

## Officer Report On Planning Application: 20/03631/S73A

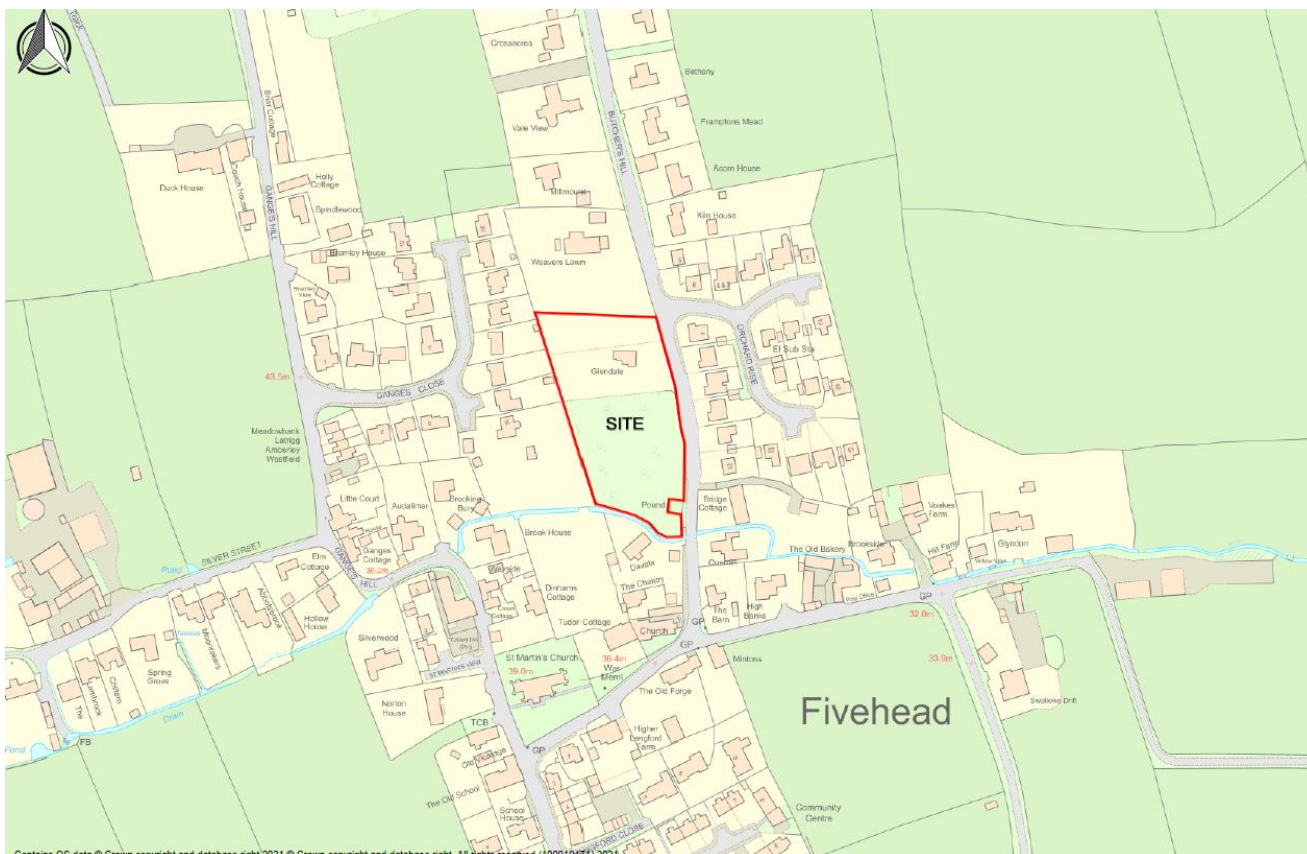
<b>Proposal :</b>	Application to vary conditions 02, 03, 04, 05, 06, 07, 08, 10 of approval 18/01855/FUL (Demolition of existing dwelling and the erection 3 No. new dwellings), as varied by approval 19/02672/S73, to allow change to siting of the three dwellings, minor changes to internal layout and elevations and amended landscaping scheme.
<b>Site Address:</b>	Glendale, Butchers Hill, Fivehead.
<b>Parish:</b>	Fivehead
<b>ISLEMOOR Ward (SSDC Member)</b>	Cllr A Dance
<b>Recommending Case Officer:</b>	Louisa Brown (Specialist)
<b>Target date :</b>	11th February 2021
<b>Applicant :</b>	Mr N Pringle
<b>Agent: (no agent if blank)</b>	Mrs Helen Lazenby, Clive Miller Planning Limited, Sanderley Studio, Kennel Lane, Langport TA10 9SB
<b>Application Type :</b>	Minor Dwellings 1-9 site less than 1ha

