

Area West Committee – 20<sup>th</sup> November 2013

**Officer Report on Planning Application: 13/03129/FUL**

<b>Proposal :</b>	The erection of 3 No. detached dwellings with attached garages, a replacement garage for Hilltop and formation of a new access. (GR 343811/109014)
<b>Site Address:</b>	Land To The Rear Of Hill Top Lyme Road Crewkerne
<b>Parish:</b>	Crewkerne
<b>CREWKERNE TOWN Ward (SSDC Member)</b>	Cllr J Dyke Cllr M Best Cllr A Singleton
<b>Recommending Case Officer:</b>	Diana Watts Tel: (01935) 462483 Email: diana.watts@southsomerset.gov.uk
<b>Target date :</b>	9th October 2013
<b>Applicant :</b>	Marst Developments Ltd
<b>Agent: (no agent if blank)</b>	Mr Clive Miller Clive Miller Associates Ltd Sanderley Studio Kennel Lane, Langport Somerset, TA10 9SB
<b>Application Type :</b>	Minor Dwellings 1-9 site less than 1ha

**REASON FOR COMMITTEE CONSIDERATION**

This application has been referred to the Area West Committee at the request of the Ward Members, with the agreement of the Vice Chairman. This is to enable the issues raised by the Town Council (neighbour's amenity, overcrowding and insufficient parking provision) to be fully discussed.





## SITE DESCRIPTION AND PROPOSAL

The site lies within the Development Area of Crewkerne and is located to the rear (north-west) of a bungalow known as 'Hilltop', in Lyme Road. There is a detached house to the north-east (Middlefield), and to the north-west is the cul-de-sac Fairfield with a number of detached houses.

This is a full application seeking planning permission to erect 3 x 3 bed detached chalet style dwellings with bedrooms in the roofspace. The existing access would be closed and a new access introduced at the southern corner of the plot to serve Hilltop and the new dwellings to the rear. Each new dwelling would be served by an attached single garage and Hilltop would be provided with a detached garage to the rear.

Outline consent was granted in 2009 for 3 dwellings but this has since lapsed.

Brick (Terca Kassandra Multibrick) and Hamstone would be used for the walls, with a slate roof. The windows would be cream finished aluminium and the fascia boards would be wood or plastic in a black finish. Black rainwater goods would be used and the driveway would be surfaced in block paviours (Hanson Formpave Aquaflo, colour Red Brindle). A tarmac surface would be provided for about the first 26m of the new access drive and the dormer would be faced in lead.

The wall to the front of Hilltop would be hamstone with cock and hen coping, and to form the visibility splay to the front of Cedarwood, tying in with the existing pale yellow brick wall where it meets the outer end of the visibility. Native species of plants would be planted behind the new wall. A pedestrian footpath would lead into the site following the new access drive, on the right hand side, adjacent the new wall and fence serving Hilltop.

A Design and Access Statement has been submitted to explain and support the application:

- The application site is 0.243 hectare in size and comprises a largely undeveloped area of grass paddock plus an existing dwelling which is to be provided with a

replacement garage. The north, south and east boundaries are defined by tall evergreen hedging which extends along the southern edge to adjoin a close boarded fence adjacent to Cedar Wood.

