

Area West Committee – 20th November 2013

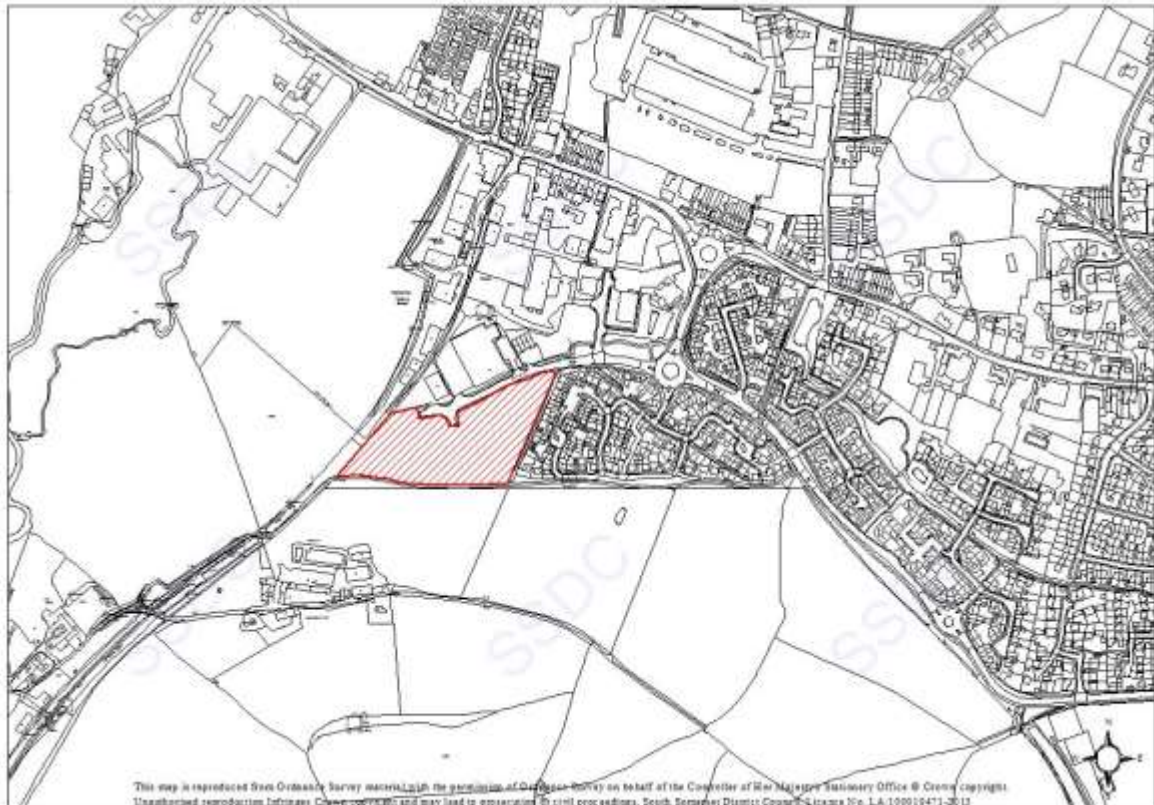
Officer Report on Planning Application: 13/02740/FUL

Proposal :	The erection of 65 No. dwellings and associated works. (GR 334845/114681)
Site Address:	Land At Canal Way Ilminster
Parish:	Ilminster
ILMINSTER TOWN Ward (SSDC Member)	Cllr C Goodall Cllr K T Turner
Recommending Case Officer:	John Millar Tel: (01935) 462465 Email: john.millar@southsomerset.gov.uk
Target date :	17th October 2013
Applicant :	Persimmon Homes (SW) Ltd
Agent: (no agent if blank)	Mrs Catherine Knee WYG Hawkridge House Chelston Business Park Wellington, Somerset TA21 8YA
Application Type :	Major Dwlg 10 or more or site 0.5ha+

REASONS FOR REFERRAL TO COMMITTEE

The application is classed as a 'major major' (2 hectares or more) and therefore in accordance with the Council's adopted scheme of delegation, has to be referred to Area West Committee.

SITE DESCRIPTION AND PROPOSAL





The site is located towards the western side of Ilminster, on the southern side of Canal Way. The site is currently grassed and adjoins a residential area to the east and business units to the north. To the south and west is countryside. Public footpaths adjoin the site along its eastern and southern boundaries, with a cycle path to the north and to the south. The application site is approximately 2 hectares in size and forms the remaining undeveloped area within a larger 21.6 hectare development site, which includes the adjoining housing and commercial developments. It is within the Ilminster development area and is referred to as a commercial area of major change in the saved South Somerset Local Plan. Approval was granted in 2008 for the provision of 4 industrial buildings, however this consent has now elapsed. The southern and eastern boundaries of the site benefit from fairly extensive landscaping, with mature boundary hedges present. This will be enhanced with additional planting both along the frontage to the site as well as internally along the entrance into the site.

