

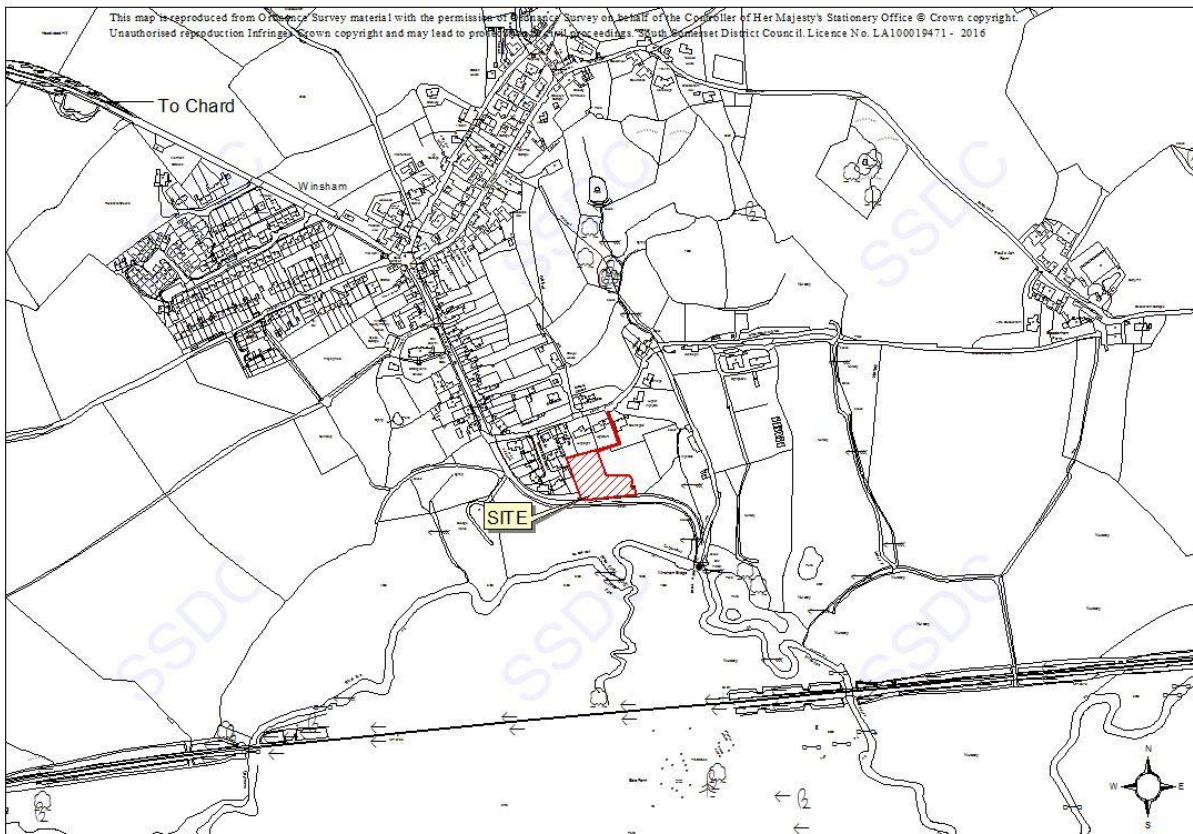
Officer Report On Planning Application: 16/02521/OUT

