

Delegated Report

Cannington

13/18/00040/ACN received 18/10/2018 (OUT)

Proposal:

Outline application with some matters reserved, for the erection of up to 73no. dwellings (including 30% affordable) and the formation of access. at Land to the North of, Grange Farm, Main Road, Cannington, Bridgwater, Somerset, TA5 for Mrs Hollis, Mrs Bourke and Mr Yorke

Committee decision required because

Not Relevant

Background

Level 3.03ha site on edge of Cannington; outside but adjacent to settlement boundary. Currently an agricultural field bounded by residential development in Southbrook to north, the A39 roundabout to the west, countryside to the east and the recent flood protection measures and Cannington Grange to the south. A footpath, BW 5/2 runs across the south-west corner of the site which is subject to an application to divert to the south side of the flood relief channel.

This outline proposal is for up to 70 dwellings (incl. 30% affordable) with access via a new fourth arm to the roundabout. All other matters are reserved.

Relevant History

None

Supporting information supplied by the applicant

- D & A Statement
- HoT for s106
- Planning statement
- Archaeological Report
- Extended Habitat Survey
- FRA and Drainage Strategy
- Tree Survey & Arboricultural Impact Assessment
- TA
- Framework TP

Consultation Responses

Cannington PC – supports:-

1. *The emerging SDC Local Plan states that Cannington, as a Tier 2 settlement, has to accommodate an additional 163 dwellings within the plan period. This allocation would substantially comply, in part, with that requirement.*
2. *The site is immediately adjacent to the Village Development Boundary and a residential estate of a similar density. It's development, also for residential purposes, does not involve raised or elevated land, the loss of trees or areas which is unduly prominent in the landscape. The proposal therefore would comply with the policies of the draft Cannington Neighbourhood Plan.*

3. *The proposal includes 30% affordable housing (22 units) as an integral part of the development.*
4. *The site has ease of access from the main A39 roundabout and the works can be accommodated without disruption to the village road network, or access to existing homes.*
5. *The development of the site, to the east of the roundabout, will not impinge nor obstruct the forthcoming Traffic Calming Scheme in 2019.*
6. *It is considered that any adverse potential impacts can be overcome by the imposition Planning Conditions. The support of the parish council is dependant on all these safeguarding conditions being applied to the decision notice. Also, that Sedgemoor District Council ensures that the development is only carried out in strict accordance with these required provisions:*
 - a) *No more than 73 dwellings are to be permitted on the site.*
 - b) *No buildings shall exceed two storeys in height.*
 - c) *All dwellings shall have a minimum of two designated parking spaces.*
 - d) *No new windows shall be included within 21 metres of an existing dwelling.*
 - e) *No boundary trees at the rear of the site, or on adjoining land, shall be felled or adversely affected.*
 - f) *With the exception of that small part necessary to accommodate essential highway works, the hedgerow at the front of the site shall be retained, protected and maintained as an integral part of the development. Replacement landscaping in the form of roadside trees shall be planted fronting the roundabout.*
 - g) *The area of proposed bunding along the southern boundary shall be comprehensively landscaped with trees and shrubs.*
 - h) *The access road shall include a standard specification footway/cycleway along the entire length of the spine road. The width of the cycleway adjoining the roundabout shall be increased in size to match that of the recently constructed cycleway to the Sandford Roundabout.*
 - i) *Provision should be made off site for improved bus shelters along Main Road as part of the approved highway works.*
 - j) *A children's public play space shall be informed in the central location shown on the plans, and provided and offered for adoption prior to the completion of the 40th dwelling.*
 - k) *The Affordable Housing must be agreed in consultation with the parish council, prior to granting consent and must be only available to residents of Cannington Parish. This must be provided in full, prior to the completion of 40 dwellings on site.*

SCC Highways – initially sought clarification of technical details of road design and requested amendments to the TP. No objection raised in respect of the amended details:-

Traffic impact – *The supplementary information provided by IMA consisted of a revised geometry of the proposed site access arm of the A39 roundabout and the updated base traffic flows to the actual peak hours. A review of these changes within the Junctions 9 model of the A39 / site access roundabout found no issues. It is therefore concluded that in traffic impact and modelling terms, the application is acceptable.*

Access detail – *As the planning officer recall this section of my earlier was quite extensive, however I can now confirm that the vast majority of the points raised have been dealt with satisfactorily and the remainder can be dealt with at the S278 detailed approval stage. As such the access arrangement as shown on IMA Drawing IMA-18-040-007 Dated Jan 2019 is considered to be generally suitable for inclusion*

with a S278 Agreement (subject to planning approval being granted).

