

Officer Report On Planning Application: 21/02154/OUT

Site Address:	Land Os 1615 Part Northfield Somerton
Ward :	SOMERTON
Proposal : CIL Liable =	Outline application for the erection of three dwellings, with some matters reserved except for access, layout and scale.
Recommending Case Officer:	Eren Balkir (Senior Planning Officer)
Target date/Ext of time	15th September 2021 14th July 2025
Applicant :	Chant Brothers c/o Clive Miller Planning Limited
Type : 06	Minor Dwellings 1-9 site less than 1ha

Reference: 21/02154/OUT

This application has been delegated to officers in accordance with the Council's Scheme of Delegation.

Summary of Recommendation - Approve subject to conditions

SITE DESCRIPTION AND PROPOSAL

The application is for outline planning permission for three dwellings, with details of access, layout, and scale provided as part of the application, and with details of landscaping and appearance as reserved matters for a later application.

The application site is located on the corner between Northfield Road and Bradely Hill Lane, within an agricultural field on the northern edge of the town of Somerton. To the immediate north of the field is the King Ina Church of England Academy, a large primary school. To the immediate south and east of the site are residential dwellings (detached, two-storey), and to the immediate west is open countryside.

Details of the materials and design of the dwellings have not been submitted, as they are matters for a later application.

No elevation drawings have been submitted. The Planning Statement, dated 2021, proposes that the dwellings would be single storey. Nonetheless, as explained in later sections of this report, it is considered that 1.5 storey dwellings would be appropriate.

Access to the dwellings would be through three separate individual accesses onto Northfield Road.

The site, including the access, is wholly within Flood Zone 1. A small linear area of the site, along the south-western boundary, is within an area at low risk of surface water flooding. This appears to overlap fully with the existing hedgerow.

The site forms part of the Somerset Levels and Moors Catchment area, which has implications for Nutrient Neutrality (i.e. phosphates).

There are no public rights of way through the site.

HISTORY

95/06783/OUT - The erection of four dwellings on land at the junction with Bradley Hill Lane (Outline) (GR 489/290). Refused 28.04.1995. Appeal Dismissed

19/00721/R3C - Erection of new primary school, to include construction of sports pitches, parking area with drop off/pick up area, new access points onto Northfield and Etsome Road, landscaping and associated infrastructure. - GRANTED

Officer Comment

Although the redline boundary of the application 19/00721/R3C included land on the application site for this application, it does not appear that any works were undertaken on the overlapping area.

POLICY

Development Plan

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

The primary adopted development plan for the area comprises the South Somerset Local Plan 2006-2028, which was adopted in March 2015 by the former South Somerset District Council.

In addition to the Local Plan, there are two other adopted development plans for the area: the Somerset Minerals Plan adopted in February 2015 and the Somerset Waste Core Strategy adopted in February 2013, both by the former Somerset County Council.

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

SD1: Sustainable Development
SS1: Settlement Strategy
SS2: Development in Rural Settlements
SS5: Delivering New Housing Growth
EP15: Protection and Provision of Local Shops, Community Facilities, and Services
HG5: Achieving A Mix of Market Housing
TA1: Low Carbon Travel
TA5: Transport Impact of New Development
TA6: Parking Standards
EQ1: Addressing Climate Change in South Somerset
EQ2: General Development
EQ3: Historic Environment
EQ4: Biodiversity

Relevant Policies of the Somerset Waste Core Strategy (2013-2028)

WCS1: Waste Prevention
WCS2: Recycling and Reuse.

Relevant Policies of the Somerset Minerals Plan (2015-2030)

Policy SMP9: Safeguarding

Policy- Related Material Considerations

In addition to the statutory development plan, there are various local and national policy documents which are material considerations in the determination of planning applications. At the national level, is the National Planning Policy Framework and the National Planning Practice Guidance suite. At the local level, the former South Somerset District Council and Somerset Council have adopted several Supplementary Planning Documents (SPDs), and have published various guidance, advice notes, position statements, etc.