### REASON FOR REFERRAL TO COMMITTEE:

The application has been referred to Committee by the Area Chair, currently acting on behalf of the Ward Member, with the agreement of the Vice Chair to allow discussions of the planning issues.

### SITE DESCRIPTION AND PROPOSAL





This Section 73 application is seeking to vary conditions 02, 03, 04, 05, 06, 07, 08 and 10 of approval 18/01855/FUL, as varied by approval 19/02672/S73, to allow change to the siting of the three dwellings, minor changes to internal layouts and elevations and amended landscaping scheme.

The proposed amendments include:

- Amendment to the siting of the three dwellings with their footprint moved southwards by 6.35 metres
- Minor changes to internal layout and access arrangements to the entrance halls
- Amended landscaping scheme to reflect adjusted site layout
- A number of conditions have been agreed through a DOC application and as such the rewording of these conditions is also sought to reflect that.
- An additional plan has been submitted showing changes to ground levels for the dwellings based on their new locations.

The application site is located to the southern end of Butchers Hill, close to the centre of the village of Fivehead. The northern part of the site contains a now dilapidated and unoccupied dwellinghouse, with the southern part of the site being of non-domestic use. The overall site is approximately 0.65 hectares and slopes downwards to the south. The majority of the site comprises unmanaged woodland, much of which is secondary woodland with Ash, and some Sycamore and Hazel. There is underlying shrub and bramble cover. There are two pedestrian access points at present but no formal vehicular access. The site is surrounded by residential development and a stream runs to the southern boundary. There is also a walled enclosure 'The Pound' to the south of the site. This is not listed but is viewed as a 'non-designated heritage asset'.

## **HISTORY**

19/02672/S73: application to vary conditions no. 02 of approval 18/01855/FUL to allow substitution of approved plans for amendments to dwellings and garage repositioning. Permitted

18/01855/FUL: Demolition of existing dwelling and erection of three new dwellings. Permitted.

06/01851/FUL: Siting of a mobile home and connection to services and facilities. Permitted

## **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.

The South Somerset Local Plan (2006 - 2028) was adopted on the 5th March 2015. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) and Section 70(2) of the Town and Country Planning Act 1990 (as amended), the adopted local plan now forms part of the development plan. As such, decisions on the award of planning permission should be made in accordance with this development plan, unless material considerations indicate otherwise. Legislation and national policy are clear that the starting point for decision-making is the development plan, where development that accords with an up-to-date local plan should be approved, and proposed development that conflicts should be refused, unless other material considerations indicate otherwise.

South Somerset Local Plan (2006-2028)

Policy SD1 - Sustainable Development

Policy SS1 - Settlement Strategy

Policy SS2 - Development in rural Settlements

Policy SS4 - District Wide housing Provision

Policy SS5 - Delivering New Housing Growth

Policy EQ1 - Addressing climate change in South Somerset

Policy EQ2 - General Development

Policy EQ4 - Biodiversity

Policy EQ5 - Green Infrastructure

Policy TA5 - Transport impact of New Development

Policy TA6 - Parking Standards

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 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

National Planning Practice Guidance

Design, Natural Environment, Rural Housing, Planning Obligations

Other Material Considerations

Somerset County Council Parking Strategy (September 2013)

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

National Design Guide - September 2019

## ENVIRONMENTAL IMPACT ASSESSMENT

None required

## CONSULTATIONS

### Fivehead Parish Council:

Objection raised

"Fivehead Parish Council reviewed the amended plans and views of local residents at a Planning meeting on 15 March 2021.

The high number of objections on the SSDC Planning portal was noted, indicating the distress caused by the discrepancy between what was promised by the developer and what has actually been executed on site. Preservation of the natural setting was the overarching prerequisite in the approval of this application; yet the landscape and ecology has been totally obliterated.