- The bungalows would be sited centrally within the plot in a linear form, as was indicated at outline planning stage. Plot 1 and 2 would be of identical design and handed with the lower height garage element to the north west of each unit. Plot 3 is of a slightly different layout and design with a dormer window on the south west elevation and handed to the right.
- Each dwelling would be one and a half storeys in height and would contain a kitchen/diner, lounge, one en-suite bedroom, hall, utility and attached garage at ground floor level and two further en suite bedrooms and dressing room at first floor level. The primary elevation of the dwellings would face to the south west to maximise the use of natural daylight.
- New dwellings designed to be of a simple unfussy appearance with the use of a range of materials intended to reflect the range of building materials, and in particular colours, of other development in the vicinity.
- Plots 1 and 2 would have a private garden to the rear of the dwellings and Plot 3 would have a wrap-around garden to the rear, side and front.
- All existing boundary hedging would be retained; new specimen trees would be introduced along the south west boundary.
- Although to some extent the site is considered to stand in isolation to neighbouring properties, given the high boundary hedging, the new units would follow the line of Hilltop and then lead logically onto No. 1, 3 and 5 Fairfield reflecting the existing built form.
- Proposal is intended to be an efficient use of the land whilst not being unduly out of keeping with the density of surrounding development. Each unit is of a size and design which ensures that sufficient parking and garden space is provided. The use of a combination of one and half and single storey elements of the building would assist in providing a degree of openness by providing "air space" between dwellings. The result is that the site would not appear overdeveloped and views through from neighbouring properties would be retained.
- Scale of the dwellings has been given very careful consideration, particularly in respect of the topography of the locality and the relative scale of neighbouring buildings. The key objective has been to ensure that the level and height of the new dwellings would not be overly dominant.
- Section drawings illustrate that the ridge height of the dwellings would reflect the terrain and would sit comfortably within neighbouring properties without appearing bulky.
- Choice of materials has been strongly influenced by surrounding traditional and modern built development. Natural stone and red brick are commonly used materials within this part of Crewkerne. Materials used for fascia boards, windows, and doors and guttering are intended to be of a muted finish to ensure that they do not detract from the appearance of the overall building. The buildings would be constructed to the highest possible standard to result in a quality development which makes a positive contribution to this part of the town.
- Layout of the site ensures that appropriate levels of residential amenity would be afforded to occupiers of the new dwellings. The units would be sited end facing end and gable windows have been kept to a minimum and would be largely screened by the garages. Therefore appropriate levels of privacy would be achieved in respect of habitable rooms and gardens.
- A key consideration in both design and layout has been the impact of the proposed dwellings on all surrounding residential properties. Ground floor windows would not result in any privacy issues given the height of the intervening boundary landscaping. At first floor level, the roof lights on the south west elevation would be sited at a high level within the rooms to ensure that no direct

views would be afforded to within Cedar Wood or No's 8 or 10 Fairfield or their respective gardens (see section plans). Nonetheless, it is proposed that specimen trees would be planted along the southwest to reinforce the boundary and to also assist in reducing any perception of overlooking that might be experienced.

- Plot 3 includes a dormer window to bedroom 2. Although this faces towards No.8 Fairfield, the distance between buildings would be 31.5 metres at the closest point and separated by the existing boundary hedge and proposed new tree planting. As such, detrimental loss of privacy to No.8 Fairfield would not be experienced.
- No.5 Fairfield lies immediately adjacent to the northwest boundary of the site and the gable end first floor window would face Plot 3. However, it is our understanding that this window is to a bathroom and furthermore there are no windows on the facing elevation of Plot 3. Therefore it is considered reasonable to suggest that no loss of privacy would be experienced by this neighbour either.
- At outline planning application stage, agreement was reached with the highway authority in respect of the position of the access road and the provision of visibility splays. This current full planning application addresses all relevant matters of detail required by the highway authority within the outline permission conditions.
- The access from Lyme Road through the Hilltop site would be properly consolidated and surfaced with tarmac to ensure that materials do not encroach on the public highway. Three parking spaces are provided for each dwelling (including Hilltop which is a 2 bedroom property) to accord with the parking level requirements. Furthermore sufficient turning space is provided within the site to ensure that vehicles can depart from the site in a forward motion.

Additional comments were also provided by the agent in response to the Town Council and neighbours' objections:

1. Loss of privacy/amenity
  - Given that there is a distance of at least 30 metres between Plot 3 and 8 Fairfield with intervening hedging and a proposed new cherry tree, we consider that loss of privacy to No.8 Fairfield cannot be reasonably sustained as an objection.
  - The close proximity of no.10 Fairfield to the application site was a key concern in the design process and negotiations were undertaken to ensure that the existing privacy of 10 Fairfield would not be compromised. The first floor velux windows are designed at a high height within the first floor of Plots 1 and 2 and views from the dormer on Plot 3 would be blocked by the ground floor bedroom/first floor ensuite section of the building.
  - Furthermore, the new tree planting proposed along the boundary at this point would serve to reinforce the existing dense boundary hedgerow. This new planting would be maintained by the owners of the site and is unlikely to reduce the daylight into the east elevation of No.10 Fairfield over and above that already experienced as a result of the existing hedge. Any views into the site from the front elevation of No.10 Fairfield would be indirect and at an acute angle and would therefore also not have a detrimental impact on privacy.
2. Overcrowding
  - The site area for the three new bungalows (excluding Hilltop), is approximately 0.15 hectare. The resulting density of the proposed development per hectare is therefore approximately 20 dwellings, much lower than the density of 30 dwellings per hectare for all new housing developments advocated in Policy HG4 of the Local Plan. The size of the dwellings proposed is intended to make efficient use of the land available (albeit at a lower density than other new

