

Application Number:	P/FUL/2022/03334		
Webpage:	https://planning.dorsetcouncil.gov.uk/plandisp.aspx?recno=387635		
Site address:	93 Newland Sherborne Dorset DT9 3AG		
Proposal:	Erect 1 No. dwelling and create new vehicular access from The Avenue.		
Applicant name:	Mr Hughes		
Case Officer:	Jamie Francis		
Ward Member:	Cllr Andrews		
Publicity expiry date:	8 th February 2024	Officer site visit date:	Various (most recent – 27 th August 2024)
Decision due date:	31 st March 2023	Ext(s) of time:	31 st March 2023
No of Site Notices:	2		
Site Notice display locations:	<ul style="list-style-type: none"> - On railings at front of 93 Newland - On lamppost along The Avenue 		

1.0 Reason for Determination by Committee:

Request of Ward Member in response to objections and flood risk concerns.

2.0 Summary of recommendation:

Grant subject to conditions

3.0 Reason for the recommendation: as set out in para 18 at end

- Para 11 of the National Planning Policy Framework (NPPF) sets out that permission should be granted for sustainable development unless specific policies in the NPPF indicate otherwise
- The location is considered sustainable.
- There is not considered to be any significant harm to neighbouring residential amenity.
- The proposal is not considered to result in any harm to heritage assets
- The proposal is considered to have an acceptable impact on the Highway network
- The site is not considered at risk of flooding and will not increase risk elsewhere

- There are no material considerations which would warrant refusal of this application

4.0 Key planning issues

Issue	Conclusion
Principle of development	The site lies within the defined development boundary of Sherborne. Given this, the principle of a new open market dwelling is considered to be acceptable and in accordance with policies INT1 and SUS2 of the West Dorset, Weymouth & Portland Local Plan 2015.
Scale, design, impact on character and appearance	<p>The new dwelling is considered to be inoffensive in its design and discretely set behind the largely retained boundary wall on The Avenue. The legibility of the burgage plot will be retained.</p> <p>The materials appear to be appropriate, using a natural slate for the roof tiles, stone walls and timber windows.</p>
Impact on the living conditions of the occupants and neighbouring properties	The proposed dwelling is not considered to result in unacceptable impacts to neighbouring amenity through loss of daylight or sunlight, overlooking, or other impacts. The proposed dwelling itself benefits from sufficient private amenity/garden space.
Impact on heritage assets	<p>The fact the proposed dwelling will be situated approximately 45 metres away from the associated listed building tempers any possible harm to its setting or the setting of the other adjacent listed buildings. The proposed building takes reference from vernacular and Georgian architectural elements within the local street scene. The proposal also reflects the pattern of development seen further north along The Avenue, which has a number of larger detached houses set back from the road, accessed from The Avenue, also through entrances in the historic wall.</p> <p>Given this, the proposed dwelling is considered to result in no harm to the setting of the surrounding listed buildings located to the south along Newlands, and no harm to the special character and appearance of Sherborne Conservation Area.</p>
Flood risk and drainage	The applicant provided a site-specific flood risk assessment, with analysis stating that the development is in fact not at risk of surface

Issue	Conclusion
	<p>water flooding and therefore no mitigation measures are required.</p> <p>The Council's Flood Risk Management Team, concurred with the findings, and is satisfied that the proposed dwelling will not be at risk of flooding from any source.</p> <p>However, due to the site increasing the area of impermeable surfacing, it will result in some increase in surface water run-off. Therefore, it has been agreed through a condition, that prior to commencement of development, a further assessment and drainage scheme is presented to deal with the additional surface water. This is considered satisfactory mitigation to ensure that flood risk is not increased elsewhere.</p>
Highway impacts, safety, access and parking	<p>The nature of development means it will not significantly impact the transport network. Off road parking will be provided for three cars, in keeping with Dorset Council's parking standards. The site also benefits from access to sustainable modes of transport due to its location within Sherborne; the town centre, bus routes and train station are all within walking and cycling distance.</p>
Nutrient Neutrality	<p>The site is within the hydrological catchment of the Somerset Levels Ramsar. The interest features of the Ramsar Site are considered unfavourable, or at risk, from the effects of eutrophication caused by excessive phosphates. The applicant intends to connect to the existing sewer system.</p> <p>The applicant has provided information to provide mitigation via third party credits. Natural England have assessed this information, and consider this sufficient. This will be subject to a legal agreement between EnvirEn and Dorset Council. Provided this is secured through the legal agreement any potential harm is mitigated.</p>
Biodiversity & Ecology	<p>The application for planning permission was made before 12th February 2024, and therefore is exempt from the requirement to provide Biodiversity Net Gain.</p> <p>However, impacts on biodiversity are still a material consideration. The development of a house on the garden area of 93 Newland results in the loss of some lawn area, in place of impermeable surfacing.</p>

Issue	Conclusion
	To mitigate and provide enhancements for any impacts to biodiversity resulting from the development, a condition has been applied requiring the installation of one bat box and one bird box in a suitable location on the property.

5.0 Description of Site

The site is located to the rear of 93 Newland and is currently a residential garden. The Avenue runs to the eastern boundary of the site which is marked by a stone boundary wall, whilst the north, west and south boundaries are bordered by other dwellings and gardens.

The Avenue is set on an approximately north-south axis, with the land sloping from the south up to the north. Buildings along the eastern street edge tend to be taller, circa 3 storeys, towards the southern end and this reduces to 2-storeys towards the northern end of the road. By contrast, development along the western side of the road is consistently 2-storeys and set back from the road. The site is set back from the Grade II Listed 93 Newland, separated by an area of garden space, and is concealed from The Avenue by the existing stone boundary wall.

6.0 Description of Development

The description of development is to 'erect 1 No. dwelling and create new vehicular access from The Avenue'.

The proposed dwelling is a 2-storey 4-bedroom home comprising 146m² gross internal floor area, which exceeds nationally described space standards for such a home. The massing has been influenced by the local street scene along The Avenue, which has a mix of housing styles and scales.

7.0 Relevant Planning History

Ref: P/LBC/2022/03335 - Decision: Granted - Decision Date: 29/08/2023

Works to boundary wall on The Avenue to block up existing opening and form new opening further north (to include new curved sections of wall flanking the new opening).

8.0 List of Constraints

- Application is within Sherborne Conservation Area (statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990)
- Grade II Listed Building: Newland Close including dwarf wall and railings (statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990). The site is also within the setting of other Grade II listed buildings along Newlands.
- Groundwater Source Protection Areas
- Somerset Levels Hydrological Catchment – River Parrett (Phosphates)
- Environment Agency Data - Medium Risk of Surface Water Flooding

- Site of Special Scientific Interest (SSSI) impact risk zone

9.0 Consultations

All consultee responses can be viewed in full on the website.

Consultees

1. DC - Highways

Given the nature of the highway in the vicinity of the site, the quantum of what is proposed and the removal of the existing access the Highway Authority has no objection subject to conditions.

2. DC - Dorset Waste Team

No comments received

3. DC - Conservation Officers

The proposal will lead to harm, albeit less than substantial, to the listed wall, and setting of the Conservation Area. I cannot see any overriding public benefit to mitigate this harm.

4. Sherborne Town Council

No comments received

5. Sherborne East Ward – Cllr Andrews

Cllr Andrews has engaged with the process, specifically about flooding. Cllr Andrews has requested that the application be determined by the Northern Area Planning Committee.

6. Building Control North Team

No comments received

7. Section 106

No comments received

8. Sherborne & District CPRE

CPRE do not object to this application but would like to draw officers' attention to the following concerns:

1. That the proposed new build does not harm the adjacent listed building or the conservation area.
2. The proposed site is a residential garden which provides drainage during heavy rain. The immediate area around the development is highlighted on the Environment Agency Flood Maps as an area of 'High Risk' to surface water flooding. Last winter

there were several inundations of properties along Newlands. The application does not give any real indication, other than 'soakaway', how this development will ensure that the flood risk to nearby properties is not exacerbated.

Flooding has become a regular occurrence in this part of Sherborne and, while it is devastating for residents, it can also have disastrous consequences for the fabric of buildings. The area of Newland adjacent to the application has some of Sherborne's most important historic buildings. We would like to see a proper assessment to establish whether this development will increase the flood risk to this historic part of Sherborne and what mitigation can be put in place.

3. It is noted from the application that the solution for 'sewage disposal' is unknown. There is no public sewer within the boundary of this site and there is nothing in the application that appears to address this issue. Given the issues around the level of phosphates in the region, is this something that needs to be addressed?

Finally, please note regarding our submissions in respect of the proposed development. While we have taken every effort to present accurate information for your consideration, as we are not a decision maker or statutory consultee, we cannot accept any responsibility for unintentional errors or omissions, and you should satisfy yourselves on any facts before reaching your decision.