Travel Plan - A revised Full Travel Plan (although noted as Framework Travel Plan within document) has been produced with many of the Highway Authorities original comments having been noted and the TP subsequently amended

Accordingly safeguarding conditions are suggested and, although there remain short comings with the TP it is accepted that appropriate revisions can be secured by condition.

SCC RoW – no objection subject to the works not affecting the PROW.

SDC Affordable Housing Manager – notes intention to see 30% of the new homes provided on an affordable basis. This would require the developer to provide 22 affordable units. These should be provided on site, free from public sector investment. 1 and 2 bed affordable rented homes should be provided and be indistinguishable in appearance to the open market units on the site and integrated with, and well related, to the market units. Clusters of affordable housing should not exceed 10 units.

SCC Education – no object, however it is noted that a bid for CIL money may be made to address the impact of the proposal on education

Environment Agency – no objection to the granting of outline planning consent subject to the inclusion of the conditions, informative and provision of a developer contribution by way of S106/Unilateral Undertaking

LLFA – no objection subject to condition to secure detail of drainage scheme

SDC Land Drainage & Port Officer – defers to LLFA and suggests an informative regarding riparian ownership. Notes that it is proposed to use a swell as a SUD to manage the surface water storage for the site. No information has been given in to the proposed ownership & maintainer of this asset. Question, is the developer planning of this being proposed as to be part of 'adopted public open space', if yes then this should be proposed from the developer to SDC, so that a formal response be determined. Please note Sedgemoor District Council currently do not adopt SUD's.

Wessex Water – No objection but notes that limits capacity in Cannington and advises improvements will be needs. the proposal will need a pumping station and no housing should be sited within 15 of the pumping station. Detailed consideration would come at the design stage.

SDC EHO – no objection subject to conditions

SDC Landscape Officer – accepts that the development proposals will inevitably affect the character of the landscape and a landscape appraisal is necessary to determine the effects on the landscape, neighbouring residential properties and views and inform the landscape mitigation that is required. Notes that the Design and Access statement (para. 6) has confirmed that existing vegetation will be retained and further landscape planting will be carried out and this is welcomed.

Notes that the retained trees and hedgerows will need to be protected during construction activity and an appropriate arboricultural method statement, tree protection plan and schedule of arboricultural supervision will be requirement prior to commencement of development. I am happy for this matter to be addressed at the

reserved matters stage.

Recommends conditions to protect retained trees and hedges and to secure landscape strategy

SCC Ecologist – no objection subject to conditions

Natural England – no comments to make, standing advice applies.

Somerset Wildlife Trust - *support all of the proposals for Mitigation and Enhancement as outlined in that Survey and they should all be included in the Planning Conditions if it is decided to grant Planning Permission. It will be particularly important to retain all of the existing trees in the boundary of the site.*

SCC Archaeologist – no objection subject to archaeological safeguarding condition.

Police Designing Out Crime Officer – no objection subject to consideration of detail at RM stage.

Representations

Objections received:-

- Impact on privacy
- Loss of countryside views
- Property devaluation
- Noise and light pollution
- Flood risk
- Lack of space for landscaping and biodiversity;
- Lack of amenities in Cannington;
- Road safety on roundabout;
- Additional traffic on top of HPC traffic;
- Ongoing disruption after flood channel construction;
- Development should not be more than two storey;
- Proposal is premature and should await production of NP;
- SHLAA identifies other sites and time should be taken to select the right ones;
- SDC has robust 5 yr HLS – no need to rush;
- No analysis of impact on infrastructure – e.g. school and surgery;
- No evidence of engagement with PC
- No links to development to north
- Lack of pedestrian/cycle alternatives to negotiating access from roundabout;
- Lack of technical supporting details e.g. levels and drainage;
- No need for additional houses;
- loss of countryside
- impact on wildlife;
- impact on drainage/sewerage

Comments in support:-

- New affordable homes needed in Cannington
- Footpath diversion welcome

Suggestions made:-

- that the parking spaces be large enough.