housing schemes) but also to reflect the density of neighbouring development. In this respect, the plot size in relation to the size of the buildings is not at all dissimilar to that of No's 1 and 3 Fairfield and to the terraces of properties at the junction of Fairfield and Curriott Hill Road. The buildings are designed so that existing views through the site are not interrupted to any great extent and the different roof heights and handing of the dwellings retains air-space between. Each dwelling has good sized private garden areas and parking facilities which meet the highway authority requirements.

3. Insufficient car parking provision
  - Each unit includes car parking provision for three vehicles. This fully accords with the highway authority requirements for three bedroom dwellings.

## HISTORY

09/03949/OUT - Erect 3 dwellings and form new vehicular access - approved subject to conditions including condition 04 that the dwellings should be single storey only. The Planning Officer considered that given the site's size constraints and relationship with neighbouring properties, two-storey properties could cause an unacceptable level of overlooking at first floor level, both within and outside the site.

Pre-application negotiations were undertaken 2013.

## 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.

The policies of most relevance to the proposal are:

South Somerset Local Plan (Adopted April 2006)  
 ST6 - Quality of Development  
 ST5 - General Principles for Development

Policy related material considerations

National Planning Policy Framework - March 2012  
 Chapter 4. Promoting Sustainable Transport  
 Chapter 7. Requiring Good Design

## CONSULTATIONS

### **Crewkerne Town Council:**

Recommend REFUSAL on the following grounds:

- Detrimental effect on neighbour's privacy and amenity
- Overcrowding on the site (consider there to be insufficient space for 3 large 2 storey bungalows).
- Concerns about insufficient car parking provision

Also it was noted that there are no comments as yet from Highways with regard to the acceptability of the access. The outline permission had been given for 3 modest bungalows but it is considered that this application for 3 larger, 3 bedroom properties would potentially create access problems because of additional vehicles.

Locally and nationally there is a shortage of small accommodation for downsizing which is relevant to Crewkerne with its increasing elderly population.

**County Highway Authority:**

I refer to the above mentioned planning application received on 28 August 2013 and have the following observations on the highway and transportation aspects of this proposal.

The site is located within the development boundaries for Crewkerne within walking distance of the local services and facilities such as a post office and Primary School and as a consequence there is no objection to the proposal in principle.

In detail, the proposal is seeking to create a small-scale residential development served off a new access directly off the B3165, which was previously designated as a County Route in the Somerset and Exmoor National Park Joint Structure Plan Review. Whilst the Structure Plan has now been extinguished, the Highway Authority still has a duty to protect the route hierarchy and any new development that derives access onto/from this road, needs to be carefully assessed.

It is noted that permission has previously been sought and granted on this site, against planning application 09/03949/OUT. I have been advised by the Planning Officer that this latest scheme is seeking to change the design of the dwellings and the highway elements are largely unchanged.

Please find attached an extract of road record denoting the highway limits in respect of the proposal for further information.

I have liaised with the Estate Roads Team who have made the following observations in light of this being this new "Full" application:

Comments based on drawing 6326-02B by Paul Day

Access is off the B3165 with the applicant showing visibility splays that cannot be achieved, the actual clear splays are; 34m to the north, and to the south 13m as the wall is 900mm high and the maximum permitted for a private access is 600mm and adoptable 300mm. Even with obstructions removed the visibility splay passes through third party land and therefore needs to be secured by a appropriate legal agreement tied through the planning process.

The estate shows no turning for refuse vehicles and bin collection has not been catered for.

There is no drainage outfall provision shown and this needs to be addressed prior to planning being granted.

The pedestrian footpath has been omitted as part of this latest application.

The lack of information and concerns over drainage and visibility means that refusal is recommended. If the LPA deem to grant permission then the following comments need to be included in addition to appropriate highway conditions.

This development is unsuitable for adoption as a public highway but it must be noted that the Advance Payments Code is applicable as it constitutes the laying out of a private street. Please contact the Estate Roads Team on 01823 356687 for further information about this.



The appropriate licences must be applied for from the highway authority namely a section 171 licence from the Traffic & Transport Development Group and a section 184 licence from the area office prior to any works being undertaken.