The application proposes the erection of 65 dwellings and garages, along with associated works including laying out of new estate roads, surface water attenuation, other drainage and landscaping arrangements. A range of dwellings are proposed from 1 bedroom flats to 4/5 bedroom homes. 23 affordable dwellings are proposed and are to be clustered to the north east of the site. The dwellings incorporate a simple range of materials, comprising Fortacrete reconstituted stone (Blackmoore Olde Heather) and Ibstock Brunswick bricks (Wilton Yellow and Autumn) with Redland Richmond and Mini Stonewold roof tiles. The layout incorporates a main spine road from an existing hammerhead into the site from Canal Way, with shared surface roads into the remainder of the development site. A small area of public open space is proposed at the south west corner of the site, with links onto the existing public footpath and cycle network to be provided in a number of places.

Since submission, the application has been amended to significantly alter the site layout, housing types and designs, site levels and increase the number of units from 59 to 65.

Further amendments have also been made to the landscaping and drainage arrangements.

The application is supported by:

- Design and Access Statement and Planning Statement
- Flood Risk and Drainage Assessment
- Transport Statement
- Travel Plan
- Ground Conditions Desk Study Report
- Habitats Survey (Phase 1 Survey, Bat and Dormouse Survey Reports)
- Archaeology and heritage Desk Based Assessment
- Arboricultural Constraints Report
- Statement of Community Involvement

HISTORY

12/04878/EIASS: Proposed residential development of up to 60 dwellings - EIA not required.

09/00459/S73: Application to delete condition 3 of decision notice 08/01602/FUL dated 12.09.08 (to be replaced by a new condition allowing B1, B2 and B8 use across the whole site but limiting 50% of block 4 for B2 use) and vary condition 19 by replacing the word opening with delivery and amend hours to 07.00-19.00 Monday to Saturday and 09.00-16.30 Sundays, Bank and Public Holidays Permitted with conditions.

08/01602/FUL: The erection of 4 industrial buildings and associated parking - permitted with conditions.

97/01637/OUT - development of 21.6 hectares of land for residential development and employment purposes (approved 1998).

A large number of applications have previously been submitted with regard to other aspects of the larger site, including the now developed adjoining sites.

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.

Relevant Development Plan Documents

South Somerset Local Plan 2006:

ST3 - Development Areas

ST5 - General Principles of Development

ST6 - The Quality of Development

ST7 - Public Space

ST10 - Planning Obligations

EC3 - Landscape Character

EC8 - Protected Species

EH12 - Areas of High Archaeological Potential and Other Areas of Archaeological Interest

EP1 - Pollution and Noise

EP5 - Contaminated Land

EP6 - Demolition and Construction Sites

EP9 - Control of other Potentially Polluting Uses

EU4 - Drainage

TP1 - New Development and Pedestrian Movements
 TP2 - Travel Plans
 TP4 - Road Design
 ME3 - Employment within Development Areas
 HG7 - Affordable Housing
 CR2 - Provision of Outdoor Playing and Amenity Space in New Development
 CR3 - Off Site Provision
 CR4 - Provision of Amenity Space

Policy-related Material Considerations

National Planning Policy Framework (March 2012):
 Core Planning Principles - Paragraph 17
 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 - Climate Change and Flooding
 Chapter 11 - Conserving and Enhancing the Natural Environment
 Chapter 12 - Conserving and Enhancing the Historic Environment

Somerset County Council Parking Strategy (March 2012)

South Somerset Sustainable Community Strategy (2008-2026):
 Goal 3 - Healthy Environments
 Goal 4 - Quality Public Services
 Goal 8 - Quality Development
 Goal 9 - Homes
 Goal 11 - Environment

CONSULTATIONS

The responses from the following consultees are provided below in summary form only. The full responses are available on the public planning file.

Iminster Town Council:

Recommend refusal on a number of grounds:

- Overdevelopment, particularly in the area identified for affordable housing.
- Concern about the practicality of room sizes/living space, particularly in respect to the affordable housing. Would like to see comments on the layout and living space from social housing providers.
- Concerned that the flood information is out of date and following recent flooding incidents, it is felt that the site is at risk of flooding.
- Possible negative impact on existing infrastructure, particularly sewage and rainwater drainage.
- A small play area for pre-school children should be provided as it is not so easy to reach the main recreation ground.
- Need to clarify responsibility for shared surface street.
- There is only a single entrance to the development, which is a concern for emergency vehicle access.
- The social housing is not split up as requested by SSDC Housing.

