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C/o Alder King Planning Consultants

Application Number:	2013/1635
Date of Application:	1st August 2013
Application Type:	Outline - Some Matters Reserved

TOWN AND COUNTRY PLANNING ACT, 1990 AS AMENDED BY THE PLANNING AND
COMPULSORY PURCHASE ACT 2004
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2010

THE MENDIP DISTRICT COUNCIL, being the LOCAL PLANNING AUTHORITY for the said District, hereby **GRANT OUTLINE PLANNING PERMISSION** to carry out the works described in the application subject to the conditions hereunder stated.

Proposal: Outline planning application with all matters reserved other than access for up to 450 dwellings (Class C3); land for a school and pre-school provision in the form a childrens nursery, green infrastructure provision to include retained vegetation, habitat creation (including new woodland planting), open space and play areas, drainage features and associated engineering, new walking/cycling/recreational routes; vehicular access via the construction of a new road off the existing supermarket access road, together with retained vehicular access to properties at Southfield Farm and associated works.

Location: Land To The East Of Southfield Farm, Rodden, Frome, BA11 5LB

Parish: Frome Town Council

DECISION: Approval with Conditions

REASON FOR APPROVAL

1. The proposal is in a sustainable location and would help boost the supply of housing to meet an identified shortfall in the District. The proposal would provide a significant amount of affordable housing to meet local housing needs and would have significant benefits in terms of the contribution to housing supply, improvement of community recreation facilities and potential for biodiversity enhancements.

The applicant has demonstrated that the potential adverse impacts of the development on local infrastructure can be mitigated through conditions and planning obligations.

The means of access and parking arrangements meet the required safety standards and will ensure the free flow of traffic on the highway.

It is considered that the proposal is sustainable development having regard to the NPPF at this scale in this location. On balance, it is considered that the adverse impacts of the proposal would not significantly and demonstrably outweigh the benefits.

The proposal has been tested against the following Development Plan policies and other material considerations. In the opinion of the Local Planning Authority, and subject to the conditions below, the proposal is acceptable:-

Adopted Local Plan saved policies F2, Q1, Q3, Q13, EN3, SN2, SN7, SN24, Emerging Pre-Submission Draft Local Plan policies Core Policy 1, 2 and 6 and DP4, DP5, DP6, DP9, DP10, DP11, DP14, DP16, DP19 and the advice in the National Planning Policy Framework

CONDITIONS

1. The development hereby approved shall be begun either before the expiration of five 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 latest.
Reason: As required by Section 92 of the Town and Country Planning Act 1990 and to avoid the accumulation of unimplemented planning permissions.
2. Approval of the details of the (a) layout (b) scale (c) appearance and (d) landscaping of each phase of the site (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority in writing before that phase of the development is commenced.
Reason: This is an outline permission and these matters have been reserved for the subsequent approval of the Local Planning Authority, and as required by Section 92 of the Town and Country Planning Act 1990 (as amended).
3. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of five years from the date of this permission.
Reason: As required by Section 92 of the Town and Country Planning Act 1990 and to avoid the accumulation of unimplemented planning permissions.
4. Plans and particulars of the reserved matters referred to in condition (02) above shall include details of:
(a) the provision to be made for the garaging and parking of vehicles within the site.

- (b) the space to be provided for the loading, unloading and turning of vehicles within the site.
- (c) the surface treatment of any roadways and other parts of the site which will not be covered by buildings.
- (d) all new external masonry, to a scale of not less than 1:20.
- (e) all new external joinery, to a scale of not less than 1:20.
- (f) all external materials to be used in the development.
- (g) space to be provided within the site to accommodate (i) parking the vehicles of site personnel, operatives and visitors; (ii) loading and unloading plant and materials; and (iii) storage of plant and materials used in constructing the development.
- (h) visibility splays.
- (i) a noise report detailing how habitable rooms (including bedrooms, lounges, studies, school classrooms and school offices) and any garden amenity are going to be orientated, designed and constructed with the aim that those rooms or amenity areas comply with the Good noise standard as per BS8233 with respect to externally generated traffic noise.
- (j) a noise report, following the principles detailed in BS4142 detailing how habitable rooms (including bedrooms, lounges, studies, school classrooms and school offices) and any garden amenity are going to be orientated, designed and constructed with the aim that those rooms or amenity areas are not subjected to a potential for noise annoyance from existing commercially generated noise.
- (k) a noise report detailing what measures, if any, are required to ensure that noise from externally mounted fixed plant and equipment that has been installed in accordance with this permission, does not give rise to harm to neighbouring noise sensitive uses.

Reason: This is an outline permission and these matters require detailed consideration by the Local Planning Authority.

5. The development hereby approved shall be carried out in accordance with drawing numbers 5545-L-01A, 5545-L-04G, A079811_001B validated 01/08/2013
Reason: For the avoidance of doubt and in the interest of proper planning.
6. The development hereby approved shall not be occupied until a hard and soft landscape scheme (including details of boundary treatments, retained planting and positions for new trees and plants) has been submitted to and approved in writing by the Local Planning Authority for that particular phase of the development. The landscape works shall be carried out accordance with the approved details for that particular phase of the development. Any trees or plants indicated on the approved scheme which, within a period of five years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced during the next planting season with other trees or plants of a species and size to be first approved in writing by the Local Planning Authority. All hard landscape works shall be permanently retained in accordance with the approved details.
Reason: To ensure the provision of an appropriate landscape setting to the development.
7. The development hereby approved shall be carried out in accordance with the approved Ecological Management Plan (by FPRC) dated June 2014 Draft.
Reason: To ensure the development contributes to the Government's target of no net biodiversity loss.
8. No development on any particular phase of the site shall take place until a scheme of external lighting particular on that particular phase of the site has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved Scheme for that particular phase.

Reason: in the interests of protected species, specifically otters and bats

9. No development approved by this planning permission shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1. A preliminary risk assessment which has identified:
 - o all previous uses
 - o potential contaminants associated with those uses
 - o a conceptual model of the site indicating sources, pathways and receptors
 - o potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

Reasons: To protect controlled waters.

10. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out on that particular phase of the development until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reasons: To ensure that any unexpected contamination can be sufficiently dealt with during the development

11. The development of any particular phase of the site hereby approved shall not be occupied until details of surface and foul water drainage have been submitted to and approved, in writing, by the Local Planning Authority and the surface and foul water drainage works have been carried out for that particular phase in accordance with the approved details.

Reason: To ensure the adequate provision of drainage infrastructure.

12. No development hereby approved shall take place until a scheme for the implementation of a programme of archaeological work, involving trial trenching and possible excavation, in accordance with a written scheme of investigation, has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved scheme.

Reason: in the interests of archaeology.

13. No development shall take place including and construction, demolition or groundworks, until a detailed method statement of groundworks and construction has been submitted to and approved in writing by the Local Planning Authority. The method statement should detail the working methods to be employed on site during the construction to minimise emissions of dust, fumes, odour, light, noise and vibration. The method statement needs to include hours of works, details for the safe disposal of waste material, likely levels of noise and vibration and details of any equipment which may have to operate outside the specified working hours. Development shall be carried out in accordance with the approved Method Statement.
Reason: in the interests of the amenities of nearby properties.
14. No work shall be carried out between March and August in any calendar year until a scheme for the assessment of the site by a suitably qualified ecologist identifying mitigation measures in relation to nesting birds has been submitted to and approved, in writing, by the Local Planning Authority. Development shall be carried out in accordance with the approved mitigation measures.
Reason: in the interests of nesting birds.
15. The proposed roads, including footpaths, parking spaces 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 interests of highway safety
16. Each phase of the Development hereby permitted shall not be occupied until details of the parking spaces for the dwellings and a properly consolidated and surfaced turning space for vehicles for that phase have been submitted to and approved in writing by the Local Planning Authority. The parking spaces and turning areas for each phase shall be implemented in accordance with condition 16. Such parking and turning spaces shall be kept clear of obstruction at all times and shall not be used other than for the parking and turning of vehicles in connection with the development hereby permitted.
Reason: in the interests of highway safety.
17. No dwelling hereby permitted shall be occupied until a network of cycleway and footpath connections have been constructed within the development site in accordance with a scheme and phasing to be submitted to and approved in writing by the Local Planning Authority.
Reason: In the interests of sustainable development
18. There shall be no new built development, including fences or raised ground works within the area of the site prone to high risk from the adjacent River Frome, shown as Flood Zone 3a/3b in Figure 2.1 of Appendix C of Brookbanks Flood Risk Assessment July 2013. A strip of land at least 8.0m wide immediately adjacent to the top of the banks of the River Frome shall be kept clear of planting or other landscape works.
Reason: to ensure that flood risks are not increased, and to ensure access to the bank of the river for future management purposes.
19. No development of any residential unit shall commence until details of any proposed access road level changes (mAOD) from the roundabout off the A362 into the main residential site have been submitted to and approved, in writing, by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure safe access/egress is maintained into the site from the A362.

20. No external facing materials shall be constructed or installed in respect the development hereby approved until a sample panel of all external walling materials has been erected on site and approved in writing by the Local Planning Authority. It shall thereafter be kept on site for reference until the development is completed schedule. The development hereby approved shall be carried out in accordance with the approved details and shall not be occupied until the external facing materials approved have been installed in accordance with the approved sample panel.
Reason: in the interests of the character and appearance of the area.

NOTES

1. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and pro-active way and has imposed planning conditions to enable the grant of planning permission.
2. The developers are reminded of the legal protection afforded to great crested newts under legislation including the Conservation of Habitats and Species Regulations 2010. In the unlikely event that bats are encountered during implementation of this permission it is recommended that works stop and advice is sought from a suitably qualified, licensed and experienced ecologist at the earliest possible opportunity
3. The applicant will be required to enter into a suitable legal agreement with the Highway Authority to secure the construction of the highway works necessary as part of this development. The developer should contact the Highway Authority to progress this agreement well in advance of commencement of development.
4. THIS APPROVAL IS SUBJECT TO A SECTION 106 LEGAL AGREEMENT TO SECURE THE FOLLOWING OBLIGATIONS:
 - o Travel Plan
 - o Transfer of school land
 - o Education contribution
 - o Affordable Housing
 - o Phasing
 - o Open space
 - o Off-site flood risk management works
 - o Contribution towards the footpath link



Matthew Williams
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If you have any queries regarding this notice please contact our Customer Services Team on 0300 303 8588

Dated 22nd December 2014