- more space for landscaping and biodiversity
- wide roads
- green front gardens (no paving over)
- a new style of development
- adaptable properties;
- planting/bunding along south side of site

Most Relevant Policies

National Planning Policies

National Planning Policy Framework

Sedgemoor Local Plan (2011-2032)

S1 – Sustainable development

S2 – Spatial Strategy

S3 – Infrastructure Delivery

S5 – Climate Change

T2a – Tier 2 Settlements – housing

D1 – Flood Risk and Drainage

D2 – Design

D5 – Housing Mix

D6 – Affordable Housing

D13 – Sustainable Transport and Movement

D14 – Highways

D15 – Economic Prosperity

D19 – Landscape

D20 – Biodiversity

D24 – Pollution

D25 – Residential Amenity

D26 – Historic Environment

D30 – Green Infrastructure

D34 – Outdoor Public Recreational Space

Main Issues

Principle

S2 designates Cannington one of 6 Tier 2 Settlements that are to contribute 816 dwellings over the plan period; policy T2a sets a minimum of growth of 163 over the plan period. As at April 2015 150 were outstanding. Currently sufficient sites have not been identified by either a neighbourhood plan or in an allocations document, in such scenarios policy T2a advises:-

“.....proposals outside of the settlement boundaries that meet all of the following criteria will be supported:

- *Sites should normally be identified as opportunity sites within the Council's Strategic Housing Land Availability Assessment (updated annually);*
- *The scale of development should be appropriate to the size, accessibility, character and physical identity of the settlement taking into account the minimum levels of growth above;*
- *The development should be well related to and complement the existing built form of the settlement, providing opportunities for walking and cycling to local services and facilities;*
- *Development that is likely to have a significant transport impact will be*

- supported by appropriate assessments as referred to under Policy D14;
- Support where appropriate access to local job opportunities, including retention of existing local job opportunities as well as on-site provision;
- Contribute to local infrastructure including education, service provision, accessible open space and community facilities;
- Maintains and where appropriate incorporates enhancements to the local environment, landscape, and historic environment, including where appropriate habitat creation and community woodland planting;
- Provide affordable housing in accordance with the Council's requirements.

Meaningful and robust engagement and consultation with local stakeholders including Parish or Town Councils will be encouraged."

In light of these requirements the following observations are offered:-

- This site has been identified the most recent SHLAA
- It is not considered that 70 dwelling would be inappropriate given the size, accessibility, character and physical identity of Cannington;
- The site is considered to be well related to the existing settlement and its development, subject to consideration of the detail would complement the built form;
- The proposal is supported by an appropriate assessment that has been assessed by the highway authority;
- As a residential site next to the A39, close to a HPC pick up, with good links to Bridgwater and beyond it is considered that future occupiers would have good access to jobs;
- The development would be subject to CIL which supports local infrastructure;
- Subject to appropriate consideration of the detail the site would provide POS and landscape areas, retaining features of value;
- 30% affordable housing is proposed.

Pre-application engagement has been held locally and the scheme is supported by the PC. Whilst the new LP is recently adopted it does not seek to prevent schemes coming forward in the early years in Cannington. It would not therefore be premature to consider this application now. Although Cannington has been designated a neighbourhood plan area the draft plan is at a very early stage and it is not considered that it can be given any weight at this stage.

On this basis it is considered that the principle of the development is accepted subject to consideration of its impacts against the relevant local plan policies.

Highways

Notwithstanding local concerns the highways authority considered the proposed access arrangements via a new fourth arm from the A39 roundabout to be safe and appropriate to serve a development of up to 70 dwellings. No evidence has been provided to demonstrate that there would be any adverse impact on the wider highway network and no off-site improvements have been requested to mitigate any such issue. On this basis it is considered that the proposal would not have an adverse impact on highways safety and complies with policy D14.

Whilst a travel plan has been provided the highways officer has identify a number of deficiencies and has suggested that these will need to be resolved and has suggested a condition to enable this to happen. This is considered reasonable and would secure

compliance with policy D13.

The proposal does not include any provision for links to the residential development to the north without which there would be no direct links between the development and the existing community. Such segregation would be regrettable. There are two garage courts on the boundary through which pedestrian links could be created which would avoid forcing residents who might wish to walk to services and facilities in Cannington having to walk out via the main entrance onto the busy A39 and up Main Rd to the village centre. Whilst assessment of such permeability would come at the reserved matters stage an informative is suggested to remind the applicant that this issue will be important at RM stage..