Donyatt Parish Council:

No objections in principle, however concerned that proposed development in Chard and

Cuttiford's Door will add to surface water run-off to the River Isle, through Donyatt, which may impact on the flood plain. Donyatt PC would like to be sure that the interactions with this site have been considered.

County Rights of Way:

No objection. The proposed pedestrian and cycle access routes are welcomed, although these will need to be discussed with the Rights of Way Team in more detail.

SSDC Rights of Way:

No comment.

County Archaeology:

An on-site evaluation revealed Roman and Prehistoric remains. As such, the applicant will be required to archaeologically excavate and provide a report on discoveries made. Model condition 55 is suggested. Otherwise, there are no objections raised.

County Education:

Confirmed that Greenfylde First School is overcrowded, with nine first school places required as a result of the development proposal. At a cost of £12,257 per place, there is a need for development contributions of £110,313.

SSDC Climate Change Officer:

Has referred to Building Regulations and emerging Local Plan policies requiring consideration of high-efficiency alternative energy systems and requirement to build to Code for Sustainable Homes level 4. Does not support the revised layout as the number of south facing roof slopes has decreased.

SSDC Economic Development:

The site has previously been marketed to a level that is consistent with the Council's guidance in respect to marketing land for employment use prior to consideration of a change of use. Notwithstanding this, the site is not designated as employment land and therefore the proposal would not lead to a net loss of employment space. While it would have been preferred that this site was used for employment purposes, there is no current employment use and with the lack of designation, there are no grounds to recommend refusal.

SSDC Environmental Protection Officer:

Initially requested that a noise assessment be carried out to assess the potential impact of commercial premises in the locality. Following amendments to layout, the distance of the nearest house to the existing industrial sites and the provision of a generous buffer zone are such that a survey is no longer considered necessary and no objections are raised.

Wessex Water:

No objections raised. It is advised that the site will be served by separate systems of drainage constructed to current adoptable standards. There are public and fowls sewers and a public water supply available for connection, details to be agreed. It is noted that there is a water main crossing the site, which will require diversion at the cost of the developer. Following receipt of an amended drainage proposal, any further comments shall be reported at the committee meeting.

SSDC Housing:

23 affordable units (out of 65), meets the 35% requirement. A split of 2/3 social rent and 1/3 shared ownership or other intermediate solutions, is expected. Properties should be pepper potted through the site and that all dwellings comply with at least HCA minimum

space standards for affordable housing.

Current Housing Register data indicates requirement for Ilminster of 6 x 1 bed, 11 x 2 bed, 3 x 3 bed and 1 x 4 bed properties (based on the original proposal for 59 houses). The proposed mix is 4 x 1 bed units (all affordable rent), 12 x 2 bed units (6 x social rent and 6 x shared ownership) 6 x 3 bed units (4 x social rent and 2 x shared ownership) and 1 x 4 bed unit (social rent). The proposed affordable housing scheme is considered to fall short on a number of points. The 2 and 3 bed units fall just below the expected minimum space standards, there is one too many shared ownership properties and there are considered to be slightly too few 1 bed units and slightly too many 3 bed units. Additionally the proposed affordable rent properties would usually be expected to be included within the 1/3 of the mix (shared ownership or intermediate solutions), although in this case it is effectively being included within the 2/3 social rent element. While this is not usually accepted, no objection is raised on this occasion as the affordable rent properties are all 1 bedroom and the current rents are similar in both the social rent and affordable rent regimes.

SSDC Community, Health and Leisure:

A contribution of £374,930.58 (£5768.16 per dwelling) is sought towards the increased demand for outdoor play space, sport and recreation facilities, should the scheme be approved. The following contribution request is made:

- £214,563.07 towards local facilities.
- £76,040.92 towards strategic facilities.
- £80,614.40 as a commuted sum towards local services.
- £3,712.18 as the Community, Health and Leisure Service administration fee.

The requested sums include a payment towards off-site outdoor equipped play provision. It had been requested that on site play provision to a minimum standard of a LEAP be provided. In this case, this is not provided and the applicant has instead proposed an off-site contribution to enhance the existing play area at Ilminster Recreation Ground. If Members are prepared to accept this, a payment is suggested for an amount equivalent to the cost of providing and maintaining a LEAP.

It is recommended that £167,104.85 is required upon occupation of the first 25% of the proposed dwellings, £131,784.81 upon the occupation of 50% of the proposed dwellings and the final £76,040.92 upon occupation of 75% of the proposed dwellings.

SSDC Open Spaces Officer:

No objection, as proposed.

Environment Agency:

No objections, subject to imposition of conditions (or inclusion within a S106 legal agreement) to agree the technical details of the proposed drainage scheme, detail of management and future maintenance of the drainage arrangements and appropriate measures to be taken in the event of contamination being found on site. Standard informatives are suggested also. Following receipt of an amended drainage proposal, any further comments shall be reported at the committee meeting.

