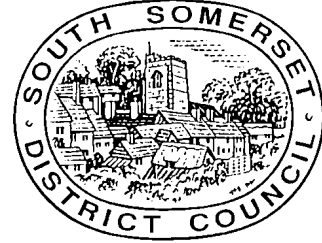


**South Somerset District Council**

*Notice of Meeting*



# Regulation Committee

*Making a difference where it counts*

**Tuesday 15th January 2019**

**10.00 am**

**Council Chamber  
Council Offices  
Brympton Way  
Yeovil BA20 2HT**

(disabled access and a hearing loop are available at this meeting venue)



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Members listed on the following page are requested to attend the meeting.

The public and press are welcome to attend.

For further information on the items to be discussed, please contact the Case Services Officer (Support Services) on 01935 462011 or [democracy@southsomerset.gov.uk](mailto:democracy@southsomerset.gov.uk)

This Agenda was issued on Monday 7 January 2019.

**Alex Parmley, Chief Executive Officer**



This information is also available on our website  
[www.southsomerset.gov.uk](http://www.southsomerset.gov.uk) or via the mod.gov app

# Regulation Committee Membership

The following members are requested to attend the meeting:

**Chairman:** Peter Gubbins  
**Vice-chairman:** Angie Singleton

Clare Paul  
Mike Best  
Tony Capozzoli  
Anna Groskop

Mike Lock  
Tony Lock  
Graham Middleton  
David Recardo

Sylvia Seal  
Martin Wale  
Nick Weeks  
Colin Winder

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# **Information for the Public**

## **Public Participation at Committees**

This is a summary of the Protocol adopted by the Council and set out in Part 3 of the Council's Constitution.

## **Public Question Time**

The period allowed for participation in this session shall not exceed 15 minutes except with the consent of the chairman of the committee. Each individual speaker shall be restricted to a total of three minutes.

## **Planning Applications**

Comments about planning applications will be dealt with at the time those applications are considered, rather than during the Public Question Time session.

Comments should be confined to additional information or issues, which have not been fully covered in the officer's report. Members of the public are asked to submit any additional documents to the planning officer at least 72 hours in advance and not to present them to the Committee on the day of the meeting. This will give the planning officer the opportunity to respond appropriately. Information from the public should not be tabled at the meeting. It should also be noted that, in the interests of fairness, the use of presentational aids (e.g. PowerPoint) by the applicant/agent or those making representations will not be permitted. However, the applicant/agent or those making representations are able to ask the Planning Officer to include photographs/images within the officer's presentation subject to them being received by the officer at least 72 hours prior to the meeting. No more than 5 photographs/images either supporting or against the application to be submitted. The Planning Officer will also need to be satisfied that the photographs are appropriate in terms of planning grounds.

At the committee chairman's discretion, members of the public are permitted to speak for up to 3 minutes each and where there are a number of persons wishing to speak they should be encouraged to choose one spokesperson to speak either for the applicant or on behalf of any supporters or objectors to the application. The total period allowed for such participation on each application shall not normally exceed 15 minutes.

The order of speaking on planning items will be:

- County Council, Town or Parish Council Representative
- Objectors
- Supporters
- Applicant and/or Agent

Ward members, if not members of the Regulation Committee, will speak after the town/parish representative.

If a member of the public wishes to speak they must inform the committee administrator before the meeting begins of their name and whether they have supporting comments or objections and who they are representing. This must be done by completing one of the public participation slips available at the meeting.

In exceptional circumstances, the Chairman of the Committee shall have discretion to vary the procedure set out to ensure fairness to all sides.

## **If a Councillor has declared a Disclosable Pecuniary Interest (DPI) or a personal and prejudicial interest**

In relation to Disclosable Pecuniary Interests, a Councillor is prohibited by law from participating in the discussion about the business on the agenda that relates to this interest and is also required to leave the room whilst the relevant agenda item is being discussed.

Under the new Code of Conduct adopted by this Council in July 2012, a Councillor with a personal and prejudicial interest (which is not also a DPI) will be afforded the same right as a member of the public to speak in relation to the relevant business and may also answer any questions, except that once the Councillor has addressed the Committee the Councillor will leave the room and not return until after the decision has been made.

## **Recording and photography at council meetings**

Recording of council meetings is permitted, however anyone wishing to do so should let the Chairperson of the meeting know prior to the start of the meeting. The recording should be overt and clearly visible to anyone at the meeting, but non-disruptive. If someone is recording the meeting, the Chairman will make an announcement at the beginning of the meeting.

Any member of the public has the right not to be recorded. If anyone making public representation does not wish to be recorded they must let the Chairperson know.

The full 'Policy on Audio/Visual Recording and Photography at Council Meetings' can be viewed online at:

<http://modgov.southsomerset.gov.uk/documents/s3327/Policy%20on%20the%20recording%20of%20council%20meetings.pdf>

# Regulation Committee

**Tuesday 15 January 2019**

## Agenda

### *Preliminary Items*

**1. Minutes**

To approve the minutes of the previous meeting held on 20 November 2018.

**2. Apologies for Absence**

**3. Declarations of Interest**

**4. Public Question Time**

**5. Planning Application 18/01311/OUT - Land OS 4538, The Pound, Broadway Road, Broadway TA19 9RA (Pages 6 - 33)**

**6. Date of Next Meeting**

The next scheduled meeting of the Regulation Committee will be held on Tuesday 19 February 2019 at 10.00am. However this meeting will only take place if there is business to conduct.

# Agenda Item 5

## Officer Report on Planning Application: 18/01311/OUT

<b>Proposal:</b>	Outline planning application with all matters reserved aside from access for the erection of up to 35 dwellings and associated works (resubmission of 17/04239/OUT).
<b>Site Address:</b>	Land OS 4538 The Pound, Broadway Road, Broadway TA19 9RA
<b>Parish:</b>	Broadway
<b>NEROCHE Ward (SSDC Member)</b>	Cllr L P Vjeh
<b>Recommending Case Officer:</b>	Andrew Gunn Tel: (01935) 462192 Email: andrew.gunn@southsomerset.gov.uk
<b>Target date:</b>	25th July 2018
<b>Applicant:</b>	Mr Nick Warfield
<b>Agent: (no agent if blank)</b>	Mr Matthew Halstead, Alder King Planning Consultants, Pembroke House, 15 Pembroke Road, Clifton, Bristol, BS8 3BA
<b>Application Type:</b>	Major Dwlgns 10 or more or site 0.5ha+

### REASON FOR REFERRAL TO REGULATION COMMITTEE

The application was considered on the 12th December 2018 by the Area West Committee. Members were minded to refuse the application for the following reason:

The proposed development by reason of its location and scale on a greenfield site at the edge of the village would result in a significant adverse landscape impact and be harmful to the character and appearance of the village, contrary to policies SD1 and EQ2 of the South Somerset Local Plan.

Since the meeting of the Area West Committee, a response has been received from the Case Officer, Strategy and Commissioning, in respect of play facilities. A total of £55,406 has been requested. This shall be split between the enhancement of equipped play facilities in Broadway (£29,708 with £17,160 commuted sum) and towards the provision of youth facilities in Broadway (£5,833 with £2,157 commuted sum).

In addition, the agent has submitted a short addendum from the landscape consultant to his landscape appraisal that was submitted with the original application. Whilst only indicative at this stage, the landscape strategy drawing has been revised to include additional buffer planting to the north of the site, where the open space buffer is proposed to the surrounding landscape. This has been submitted to provide a more vegetated transition from the proposed development to open countryside to the north and will supplement the retention of the mature hedgerow boundaries and proposed additional landscaping.

The original officer report as considered by the Area West Committee is included in full below.

### REASON FOR REFERRAL TO AREA WEST COMMITTEE

The application is referred to Area West Committee at the request of the Ward member and in agreement with the Chair in order for a full discussion of the planning issues raised by this development.



The site is located towards the north western side of Broadway, on the northern side of Broadway Road at its junction with Pound Road. The site comprises 1.73 hectares and is currently grassed and has been used to graze sheep. Mature hedgerows run around the boundary of the site along with a number of mature trees. A woodland copse is located to the south eastern corner. Residential properties front Broadway Road to the east of the site with 1 property adjoining the site. Additional residential properties then continue along Hare Lane to the west of the site on the other side of Pound Road. Fields adjoin the site to the north with a further field to the south.

The application seeks outline consent for the erection of up to 35 dwellings with only access being sought for approval at this stage. All other detailed matters in regard to layout, scale, appearance and landscaping will be submitted at any subsequent reserved matter stage. This application follows a previous outline application for 46 dwellings which was withdrawn following concerns raised in regard to the scale of development, harm to the character and appearance of the area, harm to ecological interests, impact on trees, and highway and pedestrian safety issues.

This revised scheme will provide 35 dwellings of which 35% (12 units) will be affordable units. A range of 2, 3 and 4 bed units will be provided along with five bungalows. The indicative layout plan has amended the earlier scheme by pulling dwellings away from the full extent of the northern boundary. The existing boundary hedgerows and trees will be maintained other than a small section of hedgerow removal to provide the access point from Broadway Road and the internal road to serve the properties in the smaller field. Additional supplemental planting will also be undertaken in certain sections both within and along the boundaries of the site. An attenuation pond will be located in the north east corner of the site along with a bat roost.

The small copse to the south east, whilst outside of the application site, will be retained and maintained by the applicant who is the current owner, as a landscape feature and for ecological benefit.

The application has been supported by a range of updated and revised supporting documents. These include the following:

- Archaeological and Heritage Assessment - April 2018;
- Design and Access Statement - April 2018;
- Flood Risk Assessment and Drainage Strategy - April 2018;
- Landscape and Visual Appraisal - April 2018;
- Landscape Strategy Drawing (1264-01 Rev B);
- Phase I Ecological Appraisal - April 2018;
- Phase I Geo Environmental Assessment
- Planning Layout Drawing (7854 SK004C);
- Site Location Plan;
- Topographical Survey;
- Tree Constraints Survey and Arboricultural Impact Assessment - April 2018;
- Transport Statement and Road Safety Audit - April 2018;
- Planning Statement - April 2018
- Technical Transport drawings:
  - Proposed Site Access Arrangements - Drg. No. 03;
  - Proposed Site Access - Swept Path Analysis - Drg. No TR02;
  - Proposed Footway link to the village - Drg. No. 13;
  - Proposed Gateway Feature on Pound Road - Drg. No. 14;
  - Swept Path Analysis for a Refuse Vehicle - Drg. No TR04;

## **HISTORY**

17/04239/OUT - Outline application with all matters reserved aside from access for the erection of up to 46 dwellings and associated works (application withdrawn).



## **POLICY**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 repeats the duty imposed under S54A of the Town and Country Planning Act 1990 and requires that decision must be made in accordance with relevant Development Plan Documents unless material considerations indicate otherwise,

Relevant Development Plan Documents

South Somerset Local Plan (adopted 2015)

SD1 - Sustainable Development

SS1- Settlement Strategy

SS2 - Development in Rural Settlements

SS5 - Delivering New Housing Growth

SS6 - Infrastructure Delivery

HG3 - Provision of Affordable Housing

TA4 - Travel Plans

TA5 - Transport Impact of New Development

TA6 - Parking Standards

HW1 - Provision of Open Space, outdoor playing space, sports, cultural and Community Facilities in New Development

EQ2- General Development

EQ3 - Historic Environment

EQ4- Biodiversity

Other Relevant Material Considerations

National Planning Policy Framework (2018)

Chapter 2 - Achieving sustainable Development

Chapter 5 - Delivering a sufficient supply of homes

Chapter 12 - Achieving well designed places

Chapter 15 - Conserving and Enhancing the Natural Environment

Chapter 16 - Conserving and Enhancing the Historic Environment

Somerset County Council Adopted Highway standards.

Broadway Housing Needs Survey 2016.

## **CONSULTATIONS**

### **Broadway Parish Council**

Officer comment.

The Parish Council have strongly objected to the scheme and have submitted a 9 page letter to the officer. The full response is attached as an appendix to this report. The main topics/areas of concern and conclusion are covered below:

- Impact on the integrity and character of the village
- Relevance of the 5 year housing land supply
- Housing need
- Sustainability and social benefits
- Inappropriateness of the site
- Design
- Highway issues/ Road safety
- Economic benefits

## Conclusion

Paragraph 4.2 of the applicant's Planning Statement succinctly sets out the aspiration for the proposed development as creating "a sustainable extension to the existing settlement with a scheme that maintains a traditional architectural style which respects the character of the settlement of Broadway." Broadway Parish Council believes that the application fails its own test. It believes that the development would be:

1. an anomalously large block of housing adjacent to an otherwise linear stretch of single dwellings in Broadway Road and Hare Lane;
2. a visible group of 2-storey dwellings out of scale with the neighbouring bungalows and the village at large;
3. an incongruous and visible addition to the landscape, particularly in winter;
4. a stylistically unconvincing and incongruous mixture of modern and traditional tropes unrelated to nearby dwellings or to the older, traditional buildings at some distance from it;
5. a wholly disproportionate contribution to meeting District housing needs for a village of its size and one which would accelerate the already excessive urbanisation of the Broadway;
6. a precedent for further large-scale housing developments in the village based on a District-wide housing need and not local demand;
7. liable to increase serious and unresolved concerns about road safety at the Broadway Road/Hare Lane crossroads;
8. unsustainable in respect of local transport;
9. of no significant long-term benefit to the village economy;
10. counter to the clear wishes of the village as expressed in the 2016 Broadway Housing Survey and the meeting on 19 June 2018;
11. and, in respect of those aspects which might otherwise have merit, including the creation of a pathway along Broadway Road, measures to calm traffic on Pound Road, provision of an area of public open space, a contribution to housing mix and the availability of affordable housing, insufficiently compelling to outweigh the many detrimental aspects referred to above.

The Parish Council therefore objects to the planning application. The Council would wish to put these points directly to the Planning Authority at the relevant meeting to consider the application.

## **Highway Authority:** (summary of original response)

The HA refer to their response to the previous application where an objection was raised due to increased use of a substandard junction (Pound Road and Broadway Road) and safety issues for pedestrians due to the lack of footway provision on Broadway Road. In regard to the revised scheme, have noted the reduction in housing numbers, and the subsequent lower numbers of vehicles using the junction.

Have questioned whether the applicant will be able to maintain the required visibility splays on the opposite side of the road at the junction as it is outside of the applicant's control/ownership.

No objection to the proposed new access into the development. Parking provision at 113 spaces is slightly below optimal standards. Advice given in terms of the internal road and layout.

If approval granted, conditions in regard to the vehicular access, footways, submission of a Traffic Management Plan and advisory notes in regard to entering into the suitable legal agreement with the HA for highway works have been recommended.

Officer comment: Following receipt of the above response, the case officer sought clarification from the Highway Authority as to the reason for their change of position in regard to the impact of the development on the Pound Road/Broadway Road junction. The principle concern was that that the full splay could not be provided without the hedgerow being regularly cut back on land which is outside of the applicant's control. The applicant's highway consultant outlined that the revised scheme had reduced the number of dwellings from 46 to 35, thus reducing traffic flows; the introduction of gateway features on Pound

Road would help reduce the speed of traffic; and that only minor trimming of the existing hedge to the south is required to achieve an appropriate visibility splay.

In addition to the agent's response, the Highway Authority were satisfied that the hedgerow was within their control and agreed to monitor that the hedge is regularly cut. Moreover, the Highway Authority did not consider that the additional number of vehicles generated by this development would result in a severe impact, ie the test set by the NPPF.

Notwithstanding the above, the case officer still retained concern that the visibility being provided was not sufficient as it did not meet the splay required for the actual speeds along Pound Road. A site meeting was convened with the Highway Authority, agent and the applicant's highway consultant to discuss the concern about visibility at the junction. It was agreed that a section of the highway verge on the left hand side as one emerges from Broadway Road would be reduced in height to no more than 300mm, levelled and grassed.