Turning to other highways concerns that have been raised locally, road width and parking standards would be addressed at RM stage when the layout comes forward and compliance with the County's parking standards can be assessed. It is not necessary to condition compliance at this stage.

Visual Impact

Visually the site is seen in most views as sitting in the context of development with the existing development around Lonsdale Road and Northbrook Road forming the backdrop and the A39 forming the western edge of the site. Cannington Grange provides an element of development to the south, albeit with a landscape buffer along the flood relief channel. It is accepted that the residential development of this agricultural field would fundamentally change its character; this is an inevitable impact of new development. However subject to consideration of the detailed layout, scale, landscaping and appearance at the RM stage there is no reason why the visual impact of the development on this edge of settlement location would be unacceptable.

The PC's concerns about the retention of trees is noted. The submitted supporting information notes that no trees to the south or west boundaries are to be removed. It is not possible to secure this by planning condition, however the LPA has other powers to protect trees if it is felt necessary to do so. A condition is recommended to agree tree protection measures for the duration of the construction phase.

On this basis it is considered that there would be no conflict with policies D2 or D19.

Residential Amenity

Whilst it is accepted that the outlook for existing residents to the north would change it is not considered that, with appropriate consideration of layout, landscaping, appearance and scale at the RM stage, the 'new view' would be unacceptable. Additionally the layout and window arrangement would be material consideration at that stage and therefore any impact on amenity through overlooking, loss of privacy etc. can appropriately be considered against policies D2 and D25 once these details come forward.

Flood Risk and Drainage

Whilst the site was formerly at risk of flooding the recent flood alleviation works carried out by the EA now place it within flood zone 1, although the point of access is in zone 2. Consequently the EA do not object to the proposal on the grounds of flood risk and the proposal is considered to comply with policy D1 in this respect.

Surface water run-off from the greenfield site currently discharges to Cannington Brook. An

attenuation storage of up to 1176m³ could be provided as a swale along the southern boundary with exceedance flows being directed to the southeast corner of the site as per the existing site drainage. The FRA suggests that other features, such as bio-retention areas, rain gardens and permeable paving could be considered during the detailed design stage to offset storage from the attenuation basin, provide water quality treatment and encourage infiltration and evapotranspiration losses. Ultimately the developed site's discharge to Cannington Brook would be attenuated to 11/9l/s, the current greenfield rate.

The LLFA suggests that a condition is needed to secure a suitably sustainable drainage system and to ensure its maintenance. It is considered that such details can reasonably be secured by conditions and in terms of surface water drainage the proposal complies with policy D1.

With regard to foul water drainage, Wessex water's comments are noted and it is accepted that their requirements would be addressed through the relevant legislation governing the provision of sewerage infrastructure that enables utility companies to secure any necessary improvements from new development.

Other Issues

- POS – the proposal for 70 dwellings would create the need for an on-site LAP and LEAP to meet the requirements of policy D34. As layout is reserved the detail of this would be considered at RM stage. A condition is suggested to ensure that appropriate maintenance agreements are agreed in respect of the management company.
- Ecology – it is not considered that there are any ecological issues that could not reasonably be overcome by the imposition of suitable conditions as suggested by the ecologist. As such it is considered that proposal complies with policy D20.
- Archaeology – it is not considered that there are any archaeological issues that could not reasonably be overcome by the imposition of suitable conditions as suggested by the ecologist. As such it is considered that proposal complies with policy D26.
- Loss of agricultural land – it is not considered that the loss of just over 3ha of grade 3 agricultural land would adversely impact on the supply of the best and most valuable agricultural land.
- Possible land contamination – whilst this is currently an agricultural field, on a precautionary basis a condition has been suggested to investigate and address any potential issues. This is considered reasonably necessary to comply with policy D24 and safeguard the amenities of future occupiers.

On this basis it is not considered that there are any technical issues that would prevent the grant of permission subject to the conditions suggested by consultees

Planning Obligations

Published in July 2018, the Cannington Housing Need Survey identified a need for at least 32 additional affordable homes. Further evidence of affordable housing demand comes in the form of c. 60 families who are registered on the waiting list. The development site, whilst not a proposed allocation, has been considered as part of the Council's latest SHLAA.

The council's housing officer considers that, given the scale of prevailing affordable need, combined with the absence of any other residential sites coming forward at this time, this development (should it secure planning approval) represents hope to the many local

people who desperately need an affordable home. On this basis it is considered that it is reasonable and necessary to seek 30% affordable housing as required by policy D6.

The EA consider that the proposal would directly benefit from the Cannington Flood Alleviation Scheme (FAS). Additionally, the development intends to dispose of surface water flows from the development into the FAS, which was designed to handle fluvial flows only. Accordingly, it is their view that will result in an increased maintenance burden and that potential modifications to the scheme may be required.

Whilst their position is noted it is not considered reasonable to demand a contribution towards an existing piece of infrastructure, particularly as there would be no net increase on water discharged from the site; in fact the proposed attenuation would, if anything, improve the situation. As ever ongoing maintenance of a public asset would fall to funded from general taxation and it is pointed out that the proposal would contribute some 70 households to local housing stock from which council tax is raised. Accordingly it is not considered that the EA's request is reasonable in this instance.

Local Comments

With regard to the outstanding local comments the following observations are offered:-

- A condition can be imposed to limit the development to 70 dwellings to ensure it accords with the supporting information and is in line with the impacts upon which it has been assessed;
- Whilst the concern about taller buildings is noted, scale is a reserved matter and will be assessed at the RM stage. it is not therefore necessary to impose a condition to limit the height of buildings at this outline stage. It is noted that the D&S indicates that the development will be limited to 2 storeys.
- Although improvements to off-site cycleways and bus stops have been requested this has not been requested or supported by the highways authority;
- As a Tier 2 settlement the affordable housing component is expected to contribute towards the districtwide need, however people with a Cannington connection would still be able to apply.
- Loss of property value is not a planning consideration in this instance where no planning harm has been identified;
- No provided has objected to the proposal on the grounds of infrastructure provision;
- It is accepted that the construction phase can be disruptive, however this is an evitable, but short lived phase. A CEMP plan could be agreed by condition to minimise any disturbance.

Conclusion

Notwithstanding local objections the proposal is supported by the PC and consultees have not raised any objections to the proposal based on its impacts on flood risk, highways safety, ecology, drainage, archaeology or other technical matters. Accordingly it is considered that the development of this site, that is adjacent and well related to the settlement boundary, is acceptable and would not unacceptably affect the landscape setting of Cannington and that the detailed assessment in terms of visual and residential amenity can appropriately be carried out at the reserved matters stage.

Recommendation

That outline planning permission be granted subject to:-

- the applicant entering into a Section 106 agreement, to the satisfaction of the Council's solicitor, to:-
 - deliver at least 30% of the dwellings as affordable housing to the satisfaction of the development manager in consultation with the Affordable Housing Policy & Development Manager;
- a) the following conditions

RECOMMENDATION

GRANT PERMISSION

- 1 Approval of the details of the appearance, landscaping, layout and scale (hereinafter called "the reserved matters") shall be obtained from the local planning authority in writing before any development is commenced.

Plans and particulars of the reserved matters referred to above, relating to the access, appearance, landscaping, layout and scale, shall be submitted in writing to the local planning authority and shall be carried out as approved.

Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.

The development hereby permitted shall be begun 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.

Reasons: The application was submitted as an outline application in accordance with the provisions of Article 5(1) of the Town and Country Planning (Development Management Procedure) Order 2015. In accordance with the provisions of Section 92 of the Town and Country Planning Act, 1990 (As amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

- 2 The development hereby approved shall comprise no more than 73 dwellings.

Reason: To ensure that the level of development is commensurate with the supporting information upon which it has been assessed.

- 3 With the exception of ground works and site clearance, no works to construct the dwellings hereby approved shall be commenced until details of measures for the enhancement and protection of biodiversity have been submitted to and approved in writing by the Local Planning Authority. Such enhancement measures shall include:-

- a) a lighting design for bats which shall:-
 - i. identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
 - ii. show how and where external lighting will be installed (through the provision

of lighting contour plans and' technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

- b) bird boxes, to include:
 - i. Eight 'Habibat' roosts type 001 or 003 or similar to be installed under the eaves, at least 4 metres above ground level, and away from windows in the walls of the southern or western elevations of the new housing.
 - ii. Five 1SP Schwegler Sparrow Terrace or similar to be installed directly under the eaves and away from windows on the north, north-west or north-east aspects of dwellings.
- c) hedgehog friendly fencing

Once approved such measures shall be implemented in accordance with the approved details prior to the occupation of the houses to which they relate unless otherwise approved in writing by the local planning authority.