SSDC Technical Services:

Satisfied with proposed drainage arrangements prior to latest amendment. Use of culverts are acceptable as Wessex Water no longer has a policy of adopting crate attenuation. Any further comments shall be reported at the committee meeting.

County Highway Authority:

No objections to the layout of the estate roads, access and parking arrangements and to the expected levels of traffic generation. The Travel Plan was however considered to be inadequate and revisions required to the proposed drainage scheme. It was suggested that the proposed 'Geocellular Crate Storage' attenuation should be substituted with culverted attenuation. Following amendments to this effect, further concern was raised about the attenuation being located under the highway. Further amendments have been made to provide this attenuation below private parking areas, off the highway, which is acceptable in principle to the Highway Authority, subject to technical details being approved by condition. Other standard highway conditions and informatives are also requested, if planning permission is approved.

SSDC Conservation Manager:

No objection in principle however some comments received in respect to house designs and site layout, regarding boundary treatments and design issues. It is requested that amendments be sought to provide expressed lintels to all ground floor openings and that windows are required to be of a balanced casement design.

SSDC Ecologist:

There is evidence of bat activity within the retained boundary hedges, however these are mainly common species that would not be expected to be significantly impacted on by the proposed development. Low levels of other species were recorded but these are of such a small amount that they are also not considered to be a constraint to the development. No dormice or badgers were found to be present on site. No objections to the proposal subject to conditions relating to additional checks for badger presence and for provision of biodiversity enhancements.

SSDC Landscape Architect:

Following amendments to the scheme, which includes changes to site layout, design and landscaping scheme, there are no objections to the proposal. It is considered that the revised layout works better than originally proposed and the landscaping scheme is appropriate.

SSDC Tree Officer:

No significant arboriculture issues identified and no objection raised.

REPRESENTATIONS

The application has been advertised by site notice and in the local press for the requisite period. One letter has been received from a local resident, objecting on the basis that the land should be retained for commercial use and that there may not have been appropriate marketing of the previous commercial permission and employment status of the site. It is further requested that if planning permission is granted, the design of the buildings reflects the character of Ilminster, rather than being "bland box construction build".

CONSIDERATIONS**Principle of Development**

The application is made for the provision of 65 homes on an undeveloped plot of land at the edge of Ilminster. The plot is located within the defined development area of Ilminster and as such the proposal is considered acceptable in principle subject to it being in accordance with relevant local and national policy.

There was a question mark over the status of the land, as it was previously intended for employment provision. This is shown within the current saved Local Plan by the site being shown within a 'commercial area of major change'. This is however, an indicative designation, effectively indicating that at the time, there was a live consent for employment use of this land. This previous consent has now expired and there is no formal designation of the site. As a result, the land is simply considered to be development area within Ilminster, with there being no employment policy grounds to resist residential development.

While the principle of the development is supported, consideration will have to be given to the impact the proposal will have, mainly in respect to impact on highway safety, impact upon neighbouring residential amenity, design and appearance, flood risk and planning obligations.

Scale, Design and Appearance

The development is proposed at a density of approximately 32 dwellings per hectare, with the majority of houses being laid out around secondary road branches either side of a main spine road, which runs southwards from the access off Canal Way. The site is constrained by its size and shape, however the latest submission follows discussions with Planning Officers, the Council's Landscape Officer and Conservation Manager and is considered to be a well laid out to make best use of the available space. The houses are orientated to form attractive formal street scenes within the site. It had originally been intended that the line of houses along Canal Way would address the main road but following the revisions to the layout, an attractive brick wall will form this site frontage, set back to allow some landscaping to soften its impact. As this boundary of the site will address the industrial estate opposite, there is less of a formal residential appearance to conform to in the immediate vicinity. This will also provide an effective buffer to the industrial development and allow the development to address the internal street scene.

The proposed dwellings are simply designed and proportioned, with materials and a scale similar to the nearby residential development. The layout incorporates mainly frontage car parking, which is softened by a comprehensive landscaping scheme and proposed use of brick walls and railings for boundaries onto the public domain. Timber fencing is proposed only where gardens back onto existing hedge boundaries or other proposed dwellings. Some design issues have been flagged up in respect to boundary treatments and the position and finish of meter boxes, however these have been adequately addressed in the scheme and subject to final approval of meter box positions and finishes, have led to no objections. The Conservation Manager has requested the inclusion of express lintels to the ground floor openings of the proposed dwellings, however the applicant has chosen not to implement this recommendation, other than on a few of the focal buildings in more prominent locations. While this is disappointing, it is not considered to be of such importance that would warrant a recommendation of refusal.

The proposal includes good links to the existing footpath and cycle networks in the vicinity of the development.

The Town Council have objected to the density of the proposal, feeling that it is overdevelopment of the site. The density is however approximately 32 dwellings per hectares, which is not considered to be too high and is similar to the adjoining development. The layout has been scrutinised by the relevant consultees and no objections have been raised. The plot sizes are deemed to be acceptable in principle, with gardens of a reasonable size all of which have rear access. Overall, it is considered that the layout makes effective use of the space available and is carefully designed to

remain an attractive development with adequate space throughout. As such, it is not considered to be overdevelopment of the site.

Highway Safety

The County Highway Authority have confirmed that they have no objections to the development in respect to its layout, access arrangements and arrangements for private off-street parking. A Transport Assessment submitted by the applicant has been fully assessed by the Highway Authority and they have raised no concerns relating to expected levels of traffic movements and associated trip patterns.

The Town Council are concerned that there is only one access to the whole development, which they feel may be an issue for emergency vehicles, however this is not something that has been identified as a concern by the Highway Authority, who are content with the proposed layout and access. As such, it is considered that the proposed development satisfies the Highway Authority in this respect and will have no adverse impact on highway safety.

Residential Amenity

The site borders an existing residential development (Adams Meadow) to the east, with open fields to the south and west and industrial development to the north. In this case, the dwellings proposed along the eastern boundary of the site back onto an existing mature hedgerow that will restrict any views towards the nearest properties in the adjoining residential development. Notwithstanding this, there is a good distance between the respective developments, which are further separated by the adjoining public footpath and another hedge on the Adams Meadow side. As a result of the existing boundary treatments and distance between the nearest properties on the proposed and adjoining development, it is not considered that there will be any unacceptable harm caused to the residential amenity of existing or future residents.

In respect to the proposed dwellings, there is an existing industrial development to the north. The Council's Environmental Protection Officer has considered the proposal and after originally requesting a noise assessment, was finally satisfied with the proposal following the revised layout that stepped the houses adjoining Canal Way back from the road, which effectively increased the buffer zone between the two developments. It is also noted that the nearest businesses do not carry out operations that would be considered to have an adverse impact on residential amenity. Overall, the relationship between the industrial area and proposed development is considered to be acceptable.

Any impact on adjoining residents and businesses as a result of this proposal is more likely to occur during the short term construction phase. In order to reduce any adverse impact, it is proposed to impose a condition requiring a Construction and Environmental Management Plan (CEMP) to cover work hours, vehicle movements, parking, etc.

Drainage/Flood Risk

The application is supported by a flood risk assessment and drainage assessment, which concludes that the site is within Flood Zone 1 and at low risk of flooding, and therefore suitable for residential development. The site is adjacent to a larger flood plain to the west, which includes Flood Risk Zones 2 and 3, however it is not considered that there is a significant risk of flooding. It is understood that there have been historic local flooding incidents and as such, the Town Council feel that the assessment is out of date, however the Environment Agency and the Council's Drainage Engineer have raised no concerns with the information submitted, with the latter also being satisfied that the

proposed drainage arrangements are appropriate to reducing the risk of flooding locally.

It is proposed that a new surface water drainage system will be provided within the site, comprising two separate networks, with controlled connections to existing public sewer network along Canal Way. Foul water is also proposed to be connected to the existing network. The applicant has been in negotiations with Wessex Water and have confirmed that the new drainage networks will be adopted by them and that there is capacity for the proposed development to be accommodated locally.

The Highway Authority raised no objection with the principle of the arrangements, other than that they would not accept the proposed attenuation culverts under the roads that they are due to adopt. The technical details of the drainage arrangements can be dealt with by condition, however revised details of the culverts under private parking areas have been submitted, which are acceptable in principle. Any final comments from the relevant consultees can be presented to Members at the meeting, however the applicant is confident that these arrangements will prove acceptable. Overall, the development is considered to be acceptable in this location and appropriate arrangements are to be put in place to void the risk of increased flooding by ensuring that all foul and surface water is dealt with appropriately.

Planning Obligations

The SSDC Community, Health and Leisure department have sought contributions towards local and strategic outdoor playing space, sport and recreation facilities of £374,930.58 (£5768.16 per dwelling). This includes a significant contribution towards enhancing existing equipped play space at Ilminster Recreation Ground, as there is inadequate space within the site to provide a play area to the minimum standards expected for a LEAP. While this arrangement is not ideal, the Community, Health and Leisure team are satisfied that the provision of a contribution towards these local enhancements and future maintenance will be acceptable, if members are minded to accept the development with no on-site play area.

The County Education Department have identified a shortage of first school places locally, with the need for an additional 9 places resulting from the proposed development. At a cost of £12,257 per place, development contributions of £110,313 are sought.

The Travel Plan submitted with the application was deemed to be lacking in certain areas, however the developer will be required to agree the appropriate content as part of the S106 agreement. This is not a matter that should be a constraint on approving planning permission.

The proposal meets the District Council's requirement for 35% affordable housing, however the split of rents, mix of housing types and sizes of the 2 and 3 bedroom units do fall slightly short of the Housing Team's requested requirements, which are based on local housing need data. In respect to size, the units only just fall outside the Council's expected minimum space standards, however there is no policy basis to refuse permission and even so, the sizes are not considered to be unreasonable or likely to cause unacceptable harm to the residential amenity of future occupiers. The rental split is out by one too many shared ownership properties and Housing have identified that there are too many 3 bed units and too few 1 bed units. Notwithstanding this, the applicant has made it clear that they have been in negotiations with several affordable housing providers, prior to finalising the layout of the scheme and the proposed mix of property sizes and split of rents. They have confirmed the submitted proposal is in agreement with these affordable housing providers, who are satisfied that it reflects their

needs. For this reason, it is not considered reasonable to refuse planning permission, as it is deemed that the proposal meets an identified local need, if not entirely consistent with the Housing Team's request.

Should the application be approved, a Section 106 agreement will be required to address these matters identified above.

Ecology

The Council's Ecologist has assessed the habitat surveys carried out on site and is content that no reptile or dormice are present. While bat activity has been identified on site, this is not at a level considered to be a constraint on development. No objection is raised subject to conditions requiring biodiversity enhancements, such as appropriate planting and provision of bat boxes, etc. and that checks are carried out in relation to presence of badgers, prior to the development commencing, if approved.

Archaeology

An initial evaluation of the site has revealed Roman and Prehistoric. While not a reason to refuse planning permission, an archaeological condition is to be imposed requiring excavation of the heritage asset and a report being made on any discoveries.

Sustainable Energy

The Council's Climate Change Mitigation does not support the revised layout as this has reduced the number of south facing roof slopes available for the provision of solar panels. While this is acknowledged, there are no policy grounds to object on this basis. Otherwise, the applicant has advised that they intend to construct the dwellings to a minimum requirement of Code for Sustainable Homes level 4, however this is an issue that is to be addressed at the Building Regulations stage, when energy ratings will be applied to the dwellings.

Environmental Impact Assessment

The proposal falls within the scope of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. Accordingly, a screening opinion was submitted in December 2012 (12/04878/EIASS). The basic test of the need for Environmental Impact Assessment in a particular case is the likelihood of significant environmental effects on the environment. It was determined that in this case an Environmental Impact Assessment was not required.

Conclusion

The site is located within the defined development area of Ilminster and as such the proposal is considered to be sustainably located. It is considered that the impact on the local flood risk, ecology, archaeology, surrounding landscape character, residential amenity and highway safety will be acceptable. The applicant has agreed to pay the appropriate contributions. The application is considered to be acceptable in all other regards.

RECOMMENDATION

The application be approved subject to:-

- (i) The prior completion of a Section 106 Planning Obligation (in a form acceptable to the

Council's solicitor(s)) before the decision notice granting planning permission is issued, to secure the following:

(a) The agreed contribution towards the provision of sport, play and strategic facilities (to the satisfaction of the Local Planning Authority).

£214,563.07 to be used for local facilities.

£76,040.92 to be used for strategic facilities.

£80,614.40 as a commuted sum towards local services.

£3,712.18 as the Community, Health and Leisure Service administration fee;

b) To ensure that 23 of the residential units are affordable and remain available long term to satisfy local need as set out by policy HG9 of the South Somerset Local Plan (to the satisfaction of the Local Planning Authority);

c) Contribution towards education of £110,313 to provide an additional 9 first school places.

d) An appropriate Travel Plan

e) To ensure that appropriate measures are put in place to secure the on-going management and maintenance of areas of public open space.

f) To ensure that appropriate measures are put in place to secure the on-going management and maintenance of areas of the surface water drainage scheme.

g) S106 Monitoring fee based on 20% of the planning fee paid.

and;

(ii) conditions, as set out below:

01. The proposed development comprising 65 residential units, by reason of its appearance, landscaping, layout and scale is considered to be acceptable and will contribute to the Council's housing supply. Furthermore, the proposal provides sufficient parking, drainage and landscaping measures to mitigate the impact of the development and would have no adverse impact on highway safety, local flood risk and residential amenity, in accordance with the aims and objectives of saved policies ST3, ST5, ST6, ST7, ST10, EC3, EC8, EH12, EP1, EP5, EP6, EP9, EU4, TP1, TP2, TP4, ME3, HG7, CR2, CR3 and CR4 of the South Somerset Local Plan 2006 and the provisions of the chapters 4, 6, 7, 8, 10, 11, 12 and the core planning principles of the National Planning Policy Framework.

SUBJECT TO THE FOLLOWING:

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

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

02. The development hereby permitted shall be carried out in complete accordance with the following approved plans: 'D01 Rev A', received 17th July 2013, '0870-P-S1 Rev A', '2420-P-S1 Rev B', '3520-P-S1 Rev B', '4720-P-S1', '1210-PA-S1', '999-P-S2 Rev A', '0761-P-S2', '0969C-P-S1', '0969-P-S1', '999C-P-S1', '999-P-S2',

'999-P-S1 Rev A', '0631-P-S1 Rev A', '0761-P-S1 Rev A', '1096-P-S1', '1222-P-S1', '1414-P-S1', '1414-P-S2', received 9th September 2013, 'L.01 Rev F', 'L.02 Rev C', received 23rd October 2013 and '2013 ILLM sk110 P2', '2013 ILLM sk111 P3', '2013 ILLM sk112 P2', '2013 ILLM sk300 P2', received 28th October 2013.

Reason: For the avoidance of doubt as to the development authorised and in the interests of proper planning.

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

- a) details of materials (including the provision of samples where appropriate) to be used for the external walls and roofs;
- b) panels of brickwork and stonework shall be provided on site for inspection;
- c) details of the recessing, materials and finish (including the provision of samples where appropriate) to be used for all new windows (including any roof lights) and doors;
- d) particulars of all boundary treatments and hard surfacing materials. Such details shall include the use of porous materials to the parking and turning areas;
- e) details of position and colour finish of meter cupboards, gas boxes, rainwater goods, soil and waste pipes (soil and waste pipes are expected to be run internally);
- f) internal floor levels of the buildings

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 and the provisions of Chapter 7 of the National Planning Policy Framework.

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

Reason: To ensure satisfactory drainage at the site and for the prevention of flood risk, in accordance with saved policy EU4 of the South Somerset Local Plan.

05. No development shall commence until a surface water drainage scheme for the site, based on the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. Such drainage scheme shall also include details of gullies, connections, soakaways and means of attenuation on site. The scheme shall subsequently be implemented in accordance with the approved details before any part of the development hereby permitted is first brought into use. Following its installation such approved scheme shall be permanently retained and maintained thereafter.

Reason: To prevent the increased risk of flooding, in the interests of highway safety, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage system, in accordance with saved policies ST5, EU4 and EP9 of the South Somerset Local Plan and the provisions of chapters 4 and 10 of the National Planning Policy Framework.

06. 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 a remediation strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: In the interests of environmental health and to prevent pollution of the water environment, in accordance with saved policies ST5, EP5 and EP9 of the South Somerset Local Plan and the core planning principles and provisions of Chapter 10 of the National Planning Policy Framework.

07. The proposed landscape scheme shall be carried out in accordance with details as indicated on approved plans 'L.01 Rev F' and 'L.02 Rev C'. All planting, seeding, turfing or earth moulding comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of any part of the development hereby permitted or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of visual amenity, in accordance with saved policies ST5 and ST6 of the South Somerset Local Plan and the provisions of Chapter 7 of the National Planning Policy Framework.

08. The proposed access shall be constructed in accordance with details shown on approved plan '2013 ILLM sk110 P2'. Once constructed the access shall be maintained thereafter in that condition at all times.

Reason: In the interests of highway safety, in accordance with saved policy ST5 of the South Somerset Local Plan and the provisions of Chapter 4 of the National Planning Policy Framework.

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

Reason: In the interests of highway safety, in accordance with saved policy ST5 of the South Somerset Local Plan and the provisions of Chapter 4 of the National Planning Policy Framework.

10. The proposed roads, including footpaths and turning spaces where applicable, shall be constructed in such a manner as to ensure that each dwelling before it is occupied shall be served by a properly consolidated and surfaced footpath and

carriageway to at least base course level between the dwelling and existing highway.

Reason: In the interests of highway safety, in accordance with saved policy ST5 of the South Somerset Local Plan and the provisions of Chapter 4 of the National Planning Policy Framework.

11. In the interests of sustainable development none of the dwellings hereby permitted shall be occupied until a network of cycleway and footpath connections has been constructed within the development site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety, in accordance with saved policy ST5 of the South Somerset Local Plan and the provisions of Chapter 4 of the National Planning Policy Framework.

12. The area allocated for parking on approved plan '2013 ILLM sk110 P2' shall be kept clear of obstruction at all times and shall not be used other than for the parking of vehicles in connection with the development hereby permitted.