I would like to that the issue of visibility, in that whilst notice may have been served on the adjoining land owners, if the required splays cannot be incorporated and thereafter maintained in perpetuity, particularly if there was nothing to prevent the adjoining land owners from not allowing the works to be carried out to implement the splays (i.e. to the south); or if the current or subsequent owner, decide for example to do works to their own land which could result in the splay becoming obstructed. Furthermore the fact that it may be in the mutual benefit of parties concerned is not sufficient justification, unless that land is subject is also subject to an enforceable condition.

Furthermore if this scheme is relying on the visibility that was secured as part of the garage site located to the north, p/a 11/00142/FUL, it would be beneficial if this was shown to see how this links in with this site.

It would also appear as part of this latest application that there is an additional access onto the new private access road to/from Cedarwood which does not appear to have been included as part of the previous application and I would question as to why and for what purpose this is now required, particularly as Cedarwood has an existing vehicular access.

Taking the above points into consideration, and given that the LPA have granted consent on this site previously, the LPA may consider a highway objection unreasonable, however, every application is assessed on its own merits and the provision of appropriate splays are a key highway safety issue.

Comments on 2009 application:

The Highways Authority initially objected to the proposal, as:

"The visibility splay achieved to the north encroaches on to third party land in connection with the adjacent Garage and as such cannot be conditioned and permanently secured. As a result, the level of visibility achieved to the north is slightly restricted. Whilst it is acknowledged that vehicles approaching from the south are on the nearside carriageway and as such it could be argued that this is the more important direction, it was noted from the site visits that there is an abundance of on street parking in this location and as such it is likely that vehicles approaching from the north will encroach on to the nearside carriageway at this point. As a consequence, it is felt essential that the appropriate visibility be provided in this direction. As a result, I would recommend that the application be refused on highway grounds for the following reason: 1. The proposal is contrary to Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review (Adopted April 2000) and Policy ST5 of the South Somerset District Local Plan Structure Plan Review since the proposed access to the development does not incorporate the necessary visibility splays which are essential in the interests of highway safety."

However, subsequent correspondence between the Highways Authority and the agent led to the following favourable response from the Highway Authority:

"As I am sure you are aware the Highway Authority in its initial response to the planning application recommended refusal on the basis that adequate visibility could not be achieved from the access. Since that response further information has been submitted by the applicant on which I have the following comments: In order to achieve the necessary visibility to the north it appears that the splay crosses over third party land.

However, on closer inspection it is noted that the land in which the splay crosses is in fact the vehicular access to the adjacent property. Given that this is the only means of vehicular access to this dwelling it is unlikely that this area of land will be physically blocked and therefore the visibility achieved in this direction is unlikely to be compromised. As a consequence, in light of the above the Highway Authority is content that an acceptable level of visibility can be achieved in the northern direction by emerging vehicles.

"As a result, I would advise you that from a highway point of view there is no objection to the proposal. However, in the event of permission being granted I would recommend that the following conditions be imposed in the interest of highway and pedestrian safety"

**Technical:**

No comment

**Environmental Protection Officer:**

No objections

**REPRESENTATIONS**

Neighbouring properties have been notified and a site notice erected (General Interest). Two letters of objection have been received (8 and 10 Fairfield), making the following points:

- Previous permission required dwellings to be single storey only
- This application is for 3 larger chalet style dwellings with an increased number of windows at first floor level, resulting in greater loss of privacy to adjoining properties than earlier application
- No changes to adjoining properties and therefore no reason to change original decision to permit bungalows only
- The site is surrounded by 5 individual dwellings each with large gardens and would be best suited to individual detached single storey bungalows
- Chalet bungalows are not inkeeping with anything else in the area
- Unlike the other two plots, a dormer window is proposed on plot 3 which would look directly into sitting room of no.8 Fairfield
- We therefore request that the bedroom is redesigned and the dormer moved to the rear or is replaced with a rooflight
- Consideration should be given to a brown tiled roof similar to no.5 Fairfield rather than a dull grey slate roof
- 2 dwellings would be preferable and all facing the main road
- I shall be able to look through my side window no.10 Fairfield (5 ft to boundary) and see whole site
- Upstairs, the 3 bedrooms would look into the front of the buildings
- They cannot plant trees in the hedge as the hedge belongs to myself and neighbour
- We do not want more trees to maintain and lessen light and sun
- I thought there was a law stating that there must be 6 ft space between a neighbour's boundary

**CONSIDERATIONS**

The main issues are:

**Principle and visual impact**

The application site is located within the Development Area of Crewkerne and therefore



the erection of new dwellings is acceptable provided that it is in accordance with other Development Plan policies and proposals.

