

19/2007/017

SUMMERFIELD DEVELOPMENTS (SW) LTD

ERECTION OF 22 AFORDABLE HOUSES ON LAND WEST OF HOME ORCHARD (R/O 25 & 27) HATCH BEAUCHAMP

330341/120291

OUTLINE APPLICATION

1.0 RECOMMENDATION

Permission Be REFUSED for reasons of

1. The proposed development of agricultural land in the countryside outside the settlement limits would be harmful to the character of the area and be contrary to policies S7, S1(D) and EN12 of the Taunton Deane Local Plan and policy STR6 of the Somerset and Exmoor National Park Joint Structure Plan Review.
2. The proposed development is considered to be in an unsuitable location that would foster the growth in need to travel by car contrary to polices STR1 and STR6 of the Somerset and Exmoor National Park Joint Structure Plan Review, policy S1(B) of the Taunton Deane Local Plan and TRAN1 of RPG10.
3. The additional traffic and the potential for conflict between vehicles and pedestrians in Station Road would create a significant increase in highway safety hazards on contrary to Somerset and Exmoor National Park Joint Structure Plan Review policy 49 and Taunton Deane Local Plan policy S1(A).
4. The lack of adequate surface water drainage provision for the site may lead to additional surface water run-off and flooding in the area contrary to PPS25.
5. The proposed development fails to accord with the provisions of Local Plan and advice in Government Policy Statement Delivering Affordable Housing on the grounds that the proposed single tenure of discounted purchase, does not meet a range of needs for affordable housing, and in particular from those households in need of social rented accommodation. The proposal is not based on an assessment of local affordable housing needs, which it is then related to in terms of scale, tenures, types and sizes.

2.0 APPLICANT

Summerfield Developments (SW) Ltd

3.0 PROPOSAL

The application is an outline proposal for 22 affordable dwellings and parking on 0.58 hectares of land east of Home Orchard, Hatch Beauchamp.

The submission includes a Design and Access Statement a Drainage Statement and Flood Risk Assessment, an Ecological Survey, a Statement of Community Involvement, a Transport Assessment and draft 106 Agreement.

The application is in outline with all matter apart from means of access reserved for future approval. The proposal is accompanied by a plan showing the site access and visibility splays from Home Orchard.

Indicative layout plans showing groupings of terraced properties including 16 x two-bed houses and 6 x three-bed houses. Parking is proposed on a one for one basis with for the two bedroom dwellings and two spaces for the three bedroom dwellings with seven visitor spaces.

The proposal indicates that substantial planting will be undertaken to help the proposal integrate into the village.

The submitted Design and Access Statement makes the case for the development and can be summarised as follows:

There is a shortage in the necessary 5-year supply of developable land to meet the growing need.

The Ark Consultants report concluded housing need was now in excess of 564 units district wide. Provision has fallen with an average of 70 units/year over the last 5 years so need is now "ACUTE". The only land that can be brought forward is departure or exception site land where land cost is reduced.

Policy S7 of the Local Plan allows development if it accords with a development plan policy and policy H11 deals with Rural Local Needs Housing.

The proposal is to provide 100% affordable houses on site to be sold freehold at an agreed discount to open market value. In order to maintain their affordability the properties will be sold with the agreement that the same percentage discount will apply to all future re-sales. The scheme will be subject to a Section 106 Agreement to secure the availability of the dwellings in perpetuity for those in housing need.

4.0 THE SITE

The site measures 0.58 hectares and is located to the east of No's 25 & 27 Home Orchard and it forms part of a larger field that was formerly used for grazing but has been left fallow for a number of years. There are no current agricultural tenants on the land.

The larger field of which the site forms part is surrounded by mature hedges on the north, south and west and by existing boundary fence and hedges to the rear gardens of the properties in Home Orchard to the east. A public footpath crosses the centre of the field in a north-south direction link in Station Road to the south to the recreation ground the village hall on the main road to the north. There is a further footpath running along the northern boundary of the field that provides a link

from Home Orchard to the village school. There are no physical boundaries between the larger field and the area proposed for development as part of the application.

The applicants indicate that the location of development has been set by the need to provide an exclusion zone of 150m that they have taken to be from the centre of the existing sewage works.