Reason: To safeguard biodiversity in accordance with policy D20 of the Sedgemoor Local; Plan 2011-2032.

- 4 No dwelling hereby approved shall be occupied until a landscape management plan, including long- term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens), shall be submitted to and approved in writing by the local planning authority. The landscape management plan shall be implemented out as approved and any subsequent variations shall be agreed in writing by the local planning authority.

Reason: In the interests of visual amenity and to safeguard biodiversity in accordance with policies D2, D19 and D20 of the Sedgemoor Local; Plan 2011-2032.

- 5 No works to construct the dwellings hereby approved shall be commenced until a detailed surface water drainage scheme for the site, has been submitted to and approved in writing by the local planning authority. Such scheme shall include measures to prevent the run-off of surface water onto the highway and once approved the scheme shall be implemented in accordance with the approved details and maintained at all times thereafter unless agreed otherwise in writing by the local planning authority.

Reason: To ensure the development is properly drained in accordance with policy D1 of the Sedgemoor Local Plan 2011-2032.

- 6 No development approved by this permission shall be occupied or brought into use until a scheme for the future responsibility and maintenance of the surface water drainage system has been submitted to and approved by the Local Planning Authority. The approved drainage works shall be completed and maintained in accordance with the details agreed.

Reason: To ensure the development is properly drained in accordance with policy D1 of the Sedgemoor Local Plan 2011-2032.

- 7 No works to construct the dwellings hereby approved shall be commenced until

details of the finished floor levels of the dwelling(s) have been submitted to and approved in writing by the Local Planning Authority. Once approved the development shall be carried out in complete accordance with the agreed details unless agreed otherwise in writing by the local planning authority.

Reason: In the interest of visual amenity and to ensure that the property is not at risk of flooding in accordance with policies D1 and D2 of the Sedgemoor Local Plan 2011-2032.

- 8 Prior to the commencement of development a written commitment to the sourcing of local labour shall be submitted to and approved in writing by the local planning authority. The written commitment, as a minimum, shall set out the following matters:

- The proportion of construction workers to be sourced from the local labour pool;
 - i. Work experience/ apprenticeship opportunities;
 - ii. The proportion of local procurement and sourcing;
 - iii. On-going skills development and training opportunities;
 - iv. The steps that will be taken to ensure that the above is implemented;

The operator shall maintain a record of i - v above and shall make that information available to the local planning authority at all reasonable times upon request.

Reason: To promote opportunities for the local population in accordance with policy D15 of the Sedgemoor Local Plan 2011-2032.

- 9 Prior to the commencement of development, including any site clearance, groundworks or construction within each sub-phase (save such preliminary or minor works that the Local Planning Authority may agree in writing), a Construction Management Plan (CMP) to manage the impacts of construction during the life of the works, shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, the CMP shall, amongst other things, include:-

- a) Measures to regulate the routing of construction traffic;
- b) Hours of construction and delivery
- c) Condition survey of existing public highway together with a statement as how any construction damage will be remedied;
- d) A method statement for any piling to minimise noise;
- e) The importation and of spoil and soil on site;
- f) The removal /disposal of materials from site, including soil and vegetation;
- g) The location and covering of stockpiles;
- h) Details of measures to prevent mud from vehicles leaving the site and must include wheel- washing facilities;
- i) Control of fugitive dust from earthworks and construction activities; dust suppression
- j) Noise control plan (which includes control methods)
- k) A waste disposal policy (stating no burning on site)
- l) Details of any site construction office, compound and ancillary facility buildings;
- m) Specified on-site parking for vehicles associated with the construction works and the provision made for access thereto
- n) Fuel oil storage, bunding, delivery and use.
- o) How both minor and major spillage will be dealt with.
- p) Containment of silt/soil contaminated run-off.