Permission has been previously agreed for residential development here (09/03949/OUT). The area is typified by houses, and therefore a two storey form of property would be inkeeping with the surrounding built form. However, this is an awkward site given its elongated form, running behind Hilltop bungalow, with the resulting layout automatically contrasting with the surrounding pattern of development. Therefore, it is important for any new dwellings not to dominate the site and to maintain a spacious layout.

The proposed dwellings have a 'broken' form with attached single storey extensions providing a utility room and garage. This helps to reduce the bulk and scale of the dwellings. A section has been provided though the length of the site (NW-SE) showing the relative roof heights, with the main roofs of the proposed dwellings sitting 2.2m below the ridgeline of no.5 Fairfield, 0.2m above the ridgeline of Middlefield and 1.4m above the ridgeline of the bungalow Hilltop. It is considered that this demonstrates that the height of the proposed roofs would sit comfortably with the adjacent properties and not dominate the skyline.

The drawing also illustrates the spacing between the dwellings, with 9.2m between the main roofs of plot 3 and 5 Fairfield, 12.5m between plots 2 and 3, 7.2m between plots 1 and 2, and 7.6m between plot 1 and Hilltop. There would be approximately 11m between the front gable of plot 2 and the side wall of no.10 Fairfield, and 16m between the rear gable of plot 3 and Middlefield (the closest points). The proposed dwellings would be much closer together at ground floor level, with 2m between the new buildings but bearing in mind that it is mainly the gaps at first floor level, which would be seen above the boundary hedges/fences, it is felt that the development would look inkeeping with the surrounding spatial character and the site would not appear overdeveloped or overcrowded.

Cross sections running SW-NE demonstrate this further, showing the discreet relationship of plot 2 in relation to nos 5 and 10 Fairfield and Middlefield in terms of its height and the space retained around the new plot.

The dwellings would be 6.6m high to ridge, with simple steeply pitched roofs and traditional gables. This would reflect the local vernacular and the proposed use of slate would pick up on the traditional roof material in the area and blend with the dark brown tiles on the more modern houses nearby. The proposed natural hamstone walls on the front gables of the dwellings are welcomed, and the boundary walls, with the traditional cock and hen coping, adjacent Hilltop and either side of the access, would provide an attractive approach into the development, inkeeping with other similar natural stone walls in Lyme Road. The Planning Officer has viewed samples of all the proposed materials on site and it is considered that the proposed soft red/orange bricks for the dwellings would reflect the use of brick in the area (Lyme Road) and compliment the hamstone. The grey/red pavements proposed for the access road are also considered appropriate, together with the cream finished aluminium windows and black fascias and rainwater goods.

Some planting is indicated on the plans behind the new hamstone wall to the front which would help to soften the impact of the hard landscaping. Further shrub planting and small trees are proposed within the site to enhance the appearance of the development and again, soften the impact of the hard landscaping. The retention/enhancement of all boundary hedgerows is important to screen the site and maintain privacy.

## Residential amenity

The previous permission was an outline permission only with no details of the design and form of the dwellings. In the absence of plans to prove otherwise, the Officer erred on the side of caution requiring the dwellings to be single storey in order to avoid any overlooking from first floor windows. This does not mean that if a scheme can be devised with first floor accommodation which would not overlook, it should be refused.

The number and nature of first floor windows proposed are restricted to rooflights ( which would be positioned sufficiently high so as to prevent any overlooking), gable windows looking south east or north west, and one dormer window facing south-west (plot 3).

Views from the gable windows would be largely obscured by the adjacent new garages and are not considered to create any overlooking problem.

It is appreciated that the neighbours at 8 Fairfield object strongly to the proposed dormer window (plot 3) looking towards their sitting room window. The Planning Officer has visited their property and viewed the site from the sitting room window. However, it is considered that refusing permission on the grounds of loss of privacy could not be justified here. This is because of the distance between the window and the proposed dormer (about 34m), the fact that it is a front elevation facing a front elevation with intervening public space, the open nature of the front of no.8, the existing first floor windows on no. 5 Fairfield, and the distance between the front elevations of 1-6 Fairfield. The applicant was nevertheless asked to relocate the dormer window to the rear but he declined, pointing out that the window would then overlook the private garden area of Middlefield.

