

49/2006/018

MAGNA HOUSING ASSOCIATION

ERECTION OF 20 DWELLINGS, WIDENING OF EXISTING ROAD, FORMATION OF NEW ACCESS AND NEW FIELD ACCESS WITH ASSOCIATED WORKS AT LAND NORTH OF PLAIN POND, WIVELISCOMBE AS AMENDED BY

307984/128407

FULL

PROPOSAL

The proposal provides for the erection of 20 dwellings together with the widening of the existing road, formation of a new access and field access and associated works. The dwellings comprise 6 three bed houses, 9 two bed houses, 4 one bed flats and 1 disabled person's bungalow. Apart from the bungalow, the buildings will be of two storey construction, with some with reduced eaves level. The application has arisen as a result of the Housing Needs Survey dated March 2005 and discussions with the Housing Officers over the last two years. It is submitted under the Rural Exceptions Policy. A Design and Planning Statement was submitted with the application.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY the proposal site is outside of the development limit for Wiveliscombe and generally a recommendation for refusal would be forthcoming on such a development. However I am aware that under Policy H11 of the Taunton Deane Local Plan, 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 centre providing they meet the appropriate criteria. Therefore it must be a matter for the Local Planning Authority, however providing that the proposal meets this criteria set out by this Policy H11, it may be unreasonable to raise a Highway Objection. However there are no visibility splays indicated on the submitted plan at the junction of Plain Pond and North Street. The Highway Authority would be seeking splays of 4.5 m x 90 m in each direction at this junction to ensure highway safety for all road users. Visibility to the north of the junction appears to be impaired by the hedge between the two footways between plots 1 and 7. Visibility to the south of the junction, is restricted by the roadside boundary wall in front of no. 1 Plain Pond. As the application stands and without adequate visibility splays, which are essential in the interests of highway safety I recommend refusal of this application. I would be more than happy to discuss the matter further with the Planning Officer and Agent to discuss what may be achievable and acceptable from a Highway perspective. The proposed layout gives rise to a possible future extension of carriageway/dwelling numbers off the end of the turning head between Plot 12 and the private parking court to the west. A type 4 carriageway, like the one being proposed, can serve up to 100 dwellings. Should any future extension take place, I have additional concerns about the suitability of the existing junction of the unclassified carriageway with North Street. Various

detailed points are raised. In the event that planning permission is granted recommend conditions re visibility splays, hard surfacing of first 8m of new field access, submission of sectional drawings for widening of highway, estate roads, properly consolidated footway/road, construction of service road, condition survey of existing highway, gradient of proposed access road not to exceed 1 in 20, no discharge of surface water onto highway. COUNTY EDUCATION whilst this number is below the normal threshold of 50 units referred to in the adopted Local Plan, to which Policy C1 applies, there are particular circumstances in Wiveliscombe that would warrant an educational contribution in this case. The Local Plan Inspector indeed acknowledged in his report that some smaller developments may also attract educational contributions and that the figure of 50 units should be used as a guideline only. Furthermore, this application follows soon after the submission of another planning application for a residential development of 35 dwellings in Wiveliscombe (Ref 49/2006/013) and the combined total of 55 dwellings would exceed the Council's guide. The combined impact of both schemes being implemented would, of course, be no different to that of a single development of 55 dwellings. Somerset County Council has a statutory responsibility to ensure that there are sufficient places in pre-school provision for 3-4 year olds. Provision for 2 year olds may become statutory in the near future. The Government's Ten Year Strategy for Early Years & Childcare also promotes greater choice and flexibility for parents and advocates flexible childcare for all families with children up to 14 who need it. The Ten Year Strategy also signalled the Government's intention to legislate to give local authorities the statutory duty to ensure a sufficiency of childcare. Pre-school places may be provided by a range of organisations e.g., pre-schools, nurseries, childminders etc. and these can be either voluntarily or privately run. The County Council has responsibility to ensure the establishment and designation of such centres and in doing so may well also be responsible for their construction. Wiveliscombe is a location for the provision of a new Children's Centre, which would include pre-school care. Wiveliscombe has been identified as the site of a Children's Centre as a result of consultations with a range of childcare and other support agencies. Of the 144 wards in Somerset, Wiveliscombe ranks 32nd in terms of social and economic deprivation. There is a shortage of qualified daycare for children aged 0 to 5 years old in the locality and the demand for services to be provided from the centre is already high. Somerset County Council currently anticipates a class of 30 primary school pupils to be generated by 150 new dwellings (1 pupil per 5 dwellings). If one assumes an average number per year group, and there are 7 year groups in a primary school, there must be 4.3 per group for each 150 dwellings. If one were then to extrapolate this to early years provision, on the assumption that there are 4 year groups in pre-school provision, this would equate to 17.2 per 150 dwellings, or about 1 child per 9 dwellings. The current proposal at Plain Pond would therefore be expected to generate the need for places for about 2 pre-school age children. If one applies the DfES Basic Need Cost Multiplier to this number, a total contribution of £20,330 (or about £1,016 per dwelling) can be calculated and this is the sum that the County Council would seek through the completion of a Section 106 agreement. The local primary school is currently full with numbers on roll exceeding capacity, but there is likely to be sufficient capacity in the longer term through demographic change and reducing numbers of primary school-age children to accommodate additional children moving into the area. On the other hand, whilst Wiveliscombe Kingsmead secondary school is also at capacity, pupil numbers are expected to remain high for the foreseeable future. Applying the normal calculation,