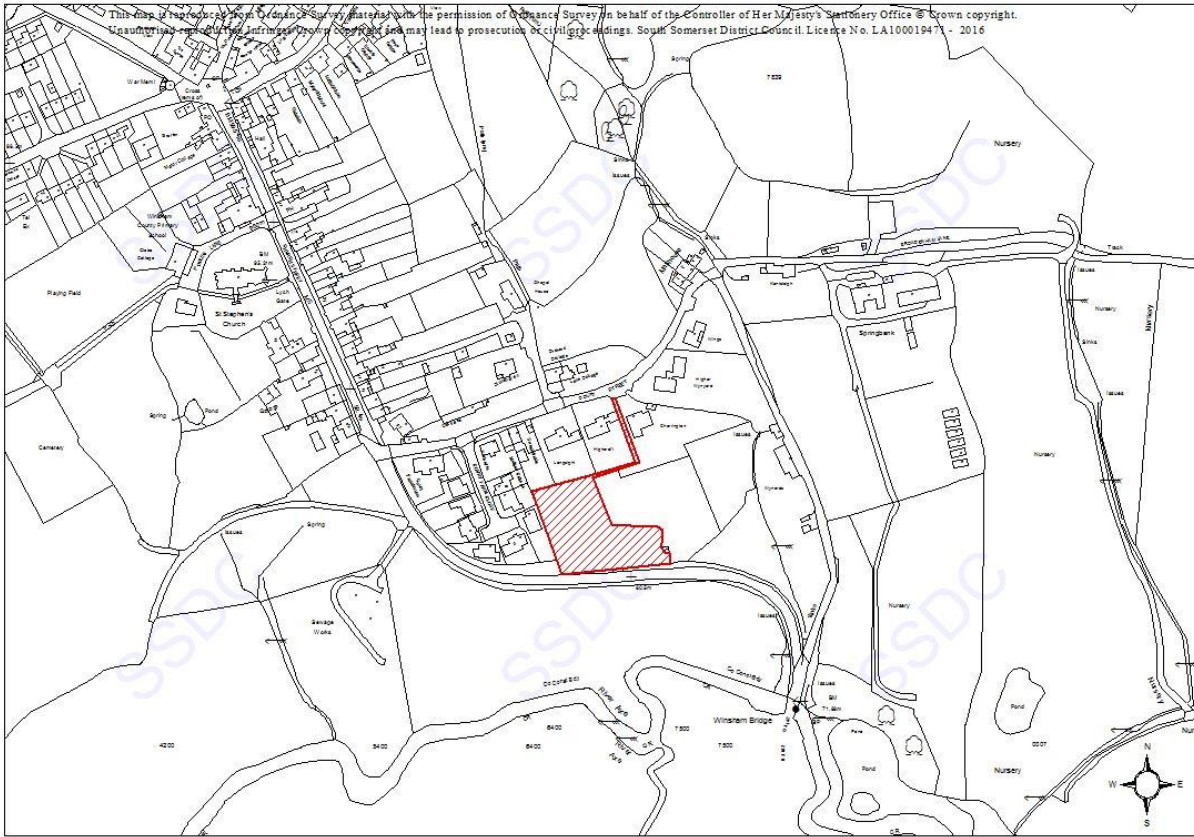
Proposal :	The erection of 1 No. dwellinghouse and detached double garage (Outline).
Site Address:	Land Os 7216 Part Church Street Winsham
Parish:	Winsham
WINDWHISTLE Ward (SSDC Member)	Cllr S Osborne
Recommending Case Officer:	Linda Hayden Tel: 01935 462534 Email: linda.hayden@southsomerset.gov.uk
Target date :	5th August 2016
Applicant :	Mr & Mrs P Frecknall
Agent: (no agent if blank)	Mr Nick Forrest Greenslade Taylor Hunt Winchester House, Deane Gate Avenue, Taunton, TA1 2UH
Application Type :	Minor Dwellings 1-9 site less than 1ha

REASON FOR REFERRAL TO COMMITTEE

This application is referred for Committee consideration at the request of the Ward Members with the agreement of the Area Chairman in order to allow the planning issues to be debated.

SITE DESCRIPTION AND PROPOSAL





The application site is a small paddock situated to the south of a row of properties within Court Street in Winsham. The site slopes from north to south and west to east and is bounded by residential properties to the north and west with a tree lined bank along part of the southern boundary. There is an access to the site to the south from the B3162 (Church Street).

This is an outline application for the erection of a house and detached double garage. Layout and access are to be considered at the outline stage with appearance, scale and landscaping reserved for a later reserved matters application. The plans show improvements to the existing access from the B3162 to the south of the site which is to be consolidated over the first 6 metres with a new track running up the slope to the west to serve the new dwelling. The proposed layout shows the dwelling within the centre of the site but closer to the eastern boundary with the proposed double garage just to the west. A footpath for the new dwelling is proposed running along the northern boundary and exiting on to Court Street to the western side of the property known as 'Cherington' (within the ownership of the applicant). The plans have been amended so that the proposed dwelling and garage are closer to the eastern boundary of the site.

The application documentation includes a Landscape Statement, Arboricultural Impact Assessment and Highway Access Statement.

HISTORY

892312 - Formation of agricultural vehicular/access. Approved 27/9/1989.