The Council objects to application 20/03631/S73 as stated in its previous response. In reviewing the revised plan, the following issues are raised:

- the amended drawings show a change of height levels that represents significant change which the Council believes should trigger a new application, also ensuring the woodland setting is correctly restored.
- the S73 application seeks to remove a Planning Condition concerning a communal area; there is also a protective covenant which is believed to be an area of protected woodland which has already been cleared, which requires SSDC to look into further.
- the Land Registry Title Plan raises a question over the position of the northern boundary, which needs to be investigated further by SSDC.

Original comments in summary, full comments on the file:

- "Reasons for recommending refusal:
- The height of Plot 1 will result in harm to the character & appearance - SS2.
- The Landscape Management Plan, Tree Plan, Ecological Protections and Mitigations have not been complied with; therefore, the new Landscape Plan should not be agreed. The new Plan results in a considerable net loss of planting.
- The Root Protection Area (RPA) and no-dig method of construction has been abandoned.
- There is no protection around the remaining 4 trees in the body of the site; one of these is already dying and requires removal.
- The Ecology survey, undertaken in 2017, is now out of date. Protected species known to be present onsite have not been registered on SERC, and are now believed to be migrating to nearby sites; coincidentally these are not being picked up on other applications being submitted in the locality.
- The Dormice EPS licence is missing and will require amending for additional hedge removal at the entrance.
- The request to widen the access is to accommodate over-size HGVs to deliver the frames, rather than the agreed crane method. This will jeopardise the safety of The Pound and Bridge Cottage and contravene the Ecologists' instructions to prevent damage to habitat and compaction.
- Additional openings on the west elevations were previously excluded to provide privacy for the houses in Ganges Close.
- The post-determination plans submitted (Highways, hard landscaping, drainage) have never been

published, despite these being raised as contentious issues.

- The request for Conditions 8 and 10 to be removed as there are no communal areas is incorrect. Zone 1 is the undeveloped, conservation area, to be maintained by future occupants, and therefore communal responsibility.
- See Appendix A - Points of evidence from Planning documents (at end of briefing document).
- See photos at end of briefing document for visual evidence.

#### **County highways:**

Standing Advice and refer to original comments

#### **SWHT Archaeology:**

No objection

#### **Natural England:**

"Natural England currently has no comment to make on the variation of conditions 02, 03, 04, 05, 06, 07, 08 and 10.

Natural England has not assessed this application for impacts on protected species. Natural England has published Standing Advice which you can use to assess impacts on protected species or you may wish to consult your own ecology services for advice."

#### **Ecology:**

"Having reviewed the details of the proposed changes and the supporting plans I have no objection to these being accepted."

#### **SSDC Tree Officer:**

"I have noted the arboricultural site monitoring and have recently visited the site in-passing.

The un-expected retention of a handful of additional trees within the area of 'Zone 4' (approved to be cleared of trees) had given me a false impression that some of the 'trees to be retained' had not been properly protected.

I can confirm that the specified tree protection measures have been properly installed in-accordance with the submitted protection scheme.

The overall impact of the amendments to the submitted Landscape details appear minimal (please refer to Figs 1 & 2 below) and I believe that the revised scheme provides us with a similar opportunity to secure a high quality scheme of landscaping and planting measures." (pictures on the file)

## **REPRESENTATIONS**

Twenty-three neighbours were notified and a site notice was displayed. Thirty-one properties have objected both from within the village and outside of it. In summary the issues raised are:

- Principle of re-location of dwelling supported
- Objection to changes to ground levels and increase in height, particularly plot 1.
- Changes to levels not in keeping with character of village or natural lay of the land
- Overlooking due to changes in height
- Insufficient information to assess the impact of the alterations to ground levels
- Works have already been carried out a full planning application should be made
- Loss of view
- Site has been striped back and not in accordance with conditions

- Adverse impact on ecology and wildlife.
- Lack of additional measures to address climate change
- Change in levels will affect drainage and run-off, flooding
- Access is unsafe and appears to be wider than agreed

## **CONSIDERATIONS**

The principle of the development has been agreed during the 2018 application and then varied in 2019. This application is made to vary the approved plans and re-word conditions already agreed through the discharge of conditions application made in 2020.

The main considerations of this application are the impact that the variations would have, if any, on visual amenity, residential amenity, flooding, highway safety and ecology.

Objections are made to the work having started on the proposed alterations and conditions not being adhered to and that a full planning application should be made. This is a planning application under consideration to vary the conditions listed and address the changes that have started to be imposed. It is considered acceptable to be dealt with as section 73 application as the overall description and size of the dwellings has not altered, i.e. the erection of 3 no. dwellings. Furthermore although works have commenced the application will be considered on its own merits.

Comments have been made on the fact that the development should have been stopped, however prior to the submission of this application no enforcement planning breaches had been reported to our department in regard to this site and the groundworks/landscaping that had taken place. It would be unreasonable to refuse this application solely because unauthorised works had taken place. Should it be refused on relevant planning grounds then the matter will be passed to enforcement to assess what action should be taken.

### **Visual Amenity:**

No objections by residents are raised to the overall re-siting of the dwellings or minor internal alterations. The objections received are in regard to the change in ground levels and therefore overall height of the dwellings and changes to the landscaping.

An amended plan has been submitted to replace the section drawing agreed on the 2018 consent. The original section plan clearly shows the site being 'stepped'. The amended section drawing shows that the north elevation of the dwellings will sit on the natural ground level and the area to the front of them is built up to provide a flat site in relation to each dwelling. As the properties are now proposed to be moved forward (south) by 6.35 metres the ground level has been built up to accommodate that, and whilst there is a more defined step in the plots it is not significantly dissimilar to the original approved plan.

The section plan has been marked with neighbouring ridge heights to show how plot 1 will be read in relation to them. A site visit was carried out and it was clear that the area is characterised by dwellings being 'stepped' downwards from the north to the south, this was apparent on both Butchers Hill and in Ganges Close. It is considered that the new ground levels are in keeping with the character of the area.

The site has been cleared of trees and hedging, the tree officer has been consulted and has raised no objection to the revised landscaping scheme. In addition he raised no objection to the works already carried out which are broadly in accordance with the approved landscaping plan. The altered landscaping scheme has taken in to account the re-siting of three dwellings. It is noted that currently the site looks very sparse however the new planting has yet to take place and the trees to be retained are still in situ.

Concern was raised by the parish in regard to tree protection and this was checked by the tree officer who requested the developers tree arborist check the site and regularise it. Details have been submitted of this and the tree officer has no objection and states:

"The un-expected retention of a handful of additional trees within the area of 'Zone 4' (approved to be cleared of trees) had given me a false impression that some of the 'trees to be retained' had not been properly protected.

I can confirm that the specified tree protection measures have been properly installed in-accordance with the submitted protection scheme."

No objections are raised to the dwellings being re-located 6.35 metres to the south or the internal alterations. It is considered that these are all acceptable.

Notwithstanding comments received it is considered that the amendments are acceptable, by reason of scale, location, design and materials, and do not adversely affect visual amenity or the landscape character in accordance with policy EQ2 of the South Somerset Local Plan.

#### **Residential Amenity:**

Objections to overlooking have been raised due to the increase in height of plot 1 and the parish have stated that there are additional opening on the west elevation of the properties that were previously excluded. The submitted plans show that the only change to the west elevation is a ground floor door on the west elevation into the entrance hall, this was original approved as one large glazed area and now will be glazed with a door in it. It is considered that as there was originally approved glazing in this location the change to part of it being a door will not adversely affect residential amenity above and beyond the 2018 approved plan.

As assessed above under visual amenity, plot 1 in its current approved location would practically have been on the same ground level as now proposed, this is apparent when viewed on the section plan, which is now based on the dwelling being pulled south by 6 metres. There are also mature trees in the northwest corner of the site and the landscaping plan indicates the planting of additional trees along the west boundary, all of which will be trees that will reach a decent height at maturity and therefore add further screening.

In addition to the landscaping agreed previously and proposed now there is approximately 30 metres plus from the windows of the proposed dwellings to the rear windows of the properties on Ganges Close. The general standard for window distance on the rear of the properties is 20 metres.

Notwithstanding comments received it is considered that there will be no adverse impact on residential amenity, by reason of the landscaping proposed and distances between properties, in accordance with Policy EQ2 of the South Somerset Local Plan (2006-2028).

#### **Climate change:**

Objections to drainage have been raised due to the change in the ground levels. The plans clearly indicate that soakaways will be used and refer to excess runoff going to the stream. This matter has been assessed as part of the original consent and agreed, the raising of the levels does not result in any more dwellings or hard standing which would in turn create more runoff and impermeable surfaces. As such it is considered that the details submitted are adequate. Furthermore the drainage proposed will be dealt with and checked under building regulations.

Objections have been raised due to lack of additional eco elements such as solar panels etc. As this is an application to vary only certain elements of the proposal it would be unreasonable to insist on additional eco elements at this time.

Notwithstanding comments received it is considered that there will be no adverse impact on flooding in accordance with policy EQ1 of the South Somerset Local Plan (2006-2028).

**Ecology:**

Objections have been received on the adverse impact on ecology due to the site having been cleared. No reports of planning breach had been lodged with this authority prior to this application being made.

The agent has confirmed how works have been carried out on site, stating:

"I can confirm that the staged works have been carried out in accordance with condition 03 and that our client has worked with the retained ecologist (Bronwen Bruce, Abbas Ecology) and arborist (Nick Hellis) in doing so. The only variation has been to the exact time-line which was interrupted partly by the delay in dealing with 19/02672/S73 by the Council and partly because the Covid lockdown interrupted the programme of works. The effect is that whilst the seasonal timing requirements have been observed, there might have been a year's delay in some of the activities."

Ecology and Natural England have been consulted and raised no objection to this application.

The site is within the catchment area for phosphates affecting the Somerset Levels and Moors. There is an extant permission with the same number of dwellings and occupancy level, as such it is considered unreasonable to refuse this proposal due to the impact on the Somerset Levels and Moors, as there will be no increased impact of waste water/phosphates above the level created by the extant consent in place.

Notwithstanding comments made it is considered that there will be no adverse impact on ecology in accordance with policy EQ4 of the South Somerset Local plan and the NPPF.

**Highway Safety:**

There are comments made in regard to the access having been widened and it not being safe. The submitted plans show no change to the approved access, although the Construction Management Plan refers to the access being temporarily widened. The temporary widening of the access does not need planning permission, as it is temporary, ultimately it should be reinstated to the approved access at completion of the development.

County Highways have referred to standing advice and comments received on the last application. Any conditions previously imposed will be repeated if this application is approved.

Notwithstanding comments received it is considered that the proposal will accord with policies TA5 and TA6 of the south Somerset Local plan (2006-2028)

**Other matters:**

A number of other matters have been raised that will be addressed below.

Loss of view - unfortunately in planning there is no right to a view and as such this is not a material planning consideration.

Land ownership and covenants - the Parish have made comments in regard to land ownership and covenants on the land. The agent has confirmed the land ownership accords with the red site line. Any dispute over this or covenants on the land are a civil matter and not a material planning consideration.

Removal/rewording of conditions 8 and 10 to remove the need for communal area - The Parish object to this, however the agreed discharge of conditions application for the last consent accepted that there was no need to agree the conditions as plots 1 and 2 are to be sold off with their title showing land west to east on the site and plot 3 to have ownership of land to the south. Condition 8 controlled the



landscaping scheme to be approved and maintenance etc. In its removal it is considered reasonable to place on a standard landscaping condition that requires the landscaping plan to be adhered to and any trees etc. that die or are removed in shall be replaced, this shall be in perpetuity. This will ensure each land owner has responsibility for the landscaping within their plot.

Damage and works to The Pound - the parish have objected to damage to the Pound and the works carried out to repair it. The Pound is not within the red site line and as such works to it cannot be controlled through this planning application. If damage has occurred and not been rectified then this is a civil matter to be dealt with by the landowners.

Discharge of conditions details not published - the Parish have raised this issue and it is a current process that is under review within the planning department. It is not a material planning consideration of this application.

### **Conclusion:**

The principle of housing in this location has previously been accepted and the access agreed. The proposed alterations put forward in this section 73 application are considered to be acceptable, subject to the relevant conditions being reworded or new ones added.