20 dwellings would generate the need for 3 additional secondary- aged pupil places. The DfES Cost Multiplier for secondary places is £15,531 per pupil and the contribution sought should therefore be £46,593, or £2,329 per dwelling. The total contribution sought by the County Council under the provisions of Policy C1 of the adopted Local Plan would therefore be £66,923. WESSEX WATER the development is located within a foul sewer area. Points of connection onto the system for the satisfactory disposal of foul flows will be necessary. There are no existing surface water sewers in the vicinity of the site so the developer is advised to investigate alternative methods of disposal, eg soakaways. The site is in close proximity to Wiveliscombe Sewage Treatment Works and is located on the edge of the sewage treatment works protection zone. However on the basis of the previous use of the site, the historical complaint data and Wessex Water's knowledge of the process, do not anticipate any issues with regard to odour and noise nuisance. Request that the developer is made aware of the possibility of odour nuisance. The proposal must not be seen as a precedent for future development within close proximity of the sewage treatment facilities. There is a public water supply main crossing the site. Wessex Water normally requires a minimum 3m easement width on either side of its apparatus, for the purpose of maintenance and repair. Diversion or protection works may need to be agreed. An informative referring to this should be included on any consent. SOMERSET WILDLIFE TRUST concerned that the area the subject to the application appears to be outside the Wiveliscombe development limits, on a greenfield site. Believe development on this site would not be fully justifiable given these circumstances and would be disappointed to see the plans go ahead. If the Authority were minded to accept the proposal however, would recommend that the Authority give consideration to seeking a developer contribution towards enhancement of local green spaces as compensation. SOMERSET ENVIRONMENTAL RECORDS CENTRE no statutory & no-statutory sites & species at the application site. One or more legally protected species, 3 County Wildlife Sites, 3 County Geological Sites and one or more 1990's badger data found within 1 km of the site.

LANDSCAPE OFFICER this is a significant development that will have an equally significant landscape impact. The impact is likely to be greatest from the Langley Road, where passing traffic will see the proposed development just behind the existing hedgerow and trees as well as losing the existing view east. Travelling south towards the site the impact will be significant as it reduces views across the landscape and town, but at least the view will be mainly of housing against housing. Views north from the access road will dramatically reduce those to open countryside. There are views from existing public rights of way to the south that will also be detrimentally affected. Main concerns are that given the size of the development and departure from the development plan, there is no separate Landscape Assessment. The western boundary housing is very close to the existing trees. Given the slope of the ground, it would be difficult to build in places and also difficult to maintain longer term. Moving the buildings back 3-5m would ease this issue. The hedgerow and tree planting along the northern and eastern boundaries should help to significantly reduce any landscape impact. Question who will be responsible for their management. The tree planting may work better if it was not so uniform. NATURE CONSERVATION & RESERVES OFFICER main concern is that badgers may traverse the site and recommend that a survey is done to establish if badgers are using the site to forage. The site is an arable field with remnants of hedgerows

that are unsuitable for dormice. Trees bounding the site are not suitable for bat roosts. If planning permission is granted, would recommend that the landscape proposals ensure that the site is enhanced for wildlife with the creation of robust new native species hedgerows and copses. ENVIRONMENTAL HEALTH OFFICER no observations to make. DRAINAGE OFFICER soakaways should be constructed in accordance with Building Research Digest 365. LEISURE DEVELOPMENT MANAGER the proposed development is in a poor location for family dwellings in relation to existing children's play areas. A play area is therefore required on site in accordance with Policy C4. In addition a playing field contribution of £777 per dwelling totalling £15,540 to be used to address the needs relating to Wiveliscombe recreation ground should be sought. Would also request that in accordance with Local Plan Policy C6, which recognizes the importance of sports centres to the population, a built sports facilities contribution of £12,234, to be used to address the needs of formal sports associations within the town, be requested. HOUSING OFFICER supports this application in its entirety. This is an exception site for 20 affordable housing units. There will be a good mix of social rented and shared ownership. Homes will be provided for general need, single persons and disabled accommodation. Full support is given to this application in an area of proven need.

PARISH COUNCIL support.

