

PARISH COUNCIL BRIEFING FOR ONLINE PLANNING MEETING ON 15 FEBRUARY 2021

20/03631/S73 - Glendale, Fivehead, TA3 6PD

Application to vary conditions 02, 03, 04, 05, 06, 07, 08, 10 of approval 18/01855/FUL (Demolition of existing dwelling and the erection 3 No. new dwellings), as varied by approval 19/02672/S73, to allow change to siting of the three dwellings, minor changes to internal layout and elevations and amended landscaping scheme.

This application relates to:

1. Moving all 3 houses south by 6.35m
2. Amendments to the Landscaping Plan to accommodate the move
3. 'Minor' amendments to internal layout, elevations and landscaping
4. Request to amend/remove Planning Conditions 2,3,4,5,6,7,8,10. (These conditions deal with the landscaping, tree protection, access, hard landscaping including *levels*, drainage, maintenance, and construction management. The Developer is saying these conditions have been discharged as requested on the first application, with no changes.)

Reasons for recommending refusal:

- The height of Plot 1 will result in harm to the character & appearance - SS2.
- The Landscape Management Plan, Tree Plan, Ecological Protections and Mitigations have not been complied with; therefore, the new Landscape Plan should not be agreed. The new Plan results in a considerable net loss of planting.
- The Root Protection Area (RPA) and no-dig method of construction has been abandoned.
- There is no protection around the remaining 4 trees in the body of the site; one of these is already dying and requires removal.
- The Ecology survey, undertaken in 2017, is now out of date. Protected species known to be present on site have not been registered on SERC, and are now believed to be migrating to nearby sites; coincidentally these are not being picked up on other applications being submitted in the locality.
- The Dormice EPS licence is missing and will require amending for additional hedge removal at the entrance.
- The request to widen the access is to accommodate over-size HGVs to deliver the frames, rather than the agreed crane method. This will jeopardise the safety of The Pound and Bridge Cottage and contravene the Ecologists' instructions to prevent damage to habitat and compaction.
- Additional openings on the west elevations were previously excluded to provide privacy for the houses in Ganges Close.
- The post-determination plans submitted (Highways, hard landscaping, drainage) have never been published, despite these being raised as contentious issues.
- The request for Conditions 8 and 10 to be removed as there are no communal areas is incorrect. Zone 1 is the undeveloped, conservation area, to be maintained by future occupants, and therefore communal responsibility.
- See Appendix A - Points of evidence from Planning documents (at end of briefing document).
- See photos at end of briefing document for visual evidence.

1. Moving the houses

The plans submitted (at every stage), which are the only plans visible to the Parish Council, contain no measurements, including section measurements to understand the scale, elevation and position these houses will occupy in relation to the surrounding houses. There is a single drawing with this application (DSGN0087_S73_BP01_REVE) that contains contour measurements, confirming the total rise from the southern boundary to the northern boundary is 15 metres. There are no details on whether these contour measurements relate to the site prior to the extensive groundworks that have taken place (Jan 2021), or afterwards. Likewise, without knowing the heights of the houses, it is impossible to know the height they will sit in relation to the surrounding developments.

Drawing DSGN0087_SK_2-P05 (18/01855/FUL) submitted with the first application, shows the houses 'cut' into the hillside and sitting below the treeline of the environment beyond. (Fig. 1) The previous approvals given by the Parish Council were based on the plans submitted with 18/01855/FUL and 19/02672/S7, all without measurements, but on the understanding the development would remain a woodland with the houses not visible within.

A large mound has been constructed where Plot 1 will sit. The base of this mound, which is presumed to be the base of the house, already sits above the garden boundary fences to the west (Ganges Close) and will 'tower' over the neighbouring properties, removing any privacy to their houses and gardens, even when the trees are replaced and following decades of growth to full height.

Application 19/02672/S73 agreed to changes from flat roofs to mono-pitched roofs, with an overall increase of just 400mm in height. No application was made to vary the base level of the houses.

The reason for the 6.35m move, as suggested in the Planning Statement, is to allow additional space between Plot 1 and the northern boundary. This seems a large expense to go to, causing considerable delay, having to submit a new planning application, for a relatively minor change.