**Highway Authority:** (revised response following site meeting)

After our site visit at the beginning of September, the Highway Authority still does not wish to raise an objection to the planning application and our previous comments and recommendation would still apply, as would the conditions that were set out in the letter from the Highway Authority dated 18 June 2018.

**Ecologist:** (summary)

Referred to and attached his response to the original application which remains largely relevant to this revised proposal. Previous concerns included impact on dormice and that the applicant hadn't adequately demonstrated that the Habitat Regulations would be met.

Note the indicative layout for smaller number of houses with an area of open space in the north of the site which gives greater scope for compensation planting. A revised ecological report sought to address previous concerns raised. The Ecologist doesn't agree with all of its conclusions and mitigation proposals, particularly in regard to impact of road fragmentation and the need for supplementary thorny planting. Improvements for dormice mitigation can be achieved via widening hedges with new planting alongside. However, notwithstanding those issues, and an adverse impact on dormice, the scale of such impact is low and localised and adequate mitigation and compensation can be provided within the site.

No objection is raised to the principle of development. If approved strongly recommends further dormouse mitigation is provided as part of any reserved matters application.

**Somerset Wildlife Trust:**

Have noted the very comprehensive Ecological Assessment provided by Ethos Environmental Planning. We fully support the findings of the Assessment and are very pleased to see the wide ranging Recommendations for Mitigation and Enhancement as contained in Section 10 of the Assessment. We would request that all of those Recommendations are included in the Planning Conditions and implemented in full if it is decided to grant Planning Permission.

**Tree Officer:** (summary)

Noted the minor revisions to the attenuation pond details and tree protection measures which are satisfactory. Landscape details are only indicative at this stage and would encourage a more detailed scheme. No objections are raised subject to 2 conditions in regard to tree and hedgerow protection prior and during construction, and a landscape condition.

**Housing Development Officer:** (summary)

Seek 35% affordable housing, equating to 12 units, with a split of 80:20 social rent: intermediate product. This would provide 10 social rent and 2 shared ownership. A mix of 3no x 1 bed house/bungalow, 6no x bed house/bungalow and 3no 3 bed house. Recommends that the units are pepper potted throughout the site. Recommended space standards are also provided along with a phased delivery of the units.

**County Archaeologist:**

As far as we are aware there are limited or no archaeological implications to this proposal and we therefore have no objections on archaeological grounds.

**Wessex Water:** (summary)

No objection raised.

Foul drainage - there is current capacity in the local foul sewer in Broadway Road to accept the predicted flows. Advice given about connection.

Surface water drainage - surface water to be disposed via SuDS with an attenuation basin and discharge to local land drainage systems. Will need approval from the Lead Local Flood Authority.

Water infrastructure - Developer will need to agree point of connection onto Broadway Road and Pound Road.

**Lead Local Flood Authority (LLFA):** (summary)

No objection subject to a drainage condition. The LLFA have advised that they wish to see a commitment to further SUDS features as part of detailed design process.

**REPRESENTATIONS**

29 letters/emails have been received objecting to the scheme raising the following points:

- Development will harm the character and appearance of the area
- Loss of green space between main village and Hare Lane properties.
- It will be an eyesore at the entrance to the village
- No pedestrian paths at the start of Broadway -this should be addressed
- Additional speeding traffic on Pound Road has not been addressed.
- Increased levels of traffic will increase accident risk at the junction of Pound Road and Broadway Road.
- Increased traffic through village
- Traffic calming measures needed
- Congestion around the school
- Lack of parking
- Poor visibility at the junction
- New footpath but none proposed beyond Croft farm - no footpath for a further 0.5 mile into the village
- Starting point for new footpath would be unsafe.
- Footpath would result in loss of scenic verge
- Blocks of flats will look into garden with loss of privacy
- Apartments inappropriate
- Views will be lost
- Number of dwellings should be reduced / 20 would be a maximum
- Scheme too dense

- Single storey only to respect character of village and client demographic
- Overdevelopment of site and not in keeping with adjacent properties.
- Broadway has taken sufficient dwellings in recent years - Tanyard and Vardens Farm - no need for additional housing
- Contrary to Policy SS2
- adverse impact on ecology
- lack of amenities in the village nor public transport
- lack of employment opportunities
- question extent of public consultation
- Local school at capacity and other services would be overstretched
- Reduction in numbers of dwellings does not alleviate previous concerns
- Questions the argument that construction work would bring employment to the area - only temporary and come from outside the area.
- Drainage/flooding/sewerage concerns
- Light pollution

15 letters/emails have been received supporting the proposal. The main points are as follows:

- Happy that the village is considered a growing place where development can take place
- Provide affordable housing and increase new properties for local people
- Small clusters of new housing does not deliver affordable housing rather expensive new homes that local people can't afford. The village has many people that wish to stay or return to the village but have been unable to do so due to lack of available /affordable properties.
- Real concern about children and grandchildren being able to continue living in the village due to lack of affordable housing
- Additional residents brings possibility of more small businesses being created.
- Development will help maintain and sustain current services/amenities and may help towards a viable bus service.
- Neroche school is not full, there are spaces.
- Site is attached to the village and an ideal location
- Hare Lane currently has 34 properties and this is an infill site
- Permission has been granted at the other end of the village which is less suitable position.
- Previously a farmhouse and outbuildings on site.
- Development will deliver much needed traffic calming measures helping to reduce traffic speed
- A large farmhouse with outbuildings previously occupied site, thus a previously developed site.
- Baffled that some people objecting are those who have just moved into the village and into new properties
- Village has the infrastructure to support additional population
- Doctors surgery would benefit as it has capacity to welcome new patients. The Bell Inn is also being renovated and additional villagers will potentially provide increased numbers of customers.
- The scheme will benefit the village.