SEVEN LETTERS OF OBJECTION (FROM SIX ADDRESSES) have been received raising the following issues:- proposed development is outside the Local Plan for Wiveliscombe, which aims to secure sustainable development providing necessary homes, jobs and services in a way that protects and enhances the best qualities of our existing market towns, villages and rural environment; the very recent Local Plan did not consider this greenfield site necessary for homes and therefore chose to protect it; PPG also stresses the Government's commitment to re-use previously developed land for housing to minimize the amount of greenfield land taken for development; PPG3 does state that an exception policy enables the authority to grant planning permission for small sites within and adjoining existing villages, which may be subject to policies of restraint, which the Local Plan would not otherwise release for housing, in order to provide affordable housing to meet local needs in perpetuity; however, the Local Plan has already considered this and it states that brownfield sites must be developed before greenfield areas; Wiveliscombe still has brownfield sites yet to be developed, such as those already in the planning process (an application for 35 dwellings at Stacey's Yard in Station Road and 14 units on the Old Brewery Site; The Local Plan also allocates an area of land north of Burges Lane /Style Road for future housing, supporting approximately 70 additional homes; the development does not meet the criteria laid out in the Local Plan housing policy, other than being on a bus route - this is not a site being redeveloped, it is not a site which would support local services such as schools or shops which would become unviable without some modest growth as Wiveliscombe is already a thriving, diverse, commercial community, with over-subscribed schools; the development is unnecessary to meet local housing needs or to ensure a diverse mix of housing – other sites under construction or committed or allocated must be in place before any new greenfield site can be considered; the site is a green wedge that separates Wiveliscombe and Langley Marsh and helps to give a physical distinction to what are two separate and thriving communities in their own right – if the two settlements are eventually joined, this will destroy the character and individuality of both; although

the Design Statement refers to the development benefiting from existing local transport links which reduces the reliance on the car, there is parking provision for 32 cars; North Street, which is congested with parked cars, will struggle to cope with another 32 cars using it as an access route; the widened access road would still form a junction with a fast and narrow stretch of road; building materials will need to be brought to the site and the only access routes are either narrow country lanes or the heavily congested North Street, past a school and developments for the elderly and disabled; this is pure greenfield land; property values will be reduced owing to restricted views; will set precedent for further dwellings; drainage channels are frequently overloaded and considerable surface water occurs with sheets of water visible across the entire field; the field has been successfully used for farming; there has already been a lot of new houses built in Wiveliscombe, causing the schools, doctors, dentist and other services to be put under extreme pressure; traffic is already bad around the primary school and more houses in the close vicinity will make it even worse; Wiveliscombe and the surrounding area should remain a tranquil and beautiful place to live.

POLICY CONTEXT

Policy S1 of the Taunton Deane Local Plan sets out general requirements for new developments. Policy S2 of the same plan provides guidelines for the design of new developments. Policy S7 of the Taunton Deane Local Plan states that 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 meets certain criteria. It is considered that the criteria are met with the current proposal. Policy H11 states that 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 certain criteria are met. It is considered that the criteria are met with the current proposal.

ASSESSMENT

The development will provide additional affordable dwellings for Wiveliscombe. The proposals have been designed to complement and enhance the existing local vernacular. There will be use of brick details, stonework, render and pitched natural slate and clay double roman tiles. A landscaped bund is proposed to the northern and eastern boundaries to act as a screen and soft boundary enclosing the site. It is not considered that the proposal will result in significant erosion of the gap between Wiveliscombe and Langley Marsh. Neither the Environment Agency nor the Drainage Officer raises any objection to the proposal. The Housing Officer considers that there is a need for the proposed development and on the basis of it providing for affordable housing is considered acceptable on this exception site adjacent to the settlement. It is close to local facilities and amenities. The various points raised by the County Highway Authority and the Landscape Officer have been forwarded to the applicant's agents and amended plans have been requested. The application elsewhere for development elsewhere in Wiveliscombe, referred to by County Education, has now been withdrawn. Given the threshold of 50 dwellings for sites to be required to contribute towards additional education facilities, it is considered that it would be unreasonable to require such contributions in this instance.

RECOMMENDATION

Subject to the receipt of satisfactory amended plans and the applicants entering into a Section 106 Agreement to provide for all the dwellings to be affordable housing to meet local needs and a playing field contribution of £15,540 and a built sports facilities contribution of £12,234, the Development Control Officer in consultation with the Chair/Vice Chair be authorised to determine and permission be GRANTED subject to conditions of time limit, materials, landscaping, levels, protection of trees to be retained, no service trenches beneath trees, no felling or lopping, children's play area, landscape completion check, visibility splay, hard surfacing of field access, estate road, surfacing, gradient, badgers, parking, site levels, meter boxes and removal of GPDO rights for garages and walls/fences forward of dwellings. Notes re disabled access, energy/water conservation, meter boxes, CDM Regulations, S106 Agreement, highways permit, highways licence, sections for highway authority approval, no surface water sewers in area, points of connection for Wessex Water apparatus, soakaways and proximity to sewage treatment works

REASON(S) FOR RECOMMENDATION:- The proposal is considered to accord with Taunton Deane Local Plan Policies S1, S2 and H11 and material considerations do not indicate otherwise.

Should the S.106 Agreement not be completed by 30th May, 2006 the Development Control Manager in consultation with the Chair/Vice Chair be authorised to determine and permission be REFUSED as contrary to Taunton Deane Local Plan Policy C4 or an additional condition be added requiring the applicant to enter into a S.106 Agreement prior to the commencement of development.

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

CONTACT OFFICER: 356461 MR J HAMER

NOTES: