

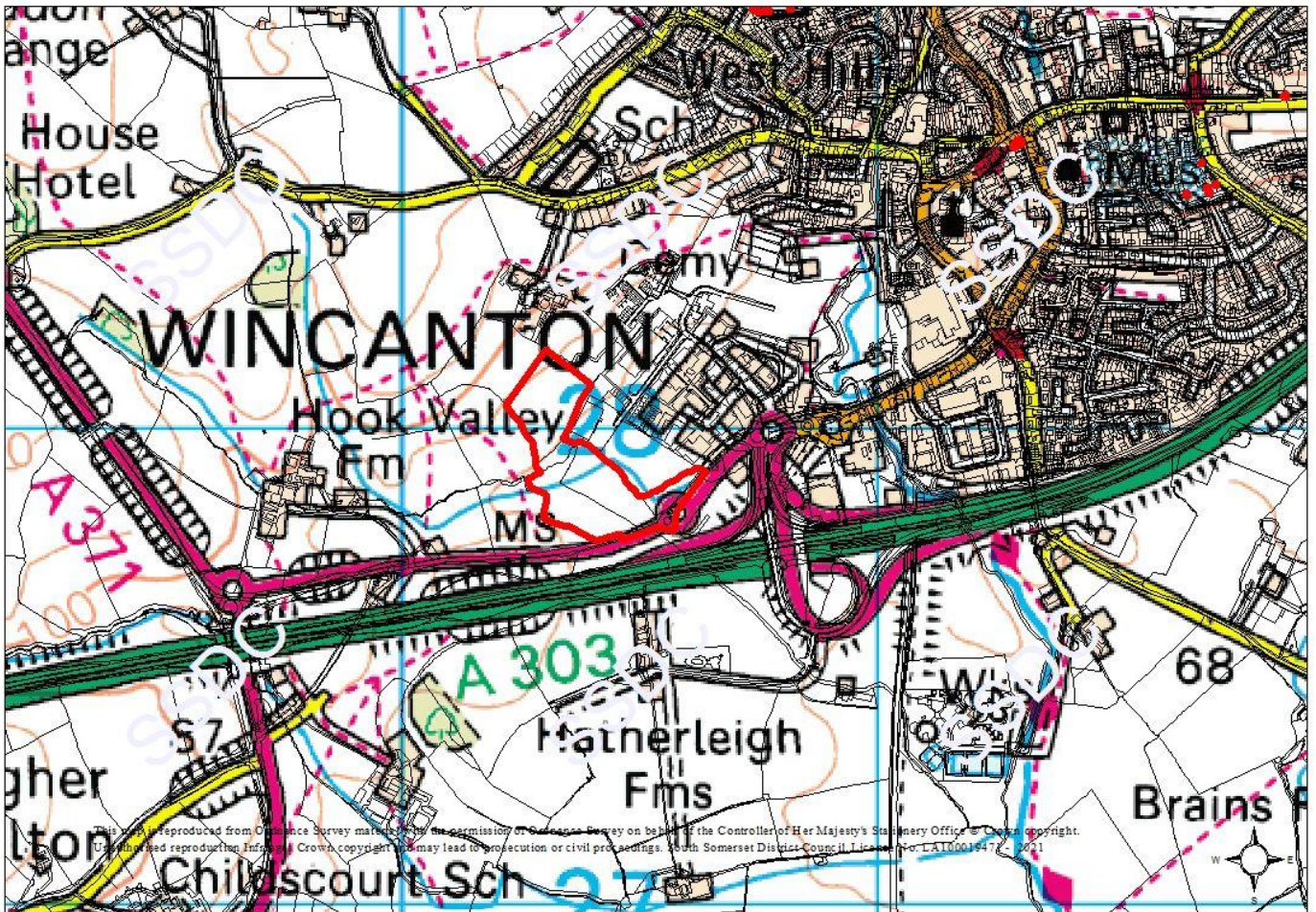
Officer Report On Planning Application: 19/02245/OUT