5.0 RELEVANT PLANNING HISTORY

None

6.0 RELEVANT PLANNING POLICIES

Regional Planning Guidance for the South West (RPG 10)

Policy SS5 – Principal Urban Areas
Policy SS14 - Taunton
Policy SS19 – Rural Areas
EN1 – Landscape and Biodiversity
EN4 – Quality in the Built Environment
EN5 – Health, Education, Safety and other Social Infrastructure
TCS2 – Culture, Leisure and Sport
HO3 – Affordable Housing
HO6 – Mix of Housing Types and Densities
TRAN1 – Reducing the Need to Travel
TRAN3 – The Urban Areas
TRAN10 – Walking, Cycling and Public Transport
RE2 – Flood Risk

Regional Spatial Strategy (RSS) – The Panel Report on the Draft RSS has recently been issued and the Panel has identified a number of Policy amendments. Relevant policies are:

SD1 – The Ecological Footprint
SD2 – Climate Change
SD4 – Sustainable Communities
Policy A – Development at the Strategically Significant Cities and Towns
Policy G – Sustainable Construction
SR6.4 – Housing Provision – this sets a housing figure for Taunton of 11,000 within the existing urban area, 4000 dwellings within an area of search to the north east of Taunton and 3000 dwelling is an area of search to the south west of Taunton.
H1 – Affordable Housing – Within the 2,800 dwellings per annum (at least) required for the region, the aim should be to provide for at least 10,000 affordable homes per annum in the period to 2026. Policy provision should accordingly be made for at least 35% of all housing development annually across each local authority area and Housing Market Area to be affordable, with Authorities specifying rates of 60% or higher in areas of greatest need.
H2 – Housing Densities

F1 – Flood Risk

RE5 – Renewable Energy and New Development

Somerset and Exmoor National Park Joint Structure Plan Review

Policies Saved in accordance with Direction under paragraph 1 (3) of schedule 8 to the Planning and Compulsory Purchase Act 2004.

STR1 - requires a sustainable approach to new development, minimising the length of journeys and maximising the use of public transport, cycling and walking; conserving the biodiversity and environmental assets of an area and ensure access to housing employment and services.

STR6 - controls development outside of settlements to that which benefits economic activity, maintains or enhances the environment and does not foster growth in the need to travel.

Policy 5 - safeguards the landscape character of an area with particular attention to distinctive landscape, heritage or nature characteristics.

Policy 14 - development proposals should ensure that protection of archaeological remains is undertaken.

Policy 33 – Housing requires Taunton Deane to provide for about 10,450 dwellings up until 2011.

Policy 35 – Affordable Housing

Provision will be made for securing housing to meet the needs of those without the means to buy or rent on the open market. The provision shall meet an identified local need and should be available and affordable to successive occupiers.

Policy 49 – Transport Requirements of New Development requires all development proposals to be compatible with the existing transport network and, if not, provision should be made to enable the development to proceed.

Policy 50 - Traffic Management.

Adopted Taunton Deane Local Plan Saved Policies

S1 – General Requirements.

S2 - Design.

S7 - Outside of defined Settlement

Outside defined settlement limits, new building will not be permitted unless it maintains or enhances the environmental quality and landscape character of the area and:

- (A) is for the purposes of agriculture or forestry;
- (B) accords with a specific development plan policy or proposal;
- (C) is necessary to meet a requirement of environmental or other legislation; or
- (D) supports the vitality and viability of the rural economy in a way which cannot be sited within the defined limits of a settlement.

New structures or buildings permitted in accordance with this policy should be designed and sited to minimise landscape impact, be compatible with a rural location and meet the following criteria where practicable:

- (E) avoid breaking the skyline;
- (F) make maximum use of existing screening;
- (G) relate well to existing buildings; and
- (H) use colours and materials which harmonise with the landscape.

H9 - Affordable Housing within General Market Housing

H11 – Rural Local Needs Housing

As exceptions to H2, small affordable housing schemes which meet the local community's needs for affordable housing will be permitted on sites where housing would not otherwise be permitted, either within or adjoining the identified limits of villages and rural centres, provided that:

- (A) there is a local need for affordable housing, defined as the presence of households in need of affordable housing in the following categories:
 - (1) households living or including someone working in the parish or adjoining parishes currently in overcrowded or otherwise unacceptable accommodation;
 - (2) newly formed households living or including someone employed in the parish or adjoining parishes;
 - (3) households including dependants of the households living in the parish or adjoining parishes; or
 - (4) households including a retired or disabled member who has lived or worked in the parish or adjoining parishes for a total of five or more years;
- (B) the site proposed is the best available in planning terms and would not harm the character and landscape setting of the settlement more than is justified by the housing need to be met;
- (C) satisfactory arrangements are made to secure the availability of the dwellings in perpetuity for occupiers who are in a category of need as defined in criterion (A), or other genuine housing need only where this is necessary to secure full occupation of the scheme;
- (D) the proposal does not incorporate high value housing to offset a lower return on the affordable housing; and
- (E) the layout and design of the scheme conforms with policy H2.

M4 - Residential Parking Requirements

M5 - Cycling

C1 – Education Provision

C4 – Leisure and Recreation Provision

In the event of the increased demand for open space not being met by existing facilities, developers of new housing, on sites of six or more dwellings, will provide landscaped and appropriately equipped recreational open space in accordance with the following standards:

- (A) children's play space: 20 square metres per family dwelling to comprise casual play space and LEAPS and NEAPS to the required standard, as appropriate. This standard excludes space required for noise buffer zones;
- (B) adequately constructed and equipped public playing fields: 45 square metres per dwelling. This standard excludes space required for noise buffer zones;
- (C) formal parks, gardens and linear open spaces as required by particular Local Plan allocations;
- (D) in the case of small groups of housing where the site is too small for provision of playing fields or children's play space on-site, or where it is physically unsuitable, off-site provision will be sought; and
- (E) developers will be required to arrange for maintenance of the recreational open space.

C12 - Renewable Energy

EN6 – Protection of Trees, woodlands and hedgerows

EN12 - Landscape Character Areas

EN26 – Water Resources

EN28 – Development and Flood Risk

T1 - Associated Settlements

7.0 RELEVANT CENTRAL GOVERNMENT ADVICE

Planning Policy Statement 1 – Delivering Sustainable Development (PPS1)

Paragraph 13 - Key Principles

Paragraph 16 - Social Cohesion and Inclusion

Paragraph 17 & 18 - Protection and Enhancement of the Environment

Paragraph 27 - Delivering Sustainable Development – General Approach

Paragraph 33 – 39- Design

Planning Policy Statement 1 – Supplement on Climate Change

Planning Policy Statement 3 : Housing (PPS3)

Paragraphs 23 and 24

Paragraphs 27 – 30

Planning Policy Statement 7 : Sustainable Development in Rural Areas (PPS7)

Paragraph 1 - Key Principles
Paragraphs 8 and 9- Housing

Planning Policy Guidance Note 13 : Transport (PPG13)

Paragraphs 12 – 71 - Housing
Paragraph 19 - Accessibility

Planning Policy Guidance Note 17 Planning for Open Space, Sport and Recreation

Planning Policy Statement 22: Renewable Energy

Planning Policy Statement 25 Development and Flood Risk

8.0 CONSULTATIONS

HATCH BEAUCHAMP PARISH COUNCIL RESOLVED - That TDBC be advised that the Council objects to the application as it fails to meet the requirements of policy H11, (rural local needs housing) because:

- 1) there has been no detailed assessment of local affordable housing needs in terms of tenure size and type of property;
- 2) no assessment of land availability in Hatch Beauchamp or adjoining parishes has been undertaken to ensure that the site is the best available in planning terms;
- 3) the development is of a scale excessive for the size of the village: also its size has been dictated by the financial requirements of the developer and not need;
- 4) the development fails to provide for a range of tenures;
- 5) any houses to be provided should as a minimum be built to Housing Corporation size standards;

Furthermore in relation to general planning policies TDBC be advised that:

- 1) the development makes inadequate provision for visitor parking;
- 2) the bus service to the village cannot be categorised as "good" and therefore the development is not sustainable in transport terms;
- 3) Station Road is effectively a single carriageway road at many times of the day and there is no footpath outside the primary school, which abuts on to the road. The additional traffic which the development will inevitably generate will have an adverse effect on road safety. Additionally there is concern that the suggested layout retains ml option for extension into adjoining land which will further impact on traffic in Station Road;

- 4) no contribution is proposed for education facilities for the additional households which will be created;
- 5) no contribution is proposed to meet the need for improved community facilities. Any contribution should be for community facilities generally and not be restricted to play/playing fields.

COUNTY HIGHWAY AUTHORITY - The proposed development is located outside of any development limit, remote from any urban area, and therefore distant from adequate services and facilities such as employment, health, retail and leisure. In addition, public transport services are relatively infrequent. As a consequence, occupiers of the new development are likely to be dependent on private vehicles for most of their daily needs. Such fostering of growth in the need to travel would be contrary to government advice given in PPG 13 and RPG 10 and the provisions in policies STR1 and STR6 of the Somerset and Exmoor National Park Joint Structure Plan Review (adopted April 2000).

Notwithstanding the aforementioned comments, Policy 35 of the Somerset and Exmoor National Park Joint Structure Plan Review and Policy H11 of the Taunton Deane Local Plan state that there are exceptions whereby small affordable housing schemes which meet the local community's needs for affordable housing will be permitted on sites where housing would not otherwise be permitted, either within or adjoining the identified limits of villages and rural centres providing they meet the appropriate criteria. Therefore its acceptability from the planning perspective must be a matter for the local planning authority and whether the proposal meets this criteria set out by Policy H11. It is clear that the proposal will result in an increase in the use of private vehicles.

In detail, the location design of the proposed access to the local highway network from Home Orchard is acceptable and meets current standards.

My main concern, however, is one of sustainability from a transport viewpoint. It is essential for developments to be located such that it does not result in a reliance on the private car. Hatch Beauchamp is a village with very few facilities. It has a primary school, church and a pub. It does not, however, have a village shop or post office or any significant leisure or employment facilities. There are bus services which serve the village, generally hourly but more frequent at times. I am not convinced, however, that these will be so convenient as to overcome the natural inclination to drive. The developer offers a one-off contribution of £400 per dwelling for bus season tickets; this may help.

In addition, evidence has been supplied by local residents which shows excessive on-road car parking on Station Road. This is at its worse around school time but does occur at other times of the day. There are in the main no footways on Station Road and the parking and additional traffic generation mean that hazardous conditions exist for pedestrians walking to the school and the bus stops. This would likely be exacerbated by the traffic generation of the proposed development.

Therefore, whilst the development sits well alongside the village, from a transport

sustainability viewpoint the development is likely to foster growth in the need to travel and refusal of the application is recommended on highway grounds.

COUNTY RIGHTS OF WAY TEAM - Views awaited.

COUNTY EDUCATION - Views awaited.

WESSEX WATER

Water Supply - the existing system is adequate to serve the proposed development

Foul Drainage - A public sewer crosses the site and the statutory easement must be maintained. Diversion may be feasible

Surface Water Drainage - The existing public storm sewer in Home Orchard is unlikely to have any spare capacity - design storm run-off calculations should be submitted in due course Storm flows could possibly be discharged to land drainage with the approval of the appropriate authority.

Disposal to SUDS may be feasible.

Storm flows must not be connected to foul drainage.

Sewage Treatment Works - An engineering appraisal is required to assess the impact of additional flows on the performance and legal compliance of the sewage works. Extensions may be necessary. There is limited empty space at the site and it is conceivable that additional land would be needed to facilitate up rating the facility.

The proximity to the sewage works is considered a significant issue and a minimum "Cordon Sanitaire" of 150 m from the works boundary to proposed dwellings should be maintained. Planning Application Drawing No 06.49. 12A, Illustrative Site Layout Plan, locates plots 1 & 22 approximately 120m from the northern-most boundary of the sewage works.

There is the potential for the emission of odours associated with the treatment of sewage, resulting in complaints of odour nuisance, and we must therefore, regrettably, object to the planning application.

In similar circumstances at other sewage works sites the developer has funded an odour survey which can predict the extent of odour nuisance, and make proposals for odour mitigation works where applicable. We would hope that the outcome of a survey (possibly leading to control measures) would enable us to withdraw our objection.

You may wish to seek, or have sought, the views of the Environmental Health Officer on the compatibility of the development adjacent to the existing sewage works and complaints arising from occupied premises.

ENVIRONMENT AGENCY - The Environment Agency has no comment to make on this application.

FOOTPATHS OFFICER - Views awaited.

LANDSCAPE OFFICER - The proposals are in open countryside and contrary to EN12. There is limited mitigation to the south of the site and even less to the north. There is TPO Oak tree, just off site on plots 25 that would be seriously compromised by houses 4, 5 and 6. Please note that public footpath of the western side would need to be diverted if the above plan was approved

NATURE CONSERVATION OFFICER - Country contracts report dated December 2007 concluded that the hedgerows and mature trees on site provide nesting opportunities for a variety of birds and that the hedgerows may form foraging areas and commuting routes for bats.

- Badgers are not considered active on the site although they are known to be active in the area.
- Reptiles may be present on the site although a recent survey failed to find any evidence.
- Please consult with the landscape officer with regards to retention, and protection during development of trees and hedgerows on site and the use of native species in a planting scheme.
- Any tree or hedgerow removal and the removal of uprooted orchard trees should take place outside the nesting season. If any tree (uprooted or standing) needs to be removed it should be surveyed for protected species prior to felling/removal.
- It is an offence to damage or destroy birds whilst nesting; I therefore suggest the following condition :

Condition C111 between 1st March and 31st July
Reason J111

Condition

If the period of time between Country Contract's Survey dated December 2007, and the commencement of the development extends more than one year beyond the date of the report, then a further survey must be commissioned and submitted to and agreed in writing by the Local Planning Authority to ascertain any changes in the use of the site by protected species.

Reason

To ensure that the use of the site by protected species is monitored, bearing in mind that the results of the existing survey may change, and in accordance with Taunton Deane Local Plan Policy EN4

Note to Applicant

Bats, reptiles and nesting birds may be present on site and all operatives on site must be appropriately briefed on their potential presence.

Nesting birds are protected under the Wildlife and Countryside act 1981(as amended) and if discovered should not be disturbed. The protection afforded to

species under UK and EU legislation is irrespective of the planning system and any activity undertaken on the application site (regardless of the need for planning consent) must comply with the appropriate wildlife legislation.

Badgers

The possible presence of badgers visiting the site should be relayed to any contractors working on site. In the UK badgers are protected under the Protection of Badgers Act 1992. All excavations left open at night should either be cover plated or have a means of escape should an animal fall in.

Development operators and new home occupiers should be advised to ensure that they are aware of the potential for protected species on site. If protected species are encountered they should be left undisturbed and expert advice should be sought from Natural England 01823 285500.

HOUSING ENABLING MANAGER - Supports this application to provide affordable housing in the immediate and surrounding Parishes where there is considerable need. These homes should be for a mixture of tenure and held as low cost in perpetuity with nominations from the Council.

DRAINAGE OFFICER - I note that surface water is to be discharged to a Wessex Water public sewer and I assume they have been consulted on this proposal. I cannot find any reference in the drainage strategy (21739) included in this application to the use of Sustainable Drainage Systems (SUDS) being investigated at this stage. Under PPS25 it is recommended that SUDS techniques should be investigated to reduce flood risk.

A condition should be placed on any approval given that no works commence on site until a detailed design, including SUDS for surface water disposal has been submitted and approved by this Authority

ENVIRONMENTAL HEALTH OFFICER - Views awaited.

ARTS OFFICER - Has made the following comment on similar schemes:

All developments in excess of 15 residential units or 2500 square metres (gross) of commercial floorspace will be required to contribute towards the provision of public art and public realm enhancements by commissioning and integrating public art into the design of buildings and the public realm or through a commuted sum to the value of 1% of development costs. They will be expected to include a Statement of Intent regarding public art or public realm enhancement in their Access Statement.

LEISURE DEVELOPMENT MANAGER - No account appears to have been taken of policy C4 which state provision to play an active recreation must be made. I would therefore request a contribution of £1,785 each to bedroom plus dwelling towards children's play facilities, to be spent at the existing village children's play area which is well connected to the proposed development by an existing footpath and £1,023 per each dwelling towards borough wide outdoor recreation. Contributions to be indexed linked.

9.0 REPRESENTATIONS

A petition of 383 signatures opposing the application has been received which indicates that the undersigned wish to register their objection to the proposed development outside the village envelope of Hatch Beauchamp.

146 Letters of OBJECTION have been received. Whilst many of these support the concept of affordable housing and accept some need in the village they also raise the following issues have been received:

- No evidence to demonstrate more suitable infill sites or “Brownfield” sites not available sufficient to meet limited local need;
- Other new development closer to Taunton will increase the provision of affordable housing and will be closer to facilities;
- Village already has a significant number of local authority rented houses;
- No assessment of land available in village or surrounding villages has been done to prove the need;
- Proposal which represents a 10% increase in the size of the village is excessive and out of scale/proportion to the small size of the current village which comprises' just over 220 households. It is therefore contrary to Policy H11 of the Taunton Deane Local Plan which only encourages "small" affordable housing schemes;
- Concerns that if approved the rest of the field would be built upon;
- No evidence is presented to demonstrate there is a local need for 22 affordable dwellings. Only justification for this scale is contained in the Applicant's Statement of Community Involvement where it is stated that fewer houses would not be viable and the proposal needs to be of a size that can absorb the cost of the increased length of the access road to serve the site;
- Concerns about the sustainability of developing a further 22 units in a village of this small size as the village does not have any local shops and the frequency of local buses is not good;
- The submitted draft 106 refers to the provision of 22 low cost affordable houses. If there were a local need it is likely it would be for a smaller scheme for predominantly social rented purposes;
- Tenure should be mixed so that it included some units of intermediate affordable housing. A single tenure scheme would not meet the range of needs that exist or lead to the creation of a balanced, mixed local community;
- Applicants have not specified what price ranges properties would be available at but do not consider the proposed discount of 33% open market value is sufficient for it to be affordable housing for the majority of local households;
- Proposed units are relatively small and below the Housing Corporation's minimum space standards. An RSL would therefore be unable to get any funding for the units proposed due to conflict with the Corporation's design and quality standards. The cascade referred to in the 106 would therefore be ineffective;
- Concerned about visual impact of the proposed development, as the site does not have a defensible boundary to it;
- Proposed new road to serve the development to rely upon to act as a limit to development and this will be supplemented with landscaping;

- Attractive area of orchard will need to be removed to make way for this access road so the development would therefore be very exposed and prominent until any landscaping matures contrary to Policy S1(O), S7 and EN12;
- Land is sensitive in ecological terms which include the presence of wild flowers and bats that use the site hedges. The winter walkover survey would not have identified as much biodiversity as during the summer months;
- Concerned about the impact of the nearest units (plots 4, 5 & 6) to an oak tree in the garden of number 25 Home Orchard which is covered by a Tree Preservation Order and is very close to these plots;
- Concerns about the submitted layout which is heavily dominated by the proposed access road to serve it not making efficient use of land and symptomatic that overall this is not a suitable site for the proposed development;
- Overall impression is of a poorly designed scheme, which lacks local distinctiveness and any local variety with proposed materials not of sufficient quality and do not blend in with the existing properties along Home Orchard;
- No account taken of the need for Eco-friendly buildings;
- Houses on plots 6-10 11 and 12 are very close to the boundaries of 25, 27 and 29 Home Orchard so there is potential for serious overlooking at first floor level into the homes and gardens of these properties which is unacceptable and contrary to Policy S2;
- Would lead to highway safety problems for pedestrians and vehicle users along Station Road;
- There is no continuous footpath along the entire length of Station Road as far as the School and for those children which travel to Senior School by bus at the nearest bus stop in Village Road. This would result in potential conflict between pedestrians and road users;
- Adequacy of car parking proposed for the development questioned.
- Local sewage works may need to be enlarged to serve development
- Increased surface water run-off would at present drainage problems that Palmers Green;
- Limited local employment opportunities so development will result in unsustainable commuting;
- No archaeological assessment of the site contrary to Policy S1 (C);
- Proposal does not comply will not “Design Out Crime” but could create a quick getaway opportunity is;
- No facilities for teenagers in the village and this development will add to that problem;
- Proposal would place unacceptable strains on local educational provision;
- The existing Primary School is almost full while the Senior School is over-subscribed;

One letters of support on who feels this is a much-needed development in the village.

10.0 PRINCIPAL ISSUES FOR CONSIDERATION

- A Is the proposal in line with Development Plan and National Planning Policy Guidance? POLICY

- B Is there a proven local need for the proposed development? NEED
- C Is the arrangement to secure appropriate affordable housing in perpetuity appropriate? AFFORDABILITY
- D Is the screening of the site and its landscape and wildlife impact acceptable? LANDSCAPE/WILDLIFE
- E Are the links to the highway network adequate and safe to serve the development? HIGHWAYS
- F Is adequate play and recreation space provided for within the scheme? LEISURE PROVISION
- G Is there adequate education provision provided for within the scheme? EDUCATION
- H Is there adequate provision made for the surface and foul water disposal in relation to the site? DRAINAGE
- I Is the proposal sustainable? SUSTAINABILITY

A. POLICY

The proposal for residential development needs to be assessed against the policies of the Development Plan together with central Government planning policy advice. The site lies outside the settlement limit of Hatch Beauchamp and therefore is contrary to policy of the adopted Development Plan. The question to answer in assessing the scheme therefore is does the need for affordable housing outweigh the above policy objection and are there any other policy and material considerations which would support the proposal or not.

Policy S7 of the Taunton Deane Local Plan states that outside defined settlement limits, new buildings will not be permitted unless it maintains or enhances the environmental quality and landscape character of the area and also meets certain criteria. One of these criteria is that buildings should be designed and sited to minimise landscape impact. Criteria (B) is that any proposal should accord with a specific development plan policy or proposal. The development of the site as proposed would impact on the character of the area for those existing properties opposite, this would be contrary to criterion (E).

Affordable housing schemes may be considered appropriate in the countryside in certain circumstances. This exception to the normal strict control of new residential development in the open countryside is set out in Policy H11 of the Taunton Deane Local Plan relating to rural needs housing. This policy states that small affordable housing schemes which meet the local community's needs for affordable housing will be permitted on sites where housing should not otherwise be permitted, either within or adjoining the identified limits of village and rural centres, again provided that

certain criteria are met. Such proposals will only be acceptable where there is a proven local need and environmental and other standards are met.

The number of housing units is also greater than that normally provided under the exceptions policy. The development has to be considered in terms of the identified scale of housing need and the impact of the scheme on the surrounding area and any other policies in the Local Plan.

The application has not submitted any information to demonstrate that this site is the best available site in planning terms. There are considerable local objections to the scheme on this site as well as objections from the Highway Authority and Wessex Water.

There will also be the potential for impact on a TPO tree and visual impact on the countryside.

No alternative site options have been identified in the Design and Access Statement and no needs assessment has been included.

The principle of the use of the site for housing is therefore not accepted.

B. NEED

The need for affordable housing is a planning consideration and Government policy encourages Local Planning Authorities to increase the supply of affordable housing through appropriate planning policies. The Borough Council is strongly committed to the provision of affordable housing as part of its corporate aims. One of the principal objectives of the Corporate Strategy 2006 – 2009 is to enable the building of 985 units of affordable housing between April 2006 and March 2011. The Local Plan policies reflect this commitment by seeking to meet as much of the housing need as feasible through the planning role. Government policy requires that affordable housing should include both low cost market and subsidised housing.

The Local Plan identified Hatch Beauchamp as a village with a good level of local facilities and employment with a frequent bus service to Taunton. It also suggests that there is further scope for development within the village limits.

The Housing Enabling Manager supports the need for affordable units in general.

The affordable housing targets set in the Local Plan were based upon the level of need identified in the Housing Needs Survey undertaken by Couttie Associates in 2002, which was for 131 additional affordable dwellings a year. A desk-based review carried out by the Ark Consultancy on behalf of all the Somerset local authorities in 2006 identified a fourfold increase in need to 564 dwellings per year in Taunton Deane. Although the work by Ark preceded the publication of Practice Guidance on Strategic Housing Market Assessments, and is not fully compliant with that Guidance, it nevertheless has some value in updating and re-assessing the scale of need. The Authority has commissioned further work by Fordham Research to assess the affordable housing need in the area, and this will be published later this year. However, from the evidence already available – from the Ark study,

worsening affordability, and significant growth in the Waiting List – it is clear that need has increased significantly and could be argued as acute.

C. AFFORDABILITY

The applicant has submitted the proposal for affordable housing on the basis of the need in the district. The application is supported by the Housing Enabling Manager on the basis of need in this and adjoining Parish and has requested a mixed tenure with Council nomination rights

The proposal is not accompanied by a housing needs survey and an assessment of the true need in terms of numbers and tenure breakdown is currently being undertaken by the Authority. There is clearly a general need in this and neighbouring Parishes however the application relates to purely one type of tenure on this exception site and not a mix as requested by the Housing Enabling Manager.

Paragraph 12 of the Government's 'Delivering Affordable Housing' Policy Statement states there needs to be a good mix of tenures on new developments. The current submission does not achieve this.

The proposal includes a draft 106 Agreement which seeks to secure the availability of the dwellings in perpetuity. The draft agreement requires that all the dwellings to be built pursuant to the planning permission shall be affordable dwellings. The owner of the dwellings shall not sell the freehold or let other than to a 'Qualifying Person' unless otherwise agreed in writing with the Council. A 'qualifying person' is someone who lives or works in the local area and is in housing need. The sale of the units is based on a 33% discount of the open market sale price.

There is also provision that where there is no 'qualifying person' agreeing terms to purchase, a dwelling may be offered to a 'secondary qualifying person', defined as a person who is considered to be in housing need and who has a strong local connection with the secondary locality (defined as within the District).

While it is considered that these management and nomination arrangements will ensure that, as far as is practicable, the proposed dwellings will remain affordable in the future, this relates to the sale of discounted housing only and does not secure any mix of tenure and a social rented element.

D. LANDSCAPE/WILDLIFE

The site is on agricultural land in the countryside and the site rises up to the north above road level. It will be visible from Home Orchard and Village Road properties to the east.

The Landscape Officer considers the proposal will have an impact on the landscape character of the area contrary to policy EN12 and would seriously compromise a TPO tree and provide limited mitigation

The Wildlife Report submitted with the application found no evidence of protected species on site and the conclusion identified a number of issues to protect wildlife in

general particularly in respect of the existing boundary trees and hedges which act as nesting sites for birds and potential foraging areas for bats. The Nature Conservation Officer considers the issues raised could be addressed through conditions.

Clarification on the potential impact for future residents is being sought from EHO.

E. HIGHWAYS

The highway report submitted on behalf of the applicant concludes that there will be no significant impact on the local environment from the site related traffic flows and site related traffic is not likely to exacerbate the accident situation. It is also claimed that bus links in the vicinity are good and participation in the use of public transport by residents can be encouraged by provision of vouchers to the value of £400 per unit. Such a scheme would necessitate inclusion in a legal agreement to secure its provision. The report's conclusion on the highway impact of the proposal is not supported by the majority of the local objectors.

As such the Highway Authority consider that additional traffic generated could impact on conditions of highway safety in Station Road which lacks footways and is a well used pedestrian route.

There is also concern that the general location is likely to lead to reliance on the private car which is not sustainable.

The increase in use of Station Road with conflict between vehicles and pedestrians is also considered to be a highway safety hazard and this is considered to be contrary to policy 49 of the Joint Structure Plan and the Highway Authority recommend refusal of the application.

F. LEISURE PROVISION

The Leisure Manager has identified that the proposal does not accord with Policy C4. There is an existing local play area off site and it is suggested that a sum be provided for off site use to upgrade existing facilities. It is also considered that outdoor recreation is not proposed as part of the development and that a contribution should be sought in respect of such provision also. Provision of such contributions would need to be sought through a Section 106 Agreement.

G. EDUCATION

Representations suggest under capacity at local school and the County Council advice on this aspect is awaited.

H DRAINAGE

The applicant has submitted a drainage statement with the application which identifies the site in Flood Zone 1 with the ground conditions being clay. It also states that it is intended to link the foul drainage to existing foul sewers subject to the

approval of Wessex Water. No objection to the principle of the scheme has been raised by Wessex Water.

Wessex Water considers that the 150m line should be from the boundary of the site with the proposed layout showing development approximately 120m from the northern most boundary. At this distance it is considered that there is potential for objections from future occupants to odour emissions and they have objected to the proposal

The stated preferred option for surface water is for a controlled discharge to the existing foul sewer but capacity for this is questioned.

The use of sustainable drainage systems on site may not be suitable due to ground conditions and therefore it is not considered appropriate to condition at this stage. Until adequate surface water drainage provision can be shown Wessex Water maintain their objection and this is considered a reason to resist the proposal.

I. SUSTAINABILITY

The application site lies on Greenfield land outside the settlement limit, however it does lie adjacent to the settlement boundary to the west with a gap before the boundary to the north. The Highway Authority considers the increased pedestrian use of Station Road to be unsafe and would result in the occupants of the site being reliant on the private car. This reliance on the car is not considered to be a sustainable one and undermines the suitability of the site for affordable housing.

11.0 PRINCIPAL ISSUES FOR CONSIDERATION

In summary, the proposed site lies on the edge of the existing village settlement beyond the settlement boundary and is not served by good public transport or roads with pavements. As such, it is considered that development is likely to be car reliant and non-sustainable as well as adding to highway safety dangers on Station Road. In addition, the submission does not adequately address the drainage issues and Wessex Water object. Given these issues and the fact that the need for this development in preference to other sites has not been shown, it is considered that these considerations outweigh the acute need for affordable housing and do not warrant a divergence from the policies of the Development Plan. The recommendation therefore is one of refusal.

In preparing this report the Planning Officer has considered fully the implications and requirements of the Human Rights Act 1998.

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NOTES:

