

Application No:	3/26/19/024
Parish	Old Cleeve
Application Type	Outline Planning Permission
Case Officer:	Alex Lawrey
Grid Ref	Easting: 304684 Northing: 141289
Applicant	Savills (UK) Ltd
Proposal	Outline planning application with all matters reserved except for access for the erection of 14 No. dwellings on land to the rear
Location	Land north of Huish Lane, Washford, Old Cleeve,

Recommendation

Recommended decision: Subject to a legal agreement under s106 of the Act to secure affordable housing and protection for trees and hedgerows, conditional approval.

Recommended Conditions

- 1 Approval of the details of the (a) layout (b) scale (c) appearance and (d) landscaping of the site (hereinafter call 'the reserved matters') shall be obtained from the Local Planning Authority in writing before any development is commenced.

Application for approval of the reserved matters shall be made to the Local Planning Authority not later than the expiration of two years from the date of this permission. The development hereby permitted shall be begun not later than the expiration of two years from the approval of the reserved matters, or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: This is an outline permission and these matters have been reserved for the subsequent approval of the Local Planning Authority, and as required by Section 92 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

(A3) DrNo 1829 0110 Rev D SITE LOCATION PLAN

(A3) DrNo 1829 0111 Rev D EXISTING SITE PLAN

(A3) DrNo 1829 0112 Rev D PROPOSED SITE LAYOUT

(A4) DrNo 11341-T01 Rev P01 SITE ACCESS GENERAL ARRANGEMENT & VISIBILITY SPLAYS

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 No development shall be commenced until details of the surface water drainage scheme, based on sustainable drainage principles, together with details of a programme of implementation and maintenance for the lifetime of the development, have been submitted to and approved in writing by the Local Planning Authority. This scheme should aim to enhance biodiversity, amenity value, water quality and provide flood risk benefit (i.e. four pillars of SuDS) to meet wider sustainability aims, as specified by The National Planning Policy Framework (July 2018) and the Flood and Water Management Act (2010). The drainage scheme shall ensure that surface water runoff post development is attenuated on site and discharged at a rate and volume no greater than greenfield runoff rates and volumes. Such works shall be carried out in accordance with the approved details.

These details shall include: -

- Details for provision of any temporary drainage during construction. This should include details to demonstrate that during the construction phase measures will be in place to prevent unrestricted discharge, and pollution to the receiving system.
- Details on how the system will operate appropriately under flood conditions and surcharged outfall, and further investigation into any flood risk considerations in the area.
- Information about the design storm period and intensity, discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance (6 metres minimum), the sustainable methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters.
- Any works required on and off site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant). This should also demonstrate any works offsite are within the applicant's ownership,
- Where it is proposed to discharge to a drainage system maintained/operated by other authorities' evidence of consultation and the acceptability of any discharge to their system should be presented for consideration
- Flood water exceedance routes both on and off site, note, no part of the site must be allowed to flood during any storm up to and including the 1 in 30 event, flooding during storm events in excess of this including the 1 in 100yr (plus 40% allowance for climate change) must be controlled within the designed exceedance routes demonstrated to prevent flooding or damage to properties.
- A management and maintenance plan for the lifetime of the development

which shall include the arrangements for adoption by an appropriate public body or statutory undertaker, management company or maintenance by a Residents' Management Company and / or any other arrangements to secure the operation and maintenance to an approved standard and working condition throughout the lifetime of the development for all of the system. This should also include any system outside the site boundary constructed as part of the development to ensure adequate discharge of water.

- Infiltration testing, soakaway/infiltration system detailed design and construction in accordance with Building Research Digest 365. Soakaways must be located more than 5m from building and road foundations. If soakaways/infiltration features are shown as unviable after further testing, a suitable sustainable drainage scheme shall be shown.

Reason: To ensure that the development is served by a satisfactory, sustainable system of surface water drainage and that the approved system is retained, managed and maintained throughout the lifetime of the development, in accordance with National Planning Policy Framework (July 2018) and the Technical Guidance to the National Planning Policy Framework.

- 4 The applicant shall ensure that all vehicles leaving the site are in such condition as not to emit dust or deposit mud, slurry or other debris on the highway. In particular (but without prejudice to the foregoing), efficient means shall be installed, maintained and employed for cleaning the wheels of all lorries leaving the site, details of which shall have been agreed in advance in writing by the Local Planning Authority and fully implemented prior to commencement of the construction phase, and thereafter maintained until that phase ceases.

