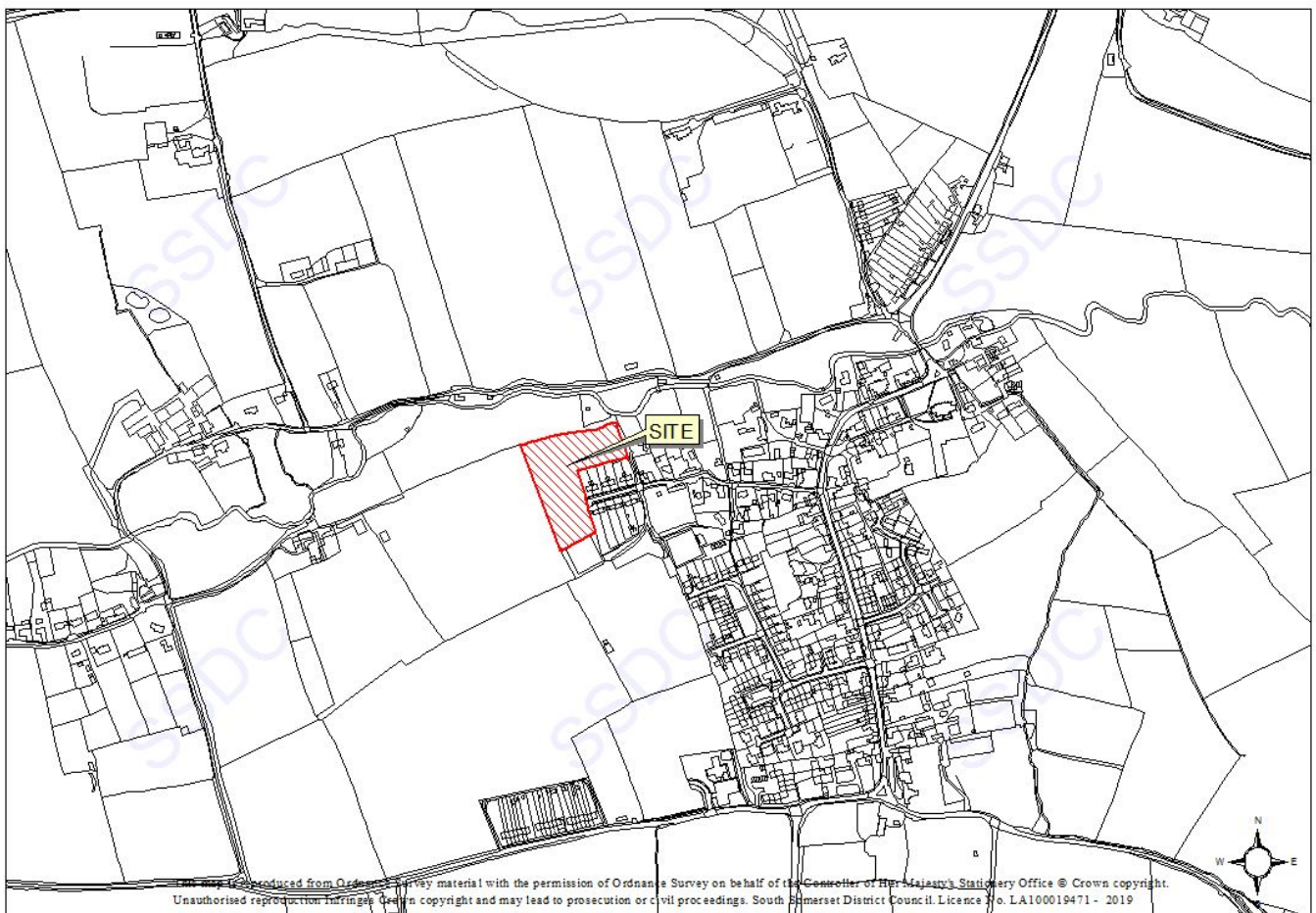


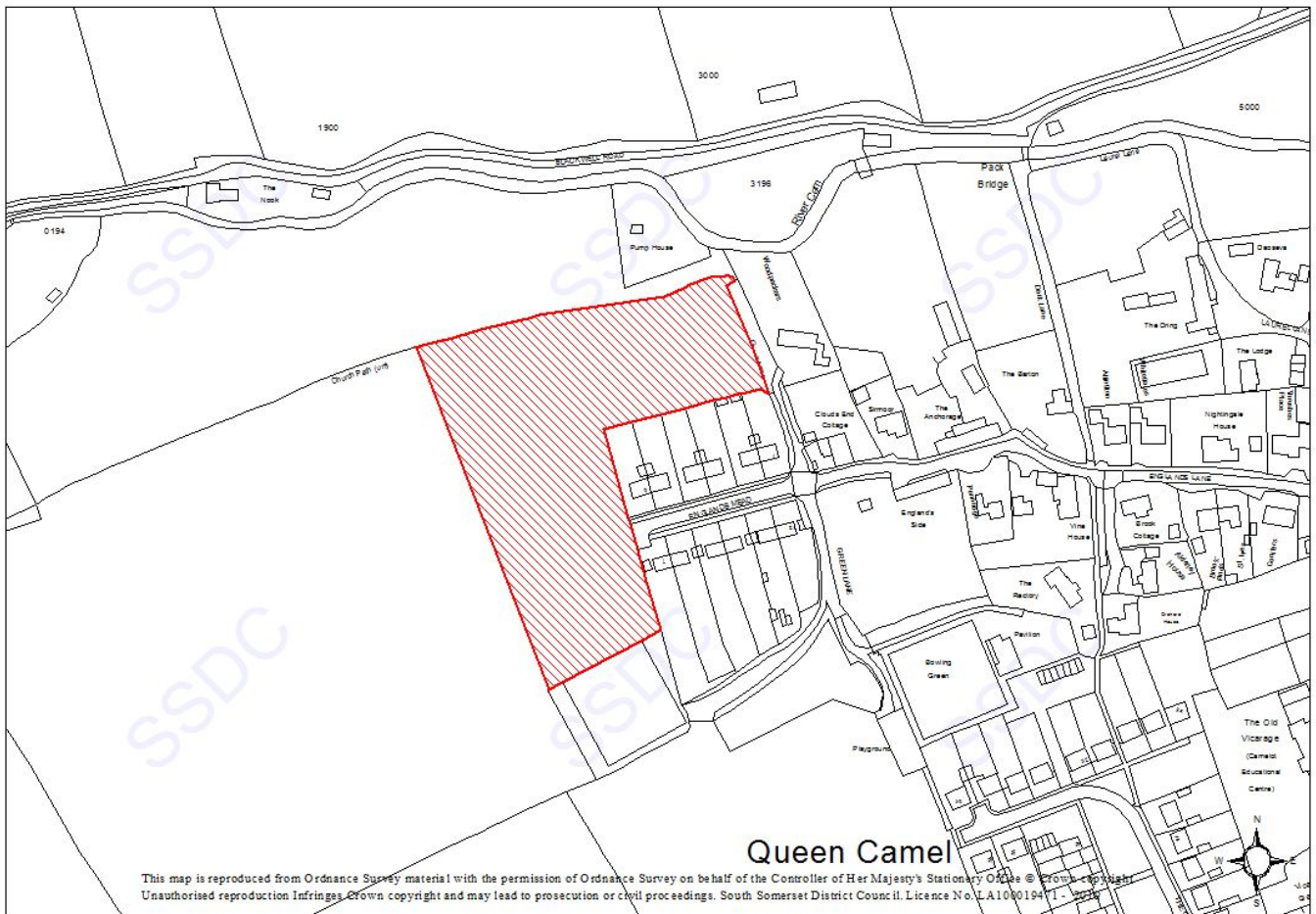
## Officer Report on Planning Application: 18/03296/FUL

|                                       |   |
|---------------------------------------|---|
| <b>Proposal:</b>                      | Proposed development of 9 dwellings with access and landscape planting provision. |
| <b>Site Address:</b>                  | Land Adjacent Englands Mead, Queen Camel  |
| <b>Parish:</b>                        | Queen Camel   |
| <b>CAMELOT Ward (SSDC Member)</b>     | Cllr M Lewis  |
| <b>Recommending Case Officer:</b>     | Tel: 01935 462430 Email: alex.skidmore@southsomerset.gov.uk                       |
| <b>Target date:</b>                   | 29th April 2019   |
| <b>Applicant:</b>                     | Mr John Ryall   |
| <b>Agent:<br/>(no agent if blank)</b> | Greenslade Taylor Hunt Winchester House<br>Deane Gate Avenue<br>TAUNTON TA1 2UH   |
| <b>Application Type:</b>              | Major Dwlg 10 or more or site 0.5ha+  |

### REASON FOR REFERRAL

The application has been referred to Area East Committee at the request of the Ward Member and with the agreement of the Area Chair to allow for the local concerns to be discussed further.





## SITE DESCRIPTION AND PROPOSAL

This application is seeking full planning permission for the residential development of this site. The scheme as originally submitted sought the erection of 10 dwellings but has since been amended to reduce the overall number of dwellings to 9.

The site comprises part of an agricultural field that adjoins the northwest edge of Queen Camel and wraps around the north side of the residential development known as Englands Mead. There is an existing field access that leads directly into Englands Mead which in turn leads in to Englands Lane, which is a narrow, poorly aligned no through lane (unclassified) that egresses on to the A359.

