

Area West Committee – 18th September 2013

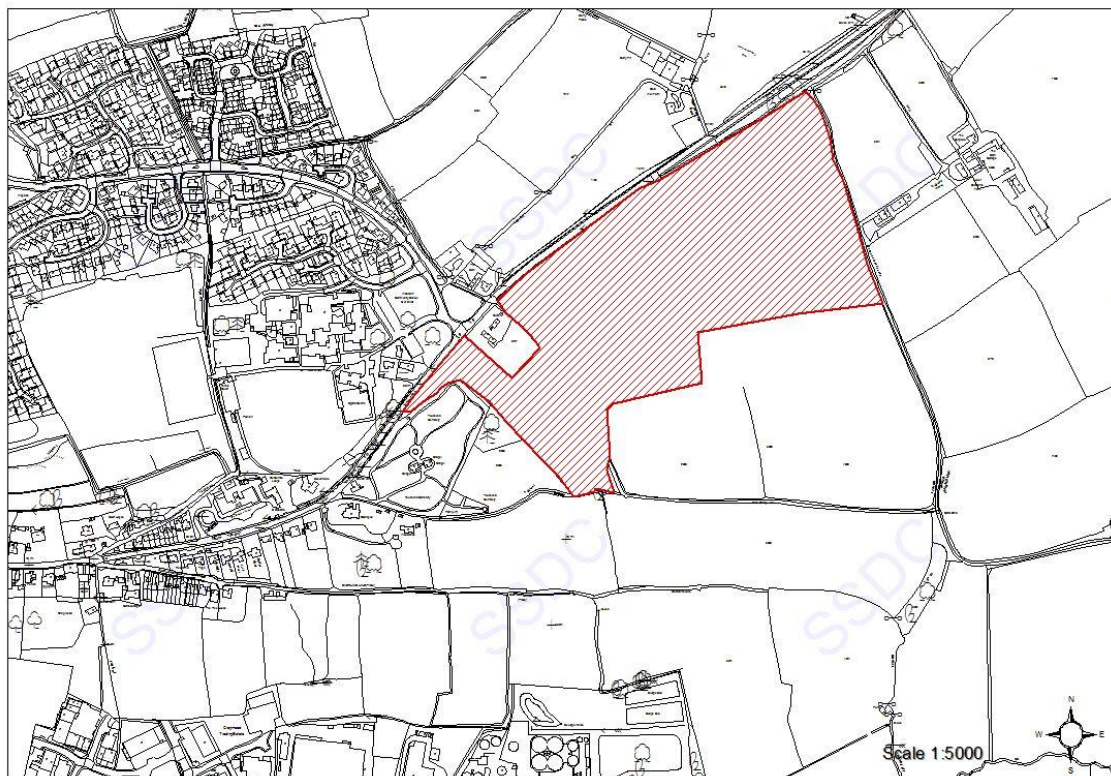
Officer Report On Planning Application: 13/02201/REM

Proposal:	Development comprising 203 dwellings, the first section of the Crewkerne link road, drainage and service infrastructure, landscape and ecological mitigation measures (Phase 1 reserved matters of 05/00661/OUT) (GR 345354/109767)
Site Address:	Crewkerne Key Site (CLR), Land East Of Crewkerne Between A30 And A356 Yeovil Road, Crewkerne
Parish:	Crewkerne
CREWKERNE TOWN Ward (SSDC Member)	Cllr John Dyke Cllr Mike Best Cllr Angie Singleton
Recommending Case Officer:	Adrian Noon Tel: 01935 462370 Email: adrian.noon@southsomerset.gov.uk
Target date:	2 October 2013
Applicant:	Taylor Wimpy Homes (Exeter)
Agent: (no agent if blank)	Origin3 17 Whiteladies Road Bristol, BS81PB
Application Type:	Major Dwlg's 10 or more or site 0.5ha+

REASON FOR REFERRAL TO PLANNING COMMITTEE

This application is referred to committee in accordance with the Council's scheme of delegation as it is a 'major major' application that is recommended for approval.

