

## Area West Committee – 14th December 2011

### Officer Report on Planning Application: 05/00661/OUT

<b>Proposal :</b>	Comprehensive mixed use development for 525 dwellings, employment (B1, B2, B8) primary school, community facilities, playing fields, parkland, P.O.S. structural landscaping and associated infrastructure including link road and highway improvements. GR (345354/109767)
<b>Site Address:</b>	Crewkerne Key Site 1 Land East Of Crewkerne Between A30 (Yeovil Road) And A356 (Dorchester Road) Crewkerne Somerset TA18 7HE
<b>Parish:</b>	Crewkerne
<b>CREWKERNE TOWN Ward (SSDC Member)</b>	Mr J Dyke (Cllr) Mr M Best (Cllr) Ms A M Singleton (Cllr)
<b>Recommending Case Officer:</b>	Adrian Noon Tel: 01935 462370 Email: adrian.noon@southsomerset.gov.uk
<b>Target date :</b>	4th August 2005
<b>Applicant :</b>	Taylor Wimpey
<b>Agent: (no agent if blank)</b>	Johnathon Orton 127 Hampton Road Redland Bristol BS6 6JE
<b>Application Type :</b>	Major Other f/space 1,000 sq.m or 1 ha+

### **Background**

At a special meeting of the Area West Committee on 1 November 2006 members unanimously resolved that application 05/00661/OUT be approved subject to:-

- referral to the Secretary of State
- the resolution of objections raised by the Environment Agency and Natural England and the submission of a revised Masterplan
- the agreement of planning obligations under a Section 106 Agreement

The S106 agreement and conditions were “delegated to the Head of Development and Building Control in consultation with the relevant portfolio holders, Chairman of the Area West Committee and ward members”.

The application was referred to the Secretary of State who raised no objection to the approval of this application. The revised Masterplan was received and accords with officers’ expectations and the Environment Agency’s objections were addressed in line with the advice of PPS25. Conditions have been agreed in principle between officers and the applicant.

Unfortunately there were substantial delays in resolving Natural England’s objections with regard to the impact on dormice and in agreeing the package of obligations. However, these have now been resolved following negotiations with ecologists and the District Valuer.

A report was considered by Area West at their meeting on 19 January 2011 when officers sought members input on a number of issues. Members resolved that the following course of action be taken in relation to the outstanding matters:-

1. that any shortfall between the developer's suggested obligations be clarified;
2. that the highways contributions be targeted at town centre improvements, public transport/travel plans and off-site traffic calming;
3. that the works to the site entrance be clarified to the satisfaction of the landscape architect;
4. that the applicant be asked to further clarify the details of all aspects of the proposed management regime;
5. that the level of use of natural stone be examined by the conservation manager in light of the recommendations of the Enquiry by Design. Any further savings to be used to uplift the off-site leisure/recreation contributions;
6. that the applicant be required to survey the affected dormouse population prior to the commencement of development, subject to the agreement of the relevant landowner. If an alternative strategy is appropriate any savings to be recycled to other obligations, which have been reduced;
7. that officers negotiate a review mechanism, to be secured by Section 106 Agreement, based on a three yearly review from occupation of the first dwelling and every three years or shorter period thereafter;
8. although content to accept 17.5% affordable housing in the current circumstances, provision be made in the Section 106 Agreement to ensure that an uplift in the affordable housing requirement to 35% can be realised if the economic situation improves;
9. that officers agree a phasing plan of the employment area that specifies the timing of the Blacknell Lane link in light of the cost of that link.

The report and the minutes of the meetings of 01/11/06 and 19/01/11 are attached at Appendix A and are available on the District Council's website.

## **The Current Situation**

In relation to the committee's resolution the following has been agreed:-

1. the package of planning obligations has been re-examined and now accurately reflects the obligations considered reasonable by the District Valuer.
2. The offsite highways contributions will be allocated to town centre improvements, off site traffic calming and the promotion of sustainable travel planning (buses, footpath and cycle links etc.).
3. The management of the on-site public open space will be by a Community Interest Company (possibly involving the Town Council) which would be primed with c. £500,000 to ensure it is able to fulfil its functions from an early stage.
4. The level of use of natural stone could not drop below £2,740,500 without compromising the findings of the Enquiry by Design. The conservation manager agrees with this.
5. All reasonable endeavours will be taken to assess the dormouse population prior to the construction of the dormouse bridge
6. A three yearly review mechanism has been agreed.

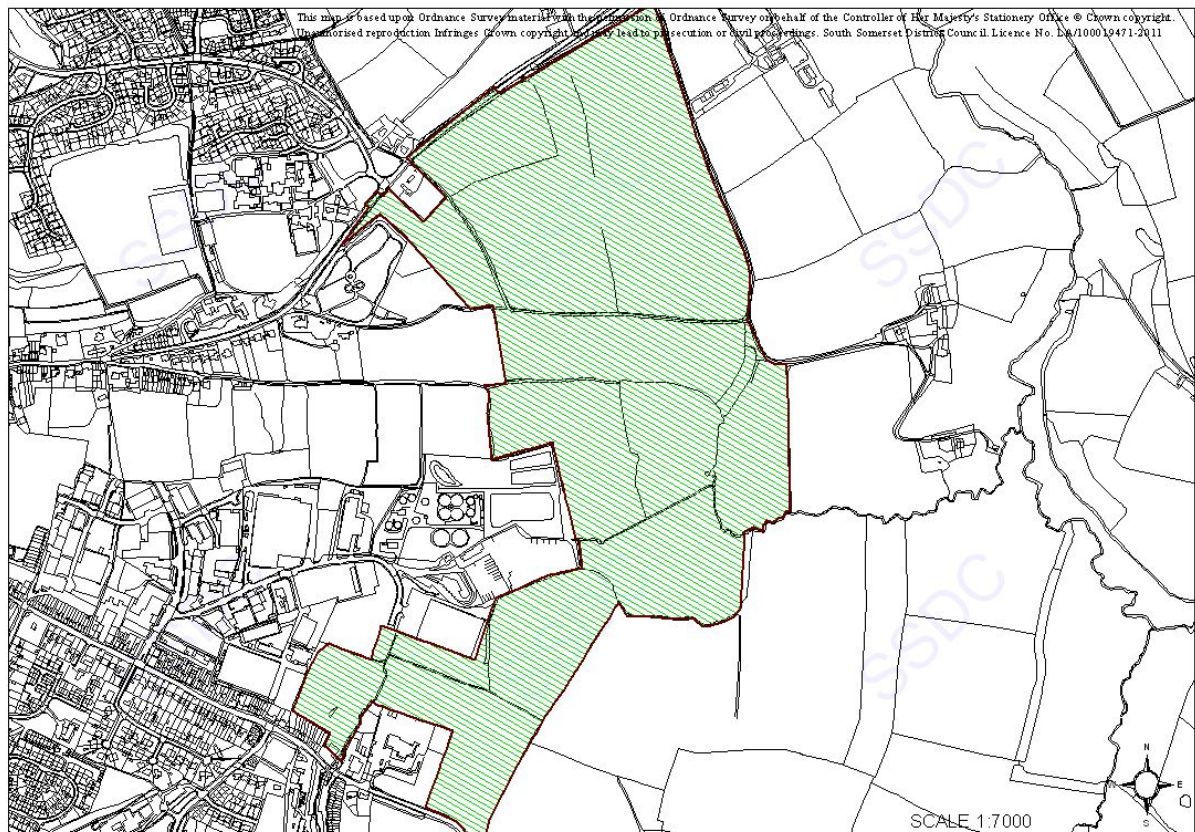
7. Grant funding will be sought although it is stressed that it is highly unlikely to be available.
8. The Blacknell Lane link will be provided prior to the provision of 1,000m<sup>2</sup> of industrial space or within 4 years of the commencement of the industrial area.

With regard to the works at the entrance to the site, it is hoped that an agreement will be reached shortly between the District Council's landscape architect, the applicant and the county highways authority that will achieve an appropriate balance between the engineering works that will undoubtedly be required and need to be suitably landscape the new entrance. This work has informed the drafting of the Section 106 agreement which is nearing completion.

The applicants have recently (10/11/11) provided an addendum to the originally submitted Environmental Statement. This provides updates in relation to traffic, ecology, flood risk, landscape impact etc. Importantly additional chapters are now included in relation to odour impact from the sewage treatment works waste management. The revision and updates take into account changes in circumstance since the application was submitted in 2005. In particular the updated traffic assessment specifically takes into account the proposal to make North Street one-way and the associated impact on Ashland Road. Consultations have been carried out in relation to the addendum.

An update report follows that has been drafted in light of the submission of the addendum Environmental Statement and the responses to consultations. It should be considered in conjunction with the reports and minutes contained within Appendix A.

## **SITE DESCRIPTION AND PROPOSAL**



This is a greenfield site located to the east of the town comprising of some 50.32 hectares (124.3 acres) of land lying between the A30 Yeovil road and the A356 Misterton road to the south. The northern part, where the residential element would be, adjoins the A30 and lies to the east of the town cemetery. This is the highest part of the site at the top of a scarp slope, which runs roughly east-west.

The central part of the site includes the scarp slope with the lowest lying parts of the site mainly grassland. A corridor of open countryside extends westwards from the site boundary into the town centre. This area has been identified as a good habitat for dormice.

The central part of the site would be retained for informal recreation. New balancing ponds associated with the drainage of the site would be located in the northeast corner and southern parts of the site and these will be designed to attract wildlife. In addition to the informal recreation provision there will also be a community sports area including a playing pitch.

The southern part of the site slopes gently upwards to the A356 at the southern boundary. This part of the site adjoins the town's main industrial area at its western boundary and would provide further employment land to complement the adjoining use.

This outline proposal reserves all matters of detail except access for subsequent approval. The application proposes:-

- 525 dwellings, including 17.5% affordable housing (14.8 Hectares - 36 acres)
- Employment land for a range of employment uses (9.8 hectares - 24 acres)
- A local centre, including a convenience store
- A primary school site(1.4 hectares - 3.5 acres)
- Open space and structural landscaping
- Balancing ponds/attenuation areas to manage surface water
- A new link road between the A30 and the A356
- Detailed design of the new junctions with the A30 and A356
- A dormouse bridge over the link road, to be linked to the habitat to the west of the site and the open countryside to east by additional planting to enable a 'wildlife corridor' to be maintained across the site.
- Badger mitigation proposals
- On-site footpaths and cycle ways and enhanced links to the town centre
- A detailed package of planning obligations, agreed following an 'open-book' appraisal of the viability of the scheme by the District Valuer.

Originally the scheme included a community hall and community use of the school playing fields, however these have been omitted as dual use of the latter is not supported by either the County education authority or the District Council's sports development officers as it leads to excessive wear and tear. However it has been agreed that the school hall would be available for use by the community.

The 2005 submission was supported by an Environmental Statement which addressed the proposal's impacts on traffic, ecology, drainage, landscape, air quality and amenity. This Statement has been updated (10/11/11), following the issue of a formal 'scoping opinion' to outline the areas that need to be addressed to take into account changes in circumstance.



## RELEVANT PLANNING HISTORY

None since the allocation of this site and the adoption of the local plan in 2006.

## 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.

For the purposes of determining current applications the local planning authority considers that the relevant development plan comprises the saved policies of the Somerset and Exmoor National Park Joint Structure Plan Review and the saved policies of the South Somerset Local Plan.

The policies of most relevance to the proposal are:

### **Saved policies of the Somerset and Exmoor National Park Joint Structure Plan**

STR1 - Sustainable Development  
STR2 - Towns  
STR4 - Development in Towns  
Policy 1 - Nature Conservation  
Policy 11 - Areas of High Archaeological Potential  
Policy 33 - Provision for Housing  
Policy 35 - Affordable Housing  
Policy 37 - Facilities for Sport and Recreation within Settlements  
Policy 39 - Transport and Development  
Policy 40 - Town Strategies  
Policy 42 - Walking  
Policy 44 - Cycling  
Policy 45 - Bus  
Policy 48 - Access and Parking  
Policy 49 - Transport Requirements of New Development  
Policy 50 - Traffic Management

### **Saved policies of the South Somerset Local Plan (April 2006)**

KS/CREW/1 allocates this site for development:-

*Land between Yeovil Road and Station Road, Crewkerne, is allocated as a key site development to provide the following:*

- *Approximately 14.6 hectares (36 acres) for housing, providing about 438 dwellings, including a target of 35% affordable housing;*
- *Site for a new primary school 1.4 hectares (3.5 acres)*
- *Approximately 10.5 hectares (26 acres) for employment, (classes B1, B2 and B8 of the use classes order 1987);*
- *Informal recreation (20 hectares/49.7 acres);*
- *Structural landscaping (5.0 hectares/12.3 acres);*

- *Link road between A30 (Yeovil Road) and A356 (Station Road), to be provided in entirety on the completion of 200 dwellings or four years after occupation of the first dwelling, depending on which is the earliest*
- *Footway/cycle link to town centre*
- *Appropriate contributions towards improvements to affected highway infrastructure*
- *A link road between Blacknell Lane and the proposed A30-A356 south link road to be built in its entirety on the completion of 200 dwellings or four years after the occupation of the first dwelling, whichever is the earliest.*

This is reinforced by Policy ME2 which allocates 10.5 hectares of land at the Keysite for employment uses (B1, B2 & B8) and HG2 which states that 438 dwellings are to be provided.

Also of relevance to this outline proposal are:-

ST5 - General Principles of Development  
 ST6 - The Quality of Development  
 ST10 - Planning Obligations  
 EC3 - Landscape Character  
 EC4 – Impact on Ecology  
 EC7 – Networks of Natural Habitats  
 EC8 - Protected Species  
 EH12 – Archaeology  
 EP6 – Construction Sites  
 EP8 – Development near Sewage Works  
 EU4 – Water Services and Drainage  
 TP1 - New Development and Pedestrian Movement  
 TP2 – Travel Plans  
 TP4 - Road Design  
 TP5 – Public Transport  
 TP8 – Local Transport Schemes  
 ME1– Employment Land Provision  
 HG1 - Provision of New Housing Development  
 HG7 – Affordable Housing.  
 CR2 – Provision for Outdoor Play Space and Amenity Space in New Development  
 CR3 – Off-site Provision of Outdoor Playing Space and Amenity Space  
 CR4 - Amenity Open Space

### **National Guidance**

PPS1 – Sustainable Development  
 PPS3 – Housing  
 PPS5 – Planning and the Historic Environment  
 PPS7 – The Country Side  
 PPS9 – Biodiversity and Geological Conservation  
 PPG13 – Transport  
 PPG17 – Planning for Open Space, Sport and Recreation  
 PPS25 – Flooding

### **South Somerset Sustainable Community Strategy**

Goal 3 – Healthy Environments

Goal 4 – Services and Facilities  
Goal 8 – High Quality Homes  
Goal 9 – A Balanced housing Market

### **Other Relevant Considerations**

The resolution of Area West Committee 1 November 2006 to approve this proposal

The proposal affects dormice, a European Protected Species', accordingly the following legislation is relevant:-

- Conservation of Habitats and Species Regulations 2010 (a.k.a. 'Habitats Regulations') (European protected animal species)
- Wildlife and Countryside Act 1981 (as amended) (All protected animal species)
- The Protection of Badgers Act 1992
- The Natural Environment and Rural Communities Act 2006 (Section 40: '*Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity*'. Section 41 lists habitats and species of '*principal importance for the conservation of biodiversity*'.)
- EIA Regulations 2011 (impacts to European Protected Species are considered a significant environmental effect)
- ODPM Circular 06/2005 (Biodiversity and Geological Conservation)

### **CONSULTATIONS**

**Crewkerne Town Council** – Recommend approval subject to the following:

- The installation of traffic calming measures on the main link road
- Consultation with Crewkerne Town Council at the 3 yearly reviews
- The pedestrian access to the school to be located away from the main link road
- Consultation with Crewkerne Town Council in regard to a robust Construction Traffic Management plan
- Consideration to be given that the link to the industrial estate be undertaken at the same time as the main link road
- That the main link road be commenced within 4 years from the start of construction or the 200<sup>th</sup> house, whichever is the sooner
- Consideration be given to the inclusion of suitable land for allotment sites

**Misterton Parish Council (neighbouring PC)** – note that the Crewkerne Key Site was approved and this latest submission is merely updating the original submission and offer the following observations:-

- The major reduction in S106 funding is obviously disappointing but not sufficiently detailed to appreciate whether it will impact on Misterton.
- MPC feels that it should be recognised that Crewkerne Station is in the Parish of Misterton and not in Crewkerne as currently described.
- There is still mention of a new school but it would be helpful if this was described separately in the Chapter on Cumulative Effect (16) in light of the latest arrangements where the Primary Schools (currently 3) are now linked.

The major concern for Misterton on any development is that of Highways.

1. MPC would like to see more work comparing the road figures that were used. MPC noted that the measured HGV movements past Hellings Farm are far less than those from previous road studies in Misterton; carried out by residents and the Community Speedwatch team and Somerset County Council Highways (SID data). MPC has traffic data collected over the past 8 years and it would be helpful to speak to a professional to get a better understanding of the data they have chosen to use.
2. For the village of Misterton the obvious flaw in this proposal is the treatment of traffic flow on the A356, considering road widths and ability for greater traffic only as far as Station Road in Crewkerne. After this junction the traffic has nowhere else to go but through our village where the road width and shape changes adversely; the road is significantly narrower and there are bends throughout the village. It is essential that the A356 aspects should be treated up to Misterton cross roads otherwise the decisions reached are nonsense and will have a hugely detrimental impact on the residents of Misterton.
3. MPC noted that there is recognition of an increase in HGV traffic for the project, possibly over 20 years. The increase in HGV traffic through the village in recent years has already raised concerns over the damaging effect on drains, foundations and the bridge through Middle Street. MPC would like to see a Condition that all HGV traffic involved with the development of the key site approaches and returns from the site from the North thus preventing yet more problems through Misterton.

**Highway Authority** – at the time of writing final comments were awaited, however initial feedback indicated that the findings and recommendations of the updated Traffic Assessment are accepted and that, allowing for the proposed changes to the one-way system in the town centre, then development as whole would have no adverse impact on the town. The general layout and configuration of the link road through the site meets the requirements of the highways authority and no objection is raised to the trigger point for its delivery being 4 years from first occupation or prior to the occupation of the 200th house. The proposed offsite planning obligations are accepted.

The sole outstanding issue holding up the formal comments is the detail of the junction with the A30 where it is necessary to balance engineering requirements against the need to provide suitable landscaping of what would be a very prominent feature. Discussions between highways officers and the Council's landscape architect have agreed, in principle, a way forward and there is no reason to assume a consensus cannot be reached prior to the Committee. Nevertheless an oral update will be necessary to confirm the final stance of the highways authority.

With regard to the issues raised by Misterton Parish Council it is considered that the Transport Assessment, which contains professionally collected data, does not point to any serious capacity issues on the A356 through Misterton. There is little that can be done to change the desire lines of traffic and any detour might have unintended consequences as drivers inevitably seek the shortest available diversion.

**Environment Agency** – are satisfied that the site has been considered sequentially in respect to flood risk and in accordance with PPS25. Development would be within Flood Zone 1, the low risk zone, except for the proposed link road from the A30 to the A356 and possibly a small section at the very north of the employment development in the south of the site.

Since the previous FRA there has also been the publication of the Council's Strategic Flood Risk Assessment (SFRA). The SFRA classifies the area of Flood Zone 3 which



falls within this site as Flood Zone 3b Functional Flood Plain. It is therefore vital to ensure that all development is kept out of this area.

The proposal of a link road which travels through Flood Zone 3b could be classed in PPS25 as 'essential infrastructure' (Table D.2 Annex D PPS25). PPS25 requires an exceptions test to be undertaken and the council should satisfy themselves that, should this link be necessary, it is proposed in the correct location, considering the flood risk.

Section 3.2 of the FRASS lists other sources of flooding. The SFRA highlights Crewkerne as a location which suffers from surface water flooding, and this does not appear to have been picked up in the FRASS. However, this could be covered by conditions.

Section 3.3 confirms that the residential, school, retail area and employment area are located in Flood Zone 1. As stated above, the employment area looks like it just creeps into the Flood Zone 3b outline. It would be useful to have a development plan superimposed onto the flood map (now and with climate change) to ensure all development can be kept out of the Flood Zone 3b area. This could be conditioned.

No objection is raised subject to appropriate conditions. A full copy of these comments is attached at Appendix B.

**Natural England** – reminds the Council that Article 12 of the Habitats Directive states that we are required to prohibit the deterioration and destruction of breeding sites and resting places of European Protected Species. It is considered that the installation of a dormouse bridge over the link road would ensure that connectivity for the dormice is maintained across the site and that no population fragmentation would occur. However the applicant is reminded that further surveys would probably be required prior to a natural England licence being granted.

Subject to appropriate mitigation any impact of other species would be tolerable. It is concluded that *“there is enough information for [the] council to determine this application and we support the preparation of a Landscape and Ecological Management Strategy for the site”*.

A full copy of these comments is attached at Appendix B.

**District Council Ecologist** – notes that the development has the potential to affect, to a greater or lesser degree, dormice, bats, badgers, slow worms, grass snakes, otters and voles. Of these dormice and bats are European protected species. Advises that the committee decision must take account of the legislation applicable to dormouse (the Habitats Regulations 2010) by assessing the development against the three derogation tests below. Permission can only be granted if all three derogation tests are satisfied. If any single test is deemed not to be satisfied, the application should be refused.

The tests are:

1. the development must meet a purpose of *‘preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment’*
2. *‘there is no satisfactory alternative’*
3. the development *‘will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range’*.

These tests need to be assessed in respect of dormice and it is unlikely that the development will contravene the Habitats Regulations in respect of any other European Protected Species. It is considered that tests 1 and 2 have been met by the allocation of this site through the local plan process. The proposed mitigation measures, namely habitat planting and a dormouse bridge to enable dormice living to the west of the site to maintain links to the countryside to the east, are considered sufficient to maintain the dormice's 'favourable conservation status' as required by the third test.

With regard to other species the following comments are offered:-

- Bats - The compensation planting to be provided for dormice will also benefit bats. The dormouse bridge may also be used by bats as part of a commuting corridor. Proposed mitigation includes further update surveys prior to commencement of works, and provision of bat boxes. Sensitive lighting designs will also be important. Residual impacts to bats following completion of development and mitigation are concluded to be 'negligible' for light tolerant species, and 'slight adverse' for light sensitive species.
- Badgers - Some sett closures will be required. Further impacts arise from direct loss of foraging areas and disruption to established commuting routes. Further update surveys will be required prior to each development phase. These will further inform required mitigation which may include construction of artificial setts, badger tunnel or underpass beneath the link road, and fencing to control badger movements. The landscape and habitat planting for dormice is also likely to partly compensate for loss of badger foraging areas.
- Slow worms and grass snakes – Standard methods are proposed for capture and translocation of reptiles to a safe receptor area (marked as 'area to be maintained as pasture' on the Masterplan). Enhancements and management of this area to benefit reptiles are included.
- Otters and water voles – neither have a permanent presence on the site but either could use the watercourse through the site on a transient basis. Mitigation is proposed to include pre-construction (of link road) surveys, and an otter ledge in the design of the bridge to prevent otters crossing the road and risking vehicle collisions during times of peak flow or flood.
- Great Crested Newts – ponds in the vicinity of the site were surveyed in 2008 and further assessment was made in 2011 to assess their suitability for great crested newt. It was concluded on the basis of negative survey results, the majority of ponds having a low suitability rating, and the absence of any existing great crested newt records in the area, that they are unlikely to be present.

It is accepted that hedges provide the most significant habitat on the site and there will be some loss. However compensation would be provided through the proposed landscape and habitat planting and the dormouse bridge. On this basis no objection is raised subject to wildlife mitigation and compensation measures being secured by conditions and a Section 106 agreement.

A full copy of these comments is attached at Appendix B.

**Landscape Architect** – considers that the updated Environmental Statement, and revised Landscape and Visual Impact Assessment and Masterplan, now illustrates a greater extent of landscape mitigation - primarily in the form of substantive planting areas

- to better integrate the site into its wider setting, and to visually buffer those elements of the site that would otherwise appear obtrusive. Specifically, it provides;

- a) woodland planting across the scarp to the south of the housing area, to soften the engineered form of the highway embankment and cuttings, and the skyline presence of built form above Butts Quarry Lane;
- b) planting lines within the housing area to break up the massing effect as viewed from the northeast;
- c) retention and substantiation of the majority of the existing boundary features;
- d) additional planting at the east end of the ridge above Butts Quarry Lane, to play down the prominence of the furthest extent of housing toward Haselbury Plucknett;
- e) planting abounding the cemetery, and;
- f) use of planting and suitable hard landscape treatments to modify the engineering works at the point of site access off the A30, and the embankment form at the road's southern end.

Although not all of 'the impact level ratings' are fully accepted it is agreed that "the resultant level of landscape mitigation, as illustrated by the revised masterplan, is appropriate". Accordingly, whilst much of the detail will form part of reserved matters applications, at this stage no objection is raised subject to appropriate conditions to cover:-

- a programme of planting works based upon the landscape masterplan.
- submission of design codes to guide development of the site;
- the submission of a landscape and ecology management plan for the whole of the site.

A full copy of these comments is attached at Appendix B.

At the time of writing concern was raised to the detail of the landscaping of the junction of the link road with the A30. Whilst it is hoped this will be resolved prior to committee an oral update in respect to this single area of concern will be necessary.

**Conservation Manager** – no objection subject to a condition to ensure agreement of a design code, to accord with the Masterplan and the findings of the Enquiry by Design. This would then inform the design of the subsequent development.

**Climate Change Officer** – notes that the layout allows for buildings to be solar orientated, thus creating opportunities for installation of photovoltaic and/or solar thermal equipment on roof spaces. Suggests that at the time when the buildings are to be constructed, they will need to include installation of renewable energy generation equipment to comply with building regulations. Is of the opinion that the Addendum Environmental Statement should have an additional chapter describing the technologies that will be deployed.

A site of this size on the edge of a small town gives an excellent opportunity to install a central wood chip boiler or a wood chip powered CHP plant to power a heat main providing space heating and hot water to all buildings. Reliable wood chip CHP plant down to the 130 kW scale is now available and phased installation is therefore possible.

**Open Spaces Officer** – No objection

**Leisure Policy Co-ordinator** – No comments received at time of writing, however the Assistant Director (Wellbeing) has been involved in the viability discussions and has accepted the recommendations of the District Valuer.

**Environmental Protection Unit** – notes and supports the findings of the update to the Environmental Statement. No objection raised.

**Transport Strategy Officer** – No objection

**Planning Policy Officer** – considers that there are no outstanding policy issues.

**Rights of Way Officer** – no comments received.

**County Archaeologist** – notes that the Environmental Statement indicates that:-

*“...archaeological remains relating to an Iron Age/Roman settlement are located in the south-west side of the northern field. The Iron Age to Roman transition is of particular interest within South Somerset and is not properly understood due to the lack of excavated sites. I do not believe that the remains are of sufficient quality to warrant preservation in-situ but because of their potential to elucidate the nature of Roman occupation on indigenous Iron Age people they will require further investigation. This type of site is of county significance and warrants excavation in advance of development in order to preserve by record any remains present. This is in line with PPS5 which requires developers to record and advance understanding of archaeological sites before they are impacted by development. “*

Accordingly a condition to secure the implementation of a programme of archaeological work is recommended.

**County Education Authority** – No comments received at the time of writing, however their officers have been involved in the viability discussions and have accepted the education obligations on offer.

**Somerset Waste Partnership** – welcomes reference to SWP’s developer guidance in the addendum to the Environmental Statement and notes that it will be important that the development integrates with the waste management operation and is appropriately designed to ensure adequate servicing. Whilst no objection is raised a number of issues are identified with the addendum and clarification has been sought from the developer and an oral update will be necessary.

## **REPRESENTATIONS**

At the time of writing 6 letters has been received raising the following areas of concern:-

- is traffic light control of the new A30 junction necessary as opposed to a roundabout with a light controlled pedestrian crossing or footbridge?
- The new access should be aligned with Furrington Lane, which has better visibility and could be improved to take traffic away from Ashlands Road
- Ashlands Road is not suitable to become part of a ring-road
- These dwellings should have a more generous footprint than current UK practice
- No provision for a surgery
- As this would provide a relief road for north/south traffic to avoid the town centre the highway should not go through the middle of the houses;
- Disruption during construction

- Lack of detail on design and drainage
- Impact of odours from sewage farm
- Capacity of sewage farm questioned
- Who will inspect the drainage, new road and the development ?
- The link road could be tunnelled and the dormouse mitigation planting on top.
- Dormouse population unknown – is the developer to survey?
- We have objected to this over the last 20 years and have been ignored
- It would not alleviate HGV traffic in Crewkerne – simply direct it to a residential road to the detriment of amenity and property value
- A proper bypass should be built first
- Any HGV use of Ashlands Road should be for access only
- The link road should be a priority to improve traffic flow through the town;
- The link to Blacknell Lane should be a priority

## CONSIDERATIONS

This site is allocated for development by policy KS/CREW/1 of the adopted local plan, reinforced by policies ME2 and HG2. These policies, and the allocation, have been subject to public consultation and rigorous scrutiny in the course of the adoption of the local plan and have been saved. It is clear from the new government that there is to be a very strong presumption in favour of sustainable development and local planning authorities must allow for sufficient new housing to meet projected need.

The emerging National Planning Policy Framework emphasises that local planning authorities will have to set robust housing targets and maintain 5 year housing supplies (plus a 20% contingency). It is considered that the development of sites such as this will remain necessary to deliver the housing targets set by policy HG1.

The only material shift is the new government's move away from minimum densities. The allocation of this site allows for 438 dwellings at a density of 30/ha. The proposed 525 would be at 36/ha and was previously considered acceptable. Notwithstanding the government's abandonment of minimum densities, it is considered that there remains a duty to make best use of greenfield sites, whilst respecting the context.

The actual density, layout, size and design of the houses and contextual relationship would be considered in full at the reserved matters stage in light of prevailing policies and it is not considered that a density of 36/ha could justifiably be ruled out at this outline stage. On this basis, and bearing in mind the policy officer's comment it is not considered that there has been any significant shift in policy and policies KS/CREW/1, HG2 and ME2 are extant.

Furthermore the District Council has previously resolved to approve this development at the meeting of Area West Committee on 1<sup>st</sup> November 2006. Accordingly it is not considered that there is any policy justification to challenge the principle of the site's development or reconsider the manner in which it is proposed to be developed as indicated on the Masterplan.

It is considered that there are two key issues. Firstly have there been any material changes in circumstance that would justify reversing the District Council's previous decision to approve this application? Secondly have the outstanding issues at the time of the Committee's 2006 resolution to approve this application been satisfactorily addressed, in particular, would the reduced planning obligations reasonably mitigate the impact of the development?



## Changes in Circumstance

The supporting Environmental Statement has been updated and contends that there are no changes in terms of the impact of the development that could not be reasonably mitigated. The principal areas of concern are the potential for an adverse impact on traffic in the town and ecology. It is not considered that there are issues for highways safety – the accesses and off-site mitigation measures and footpath/cycleway enhancements remain as previously accepted and the highways advice remains that they are acceptable.

### Traffic

Nevertheless there have been changes to the nature of the traffic situation in Crewkerne since the original drafting of the Environmental Statement, including the changes to traffic circulation now proposed for the town centre. The applicants have therefore been asked to update their original traffic assessment, which only covered the period to 2011, to address the current situation.

The addendum report covers the impact of the development to 2018, without the link road and assumes up to 200 houses and 40% of the employment have been built (this allows commencement in 2014). It allows the introduction of a one-way system in North Street and for a no-change scenario in the town centre. The highways officer has indicated that the methodology, interpretation of the data (which has been shared by the County Council) and conclusions of this assessment are sound.

Accordingly whilst there is a local desire for the link road to be provided immediately it is considered that its provision prior to the occupation of the 200<sup>th</sup> house or within 4 years of first occupation as required by policy KS/CREW/1 remains acceptable. Given that the current traffic assessment only covers the period to 2018, it is considered prudent to provide for a further 'backstop' for the link road of 31 December 2018.

Local concerns about the impact of construction traffic are noted. Whilst a degree of disturbance from construction works on a site of this magnitude are inevitable, it is considered reasonable to expect developers to take appropriate steps to mitigate unnecessary impacts. To this end a condition to secure a construction management plan is justified and necessary to comply with policy EP6. This could agree traffic routing, contractors parking areas etc.

On this basis it is considered that highways impact of the proposal is acceptable and would comply with policies KS/CREW/1, ST5, TP1, TP4, TP5, and TP8

### Ecology

The applicants have updated their original ecology report and further surveys have been carried out. These conclude that any changes to the ecology of the site and the habitats provided are minor and do not affect the development potential of the site, subject to appropriate mitigation measures which are included in the report (see section on Outstanding Issues below).

### Other issues

With regard to other areas of potential impact the following comments are offered:-

- Landscape – the updated Environmental Statement includes a Landscape and Visual Impact which is supported by the Council's landscape architect who

considered that subject to safeguarding conditions and a suitable planning obligation to landscape the site the proposal complies with policies ST5, ST6 and EC3.

It is accepted that the details of the A30 junction had not been resolved at the time of writing, however an agreement in principle has been reached and on this basis this matter could reasonably be conditioned.

- Archaeology – the County archaeologist is satisfied that any potential could be safeguard by a condition to agree investigation work. This would comply with policy EH12.
- Odours – concern has been raised about the relationship with the sewage farm. The addendum Environmental Statement specifically addresses this and concludes that any adverse impacts on the amenities of future residential occupiers would be within tolerable limits. This is accepted by the Council's Environmental Protection Unit and on this basis the proposal is not considered contrary to policy EP8.

### **Matters Previously Outstanding**

As outlined above the Government Office for the South West and the Environment Agency have confirmed they have no objection to the development on the basis of flooding, drainage or impact on the water environment. Conditions are recommended to address matters of detail and subject to these the proposal remains compliant with policy EU4 and the advice of PPS25.

The sole outstanding issues are therefore the dormouse mitigation measures and the planning obligations necessary to mitigate the impact of the development.

#### **Dormice**

The Council's ecologist has set out the legislative framework within which the District Council must consider whether or not the favourable conservation status (FCS) of the dormice (a European Protected species) would be protected. Even though Natural England ultimately grant the licence for works affecting European Protected Species case law clearly indicates that failure of a local planning authority to fully consider whether their FCS would be safeguarded would potentially render any decision defective and liable to judicial review.

Whilst dormice have been recorded on the application site, the principal impact of the development would be experienced by a population to the west of the site which would become isolated by the link road. Unable to maintain links to the surrounding countryside it is feared that this group would no longer be viable. It has been suggested that they are trapped and relocated, however there are very good reasons why this is not possible:-

1. Dormice do not relocate well; tending to become highly stressed by the experience, they are often predated.
2. The affected dormice are on third party land and the co-operation of the owner cannot be guaranteed.
3. Natural England rarely grant licences for re-location. When they do so it is only for very small populations.

Accordingly the only option has been to consider the best way to maintain a physical link between the affected dormice and the open countryside to the east which would provide a

route to and from the affected area. As an arboreal species, dormice will not cross any significant open space on the ground. It is therefore accepted that the proposed link road would present an insurmountable barrier to the dormice and the only option is a bridge to enable them to cross the road.

Originally a light weight gantry type structure, inter-woven with hazel, was proposed. However there is no clear evidence that such structures, once a certain size is exceeded, are of value to dormice. Given the width of the link road this option was dismissed, in favour of a physical bridge which would incorporate planting for an irrigated hedge. This would be linked to existing hedges, known to be used by the dormice, thus maintaining a continuous hedgerow link between the affected dormice and the open countryside to the east.

Both Natural England and the Council's ecologist are supportive of these recommendations and advise that the 'favourable conservation status' of dormice (European Protected Species) would be maintained. Accordingly it is not considered that the development of this site would be contrary to policies EC4, EC7 and EC8 and the advice of PPS9

#### Planning Obligations

As outlined in the background to this report the package of planning obligations has been subject to scrutiny by the District Valuer after the developer claimed that the original obligations sought at the time of the 2006 resolution would render the scheme unviable. Government advice in this respect is very clear – local authorities must not be unreasonable and must give careful consideration to the viability of development, allowing for a reasonable profit to the developer and a realistic purchase price.

The following table sets out the planning obligations originally sought, as considered by the District Valuer and as finalised.

	<b>S.106 contributions originally sought</b>	<b>S.106 offer as considered by the DV</b>	<b>Final S.106 offer</b>
<b>Affordable Housing</b>	35%	17.5%	<b>17.5%*(1)</b>
<b>Highways Contributions</b>			
Town Centre Improvement	£ 100,000		<b>£ 635,624</b>
Public Transport/ Travel plans	£ 375,624		
Off site Traffic Calming	£ 335,624	£ 335,624	
<b>Education</b>			
First School Contribution	£ 919,275		<b>£ 2,000,000*(2)</b>
2 temporary classrooms @ £120,000	£ 240,000		
Pre-school provision Contribution	£ 196,112		
Middle School Contribution	£ 921,780		
College Contribution	£ 1,071,202		
<b>On-site Leisure/Recreation</b>			
On-site LEAP & NEAP	£ 182,702	£ 182,702	<b>£ 182,702</b>
Community Hall Contribution	£ 1,000,000		
Strategic Landscaping/Woodland Planting	£ 120,000		
Commuted sums to above	£ 400,000		
POS/woodland planting as per Masterplan	£ 2,150,000	£ 2,150,000	<b>£ 950,000*(3)</b>
Commuted sum	£ 527,000		<b>£ 527,000*(4)</b>
Works/Landscaping at site entrance			<b>£ 550,744*(5)</b>
<b>Off-site Leisure/Recreation</b>			
Playing Pitches	£ 265,000		<b>£ 260,000</b>
Floodlights	£ 40,000		
Changing Rooms	£ 599,333		
Skate Park	£ 97,000		
Swimming Pools	£ 133,354		
Sports Hall	£ 252,934		
<b>Other Contributions</b>			
School site set up costs	£ 210,467	£ 210,467	<b>£ 210,467</b>
Ecology - Dormice Mitigation	£ 462,134	£ 491,095	<b>£ 491,095</b>
Ecology - Badger protection works	£ 35,000	£ 35,000	<b>£ 35,000</b>
Use of Natural Stone	£ 4,683,000	£ 4,683,000	<b>£ 2,740,500*(6)</b>
<b>TOTAL</b>	<b>£ 15,317,541</b>	<b>£ 8,614,888</b>	<b>£ 8,583,132*(7)</b>

\*(1) 17.5% averaged across the development with 15% in the 1st phase (200 houses) and 19% over second phase (325 houses).

\*(2) As agreed by SCC and to be designed to facilitate dual use of hall for community use

\*(3) As agreed with Landscape Architect

\*(4) To 'pump prime' the management company

\*(5) Applicants advise that this was originally included in the £2.15m for Strategic Landscaping/Woodland Planting

\*(6) Reflects reduced use of natural stone agreed with conservation manager

\*(7) Discrepancy of £31.756 agreed to cover legal costs

The advice of the District Valuer, based on the price paid for the site, justified costs for the development and a reasonable profit margin, is that a package of obligations comprising 17.5% affordable housing, the provision of the link road and £8.6M in other obligations is reasonable at this point in time. The make up of the financial component has been adjusted following a meeting of the Council's Planning Obligations Protocol and Area West Committee to reflect District and Area priorities.

Allowing for the cost of the affordable housing, the link road and the enhanced use of natural stone these planning obligations come to over £20M. This is considerably diminished from the originally sought obligations due to the current economic climate, however the District Valuer has confirmed that this is a reasonable offer at this point in time and it is not considered that there is any justification to override this advice.

Nevertheless this position would be reviewed on a 3 yearly basis throughout the lifetime of the development and any significant uplift in profitability to trigger a reappraisal of the obligations. This would also apply to any decrease in profitability, any the applicant could argue that the planning obligations should go down.

The key issue therefore is whether the reduced package of obligations would reasonably mitigate the impact of the development. This is considered as follows:-

- Affordable housing – it has long been accepted that, with the cost of the link road, this site would always struggle to deliver the 35% expected by HG7. It is noted that the allocation indicates a 'target' of 35% affordable housing. The Council's housing officer has reluctantly accepted this figure, which he would expect to be all for 'social rent', however the developer should be required to make best endeavors to secure funding to uplift the affordable element.
- Highways – with the link road to be delivered in line with the requirements of the allocation and £635,624 towards other mitigation works this component of the package has seen the smallest reduction. The County Highways authority accepts that this is reasonable.
- Education – the County education authority acknowledges that first school provision in Crewkerne is at a critical point with Ashlands School (the nearest) incapable of expansion. The provision of a school site and an education contribution of £2M would enable a new 5 form school to be provided, possibly as a satellite to Ashlands, with room to expand should the school wish to relocate at a latter date. This is accepted by the County.
- On-site leisure/recreation – it has been agreed that the initial landscaping costs were generous. The final figure of £1.5M is considered reasonable to provide structural landscaping to the scarp slope, general landscaping across the county park, detailed landscaping of the A30 junction and dormouse mitigation planting to supplement the dormouse bridge. The principal loss has been the community hall, however this would be mitigated by the proposed community use of the school hall. This is agreeable to county education authority, although it is pointed out that ultimately this would be a matter for the school governors.
- Off-site leisure/recreation – this has taken the greatest hit down from c.£1.4m to £260,000. Whilst it is accepted that over provision of onsite amenity space would help to mitigate this loss it is considered that the remaining contribution is the bare minimum that could be accepted. With this in mind it is recommended that,



should the review mechanism recover any obligations, these should initially be allocated to off-site leisure/recreation facilities.

- Other contributions – the school set up costs and the ecology work have been upheld; the level of use of natural stone has been reviewed and the council's conservation manager has agreed that the final figure, which would equate to c. 40% of the buildings being finished in natural stone, is reasonable and would comply with the recommendations of the Enquiry by Design.

Whilst it is accepted that the package of planning obligation is much diminished it is considered that the benefits to the town in terms of the provision of the link road and county park, off-site highways improvements, the delivery of a new school site and the provision of 17.5% affordable housing (all for social rent) would outweigh the much diminished other obligations. On this basis it is considered that the obligations set out above are acceptable, in light of the current financial situation. As such the proposal complies with policies ST5, ST10, CR2, CR3, CR4 and HG7.

### **Other Issues**

Concern has been raised about the management of the public open space. This would not be adopted by the District Council, there being no commuted sum available to cover this. It is not considered reasonable to further erode the planning obligations to provide this; nor would it be appropriate to adopt such a liability without financial reassurance. Accordingly the public open space would pass to a management company, possibly a 'Community Interest Company' or similar, which could provide a role for the Town Council, and could include allotments.

The climate change officer's comments are noted, however it is not considered that there are any current policy that would justify an insistence that such technologies should be included at this stage. However this could be revisited at the reserved matters stage in light of prevailing policies. Whilst the Somerset Waste Partnership have raised issues with the addendum report it is not considered that these are insurmountable and a condition could reasonably require the agreement of appropriate waste management strategies.

With regard to the outstanding issues raised by local residents, the following observations are offered:-

- The location and layout of the A30 junction and suitability of the Ashlands Road to take additional traffic are justified by the traffic assessment and are accepted by the highways authority. It is not considered that there is any evidence to warrant over-riding this advice and these objections are not considered supportable.
- Whilst the speculated link to Furringdon Lane might be possible this does not form part of the allocation or the application, which falls to be determined as it stands.
- The allocation does not provide for a surgery and it is to be noted that GP surgeries are generally privately provided and it would be for the market to address any shortfall in provision.
- No shortfall in sewage capacity has been identified.
- Whilst it would be desirable for the link road to be provided from the start the reality is that it would be unreasonable to expect a private developer to deliver such an expensive piece of infrastructure without the ability to sell significant houses first.

## **CONCLUSION**

It is not considered that there have been any changes in circumstance that would now justify departing from Area West's previous resolution to approve this application subject to the resolution of the then outstanding issues. Those issues have now been satisfactorily resolved. Firstly by the agreement of a reasonable package of planning obligations, that reflect the financial reality of this development in the current climate and secondly by the proposal of a dormouse mitigation strategy that would safeguard the favourable conservation status of this European Protected Species.

Whilst there remain some local objections to the scheme these are not considered to carry sufficient weight to justify withholding permission for this development that would bring positive benefits for the town.

## **SECTION 106 PLANNING OBLIGATIONS**

A section 106 agreement would be necessary to ensure that planning obligations as agreed with the input of the District Valuer that are necessary to mitigate the impact of the development are provided for.

## **RECOMMENDATION**

That, subject to no objections being raised by either the County Highways authority or the District Council's landscape architect to the detail of the new junction with the A30, outline planning permission be granted subject to the following:-

- a) The prior completion of a section 106 agreement (in a form acceptable to the Council's solicitor(s)) before the decision notice granting planning permission is issued to:
- Provide for the completion of the link road through the site, between the A30 and the A356, prior to the occupation of the 200<sup>th</sup> house or within 4 years of the occupation of the 1<sup>st</sup> house, whichever is sooner.
  - Provide for the completion of the link between the new link road and Blacknell Lane prior to the occupation of 1,000m<sup>2</sup> of employment space or within 4 years of commencement of the employment land or within 7 years of the first occupation of any dwelling, whichever is sooner.
  - Ensure the delivery of 17.5% of the housing as affordable homes for 'social rent' to the satisfaction of the Strategic Housing Manager and to require the developer to make 'best endeavours' to seek additional funding to raise the proportion of affordable housing.
  - Provide for the delivery of the serviced school site, free of any archaeological or ecological interest, to the County Council. The school site to be developed with the potential for dual use of the buildings as a community facility.
  - Provide an education contribution of £2,000,000 as requested by the County Education authority
  - Provide for a contribution of £260,000 towards sports, arts and leisure contributions, as required by the Assistant Director (Wellbeing) prior to the occupation of any dwelling.
  - Provide for a contribution of £635,624 towards off site highways mitigation and sustainable travel planning, to include:-
    - £100,000 towards town centre improvements (upon commencement)

- contributions to off-site traffic calming and improvements to footpath/cycle path links (prior to first occupation)
- contributions towards bus services to serve the development (upon completion of the link road)
- contributions towards travel planning measures for occupiers of the dwellings (in tranches upon the occupation of every 25<sup>th</sup> house)
- Provide for the provision and maintenance of on-site play areas
- Provide for the landscaping and maintenance of c.24 hectares of 'county-park', including any landscaping necessary for dormouse mitigation measures.
- Require the developer to make all reasonable endeavors to re-assess the dormouse population prior to commencement of the dormouse bridge and, if justified, to agree appropriate alternative mitigation measures. Any cost savings to be re-allocated to the mitigation of the impact of the development on sports, arts and leisure facilities
- Provide for the completion of the dormouse bridge prior to the completion of the link road through the site
- Provide for appropriate badger mitigation measures as required by the Council's ecologist.
- Provide for 3 yearly reviews of the viability of the development throughout the construction phase with the allocation of any recovered obligations to initially uplift the sports, arts and leisure mitigation measures.

b) The imposition of the planning conditions set out below on the grant of planning permission.

## **JUSTIFICATION**

The principle of this development is supported, reflecting as it does the Local Plan allocation KS/CREW/1. Crewkerne 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 or functioning of the town.

It is not considered that the proposal would adversely affect highways safety, ecological or architectural interest of the site, the favourable conservation status of protected species or visual and residential amenity and there would be no risk of increased flooding. Matters of detail, including design and appearance, layout, scale and appearance can appropriately be considered through the submission of subsequent 'reserved matters' applications. As such the proposal accords with the Local Plan allocation KS/CREW/1 and the policies of the South Somerset Local Plan.

## **CONDITIONS**

1. Details of the appearance, landscaping, layout and scale (herein after called the "reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

Application(s) for approval of the reserved matters shall be made to the local planning authority not later than 10 years from the date of this permission and the development shall begin not later than 10 years from the date of this permission or not later than 2 years from the approval of the last "reserved matters" to be approved.

2. The residential component of development hereby approved shall comprise no more than 525 dwellings.

**Reason:** To ensure that the mitigation measures negotiated as part of the scheme hereby approved are commensurate with the development as built in accordance with policies KS/CREW/1, HG2, HG7, CR3, ST5 and ST10 of the South Somerset Local Plan

3. The development hereby granted permission shall not be commenced unless a written programme, showing the phasing of the development, including the relevant parts of the highway and the provision of the new Link Road and associated works; the planting of structural landscaping and delivery of the public open space; and the timings for the delivery of each phase, has been submitted to and approved in writing by the local planning authority. Such phasing shall accord with the Masterplan for the site, received 10/11/11, ref. 08-07-02 (hereafter called the 'Approved Masterplan') and the recommendations of the Environmental Statement and its addendum, submitted in support of the application. Subsequently each of the phases shall be completed in accordance with the phasing programme unless agreed otherwise in writing by the local planning authority.

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

4. For each phase, or part thereof, all reserved matters shall be submitted in the form of one application to show a comprehensive and coherent scheme in accordance with the aims and objectives of the approved Masterplan and the recommendations of the Environmental Statement and its addendum submitted with this outline application.

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

5. Prior to the submission of any application for the approval of the reserved matters in relation to the residential areas, a Design Code for the residential areas, showing how the site would be developed, shall be submitted to and approved in writing by the Local Planning Authority. The design code shall be in accordance with the Approved Masterplan and the principles established by the Easthams Architectural & Design Code (October 2005) by the Prince's Foundation for the Built Environment submitted in support of the application (received 27/01/06). This shall then be used as the basis for all submissions of applications for approval of reserved matters.

**Reason:** To ensure a high quality form of development and to accord with ST5 and ST6 of the South Somerset Local Plan 2006.

6. Prior to the submission of any application for the approval of the reserved matters a 'Landscape and Ecological Management Strategy for the entire site shall be submitted to and approved in writing by the local planning authority. Such strategy shall be based on the Approved Masterplan and the findings and recommendations of the Environmental Statement and addendum submitted in support of this application and shall set out, on a phase by phase basis, the principles by which the impacts of the development on landscape and ecology will be managed.

Subsequently, each application for the approval of the reserved matters shall be accompanied by a detailed Landscape and Ecological Management Plan based on

the principles agreed in the site wide Strategy for that phase, including up-to-date surveys and mitigation strategies where necessary. Once agreed such Plans shall be adhered to throughout the relevant construction phase unless agreed otherwise in writing by the local planning authority.