The site adjoins the northwest edge of Queen Camel's designated conservation area and there are a number of listed buildings in the vicinity including Cloudsend Cottage (grade II) which is situated just to the southeast of the site. There is a public right of way (footpath WN 23/7) that passes along the north boundary of the site. The site is located within flood zone 1 (low risk) with the exception of its northern end which is located within flood zone 2 (medium risk). The River Cam is located a short distance to the north. The site is adjacent to an area of high archaeological importance.

## HISTORY

No relevant history.

## POLICY

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11, and 12 of the NPPF indicate it is a matter of law that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

For the purposes of determining current applications the local planning authority considers that the adopted development plan comprises the policies of the South Somerset Local Plan 2006-2028 (adopted March 2015).

#### Policies of the South Somerset Local Plan (2006-2028)

SD1 - Sustainable Development

SS1 – Settlement Strategy

SS2 - Rural Settlement

SS4 – District Wide Housing Provision

SS5 – Delivering New Housing Growth

SS6 – Infrastructure Delivery

HG3 – Provision of Affordable Housing

TA1 - Low Carbon Travel

TA5 - Transport Impact of New Development

TA6 - Parking Standards

HW1 – Provision of open space, outdoor playing space, sports, cultural and community facilities in new development

EQ1 - Addressing Climate Change in South Somerset

EQ2 - General Development

EQ3 - Historic Environment

EQ4 – Biodiversity

EQ5 - Green Infrastructure

EQ7 - Pollution Control

#### National Planning Policy Framework

Part 2 - Achieving sustainable development

Part 5 - Delivering a sufficient supply of homes

Part 8 - Promoting healthy and safe communities

Part 9 - Promoting sustainable transport

Part 11 - Making effective use of land

Part 12 - Achieving well-designed places

Part 14 - Meeting the challenge of climate change, flooding and coastal change

Part 15 - Conserving and enhancing the natural environment

Part 16 - Conserving and enhancing the historic environment

#### Planning Practice Guidance (PPG)

#### Other

Somerset County Council Parking Strategy (September 2013)