### **RECOMMENDATION**

Approve with conditions

01. The proposed variation of conditions are deemed to be acceptable as the amendments, by reason of its size, scale, design and materials, preserve and protect the character and appearance of the area and will cause no unacceptable harm to local ecology, residential amenity, flooding or highway safety, in accordance with the aims and objectives of policies SD1, SS2, TA5, TA6, EQ1, EQ2, EQ4 and EQ5 of the South Somerset Local Plan and the National Planning Policy Framework.

### **SUBJECT TO THE FOLLOWING:**

01. Notwithstanding the time limits given to implement planning permission as prescribed by Sections 91 and 92 of the Town and Country Planning Act 1990 (as amended), this permission (being granted under section 73A of the Act in respect of development already carried out) shall have effect from the commencement of the use hereby approved.

Reason: To comply with Section 73A of the Act.

02. The development hereby permitted shall be carried out in complete accordance with the following approved plans:

DSGN0087\_P\_LS01\_Rev C (Proposed Location & Site Plan),  
DSGN0087\_S73\_BP01\_Rev E (Block Plan),  
DSGN0217\_S73\_P01\_Rev D (Proposed Floor Plans & Elevations Plot 1)  
DSGN0087\_S73\_P02\_Rev B (Proposed Floor Plans & Elevations Plot 2),  
DSGN0087\_S73\_P03\_Rev C (Proposed Floor Plans & Elevations Plot 3)  
DSGN0087\_S73\_P04\_Rev A (Proposed Carports and Officers for Plots 1,2 & 3 and Bat Roost).  
DSGN0217\_S73\_P05\_Rev A (Site levels and Section)  
188/Lan\_02d dated November 2020 (Landscape plan)

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

03. The development hereby permitted, in respect to landscaping and ecological conservation, protection and mitigation, shall be carried out in strict accordance with the specifications identified within the submitted Landscape Management Plan (188/LAN\_01e) and accompanying Landscape Proposals Plan (188/LAN\_02b) and Construction Environmental Management Plan (Ref AE/3550), received 2nd October 2018.

Reason: In the interests of visual amenity, to safeguard the character and appearance of the area, and for the conservation and protection of species of biodiversity importance in accordance with NPPF and policies EQ2, EQ4 and EQ5 of the South Somerset Local Plan, and to ensure compliance with the Wildlife and Countryside Act 1981 and The Habitats Regulations 2017.

04. The scheme of tree protection and tree work measures as prepared by Hellis Arboriculture & Landscape Design (Ref: 16/11/188/NH) shall be fully adhered to and monitored throughout the development in accordance with the details submitted with this application and discharged details under application 20/01196/DOC, in relation to planning approval 19/02672/S73. The approved tree and hedgerow protection requirements shall be implemented in their entirety (inclusive of the submitted requirement for phased arboricultural supervision) for the duration of the construction of the development and the protective fencing and signage may only be moved or dismantled with the prior consent of the Council in-writing.

Reason: To preserve the health, structure and amenity value of existing landscape features (protected trees) in accordance with the policies EQ2, EQ4 and EQ5 of The South Somerset Local Plan and the aims and objectives of the National Planning Policy Framework.

05. The approved access shall be properly consolidated and surfaced in accordance with the details submitted and discharged under application 20/01196/DOC in relation to planning approval 19/02672/S73. Such approved details shall be carried out prior to any of the dwellings hereby approved being first occupied and maintained thereafter.

Reason: In the interests of highway safety, in accordance with policy TA5 of the South Somerset Local Plan and the aims and objectives of the National Planning Policy Framework.

06. The proposed estate roads, footways, footpaths, tactile paving, cycleways, bus stops/bus lay-bys, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car, motorcycle and cycle parking, and street furniture shall be constructed and laid out in accordance with the details submitted and discharged under application 20/01196/DOC in relation to planning approval 19/02672/S73.

Reason: In the interests of highway safety, in accordance with policy TA5 of the South Somerset Local Plan and the aims and objectives of the National Planning Policy Framework.

07. Surface water drainage to serve the development, shall be carried out in accordance with the details submitted and discharged under application 20/01196/DOC in relation to planning approval 19/02672/S73 and as indicated on the approved block plan. Such approved drainage details shall be completed and become fully operational before any part of the development hereby permitted is first brought into use. Following its installation such approved scheme shall be permanently retained and maintained thereafter.

