

WESTERN AREA COMMITTEE – 15/07/ 2004
SCHEDULE OF ADDITIONAL CORRESPONDENCE

Agenda
Item No.

Planslist
Item No.

2. **S/2004/0515 ERECT AGRICULTURAL BARN – PILE OAK LODGE DONHEAD ST. ANDREW**
Third party responses

1 letter strongly supporting the application but also requesting that everything reasonably possible is done during construction to allow the right of way to remain accessible by all those who wish to use it.

Applicant

Letter in full at Appendix 1

3. **S/2004/0847 OL-DEVELOPMENT –13 DWELLINGS OPEN SPACE PLAY AREA CONSTRUCT VEH AND PED ACCESS THERETO**
LAND OFF DOWNSIDE CLOSE AND OLD MERE

WCC Highways

Further to my letter dated 30 April 2004 I note that following the refusal of the earlier application S/03/0300 the layout has now been modified in accordance with the current highway standards.

Therefore I would not wish to raise a highway objection in principle to the latest proposal subject to the layout generally conforming to that shown on the submitted illustrative plan numbered 99/21-13 C.

The site is directly affected by the route of BR 16 in respect of which all public rights must be safe guarded. Br 16/FP 76 is considered to be a potential pedestrian route from the site towards the centre of Mere and a financial contribution towards their improvement will be requires as part of any planning approval.

The submitted information appears to show an acceptable solution in respect of the disposal of highway surface water. However further details will subsequently be required and any planning permission should be suitably conditioned to cover this.

English Nature

I have received a response from the Records Centre, stating that there are no existing slow worm records for this site, although the species is present elsewhere in Mere. My recommendation would be that a survey is required, given that the presence of protected species is a material consideration and the information from the residents association is that slow worms are present. Given the stage of the application it could instead be made a condition that a survey to check for slow worms (and other protected species – badgers?) is carried out by suitably qualified consultants prior to any development work taking place and if any evidence is found that suitable mitigation is put in place (e.g. it may be possible to accommodate slow worms within the development site).

The site is actually quite close to Whitesheet Hill SSSI – though because the A303 is between the two there us unlikely to be any impact.

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Third Party Representations

The Old Hollow and Shreen Water Residents' Association have submitted to WCC an application to register land on Peasehill as a Village Green. In support of our application for Village Green status I would make the following comment.

Many years ago, when I was a child, on our way to the West Country, we would stop off at The Ship for lunch and walk up on to the Downs over Peasehill. Such happy memories were part of the reason I came to Mere where I have walked my dogs, unchallenged, daily ,up Peasehill since I arrived six years ago. I have taken a huge interest in the wide variety of wildlife up there, as have my children and numerous visitors, particularly the slow-worms, anthills (which I know to be hundreds of years old), orchids, cornflowers, and other flora, spiders, snails and beetles, to say nothing of the variety of birds and butterflies, especially Ringlets. As there is no fencing and have never been any Private Property notices and the paths are well worn, I have never sought permission to walk there. I understand from many people that they have walked up there freely since the A303 was constructed and that it was always the way to the Downs before.

I would be glad if you kindly take this all into account at your Area Meeting in Wilton this afternoon.

Housing Development Officer

What are applicants proposals to ensure the long-term benefit to local first time buyers? How do we ensure they stick to £ 70,000 and the prices have not upped beyond any average salary rises. Legal advice should be sought.

HDS Note

Affordable housing

Advice of the council's head of Legal Services is that any low cost for sale housing would have to be tied into a multiple of local average wages.

It would be preferable for a Housing association to be involved. We have had an agreement in the past that kept the price down for first and subsequent purchasers by a local occupancy restriction. In order to sell free of this the owner had to market the property and demonstrate that there was no qualifying purchaser.

Landscaping

Advice of the council's head of Legal Services is that a condition cannot require maintenance in perpetuity. Therefore the issue of buffer planting on the western boundary and in front of the acoustic fence will need to be subject to a S106 Agreement.

The recommendation should therefore be amended to incorporate a third S106 Provision:

- The provision of a 2m wide buffer landscaping scheme on the western boundary of the site from the northern boundary of the bridleway along the entire remaining length of the boundary and planting on the south and west sides of the acoustic fencing , to be planted prior to the occupation of any dwellings . In both cases a scheme for the ongoing retention and maintenance of the buffer planting.

And the following additional conditions:

18. Prior to the submission of the matters reserved, the site shall be surveyed for the presence of protected species by a competent ecologist. The ecologists report shall be submitted with any detailed application/application for approval of matters reserved and if any evidence is found that, the recommendations of that report (including any necessary mitigation measures) are incorporated into the detailed design and landscaping of the site .

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Reason: in the interests of the ecology of the area.

19. Before development commences, the applicant shall commission the services of a competent contaminated land consultant to carry out a detailed contaminated land investigation of the site and the results shall be provided to the Local Planning Authority. The investigation must include;

- A full desk top survey of historic data
- A conceptual model of the site identifying all potential and actual contaminants, receptors and pathways (pollution linkages)
- A risk assessment of any actual and potential pollution linkages identified
- A remediation programme for any pollution linkages identified. This programme shall incorporate a validation protocol for the remediation work implemented, confirming whether the site is suitable for the consented use.

The remediation programme shall be fully implemented and the validation report shall be forwarded to the Local Planning Authority before the premises are brought into use.

Reason: 0093 in the interests of the water environment and the health and safety for occupants of, or visitors to, the proposed development.

20. Measures shall be submitted to and approved in writing by the Local Planning Authority, to prevent mud being deposited on the public highway by Vehicles leaving the site and must be implemented during the whole of the construction period. No vehicle shall leave the site unless its wheels have been sufficiently cleaned to prevent mud being deposited on the public highway.

In the interests of highway safety.

Amend condition 11 to read :

11. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. This shall also include details of the acoustic fencing which should contain a line of planting on the 'inside'. Development shall be carried out in accordance with the approved details. The boundary treatment shall be completed before any of the buildings hereby permitted are occupied.

Appendices (1)