891640 - Alterations and extensions to bungalow. Approved 10/7/1989.

891304 - Formation of vehicular/agricultural access onto the B3162 road. Refused 28/6/1989.

860035 - Reserved matters (850330) The erection of a dwelling and garage. Approved 21/2/1986.

850330 - Outline: The erection of a bungalow on land at Cherington. Approved 19/7/1985.

812299 - Outline: The erection of a bungalow on land at Court Farm. Refused 11/3/82.

782216 - Erection of dwelling and garage. Refused 22/3/1979

771932 - Erection of 2 bungalows and garages. Approved 3/2/1978.

740295 - Reserved matters - Erection of 2 bungalows and garages. Approved 10/2/1975.

86601 - Outline erection of 2 bungalows and garages. Approved 10/2/71

19705 (A-E) - Retention of garage. Approved 1953 - 1975.

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 decisions must be made in accordance with relevant Development Plan documents unless material considerations indicate otherwise.

Relevant Development Plan Documents

South Somerset Local Plan 2006-2028:

Policies:

SD1 - Sustainable Development

SS1 - Settlement Strategy

SS2 - Development in Rural Settlements

HG4 - Affordable Housing Provision - Sites 1-5 Dwellings

TA5 - Transport Impact of New Development

TA6 - Parking Standards

EQ2 - General Development

Policies HG3 and HG4 of the adopted South Somerset Local Plan requires either on site provision of affordable housing (schemes of 6 or more units) or a financial contribution towards the provision of affordable housing elsewhere in the district.

In May 2016 the Court of Appeal made a decision (SoS CLG vs West Berks/Reading) that clarifies that Local Authorities should not be seeking contributions from schemes of 10 units or less.

It is considered that whilst policies HG3 and HG4 are valid, the most recent legal ruling must be given significant weight and therefore we are not seeking an affordable housing obligation from this development.

National Planning Policy Framework

Part 4 - Promoting sustainable transport

Part 6 - Delivering a wide choice of high quality homes

Part 7 - Requiring good design

Part 8 - Promoting Healthy Communities

Part 10 - Meeting the challenge of climate change, flooding and coastal change

Part 11 - Conserving and enhancing the natural environment

National Planning Practice Guidance:
Design

Somerset County Council Parking Strategy (March 2012)

Somerset County Council Highways Development Control - Standing Advice (June 2013)

Other Material Considerations

On 7 July 2016 a report was accepted by the District Executive that confirmed that the Council is currently unable to demonstrate that it has a 5 year supply of deliverable housing land as required by paragraph 47 of the NPPF. In such circumstances paragraph 49 is engaged, this states:-

"Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites."

CONSULTATIONS

Winsham Parish Council:

In response to original plans:

'Recommend refusal to the proposal on the following grounds:

- The application doesn't comply with the Parish Plan in that it isn't providing affordable homes in small scale development.
(<http://www.winshamwebmuseum.co.uk/Parish%20Council/Parish%20Survey%20%26%20Plan/Winsham%20Parish%20Council%20Draft%20Plan3-8-%202014%20Final%20Approved.pdf>)
- Road Safety - this is of concern to the council owing to the excessive speeds the village experiences, and also without sufficient visibility and stopping distance at the point of proposed access. The speed limit goes from 30 mph to 60 mph (with no 40mph buffer zone) just before the point of access. The road is narrower at the point of access to the proposed property. Visibility splays have not been provided in the outline plan. The concern over speeding is further evidenced in a recent survey using SID's proved that speeding is an issue in the village. In the 30mph zone on Church Street, particularly coming from the Chard end, the average vehicle speed there was 37 mph. (Ref. Dave Grabham, SCC Traffic Engineer, April 2016). A further survey is proposed for September 2016.
- The application proposes removal of trees which are a feature and not detrimental to the area.
- The impact on direct neighbours: it is felt in particular the pedestrian access is intrusive and will lead to a loss of privacy. There is also a potential for loss of light through overshadowing although it is acknowledged this is subjective.
- It is believed that service vehicles would have difficulty attending the site with the design of the proposed access.'