2 letters/emails have been received making the following observations/representations:

- No problem with the proposed development
- Need for affordable housing in the village
- Will help sustain local services
- The developer has not mentioned any help to buy scheme for the larger market houses.

The Campaign for the Protection of Rural England (CPRE) have submitted an objection to the proposed development. Whilst noting that the scheme has been reduced in numbers, the concerns raised in connection with the earlier scheme remain i.e. that the cumulative level of growth for Broadway is not

acceptable nor sustainable development and it would have an adverse landscape impact.

## **CONSIDERATIONS**

The application seeks outline consent with all detailed matters reserved for future approval other than the means of access. Accordingly, the assessment of this application relates to the principle of residential development on this site along with the proposed access arrangements from Broadway Road. Detailed matters in regard to the appearance, landscaping, layout, scale and design of the houses and internal roads would be assessed as part of any subsequent separate reserved matters application, subject to outline approval being granted.

### **Principle of Development**

Broadway is classed as a rural settlement in the adopted South Somerset Local Plan where development is strictly controlled. Development should be limited to that which provides 1 or more of the following (Policy SS2): employment opportunities, community facilities and/or meets housing need, particularly affordable housing. The adopted Local Plan seeks to direct most of the housing growth towards Yeovil, the market towns and rural centres. However, it does expect housing to be delivered within the rural settlements and provides a target of at least 2,242 homes across all the rural settlements. It is accepted that the Council's settlement hierarchy forms the basis of the Local Plan in regard to the distribution and spread of housing, and is designed to take advantage of employment and service opportunities in the larger settlements.

Broadway does benefit from some local services and facilities including a primary school, doctors surgery, village hall and a public house (currently being renovated). On this basis, the village can be considered as a relatively sustainable settlement and meets the criteria under Policy SS2 of the Local Plan for allowing development in rural settlements. This view is supported by recent appeal Inspectors in assessing appeals for residential development in the village, most notably a 25 house scheme next to the Bell Public House. Whilst, as with many rural areas, employment opportunities are low, and public transport provision is poor, people are increasingly either running businesses from home or working from home with a reduced need to travel to a main office. For these reasons, and having regard to a number of appeal decisions in respect of residential development in the village and other rural settlements within the district, where Inspectors have accepted residential development, the principle of residential development is considered to be acceptable. The key consideration in this case is whether the proposed number of dwellings is acceptable taking into account the site individually, the cumulative number of dwellings completed and consented over the plan period in the village and the district wide housing requirements.

It should be noted that whilst Policy SS2 is relevant policy consideration and has to be taken into account, insofar as parts of the policy are considered to be a housing constraint policy, due to the Council's current lack of a 5 year supply of housing, only limited weight can be attached to Policy SS2. This is because Government policy contained within the National Planning Policy Framework outlines that where a Local Planning Authority is not able to demonstrate a 5 years supply of housing land, and the application involves the provision of housing, policies that are most important for determining the application are out-of-date.

Accordingly, as the principle is accepted, an assessment therefore now has to be made as to whether any relevant policies that protect such areas from development would provide a clear reason for refusal or whether any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits of the scheme. In this case, the benefits of the scheme would be the provision of housing, including affordable dwellings, economic benefit during construction and the spend of new occupants in the village. In addition, money will be collected from the Community Infrastructure levy, of which 15% will go to Broadway Parish Council.

## **Housing Need/Local Plan housing strategy**

Objections have been received to the application on the basis that there is no proven housing need for this scale of development in Broadway. In addition, the Parish Council undertook a housing needs survey in 2016. Forms were distributed to every household (320) with 134 forms returned, representing a 43% return rate. This is considered to be a very good return rate.

Reading through the summary of the main findings, it was clear that while 56% felt that Broadway is sufficiently or over developed, there was quite a clear indication from others that housing, in particular affordable housing was required. 44% (59) felt that more houses are needed with a third of those (20) looking for new housing to purchase, either open market or affordable. A high number of respondents (66%) stated that they require smaller properties, preferably 2 bedrooms although up to 3 would be acceptable for 34%. 75% (100 people) see a need for lower cost open market houses to purchase for people with local needs. 50% support new homes on smaller sites - 10 houses or less. Larger sites had no support. 1 in 3 would like a bungalow.

The above response to the Housing Needs Survey would appear to reasonably reflect the balance of responses received to the current application with the majority expressing concerns about any further development and the number of dwellings, whilst on the other hand, a significant minority of residents strongly supporting development in order to meet local housing needs.

The Housing Needs Survey provides useful evidence as to the housing needs in the village. However, notwithstanding the findings, this must be set against the context of the overall housing needs for the district. As outlined above, whilst Policy SS2 seeks to strictly control development, rural settlements are expected to contribute to meeting the district's overall housing needs. It is not considered that it would be reasonable to refuse this application simply on the basis that there is no housing need. There is clearly a housing need in the district and the Council are currently not able to demonstrate that it is meeting its housing targets. Indeed, the housing supply position has worsened with the most recent report stating that the Council currently has a 4 year supply, compared with the previous figure of 4.2 years. Accordingly, as a housing constraint policy, the NPPF advises that such policies are considered out of date and can only be afforded limited weight in the decision making process.