The proposed dwellings would have private rear gardens given the intervening high hedge between the 3 new plots and Middlefield.

Any permission would need to be made subject to conditions restricting future additional openings at first floor level and agreeing boundary treatment, including the provision of fencing between the rear gardens of the new dwellings and the retention of boundary hedgerows.

A private garden area for Hilltop would be secured through the provision of a new wall and 1.2m high close boarded fence along the edge of the new access drive, and a new stone wall with planting at the front.

The objection from 10 Fairfield regarding looking into the site is noted but given the position of the house at an angle to the site, and the ground floor position of the side window , the 'overlooking' towards the front of the new dwellings is not considered to cause loss of privacy or to cause such detriment to the outlook of no.10 to justify refusing permission. A note could be added to any permission to draw the applicant's attention to the comments regarding tree planting so as to ensure any landscaping scheme takes account of loss of light.

## Highway safety

In response to the Highway Authority's comments, the applicant has provided a further plan with clarification of the visibility splay to the north (outline of approved development now shown), and the wall to the south is now shown to be reduced to 600mm within the visibility splay. As the proposed access road would be private, it is envisaged that residents would put their bins on the road edge. The drainage detail would be provided pursuant to a condition and the access into Cedarwood has always been there and the

neighbour would like it to be retained. The provision of a footpath along Lyme Road has already been discussed with the Planning Officer and is considered illogical given that there is no existing pavement on this side of Lyme Road for any new footpath to join up with.

The planning permission for the adjacent garage site (11/00142/FUL) requires there to be no obstruction greater than 900mm across the entire site frontage to a depth of 2m. The access to the bungalow in between the garage site and Hilltop has a steeply sloping driveway with gates and pillars set well back from the road, which are clear of the proposed visibility splay. It would be extremely unlikely that anyone would wish to obstruct this driveway or place the gates closer to the road, as acknowledged by the Highway Officer previously. In any event, 43m long visibility splays can be achieved as similarly agreed by the outline permission and this scheme improves that visibility further, with the wall in front of Cedarwood reduced to 600mm.

The Town Council's concern about the additional vehicular activity which would be generated by this scheme compared with the outline scheme is noted. The outline permission did not approve a size of bungalow and therefore the number of bedrooms were not agreed. However, this scheme provides parking space for 12 cars to serve 3x 3bed properties and the existing bungalow Hilltop, which would meet the Parking Strategy. There is also ample space to turn vehicles in order to ensure that they could leave the site in a forward gear.

### **Conclusion**

It is appreciated that there is local concern about the proposal but the applicant and agent have worked hard to put together a carefully considered scheme, amending the plans several times to address issues raised, including highway safety, visual impact and residential amenity. It is considered that the scheme is now acceptable in planning terms.

### **RECOMMENDATION**

Grant Permission

01. It is considered that the proposed development would be inkeeping with the character and appearance of the area, cause no demonstrable harm to residential amenity or highway safety in accordance with the aims and objectives of policies ST5 (General Principles for Development) and ST6 (Quality of Development) of the South Somerset Local Plan (Adopted April 2006).

### **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 accordance with the following approved plans: drawing nos. 6326-01 received 2 August 2013, 6326-02 (planting only) received 28 August 2013, 6326-02B (surfacing only) accompanying agent's e-mail of 17 September 2013, 6326-02C received 2 October 2013, 6326-03 received 2 August 2013, 6326-04A received 14 August 2013, 6326-05A received 14 August 2013, and 6326-06 received 2 August 2013.

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

03. The development hereby permitted shall be carried out using the materials stipulated in the agent's e-mails of 2 and 17 September 2013, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity, in accordance with policies ST5 and ST6 of the South Somerset Local Plan 2006.

04. The area allocated for parking and turning on the submitted plan shall be kept clear of obstruction and shall not be used other than for the parking and turning of vehicles in connection with the development hereby permitted.

Reason: In the interests of highway safety, in accordance with policy ST5 of the South Somerset Local Plan 2006.

05. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) there shall be no additional windows or other openings formed at first floor level in any of the dwellings hereby permitted without the prior express grant of planning permission.