It is also noted the site sits on a bedrock plateau consisting blue/white lias. (Fig 2) The construction method for this site is for the houses to sit on piles with a no-dig method to avoid disturbance to the Root Protection Area (RPA), constituting the entire site, for the trees which were to remain.

Clarification is requested on the following questions:

- Why has Plot 1 risen to such an extent?
- Will the other Plots be elevated?
- Has the change in height and position been prompted by the bedrock layer making insertion of the piles in the original location impossible?
- Were the heights of the houses specifically agreed with SSDC, if so, can the Parish Council view these plans?
- Did SSDC agree to abandoning the 'no-dig' method, the Landscape and Tree Plans setting out the entire site as a Root Protection Area (RPA)?

The Pre-Engagement notes, Planning Statement, Planning Officer report, Ecologist's Report, Landscape Plan, Tree Plan, Parish Council response and Contributors comments to the original application in 2018 all stress the importance of this site, at the heart of the Village, remaining a woodland setting. It was identified as an 'important wooded visual break towards the centre of the village'. The houses 'towering' above will harm this important character aspect. (SS1 & SS2)

2. Amendments to the Landscaping

The Parish were promised at the outset this development would be 'discrete', remaining a woodland setting, with just the trees removed that were 'absolutely necessary' for the build. The important Protected Species on site (Greater Horseshoe Bats and Dormice) and ancient woodland would all be protected.

The original Tree Protection Plan has been abandoned. Approximately 4 trees remain in the body of the site. Of the remaining trees, none have protection around them and the Root Protection Area with 'no-dig' building method, has been ignored, presumably because there are not many trees left.

The original Tree Report, submitted with the first application, was to include a diagram with red, green, blue, and grey annotations to identify the trees to be kept. The Parish Council was never shown this diagram but were assured that 'only the trees absolutely necessary' would be removed. The Tree Plan included in this report, is not a Tree Plan, but the Block Plan (DSGN0087_P_BP01) complete with only an impression of the final tree planting and landscaping. If this is to be taken as the Tree Plan, presumably the gold-coloured trees will be new, and the black trees should have been left. This would be at least 35 trees remaining untouched and including Sycamour, Hazel, and Ash where possible, as instructed by the Arboriculturist.

The Landscape Report and drawings submitted by Hellis on the first application and this application are both dated May 2018. The plan submitted with this application shows a net *decrease* of planting with 10 extra trees, no increase in perimeter buffer planting, a reduction of 14 Woodland Understorey Planting, and an extra 47 Woodland Ground Flora plants. **This represents a 4% reduction in planting, comparing both plans but not including the excessive tree/plant removal that has already occurred.**

The planting must be increased to return the site to a woodland setting. The trees and planting that were removed, over and above what was agreed, should be returned, together with the agreed planting scheme from the first application.

3. Minor Amendments

- Access paths - minor inconsequential changes
- Widening the road access - Instead of using a crane to lift the frames into the site, as agreed, the proposal is to drive the exceptionally large HGVs on site. To get the angle to do this, more of the hedge needs removing. This raises concerns for:
 - Potential for impact and/or damage through vibration to The Pound and the boundary wall of Bridge Cottage.
 - The hedgerow to be removed was identified as being host to dormice, so presumably another* Natural England Protected Species Habitat Destruction Licence is required.
- Ground floor plan - I have studied the plans and cannot fathom where these changes are, and without an explanation in the Planning Statement, it is impossible to know what they are.
- Additional door on west elevation of Plots 1 & 3 - it was my understanding there were to be no openings on the west elevations to protect the privacy of the houses in Ganges Close.
- Deletion of ground floor WC for Plot 2

*The report from the Consultee Ecologist (Terry Franklin July 2018), included mitigation instructions to deal with the Protected Species, including Dormice found on site. All these mitigations were adopted through Planning Condition 3. This included the requirement for an EPS Natural England Licence for the destruction of the dormice habitat. The Bat licence is published, but no Dormice Licence was. Please could it be published and updated to include the further removal of hedgerow on Butchers Hill?

4. The updates to Planning Conditions are requested as follows:

- Condition 2 - relates to the changes to the drawings as discussed above.
- Condition 3 - relates to the Landscape Plan, ecological protection and mitigation being carried out as per the Landscape Management Plan and CEMP. In my view these conditions are far from being discharged and should remain unchanged. The plans submitted by the applicant and agreed to via this Planning Condition, were to protect the woodland and protected species on site. They have not complied with these plans.
- Condition 4 - relates to the Tree Protection plan. We know a site visit occurred with SSDC when a tree removal plan was agreed. The plan was never published, and the extent of tree removal far exceeds what was agreed. There are no RPA measures in place, and it is believed none of the required on-site training of staff took place as they are not aware of the RPA or special nature of the woodland setting etc.
- Condition 5 - 20/01196/DOC relates to the plan agreed with SCC Highways. This has not been published; however, a request has been made to amend the plan to widen the entrance as discussed above.
- Condition 6 - deals with hard landscaping and levels etc. This plan should have been agreed with SSDC prior to development, but again it has not been published. This is an important piece of information as many people are raising concerns over the height of the houses.
- Condition 7 - deals with surface water drainage. This plan should have been agreed with SSDC prior to development, but again it has not been published. This is an important piece of information as many people raised concerns over the likelihood of flooding associated with the site. The flooding at the site entrance is still an issue.
- Condition 8 - Deals with the ongoing maintenance plan for communal areas. There is a request for this condition to be removed, tucked away in the Construction Traffic Management Plan, as the developer believes there are no communal areas. This requires clarification as the 'communal area' is believed to be Zone 1 in the Landscape Management Plan, which is the wooded conservation area, designed to honour the wishes of the late Miss Wylde, the previous owner and long-term resident of Fivehead, whose wishes were to keep the site as a conservation woodland.
- Condition 10 - deals with the Construction Traffic Management Plan which contains the request to remove the communal areas Maintenance Plan, which should not be agreed.



Fig. 1

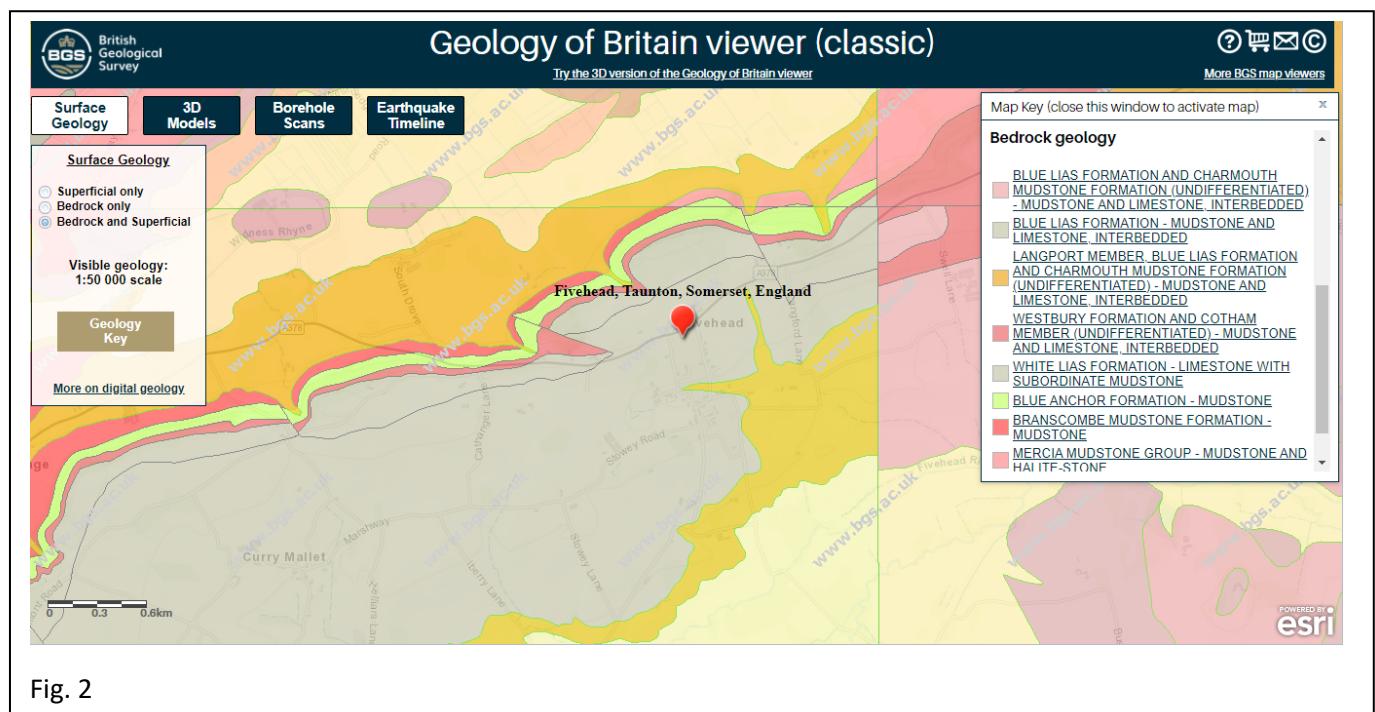


Fig. 2

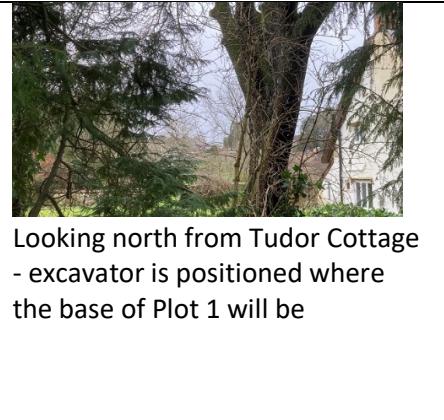
Appendix A - Points of Evidence			
App Ref:	Document	Para	Evidence
18/01855/FUL	Planning Statement	5.2	In the pre-engagement meetings, the value of the woodland site was discussed by Villagers (x 80)
		5.9	Pre-advice from SSDC to leave undeveloped area in southern section
		6.1	The primary objective is to create market housing whilst safeguarding its landscape value
		6.3	The wooden design of the houses matches the woodland character
		6.4	Adds to the green character of the Village, when viewed from outside, its visual appearance is as unaffected as possible
		6.5	Visually enclosed site
		6.8	2 storey height - flat roof design to keep height to a minimum - minimal visual impact from neighbouring dwellings
		6.9	Harmonize and assimilate with the character of the site and its immediate surrounding
		6.11	Little change to the appearance of the site from street frontage or from neighbouring dwellings... Woodland to be retained wherever possible and also enhanced
		8.5	CEMP and EPS Licences to ensure connectivity of habitat. CEMP will include correct lighting and bat boxes...for bats, nesting birds, dormice
		8.18	Tree report - assessed influence that the trees on and adjacent to the Glendale site may have on the proposed development and vice versa...overarching aim is development in a wooded area.
		8.19	Entire site is a Root Protection Area
		8.20	Tree Protection Plan will be agreed with SSDC. To include ground protection and work will be monitored by Arboriculturist
		8.21	Explanation of planting requirements in Zones 1 - 4, including communal area in Zone 1 requiring ongoing maintenance
		9.15	Claims EQ2 - preserves or enhances its character and appearance
		9.16	Primary objective - ensure that the scheme optimises the site's potential while corresponding very sensitively and appropriately to the surrounding built environment and landscape setting
		9.24	The site section image demonstrates that the mix of low two storey and single storey elements and the position of the proposed dwellings are designed to reflect the sloping gradient of the site and ensure sensitive transitions between the built form and the natural environment, as well as ensuring that the dwellings do not adversely affect any public views of the site from its exterior.
		9.27	The roadside scrub should be 12 m deep (subsequently reduced slightly, but no measurement given)
		9.29	Claims EQ2 - no unacceptable loss of privacy
		9.30	Not overlooking neighbouring gardens due to low houses
		9.37	Council Tree Officer advised wide native hedgerow around the entire perimeter of the site...retention of all hazel on site, with additional planting...modular housing to be largely constructed

			off-site and craned in to minimise the amount of on-site activity and consequent habitat destruction
		9.61	Summary...respectful of its surroundings
	Tree Report	10.10	It is the site manager's responsibility to ensure that the details of this arboricultural method statement and any agreed amendments are known and understood by all site personnel. Copies of the agreed documents must be kept on site and be readily available at all times. This method statement should form part of the site induction for all personnel.
		10.13	Ground protection around trees
		10.14	The foundations of the new dwellings must be constructed using a limited or no dig methodology. The positions of the pads/piles (if used) must be established by shallow hand digging to ascertain root distribution prior to installation and any adverse impact must be minimised
	Parish Council Response		<ul style="list-style-type: none"> • Supports the modern design with correct surveys and management in place • Specifically tree preservation - requested a Group Tree Preservation Order • Concerns over verge encroachment over drains on Butchers Hill and drainage at access • Requested The Pound to be protected • Local supplier for trees
	CEMP	1.3	Dormice protection - shrubby buffer around entire site to maintain connectivity and EPS Licence for habitat destruction required
		2.1	Recognised as a 'Priority Habitat' for deciduous woodland EQ4...The site will remain as woodland with minimal clearance for construction
	Letter from Tree Officer		Explained trees provide privacy, screening of built form and ecological values. The CEMP should enable arboricultural values to remain. High level of re-planting/remain bramble for dormice. Sycamores should have been kept maintaining long-term tree cover and in context of Ash Die Back. Must follow advice for future planting.
	Officer Report		Retain the existing planted frontage, as well as trees and planting throughout and around the site.
		Parish Council	Parish Council consent is only given on the understanding there will be high quality design, maintaining surrounding enclosed woodland, sympathetic to this important location at the heart of Fivehead. Asked how The Pound will be protected during development
		Visibility Splay	Measurements not met - asked for clarification in CTMP
		Public Comments	All comments of support were submitted on the understanding the woodland would remain throughout. Request verge is pulled back from Butchers Hill edge to uncover roadside drains and improved visibility from access point
		Ecologist	Agrees with mitigation measures in CEMP and Landscape Measurement Plan, due to rare GHS Bats and dormice on site. Should be Planning Conditions.
		SS1 & SS2	Rural settlement and therefore exempt - permitted where it is commensurate with the scale and character of the settlement, and 5yr supply not met

		Scale & Appearance	Important wooded visual break towards the centre of the Village...Under previous Local Plan, classed as EH10 - no development - allows views out to the open countryside...scheme included retention and protection of large parts of the site
		The Pound	Developers are obliged to ensure that any damage to other land or property is rectified
19/02672/S73	Plans		No measurements on plans. Request for amendments to dwellings - mono-pitch roofs increase in height of 400mm and garage repositioning
	Parish Council		Approved as little change. Queried schedule for surveys and plans as listed in conditions and for them to be published
	EPS Licence		Bat licence only - no dormice licence
	Officer Report		Minor amendments in terms of impact upon the overall character and appearance of the scheme. No new tree related concerns. All previous Planning Conditions re-stated.
	Commencement notice		4 th January 2021
20/03631/S73	Planning Statement	Condition 3	States 'landscaping proposals have not changed in type or amount' (This is incorrect)
		Condition 8	Requests removal of this condition as there are no communal areas - 20/01196/DOC - (This is incorrect)

Please note - full size photographs are available if required.



		
Looking northwest to Ganges Close	Looking west to Ganges Close	Looking north west to Ganges Close The excavator is positioned where the base of Plot 1 will be
		
'Protection' for The Pound following damage	'Protection' for The Pound following damage	Looking northwest up Butchers Hill
		
Looking north from Davala	Looking north from Tudor Cottage - excavator is positioned where the base of Plot 1 will be	Looking north from Churchyard - excavator is positioned where the base of Plot 1 will be
		
Stone removed from The Pound following damage	Damage to The Pound and incorrect, unauthorised repairs underway	