Given this context, the next assessment is whether the adverse impact of approval of this scale of development would significantly and demonstrably outweigh the benefits. Major new residential developments have been approved in Broadway in recent years, in particular 25 units next to the Bell, Tanyard with 16 and 9 units at Vardens Farm. The 25 units on land next to the Bell have yet to commence whilst the Tanyard development has been completed. In total, as at 31st march 2018, there have been 30 completions with 43 commitments (i.e. sites with planning permission but yet to be commenced and/or completed). This gives a total of 73 units.

In respect of providing affordable housing, it is clear that a number of local residents wish to see affordable housing being provided in the village. A number of units have been and will be provided as part of recent planning approvals at The Bell and those recently completed at St James Gate (5 affordable units). However, given the number of people that responded to the housing needs survey and the district wide need for affordable housing, by providing 12 affordable units, this scheme would make a valuable contribution towards the Council's affordable housing requirements. It is also important to note that whilst smaller developments (under 10) generally have more public support, following the government's decision that developments of 10 or under do not have to provide any planning obligations, these smaller schemes do not provide affordable homes.

In terms of assessing the scale of growth, the proposed scheme would add to the 73 already consented giving a total figure of 108. This would exceed the housing figures for Stoke Sub Hamdon which is classed as a rural centre and in the tier above Broadway in the Local Plan hierarchical strategy. The tier

of settlements sitting above rural settlements in the local plan are the 6 rural centres and these generally have a target of 200 plus dwellings. However, Stoke sub Hamdon, whilst included as a rural centre has a housing figure of only 51 to reflect its smaller scale and nature. Therefore the total of 108 would sit well below the 5 rural centres. Therefore, on balance, it is not considered that the hierarchical strategy of the local plan would be significantly harmed or undermined by this proposed development.

The Council are currently in the early stages of reviewing the adopted Local Plan. An Issue and Options document was published for consultation towards the end of 2017. One of the possible options is to provide a new tier within the settlement hierarchy that would give some of the current rural settlements an enhanced role. However, this is at an early stage with the Preferred Options yet to be published. Accordingly, no settlements have been identified yet with an enhanced role, and thus it is not considered to be a material consideration at this stage.

### **Highways/parking**

One of the objections to the earlier scheme was the increase in use made of the Pound road/Broadway Road junction which is considered to sub-standard given the lack of appropriate visibility. Hence, the reason for the stop line on Broadway Road at the junction. The increase in traffic, speeding, safety concerns and, in particular the poor visibility at the junction, has been raised by local residents.

In regard to the current application, the Highway Authority have not raised an objection. They are satisfied that the increased levels of traffic development will not have a severe impact on the local highway network. The Transport Assessment advises that the scheme would generate 30 trips during the AM peak and 34 during the PM peak. They are satisfied that with the cutting back of the hedgerow, improved visibility will be provided. However, notwithstanding the measures proposed by the applicant and Highway Authority recommendation, as outlined earlier in this report, the case officer remained concerned at the visibility provided at this junction, particularly given the recorded speeds along Pound Road, well in excess of 30mph. This would require a much greater level of visibility at the junction i.e. 90 metres compared with 43 metres for a 30 mph area. As outlined above, a site meeting was convened with the Highway Authority, agent and the applicant's highway consultant to discuss the visibility at the junction. It was agreed that a section of the highway verge on the left hand side as one emerges from Broadway Road would be reduced in height to no more than 300mm, levelled and grassed. This would provide a 90 metre splay making it much safer to emerge from the junction, benefiting both future and current residents.

The concern about speeding traffic on the local roads is fully acknowledged. In order to help with reducing vehicle speeds, the applicant has proposed a Gateway feature on Pound Road to the north and to the south of its crossroads junction with Broadway Road and Hare Lane. This comprises narrowing features on Pound Road with associated lining and signing. However, whilst this may only have limited impact on vehicle speed, the applicant should not be expected to solve the problem of excess speed on local roads. This is a matter for the Police and Highway Authority.

In addition, given the likely increase in pedestrian traffic, the lack of any footpath as part of the proposals for the withdrawn scheme drew an objection from the Highway Authority. A footpath extending 210 metres starting opposite the site entrance to Croft Farm is now proposed on the southern side of Broadway Road. This would be 1.8 metres in width and be adopted as part of the public highway. Concern has been raised about the visual harm the path would have on the current green verge and that it would lead to users stepping off the path into the road at its end point.

The Highway Authority have assessed the path, particularly from the safety point of view and have not raised an objection. Given that pedestrians currently have no footway for a significant length of Broadway Road and have to walk on the verge or road, heading from the village out to the west, it is considered that the provision of the footpath will be of benefit to both new and existing residents. The path will lead to the start of residential development on the southern side of Broadway Road, thus well



beyond the extent of the development site. Whilst it would be ideal to continue the path to connect with the existing path in the village, it is not considered reasonable to expect the developer to deliver complete pavement coverage.

In regard to parking provision, concern has been raised that insufficient parking is being provided. The indicative layout submitted with the application shows provision for a total of 113 spaces. This figure is just below the adopted parking standards. However, details of the layout, including parking arrangements, are not due for consideration at this stage, and will be assessed as part of any subsequent reserved matters application.

## **Landscape**

One of the objections to the previous scheme was on landscape grounds, in particular the adverse impact on the character and appearance of the area. Notwithstanding the historic existence of a farm house and outbuildings, the site is the last piece of undeveloped land fronting Broadway Road from its junction with Pound Road. There are no dwellings to the south, opposite the site but a number of dwellings are located to the west on the other side of the junction.