9. Wessex Water

Wessex Water has no objections to this application

10. Natural England

The submitted nutrient statement concludes that the scheme after the AMP 7 sewage treatment works (STW) improvements would result in the discharge of an additional 0.05 kg TP yr to the hydrological catchment of the Somerset Levels and Moors Ramsar site. The AMP 7 STW improvements will be in place by 2025. I can confirm Natural England accepts the nutrient budget for the scheme.

The scheme intends to mitigate for this additional nutrient load by the purchase of credits, however, no information is provided on which credits will be secured.

Your Authority should now complete an AA which ensures the appropriate number of credits are secured from a provider that has a scheme approved by Natural England and secured by LPA and which is located in the R Parrett sub catchment of the Ramsar site. Any permission should ensure the house meets the 110 l per person water use requirement and is not occupied until after the improvements at the Sherborne STWs. Alternatively suitable temporary credit will also need to be secured and identified in your Authority's AA.

Representations received

Total - Objections	Total - No Objections	Total - Comments
17	0	3

Summary of comments of objections:

- Will not preserve character and appearance of conservation area
- Loss of historic listed boundary wall
- Inappropriate to build in curtilage of listed building
- No public benefits outweighing harm
- Will exacerbate existing flooding of properties of Newland
- Amenity concerns
- Does not address foul discharge
- Will result in unacceptable loss of wildlife
- Loss of on-street parking on The Avenue
- Exacerbate traffic issues on The Avenue
- Safety of pedestrians

10.0 Duties

s38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of planning applications must be in accordance with the development plan unless material circumstances indicate otherwise.

The Planning (Listed Buildings and Conservation Areas) Act 1990 - Section 16 includes a general 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 when considering whether to grant listed building consent.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that when considering whether to grant planning permission for a development which affects a listed building or its setting, there is a general 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.

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

11.0 Relevant Policies

Development Plan

Adopted West Dorset and Weymouth & Portland Local Plan:

The following policies are considered to be relevant to this proposal:

- INT1 - Presumption in Favour of Sustainable Development
- ENV1 - Landscape, Seascape and Sites of Geological Interest
- ENV2 - Wildlife and Habitats
- ENV4 - Heritage Assets
- ENV5 - Flood Risk

ENV10	-	The Landscape and Townscape Setting
ENV11	-	The Pattern of Streets and Spaces
ENV12	-	The Design and Positioning of Buildings
ENV13	-	Achieving High Levels of Environmental Performance
ENV15	-	Efficient and Appropriate Use of Land
ENV16	-	Amenity
SUS2	-	Distribution of Development
COM7	-	Creating a Safe and Efficient Transport Network
COM9	-	Parking Standards in New Development
COM10	-	The Provision of Utilities Service Infrastructure

Material Considerations

Emerging Local Plans:

Paragraph 49 of the NPPF provides that local planning authorities may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant plan policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan are to the policies of the NPPF, the greater the weight that may be given).

The Draft Dorset Council Local Plan

The Dorset Council Local Plan Options Consultation took place between January and March 2021. Being at a very early stage of preparation, the relevant policies in the draft Dorset Council Local Plan should be accorded very limited weight in decision making.

National Planning Policy Framework

Paragraph 11 sets out the presumption in favour of sustainable development. Development plan proposals that accord with the development plan should be approved without delay. Where the development plan is absent, silent, or relevant policies are out-of-date then permission should be granted unless any adverse impacts of approval would significantly and demonstrably outweigh the benefits when assessed against the NPPF or specific policies in the NPPF indicate development should be restricted.

Other relevant NPPF sections include:

- Section 4 'Decision making': Para 39 - Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available...and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at

every level should seek to approve applications for sustainable development where possible.

- Section 5 'Delivering a sufficient supply of homes' outlines the government's objective in respect of land supply with subsection 'Rural housing' at paragraphs 82-84 reflecting the requirement for development in rural areas.
- Section 11 'Making effective use of land'
- Section 12 'Achieving well designed and beautiful places' indicates that all development to be of a high quality in design, and the relationship and visual impact of it to be compatible with the surroundings. In particular, and amongst other things, Paragraphs 131 – 141 advise that:

The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development.

Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design.

- Section 14 'Meeting the challenges of climate change, flooding and coastal change'
- Section 15 'Conserving and Enhancing the Natural Environment'- Paragraphs 192-195 set out how biodiversity is to be protected and encourage net gains for biodiversity.
- Section 16 'Conserving and Enhancing the Historic Environment'- When considering designated heritage assets, great weight should be given to the asset's conservation, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance (para 212). The effect of an application on the significance of non-designated heritage assets should also be taken into account (para 216).

Other material considerations

Dorset Council Interim Guidance and Position Statement Appendix B: Adopted Local Plan policies and objectives relating to climate change, renewable energy, and sustainable design and construction. December 2023.

12.0 Human rights

Article 6 - Right to a fair trial.

Article 8 - Right to respect for private and family life and home.

The first protocol of Article 1 Protection of property.

This recommendation is based on adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

13.0 Public Sector Equalities Duty

As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have "due regard" to this duty. There are 3 main aims:-

- Removing or minimising disadvantages suffered by people due to their protected characteristics
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove or minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the Public Sector Equalities Duty. Officers have not identified any specific impacts on persons with protected characteristics. The site would be sustainably located to allow easy access to services for persons with limited mobility who may rely on public transport.

14.0 Planning Assessment

Principle

The strategic approach of the local plan states that the area’s main towns (including Sherborne) should provide a considerable supply of smaller sites through infill opportunities that will contribute towards meeting housing requirements. The local plan highlights the benefits of concentrating most development towards locations where homes, jobs and facilities will be easily accessible to each other and there is a choice of transport modes.

The site lies within the settlement boundary of Sherborne. Given this, the principle of development is considered to be acceptable and in accordance with policies INT1 and SUS2 of the West Dorset, Weymouth & Portland Local Plan 2015. INT1 reflects the presumption in favour of sustainable development, which is a cornerstone of national planning policy. Given the site is within close proximity to services and facilities, it is considered a highly sustainable location.

Heritage & Design

An assessment of the impact on heritage assets was undertaken on the associated listed building consent, regarding the creation of an opening in the wall for access to the proposed dwelling:

“The listing describes 93, Newland as: “Detached early C19 house. Two storeys. Three windows. Slate gabled roof. Painted roughcast front. Sash windows in reveals. Upper windows three panes wide with blind covers; lower window four panes wide in reveals. Projecting Tuscan porch of painted stone. Dwarf wall and railings attached to east return wall of house and extending across front. Low ashlar dwarf wall. Railings of early C19 pattern of similar pattern to those in No. 91; rails with spear shaped finials; standards at intervals.”

The significance of this designated heritage asset is derived from its historic, architectural and aesthetic values as well as its setting.

The architectural and historic value includes the elements both internally and externally as described in the listing but not limited to these. Overall, it is a well-preserved example of an early C19th town house built on a burgage plot. The aesthetic and architectural value is partly derived from No. 93 being seen as part of a group of dwellings lining this and the opposite side of Newland. Some of these dwellings are like No. 93, Georgian town houses, others lower more vernacular cottages. However, they collectively contribute greatly to the character and appearance of this part of the conservation area. This is part of the setting of No. 93.

However, being a corner plot, No. 93 is also experienced from and contributes to the character of The Avenue. The depth of the burgage plots is evident from the length of the boundary wall along The Avenue and the wall and the outbuilding contribute to the significance of both No. 93 and the conservation area. The importance of these boundary walls is identified in the Conservation Area Appraisal.

Forming an opening into this wall, especially one that includes the removal of wall wider than the opening to enable new curved splays to be built either side of the opening, will result in harm to the significance of both No. 93 and the conservation area.

The harm is tempered by the following factors:-

- The level of interventions that have taken place in respect of the wall already. This moderates its sensitivity to change. Furthermore, the proposal includes the reinstatement of the wall where there is an existing late C20th opening which not only contributes nothing to the significance of either asset affected but actually has a negative impact.*
- The relatively modest contribution the wall makes to the significance of No. 93 which is largely derived from the architectural, aesthetic and historical value of the house itself and its setting within the Newland streetscene. This is not to say that it doesn't contribute something to the significance of the listed building but merely that it is not one of the main values to do so.*
- The relatively modest contribution the wall makes to the significance of the conservation area which extends across much of the town.*

In the context of the above, the level of harm is considered to be at the low end of less than substantial (for both the listed building and the conservation area). If a condition secured the implementation of the works to block up the existing access first before the formation of the new access, there would be public benefits afforded by the proposed works. These are twofold:-