Reason: In the interests of highway safety, in accordance with saved policy ST5 of the South Somerset Local Plan and the provisions of Chapter 4 of the National Planning Policy Framework.

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

Reason: To ensure the adequate opportunity is afforded for investigation of archaeological or other items of interest, in accordance with saved policy EH12 of the South Somerset Local Plan 2006 and the provisions of chapter 12 of the National Planning Policy Framework.

14. Prior to, (and within 2 months of), commencement of each significant stage of ground works, an update survey for badger setts will be undertaken by a competent person, and if any are present within 30 metres (including on adjoining land) of the area of activity, the works shall not commence until a method statement for the protection of badgers has been produced and any necessary Natural England licences have been obtained. The method statement shall be implemented in full.

Reason: For the conservation and protection of legally protected species in accordance with saved policy EC8 of the South Somerset Local Plan, chapter 11 of the National Planning Policy Framework and to ensure compliance with the Wildlife and Countryside Act 1981, and The Protection of Badgers Act 1992.

15. Details of measures for the enhancement of biodiversity shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity enhancement measures shall be implemented in accordance with the approved details before any part of the development hereby permitted is first brought into use, unless otherwise approved in writing by the local planning authority.

Reason: For the enhancement of biodiversity in accordance with saved policy EC8 of the South Somerset Local Plan and the provisions of chapter 11 of the National Planning Policy Framework.

16. The development hereby permitted shall not commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority (in consultation with Somerset County Council). The plan shall include construction vehicle movements, construction operation hours, construction vehicular routes to and from site, construction delivery hours, expected number of construction vehicles per day, car parking for contractors, specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice, pollution prevention measures and a scheme to encourage the use of public transport amongst contractors. The development shall be carried out strictly in accordance with the approved Construction Management Plan.

Reason: To safeguard residential amenity and highway safety, in accordance with saved policies ST5, ST6 and EP6 of the South Somerset Local Plan and the core planning principles and provisions of Chapter 4 of the National Planning Policy Framework.

17. Construction works and deliveries to the site shall not take place outside of the hours of 07.30 to 18.00 Monday to Friday and 08.00 to 13.00 on Saturdays. No construction work or deliveries to the site shall take place on Sundays or Public/Bank Holidays.

Reason: To safeguard residential amenity, in accordance with saved policies ST6 and EP6 of the South Somerset Local Plan and the core planning principles of the National Planning Policy Framework.

Informatives:

01. The applicant is advised that they will be required to enter into a suitable legal agreement with the County Highway Authority to secure the construction of the highway works necessary as part of the development.

02. Water Efficiency

The development should include water efficient systems and fittings. These should include dual-flush toilets, water butts, water-saving taps, showers and baths, and appliances with the highest water efficiency rating (as a minimum). Greywater recycling and rainwater harvesting should be considered. Applicants are advised to refer to the following for further guidance

<http://www.environment-agency.gov.uk/homeandleisure/beinggreen/118941.aspx>
<http://www.savewatersavemoney.co.uk/>

Sustainable Construction

Sustainable design and construction should be implemented across the proposed development. This is important in limiting the effects of and adapting to climate change. Running costs for occupants can also be significantly reduced.

The Code for Sustainable Homes should be complied with, achieving the highest level possible. For details on compliance with the Code the applicant is advised to visit:
<http://www.communities.gov.uk/publications/planningandbuilding/codesustainabilitystandards>

Pollution Prevention During Construction

Safeguards should be implemented during the construction phase to minimise the risks of pollution and detrimental effects to the water interests in and around the site. Such safeguards should cover the use of plant and machinery, oils/chemicals and materials; the use and routing of heavy plant and vehicles; the location and form of work and storage areas and compounds and the control and removal of spoil and wastes. We recommend the applicant refer to our Pollution Prevention Guidelines, which can be found at: <http://www.environment-agency.gov.uk/business/topics/pollution/39083.aspx>

Waste Management

Should this proposal be granted planning permission, then in accordance with the waste hierarchy, we wish the applicant to consider reduction, reuse and recovery of waste in preference to offsite incineration and disposal to landfill during site construction. If any controlled waste is to be removed off site, then site operator must ensure a registered waste carrier is used to convey the waste material off site to a suitably authorised facility. If the applicant requires more specific guidance it is available on the Environment Agency website www.environment-agency.gov.uk/subjects/waste/

In England, it is a legal requirement to have a site waste management plan (SWMP) for all new construction projects worth more than £300,000. The level of detail that your SWMP should contain depends on the estimated build cost, excluding VAT. You must still comply with the duty of care for waste. Because you will need to record all waste movements in one document, having a SWMP will help you to ensure you comply with the duty of care. Further information can be found at <http://www.netregs.co.uk>