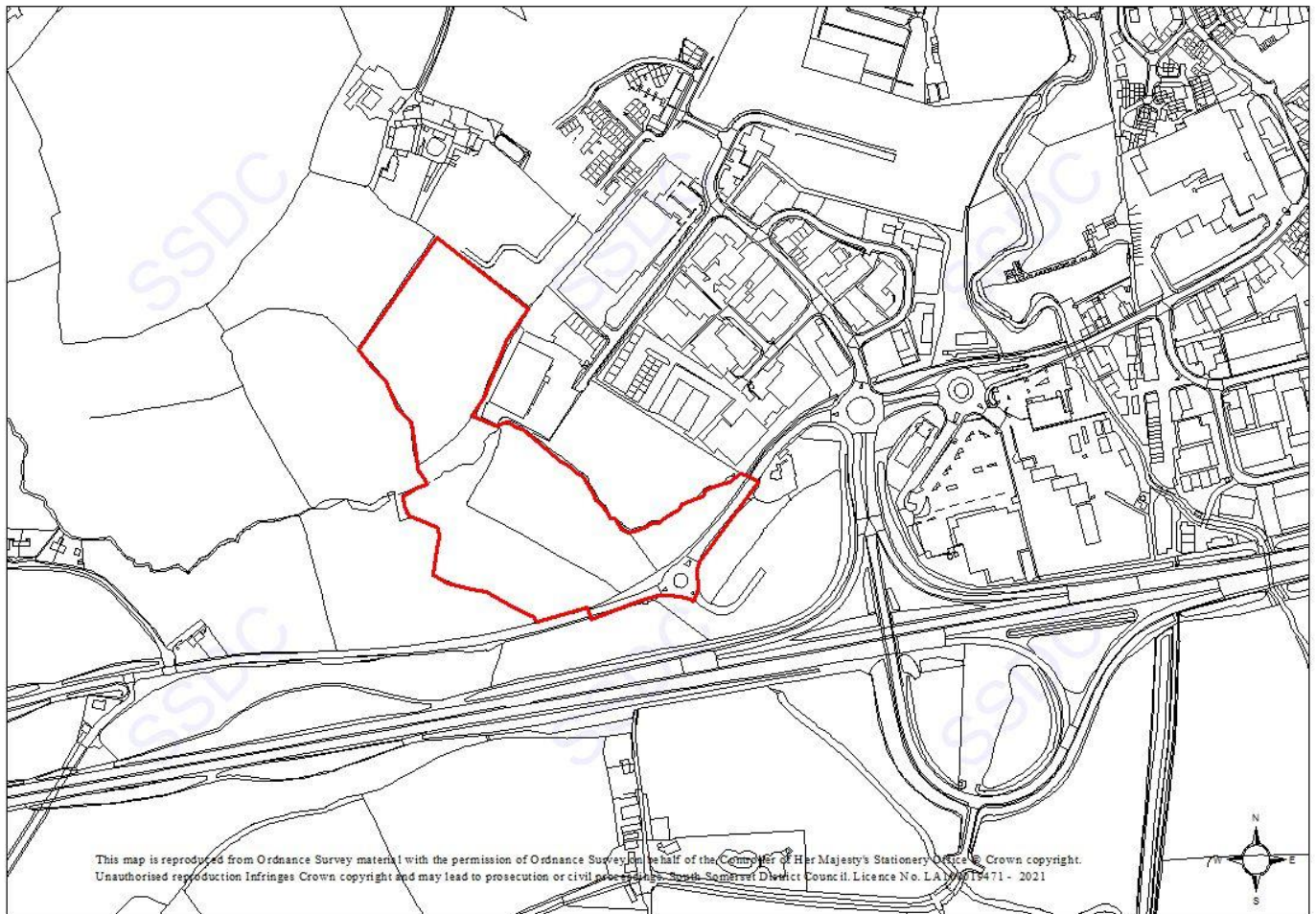
Site Address:	Land At Lawrence Hill Wincanton Somerset BA9 9RT
Ward :	WINCANTON: Cllr Nick Colbert; Cllr Colin Winder
Proposal : CIL Liabile = YREM	Outline application with all matters reserved save for access from A371 - Lawrence Hill for Light Industrial (Use Class B1), general Industrial (Use Class B2), Storage & Distribution (Use Class B8) & Residential Development (Use Class C3) with associated works
Recommending Case Officer:	Colin Begeman (Principal Specialist)
Target date/Ext of time	12th November 2019 17th July 2020
Applicant :	Abbey Manor Homes Ltd
Type : 05	Major Other f/space 1,000 sq.m or 1 ha+

REASON FOR REFERRAL TO REGULATION COMMITTEE

This application is classified as a "major major" and is referred to the Regulation Committee for determination under the Scheme of Delegation.

SITE DESCRIPTION AND PROPOSAL





The site lies to the north of Lawrence Hill, the A371, on the western side of Wincanton. It extends to approximately 14.64 acres/5.93 hectares and comprises of agricultural parcels which are currently greenfield. The parcels have mature hedgerow vegetation on their boundaries. The southern area of the site is intended for employment use and lies at the lowest level. The land rises from south to north. In between the two areas of proposed development runs Holway Brook, a tributary of the River Cale watercourse. A public footpath (WN 30/50A) runs to the west of the site.

The application is submitted in outline form with all details reserved apart from access from A371 (the red line of the site extends onto the A371 public highway and the roundabout, where a new arm and elongation of the roundabout is proposed to serve the development site).

The proposal comprises of approximately 9,000 sqm of B1 (light industrial/office), B2 (general industrial) and B8 (storage & distribution) floorspace on the southern part of the site (the application provides an indicative mix of B1 - 50%, B2 - 25%, B8 - 25%); up to 80 dwellings (C3 use) on the northern part of the site adjacent to New Barns Farm; associated works, including drainage infrastructure, footpath/cycle links, landscaping, open space and parking.

There is a potential secondary access to Crocker Way, which along with landscape, scale, layout and appearance are reserved for future consideration. The illustrative plan submitted shows a cycle and pedestrian link from Crocker Way at this stage, with a small area for play and lines of tree planting on the indicative internal residential estate road. Site boundaries are shown as a landscape buffer, either retention of existing, enhancement or new planting. SUDS areas are shown in the southeast corner of the site (adjacent to the access point) and centrally between the employment and residential areas, where there is also public open space.

In addition to the plans a number of documents have been submitted in support of the application including a

Planning Statement, Design and Access Statement, Statement of Community Involvement, Landscape Visual

Impact Assessment, Transport Assessment, Travel Plan, Flood Risk Assessment/Drainage Strategy, Foul Drainage Assessment, Ecological Impact Assessment, Heritage & Archaeological Report, Arboricultural Assessment, Noise Assessment, Ground Investigation Report and Utilities Statement.

Environmental Impact Assessment Regulations - the planning application falls within the scope of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 ('the EIA Regulations'). The

Local Planning Authority is required to make a formal screening decision relating to the requirement for

Environmental Impact Assessment because of the scale and nature of the proposed development. The screening opinion was issued on 12th October 2018 and concluded that the development is unlikely to have significant environmental effects and therefore an Environmental Statement was not required (reference 18/03137/EIASS).

PLANNING HISTORY

01/01658/OUT - Residential, employment (B1, B2, B8) and associated development (outline); land OS 4884,4600,7616,4812,7530,3040,5339,4626,3826 adjacent to Alfreds Way, Wincanton Business Park. Refused 16th July 2004 (this application extended to parcels to the north and northwest of the 19/02245/OUT site).

PLANNING POLICY AND GUIDANCE

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2 and 47 of the NPPF, state that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise.

PWWRM

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) and the Wincanton Neighbourhood Plan adopted January 2018.

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

Policy SD1 - Sustainable Development
Policy SS1 - Settlement Strategy
Policy SS3 - Delivering New Employment Land
Policy SS5 - Delivering New Housing Growth
Policy SS6 - Infrastructure Delivery
Policy PMT4 - Wincanton Direction of Growth
Policy EQ1 - Addressing Climate Change in South Somerset
Policy EQ2 - General Development
Policy EQ3 - Historic Environment
Policy EQ4 - Biodiversity
Policy EQ5 - Green Infrastructure
Policy EQ7 - Pollution Control
Policy TA4 - Travel Plans
Policy TA5 - Transport Impact of New Development
Policy TA6 - Parking Standards

Policy HG3 - Provision of Affordable Housing

Policy HW1 - Provision of Open Space, Outdoor Playing Space, Sports, Cultural and Community Facilities in New Development

Wincanton Neighbourhood Plan 2018-2028

The Plan was adopted in January 2018 following the appropriate procedure, and its contents must therefore be considered when determining this reserved matters submission.

Policy 1 - Visually Sensitive Areas

Policy 3 - Trees and Hedgerows

Policy 5 - development on the outskirts of the town

Policy 7 - mix of housing types

Policy 8 - starter homes for local people

Policy 14 - Key Pedestrian and Cycle Routes

National Planning Policy Framework (as revised)

Paragraph 11 notes that decisions should apply the presumption in favour of sustainable development.

Chapter 4 - Decision making

Chapter 5 - Delivering a Wide Choice of High Quality Homes

Chapter 12 - Achieving well-designed places

Chapter 16 - Conserving and Enhancing the Historic Environment

National Design Guide (NDG)

The National Design Guide is a material consideration when making planning decisions, and sets out how well-designed places can be achieved and forms part of the Government's collection of planning practice guidance and should be read alongside the separate planning practice guidance on design process and tools. The NDG sets out the ten characteristics of well-designed places.

Local Plan Review (Preferred Options Draft)

The draft Local Plan Review includes the policy review for housing and employment land provision in Wincanton identified as an early requirement of the adoption of the Local Plan in 2015.

Policy WN1 - Housing Growth West of Wincanton Business Park and New Barns Farm (about 220 dwellings) Policy WN2 - Employment Growth West of Wincanton Business Park (4.8 hectares)

CONSULTATIONS

Highway Authority

No objection; SCC does not have concerns regarding outstanding design detail at this stage as these will be covered as part of the reserved matters application and the technical approval process connected to the required legal agreement, including the provision of a full travel plan, which will be secured under the S106 agreement.

Conditions to be imposed relating to required gradient access; disposal of surface water provision; visibility; clean vehicles leaving the site; submission of Construction Environmental Management Plan; construction and laying out of estate roads etc; provision of appropriate parking.

The Highway Authority has confirmed that it has no objections to the amended scheme of off-site highway works removing the pedestrian crossing at the roundabout on Lawrence Hill.

Highways England

No objection. Recommend the emerging Local Plan Review gives consideration to the future capacity of the A371/Dyke's Way roundabout, and merge/ diverge activity for the A303(T) to confirm whether existing layouts are appropriate for forecast traffic demand.

SCC as Lead Local Flood Authority

Initial response: unable to recommend that we would be content with the proposal until these concerns have been addressed to the EA's satisfaction. This is especially significant as the site drainage drains towards a designated main river, and discharge rates should be confirmed as acceptable to the EA.

Follow-up response: flow routes have been taken into consideration when developing the masterplan (application is in outline form only and could change). Due to the extent of surface water flow routes across the site risk will need due consideration, locating more vulnerable uses away from the higher risk areas. Flows from offsite will need to be intercepted and managed across the site to prevent placing buildings at risk or causing further problems offsite. Attenuation basin 2 is located within Flood Zone 3, and the developers need to be aware that such features might not function effectively under flood conditions in the receiving system. We recommend such features are located outside of areas at risk or are designed to provide adequate storage for the period during which any outfall becomes submerged.

There is mention of an existing drainage ditch through the southern part of the site. We request further information on the functionality and connectivity of this system as the scheme emerges.

We would expect a variety of multifunctional SUDS features within the scheme to meet wider sustainability needs. While the FRA explores some of these features it is noted underground storage features are not a sustainable means of drainage because they do not provide the required water quality, public amenity or biodiversity benefits, underpinning principles of SUDS. The developer should consider source control measures and ensure appropriate measures of pollution control for the different land uses at the site. "Pipe to pond" is not recommended. Any works within the cross section of an ordinary watercourse may require Land Drainage Consent from ourselves, this includes the southern central drainage ditch.

Subject to the above being taken into consideration, we would recommend imposing a condition relating to the surface water drainage scheme, and informative relating to Land Drainage Consent.

SSDC Open Space

Assessment, based on dwellings of two bedrooms or more, made to consider the increased demand upon for outdoor playing space, sport and recreation facilities. Likely increase of population by approximately 178; using the SSDC standards within the relevant adopted documents this requires 356.8 sqm equipped play space, 89.2 sqm youth facilities, 2,140.8 sqm playing pitches, 18.73 changing rooms. The Council has conducted an infrastructure assessment and there are deficiencies in most areas.

A LEAP of a minimum 500 sqm should be provided on site, located centrally, to address the already existing deficiency (spend calculated as £67,904). Other provision would best be located off-site. An appropriate financial contribution of £2,131 per dwelling, total £170,494 for provision. A contribution of £849 per dwelling, total £67,951, should be made as commuted sums for maintenance. Total contribution of £238,445 with administration fee (£2,384) resulting in a £3,010 contribution per dwelling.

SCC as Local Education Authority

The pupils generated from this proposal would be as follows:

$70 \times 0.09 = 6.3$ (7 Early Years)

$70 \times 0.32 = 22.4$ (23 Primary)

$70 \times 0.14 = 9.8$ (10 Secondary)

The development is in the Wincanton Primary school catchments and King Arthur's Community school. The early years settings and the secondary school have sufficient capacity at present. However this proposal and the others in the area will create pressure on Wincanton Primary and we therefore request the following Education contributions towards ensuring the capacity of Wincanton primary will be able to accommodate the children from this development. Financial contribution should be sought: $23 \times 17,074 = \text{£ } 392,702$ for Wincanton Primary School.

SSDC Environmental Health

Initial response raised a number of comments relating to noise emissions, working hours, no burning on site, submission of a construction method statement. Following further information being submitted it was confirmed there is no objection relating to noise as the report addressed the concerns raised.

Environment Agency

Initial concern however following submission of further information we withdraw the objection subject to a condition relating to carrying out the development in accordance with the submitted flood risk assessment and ensuring finished floor levels are set at a minimum of 300mm above the 100yr plus 30% flood level as described in the additional information provided by the agent. The Council's Emergency Planners should be consulted relating to safe evacuation/exit in the event of flooding. Informative note relating to pollution prevention during construction, waste management and bio security.

Somerset Ecology Services

Initial response: Green Ecology carried out an Ecological Impact Assessment at Land North of Lawrence Hill, Wincanton, Somerset. This comprised a desk study, walkover survey and surveys for badger, riparian mammals, dormouse, reptiles and bats were undertaken in 2019 to provide baseline data for the Site, following an Extended Phase 1 Habitat Survey and recommendations in 2017.

The report states that surveys are continuing for bats, reptiles and dormice. I would need to see the results of these surveys, incorporated into the Ecological Impact Assessment, along with an updated phase 1 habitat plan showing existing habitats onsite (i.e. loss of orchard / scattered broadleaved tree within field 2) before I can comment further. Until the report update is provided, I will need to place an holding objection.

Follow up response: Further to updated surveys - no objections subject to conditions.

Wessex Water

Pre-application discussions took place to assess a point of discharge for the predicted foul sewerage flows generated by the proposed development. The Foul Drainage Assessment is a fair record of assessment to date.

Foul flows are passed to Wessex Water's Laurence Hill pumping station. A review of this pumping station will be required if this planning application is approved. Depending on catchment growth further storage may be required at the pumping station with upgrades to existing pumps. Improvements will be managed by Wessex Water. Our appraisal will be made on the basis of predicted foul flows from

industrial use being of domestic type only. The applicant must contact Wessex Water for advice if discharge of a non-domestic nature are proposed.

There are public water mains in the vicinity of the proposal. Network modelling will be initiated should the application be approved to determine point(s) of connection. The applicant must contact Wessex Water for advice if water supply demand of a non-domestic nature is required.

Surface water is proposed to be attenuated on site and discharged to the on-site watercourse; approval will be required from the LLFA. There must be no surface water connections to the foul sewer network. Buildings above two storeys will require on site boosted storage.

Wincanton Town Council
Recommend approval.

South West Heritage

Initial response: a desk-based assessment was submitted which concludes that based on existing evidence there is relatively low potential for archaeological remains. However it is based on limited evidence and the site sits within a landscape with prehistoric and Roman period activity. Therefore there is potential for unknown archaeology on the site. I recommend that the applicant be asked to provide further information on any archaeological remains on the site prior to the determination of this application. This is likely to require a geophysical survey (and based on results trial trenching) as indicated in the National Planning Policy Framework (Paragraph 189).

Follow-up response: based on the Geophysical survey there does not appear to be any archaeological issues associated with this proposal, so we have no objections on archaeological grounds.

Representations

Eight responders have submitted comments, summarised below:

- Wincanton cannot cope with another housing development; it is suffering from Yeovil's shortfall in providing its allocation of new housing and the town has exceeded its allocation
- There is insufficient infrastructure to cope with additional people; the health centre and education facilities are under pressure, parking is a problem around the primary school and at the health centre
- There are very few leisure facilities in Wincanton
- There is brownfield land available (e.g. the old Hopkins Concrete site) rather than using greenfield
- The bus service is inadequate
- There are a limited number of shops on the high street
- Construction and emergency vehicles are unlikely to be able to gain access to the site through Atkins Hill/Crocker Way as vehicles are double parked/on pavements. Estate roads also not yet finished and has potholes. More construction vehicles would mean more misery for residents. There is no reason traffic should be directed through the estate when there is a wider safer route down the A371 and into the building site.
- The extra traffic will endanger children playing in the street or walking to and from school
- The existing hedgerow between the Crocker Way development and the proposed development must be retained
- One responder had no objection but queried some of the constraints and relationship between the site and his property

More recently in November 2020 an objection was made alleging that the pedestrian crossing points within the proposed off-site highway works on Lawrence Hill could not be delivered as this involved third party land. Discussions have been held with the County Highway Land who has advised that the

land in question is "Highway Maintainable at the Public's Expense". Notwithstanding, amended plans have been submitted (February 2021) removing the crossing point on the roundabout to which the Highway Authority has confirmed they have no objections.

OFFICER REPORT

Principle of Development

Wincanton is one of the few areas within the District that does not fall within the catchment area of the Somerset Level and Moors Ramsar sites and the associated phosphate loading. This application does not contribute to the phosphate loading of these sites and is acceptable in that respect and is not considered to be a constraint in bringing this proposal forward.

Wincanton has the status of Primary Market Town in the adopted Local Plan, and a quantum of employment development was identified for the town with the intention of contributing towards delivering 599 new jobs. This was based upon a Sustainability Appraisal that took into account access to the strategic road network, proximity to other business uses, avoidance of the impact of HGV movements upon the town, and the potential deliverability of sites for development. The Plan states that the bulk of the development requirements for Wincanton would be delivered within the direction of growth area. Policy PMT4 states "The direction of strategic employment growth will be to the south west of the town, north of Lawrence Hill and west of Wincanton Business Park". Inset Map 14 shows the Direction of Growth area; the application site is wholly within it.

The adopted Wincanton Neighbourhood Plan 2018-2028 includes the objectives "identifying the most sustainable locations for further development" and "new employment space near the A303". It notes that businesses need better quality, larger footprint units so they can adapt as their business grows. The south west of the town is noted as being the focus for development, stating "the design, layout and extent of development respects the special landscape towards Hook Valley Farm, and does not become visually obtrusive by building towards the northern elevated field (adjoining West Hill)". An application for up to 210 dwellings (reference 19/01593/OUT) within this "visually sensitive area" identified by the Neighbourhood Plan has recently been refused.

From a strategic employment perspective the site is in an area where the Council would like to see development come forward, an objective enshrined in Policies SS3 and PMT4 of the local plan, and therefore the principle of the employment development is accepted.

As the proposal includes an element of residential, with up to 80 dwellings proposed in the northern section of the site, it is necessary to give proper consideration to its acceptability given the direction of growth is specifically intended to deliver business development.

Prior to the adoption of further housing allocations, Local Plan Policy SS5 states that a permissive approach should be taken when considering housing proposals within the directions of growth at the Market Towns (including Wincanton), subject to the scale of the proposal being appropriate and not prejudicial to the settlement strategy. An additional 80 dwellings would result in a sustainable form of development without detrimental impact upon the role of Wincanton as a Primary Market Town towards the top of the settlement hierarchy.

The adopted Wincanton Neighbourhood Plan, which forms part of the Development Plan, is supportive of the principle of residential growth on the application site, which avoids the most visually sensitive areas on this side of the town.

The adopted Local Plan contains a commitment that a policy review of housing provision within Wincanton will be undertaken within 3 years (i.e. by March 2018). This housing policy review for Wincanton has not taken place within this timeframe and now forms part of the Local Plan Review.

The Local Plan Review identifies a need for a further 220 dwellings in the town and proposes allocation of the application site to meet such needs.

The principle of residential development therefore accords with Local Plan Policy SS5 and the Wincanton

Neighbourhood Plan. Its compliance with emerging policy to fulfil the commitment within the adopted Local Plan to review housing provision in Wincanton is also a material consideration.

It is considered therefore that, subject to other planning considerations, the principle of the development in this location can be acceptable. If consent is granted however it needs to ensure the employment aspect of this proposal comes forward and not just the more lucrative residential development. It would therefore be appropriate to impose a condition requiring the applicant to submit a phasing programme for the timing of delivery of the commercial and residential uses, off-site highway works and open spaces for the approval of the Local Planning Authority. It is considered reasonable to allow flexibility at this point in time in setting trigger points at this outline stage taking into account the marginal viability of the scheme and the uncertain economic conditions.

Viability

A Viability Report has been submitted, dated 20th April 2020.

The report uses BCIS as a guide and a developer profit of 20% for open market housing, 6% for affordable units and 15% of employment land sale. It considers the financial contribution via legal agreement to be a total of £733,282 (without contribution to POS or additional cost due to indexation). It notes that it is more likely that the residential element of the development will involve a compromise situation rather than total policy compliance with regard to housing type and affordable housing, and reviews the residential development to the north for comparative sales data (noting the likelihood that house prices will be suppressed due to the pandemic). From an employment development perspective, it is assumed it would be provided on a serviced basis with a land value of £300,000 per acre.

Based on the aforementioned parameters used the report shows the scheme is not viable with or without affordable housing and generates a negative Residual Land Value in both scenarios; notably due to the significant costs of delivering the employment land. The residential part of the development isn't large enough to cross-subsidise the servicing of the employment land.

The report contends that the benefits of delivering employment land outweighs the "short term benefit" of delivering affordable housing at this location. Policy HG3 of the adopted Local Plan requires 35% of dwellings to be delivered as affordable if viable to do so.

The report was sent to the District Valuer for comment:

The District Valuer's report (10th August 2020) also undertakes two appraisals, one including 35% affordable housing and another with zero affordable housing. The District Valuer also concludes that neither scenario is viable using industry standard profit margins.

The Applicant's letter dated 11th September 2020 confirms that they are prepared to enter into a S.106 agreement incorporating the financial contributions towards education, public open space and travel planning (£733,282.00) but without any affordable housing, thereby accepting lower profit margins. The Applicant will look to recover commercial margins by seeking a share of the infrastructure costs from later development within the Direction of Growth and proposed by the Local Plan Review, which would benefit from this first phase of development.

A summary of the Applicant's financial viability exercise has been provided and made publicly available.

The Viability Report indicates that the cost of delivering serviced employment premises is sufficiently burdensome to compromise the viability of the proposal. There is a material benefit of delivering more employment premises in Wincanton and the development will deliver a significant amount of square footage. As such it is considered that it is worth reducing affordable housing policy requirements to facilitate the development. Policy HG3 of the Local Plan allows for viability to be taken into account.

Landscape and Visual Impact

A Landscape and Visual Impact Appraisal has been submitted in support of the application. It notes there are no landscape or heritage designations affecting the site (it is outside the Visually Sensitive Areas as identified in the Neighbourhood Plan).

The site is on land which abuts the existing built development before the land rises towards the west. The LVIA considers views into the site from a number (10) of viewpoints, and assess the impact of the development upon character and visual amenity. Whilst there will be the permanent change to the site and loss of greenfields the impacts are not considered to be excessive or unacceptable. The site's development presents a logical extension of both residential and employment development at this location.

The report considers any suitable mitigation actions that could be taken to integrate the development into the landscape effectively. Buffer zones along existing hedgerows, boundaries and watercourse, and additional planting, are key elements of mitigation that are proposed.

Overall it is considered that the landscape and visual impacts of the proposal have been properly considered and the development can be acceptable subject to suitable landscaping and appropriate controls imposed by conditions on any grant of planning permission, which will assist with assimilating the development into its location.

Site Layout and Design

The proposal is in outline form and a masterplan has been submitted showing:

- The elongated roundabout and new arm to provide access to the development;
- Seven buildings, with indicative locations for signage and architectural features, within the employment part of the site with associated access and parking;
- Residential area (for up to 80 dwellings) showing two levels of density and served by a primary route followed by secondary/tertiary estate roads;
- SUDS areas;
- Planting/areas of open space including a LAP (Local Area for Play); o A cycle/pedestrian link to Crocker Way.

The siting of the built development takes into account the constraints of the site (e.g. the available access location, flood zones). The residential aspect is in the most appropriate part of the site, served by a spine road from the site access, as is the employment development. The proposed buffer zones and planting are acceptable as a means of mitigating against the landscape change that will take place as a result of the development. Some loss of natural features will have to occur to deliver the development but the layout is considered appropriate and respectful of the site and its constraints.

The Neighbourhood Plan identifies a link to the northern part of the site in Policy 14 relating to improving cycling and walking routes; this proposed layout delivers this aim.

Overall it is considered that the masterplan shows a development that can be acceptable on this site.

Transport/Access

The application was accompanied by a Transport Assessment and Travel Plan. The TA detailed the anticipated level of traffic generation from the uses proposed, presenting it split into residential, B1 and

B2/B8. It assumes 75% of journeys to employment uses and 55% to residential are to be made by vehicles. The split between those three categories are 50-139-41 AM peak and 40-144-32 PM peak. B2 and B8 was separated using TRICS data.

Whilst Highways England had some reservations about some parts of the methodology used, the assessment of traffic levels were agreed. HE consider the impact upon the A303 and, having given regard to the information submitted, do not anticipate an increase in junction delay or weaving on approach to the roundabout as a result of the proposed development and would not lead to the extension of queuing traffic onto the A303(T) mainline. Queues would be accommodated clear of the trunk road.

The proposed access is submitted as an elongated roundabout providing a 6.5m primary carriageway into the site off the 30mph A371, incorporating footways. The Highway Authority has raised no objection to the amended plans removing the pedestrian crossing across the northern arm of the roundabout and is satisfied that the single uncontrolled pedestrian crossing proposed further along Lawrence Hill to the north east is acceptable.

The Highway Authority recommended a number of conditions to impose of planning permission was to be granted, along with measures secured via legal agreement. Conditions to be imposed relating to required gradient access; disposal of surface water provision; visibility; clean vehicles leaving the site; submission of Construction Environmental Management Plan; construction and laying out of estate roads and access; provision of appropriate parking.

Flood Risk and Drainage

The application was supported by a Flood Risk Assessment and Foul Drainage Assessment. The FRA assesses the site and the threat of flooding from the relevant sources. The majority of the site is in Flood Zone 1 however due to the watercourse parts of the site are in Flood Zone 2 and 3. The FRA includes reference to a flood mitigation strategy and surface water drainage strategy which notes the benefits of using SUDS. The surface water strategy assesses run-off rates and allows for a 1 in 100 year rainfall event plus 40% allowance for climate change. The permeability of the site should be carefully assessed at reserved matters stage.

The SUDS provision that will be detailed at Reserved Matters stage should accord with advice given by the LLFA and provide multiple benefits, including pollution control; any grant of planning permission will include a condition setting out the expectations relating to SUDS along with an informative note giving further advice on what is expected.

The Foul Drainage Assessment includes a preliminary strategy and it should be noted that when final detail design is undertaken this may well have to change. An informative note will remind the developers that foul drainage details are required to be kept under consideration and that the Local Planning Authority receives up-to-date details when reserved matters submissions are made.

The Environment Agency, Lead Local Flood Authority and Wessex Water have assessed the relevant submitted documentation and have not raised objections to the proposals. A number of conditions are recommended to cover flood risk and drainage considerations.

Ecology

Following the receipt of additional wildlife surveys Somerset Ecological Services has raised no objections subject to conditions requiring the submission of further detail to address bats and lighting, a construction environmental management plan, a landscape and ecological mitigation plan, mitigation compliance and a scheme of biodiversity enhancements.

Education

A residential development of this scale would generate 7 Early Years, 23 Primary and 10 Secondary school pupils.

The County Council advises that there are currently spaces available in the nursery/early years providers and the secondary providers, however this level of primary school children would create pressure on primary spaces.

If granted consent therefore a permission would need to be accompanied by a Section 106 agreement requiring education contributions for primary school expansion or new build totalling £23 x £17,074 = £392,702.

Noise

A Noise Impact Assessment has been submitted which focused on the impacts of noise and the suitability of residential development on the northern part of the site. Noise surveys (at two points) were undertaken to define the ambient noise levels during daytime and night time. A noise map was created and showed that the residential area was in an area of negligible risk to noise in both day and night time. The relevant tests as set out in the appropriate guidance have been satisfied. The Council's Environmental Health consultation indicated that they are happy with the information submitted.

When considering the potential impacts of noise impact upon new residents, it is considered that a development could be accommodated on this site, with some mitigation measures incorporated, without significant detriment.

CONCLUSION

This site is currently farmland and lies in an area identified for strategic growth within the adopted Local Plan. An application that includes a large area of employment development is to be welcomed.

The application includes an area of residential development. Whilst the land is not allocated for residential development, Policy SS5 supports commensurate levels of housing growth in such locations prior to residential allocations being adopted by the Local Plan Review. The residential proposal is also supported by the Wincanton Neighbourhood Plan which forms part of the statutory Development Plan.

Policy HG3 of the adopted Local Plan indicates that 35% of the proposed dwellings should be affordable if it is viable to do so. A viability report has been submitted and it indicates, even with no affordable housing, the viability of the proposal is questioned when assuming industry standard parameters. However, the Applicant is prepared to accept lower profit margins with the aim of recovering greater margins from later development in the Direction of Growth which will benefit from the infrastructure provided. The employment land is beneficial to Wincanton and therefore a relaxation of affordable housing policy requirements is considered appropriate given the wider benefits of the scheme

It is appropriate to ensure that the employment land comes forward and not just the residential uses, therefore an appropriate condition requiring prior approval of a phasing programme for delivery of the different uses should be imposed.

The one detail to be approved at this stage - the primary access from Lawrence Hill (A371) - is also considered acceptable, subject to additional detail being submitted relating to construction at reserved matters stage.

RECOMMENDATION

Conditional Approval subject to a Section 106 Agreement relating to financial contributions to Education, Leisure, Travel Plan and provision of a LAP totalling £733,282.00.

01. The proposed development will provide employment and housing in a sustainable location enhancing the role of Wincanton as a Primary Market Town and without harm to the character and amenities of the area, landscape, highway safety or ecology. As such the scheme is considered to comply with the policies of the South Somerset Local Plan (2006-2028), the Wincanton Neighbourhood Plan (2018) and the aims and objectives of the National Planning Policy Framework.

SUBJECT TO THE FOLLOWING:

01. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

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

02. Application for approval of the appearance, landscaping, layout and scale of the development, referred to in this permission as the reserved matters, shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

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: Plans

- Site Location Plan, dated 1st August 2019
- Elongated ICD Roundabout Plan, reference 45188/5501/SK02 Rev D dated 8th February 2021

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

04. Details of the potential secondary access from Crocker Way, appearance, landscaping, layout, and scale of any phase of development hereby permitted (hereinafter called 'the reserved matters') shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development within any phase or part thereof. The development shall be carried out as approved.

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

05. Prior to the commencement of development, a phasing programme detailing the timing for the provision of the commercial and residential uses, open spaces and access/off-site works from A371 shall be submitted to and approved in writing by the Local Planning Authority. The

development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that employment development within the strategic direction of growth for Wincanton and open spaces come forward in a timely manner

06. Prior to commencement of development of any phase or part thereof, full details of the construction of the site access and highway works shown on Dwg No. 45188/5501/SK02 Rev D shall be submitted to and approved in writing by the Local Planning Authority. The gradient of the proposed access shall not be steeper than 1 in 10.

Reason: to ensure the appropriate standards of construction of the access to the site and the remodelled roundabout, in accordance with Policies SS6 and EQ2 of the adopted South Somerset Local Plan 2006 - 2028.

07. Prior to the commencement of the any phase of development or part thereof hereby permitted a scheme, including its detailed design, that makes provision for the disposal of surface water to prevent its discharge onto the highway, shall be submitted to and approved in writing by the Local Planning Authority. The agreed provision for each phase shall be installed in conjunction with that phase and thereafter maintained at all times.

Reason: In the interests of highway safety, continued access and flood risk, in accordance with policies SS1, SD1, EQ1 and EQ2 of the South Somerset Local Plan.

08. There shall be no obstruction to visibility greater than 600 millimetres above adjoining road level within the visibility splays. The visibility splays shall be constructed prior to the commencement of the development hereby permitted and shall thereafter be maintained at all times.

Reason: in the interests of highway safety.

09. No development of any phase or part thereof shall commence until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out strictly in accordance with the approved plan. The plan shall include:

- Construction vehicle movements;
- Construction operation hours;
- Construction vehicular routes to and from site;
- Construction delivery hours;
- Expected number of construction vehicles per day;
- Car parking for contractors;
- Specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice;
- A scheme to encourage the use of Public Transport amongst contractors; and
- Measures to avoid traffic congestion impacting upon the Strategic Road Network.

Reason: To ensure the development proceeds in accordance with best practice and any potential negative impacts upon the environment and amenity are mitigated.

10. Prior to the commencement of development a surface water drainage scheme, based on sustainable drainage principles, shall be submitted to and approved in writing by the Local

Planning Authority. The scheme will include details of a programme of implementation and maintenance for the lifetime of the development and will aim to enhance biodiversity, amenity value, water quality, pollution prevention and provide flood risk benefit. The drainage scheme shall ensure that surface water runoff is attenuated on site and discharged at a rate and volume no greater than greenfield runoff rates and volumes. There shall be no surface water connection to the foul drainage network. The details required to be submitted shall include:-

- Details of phasing and information of maintenance of drainage systems during construction of each phase.
- Details for provision of any temporary drainage during construction, including demonstrating measures will be in place to prevent unrestricted discharge and pollution to the receiving system.
- 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 (allowing a minimum of 6 metres), the sustainable 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 surface waters.
- Any works required on and 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. The scheme shall demonstrate that no part of the site shall be allowed to flood during any storm up to and including the 1 in 30 event, flooding during storm events in excess of this including the 1 in 100 year event (plus 40% allowance for climate change) must be 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, relevant management company or maintenance by any other arrangements that will secure the ongoing operation and maintenance of the system throughout the lifetime of the development.

The development shall be carried out in accordance with the approved details.

Reason: In the interests of protection against flood risk, and to ensure the development is served by a satisfactory, sustainable system of surface water drainage that is retained, managed and maintained throughout the lifetime of the development, in accordance with National Planning Policy Framework and Policy EQ1 of the adopted South Somerset Local Plan.

11. The development shall be carried out in accordance with the submitted flood risk assessment (ref 'Land at Lawrence Hill, Wincanton - Flood Risk Assessment' dated 8 August 2019 and letter from Stantec dated 24 October reference 45188/4001/TAU/PJ/AJ/CMq). Finished floor levels are to be set a minimum of 300mm above the 100year event plus 30% flood level as described in the additional information submitted by the agent. Levels must be appropriately interpolated across the site and agreed in writing via the Local Planning Authority.

Reason: to reduce the risk of flooding to the proposed development and future occupants

12. As part of any reserved matters application, a plan showing parking spaces in accordance with the Somerset County Council Parking Strategy shall be submitted to an approved in writing by

the local planning authority. Each parking space shall be properly consolidated in the approved manner before any dwelling it is intended to serve is first occupied and shall thereafter be made available at all times solely for the parking of vehicles in association with those dwellings.

Reason: In the interests of ensuring appropriate parking and highway safety for the site, in accordance with policies TA5 and TA6 of the South Somerset Local Plan.

13. Prior to the commencement of development, a lighting strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall include technical details and siting of all proposed external lighting and will demonstrate how areas to be lit will not disturb or prevent the activities of bats. All external lighting shall be installed in accordance with the specifications and locations set out in the agreed strategy, and these shall be maintained thereafter in accordance with the design. No other external lighting be installed without prior consent from the Local Planning Authority.

Reason: In the interests of bats, a protected species, in accordance with the provisions of the Chapter 15 of the National Planning Policy Framework.

14. A landscape and ecological management plan (LEMP) shall be submitted to, and be approved 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) Aims and objectives of management.
 - (c) Management prescriptions and work schedule.
 - (d) Details of the body or organization responsible for implementation of the plan.
 - (e) Ongoing monitoring and remedial measures.
 - (f) The roles and responsibilities and operations that will be overseen by an Ecological Clerk of Works.

The approved plan will be implemented in accordance with the approved details.

Reason: In the interests of the 'Favourable Conservation Status' of populations of European and UK protected species, UK priority species and habitats listed on s41 of the Natural Environment and Rural Communities Act 2006 and in accordance with South Somerset District Council Local Plan - Policy EQ4 Biodiversity.

15. The development shall be carried out in accordance with the scheme of biodiversity and ecological enhancements set out at Section 6 of the Ecological Impact Assessment (July 2019) by Green Ecology.

Reason: In accordance with Government policy for the enhancement of biodiversity within development as set out in paragraph 170(d) of the National Planning Policy Framework and Local Plan Policy EQ4.

16. Prior to the commencement of any works above damp-proof course, details of the external materials for the walls and roofs of the building under construction shall have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To safeguard the character and amenities of the area in accordance with Local Plan Policy EQ2.

17. No building shall be occupied until works for the disposal of sewage shall have been provided on the site to serve the development hereby permitted, in accordance with details that have first been submitted to and approved in writing by the local planning authority.

Reason: To ensure a satisfactory system of foul drainage in accordance with Local Plan Policies EQ1 and EQ7

18. The development hereby permitted shall not begin until a scheme to deal with contamination of land, controlled waters and/or ground gas has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include all of the following measures, unless the Local Planning Authority dispenses with any such requirement specifically in writing:

1. A Phase I site investigation report carried out by a competent person to include a desk study, site walkover, the production of a site conceptual model and a human health and environmental risk assessment, undertaken in accordance with BS 10175 : 2011 Investigation of Potentially Contaminated Sites - Code of Practice.

2. A Phase II intrusive investigation report detailing all investigative works and sampling on site, together with the results of the analysis, undertaken in accordance with BS 10175:2011 Investigation of Potentially Contaminated Sites Code of Practice. The report should include a detailed quantitative human health and environmental risk assessment.

3. A remediation scheme detailing how the remediation will be undertaken, what methods will be used and what is to be achieved. A clear end point of the remediation should be stated, such as site contaminant levels or a risk management action, and how this will be validated. Any ongoing monitoring should also be outlined.

4. If during the works contamination is encountered which has not previously been identified, then the additional contamination shall be fully assessed and an appropriate remediation scheme submitted to and approved in writing by the Local Planning Authority.

5. A validation report detailing the proposed remediation works and quality assurance certificates to show that the works have been carried out in full accordance with the approved methodology. Details of any post-remedial sampling and analysis to show that the site has reached the required clean-up criteria shall be included, together with the necessary documentation detailing what waste materials have been removed from the site.

Reason: To protect the health of future occupiers of the site from any possible effects of contaminated land, in accordance with Local Planning Policy.

19. Before the development hereby permitted commences the applicant must either:
- a. Investigate the site for landfill gas to the satisfaction of the LPA, to ascertain whether gas protection measures are required. Where measures are required the details shall be submitted to, and approved by, the LPA. Or;

b. The applicant shall install gas protection measures as a precautionary measure without first investigating the site. The details of these measures shall be submitted to, and approved by, the LPA.

For a. and b. all required measures shall be installed before the development is first occupied.

Reason: To protect the health of future occupiers of the site from any possible effects of contaminated land, in accordance with Local Planning Policy.

20. No removal of hedgerows shall take place between 1st March and 15th September inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared 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 nesting wild birds and in accordance with policy EQ4 of the South Somerset Local Plan

21. Prior to occupation, a "lighting design for bats" 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. 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 the Favourable Conservation Status of populations of European protected species and in accordance with policy EQ4 of the South Somerset Local Plan

Informatives:

01. Somerset County Council is the Lead Local Flood Authority (LLFA) as defined by the Flood and Water Management Act 2010 and the Flood Risk Regulations 2009. Under section 23 of the Land Drainage Act there is a legal requirement to seek consent from the relevant authority before piping/culverting or obstructing a watercourse, whether permanent or temporary. This may also include repairs to certain existing structures and maintenance works. This requirement still applies even if planning permission has been granted

For more information, please visit <https://www.somerset.gov.uk/waste-planning-andland/apply-for-consent-to-work-on-an-ordinary-watercourse/>

02. The developers and their contractors are reminded of the legal protection afforded to bats and bat roosts under legislation including the Conservation of Habitats and Species Regulations 2017. In the unlikely event that bats are encountered during implementation of this permission, for example in the demolition of the barn, it is recommended

that works stop and advice is sought from a suitably qualified, licensed and experienced ecologist at the earliest possible opportunity.

The proposed planting of a hedgerow would suffice to fulfil the National Planning Policy Framework (paragraph 170(d)) requirement for biodiversity enhancement to be provided within development.

03. Please be advised that subsequent full or reserved matters approval by SouthSomerset District Council will attract a liability payment under the Community Infrastructure Levy. CIL is a mandatory financial charge on development and you will be notified of the amount of CIL being charged on this development in a CIL Liability Notice.

You are required to complete and return Form 1 Assumption of Liability as soon as possible and to avoid additional financial penalties it is important that you notify us of the date you plan to commence development before any work takes place. Please complete and return Form 6 Commencement Notice. You are advised to visit our website for further details

<https://www.southsomerset.gov.uk/cil> or email cil@southsomerset.gov.uk