- q) Disposal of contaminated drainage, including water pumped from excavations.
 - r) Site induction for workforce highlighting pollution prevention and awareness.
- Invitation for tenders for sub-contracted works must include a requirement for details of how the above will be implemented.
- s) A point of contact (such as a Construction Liaison Officer/site manager) and details of how complaints will be addressed, including an appropriate phone number.

The details so approved and any subsequent amendments as shall be agreed in writing by the Local Planning Authority shall be complied with in full and monitored by the applicants to ensure continuing compliance during the construction of the development.

Reason: To safeguard residential amenity to prevent pollution in accordance with policies D24 and D25 of the Sedgemoor Local Plan 2011-2032.

- 10 Development shall not begin until a scheme to deal with any contamination of the site has been submitted to and approved in writing by the local planning authority. Such scheme shall include:-

- v. an assessment of the potential for land contamination;
 - steps to be taken in the event that any contamination is found during the course of the development
 - measures to be taken to avoid any risk to the public and environment should contamination be encountered.
 - a remediation plan to address any contamination found
 - Any monitoring necessary to assess effectiveness of the proposed remediation
 - Provision of reports as necessary to confirm the outcome of the remediation strategy

Unless agreed otherwise by the local planning authority the development be carried out in accordance with the approved measures.

Reason: To ensure that any risks from land contamination to are minimised in accordance with policy D24 of the Sedgemoor Local Plan 2011-2032.

- 11 Before the commencement of the development hereby permitted the applicant, or their agents or successors in title, shall have secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation (WSI) which has been submitted and approved in writing by the Planning Authority. The WSI shall include details of the archaeological investigation and recording, and the analysis of evidence recovered from the site and publication of the results. The development hereby permitted shall be carried out in accordance with the approved scheme.

Reason: To safeguard the archaeological potential of the site in accordance with policy D26 of the Sedgemoor Local Plan 2011-2032.

- 12 No works to construct the new access to the A39 shall be commenced until detailed plans have been submitted to and approved in writing by the Local Planning Authority (in conjunction with the local highway authority) relating to line, level and layout of the proposed works on the A39 (as shown generally in accordance with IMA Drawing Number IMA-18-040-007 Dated Jan 2019) and its means of

construction and surface water drainage. The approved on and off site highway works shall be laid out constructed in accordance with the requirements of a Section 278 Agreement under the provisions of the Highway Act 1980.

Reason: In the interest of highways safety in accordance with policy D14 of the Sedgemoor Local Plan 2011-2032.

- 13 The proposed estate roads, footways, footpaths, tactile paving, cycleways, 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 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 interest of highways safety in accordance with policy D14 of the Sedgemoor Local Plan 2011-2032.

- 14 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 interest of highways safety in accordance with policy D14 of the Sedgemoor Local Plan 2011-2032.

- 15 No dwelling hereby approved shall be occupied until a detailed Travel Plan has been submitted to and approved in writing by the Local Planning Authority. One approved such Travel Plan shall continue to be implemented in accordance with the approved details unless agreed otherwise in writing by the local planning authority.

Reason: To promote sustainable transport and movement in accordance with policy D13 of the Sedgemoor Local Plan 2011-2032.

- 16 Prior to the commencement of any demolition or commencement of construction activity on site, an arboricultural method statement, tree protection plan and schedule of arboricultural supervision shall be submitted to and approved in writing by the local planning authority. Such statement shall set out the measures to protect the retained hedgerows and trees s from mechanical damage, pollution incidents and compaction of roots in accordance with BS5834:2012 during construction. Unless agreed otherwise in writing the development shall be carried out in accordance with the approved details at all times.

Reason: To ensure adequate protection for the retained trees for the duration of the development in accordance with policy D19 of the Sedgemoor Local plan 2011-2032. This is necessary as a pre-commencement condition as the development of the site needs to be informed by measures to protect the retained trees and hedges.

Schedule A

Location Plan Drg No. 2494-PL-01A
Indicative Site Plan Drg No. 2494-PL-02A

Case Officer: adrian noon

Date: 08/08/19

By the authority delegated by this Council, I confirm that the decision notice in respect of the above mentioned application can be issued.

(For*) Principal Planning Officer/Development Manager

* Delete as applicable

on behalf of

Group Manager: stuart houlet

Date: 08/18/19

This application is out of time. Please pass to the Development Manager and please write details below of why this is the case.

EOT to 09/08/19 to allow S106 to be completed