National Planning Policy Framework

Chapter 2 Achieving sustainable development
Chapter 4 Decision-making
Chapter 5 Delivering a sufficient supply of homes
Chapter 6 Building a strong, competitive economy
Chapter 8 Promoting healthy and safe communities
Chapter 9 Promoting sustainable transport
Chapter 11 Making Effective Use of Land
Chapter 12 Achieving well designed places
Chapter 14 Meeting the challenge of climate change, flooding and coastal change
Chapter 15 Conserving and enhancing the natural environment
Chapter 16 Conserving and enhancing the historic environment

National Planning Practice Guidance

Appropriate Assessment; Biodiversity Net Gain, Design; Flood Risk and Coastal Change; Historic Environment; Natural Environment; Rural Housing; Housing Needs of Different Groups; Planning Obligations; Self -Build and Custom Housebuilding; Use of Planning Conditions.

Supplementary Planning Documents (SPDs)

None of Relevance

Statutory Duties in regard to Listed Buildings and Conservation Areas

Local planning authorities have a statutory duty to "have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses," under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Sections 16 and 66 of the Act require authorities considering applications for planning permission or listed building consent for works that affect a listed building to have special regard to certain matters, including the desirability of preserving the setting of the building.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that planning authorities should give special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

Other Local Guidance and Policy-Related Documents

Somerset County Council Parking Strategy (September 2013)
Somerset County Council Highways Development Control - Standing Advice (2022)
Somerset Council Placemaking Principles (October 2024)
Somerset Waste Partnership: Planning Homes with Recycling in Mind
West of England: Sustainable Drainage Developer Guide (2015)
National Design Guide

CONSULTATION RESPONSES

Somerton Town Council - Comment

"Somerton Town Council Planning Committee met last week to discuss this planning application. It was resolved that there are no objections to this planning application.

However, the Town Council wished to make the following comments and recommendations:

- The deep culvert needs to be filled in.
- The preferred property style is a bungalow.
- Signage needs to be in place to increase awareness of the public to construction traffic."

SC Highway Authority - Comment

No objection. Recommends that conditions are imposed in relation to a Construction Environmental Management Plan, the access, disposal of surface water, a consolidated surface over the access, parking areas, and visibility splays, etc.

South West Heritage Trust - Comment

Notes that the site contains significant archaeological remains, and considers that these should be excavated, with the results analysed and published. Recommends the imposition of two conditions to secure this.

Somerset Ecology Services - Comment

No objection, subject to conditions and informatives in relation to ecological mitigation measures, phosphates, etc.

Natural England - Comment

No Objection with the HRA.

Environmental Health Officer - Comment

Recommends a condition restricting construction hours to 8am to 6pm Monday to Friday, and from 8am to 1pm on Saturdays, and at no time on Sundays and Bank Holidays.

REPRESENTATIONS

6 representations were received on the application. Three of these representations were from the same individual. All were in opposition to the application, and are summarised below:

- Somerton is already overpopulated

- Poor highway and pedestrian safety, too dangerous
- Surface water drainage issues, particularly with adjacent ditch
- Cumulative impact of frequent construction activity in neighbourhood - "just want some peace and quiet"
- Impact on the environment

PLANNING ASSESSMENT

The main considerations of this application are the principle of the development, flood risk and drainage, highway considerations, design and landscape considerations, impact on heritage assets, residential amenity, and on ecology/biodiversity.

Principle of Development

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning decisions are made in accordance with the development plan unless material considerations indicate otherwise. The relevant development plan for the area comprises the South Somerset Local Plan 2006-2028, which was adopted in March 2015 by the former South Somerset District Council.

