careful consideration has been given to policy objections but the above factors outweigh any potential concern regarding oversupply. Subject to appropriate conditions and infrastructure requirements the development will not adversely impact on local residential amenities.



1. 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.

2. 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:** In the interests of neighbour amenity and to accord with ST6 and ST10 of the South Somerset Local Plan.

3. The scheme hereby granted consent shall not be carried out otherwise than in complete accordance with the submitted plans and specifications and revised scheme detailed at the end of this condition. In the event that the work is not completed strictly in accordance with such approved plans and specifications, or shall become impracticable for whatever reason, work shall thereupon cease and only be recommenced if and when a revised planning permission has been obtained in regard to a further amended scheme of works which renders completion of the scheme practicable. The application was amended by site plan 1505/02 rev F received on the 24th January 2008.

**Reason:** To ensure that the site is developed in an acceptable manner.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order) the parking and garaging hereby permitted shall not be used other than for the domestic and private needs of the occupier and shall remain free of obstruction and available for that purpose.

**Reason:** In the interests of highway safety and to accord with TP7 of the South Somerset Local Plan 2006.

5. 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 windows/dormer windows other than those expressly authorised by this permission shall be constructed in the gable ends of plots 1, 2, 4, 11, 14, 40 and 50.

**Reason:** In the interests of neighbour amenity and to accord with ST6 of the South Somerset Local Plan 2006.

6. 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 is served by a properly surfaced footpath and carriageway to at least base course level between the dwelling and the existing highway.

**Reason:** In the interests of amenity and highway safety and to accord with ST5 and ST6 of the South Somerset Local Plan 2006.

7. No development approved by this permission shall be commenced until a Construction Environmental Management Plan, incorporating pollution prevention measures, has been submitted to and approved by the Local Planning Authority. The plan shall subsequently be implemented in accordance with the approved details and agreed timetable.

**Reason:** To prevent pollution of the water environment and to safeguard the amenity of adjoining residents and to accord with ST6 of the South Somerset Local Plan 2006.

8. No meter/utility boxes shall be created on the front elevation of the units hereby approved unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** In the interests of visual amenity and to accord with ST6 of the South Somerset Local Plan 2006.

9. No works shall commence on site unless a report has been submitted to and approved in writing by the Local Planning Authority that gives details of the boundary of the site with individual properties together with proposals as to how these boundaries will be treated. The approved boundary treatments shall be carried out before any dwelling is occupied.

**Reason:** In the interests of amenity and to accord with ST6 of the South Somerset Local Plan 2006.

10. Before any of the development hereby permitted is commenced details of the internal ground floor levels of the building(s) to be erected on the site shall be submitted to and approved in writing by the Local Planning Authority.

**Reason:** In the interests of visual and neighbour amenity and to accord with ST5 of the South Somerset Local Plan 2006.

11. The development hereby permitted shall not be commenced until particulars of the materials (including the provision of samples where appropriate) to be used for external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved materials unless otherwise agreed in writing.

**Reason:** In the interests of visual amenity and to accord with ST5 and ST6 of the South Somerset Local Plan 2006.

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

**Reason:** In the interests of visual amenity and to accord with ST5 and ST6 of the South Somerset Local Plan.

13. In this condition 'retained tree' means an existing tree which is to be retained in accordance with the approved plans and particulars submitted in accordance with the above condition.

- a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).
- b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.
- c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

**Reason:** In the interests of visual amenity and to accord with ST5 and ST6 of the South Somerset Local Plan 2006.

14. No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall utilise Sustainable Drainage Principles and shall not result in an increase in the rate &/or volume of surface water discharge to the local land drainage system. The drainage works shall be completed in accordance with the details and timetable agreed.

**NOTE TO APPLICANT**

- 1. The drainage scheme shall utilise sustainable drainage techniques or SuDS.
- 2. The outflow from the site must be limited to the maximum allowable rate: 15 l/s as stated.
- 3. The surface water drainage system must deal with the surface water run-off from the site up to the critical 1% Annual Probability of Flooding (or 1 in a 100-year flood) event, including an allowance for climate change (i.e. for the lifetime of the development). Drainage calculations must be included to demonstrate this (e.g. Windes or similar sewer modelling package calculations that include the necessary attenuation volume).
- 4. If there is any surcharge and flooding from the system, overland flood flow routes and "collection" areas on site (e.g. car parks, landscaping) must be shown on a drawing.
- 5. Adoption and maintenance of the drainage system must be addressed and stated.
- 6. Any temporary drainage measures that may be necessary to reduce the risk of flooding during the period of construction must be included.

**Reason:** In the interests of environmental health and to accord with EU4 of the South Somerset Local Plan 2006.

15. 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. On all buildings satellite dishes shall be of dark coloured mesh unless fixed to a light coloured, rendered wall, in which case a white dish should be used. Satellite dishes shall not be fixed to the street elevations of the buildings or to roofs. All soil and waste plumbing shall be run internally and shall not be visible on the exterior unless otherwise agreed in writing by the local planning authority.

**Reason:** In order to ensure that the development accords with the character of the area in accordance with Policy ST6 of the South Somerset Local Plan as adopted 2006

16. Subject to the phasing as approved under condition 3 of this approval the development hereby permitted shall not be brought into use until the proposed estate road(s), footway(s), footpath(s), verge(s), junction(s), street lighting, sewer(s), drain(s), retaining wall(s), service route(s), surface water outfall, vehicle overhang margin(s), embankments, visibility splay(s), access(es), carriageway gradient(s), drive gradient(s), car parking and street furniture shall have been constructed and laid out in accordance with details approved by the Local Planning Authority. 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:** To ensure that the appropriate infrastructure is in place and to accord with ST5 of the South Somerset Local Plan (adopted 2006).

17. Vehicular access to the site shall be solely from Kingswood Road. The access shown between the development and Cathole Bridge shall be an emergency access only and no dwelling shall be occupied unless a plan for the management of this 'gate' has been submitted to and approved in writing by the Local Planning Authority. The approved recommendations of the management plan shall be fully implemented and maintained in perpetuity.

**Reason:** In the interests of highway safety and to accord with Policy 49 of the Joint Somerset and Exmoor Structure Plan.

18. No dwelling shall be occupied unless the footpath link (shown on drawing 1502/02 rev F) between the development site and the school has been fully constructed in accordance with details that shall have been submitted to and approved in writing by the Local Planning Authority.

**Reason:** To encourage greater pedestrian movements and reduce the reliance upon the private motor vehicle and to accord with TP1 of the South Somerset Local Plan 2006.

19. No works shall commence on site unless a proposal has been submitted to and approved in writing by the Local Planning Authority indicating the position of a security fence on the school field to the west of the boundary. No dwelling shall be occupied unless the approved fence has been erected unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** In the interests of amenity and to accord with ST10 of the South Somerset Local Plan 2006.

20. No works shall be commence on site unless a detailed submission has been submitted to and approved in writing by the Local Planning Authority giving details of the wildlife mitigation measures as identified in the ecology survey dated Oct 2007. The submission shall give details of the location of the appropriate measures together with an implementation programme and a future management plan. The development shall thereafter be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** For the protection of legally protected species and to accord with EC8 of the South Somerset Local Plan 2006.

21. Details to provide for the supply of an adequate and clean drinking water supply to all dwellings shall be agreed in writing by the District Planning Authority before any work

is commenced on site. Such agreed supply shall be connected to the dwellings before they are first occupied.

**Reason:** In the interests of public health and to accord with EU4 of the South Somerset Local Plan 2006.

22. No works shall commence unless details of the surface treatment of all communal areas has been submitted to and agreed in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** In the interests of visual amenity and to accord with ST5 and ST6 of the South Somerset Local Plan 2006.

23. 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 resources and to accord with ST8 of the South Somerset Local Plan 2006.

---