Somerset County Council Highways Development Control - Standing Advice (June 2017)

Queen Camel Neighbourhood Plan (2019-2034) DRAFT

## **CONSULTATIONS**

**Queen Camel Parish Council:** *Initial comments* - Object for the following reasons:

- Vehicular access to the site is via England's Lane, a narrow lane with bends and limited passing places. The lane already serves circa 40 dwellings plus a busy bowls club, tennis club and playing field, and it would struggle to accommodate any more traffic. The Council is surprised that in a preliminary response to this consultation County Highways expresses reservations about pedestrian access but does not touch on vehicular access. County Highways has previously opposed development likely to increase traffic along the lane by more than 5% and there is no good reason why it would rescind this position.
- Parking provision on England's Lane and England's Mead is limited and many vehicles habitually park on the public highway, further restricting access. Given the tendency of residents (and their visitors) to park as close as possible to their homes it is unlikely that the

- provision by the applicant of further parking would materially reduce this problem.
- Flooding along the River Cam is a serious and recurrent problem in Queen Camel. Parts of the proposed site are less than 100 metres from the river and the Council is concerned that run-off from ten houses and associated paved areas will have a significant impact on river levels. The Nook circa 100 metres from the site (downstream) would be particularly at risk, and also the buildings on the left bank of the Cam near Queen Camel bridge, circa 400 metres from the site (upstream). The Council therefore endorses the Environment Agency's call for a Flood Risk Assessment detailing flood mitigation measures to ensure that the development would not increase the flood risk but ideally reduce it.
  - The draft Queen Camel Neighbourhood Plan reviews the suitability of the site for possible residential development and concludes that it is not suitable for the reasons stated above. The PC recognises that the draft Plan has no legal force but it does represent the fruit of many years of detailed work and local views and interests should not be set aside lightly.

*The following subsequent additional concerns were raised:*

- Number of four bedroom properties is not supported in neighbourhood plan.
- Concerns over rights of way and conservation area of church Path.
- Layout of houses / repetitive design.
- No local materials being used. There is too much render.

*Latest comments in respect of the amended plans – Object for the following reasons:*

- Vehicular access along England's Lane which is essentially a single track lane with passing bays and is also used by a large number of pedestrians with increasing numbers of cars and delivery and service vehicles. It was noted that there is increasing traffic with the various popular sports activities accessed by England's Lane. In the past County Highways has only countenanced a potential 5% increase in vehicular traffic but the proposed new development would in itself significantly exceed this limit. The dangers from the significant increase in traffic and more pedestrians, including school children, cannot be over emphasised and the fact that there has not been a significant accident to date does not provide the Council with any comfort.
- Parking. The Council has already commented on this issue but the revised plans do not provide any amelioration and in fact seem to make it rather worse. None of the houses has a garage and the amount of parking at each house looks highly limited. Human nature being what it is residents and visitors will park as near the house they are visiting and so more parking is needed near each house.
- Flooding. The Council notes the addition of an attenuation pond but its position adjacent to the high risk flood zone provides little comfort that the flood risk will not be significantly increased by the development. The attenuation pond will be so close to the natural flood zone that the Council is concerned that it will be counterproductive. Also we have not seen any flood mitigation measures to handle the risk during the construction period.
- Compatibility with the draft Neighbourhood Plan (NP). The draft NP has been submitted to SSDC for examination and, as the Council has already said, this application does not meet the proposals of the draft NP in terms of local support, compatible building styles with the nearby conservation area, or being within the proposed development boundary and it is not needed to meet the housing target numbers, given the other site the Council supports.
- Trees. The Council notes with concern the proposals in the revised plans to remove mature trees along Green Lane which forms part of the historic Leland Way. The Council would not want to see any change in the very rural environment that parts of Green Lane presently provide for walkers.

**County Highways:** *Latest comments in response to amended plans – No objection subject to conditions.*

These comments should be read in conjunction with the previous Highway Authority consultation

responses and have been written to take the amended site layout into consideration. Referring to the Highway Authority consultation response dated 19 February 2019, no objections were raised, and several planning conditions were requested.

It is noted that a number of objections to the scheme have been received by the Local Planning Authority, many of which citing concerns in relation to the increase of traffic using Englands Lane as a result of the development proposals, as well as the level of parking provision which would be provided within the application site.

Following on from the initial site visit the Highway Authority undertook a full assessment of the proposals which included an assessment of the Englands Lane road alignment, highway geometry and visibility splays onto the A359 High Street. Road collision data was also checked, which confirmed that no accidents had been reported on Englands Lane in the last 3 years. Following on from a review of the TRICS database, the proposed development (9 dwellings) would be expected to generate an average of 6 vehicle trips during the weekday AM/PM peak hours. When taking the existing level of traffic which uses the local highway into account, the proposed development is likely to result in a minor intensification of Englands Lane which is not considered to be severe.

Off-street parking provision at a ratio of three spaces per dwelling is proposed. This level of parking provision meets the recommended optimum parking standards which are set out within the Somerset County Council Parking Strategy.

The latest amended site layout is shown within drawing number 2447-PL02 Rev D and includes the removal of plot 10 and repositioning of Plots 1, 2 and the residents car park. The proposed changes are considered to be minor in nature and the Highway Authority would not wish to raise any objections to the development proposals, subject to the conditions which were recommended within the previous Highway Authority consultation response dated 19 February 2019.

*Earlier comments dated 19/02/2019* – Made a number of observations but raised no objection subject to conditions to secure the following matters should the application be approved:

1. Scheme to prevent the disposal of surface water on to the highway;
2. Technical estate road details;
3. Properly consolidated and surfaced footpath, carriageway and turning spaces prior to first occupation;
4. Drives not to be steeper than 1 in 10.
5. Allocated parking areas to be kept free of obstruction.

**SSDC Highway Consultant:** No comments

**SCC Rights of Way:** No objection.

There is a public right of way (PROW) that runs through the site at the present time (public footpath WN 23/7). The current proposal will obstruct this footpath due to the proposed fenced boundaries around the development site and attenuation basin. The proposal either needs to be revised to prevent any obstruction or a diversion order applied for. Requested a Grampian condition requiring that no development which will interfere with or compromise the use of the footpath until a path diversion order has been made and confirmed and the diverted route made available for use by the public.

**County Education:** Requested £68,296 for the cost of four primary school places to meet the need generated by the development.

**Leisure Policy:** No contribution request received.

**Strategic Housing:** Policy requires 35% affordable housing split 80:20 affordable: intermediate product based on 10+ dwellings due to recent changes in the NPPF. This new split is evidenced in

the Mendip, Sedgemoor, South Somerset and Taunton Deane Strategic Housing Market Assessment (October 2016).

This would be 4 of the currently proposed 10 units and they would be split: 3 for social rent and 1 for other intermediate affordable housing solutions.

I would like to propose the following property mix:

Social Rent

2 x 2 bed

1 x 3 bed

Other intermediate affordable

1 x 3 bed

**County Archaeology:** No objections or recommendations.

Initially requested further information on any archaeological remains on the site prior to determination due to the presence of sites of archaeological interest in the area and the lack of information provided to evaluate the impact of the development on archaeology. Following the submission of an archaeological survey of the site they accepted that the site contained nothing of interest archaeologically and confirmed that no further archaeological investigations were required.

**Designing out Crime Officer:** No comments received in respect of latest plans.

Initial comments - No objection subject to the following comments:

- The parking area for 1-12 England's Mead is isolated with no natural surveillance and would be considered a potential crime generator. It is unlikely to be popular with residents who cannot view their vehicles. It is likely to attract fly tipping / rubbish. Access and escape is easy from the neighbouring field. Please reconsider its placing.

**Natural England:** No comments

**Ecologist:** No objection subject to conditions.

*Latest comments following receipt of the requested ecology surveys* - Further to a Preliminary Ecological Appraisal carried out in March 2019, Quantock Ecology Ltd. undertook a full reptile population survey at an area of land adjacent to England's Mead, Queen Camel, Yeovil, BA22 7NW between the 11th June and the 31st July 2019.

Slow worms were recorded across the north half of the survey area. A maximum count of five slow worms were recorded during the survey. The habitats within the site known to support reptiles will be lost under the current proposals. The proposal may also have a low impact of nesting birds, commuting and foraging bats and badgers.

In accordance with local and national policy, wildlife legislation, and to follow the requirements of the mitigation hierarchy and for biodiversity net gain, please attach conditions to any planning permission granted to secure the following:

- No vegetation removal between 1<sup>st</sup> March and 31<sup>st</sup> August in the interests of protecting nesting birds.
- A lighting scheme in the interests of protecting bats.
- Biodiversity Construction Environmental Management Plan.
- Landscape and Ecological Management Plan.

**SSDC Tree Officer:** No objection subject to a condition requiring a detailed landscaping / tree planting scheme.

**Environment Agency:** Initially objected but withdrew their objection following the submission of a revised Flood Risk Assessment (FRA).

They went on to note that the revised FRA uses data from the EA's River Cam model (2016) to assess the flood level impacts to the site over the lifetime of the development and that this flood level information confirms that the new dwellings will be situated within the Flood Zone 1 (low risk) part of the site. They further stated that providing the Sequential and Exception tests are positively determined by the LPA they recommended a condition to secure minimum floor levels for the new dwellings.

**Lead Local Flood Authority (LLFA):** No objection.

They made a number of comments and observations but concluded by stating that they had no objection to the scheme subject to a condition to secure a detailed surface water drainage scheme based on sustainable drainage principles together with a programme of implementation and maintenance for the lifetime of the development.

**Wessex Water:** No objection subject to a condition.

Wessex Water initially objected to the scheme on the basis of the proposed layout but dropped their objection following the submission of amended plans that addressed their concerns. The scheme as originally submitted positioned the dwellings at Plots 3 and 4 over the route of a public water mains that crosses the site, which Wessex Water stated they could not allow. They further requested that no buildings be built within 3 metre easements either side of the public mains and that the easements be detailed on the submitted layout plan in order to demonstrate that the water mains will be protected.

## REPRESENTATIONS

Written representations have been received from 13 separate local households all objecting to the proposed scheme. The objections and concerns are summarised in brief below, for full details please refer to the Council's website ([www.southsomerset.gov.uk](http://www.southsomerset.gov.uk)):

- Traffic issues. Englands Lane does not allow for free flowing two way traffic, this includes the junction on to the A359. There are already problems with HGV's and delivery vehicles having difficulties navigating into and along this narrow lane.
- Limited passing places available and no opportunity to widen the road.
- Englands Lane is regularly used by those using the sports facilities at the playing fields. Cars are often parked along Englands Lane on match days due to the limited parking available at the playing field. This can sometimes make it difficult for residents to access their own properties.
- A traffic survey of vehicles using Englands Lane was undertaken on 10 May 2019 and resulted in 297 movements between 07.00 and 18.00. At the time of the survey there were 31 properties that gain access via Englands Lane, two of which were unoccupied. This was repeated the following Saturday when sports clubs were holding matches / practice sessions, when 345 vehicle movements were recorded.
- Insufficient parking to serve the development, displacement of parked vehicles off site.
- The offer of additional parking spaces to serve England's Mead is unlikely to have the desired effect and useful to existing residents.
- The lack of recent accidents is not evidence or argument that significantly increased traffic would not inevitably result in accidents.
- Lack of employment in the village and no public transport that would serve commuters. Add to this additional service and delivery vehicles and Englands Lane would become a dangerous and at times blocked thoroughfare.

- Increased risk to flooding – increased surface water drainage which will put our house, which is in flood zone 3a, along with other properties along Blackwell Lane at greater risk of flooding.
- The attenuation pond for the site is directly opposite my land. Any overflow from the basin would flood my land rendering it unusable or hazardous to my livestock. Where is runoff to be directed?
- The land on which the houses are to be built is situated on a natural bend of the river and is a flood plain for rising water. In order to make the houses safe against flooding the land would have to be built up at least a metre which in turn will redirect flood water to our home which is only 3 metres from the riverbank.
- Harmful to local wildlife.
- The properties are all 3 / 4 bedroom and will not be meeting a local need.
- Not in compliance with the Queen Camel Neighbourhood Plan which has identified other more suitable locations for future development with a balanced mix of houses.
- Conflict with paragraph 63 of the NPPF which requires affordable housing to be provided on sites of 10 or more dwellings
- Conflict with Somerset Minerals safeguarding map.
- Will not deliver any community benefits beyond limited housing provision.
- Who will own and have responsibilities for the public areas.
- Design and finish of the proposed houses is uninspiring and out of character with the village. The houses should be finished in stone and be of a good overall finish with timber windows etc.
- Loss of rural views.
- The photographs submitted as part of the application are out of date and misleading.
- A footpath from the development into Green Lane is suggested together with the removal of several well established trees. This section of Green Lane forms part of the Leyland Trail, the removal of the trees will impact on the sustainability of the path. It is also within a conservation area.
- My property sits next to the site. There will need to be a secure fence along the adjoining boundary to ensure our privacy and security is safeguarded.

A petition has also been submitted, which includes 53 signatures, and objects to the scheme for the following reasons:

- Englands Lane is a very narrow road with few passing places and a blind corner;
- The existing 32 properties along Englands Lane and Englands Mead which use Englands Lane for access account for over 60 vehicles;
- A further 10 properties could increase the traffic by 33%, i.e. a further 20 cars;
- The photographs of cars parked along Englands Mead in the Planning Design & Access Statement are grossly misleading showing only 7 vehicles. In fact, 17 or more can be counted on a daily basis with others parked in gardens or behind house numbers 7-12;
- Englands Lane gives vehicular access to the playing fields and is, therefore, used by different sports clubs (football, cricket, bowls, tennis) for fixtures and regular events. In turn, a considerable volume of additional traffic is generated;
- On match days, cars are frequently parked along Englands Lane as there is insufficient parking on the playing field for players and visitors alike.

## **CONSIDERATIONS**

This application is seeking full planning permission for the residential development of this greenfield site. The scheme as originally submitted sought the erection of 10 dwellings but has since been amended to reduce the overall number of dwellings to 9.

### **Principle of Development**

It is accepted that Queen Camel meets the criteria set out within LP Policy SS2 for being a Rural



Settlement given the level of services and facilities that are available within this village, and that Queen Camel is therefore a suitable location for a modest level of growth provided it is of a scale that is in keeping with the character of the settlement. Policy SS2 also requires that new residential development in Rural Settlements meet an identified housing need, i.e. affordable housing. The current proposal is seeking nine open market houses and so does not technically comply with this requirement.

However, at the present time SSDC cannot demonstrate a five-year housing supply. In these circumstances paragraph 11 of the National Planning Policy Framework states that policies that are relevant to the supply of housing, i.e. Local Plan Policies SS1, SS2, SS4 and SS5, are to be considered to be out of date. It is therefore considered that Policy SS2 should not be applied with regard to restricting residential development in Rural Settlements to only that which is meeting an identified need, instead a more permissible approach should be taken and the principles of sustainable development applied. Only where the following are applicable should the application be refused:

- “1) the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- 2) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole”

The latest monitoring figures demonstrate that from the beginning of the adopted Local Plan period (April 2006) to 31st October 2019, 24 dwellings had been completed within Queen Camel. There is also a pending application for a further 43 dwellings (19/01830/FUL) for a site at the southern end of the village. This application is recommended for approval and the decision for this will be issued once the associated S106 agreement has been completed. The addition of nine further dwellings, sought through this current application, would bring the total number of dwellings to 76, a figure that is well below that allocated for Rural Centres, which is the next settlement tier up in the settlement hierarchy. It is therefore accepted that this proposal for nine dwellings along with other sites coming forward in Queen Camel do not challenge the settlement hierarchy as defined within the Local Plan and is an acceptable level of growth for this Rural Settlement.

It is noted that Queen Camel has a draft Neighbourhood Plan (NP) and it is understood that this has recently been submitted for examination by the Planning Inspectorate. As the NP has yet to go through the scrutiny of examination or referendum it does not at this time carry weight in the planning decision making process.

The location of the site at the northwest edge of the village where it sits alongside existing built form and is considered to relate well to the existing settlement, furthermore, the site is within a relatively easy walking distance of the wider village and as such is considered to have good accessibility to local facilities.

Various site specific concerns have been raised by the Parish Council and local residents to the proposed development which will be discussed in the following sections of this report and will form part of the concluding planning balance arguments. However, in terms of principle, it is considered that the scale of development is commensurate with Queen Camel's status as a Rural Settlement and is also commensurate with Queen Camel's scale and character and is well located to be able to access local facilities. For these reasons the principle of the proposed development is considered to be acceptable.

#### Visual amenity / landscape character / heritage assets

The site forms part of a much larger agricultural field that is located at the northwest edge of the existing village built form. The site wraps around the existing development of Englands Mead to the north and west and seeks to utilise the existing field access that leads directly off Englands Mead. The scale and layout of the development is considered to relate well to existing built form whilst the house designs reflect the traditional character of surrounding development and are considered to be in keeping with local vernacular.

In terms of the local landscape, the site is visible within views from raised ground to the north, including the A303, and there is also a public right of way (footpath WN 23/7) that passes along the north boundary of the site from east to west from which the site is readily visible. As part of the proposal the applicant is proposing a substantial planting scheme including copse type planting around the east, north and west of the site which in time will provide a robust visual buffer for the site from surrounding public vantage points and help to define the built edge on this side of Queen Camel.

It is noted that a small part of the site, the southeast corner where it abuts Green Lane, adjoins Queen Camel's designated conservation area. Given the juxtaposition of the site to the conservation area and the proposed layout and planting scheme it is not considered that the proposal will result in any harm the setting or views into or out of the conservation area. It is noted that there are also a number of listed buildings in the local area, however, it is not considered that the site contributes to the setting of these listed buildings, given the existing intervening built form, as such the proposal is not considered to be harmful to their setting.

For the reasons set out above the proposed development is not considered to raise any substantive visual amenity or landscape concerns and is considered to appropriately respect the setting of the nearby heritage assets.

#### Residential amenity

The proposed layout is such that future occupiers of each of the proposed dwellings will be served by a good level of private amenity space and will enjoy a good relationship with the neighbouring development. The layout of the development and individual plot design is such that it will not lead to any new demonstrable harm to the residential amenities of existing neighbours. The position and orientation of Plot 4 means that windows in the rear elevation will be quite close to and face towards the rear of 9 Englands Mead, however, any views will be quite oblique and any loss of privacy to that neighbour is not considered to be so significant as to cause demonstrable harm to that neighbour. There are to be no first floor openings within the side gable of Plot 4.

#### Highway safety

The site is accessed via an existing field access that leads into Englands Mead and in turn Englands Lane which are lightly trafficked no-through roads. It is acknowledged that this access route is poorly aligned and narrow which restricts passing in places which is further hampered by on-street parking, a matter that has raised strong local concerns.

The proposal has been considered by the Highway Authority who raised no objection. Following receipt of the local concerns about highway safety relating to the development and access along Englands Mead and Englands Lane the Highway Authority carried out a further review of the proposal but maintained no objection. Their comments included;

*“Following on from the initial site visit the Highway Authority undertook a full assessment of the proposals which included an assessment of the Englands Lane road alignment, highway geometry and visibility splays onto the A359 High Street. Road collision data was also checked, which confirmed that no accidents had been reported on Englands Lane in the last 3 years. Following on from a review of the TRICS database, the proposed development (9 dwellings) would be expected to generate an average of 6 vehicle trips during the weekday AM/PM peak hours. When taking the existing level of traffic which uses the local highway into account, the proposed development is likely to result in a minor intensification of Englands Lane which is not considered to be severe.*

*Off-street parking provision at a ratio of three spaces per dwelling is proposed. This level of parking provision meets the recommended optimum parking standards which are set out within the Somerset County Council Parking Strategy.”*

Bearing in mind these comments and the absence of any evidence to challenge the HA's views, it would be unreasonable to object to the proposed development based on highway safety concerns.

The application is therefore considered to accord with LP Policies TA5 and TA6.

#### Flooding and drainage

The River Cam passes a short distance to the north of the site and a very small portion of the northeast corner of the site sits within Flood Zones 2 and 3 and is therefore at risk of flooding, however, the remainder of the site is in Flood Zone 1 and therefore at the lowest risk of flooding. This part of the site however forms part of the area to be planted and sits outside the built area (including the associated gardens) of the development. The Environment Agency has raised no objection to the submission of a revised Flood Risk Assessment. It is not considered that the Sequential or Exception Tests apply in this instance given that the part of the site that is within the 'at risk' flood zones.

The development has been amended to include an attenuation feature as part of a future drainage strategy for the development in response to comments made by the Lead Local Flood Authority (LLFA). On the basis of the submitted details the LLFA raise no objection to the scheme subject to a condition to secure a detailed drainage scheme.

In the absence of any evidence to challenge these views, it would be unreasonable to object to the development on drainage or flood risk grounds.

#### Other matters

- CIL – The development is liable to CIL and the applicant has provided a completed CIL form acknowledging this.
- Obligations – Since the development was amended, reducing the overall house numbers from 10 to 9 it is not possible to seek any planning obligations, such as education or leisure contributions or affordable housing, as part of the scheme.
- Ecology – Following the submission of a Preliminary Ecological Appraisal, the Council's Ecologist has no objection to the development subject to condition.

#### Planning Balance

The proposal will result in nine additional market houses that will make a positive contribution towards meeting SSDC's five-year housing requirements, a matter that must be given substantial weight in its favour.

The site is well related to existing built form with good access to a range of local services and the proposal is considered to be commensurate in scale and character with Queen Camel.

The local concerns raised regarding this scheme are noted, however, the proposed development is not considered to give rise to any substantive landscape, visual amenity or residential amenity harm, nor is it considered to be harmful the setting of nearby heritage assets, highway safety, flooding or other environmental concerns. No evidence has been provided to undermine / challenge the views of the Council's statutory or professional consultees which might lead to a different point of view and justify withholding planning consent.

In the absence of any clearly identifiable harm, the proposed development is considered to represent an appropriate and sustainable form of development that accords with the aims and objectives of the relevant policies of the South Somerset Local Plan and the National Planning Policy Framework. Accordingly the application is recommended for approval.

### **RECOMMENDATION**

Grant consent for the following reasons:

The proposed development, by reason of its siting, scale, layout and design, is considered to be an appropriate and sustainable form of development that respects the setting of the nearby heritage assets and raises no demonstrable harm to landscape or visual amenity, residential amenity, highway safety, flooding or other environmental concern and therefore accords with the aims and objectives of

policies SD1, TA1, TA5, TA6, EQ1, EQ2, EQ3, EQ4 and EQ7 of the South Somerset Local Plan as well as the provisions 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 accordance with the approved plans drawings numbered 2447-PL-02 Revision D (Proposed Site Plan), 2447-PL-08 Revision B (Proposed Elevations Plot 8), 2447-PL-07 Revision C (Proposed Floor Plans and Section Plot 8), 2447-PL-04 Revision B (Proposed Elevations Plots 1-4), 2447-PL-13 Revision B (Floor Plans and Section Plots 3-4), 2447-PL-14 (Site Section C-C Through path and attenuation basin), 2447-PL-11 Revision A (Proposed Floor Plans and Section Plot 9), 2447-PL-09 Revision A (Floor Plans and Section Plot 7), 2447-PL-05 Revision B (Floor Plans and Section Plots 5 & 6), 2447-PL-03 Revision B, 2447-PL-01 Revision A (Location Plan) and 2447-PL-12 (Proposed Elevations Plot 9).

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

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

- a) materials (including the provision of samples where appropriate) to be used for all external walls, roofs and chimneys;
- b) details of the design, materials and external finish for all external doors, windows, boarding, lintels and openings;
- c) details of all roof eaves, verges and abutments, including detailed section drawings, and all new guttering, down pipes and other rainwater goods, and external plumbing;
- d) details of the surface material for the parking and turning areas;
- e) details of boundary details (new and existing).

Reason: In the interest of visual amenity to accord with policy EQ2 of the South Somerset Local Plan (2006-2028).

04. The development hereby permitted shall not be commenced unless details of the internal ground floor levels of the building have been submitted to and agreed in writing by the local planning authority. Development shall be carried out in accordance with these details.

Reason: In the interest of visual and residential amenity to accord with Policy EQ2 of the South Somerset Local Plan (2006-2028).

05. Finished Floor Levels must be set at a minimum of 30.75m AOD (as set out in the revised FRA by GTH dated 28 January 2019 - ref: AJP/2447).

Reason: To protect the development from flooding in accordance with the provisions of the National Planning Policy Framework.

06. No development shall be commenced until details of the surface water drainage scheme based on sustainable drainage principles together with a programme of implementation and maintenance for the lifetime of the development have been submitted to and approved in writing by the Local Planning Authority. The drainage strategy shall ensure that surface water runoff post development is attenuated on site and discharged at a rate and volume no greater than greenfield runoff rates and volumes. Such works shall be carried out in accordance with

the approved details. These details shall include: -

- Details of phasing (where appropriate) and information of maintenance of drainage systems during construction of this and any other subsequent phases.
- Information about the design storm period and intensity, discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance (6 metres minimum), the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters.
- Any works required off site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant).
- Flood water exceedance routes both on and off site, submitting details of the exceedance pathways and overland flow routes across the site in the event of rainfall in excess of the design standard of the surface water drainage management system
- A surface water drainage strategy and model showing, no part of the site flooding during any storm up to and including the 1 in 30 event, flooding during storm events in excess of this including the 1 in 100yr (plus 40% allowance for climate change) controlled within the designed exceedance routes demonstrated to prevent flooding or damage to properties.
- A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by an appropriate public body or statutory undertaker, management company or maintenance by a Residents' Management Company and / or any other arrangements to secure the operation and maintenance to an approved standard and working condition throughout the lifetime of the development

Reason: To ensure that the development is served by a satisfactory system of surface water drainage and that the approved system is retained, managed and maintained in accordance with the approved details throughout the lifetime of the development, in accordance with Policy EQ1 of the South Somerset Local Plan (2006-2028) and the provisions of the NPPF and the associated Technical Guidance.

07. Before any foul drainage pipework is installed, the details of that system and how it will be implemented to ensure it results in a sealed system, must be submitted to and approved in writing by the local planning authority. The system must be installed entirely in accordance with the agreed details and shall be maintained in this fashion in perpetuity thereafter.

Reason: To ensure no groundwater enters the foul water drainage system within the site in order to safeguard against increased risk of sewer flooding and pollution in accordance with Policy EQ7 of the South Somerset Local Plan (2006-2028) and the requirements of the NPPF.

08. 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. Once constructed, the system of interception shall be retained in a good state of repair thereafter at all times.

Reason: To ensure the site is drained appropriate in the interests of highway safety to accord with Policy TA5 of the South Somerset Local Plan (2006-2028).

09. The proposed estate roads, footways, footpaths, tactile paving, verges, junctions, street lighting, sewers, drains, 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 to accord with Policy TA5 of the South Somerset Local Plan (2006-2028).

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 to accord with policy TA5 of the South Somerset Local Plan (2006-2028).

11. The gradients of the proposed drives to the dwellings hereby permitted shall not be steeper than 1 in 10.

Reason: In the interests of highway safety to accord with policy TA5 of the South Somerset Local Plan (2006-2028).

12. The area allocated for parking on the submitted plan 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 to accord with policies TA5 and TA6 of the South Somerset Local Plan (2006-2028).

13. No vegetation removal works around the site shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of any trees, shrubs and scrub and tall ruderal vegetation to be cleared for active birds' nests immediately before works proceed and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason: In the interests of protecting nesting birds, which are afforded protection under the Wildlife and Countryside Act 1981 (as amended) and to accord with policy EQ4 of the South Somerset Local Plan (2006-2028) and the requirements of the NPPF.

14. Prior to occupation, a "lighting design for bats", following Guidance note 8 - bats and artificial lighting (ILP and BCT 2018), shall be submitted to and approved in writing by the local planning authority. The design shall show how and where external lighting will be installed (including through the provision of technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory or having access to their resting places. All external lighting shall be installed in accordance with the specifications and locations set out in the design, and these shall be maintained thereafter in accordance with the design. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: In the interests of protecting bats which are afforded protection under the Habitats Regulations 2017 and to accord with policy EQ4 of the South Somerset Local Plan (2006-2028) and the requirements of the NPPF.

15. No development shall take place (including ground works and vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity), incorporating the key mitigation hierarchy requirements set out within section 4.0 *Conclusions and Recommendations of Ecological Impacts* of Land Adjacent to Englands Mead Reptile Presence/Absence Surveys & *Ecological Appraisal* (Quantock Ecology, 2019), has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:

- Risk assessment of potentially damaging construction activities.
- Identification of “biodiversity protection zones”.
- Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- The location and timing of sensitive works to avoid harm to biodiversity features.
- The times during construction when specialist ecologists need to be present on site to oversee works.
- Responsible persons and lines of communication.
- The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- Use of protective fences, exclusion barriers and warning signs.
- Full details for non-native invasive species removal.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that ecological mitigation measures are delivered and that protected/priority species and habitats are safeguarded in accordance with The Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended), The Hedgerow Regulations 1997, Part 3 of the Natural Environment and Rural Communities Act 2006 and to accord with policy EQ4 of the South Somerset Local Plan (2006-2028) and the requirements of the NPPF.

16. A Landscape and Ecological Management Plan (LEMP) shall be submitted to and agreed in writing by the local planning authority prior to the commencement of the development. The content of the LEMP shall include the following:
- a) Description and evaluation of features to be managed.
  - b) Ecological trends and constraints on site that might influence management.
  - c) Aims and objectives of management. Appropriate management options for achieving aims and objectives.
  - d) Prescriptions for management actions.
  - e) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
  - f) Details of the body or organization responsible for implementation of the plan.
  - g) On-going monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Enhancement and compensation measures to be captured within the LEMP will be comprised of:

- An area of rough grassland to be north of the proposed development, including the construction of one reptile hibernaculum.
- One integrated bird or bat box installed into every new dwelling. This is to be comprised of an even number of bird boxes including sparrow, swift, house martin and standard bird boxes, and wood stone bat boxes.

- 1 x integrated bee bricks (<https://www.nhbs.com/bee-brick>) must be built into the external wall space of every new building. The bricks will be placed one meter above ground level on a south facing aspect, vegetation must not block the entrance holes. Solitary bees are harmless and do not sting.
- Any new fencing must have accessible hedgehog holes, measuring 13cm x 13cm to allow the movement of hedgerows into and out of the site.
- All new shrubs must be high nectar producing to encourage a range of invertebrates to the site, to provide continued foraging for bats. The shrubs must also appeal to night-flying moths which are a key food source for bats. The Royal Horticultural Society guide, "RHS Perfect for Pollinators, [www.rhs.org.uk/perfectforpollinators](http://www.rhs.org.uk/perfectforpollinators)" provides a list of suitable plants both native and non-native.
- Where the landscaping scheme allows all new trees planted on site should ideally be from local native stock, such as field maple, ash, hornbeam, dogwood, spindle and beech.
- A permanent mixed planted buffer habitat comprised of native trees and species rich meadow grassland will be installed along the north, northwest, south and west boundary

Reason: To ensure the development contributes to the Government's target of no net biodiversity loss and to accord with policy EQ4 of the South Somerset Local Plan (2006-2028) and the requirements of the NPPF.

17. The development hereby permitted shall not be commenced until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of the development, as well as 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. The scheme of landscaping shall be based upon the approved layout plan (drawing number 2447-PL-02 Revision D).

Reason: In the interests of maintaining the character of this rural area in accordance with policy ST5, ST6 and EC3 of the South Somerset Local Plan.

18. Prior to the first use of the development hereby permitted, one 16amp electric charging point, for electric vehicles, shall be provided within the site. Once installed it shall be retained and maintained in working order, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the development is resilient and sustainable in accordance with Policy TA1 and EQ1 of the South Somerset Local Plan (2006-2028).

19. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no new openings shall be formed above ground floor level within the east elevation of Plot 4 hereby permitted without the prior express grant of planning permission.

Reason: In the interest of residential amenity to accord with Policy EQ2 of the South Somerset Local Plan (2006-2028).



Informative:

1. Please note the alteration of the access and/or minor works will involve construction works within the existing highway limits. These works must be agreed in advance with the Highway Service Manager for the South Somerset Area at The Highways Depot, Mead Avenue, Houndstone Business Park, Yeovil, BA22 8RT, He will be able to advise upon and issue/provide the relevant licences, necessary under the Highways Act 1980.
2. Please be advised that nesting birds are afforded protection under the Wildlife and Countryside Act 1981 (as amended) no matter the time of year and that some species can breed outside the timeframe specified in condition 13 above.