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

06. The development hereby approved shall not be commenced unless details of the full boundary treatment of the site, including all fencing between the new dwellings, and the existing hedgerows around the site, including the height at which they are to be maintained, have been submitted to and agreed in writing by the Local Planning Authority. Such agreed boundary treatment shall be completed before the dwellings are first occupied and shall be maintained thereafter.

Reason: In the interests of visual and residential amenity, in accordance with policies ST5 and ST6 of the South Somerset Local Plan 2006.

07. The development hereby permitted shall not be commenced unless there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include details of the boundary hedgerows to be retained, together with measures for their protection during the course of the development, additional planting to enhance the boundary planting and details of any changes proposed in existing ground levels. All planting, seeding, turfing or earth moulding comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of visual amenity, in accordance with policies ST5 and ST6 of the South Somerset Local Plan 2006.

08. The proposed access road, including any turning space, shall be constructed in such a manner so as to ensure that each dwelling is served by a properly consolidated and surfaced road between the dwelling and the existing highway,

before it is occupied.

Reason: In the interests of highway safety, in accordance with policy ST5 of the South Somerset Local Plan (adopted 2006).

09. The existing vehicular access shall be stopped up and its use permanently abandoned within one month of the new access hereby permitted being first brought into use.

Reason: In the interests of highway safety, in accordance with policy ST5 of the South Somerset Local Plan (adopted 2006).

10. There shall be no obstruction to visibility greater than 900mm above adjoining road level forward of a line drawn 2.4m back and extending to a point on the nearside carriageway edge 43m to the north-east of the access, and there shall be no obstruction to visibility greater than 600mm above adjoining road level forward of a line drawn 2.4m back and extending to a point on the nearside carriageway edge 43m to the south-west of the access, as outlined in red on the approved plan. Such visibility shall be fully provided before works commence on any of the dwellings hereby permitted and shall thereafter be maintained at all times.

Reason: In the interests of highway safety, in accordance with policy ST5 of the South Somerset Local Plan (adopted 2006).

11. The gradient of the proposed access shall not be steeper than 1 in 10.

Reason: In the interests of highway safety, in accordance with policy ST5 of the South Somerset Local Plan (adopted 2006).

12. Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to and approved in writing by the Local Planning Authority. Such measures shall be fully implemented before the development hereby permitted is first occupied and shall thereafter be maintained at all times

Reason: In the interests of highway safety, in accordance with policy ST5 of the South Somerset Local Plan.

13. The development hereby approved shall not be commenced unless details of the attenuation tank have been approved in writing by the Local Planning Authority, and such agreed details shall be fully implemented before the development hereby permitted is first occupied, and thereafter be maintained at all times.

Reason: In the interests of highway safety, in accordance with policy ST5 of the South Somerset Local Plan.

14. 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) as defined in Classes A, B, and C of Part 1, Schedule 2 there shall be no extensions to the dwellings including alterations to the roof without the prior express grant of planning permission.

Reason In the interests of visual and residential amenity, in accordance with policy ST6 of the South Somerset Local Plan (Adopted April 2006).

15. Work shall not commence on the construction of any natural stone walls comprised in the development hereby approved unless a sample panel of stonework has been prepared for inspection on site to show the final appearance and finish of the stone external walls and has been approved in writing by the Local Planning Authority.

Reason In the interests of visual amenity, in accordance with policy ST6 of the South Somerset Local Plan (Adopted April 2006).

16. Notwithstanding what is shown on the approved plans, the new wall to the front of Hilltop, and either side of the access, shall be constructed in natural hamstone with cock and hen coping in accordance with the agent's e-mails of 11 and 17 September 2013.

Reason In the interests of visual amenity, in accordance with policy ST6 of the South Somerset Local Plan (Adopted April 2006).

**Informatives:**

01. When finalising the landscaping plans pursuant to condition 7 above , the applicant 's attention is drawn to the neighbour's comments regarding tree planting and the potential for loss of light.
  02. This development is unsuitable for adoption as a public highway but it must be noted that the Advance Payments Code is applicable as it constitutes the laying out of a private street. Please contact the Estate Roads Team on 01823 356687 for further information about this.
  03. The appropriate licences must be applied for from the Highway Authority namely a section 171 licence from the Traffic &Transport Development Group and a section 184 licence from the area office prior to any works being undertaken.
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