**Reason:** In the interests of visual amenity and to safeguard the ecological interest of the site in accordance with saved policies EC3, EC4, EC7 and EC8 of the South Somerset Local Plan.

7. Prior to the submission of any application for the approval of the reserved matters a 'Landscape Planting Strategy for the entire site shall be submitted to and approved in writing by the local planning authority. Such strategy shall be based on the Approved Masterplan and the findings and recommendations of the Environmental Statement and addendum submitted in support of this application and shall set out, on a phase by phase basis, the principles by which the landscaping, including structural planting, of the site will be guided.

Subsequently, each application for the approval of the reserved matters shall be accompanied by a detailed Landscaping Plan based on the principles agreed in the site wide Strategy for that phase, including up-to-date surveys and mitigation strategies where necessary. Once agreed such Plans shall be adhered to throughout the relevant construction phase unless agreed otherwise in writing by the local planning authority.

**Reason:** In the interests of visual amenity and to safeguard the ecological interest of the site in accordance with saved policies EC3, EC4, EC7 and EC8 of the South Somerset Local Plan.

8. Prior to the submission of any application for the approval of the reserved matters a Waste Management Plan setting out the principles for waste management and refuse collection throughout the site shall be submitted to and approved in writing by the local planning authority. This shall then be used as the basis for all submissions of applications for approval of reserved matters.

**Reason:** To ensure that the development is appropriately served by waste management strategies and refuse collection in the interests of the amenities of future residents in accordance with save policy ST6 of the South Somerset Local Plan.

9. Within 4 years of the first occupation of any dwelling approved on the site or, following the commencement of the scheme, prior to 31 December 2018, whichever is the soonest, the link road through the site shall be fully completed generally in accordance with the details shown on drawing numbers 30185/HA-601 C; 602 C; 603 C/1; 604 C; 605 C; 606 C; and 607C. During this time no more than 199 dwellings shall be occupied unless the link road is provided.

**Reason:** To ensure that impact of this development on traffic circulation in Crewkerne is reasonably mitigated in accordance with saved policies KS/CREW/1 and ST5 of the South Somerset Local Plan.

10. Prior to the commencement of the construction of the junction of the link road with the A30 details of all retaining structures, levels changes, landscaping and drainage of the junction shall be submitted to and approved in writing by the local planning authority. Once approved such details shall be fully implemented unless agreed otherwise in writing by the local planning authority.



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

11. No development hereby approved shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work involving further evaluation and excavation, followed by analysis and publication of results in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the local planning authority."

**Reason:** To safeguard the archaeological interest of the site in accordance with policy EH12 of the South Somerset Local Plan adopted April 2006.

12. No development shall take place on any phase or part thereof, unless a Construction Environmental Management Plan (CEMP) for that part of the development has been submitted to and approved in writing by the local planning authority. Subsequent development shall be carried out in accordance with the requirements of the approved CEMP.

**Reason:** In the interest if the amenities of the locality in accordance with saved policy EP6 of the South Somerset Local Plan.

13. There shall be no development, except that associated with the link road, within that part of the site liable to flood as shown 1 in 100 year plus climate change floodplain shown in South Somerset District Council's Strategic Flood Risk Assessment drawing Tile Set 3, Tile C.

**Reason:** To ensure that there will be no risk of flooding to people or property in accordance with the advice of PPS25.

14. No development approved by this permission shall be commenced until a surface water run-off limitation scheme (master plan and phased plans) has been submitted to and approved in writing by the LPA. The scheme must be in accordance with run off limitations proposed in the FRA-Supplementary Statement dated November 2011 by Phoenix Design Partnership Limited. The scheme shall:

- identify details of attenuation features,
- identify future ownership, operation and maintenance liability of all drainage infrastructure works,
- confirm connections to the public/private drainage system,
- detail proposed local SUDs,
- provide details on mitigation from any existing surface water flood risk including risk from the existing culvert under station road,
- flow routes through the site from exceedance or failure,
- provide details of proposed planting scheme(if any),
- be implemented in accordance with the approved programme and details.

**Reason:** To prevent the increased risk of flooding and to provide satisfactory drainage for the development in accordance with saved policy EU4 of the South Somerset Local Plan and the advice of PPS25.

15. No development approved by this permission shall be commenced until details of the existing and proposed finished ground and floor levels have been submitted to and approved in writing by the local planning authority.

**Reason:** To ensure that the development is subject to the minimum risk of flooding in accordance with saved policy EU4 of the South Somerset Local Plan and the advice of PPS25.

16. The crossing of the Viney Brook water course shall not be commenced until such time as engineering and hydraulic analysis details of the proposed crossing have been submitted to and approved by the local planning authority. The scheme must include flood depths and extents for all events up to and including the 1 in 100 plus climate change and provide a clear indication on the impact on surrounding area. Once approved such scheme shall be implemented in accordance with the approved programme and details.

**Reason:** To ensure that the link road is not put at flood risk, nor increases flood risk to adjacent third party land upstream of the crossing in accordance with the advice of PPS25.

17. No development approved by this permission shall be commenced until a scheme for the provision and implementation of compensatory flood storage works has been submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved programme and details.

**Reason:** To alleviate the increased risk of flooding in accordance with the advice of PPS25.

18. There shall be no temporary or permanent storage of any materials, including soil, within that part of the site liable to flood as shown 1 in 100 year plus climate change floodplain shown in South Somerset District Council's Strategic Flood Risk Assessment drawing Tile Set 3, Tile C.

**Reason:** To ensure that there will be no increased risk of flooding to other land/properties due to impedance of flood flows and/or reduction of flood storage capacity in accordance with the advice of PPS25.

19. Flood warning notices shall be erected in the public open space in numbers, positions and with wording all to be agreed with the local planning authority land is at risk of flooding in accordance with the advice of PPS25.

20. The culvert carrying the Viney Brook under the proposed new link road should be designed to allow passage for otters on both banks, details of which shall be submitted to and approved in writing by the local planning authority prior to the commence of the construction of this structure

**Reason:** To safeguard the interests of protected species in accordance with saved policy EC8 of the South Somerset Local Plan.

21. Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the local planning authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:-

- 1) A preliminary risk assessment which has identified:
  - all previous uses,
  - potential contaminants associated with those uses,

- a conceptual model of the site indicating sources, pathways and receptors,
- potentially unacceptable risks arising from contamination at the site.

2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the LPA. The scheme shall be implemented as approved.

**Reason:** To protect controlled waters in accordance with the advice of PPS25.

22. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted, and obtained written approval from the local planning authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.

**Reason:** To protect controlled waters in accordance with the advice of PPS25.

23. Streetlighting columns shall not exceed six metres in height and shall be equipped with maximum cut-off and downlighting in accordance with details which shall be submitted to and approved in writing by the local planning authority. There shall be no variation of this height unless otherwise agreed in writing by the local planning authority.

**Reason:** To protect wildlife habitats, in the interests of visual amenity and to prevent light pollution in accordance with saved policies EC8 and EP3 of the South Somerset Local Plan.

24. Highways conditions as reasonably recommended by the highway officer.

### **Informatives**

You are reminded of the contents of the Environment Agency's letter of 02/12/11, a copy of which is available on the District Council's website. Specifically the detail required in connection with condition 11 should take the Agency's views into account.