Reason: In the interests of highway safety and to ensure that the development is served by a satisfactory system of drainage, in accordance with policies TA5, EQ1 and EQ2 of the South Somerset Local Plan) aims and objectives of the National Planning Policy Framework.

08. The scheme of landscaping shall be carried out in full accordance with approved drawing no. 188/LAN\_02d and the Landscape Management plan ref: 188/LAN\_01e, and implemented in the first planting and seeding season following the first occupation of the dwellings or the completion of the development, whichever is the sooner; and shall be maintained and retained in perpetuity. Any trees or hedging which die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interest of visual and residential amenity, in accordance with Policy EQ2 of the South Somerset Local Plan.

09. Prior to first occupation of any of the dwellings hereby permitted, 16amp electric charging points for electric vehicles shall be provided adjacent to the parking spaces shown on the approved plans. Sufficient electric charging points for at least one per dwelling shall be provided in this way. Once installed such parking points 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 (Low Carbon Travel) of the adopted South Somerset Local Plan and the provisions of the NPPF.

10. The development hereby permitted shall be carried out strictly in accordance with the submitted Construction Traffic Management Plan dated December 2020 and all agreed temporary work, such as widening of the access, shall be fully reinstated to reflect the approved plans following the first occupation of all the dwelling hereby approved.

Reason: In the interests of visual and residential amenity and highway safety, in accordance with policies TA5, EQ2 and EQ3 of the South Somerset Local Plan and the aims and objectives of the National Planning Policy Framework.

11. The areas allocated for parking and turning on the approved plans shall be provided prior to the occupation of the dwelling for which each parking space is provided and thereafter shall be kept clear of obstruction and shall not be used other than for the parking and turning of vehicles in connection with the development hereby permitted.

Reason: In the interests of highway safety, in accordance with policies TA5 and TA6 of the South Somerset Local Plan and the aims and objectives of the National Planning Policy Framework.

12. At the proposed access, there shall be no obstruction to visibility greater than 600mm above adjoining road level forward of the visibility splays indicated on the approved plans. Such visibility splays shall be provided prior to any of the dwellings hereby approved first being occupied and shall thereafter be maintained at all times.

Reason: In the interests of highway safety, in accordance with policy TA5 of the South Somerset Local Plan and the aims and objectives of the National Planning Policy Framework.

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order), the use of any garage hereby permitted, as part of this development shall not be used other than for the parking of domestic vehicles and not further ancillary residential accommodation, or any other purpose whatsoever.

Reason: In the interests of highway safety, in accordance with policies TA5 and TA6 of the South Somerset Local Plan and the aims and objectives of the National Planning Policy Framework.

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), there shall be no alterations to the approved windows and doors once built, and no additional windows, including dormer windows, or other openings (including doors) shall be formed in the dwellings hereby permitted without the prior express grant of planning permission.

Reason: In the interests of residential, in accordance with policy EQ2 of the South Somerset Local Plan and the aims and objectives of the National Planning Policy Framework.

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the roofs of the buildings hereby permitted shall not be used as a roof terrace or as any other area of domestic amenity space, without the prior express grant of planning permission.

Reason: In the interests of residential, in accordance with policy EQ2 of the South Somerset Local Plan and the aims and objectives of the National Planning Policy Framework.

16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), there shall be no extensions to the building and no buildings or other structures including walls, fences and ponds to be built within the application site as a whole without the prior express grant of planning permission.

Reason: In the interests of visual amenity, to safeguard the character and appearance of the area, and for the ongoing conservation and protection of species of biodiversity importance in accordance with NPPF and policies EQ2, EQ4 and EQ5 of the South Somerset Local Plan, and to ensure compliance with the Wildlife and Countryside Act 1981 and The Habitats Regulations 2017

#### **Informatives:**

01. Please be advised that approval of this application by South Somerset 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](mailto:cil@southsomerset.gov.uk).

02. Having regard to the powers of the Highway Authority under the Highways Act 1980 the applicant is advised that the creation of the new access will require a Section 184 Permit. This must be obtained from the Highway Service Manager for the South Somerset Area at The Highways Depot, Mead Avenue, Houndstone Business Park, Yeovil BA22 8RT, Tel No 0845 345 9155. Application for such a permit should be made at least four weeks before access works are intended to commence.
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