The Landscape officer objected to the previous scheme on the basis that it would erode the character of the village's rural setting, projecting a housing mass into the countryside contrary to the local settlement pattern. It would also result in the loss of open space providing the historic separation of Hare Lane properties from Broadway village. The applicant's landscape and visual appraisal submitted as part of the application concludes that development of this form in this location will have a limited visual effect due to the woody surround and proposed mitigation, with physical change arising from development being limited to the locality. The landscape officer did not agree with that conclusion. The character of existing housing on the north side of Broadway Road towards this end of the village is mainly single-plot depth. The landscape officer was concerned that the original development would be harmful to this linear character as well as enclosing the open space between existing development and properties in Hare lane.

In seeking to address those original concerns, the revised layout has reduced the number of dwellings by primarily removing houses away from the northern section of the site and proposing this as open space. The proposed dwellings as shown on the indicative layout plan will range from 25-35 metres away from the northern boundary. Additional planting will also be undertaken to supplement the existing boundary hedgerows and trees.

Whilst it is acknowledged that the character of properties along Broadway Road at this end of the village is linear in form, this is not characteristic of the village as a whole. There are a number of examples within the village where the character is of a group of dwellings, in a cul-de-sac arrangement. Properties on the northern side of Broadway Road arranged in this manner are at Olivers Lane and those at/adjacent to Yatford farm. Other examples include Tanyard on the southern side of Broadway Road. Of particular relevance is the appeal decision at Vardens Farm. Whilst for a lower number (9 units), the Inspector in assessing the landscape impact commented that there is 'a considerable variety in the arrangement of properties in the village'.

Whilst the landscape concerns are fully acknowledged, given the changes to the scheme, the mixed character of properties within the village and the Inspector's conclusion in respect of Vardens Farm, it is accepted that whilst there would be some landscape harm, this impact is not considered to be so adverse to significantly and demonstrably outweigh the benefits that the scheme would deliver.

## **Residential amenity**

Concern has been raised that the scale and design of some of the proposed dwellings would result in overlooking and loss of privacy, particularly in regard to the proposed apartment block in the southern

corner. The impact of a new development on the amenity of all adjacent occupiers is a very important consideration. In this case, the details of the scheme including layout and design of the dwellings have not been sought for approval at this stage. An indicative layout has been provided. However, the assessment of the relationship between new and existing dwellings would be undertaken at reserved matters stage.

## **Ecology**

The earlier withdrawn scheme for 46 units attracted objection on ecological grounds due to the adverse impact on dormice and the conclusion of the ecologist that the 3 tests under the Habitat Regulations would not be met. As outlined previously, the proposed layout of the scheme has been amended following an updated ecological appraisal. This outlines that the habitat on site largely comprises poor semi improved grassland which is heavily grazed. The loss of the grassland for development was assessed as having a negligible impact on biodiversity.

The protected species surveys identified that the boundary hedgerows are used by bats, dormice and breeding birds. The revised scheme includes compensation and enhancement measures for biodiversity which includes the retention, buffering and enhancement of the important hedgerows and woodland copse. This will provide an ecological corridor allowing enabling protected species to continue to use the site. Enhancements include the provision of a wetland/pond area, (attenuation), native wildflower, hedge and tree planting and installation of nesting opportunities for birds and roosting opportunities for bats. The additional Public Open Space areas will also be seeded to encourage the biodiversity of the site.

The Council's Ecologist has reassessed the ecological impacts based on the revisions to the suggested layout and on the basis of the revised ecological report. As will be noted above, the ecologist has not raised an objection to the principle of development but strongly recommends further dormouse mitigation is provided as part of any reserved matters application.

The Ecologist has noted the indicative layout for smaller number of houses with an area of open space in the north of the site which gives greater scope for mitigation/ compensation planting. The Ecologist didn't agree with all of the conclusions and mitigation proposals, particularly in regard to impact of road fragmentation and the need for supplementary thorny planting. Improvements for dormice mitigation can be achieved via widening hedges with new planting alongside. The scale of impact on dormice is low and localised and adequate mitigation and compensation can be provided within the site. As the layout and landscaping is not being sought for approval at this stage, this will need to be satisfactorily addressed at the reserved matters stage. In regard to the 3 Habitat Regulations Tests, it is considered that with the changes to the scheme and subject to satisfactory mitigation and compensatory measures, the scheme would meet the 3 tests.

## **Trees**

An objection was raised by the tree officer to the earlier scheme on the basis of the potential impact of the attenuation basin and its close proximity to 6 fine Oak trees on/adjoining the north-eastern corner of the site. His concern focused on the fact that such attenuation features can reach well beyond their immediate footprint. In particular, once filled with water, they can significantly alter the hydrology of the adjoining soil-environment, creating water-logged conditions that can cause extensive death of nearby tree root systems.

The revised scheme has pulled the attenuation basin 10 meters away from the closest point to the Oak trees. The Tree Officer is now satisfied with this revision and does not raise an objection. He notes that whilst the landscape details are only indicative at this stage, he does recommend that a more detailed landscape scheme is submitted with any reserved matters application.