- It rids the wall of an unsightly opening (which includes an up-and-over garage style door), the new opening even with the splays considered to be an aesthetic improvement. The prominence of the existing opening within the streetscene means that its removal and replacement with something more sensitive in appearance (see below) will be a public benefit. This is subject to the infilling being of matching stone, bond and mortar to the existing wall either side.*

- *It improves highway safety by replacing a vehicular access with no visibility splays (or the ability to provide them given the juxtaposition with an outbuilding of historic interest) with an opening with sensitively designed splayed walls flanking the opening. The Conservation Officer's detailed comments suggest that the inclusion of the splayed walls flanking the new opening result in the gap in the original wall being significantly larger than the opening itself thereby increasing its harmful impact. The case officer disagrees with this conclusion provided that the new walls splays either side of the opening are constructed using matching stone, the random coursing, lime mortar etc. This can be secured by condition.*

In summary the less than substantial harm to the affected heritage assets is outweighed by the public benefits afforded by the works, subject to conditions”.

These conditions are on the decision note of the associated and previously approved Listed Building Consent (P/LBC/2022/03335). As the Listed Building Consent was granted in 2023, the works to create an access can be undertaken without the need for this planning permission. Therefore, the bulk of the assessment in terms of impacts on heritage assets are focuses on the impact of the new dwelling, what with the opening in the historic wall already addressed.

In terms of an assessment of impacts to the settling of the adjacent listed building resulting from the erection of a dwelling, the fact the proposed dwelling will be situated approximately 45 metres away from said building tempers any possible harm. In addition, it is of merit that the proposed building takes reference from vernacular and Georgian architectural elements within the local street scene. The proposal also reflects the pattern of development seen further north along The Avenue, which has a number of larger detached houses set back from the road, accessed from The Avenue, also through entrances in the historic wall.

The new dwelling is considered to take refence form the historic vernacular in the area in its design and it would be discretely set behind the largely retained boundary wall on The Avenue. The legibility of the burgage plot will be retained.

The materials appear to be appropriate, using a natural slate for the roof tiles, stone walls and timber windows. As there is not precise detail on the type of slate for the roof or stone for the walls, a condition has been applied, requesting samples are submitted, this is to ensure a satisfactory visual appearance that is consistent with the character of the area.

Given this, the proposed dwelling is considered to result in no harm to the setting of the adjacent listed building, the surrounding listed buildings in Newlands, and no harm to the special character and appearance of Sherborne Conservation Area. It is officer opinion that due to the opening in the wall being already approved, a case for refusing the application on heritage grounds cannot be substantiated. The proposal complies with Policy ENV4 of the Local Plan.

Highways

The nature of development means it will not significantly impact the transport network. Off road parking will be provided for three cars, in keeping with Dorset Council's parking standards. The site also benefits from access to sustainable

modes of transport due to its location within Sherborne; the town centre, bus routes and train station are all within walking and cycling distance.

As stated by the Highways Officer, 'given the nature of the highway in the vicinity of the site, the quantum of what is proposed and the removal of the existing access the Highway Authority has no objections'. The Highways Officer has recommended conditions to ensure that there is no harm to the highway network, and that sufficient parking and turning space is provided. These conditions have been included on the decision note. The proposal complies with Policy COM7 and COM9 of the Local Plan.

Flooding

The site includes land that has been identified on Environment Agency mapping as having a low risk (1 in 1000-year event) of surface water flooding which following the effects of climate change, will rise to a medium risk (1 in 100-year event).

Subsequently the applicant provided a site-specific flood risk assessment, with analysis stating that the development is in fact not at risk of surface water flooding and therefore no mitigation measures are required.

The case officer presented the flood risk assessment to an Engineer from the Council's Flood Risk Management Team, who concurred with the findings, and is satisfied that the proposed dwelling will not be at risk of flooding from any source.

However, the engineer highlighted that the flood risk assessment does not demonstrate that the development will not result in increased flood risk within proximity of the site. Due to the site increasing the area of impermeable surfacing, it will result in some increase in surface water run-off. Therefore, it has been agreed through a condition, that prior to commencement of development, a further assessment and drainage scheme is presented to deal with the additional surface water. This is considered satisfactory mitigation to ensure that flood risk is not increased elsewhere. The proposal complies with Policy ENV5 of the Local Plan.

Amenity

The proposed dwelling is not considered to result in unacceptable impacts to neighbouring amenity through loss of daylight or sunlight, overlooking, or other impacts. The north-west elevation does not have windows at first floor to prevent overlooking of the dwelling to the north, and the other dwellings are at sufficient distance from the other first floor windows, e.g. across the highway.

The proposed dwelling itself benefits from sufficient private amenity/garden space and would comply with Policy ENV16 of the Local Plan.

Nutrient Neutrality

The site is within the hydrological catchment of the Somerset Levels Ramsar. The interest features of the Ramsar Site are considered unfavourable, or at risk, from the effects of eutrophication caused by excessive phosphates. The applicant intends to connect to the existing sewer system.

The applicant has provided information to provide mitigation via third party credits. Natural England have assessed this information, and consider this sufficient. This will be subject to a legal agreement between EnvirEn and Dorset Council. Provided this is agreed, Dorset Council are satisfied that any potential harm is mitigated.

Ecology & Biodiversity Net Gain

The application for planning permission was made before 12th February 2024, and therefore is exempt from the requirement to provide Biodiversity Net Gain.

However, impacts on biodiversity are still a material consideration. The development of a house on the garden area of 93 Newland results in the loss of some lawn area, in place of impermeable surfacing.

To mitigate and provide enhancements for any impacts to biodiversity resulting from the development, a condition has been applied requiring the installation of one bat box and one bird box in a suitable location on the property.

15.0 Conclusion

- Para 11 of the National Planning Policy Framework (NPPF) sets out that permission should be granted for sustainable development unless specific policies in the NPPF indicate otherwise
- The location is sustainable, and the proposal is acceptable in its design and general visual impact.
- There is not considered to be any significant harm to neighbouring residential amenity.
- The proposal is not considered to result in any harm to heritage assets
- The proposal is considered to have an acceptable impact on the Highway network
- The site is not considered at risk of flooding and will not increase risk elsewhere
- The proposal would comply with the development plan taken as a whole and there are no material considerations which would warrant refusal of this application.

16.0 Recommendation

Grant permission subject to the following conditions and the completion of a S.33 agreement to secure p-credit mitigation in Somerset:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: This condition is required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

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

S-1602-02C Site Location Plan
PL-1602-200B Proposed Site Plan
PL-1602-201B Proposed Floor Plans
PL-1602-202C Proposed Elevations

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

3. Prior to development above damp proof course level, details and samples of all external facing materials for the walls and roof shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter, the development shall proceed in accordance with such materials as have been agreed.

Reason: To ensure a satisfactory visual appearance of the development.

4. Details of 1 bat and 1 bird box shall be submitted to and agreed in writing by the Local Planning Authority which shall be erected as agreed prior to first occupation or use of the development hereby approved and thereafter retained

Reason: To enhance or protect biodiversity.

5. Prior to commencement of development details of the surface water drainage works shall be submitted to and approved in writing by the Local Planning Authority and the approved drainage scheme shall be completed in full before occupation of the development and thereafter maintained.

Reason: To avoid drainage problems as a result of the development with consequent pollution or flood risk.

6. The hard surfacing/paving, walls, fences or other external structures as detailed on approved drawing numbered PL-1602-200B shall be completed before the first occupation/use of any of the building/land.

Reason: To ensure satisfactory landscaping of the site and to enhance the visual amenity and character of the area.

7. Before the development hereby approved is first occupied the first 5 metres of the vehicular access, measured from the nearside edge of the carriageway, including the visibility splays, shall have been laid out, constructed, and surfaced, to a specification which shall have been submitted to, and agreed in writing by, the Local Planning Authority.

Reason: In the interest of highway safety.

8. Before the development hereby approved is first occupied or utilised the turning and parking shall be constructed in accordance with the approved plans. Thereafter, these areas must be permanently maintained, kept free from obstruction and available for the purposes specified.

Reason: To ensure the proper and appropriate development of the site in the interest of highway safety.

9. Before the development is occupied or utilised the existing highway vehicular crossing must be expunged and reinstated to a specification which must be submitted to and approved in writing by the Planning Authority.

Reason: To ensure the proper and appropriate development of the site in the interest of highway safety.

10.No development shall commence until the necessary nutrient mitigation credits to mitigate the impacts of the development on the Somerset Levels and Moors SPA and Ramsar have been secured from an accredited nutrient provider and a copy of the Nutrient Credit Certificate demonstrating that purchase, has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that sufficient mitigation is provided against any impact which may arise from the development on the Somerset Levels and Moors SPA and Ramsar