- In response to amended plans, the Parish Council comment:

'Resolved: Recommend Refusal on the following grounds:

- Road Safety - The Parish Council are still extremely concerned about road safety owing to the excessive road speeds the village experiences, and also without sufficient visibility and stopping distance at the point of proposed access. The entrance to the proposed property is after a sharp left bend, half way along a downward slope, but the speed limit on the popular B3162 goes from 30 mph to 60 mph (with no 40mph buffer zone) just before the point of access. The road is narrower at the point of access to the proposed property. Visibility splays have not been provided in the outline plan. The concern over speeding is further evidenced in a recent survey using SID's proved that speeding is an issue in the village. In the 30mph zone on Church Street, particularly coming from the Chard end, the average vehicle speed there was 37 mph. (Ref. Dave Grabham, SCC Traffic Engineer, April 2016). A further survey is proposed for week commencing 12th September 2016. Therefore the proposed access, which includes a sloping driveway, represents a potential road safety hazard.
- The application proposes removal of trees which are a feature and not detrimental to the area.
- It is believed that service vehicles would have difficulty attending the site with the design of the proposed access.'

County Highway Authority:

'The application is an outline application to erect a dwelling with a detached double garage, a vehicular access onto the B3162 and a pedestrian access onto Court Street.

There is a current access onto the B3162 which the applicant wishes to utilise to allow vehicular access to the proposed dwelling. This access is located in a 60mph speed limit, but is close in proximity to the 30mph speed limit that is used in the village of Winsham. From my onsite observations, it was apparent that vehicles leaving the 30mph speed limit had not generated more than approximately 40mph past the proposed access and when entering the village into the 30mph speed limit, the incline of the road combined with entering the 30mph speed limit meant that vehicle speeds were again approximately 40mph but decelerating. Using Manual for Streets 2 (MfS2) it is possible to establish that the required visibility would need to be 2.4x70 metres. The full visibility of 2.4x70 meters is not technically achievable which would make the access sub-standard. However, I am aware that the access is currently used for agricultural purposes. This generates vehicle movement from the access and as such it would be unreasonable to recommend refusal on these grounds.

Turning to the internal layout of the proposal, the applicant must ensure that there is sufficient space to allow vehicles to turn around. The proposal is to erect a double garage as well; this must be in line with the Somerset Parking Strategy (SPS). A double garage should ideally measure a minimum of 6x6 metres. The application falls within Zone C of the SPS and as such the optimum level of parking for this site would mean that 4 spaces (rounded up) should be provided within the site.

The proposal will mean that there will be an increase of impermeable surfaces. The Applicant must ensure that under no circumstances should water be discharged onto the highway.

The gradient of the access must not exceed 1 in 8.

To prevent over reliance of vehicular movements, as well as preventing pedestrians from walking along the B3162, which could cause a potential highway safety concern, a pedestrian

access would be required onto Court Street and would have to be maintained in such a condition that it can be utilised at all times.'

The Highway Authority therefore raise no objection to the proposal, however, should planning permission be recommended they request conditions relating to access improvements, visibility, gradient, disposal of surface water, provision of parking, pedestrian route and restriction on use of proposed garage are imposed.

Landscape Officer:

'... whilst laying outside the current village curtilage of built development, I note that the application site (a) is located within a field that is already characterised by development form within its historic boundaries, and (b) is sited such that existing residential plots lay to the immediate west and north of the site, to thus provide a residential context. This confirms that the proposal will not extend beyond an established traditional boundary, and is well-related to existing village form. A landscape statement is submitted with the application, which has reviewed the visual profile of the site. It finds that there are limited views of the site beyond the immediate boundary, and where seen from outside the site, the house would be viewed in relation with adjacent housing. Consequently, providing there is a planning case for the small-scale growth of village housing, I have no substantive landscape issues with the location of the application plot.

I have a greater concern relating to the access. The impact of a residential access created in a location that is not characterised by residential expression, upon the rural approach to Winsham, is potentially adverse. This has been recognised by the proposal, which has opted for a low-key highways approach, which offers a limited amendment to the existing entrance, with limited change in grade and alignment of the existing agricultural access, allied to a vegetation management proposal, that seeks to ensure a healthy, rejuvenated tree and shrub cover is perpetuated. Whilst I consider the landscape impact of the highway's works will create a local adverse effect, I am also aware that such works could be undertaken as PD. With that in mind, I advise that there is a minor degree of landscape harm associated with this proposal, but I do not consider it to be sufficiently weighty to provide basis for an over-riding landscape objection. If minded to approve, please condition the woody vegetation adjacent the access to be managed as set out in the landscape statement, similarly the hedgerow containment of the residential plot.'

Crime Prevention Design Advisor

No objection subject to comments:

- A very high proportion of crime is committed via the rear of properties due to the lack of natural surveillance. The introduction of a pathway as indicated on drawing 2271-PL-02 introduces a higher risk factor to all of the properties abutting it including the proposed dwelling
- There is no indication what design format the pathway will take in regards to fencing, Gating or lighting. How would access be denied to the remaining paddock and also to the rear of the property of 'Cherington'
- Any passage way which includes a 90 degree turn also introduces the possibility for miscreants to wait and pounce on unsuspecting users, leaving little hope of escape which I would consider this pathway as a potential crime generator.

Environmental Protection Officer:

Recommends an Informative be attached in relation to the proximity of the site to a suspected landfill site.

Senior Historic Environment Officer:

'As far as we are aware there are limited or no archaeological implications to this proposal and we therefore have no objections on archaeological grounds.'

Wessex Water:

Advise that new water supply connections will be required from Wessex Water to serve the proposed development.

South West Water:

No objections.

REPRESENTATIONS

In response to the original plans, nine letters of objection were received making the following comments:

- The B3162 is a busy road linking Chard and Bridport; the visibility splays at the entrance are clearly inadequate on a deregulated section of road with blind bends in both directions. This will cause a potentially dangerous situation.
- The indicative section is misleading as it gives the impression that ground level at 6 Court Farm Close is the same as that of the proposed house when it is 2.5 metres lower. This will seriously increase the adverse and intrusive effects of the development.
- There are concerns regarding the existing access which was refused in 1989. There is uncertainty regarding whether or not the requirements of the permission have been met.
- The site entrance lies within a 60mph limit and to comply with the County Highway Authority's Standing Advice there should be a 120m visibility splay. The sight lines fall well below accepted standards.
- The agricultural access only serves a one acre field and is little used.
- Disagree with the applicant's statement that vehicles pass the site in the region of 30mph; speeds are 35 to 45 mph.
- Stopping distances at 60 mph is 73m, sightlines of only 36m west and 52 m east are available which means vehicles observing the speed limit may be unable to avoid a vehicle entering or leaving the site.
- The centre line mark on the road outside the access emphasises there are hazards along this length of road and that this is an unsuitable place to have an access.
- The B3162 is only 5.2 metres wide at the proposed access and regular service vehicles attending the proposed development would have to park in the carriageway, the hill could therefore become blocked. The access may cause difficulties for larger vehicles to negotiate and lead to requirements for detours.
- The proposed access would be dangerous and a road safety hazard and would be totally unsafe for vehicles to park on the carriageway outside the access.
- Object on the basis that the proposed development would be contrary to the Parish Plan housing policy and also in matters of landscape and wildlife protection.
- The proposed development will overlook the dining, lounge and bedroom windows of 6 Court Farm Close, and garage is 7 metres from boundary. Guidance notes recommend a distance of 13m between such development.
- As application is in outline it is difficult to predict the level of loss of daylight and overshadowing but it appears the development could block sunlight to No. 6 Court Farm Close during significant hours for several months during the year.
- Use of double garage and parking/turning area would cause noise and disturbance to neighbour.
- Object to the application on the grounds of overlooking, loss of privacy, loss of daylight, overshadowing, noise and disturbance.

- Proposed pedestrian access presents an intrusion into neighbour's privacy and is a threat to security as access will be unsecured. No detail is given for the screening of the path. The path may not be wide enough for pushchairs and wheelchairs.
- Excavation would present an unacceptable high level of risk.
- Proposed tree felling takes no account of the damage which will result to the indigenous wildlife.
- The fire and rescue service requirements do not appear to have been met.
- The No. 99 bus route no longer comes through Winsham; the new service provides a reduced number of journeys.
- The proposal does not accord with policy SS2 as it does not meet an identified housing need. Strategic plans concentrate growth in towns such as Chard, Crewkerne and Yeovil. 12 dwellings have recently been approved in the village.
- Proposal would adversely impact upon the local landscape.
- Concern that a new owner may not maintain the conifer hedging and this may become a problem for adjoining residents.