Reason: In the interests of highway safety

- 5 The proposed access shall be constructed in accordance with details shown on the submitted plan, drawing number 1829 0112 Rev D, and shall be available for use before first occupation. Once constructed the access shall be maintained thereafter in that condition at all times.

Reason: In the interests of highway safety and to ensure adequate access to the development is available prior to occupation

- 6 Prior to occupation of the development hereby permitted the proposed access over at least the first 6 metres of its length, as measured from the edge of the adjoining carriageway, shall be properly consolidated and surfaced (not loose stone or gravel) in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. Once constructed the access shall thereafter be maintained in that condition at all times.

Reason: In the interests of highway safety and to ensure adequate access to the development is available prior to occupation

- 7 Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been

submitted to and approved in writing by the Local Planning Authority. Such provision shall be installed before construction above damp-proof-course level and thereafter maintained at all times.

Reason: In the interests of highway safety and to prevent surface water discharging onto the public highway

- 8 The proposed estate roads, footways, footpaths, tactile paving, cycleways, bus stops/bus lay-bys, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car, motorcycle and cycle parking, and street furniture shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing before their construction begins. For this purpose, plans and sections, indicating as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority.

Reason: In the interests of highway safety

- 9 The Development hereby permitted shall not be commenced until the parking spaces for the dwellings in accordance with current policy standards and a properly consolidated and surfaced turning space for vehicles have been provided and constructed within the site in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. Such parking and turning spaces shall be kept clear of obstruction at all times and shall not be used other than for the parking and turning of vehicles in connection with the development hereby permitted.

Reason: In the interests of highway safety and to prevent on-street parking

- 10 The approved Measures-Only Travel Statement shall be implemented in accordance with the timescales specified therein, to include those parts identified as being implemented prior to occupation and following occupation, unless alternative timescales are agreed in writing with the Local Planning Authority

Reason: In the interests of the promotion of sustainable transport

- 11 There shall be no obstruction to visibility greater than 600 millimetres above adjoining road level in advance of lines drawn 2.4 metres back from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge metres either side of the access. Such visibility shall be fully provided before the development hereby permitted is first occupied and shall thereafter be maintained at all times.

Reason: In the interests of highway safety

- 12 No development shall commence unless a Construction Environmental Management Plan has been submitted to and approved in writing by the Local

Planning Authority. The works shall be carried out strictly in accordance with the approved plan. The plan shall include:

- Construction vehicle movements;
- Construction operation hours;
- Construction vehicular routes to and from site;
- Construction delivery hours;
- Expected number of construction vehicles per day;
- Car parking for contractors;
- Specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice;
- A scheme to encourage the use of Public Transport amongst contractors; and
- Measures to avoid traffic congestion impacting upon the Strategic Road Network.
- Protection of retained features and surface water bodies on or adjacent to the site, including control of surface run-off.
- Details of waste management and offsite disposal

The approved Construction Environmental Management Plan shall be implemented throughout the period of work on site including any preparatory works.

Reason - In the interests of highway safety, environmental protection and residential amenity, and in accordance with policy SD1 of the adopted West Somerset Council Local Plan to 2032

- 13 No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include the following:
- a) Risk assessment of potentially damaging construction activities.
 - b) Identification of "biodiversity protection zones".
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
 - d) The location and timing of sensitive works to avoid harm to biodiversity features.
 - e) The times during construction when specialist ecologists need to be present on site to oversee works.
 - f) Responsible persons, lines of communication and written notifications of operations to the Local Planning Authority
 - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person;
 - h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of European and UK protected species. UK priority species and habitats listed on s41 of the Natural Environment and Rural Communities Act 2006 and in accordance with policy NH4 of the West Somerset Local Plan

- 14 Prior to occupation, a "lighting design for bats shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall:
- a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their resting places or along important routes used to access key areas of their territory, for example, for foraging; and
 - b) show how and where external lighting will be installed, including amenity and or security lighting, (through the provision of lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their resting places. All external lighting shall be installed in accordance with the specifications and locations set out in the design, and these shall be maintained thereafter in accordance with the design. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority

Reason: In the interests of the Favourable Conservation Status of populations of European protected species and in accordance with policy NH4 of the West Somerset Local Plan

- 15 A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the Local Planning Authority prior to occupation of the first dwelling. The content of the LEMP shall include the following:
- a) Description and evaluation of features to be managed.
 - b) Ecological trends and constraints on site that might influence management.
 - c) Aims and objectives of management.
 - d) Appropriate management options for achieving aims and objectives.
 - e) Prescriptions for management actions.
 - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
 - g) Details of the body or organization responsible for implementation of the plan.
 - h) On-going monitoring and remedial measures.
- The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and

objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: In the interests of the 'Favourable Conservation Status' of populations of European and UK protected species, UK priority species and habitats listed on s41 of the Natural Environment and Rural Communities Act 2006 and in accordance with policy NH4 of the West Somerset Local Plan to 2032

- 16 The following will be integrated into or mounted upon buildings:
- a) A Habitat 001 bat box or similar will be built into the structure at least four metres above ground level and away from windows of the southwest facing elevation of three plots
 - b) Four Vivra Pro Woodstone House Martin nests or similar will be mounted directly under the eaves and away from windows of the northeast elevation of three plots
 - c) Two Schwegler 1SP Sparrow terraces or similar at least one metre apart directly under the eaves and away from windows on the northeast elevations of two plots
 - d) A bee brick built into the wall about 1 metre above ground level on the southeast elevation of ten plots
 - e) Any new fencing must have accessible hedgehog holes, measuring 13cm x 13cm to allow the movement of hedgehogs into and out of the site
- Plans showing the installed features will be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of construction works.

Reason: In accordance with Government policy for the enhancement of biodiversity within development as set out in paragraph 170(d) of the National Planning Policy Framework

- 17 No development (other than that required by this condition) shall be undertaken on site unless a programme of archaeological work, including excavations, has been implemented in accordance with a written scheme of investigation (WSI) which has been first submitted to and approved in writing by the Local Planning Authority. The WSI shall include details of the archaeological investigation, the recording of the heritage asset, the analysis of evidence recovered from the site and publication of the results. The development shall be carried out at all times in accordance with the agreed scheme.

Reason: To ensure the preservation of archaeological remains.

Reason for pre-commencement: Any works on site have the potential to disturb archaeological interests.

Informative notes to applicant

- 1 In accordance with paragraph 38 of the National Planning Policy Framework the Council has worked in a positive and pro-active way and has imposed planning conditions to enable the grant of planning permission.
- 2 Section 171 License

Where works are to be undertaken on or adjoining the publicly maintainable highway a licence under Section 171 of the Highways Act 1980 must be obtained from the Highway Authority. Application forms can be obtained by writing to Transport Development Group, Environment Department, County Hall, Taunton, TA1 4DY, or by telephoning 0300 123 2224. Application should be submitted at least four weeks before works are proposed to commence in order for statutory undertakers to be consulted concerning their services.
- 3 The applicant will be required to enter into a suitable legal agreement with the Highway Authority to secure the construction of the highway works necessary as part of this development. The developer should contact the Highway Authority on tel: 0300 123 2224 to progress this agreement well in advance of commencement of development.

Proposal

Outline planning application with all matters reserved except for access for the erection of 14 No. dwellings on land North of Huish Lane, Washford.

Site Description

Open field to the rear of Huish Mews, in Washford. Land is fairly flat and is accessed via a private metalled track. There are mature hedgerows and trees to the boundaries

Relevant Planning History

none

Consultation Responses

Old Cleeve Parish Council -

Old Cleeve Parish Council note:

The site is backland development, not identified under the previous West Somerset Forward Plan and could erode the viability of the tenanted Kentsford farm holding owned by the Wyndham Estates.

The Housing Needs survey identified a very limited demand for housing (social/affordable), being only 2 in the whole of Old Cleeve Parish

There is at present, consent for 24 dwelling units of various tenures and other sites

outstanding or not occupied, the cumulative effect of the three applications that are all linked and adjacent to each other can only be detrimental unless significant infrastructure improvements are included as part of the development, Foul water flooding occurs on the site by the surcharge of the foul sewer (225 mm) which is comparatively shallow in depth. Whilst it is easy for Wessex Water Authority to say a sewer is available, it does not address the true issues when they occur. The foul sewer traverses the proposed development site but has not been plotted to take account of the dwelling positions and requirement of Wessex Water Authority to have a 30m exclusion zone and access each side of the sewer. No judgement can be made at present - even if the sewer requires diversion, this may not be possible

Layout:

A robust management plan and the co-operation of residents would be required for all of the 14 dwellings

A minimum of 1.2m³ per dwelling would be necessary as being the required standard

Tandem and 'siamesed' parking arrangements could lead to many cars parking in the road and as the swept paths show, there is no room for this to take place Provision has to be made for electric car charging as part of the design. Adequate provision is required for fire fighting vehicles (2 of) and turning space.

Should the new roads be adopted and require the services of a road sweeper, certain sections are unlikely to be accessible by a conventional sweeper.

The Hydrock report indicates only the proposed improved access to Huish Lane. It is considered to be poor and less than an acceptable standard - particularly for pedestrians, those with disabilities and those requiring the use of a mobility aid

This access is also used by; the farmer to access the fields (tractors and combine harvesters), allotment holder vehicles, pedestrians including - children, older people and people with disabilities, cyclists, vehicles from Huish Mews and in addition the previously approved housing development on the allotment site and nursery site will also use this access

Huish Lane does not have continuous adequate and safe footways to access the school, village hall, the distant part-time post office or the Public House

For the reasons given above, Old Cleeve Parish Council cannot support this application and suggest that it is rejected as it is not sustainable under the present criteria or with regards to the other adjacent proposed developments.

Highways Development Control -

The road layout will utilise an existing vehicular access, with a new 1.8 metre footway proposed, along with a new dropped crossing onto Huish Lane and 2.4 metres x 43.0 metres visibility splays in both directions. These works should be carried out under a Section 278 agreement along with a S171 licence. The internal 5.5 metre carriageway with a 0.5 metre margin on one side, 1.0 metre margin on the other at the access and within the site, and a mix of footway/margin and no margin or footway is not suitable for adoption. The applicants need to provide a continuous footway on both sides of the carriageway (1.8 metre) if the road is bituminous construction. If a block paved road is proposed then x2 1.0 metre margins will be required throughout with a 2.0 metre overhang at the termination of the turning head.

The road serving plots 1/8/9, 10 and 11, 12/13 and 14 will be private.

Turning head shown is not of standard dimensions and needs to be proven for

tracking of a refuse vehicle, measuring 11.4 metres long.

The layout, if bituminous requires a 1.8 metre footway on both sides throughout the layout- a 1.5 metre footway has been shown in places.

The separate turning head shown for the adjacent existing houses would not be adopted.

The proposals as shown would not be suitable for adoption.

The applicant should be aware that it is likely that the internal layout of the site will result in the laying out of a private street, and as such, under Sections 219 to 225 of the Highway Act 1980, will be subject to the Advance Payment Code (APC). Given the constraints of the existing access, it will not be possible to construct an estate road to a standard suitable for adoption. Therefore, in order to qualify for an exemption under the APC, the road should be built and maintained to a level that the Highway Authority considers will be of sufficient integrity to ensure that it does not deteriorate to such a condition as to warrant the use of the powers under the Private Streetworks Code. If the applicant would like to offer this road for adoption appropriate amendments to the layout will be required.

In the event of permission being granted, it is recommended that conditions are imposed for: Wheelwashing; consolidation of access; surface water; estate roads; parking spaces; travel plan; visibility splays

SCC - Ecologist -

A Preliminary Ecological Appraisal of the application site was carried out by Geckoella between January and August 2019. Most of the site consists of a paddock of improved grassland. The site is bounded by two species rich hedgerows associated with a farm track to the west of the site and species poor hedgerow to the north and east of the application site. The hedgerows were considered to form potential commuting and foraging bats. As no bat activity surveys have been undertaken it is assumed that the presence of light averse species. A condition is required for a lighting design for bats.

In addition, the site is on the edge of a settlement and overall the potential for Hazel Dormouse is considered low. The paddock grassland and nearby gardens and allotments are all good potential habitats for hedgehog. A Construction Environmental Management Plan covering how the above features will be protected and maintained during the construction period is recommended by Geckoella . This needs to be conditioned for hedgerow and vegetation clearance

The area for swales and surrounding habitat could provide enhancement for biodiversity as set out in the National Planning Policy Framework. In order for this area to provide this enhancement it would need to be subsequently managed for wildlife. This can be achieved through a condition for a Landscape and Ecological Management Plan.

The National Planning Policy Framework (170d) requires biodiversity enhancement to be provided within development. A bee brick would contribute to the Somerset Pollinator Action Plan. Research shows that bees will live in the bricks and there is no risk associated with their installation as solitary bees do not live in hives or have a queen, and do not sting. The bricks have a solid back with the cavities placed on the outside wall. It is recommended that this is set by condition.

Environment Agency -

Below threshold for comments

Tree Officer -

I have no major concerns about this one, so long as most of the existing hedgerows are retained as indicated. These will not be protected by the Hedgerow Regulations if the site is developed, so can they be protected by condition or section 106? Can we have more trees in areas that are outside the private gardens – eg. around the swales and near to the southern boundary? Scope for some good new hedgerow oaks in the new hedge to the north.

Housing Enabling Officer -

The policy requirement in the West Somerset Local Plan to 2023 is that a minimum of 35% of all new housing should be in the form of affordable units. Based on a development scheme size of 14 homes this would mean that 5 affordable homes would be required.

Ideally the affordable housing on this site would consist of 60% social rented and 40% shared ownership i.e. 3 social rented and 2 shared ownership.

The Housing Need Report, 20 May 2019, for Old Cleeve (inc Washford Parish) states that 3 households with a local connection are in housing need.

As there is a current planning permission for 5 x 2 bed affordable homes the social rented units that would be required would be a mix of 1 and 3 bed homes.

This application proposes to deliver 5 homes for affordable home ownership. The housing need survey identified 5 households with a need for low cost homeownership. For the reasons above affordable home ownership units provided on this site must be at a 40% discount to the open market value in perpetuity to ensure these homes are affordable for local people. All the affordable home ownership homes should be 2 and 3 bedroom properties.

The affordable homes should be integral to the development and should not be visually distinguishable from the market housing on site. In addition, the affordable housing is to be evenly distributed across the site.

Due to the size and location of the scheme there would be a requirement for a local connection clause in relation to the affordable housing.

The affordable housing scheme must be submitted to and approved in writing by the Development Enabling Specialist at Somerset West and Taunton Council. Early engagement to agree the affordable housing provision is recommended.

Somerset County Council - flooding & drainage -

We would advise the LPA that the cumulative impact of developments in this area are considered. Due to the small size of several developments proposed within this area, and the practical minimum discharge rate, this could potentially increase the amount of flow into the receiving watercourse, and could have implications downstream. In these instances, using source control measures to ensure no or minimal runoff from the development in smaller storms is important so that when they do discharge it will likely be for much greater events. The Washford is a rapidly responding watercourse so ensuring the surface water runoff peak gets away before the peak on the watercourse will most likely be important. We would encourage the applicant to assess the SuDS suggested in more detail and indicate where these could be implemented on the site. Currently the plans seem to indicate that the attenuation features are isolated from the site rather than being

incorporated into the design for wider benefits.

We would also encourage a wider exploration of other sustainable drainage features which could be incorporated for amenity, biodiversity, water quality and flood risk benefits. This could include further SuDS conveyance features from the site to outfall, and a smaller conveyance feature between the two larger swales.

We advise that these features are indicated on the plans to demonstrate any constraints and commitment to delivery. Please note that consent may be required from the EA as there is formal connection into a Main River proposed.

We would advise the above be considered, however should the LPA be minded to grant permission, we would advise that a condition for SUDS is applied as per the suggested wording

Representations Received

4 letters of objection have been received, the issues raised are:

- dwellings are very squashed with little garden space
- traffic impacts
- lack of pavements/footpaths
- lack of local services such as GPs and shops in the village
- parking impacts on surrounding streets
- excessive parking within the development
- need pedestrian crossings and more pavements

One neutral letter was received from the Somerset Wildlife Trust supporting recommendations in the ecological survey

Planning Policy Context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan for the West Somerset planning area comprises the West Somerset Local Plan to 2032, retained saved policies of the West Somerset District Local Plan (2006) Somerset Minerals Local Plan (2015) and Somerset Waste Core Strategy (2013).

Relevant policies of the development plan are listed below.

West Somerset Local Plan to 2032

CC6	Water Management
SC1	Hierarchy of settlements
SV1	Development at primary and secondary villages
NH13	Securing high standards of design

Retained saved policies of the West Somerset Local Plan (2006)

LB/1	Listed Buildings Alterations and Extensions
T/8	Residential Car Parking

Determining issues and considerations

Main issues are the principle of development, affordable housing, access and parking, amenity, landscape and trees, biodiversity, heritage, drainage and legal agreement.

Principle of development

This is an outline application with all matters reserved except for access for 14 dwellings on a site bordering onto the minor settlement of Washford. The applicants engaged with the LPA prior to submission of an application under pre-application reference PRE/26/18/004. The pre-application was based on a scheme of 16 residential units which has been reduced to 14 for this application. The pre-application gave guarded support for the proposal. Relevant policies include WSC Local Plan to 2032, SC1 Hierarchy of Settlements, SC4 Affordable Housing, and SV1 Development at Primary and Secondary Villages. Policy SC1 allows for limited development (up to ten dwellings) in identified primary/secondary villages, which includes Washford and up to 50 metres from built-development limits. The majority of the site is within 50 metres of the edge of contiguous built development in Washford, although the area shown on indicative plans as proposed for surface water attenuation features is significantly beyond this 50m limit. However it is not considered that water features are relevant to the 50 metre limit. In regards to proposed dwellings shown on the indicative site plan plot 1 is just outside of 50 metres from the nearest dwelling (Huish Mews) and plot 8 is partially within the 50 metre line. Given that the majority of the site proposed for new dwellings is within 50 metres of contiguous built development, as at the date of the adoption of the Local Plan to 2032, the spread and quantum of development is considered acceptable, in this instance, to make best use of the plot in an efficient manner.

Policy SC1 allows for 'limited development' in 'primary villages' of which Washford is one. Limited development is defined as for residential developments of up to ten units, however the Local Plan to 2032 must be read in conjunction with the National Planning Policy Framework (2019) which has significant weight in consideration of the current application. The figure of 14 dwellings is evidently over the local plan limit of 10 dwellings, but has to be seen in the context of the NPPF which requires that local planning authorities support sustainable development. In considering the efficient use of land required in the NPPF at paragraphs 117 and 118 (d), it is stated that policies and decisions should "promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively". Paragraph 122 notes that "planning decisions should

support development that makes efficient use of land", and paragraph 123 states that "planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site". The NPPF (2019) therefore promotes the efficient use of land at capacities and densities which should not be arbitrarily imposed as result of rigid adherence to local plan policies which may have some elements that are not fully in conformity with the aims of the NPPF. It is therefore considered that to restrict the proposed development to 10 dwelling units would not be in accordance with the NPPF and that the LPA can support the proposed quantum of development.

Policy SC1 further requires that numbers of new dwellings approved should be "about a 10% increase in a settlement's total dwelling number during the Local Plan period" and this total dwelling number for Washford, at the date of the Local Plan adoption year of 2016 was at 304 dwellings. There are considered to be 16 dwellings at some stage of approval since the adoption of the Local Plan in November 2016 in Washford, comprised of two single dwellings (3/26/19/003 Belle Vue, and 3/26/18/003 Ashcroft), 5 affordable dwellings at the adjacent site (3/26/19/015) and 9 open market dwellings at the former nursery site, which has been approved at committee but has not yet had decisions issued due to a delay in drafting the section 106 agreement (but is of relevance to the current application in regards to numbers of dwellings with a staged approval in Washford). This overall totals up to 16 dwellings, so an application for 14 dwellings is within the 10% of 304 dwellings (approximately 30/31 dwellings) given as an approximate figure for new approvals in policy SC1.

It is acknowledged that the application provides for more than ten dwellings so has some policy conflicts with SC1. However the application would provide for 35% affordable units or 5 dwellings which, it is considered, on balance, allows the LPA to provide in principle support to the application given the benefits to the local area of an increase in the availability of affordable housing. The number at 5 units equates to 35.7% of numbers proposed, so is considered to be fully in conformity with policy SC4 for affordable housing. As the application is submitted in outline, the main issues remaining are concerned with landscape, biodiversity, heritage, access and parking, and are discussed below.

Affordable housing

The applicants have agreed to provide 35% of dwellings as affordable units. This would be set through a section 106 agreement. Housing enabling specialists have recommended the dwelling tenures are split 60% social rent (3 units) to 40% shared ownership (2 units). Further the enabling specialists recommend a local connection clause and noted at least eight households in the wider locality registered for affordable housing. On this basis, the proposal is considered to be in compliance with requirements under policy SC4 Affordable Housing.

Amenity

The site is relatively close to Huish Mews, a small terrace of dwellings but with sufficient distance to ensure there are no significant impacts on amenity for existing residents. Subject to details of design at the reserved matters stage the application

is not considered to have significant issues related to residential amenity.

Access and parking

The site would utilise a pre-existing access onto Huish Lane and private road servicing houses on Huish Mews. The Highways Authority have not objected to the proposal but have noted that a highways section 171 license would be required and commented that the estate roads are unlikely to be adopted. They have recommended conditions which will be appended to any permission granted. One condition, for a Travel Plan to accompany any reserved matters application, has been amended as per the recommendation to ensure compliance with the submitted Travel Plan which has been reviewed by the Highways Authority. The proposed access is considered suitable for the proposed scale of use and any highways impacts are considered to be less than 'severe', as stipulated in the NPPF. Accordingly the development is considered acceptable from a highways perspective.

The proposal shows on the indicative layout up to 43 parking spaces. This is 15 in excess of the level stipulated in WSC retained policy T/8, which only allows for 2 spaces per dwelling (equating to 28 spaces). However it should be noted that several of the individual spaces are in-line double spaces which may not be capable of providing two full spaces, especially for longer cars and as such cannot be definitively included as representing full spaces. Additionally the indicative plan shows 3 visitor spaces. As the layout plan is indicative and this application seeks only consent for the quantum of dwellings and access it is considered that the proposed parking whilst not in compliance with policy T/8 does not represent a substantive reason to refuse the application.

Landscape and trees

The site is relatively level and is an open pasture field located behind existing housing. An adjacent site has a recent approval for reserved matters for the delivery of affordable housing. There are some trees and hedgerows bordering the site and these should be protected during construction and retained where possible. The SWaT Tree officer has recommended that hedgerow and tree protection is included in the section 106 agreement. Any reserved matters application would need to include details of hard and soft landscaping and it is considered that the proposed development, at this outline stage, would not have significant adverse impacts beyond the control of the LPA.

Heritage

There are grade II listed barns located to the south-east of the site. With a good landscaping scheme it is not considered that the setting of these designated heritage assets would be unduly harmed by the proposed development. The site has some archaeological potential and the South West Heritage Trust has recommended a condition for a written scheme of investigation which will be included in any outline permission granted.

Drainage

The application includes indicative plans for above-ground surface water attenuation features. The Lead Local Flood Authority have recommended that the LPA conducts a masterplan for the area with consideration given to a wider drainage strategy. However SWaT policy and strategy colleagues have stated that this will not be possible. The LLFA have not objected to the proposal but have requested a reserved matters condition for details of a SUDS to be included with any outline permission granted.

Biodiversity

The application included an ecological assessment which has been reviewed by the County ecologist who has recommended appropriate conditions. These will be included with any outline permission granted.

Legal agreement

The application will require signing of a legal agreement (section 106) to provide confirmation for affordable housing and tree/hedgerow protection measures. Any permission granted will be contingent upon signing of a suitable legal agreement, which has been agreed in principle with the agent.

Other matters.

The parish council have objected to the proposed development citing concerns about lack of facilities in the village, traffic impacts and other matters. Additionally 4 letters of objection have been received raising concerns including parking and traffic impacts, lack of pedestrian crossings and over-development. These matters are addressed above.

Conclusion

Whilst there are issues with this outline application in relation to the quantum of development and stipulations in policy SC1 for limited development it is considered that, on balance, the provision of new affordable housing is a planning benefit outweighing any perceived policy conflicts. All other matters relevant to the outline stage are considered acceptable subject to approval with conditions cited above and the signing of a section 106 legal agreement.

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