Under Policy SS1 (Settlement Strategy) of the Local Plan, Somerton is considered to be a "Local Market Town." Policy SS1 states that in Market Towns, "provision will be made for housing, employment, shopping, and other services that increase their self-containment and enhance their roles as service centres." Policy SS1 seeks to direct development towards a hierarchy of settlements, and is an important policy in the Local Plan in regard to assessing the principle of the development.

Policy SS1 is a strategic policy for the delivery of housing. The updated National Planning Policy Framework (NPPF 2024) and standard method for calculating housing need was published on 12 December 2024. As a result of this, the Council are not able to demonstrate a 5-year housing land supply in the South Area. Currently the housing land supply for the South Area is calculated at 2.11 years. As such, strategic policies such as SS1 and SS2 are considered to be 'out-of-date.' The consequences of not being able to demonstrate a five-year housing land supply are that the presumption in favour of sustainable development (often referred to as the "tilted balance") applies, as outlined in Paragraph 11(d) of the NPPF.

The fact that policies are deemed as out-of-date does not mean that they carry no weight. To carry weight policies must be consistent with the Framework, as explained in Paragraph 225, which amongst other things, states that the closer that local policies are to those in the Framework, the greater weight that may be given to them.

Paragraph 11(d) requires, in circumstances where the tilted balance is engaged, that planning permission should be granted unless:

- o 1) the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed or*
- o 2) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.*

Significant weight is placed on the presumption in favour of sustainable development outlined above, within the context of the areas low housing land supply, which puts at risk the ability to meet identified housing need into the future. The fact that the proposal would only create three additional dwellings does not diminish that weight.

It is considered that the application site is in a sustainable location, with a wide range of services in the immediate area within walking distance, including a primary school, a convenience store, a playground, a church, bus stops, and a pub.

Mindful of the benefit of the provision of three dwellings in a sustainable location, and in accordance with the 'tilted balance', under paragraph 11(d) of the NPPF, which is engaged due to the lack of a 5 year housing land supply, it is considered that the development of this site for residential purposes could be acceptable in principle, subject to the assessment of other appropriate local and national policy considerations, to determine whether there are any relevant policies within the NPPF that provides a clear reason for refusing the development proposed, or any adverse impacts that would significantly and demonstrably outweigh the benefits of the development.

Design, Scale, Appearance, Landscaping, and Layout

Policy EQ2 of the Local Plan requires that "development will be designed to achieve a high quality, which promotes South Somerset's local distinctiveness and preserves or enhances the character and appearance of the district,"

that they should be "conserving and enhancing the landscape character of the area," and be "reinforcing local distinctiveness and respect local context."

The NPPF makes frequent reference to good design, and paragraph 135 states that planning decisions "should ensure that developments... are visually attractive as a result of good architecture, layout, and appropriate and effective landscaping... and are sympathetic to local character and history...." Paragraph 139 advises that "development that is not well designed should be refused...."

While appearance and landscaping are matters to be addressed as part of a later reserved matters application, it is necessary to be confident that it is possible for an acceptable scheme to be submitted for those matters. It is considered that a scheme with an acceptable design, using acceptable materials, and with appropriate landscaping could be submitted.

The applicant, in their Planning Statement from 2021, suggested a scale of single-storey dwellings. It is considered that a scale of 1.5 storeys would be acceptable for the proposed dwellings. It is noted that the existing dwellings to the south and east are two-storey detached dwellings. In such circumstances, it would not be necessary to limit the scale to single-storey bungalows.

The application site is on the edge of the village of Somerton, and open countryside continues to the west. It is considered that the landscape impact would be acceptable, and does not provide a strong reason to refuse the proposal.

No elevation plans, or locations of windows, have been submitted at this stage. If the dwellings were 1.5 storey, and due to the layout, there is a possibility from first floor windows of either overlooking or of directly facing habitable room windows. It is considered that this can be carefully avoided in a future design. However, a condition is recommended to clarify this requirement.

In summary, it is considered that the proposal is sufficiently well-designed, and sensitive to the character of the buildings, and would be compliant with Policy EQ2 of the Local Plan and with paragraphs 135 of the NPPF.

Heritage

Local planning authorities have a statutory duty to "have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses," under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that planning authorities should give special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

Policy EQ3 of the Local Plan requires that heritage assets are conserved, and where appropriate enhanced. Paragraph 212 of the NPPF requires that, "when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation." Paragraph 215 further explains that "where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal..."

There are no listed buildings, conservation areas, or other above-ground heritage assets in the vicinity, and therefore no impact from the proposed development on above-ground heritage assets.

The site has high archaeological potential. The submitted archaeological assessment shows the remains of well-preserved Roman-period buildings, including pottery and a brooch. The adjacent school, when it was excavated, produced sixty human burials from the Iron Age and Roman era. The county archaeologist has recommended two conditions to ensure that these heritage assets are excavated, analysed, and the results published. They consider it unlikely that the remains will be so significant to warrant designation/preservation in-situ.

In summary, it is considered that the proposed development would be compliant with Policy EQ3 and with the relevant paragraphs on heritage in the NPPF.

Residential Amenity

Policy EQ2 of the Local Plan requires, in part, that "development proposals should protect the residential amenity of neighbouring properties and new dwellings should provide acceptable residential amenity space." Paragraph 135(f) of the NPPF states that developments should "create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users..."

As explained in an earlier section, at 1.5 storey, and due to the layout, there is a possibility from first floor windows of either overlooking or of directly facing habitable room windows. It is considered that this can be carefully avoided in a future design. However, a condition is recommended to clarify this requirement.

It is recognised that the immediate area has several residential dwellings, and a primary school to the immediate north. A Construction and Environmental Management Plan (CEMP) is recommended to be submitted and approved by condition, prior to commencement of development, partly to ensure no unacceptable impact on the amenity of nearby residents during the construction phase.

Overall, it is considered that the proposal would not have an unacceptable impact on the amenity of present and future residents, or on any nearby dwellings, and is therefore compliant with Policy EQ2 of the Local Plan.

Transport and Highway Safety

Policy TA5: Transport Impact of New Development of the Local Plan requires, in general, that "all new development shall be required to address its own transport implications and shall be designed to maximise the potential for sustainable transport..."

Policy TA6: Parking requires that developments comply with the Somerset County Council Parking Strategy, which sets out different optimum parking standards for different types of development in different areas. These figures are optimum parking standards, rather than minimum or maximums, and the Strategy acknowledges that developments in more sustainable locations that are well served by public transport or have good walking and cycling links may be considered appropriate for lower levels of car parking provision.

Paragraph 116 of the NPPF states that "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios."

Adequate parking provision (three spaces for each dwelling) is provided. It is considered that visibility onto Northfield Road would be sufficient in either direction. It is recommended that several conditions are imposed in relation to visibility splays, a consolidated surface on the driveway, disposal of surface water, etc.

Therefore, it is considered that the proposed development would be acceptable in highway terms, pose no unacceptable danger to highway safety, and is compliant with policies TA5 and TA6 of the Local Plan.

Flooding and Drainage

Policy EQ1: Addressing Climate Change in South Somerset of the Local Plan states, in part, that "Development should reduce and manage the impact of flood risk by incorporating Sustainable Drainage Systems, and through appropriate layout, design, and choice of materials."

Paragraph 175 of the NPPF states that: "The sequential test should be used in areas known to be at risk now or in the future from any form of flooding, except in situations where a site-specific flood risk assessment demonstrates that no built development within the site boundary, including access or escape routes, land raising or other potentially vulnerable elements, would be located on an area that would be at risk of flooding from any source, now and in the future (having regard to potential changes in flood risk)."

The entire site, including the accesses, are within Flood Zone 1. The only area of the application site at risk of surface water flooding is a small linear area along the south-west boundary. This appears to be from an existing ditch below the existing hedgerow. None of the proposed buildings or accesses are within this area at risk of surface water flooding. In that context, it is considered that it would be unnecessary to require a Flood Risk Assessment, and noting the pragmatic advice in paragraph 175 of the NPPF, it is considered that the Sequential Test would not need to be applied to the proposal.

A condition is recommended requiring that details be submitted, either as part of a later reserved matters application, or through a pre-commencement condition, of surface water management on the application site, including the location of drainage features such as soakaways. This would be in the form of a drainage plan.

In summary, it is considered that the proposal complies with Policy EQ1 of the Local Plan, and with the relevant paragraphs of the NPPF and PPG regarding flood risk and drainage.

Ecology and Biodiversity

A variety of legislation and statutory duties apply to local planning authorities in relation to ecology, protected species, and biodiversity, including The Wildlife and Countryside Act 1981 (as amended), Natural Environment and

Rural Communities Act 2006, The Conservation of Habitats and Species Regulations 2017 (Habitats Regulations 2017), and the Environment Act 2021.

Policy EQ4: Biodiversity of the Local Plan requires, in part, that development proposals "protect the biodiversity value of land and buildings, minimise fragmentation of habitats, and promote coherent ecological networks," and provide mitigation measures where appropriate.

Paragraph 193 of the NPPF outlines several principles in relation to ecology that LPAs should apply when determining planning applications, including the avoid-mitigate-compensate-refuse hierarchy, and avoiding the loss of irreplaceable habitat.

The application site is an agricultural field, bounded by hedgerows. The County Ecologist requested a reptile survey, which was later provided, finding no reptiles. The ecologist recommends several conditions to protect wildlife and promote biodiversity, subject to which they have no ecological concerns with the application.

Whether the application is able to demonstrate nutrient neutrality is considered in the section below.

As the application was submitted in 2021, the Biodiversity Net Gain regulations do not apply, and no 10% gain is statutorily required.

Nutrient Neutrality

As the competent authority, the Local Planning Authority is required by Regulation 63(1) of the Conservation of Habitats and Species Regulations 2017, to undertake an Appropriate Assessment of the implications of the development in view of the Ramsar site's conservation objectives. The LPA may only agree to the proposal after having ascertained that it will not adversely affect the integrity of the Ramsar site.

The applicant's proposed phosphate mitigation strategy is to purchase 0.18kg TP/year of phosphorus mitigation credits from Woodrow Dairy Ltd, and a Reservation notice has been submitted for this. By purchasing 0.18 Credits, the proposal would be phosphate neutral and the credits will benefit the same sub-catchment as the application site, in this case the River Parrett.

The LPA has consulted with Natural England and Somerset Ecology Services on the proposed mitigation strategy and their comments are summarised above. The LPA must have regard to these consultation responses in carrying out the Appropriate Assessment (Regulation 63(3)). In summary, Natural England has reviewed the applicant's mitigation proposals and are satisfied with the approach and conclusions. SES has subsequently concluded through the Habitat Regulations Assessment that the Appropriate Assessment is passed. Subject to securing the implementation and maintenance of the mitigation strategy through planning conditions it is considered that the proposed development will not adversely effect on the integrity of the Ramsar Site (Regulation 63(5)).

Conclusion

Mindful of the benefit of the provision of three dwellings in a sustainable location, and in accordance with the 'titled balance', under paragraph 11(d) of the NPPF, which is engaged due to the lack of a 5 year housing land supply, it is considered that there are no relevant policies within the NPPF that provides a clear reason for refusing the development proposed, and that any adverse impacts that would not significantly and demonstrably outweigh the benefits of the development, and that therefore planning permission should be granted.

RECOMMENDATION

GRANT permission subject to the conditions below, and for the following reason(s):

01. Mindful of the benefit of the provision of three dwellings in a sustainable location, and in accordance with the 'titled balance', under paragraph 11(d) of the NPPF, which is engaged due to the lack of a 5 year housing land supply, it is considered that there are no relevant policies within the NPPF that provides a clear reason for refusing the development proposed, and that any adverse impacts would not significantly and demonstrably outweigh the benefits of the development. Further, the proposal is considered to accord with policies SS1, TA5, TA6, EQ1, EQ2, EQ3, and EQ4 of the South Somerset Local Plan (2006-2028).

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: To accord with the provisions of Article 4 of the Town and Country Planning (Development Management Procedure) Order 2010.
02. Application for approval of the appearance and landscaping (i.e. the "reserved matters"), shall be submitted to and approved in writing by the local planning authority before any development commences and the development shall be carried out as approved. Applications for all 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. Unless otherwise stated in planning conditions or as later approved in the reserved matters stage, the development hereby permitted shall be carried out in accordance with the following approved plans:
- Outline Site Plan: DSGN0250-OP-SP01, Revision C
- Reason: For the avoidance of doubt and in the interests of proper planning.
04. Prior to 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 excavation, the recording of the heritage asset, 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: In the interests of the preserving features of archaeological importance and in accordance with Policy EQ3 of the South Somerset Local Plan 2006-2028.
05. No building shall be occupied until the site archaeological investigation has been completed and post-excavation analysis has been initiated in accordance with Written Scheme of Investigation approved under the Programme of Works condition and the financial provision made for analysis, dissemination of results and archive deposition has been secured.
- Reason: In the interests of the preserving features of archaeological importance and in accordance with Policy EQ3 of the South Somerset Local Plan 2006-2028.
06. Each of the dwellings to be erected shall be of 1.5 storey construction.
- Reason: To accord with Policy EQ2 of the South Somerset Local Plan (2006-2028), and in the interests of certainty.
07. As part of any future reserved matters application, any first-floor windows proposed shall be positioned to avoid: any directly facing habitable room windows within 20m; and overlooking of neighbouring gardens.
- Reason: To ensure adequate residential amenity, and in the interests of certainty.
08. No development shall commence unless a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved plan. The plan shall include:
- o Construction vehicle movements
 - o Construction operation hours
 - o Construction vehicular routes to and from site including any temporary construction access points and haul roads required. This information should also be shown on a map of the route
 - o Construction delivery hours
 - o All construction deliveries being made off highway
 - o On-site turning facility for delivery vehicles and egress onto highway only with guidance of a trained banksman
 - o Expected number of construction vehicles per day
 - o All contractor vehicle parking being accommodated off highway including a plan showing the onsite parking arrangements
 - o Specific measures to be adopted to mitigate construction impacts in pursuance of

the Environmental Code of Construction Practice

Reason: In the interests of the amenity of local residents and in the interests of highway safety, in accordance with EQ2 and TA5 of the South Somerset Local Plan

09. The proposed accesses shall be constructed in accordance with details shown on the submitted plan and shall be available for use before occupation. Once constructed the accesses shall be maintained thereafter in that condition at all times.

Reason: In the interests of highway safety and to accord with Policies TA5 and TA6 of the South Somerset Local Plan (2006-2028).

10. No occupation of any of the dwellingS hereby approved shall take place until the relevant access, parking and turning areas for each have been constructed as a properly consolidated surface (not loose stone or gravel).

Reason: In the interests of highway safety, and in accordance with Policy TA5 of the South Somerset Local Plan.

11. Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to and approved in writing by the Local Planning Authority. Such provision shall be installed before occupation and thereafter maintained at all times.

Reason: In the interests of highway safety and to accord with Policies TA5 and TA6 of the South Somerset Local Plan (2006-2028).

12. The dwellings hereby approved shall not be occupied until water efficiency measures have been installed to ensure the potential consumption of wholesome water by persons occupying the new dwellings does not exceed 110 litres per person per day, in accordance with 36 (2)(b) of Part G of Schedule 1 and Regulation 36 of the Building Regulations 2010 (as amended), and these measures shall be maintained as such thereafter.

Reason: To improve the sustainability of the dwellings in accordance with Chapter 15 of the National Planning Policy Framework.

13. There shall be no obstruction to visibility greater than 600 millimetres above adjoining road level in advance of lines drawn 2.4 metres back from the carriageway edge on the centre line of each access and extending to points on the nearside carriageway edge 43 metres either side of each access. Such visibility shall be fully provided before each dwelling hereby permitted is occupied and shall thereafter be maintained at all times.

Reason: In the interests of highway safety, and in accordance with Policy TA5 of the South Somerset Local Plan.

14. The development hereby permitted shall not be commenced until an Allocation Certificate has been submitted to and approved in writing by the Local Planning Authority which addresses the additional nutrient input arising from the development within the fluvial catchment area upstream of the Somerset Levels and Moors Ramsar site and on the same hydrological pathway. The Allocation Certificate shall be a written certificate issued by the phosphate credit provider confirming the allocation of the full phosphate credit requirement generated by the development, thereby mitigating the additional nutrient load imposed on the Somerset Levels and Moors Ramsar site by the development when fully occupied enabling the local planning authority to conclude on the basis of the best available scientific evidence that such additional nutrient loading will not have an adverse effect on the integrity of the protected site, having regard to the conservation objectives for the site.

Reason: To ensure that the proposed development is phosphate neutral in perpetuity in accordance with policy EQ4 of the South Somerset Local Plan as well as Chapter 15 of the National Planning Policy Framework .

15. Where external lighting is to be installed, prior to construction above damp-proof course level, a lighting design for bats, following Guidance Note 08/23 - bats and artificial lighting at night (ILP and BCT 2023) 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 so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats from using their territory or having access to their breeding sites and resting place. 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.

16. The development hereby approved shall be implemented in full accordance with Section 7 and 8 of the Preliminary Ecological Appraisal provided by Abbas Ecology for the Land off Northfield, Somerton, dated December 2020, and with the Mitigation Section of the Reptile Survey provided by Abbas Ecology for Land off Northfield, Somerton, dated March 2025. Photographs of the installed biodiversity enhancement features shall be provided to the Local Planning Authority prior to occupation.

Reason: In the interests of the strict protection of UK protected and priority species and in accordance with the South Somerset Local Plan - Policy EQ4 Biodiversity.

Informatives:

01. 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 (as amended).
02. If development is commenced without supplying the Local Planning Authority with an Allocation Certificate in respect of P-credits, then the implementation of your planning permission may be rendered unlawful. This requirement is considered to go to the heart of the permission and therefore you must obtain formal discharge of the condition prior to commencing any works on site.
03. In the unlikely event that bats are encountered during implementation of this permission works must stop and advice must be sought from a suitably qualified and experienced ecologist at the earliest possible opportunity.
04. The developers are reminded of the legal protection afforded to nesting birds under the Wildlife and Countryside Act 1981 (as amended). In the unlikely event that nesting birds are encountered during implementation of this permission works must stop and advice must be sought from a suitably qualified and experienced ecologist at the earliest possible opportunity. The nest must remain in situ until all young have fledged.
05. The developers are reminded of the legal protection afforded to badgers under the (Protection of Badgers Act 1992). During construction, excavations or large pipes (>200mm diameter) must be covered at night. Any open excavations will need a means of escape, for example a plank or sloped end, to allow any animals to escape. In the event that badgers, or signs of badgers are unexpectedly encountered during implementation of this permission, works must stop and advice must be sought from a suitably qualified and experienced ecologist.
06. The developers are reminded of the legal protection afforded to Hazel Dormice under the Wildlife and Countryside Act 1981 (as amended). In the unlikely event that hazel dormice are encountered during implementation of this permission it is recommended that works stop and advice is sought from a suitably qualified and experienced ecologist at the earliest possible opportunity.