In response to the amended plans, four letters of objection were received, making the following comments:

- Remain very concerned about the security implications of the proposed pedestrian access; not reassured by proposals for a lockable gate and low level lighting. There has been a burglary and two attempted burglaries within the vicinity.
- Repeat the concerns regarding the safety of the proposed access and note that applicant has objected to previous application within the village on highway safety grounds.
- Question the assessment of the County Highway Authority as the traffic generated by a dwelling would be very different to that from a little used agricultural access. Suggest that a Road Safety Audit would be in order.
- Moving the dwelling to the east makes no difference to objections concerning highway safety concerns.
- If approval is granted it would seem to encourage stealth tactics of getting an access approved and then applying for a dwelling.
- Repeat concerns regarding the sectional drawing and that neighbouring property is situated at a much lower level than the site and would therefore have the impact of a 2.5 storey dwelling rather than a 1.5 storey property.
- Proposal still does not comply with the advisory distance of 18 metres between properties.
- Suggest that the leylandii hedge be included within the landscape management requirements to ensure that it does not exceed 2metres in height and should be trimmed twice a year.

One of the objectors has also written a letter to the County Highway Authority requesting that they reconsider the advice that has been given, this was copied to SSDC. The letter raises concerns about; the safety of the access due to the speed limit and levels of visibility; the timing of the Highways Officer's visit and; history of the access and current levels of use.

CONSIDERATIONS

Principle

As set out above, the starting point for decision-making is the statutory development plan, which is the South Somerset Local Plan (2006 - 2028). Adopted in March 2015, this provides the policy framework for assessment of grant planning applications for development in the district.

However, the lack of a five-year housing land supply means that policies relating to the supply of housing should not be considered up-to-date. As such, proposals for residential development fall to be determined in light of Paragraph 14 which states that where development plan policies are out-of-date planning permission should be granted unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the
- benefits, when assessed against the policies in this Framework taken as a whole; or
- specific policies in this Framework indicate development should be restricted.

According to the recent High Court decision (Woodcock Holdings Ltd) in reaching a conclusion on an application, the appropriate weight to be attached to 'out-of-date' housing supply policies needs to be considered in the 'planning balance' of whether the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits. It falls to the local planning authority to strike the appropriate balance between the very clear benefits stemming from the delivery of houses to meet the Council's shortfall and any harmful impacts arising from this proposal. The NPPF is very clear that, without a 5 year housing land supply, housing application should be considered "in the context of the presumption in favour of sustainable development" (para. 49) and that any adverse impacts would need to significantly and demonstrably outweigh the benefits when assessed against the policies in the framework taken as whole; or specific policies in the Framework indicate development should be restricted. (para.14).

In this case, whilst the development would only contribute a single dwelling towards the housing supply in the district, it is considered that given the proximity of the site to the village centre which includes a pre-school, primary school, shops/post office, church and recreation ground the site does occupy a sustainable location that is appropriate for development.

Highway safety and parking

The County Highway Authority (CHA) has assessed this application and determined that the impacts of the proposal would not be so adverse as to justify refusal of the application subject to the imposition of appropriate highways conditions. Clearly, local residents are not satisfied with this view and have made their views known to the County Highway Authority, however, no further comments have been received from the CHA.

The proposal will make use of an existing access that was approved in 1989 (892312) and in regular use for agricultural purposes since that time. Whilst the current use of the access maybe low, this is an approved access the use of which could be increased at any time without the need for planning permission. As such, it is necessary to consider if the proposal would result in such a significant increase in traffic movements as to justify refusal of this planning application. The NPPF states that:

'Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.'

In this case, as the proposal would make use of an existing access, both the CHA and the applicant's highways consultant have stated that, in their expert view, the development would not result in such an adverse impact upon highway safety as to justify refusal on highways grounds. As such, it is considered that to refuse this application on highways grounds would be unreasonable and would not accord with the advice given in the South Somerset Local Plan 2006-2028 and the NPPF.

In terms of parking provision, the proposed layout shows that there will be sufficient space within the site to provide the necessary levels of parking and turning to accord with the relevant

standards.

Visual amenity and Impact on the setting of the locality

The application site is adjoined by residential development on two sides and is considered to be well related to the existing built form of the village. Given that there are only limited views of the site from the wider landscape it is not considered that the proposal will adversely impact upon the character of the rural surroundings. The Landscape Officer has no substantive issues with the location of the application plot.

Concern has been expressed about the felling of trees within the southern part of the site. It should be noted however that this area has been unmanaged and this will cause problems to the health of the native trees in the future. It is therefore proposed that the existing conifers be removed in order to allow the native species better opportunity to become established. This will require coppicing of the existing Ash trees with additional planting of hazel and field maples. Additional work will be carried out to the more mature trees on the embankment but it is felt that this will be in the interests of their long term health. Whilst the proposals may result in a change to the appearance of the site in the short term, the proposals will ensure a more attractive and better long term solution for the native trees on the site.

The Landscape Officer has expressed some concern about the alterations to the access but given the low-key approach that has been proposed in terms of the materials and vegetation management he does not object to this part of the proposal nothing that such works do not require planning permission.

In the circumstances, it is felt that a single dwelling on this site can be accommodated without demonstrable harm to the rural landscape and as such the proposal complies with policy EQ2 of the South Somerset Local Plan 2006-2028.

Residential Amenity

This is an outline application with layout and access to be considered at this stage, the application form states the development is for a 1.5 storey dwelling with ancillary garage. The plans have been amended so that the proposed dwelling and garage were moved further from the boundary with No. 6 Court Farm Close.

It is felt that given the distances from the shared boundaries, a 1.5 storey dwelling in the location proposed would not result in demonstrable harm to the amenities of neighbouring residents. The proposed dwelling would be 21 metres from the rear of the property to the west (No. 6 Court Farm Close) and 31.5m from then dwelling to the north (Longsight). Whilst the proposed garage would be closer to No. 6 Court Farm Close, it will be set at a lower level being an ancillary structure and as such the proposed distances of 11m is considered to be acceptable. The distances to the main dwelling will ensure that the proposal will not result in a significant loss of light to the neighbouring properties and will not result in significant over shadowing. As such, it is not considered that the proposed dwelling would have an overbearing impact upon residential properties adjoining the site.

With regard to potential overlooking, the location of first windows will be considered at the reserved matters stage but it is felt that a property can be designed in the location proposed with no significant overlooking of neighbouring gardens.

In terms of potential noise and disturbance, it is felt that a single residential property can be accommodated on the site without resulting in unacceptable levels of disruption to neighbouring properties. Therefore, whilst it is accepted that there will be a change in the

character of the land it is not considered that a single residential property would result in an unacceptable increase in noise and disturbance.

Concerns of local residents

The detailed concerns of local resident have been carefully considered and the main issues are dealt with in the report above. However, the following additional points can be addressed:

Pedestrian access - Along with the amended plans submission, the agent advised that in light of the comments of the Crime Prevention Design Advisor the illustrative site plan includes provision of a lockable secure entrance gate and they are willing to incorporate low level lighting columns. It is therefore considered that these matters can be addressed at the reserved matters stage.

Excavation Risk - The proposal does not include significant excavations and the development of the site would be supervised by building control or approved inspector.

Fire/rescue requirements - The proposal would be required to meet the necessary standards in order to comply with the relevant Building Regulations.

Maintenance of hedgerow - Should the hedgerow become overgrown then it is possible that the matter could be resolved under the high hedge legislation. It is possible to include a requirement for maintenance of the hedge within a landscaping condition but it should be noted that this would only be enforceable for 5 years.

Affordable Housing

Policies HG3 and HG4 of the adopted South Somerset Local Plan requires either on site provision of affordable housing (schemes of 6 or more units) or a financial contribution towards the provision of affordable housing elsewhere in the district.

In May 2016 the Court of Appeal made a decision (SoS CLG vs West Berks/Reading) that clarifies that Local Authorities should not be seeking contributions from schemes of 10 units or less.

It is considered that whilst policies HG3 and HG4 are valid, the most recent legal ruling must be given significant weight and therefore we are not seeking an affordable housing obligation from this development.

Summary

In light of the Council's lack of a demonstrable five year supply of housing land, the housing supply policies within the local plan can only be given limited weight. Given the sustainable nature of the site, it is considered that the proposal accords with the relevant requirements of the NPPF and as such can be supported in principle. This is an outline application and it is considered that a dwelling can be accommodated on the site without resulting in demonstrable harm to neighbouring amenity. In terms of the highways issues, the County Highway Authority have thoroughly assessed the application and determined that it is acceptable subject to conditions as such it is not considered that the proposal could be refused on highway safety grounds.

RECOMMENDATION

Approve

01. Notwithstanding the objections from local residents and the Parish Council, the proposed residential development of the site is considered to be acceptable in this location, and could be carried out, subject to detail, with respect to the character of the area, and without causing demonstrable harm to residential amenity and highway safety, in accordance with policies SD1, SS1, SS2, TA5, TA6 and EQ2 of the South Somerset Local Plan (2006-2028) and the core planning principles of the National Planning Policy Framework.

SUBJECT TO THE FOLLOWING:

01. Details of the scale and appearance of the building(s) and the landscaping of the site (hereinafter called 'the reserved matters') shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

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

02. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission and the development shall begin no later than 3 years from the date of this permission or not later than 2 years from the approval of the last "reserved matters" to be approved.

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

03. The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing No.'s 2271-PL-01 Rev A and 2271-PL-02 Rev A.

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

04. Before the development hereby permitted is commenced, a properly consolidated and surfaced access shall be constructed (not loose stone or gravel) details of which shall have been submitted to and approved in writing by the Local Planning Authority. The access shall be constructed in accordance with the agreed design and shall be maintained in the agreed form thereafter at all times.

Reason: In the interests of highway safety and in accordance with Policy TA5 of the South Somerset Local Plan (2006-2028).

05. There shall be no obstruction to visibility greater than 600 millimetres above adjoining road level forward of a line drawn 2.4 metres back and parallel to the nearside carriageway edge over the entire site frontage. Such visibility shall be fully provided before works commence on the development hereby permitted and shall thereafter be maintained at all times.

Reason: In the interests of highway safety and in accordance with Policy TA5 of the South Somerset Local Plan (2006-2028).

06. The gradient of the proposed access shall not be steeper than 1 in 8 and shall be maintained at that gradient thereafter at all times.

Reason: In the interests of highway safety and in accordance with Policy TA5 of the South Somerset Local Plan (2006-2028).

07. 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 provision shall be installed before the site is first brought into use and thereafter maintained at all times.

Reason: In the interests of highway safety and in accordance with Policy TA5 of the South Somerset Local Plan (2006-2028).

08. The development hereby permitted shall not be occupied until 4 parking spaces for the dwelling and a properly consolidated and surfaced turning space for vehicles have been provided and constructed within the site in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. Such parking and turning spaces shall be kept clear of obstruction at all times 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 and in accordance with Policy TA5 of the South Somerset Local Plan (2006-2028).

09. Before commencement of the pedestrian path from the site to Court Street details of the path (including proposed surfacing, lighting and lock/security measures) shall be submitted to and approved in writing by the Local Planning Authority. The path shall be fully implemented in accordance with the approved details before occupation of the dwelling hereby approved. Once constructed the pedestrian route shall be made available and maintained at all times in accordance with the details agreed.

Reason: In the interests of highway safety and in accordance with Policy TA5 of the South Somerset Local Plan (2006-2028).

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order), the use of any existing garage, or garage hereby permitted, as part of this development shall not be used other than for the parking of domestic vehicles and not further ancillary residential accommodation, business use or any other purpose whatsoever.

Reason: In the interests of highway safety and in accordance with Policy TA5 of the South Somerset Local Plan (2006-2028).

11. The dwelling hereby permitted shall not exceed 1.5 stories in height.

Reason: In the interests of visual and residential amenity and in accordance with Policy EQ2 of the South Somerset Local Plan (2006-2028).

Informatives:

01. The application site is within 250 metres of a suspected landfill site. The applicant/developers attention is drawn to the fact that there is the potential for production and migration of landfill gas. You are reminded that the responsibility for safe development rest with the owner and/or developer. Accordingly, the applicant/developer is advised to seek independent expert advice regarding the possibility of the presence, or future presence, of gas and whether any precautionary measures are necessary. The Council's Environmental Health Service will make available to you, free of charge, any information data that it has in relation to the land to which the application applies. For further information please contact Tim Cox.

02. The applicant is advised that the landscaping plan submitted as part of the reserved matters should include the recommendations of the Landscape Statement and Arboricultural Impact Assessment prepared by Clark Landscape Design that accompany this outline application. It is also suggested that the plan includes proposals for the maintenance of the leylandii boundary hedge.
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