SITE DESCRIPTION AND PROPOSAL



This is a greenfield site located to the east of the town comprising of c. 12.25 hectares of land on the south side of the A30. It is bounded by the cemetery to the west, the sunken A30 with its mature trees to the north, Higher Eastams Lane to the east and open agricultural land to the south. The land is open grass land with limited hedges and slopes away to the east and south.

The site wraps round the dwelling known as The Butts, and Butts Quarry Lane, a public right of way, runs through the site. On the other side of the A30 are Eastams Hill Farm, Ashmead Road, Wadham School and agricultural land.

This application covers the first of 2 phases of residential development and comprises 203 dwellings and associated open space and infrastructure including:-

- A 'Green' and a 'Square' within the development;
- An attenuation pond as part of the drainage scheme in the northeast corner;
- Open space around the attenuation pond linking into the development by an open 'Combe';
- Parking and access arrangements.

The application is supported by:-

- Drawings to show the house types;
- Details of all boundary and hard surfacing materials;
- A detailed drainage strategy;
- Landscape and ecology management plan;
- Highways details;
- A Design and Access Statement;
- A Statement of Community Involvement;
- An Arboricultural Constraints Report.

The houses would be predominantly 2-storey, with 11 3-storey houses and a 3-storey apartment block and 27 2½-storey houses. There would be:-

- 34 four bedroom houses;
- 96 three bedroom houses;
- 64 two bedroom houses (including 18 'flats over garages' (FOGs));
- 9 one bedroom flats;
- A total of 499 parking spaces.

The materials would be a mix of brick, render and stone with tiled and slated roofs.

PLANNING HISTORY

05/00661/OUT Outline permission granted (04/02/13) for comprehensive development of 50 hectare site between the A30 Yeovil road and the A356 Misterton road Local Plan comprising:-

- 525 dwellings, including 17.5% affordable housing;
- Employment land for a range of employment uses;
- A local centre, including a convenience store;

- A primary school site;
- 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.

An associated S106 agreement provided for a detailed package of planning obligations. These were agreed following an 'open-book' appraisal of the viability of the scheme by the District Valuer and covered:-

- the completion of the link road through the site, between the A30 and the A356, prior to the occupation of the 200th house or within 4 years of the occupation of the 1st house, whichever is sooner;
- the completion of the link between the new link road and Blacknell Lane prior to the occupation of 1,000m² 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;
- 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;
- 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;
- an education contribution of £2,000,000 as requested by the County Education authority;
- 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;
- 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 25th house);
- the provision and maintenance of on-site play areas;
- the landscaping and maintenance of c.24 hectares of 'county-park', including any landscaping necessary for dormouse mitigation measures;
- a requirement for the developer to make all reasonable endeavours 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;

- the completion of the dormouse bridge prior to the completion of the link road through the site;
- appropriate badger mitigation measures as required by the Council's ecologist;
- 3 yearly review 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.

11/02335/EIASS Scoping Opinion issued (15/08/11) to require additional information and updates in relation to the Environmental Impact Assessment submitted with 05/00661/OUT.

13/00650/DOC Conditions 3 (phasing), 5 (design code), 6 (landscape and ecological management strategy), 7 (landscape planting strategy) and 8 (waste management plan) of 05/00661/OUT discharged.

13/03563/EIASS Environmental Screening Opinion given to confirm that additional environment assessment is not required in support of this application.

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 South Somerset Local Plan where such policies are consistent with the National Planning Policy Framework.

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.*

Also of relevance are:-

ST5 - General Principles of Development
 ST6 - The Quality of Development
 ST7 – Crime and design
 EC3 - Landscape Character
 EC4 – Impact on Ecology
 EC7 – Networks of Natural Habitats
 EC8 - Protected Species
 EP6 – Construction Sites
 EU4 – Water Services and Drainage
 TP1 - New Development and Pedestrian Movement
 TP2 – Travel Plans
 TP4 - Road Design
 HG1 - Provision of New Housing Development
 HG7 – Affordable Housing.
 CR2 – Provision for Outdoor Play Space and Amenity Space in New Development
 CR4 - Amenity Open Space

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

National Planning Policy Framework

- Chapter 1 Building a Strong Competitive Economy
- Chapter 4 Promoting sustainable transport
- Chapter 6 Delivering a wide choice of high quality homes
- Chapter 7 Requiring good design
- Chapter 8 Promoting healthy communities
- Chapter 10 Meeting the challenge of climate change, flooding and coastal change
- Chapter 11 Conserving and enhancing the natural environment

Other Relevant Considerations

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).

Somerset Parking Strategy sets out the parking standards sought from development.

The Design Code, Landscape and Ecological Management Strategy, Landscape Planting Strategy and Waste Management Plan agreed by discharge of condition of 05/00661/OUT set out the codes by which the development is to be laid out and detailed.

Enquiry By Design – The Princes Trust. Prior to the submission of the outline application this work established the parameters for the development of this site.

CONSULTATIONS

Crewkerne Town Council – initial response sought clarification on the delivery of the distributor road and other highways/footpath improvements, the detail of the new access arrangements, the management of the open space, refuse storage, the parking arrangements, control over solar panels, meter boxes and satellite dishes. The applicant and local planning authority have provided a detailed response and the Town Council have confirmed that they have no objection in principle, however they require reassurance that SSDC will address their concerns.

Highway Authority (estate roads) – initially concerned that some parts of the proposed development are odds with the detail agreed in the Design Code agreed through the discharge of condition 5 of the outline permission. Following extensive negotiations amendments to surfacing materials, alignments of curbs, boundaries to the public realm etc. have been agreed and the highways authorities’ final comments will be reported to committee.

No objections have been raised with regard to the layout, parking provision and general highways safety issues.

Conservation Manager – initially concerned that some of the detailed house designs did not sufficiently reflect the Design Code and thrust of the Enquiry by Design report closely enough in a number of respects and need, mostly minor, adjustments to a number of the types. Other concerns are raised about the lack of clarity of hard surfacing and boundary treatments. It is considered that meter boxes should be eliminated from principle elevations.

The applicant has agreed to address the issues raised and the Conservation Manager’s final comments will be reported to committee.

Landscape Architect – notes that the information submitted in support of the application has been subject to review and agreement as part of the discharge of conditions of 05/00661/OUT. No objection is raised to the landscape and ecology management plan and it is confirmed that that the planting detail is acceptable.

Area Engineer – considers the submitted drainage details to be satisfactory. Notes that it is proposed that the attenuation pond would be the responsibility of a management company and advises that adoption by the County Council in their new role as drainage approval body may be a requirement.

Wessex Water – drainage strategy is acceptable in principle; detail will be agreed within Section 104 (Water Industry Act 1991) Agreement.

Environment Agency – informally confirm that they have no objection in principle, formal observations will be reported to the committee.

SSDC Council Ecologist – accepts mitigation measures proposed within the Landscape and Ecology Management Plan with regard to reptiles, badgers, dormice, nesting birds and bats. Concludes that the proposals will maintain the favourable conservation status of dormice in accordance with the requirements of the habitats Regulations 2010.

Natural England – No objection, advises that a licence will be required.

County Rights of Way Officer – no objection subject to works not encroaching the public right of way (the north/south section of Butts Quarry Lane).

REPRESENTATIONS

One letter of unqualified support received.

CONSIDERATIONS

This site was allocated for development by policy KS/CREW/1 of the adopted local plan and now benefits from outline permission for development granted earlier this year subject to a detailed section 106 agreement. This application is for the first phase of residential development of the northern part of the site, using the approved access from the A30 and would provide the first stretch of the distributor road to the top of the scarp slope at Butts Quarry Lane. Subsequent reserved matter applications will come forward in due course to cover the remainder of the site.

As a reserved matter application this proposal simply seeks approval for the layout of the development, the design, detailing and scale of the houses and the landscaping of the site. The principle of the development of this, the means of access from the A30 and the planning obligations have been established with the grant of the outline permission earlier this year. There is not considered to be any justification to revisit these matters and a screening opinion has been given to confirm that further environmental data is not required to determine this application.

Accordingly, whilst the Town Council's concerns over the delivery of the agreed planning obligations are noted, this application for the approval of reserved matters does not affect matters covered by section 106 agreements.

Layout of Development

The outline permission for this site limits development to 525 dwellings which would create a density across the site of c.36/ha. This general level of development is reflected in the agreed Design Code for the site which is an evolution of the Masterplan put forward by the Enquiry by Design and approved as part of the outline application.

The Code creates a Street Hierarchy and Character Areas. The former comprises an 'Avenue' through the development (the distributor road) below which sit Main streets, Streets, Green Lanes and Mew Lanes. There would also be pedestrian and cycle routes. The Character Areas are split into Formal (higher density up to 45 dwellings per hectare (dph)) area and Informal (lower density, 30-40 dph) areas.

The proposed layout allows for an overall level of parking (c. 2.5 spaces per dwelling) that complies with the County Council's new parking standards. The largest houses have up to 4 parking spaces and only the 1 bedroom flats have single spaces. Where three spaces are required these are provided 'in-line'; an arrangement that the County has confirmed is acceptable.

It is considered that the proposed layout and density accurately reflect the approved design code and conform to the pattern and level of development envisaged by the Enquiry by Design. As such this aspect of the proposal complies with policies ST5 and ST6.

House Types

Within the character areas and along the various street frontages the design Codes sets out the parameters for the design and height of the buildings. Within this part of the development the limited taller buildings (2 ½ and 3-storeys) would be confined to landmark buildings at focal points and key frontages, e.g. at junctions and fronting the open spaces. This is considered appropriate.

With regard to the design and detailing of the buildings the architectural code within the Design Code sets out a prescriptive set of design principles that covers roof pitches materials and detailing; chimneys; window arrangements and detailing, external materials; rainwater goods; meter boxes etc. these principles relate to the character areas and street frontages set out elsewhere in the Design Code and are considered to satisfactorily bring forward the vision established by the original Enquiry by Design.

The Council's Conservation Manager has been involved through the process and, subject to the receipt of drawings to address his initial concerns and a condition to address the siting of meter boxes, satellite dishes and solar panels (as requested by the Town Council) raised no objection. Such condition is considered reasonable and necessary to ensure the high quality design proposed is not subsequently diluted.

On this basis it is considered that the application complies with the requirements of policies ST5 and ST6.

Landscaping

The landscaping of this site has been carefully planned to integrate with the site wide ecology strategy to mitigate the impact of the development on dormice. To ensure this a Landscape and Ecology Management Strategy for the whole site has been agreed by discharge of condition. This has informed the Landscape and Ecology Management Plan submitted with this application which is supported by the Council's landscape architect and ecologist. On this basis it is considered that the landscaping proposals comply with policies ST5, ST6, EC3 and EC8 of the local plan.

Other Issues

Turning to other matters the following comments are offered:-

- Road Detailing – although no concerns have been raised about highways safety the highways officer has raised a number of concerns about compliance with the Design Code. Such concerns would normally be addressed through the County's adoption procedures or by condition. However in this instance it is considered important to ensure that the detail of all hard standing, boundary treatments, curb lines, materials

etc. is firmly established through the grant of a planning approval as opposed to a technical adoption process. The applicant has agreed to provide these details;

- Ecology – the details submitted with the application demonstrate that the favourable conservation status of the dormice would be safeguarded and that no undue harm would be suffered by reptiles, badgers, bats or nesting birds. A condition could be imposed to ensure compliance with the Landscape and Ecological Management Plan;

It should be noted that this application would not trigger the provision of the contentious dormouse bridge agreed at outline stage and the s106 obligation to review the need for the bridge would not be prejudiced by the approval of this application.

CONCLUSION

On the basis of the foregoing it is considered that this reserved matters application adequately builds on the recommendations of the Enquiry by Design that informed the Masterplan approved as part of the outline scheme. No significant objections are raised by any consultees and the proposal has raised no objections locally. Applicants have agreed to provide all amended drawings to address the issues that have been identified. As such matters would normally be addressed by condition no further consultations are necessary and it is considered reasonable to report the receipt of these drawings to committee along with confirmation that they satisfactorily address consultee's concerns.

RECOMMENDATION

That, subject to the receipt of additional drawings to address the Conservation Manager's and Highways Officer's concerns about the detailing of the proposal, approval of reserved matters be granted subject to the following conditions:-

Justification

The appearance, landscaping, layout and scale of the 203 houses proposed on this part of the Local Plan allocation KS/CREW/1 is in accordance with the Design Code and the Landscape and Ecological Management Strategy approved by condition attached to the outline approval for the development of this site. The proposal provides sufficient parking and drainage to mitigate the impact of the development and would have no adverse impact on any existing resident. As such the proposal complies with the saved policies of the South Somerset Local Plan and the policies contained within the National Planning Policy Framework.

CONDITIONS

1. Unless agreed otherwise in writing by the Local Planning Authority, all landscaping and associated works shall be carried out in accordance with the details, specifications and recommendations of the Landscape and Ecological Management Plan by The Richards Partnership and EAD Ecological Consultants dated May 2013 and the Arboricultural Constraints Report by JP Associates Ltd and as set out the following approved landscaping plans:- 11-05 10 B; 11-05 11B; 11-05 12B; 11-05 13B; 11-05 24A; 11-05 D/01A; 11-05 D/02A; 11-05 14A; 11-05 15A; 11-05 16A; 11-05 17A; 11-05 18A; 11-05 19A; 11-05 20A; and 11-05 21A. Such works shall be completed in accordance with the timescales set out the Landscape and Ecological Management Plan.

Reason: In the interests of visual amenity and to safeguard the ecological interest of the site in accordance with saved policies ST5 and EC3 of the South Somerset Local Plan.

2. Prior to the commencement of each dwelling hereby approved particulars of following shall be submitted to and approved in writing by the Local Planning Authority:
 - a. details of materials (including the provision of samples and the preparation of a natural stone sample panel where appropriate) to be used for the external walls and roofs;
 - b. details of the design, recessing, materials and finish (including door canopy and cill and lintel details) to be used for all new windows (including any rooflights) and doors;
 - c. details of all hardstanding and boundary treatments;
 - d. details of the rainwater goods and eaves, verges and fascia details and treatment;
 - e. Details of dormers, roof parapets and rooflights.

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

Reason: To ensure compliance with the approved Design code and to safeguard the character and appearance of the area in accordance with saved policies ST5 and ST6 of the South Somerset Local Plan.

3. Unless agreed otherwise in writing by the Local Planning Authority all aspects of the development hereby approved shall be implemented in accordance with the recommendations of the Landscape and Ecological Management Plan by The Richards Partnership and EAD Ecological Consultants dated May 2013 and the Arboricultural Constraints Report by JP Associates Ltd.

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.

4. Unless agreed otherwise in writing by the Local Planning Authority the surface water drainage scheme shall be implemented in accordance with the following approved drawings:- 124/501-01B; 124-502F; 124-506-05A; 124-506-06B; and 124-506-07A.

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.

5. Unless agreed otherwise in writing by the Local Planning Authority the finished levels shall accord with the details set out on the following approved drawings:- 124-3001-01; 124-3001-02; 124-3001-03 and 124-3001-04.

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

6. Prior to the commencement of each dwelling hereby approved details of any

external metered boxes to be installed shall be submitted to and approved in writing by the local planning authority. Once approved such details shall be fully implemented and not subsequently altered without the prior written approval of the Local Planning Authority.

Reason: To ensure compliance with the approved Design code and to safeguard the character and appearance of the development in accordance with saved policies ST5 and ST6 of the South Somerset Local Plan.

7. 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 photovoltaic or solar panels or satellite dish shall be installed to any elevation fronting 'The Avenue' or any Main Street' as defined in the Design Code approved under condition 5 of the outline permission granted 04/02/13, ref. 05/00661/OUT.

Reason: To ensure compliance with the approved Design code and to safeguard the character and appearance of the development in accordance with saved policies ST5 and ST6 of the South Somerset Local Plan.

8. Condition to define the approved plans in light of additional drawings to be submitted.
9. Possible additional conditions as reasonably recommended by the Conservation Manager and/or the highways officer in light of the requested additional plans.

Informatives

1. You are reminded of the need to comply with all relevant conditions of then outline permission dated 04/02/13 (ref. 05/00661/OUT) and the obligations set out the associated Section 106 Agreement.
 2. You are reminded that any hedgerow or tree removal that affects protected species may require a licence from Natural England.
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