### **Drainage/flooding**

Concern has been raised by some local residents about flooding and drainage of the site. As with any scheme, it is not expected to resolve any current drainage issues but to ensure that an appropriate drainage system is installed and that it does not create additional flooding elsewhere. A Flood Risk and drainage Strategy report has been submitted. The site is wholly located in Flood Zone 1 which means that the site is at low risk from sea or river flooding. Both Wessex Water and the Local Lead Flood Authority have assessed the proposal and submitted documentation. Neither have raised an objection subject to conditions to secure the technical drainage details with any reserved matters application.

Surface water will first be attenuated on site and discharged at the greenfield rate which will be achieved via a detention basin. Discharge from the site will then go to a ditch on the boundary, with this connecting to a tributary of the Cad Brook. The Planning Statement outlines that during the public consultation event, concerns were raised that the proposal is likely to increase pressure on the existing drainage and sewerage systems within Broadway with concerns that this is at capacity. The applicant consulted Wessex Water who confirmed that there is capacity in the public foul sewer network to accommodate the proposed development. Therefore it is proposed that the foul water will be discharged to the foul sewer in Broadway Road. This has been confirmed by Wessex Water through their formal consultation response to this application.

### **Heritage**

Broadway does not have a designated Conservation Area. In respect of listed buildings, the closest listed property is Porch House, which is located approximately 240 metres along Broadway Road to the east of the site. Accordingly, it is not considered that the proposed development would have any harmful impact on heritage assets.

### **Impact on local infrastructure and facilities**

Objections to the scheme have been received on the basis that the village does not have the facilities to support the scheme and that its local infrastructure would not be able to cope with the additional housing and resultant population increase. In terms of infrastructure, as can be viewed from the responses outlined previously in this report, none of the key statutory providers such as Wessex Water or the Highway Authority have raised an objection. On that basis, it is considered to be very difficult to sustain an objection on those grounds.

It is accepted that public transport provision is very poor and that journeys required to be made out of the village will be made by private vehicle. This position was accepted by the appeal Inspector when assessing and allowing the appeal scheme for 25 dwellings next to the Bell Public House. In regard to the medical centre, an email has been received from the Practice Manager at the Church View medical Centre, via the agent, to confirm that the centre has the capacity to enrol more patients onto the patient register and is actively encouraging patients to register at the practice to ensure sustainability.

### **Other matters**

The supporting documents have made reference to the fact that this site is identified within the Council's Housing & Economic Land Availability Assessment (HELAA). The HELAA is a technical and theoretical assessment of sites which could potentially contribute towards the future supply of housing and employment land within the local plan area. However, it is important to note that no policy weight is attached to its inclusion in HELAA nor does it imply that planning permission will be granted

## **SECTION 106 PLANNING OBLIGATION/UNILATERAL UNDERTAKING**

The application be approved subject to:

a) The prior completion of a section 106 planning obligation (in a form acceptable to the Council's Solicitor(s) before the decision notice granting planning permission is issued, the said planning permission to cover the following terms/issues:

- 1) The provision of 35% affordable housing with a split of 80:20 rent /intermediate product;
- 2) Contribution towards the provision of sport, play and strategic facilities
- 3) Submission of a Travel Plan Statement;
- 4) Highway Improvements to include a new footway along Broadway Road and traffic calming and gateway features along Pound Road; and
- 5) Provision and maintenance of open space;

## **COMMUNITY INFRASTRUCTURE LEVY**

The application is CIL liable. This would be charged at 40 per sqm. 15% of the total received would go to the Parish Council.

## **RECOMMENDATION**

Grant permission

01. The proposed scheme will result in a sustainable form of development that would make a valuable contribution towards meeting the Council's housing needs, including affordable housing, would not harm residential amenity, would provide a safe means of vehicular access, and would not harm ecological interests nor heritage assets. The scheme is in accord with Policies SD1, SS1, SS2, SS5, SS6, HG3, HG5, TA4, TA5, TA6, HW1, EQ1, EQ2, EQ3 and EQ4 of the South Somerset Local Plan and Chapters 2, 8, 12, 14, 15 and 16 of the National Planning Policy Framework.

## **SUBJECT TO THE FOLLOWING:**

01. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To accord with the provisions of Article 4 (Article 5) of the Town and Country Planning (Development Management Procedure) Order 2015.

02. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: As required by Section 92(2) of the Town and Country Planning Act 1990.

03. The development hereby permitted shall not be commenced until particulars of the materials (including the provision of samples where appropriate) to be used for external walls and roofs have been submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the amenity of the area to accord with Policy EQ2 of the South Somerset Local Plan.

04. All reserved matters shall be submitted in the form of one application to show a comprehensive and coherent scheme with respect to design, layout, plot boundaries, materials, scale, vehicular and pedestrian access arrangements, drainage and landscaping.

Reason: As required by Section 92(2) of the Town and Country Planning Act 1990.

05. No works shall be undertaken until there has been submitted to and approved in writing by the Local Planning Authority, a detailed scheme of tree and shrub planting. Such a scheme shall confirm the use of planting stock of UK-provenance only, the planting locations, numbers of individual species, sizes at the time of planting, details of root-volumes and the approximate date of planting. The installation details regarding ground-preparation, weed-suppression, staking, tying, strimmer-guarding and mulching shall also be included within the scheme. All planting comprised in the approved details shall be carried out within the next planting season following the commencement of any aspect of the development hereby approved; and if any trees or shrubs which within a period of ten years from the completion of the development die, are removed or in the opinion of the Council, become seriously damaged or diseased, they shall be replaced by the landowner in the next planting season with trees/shrubs of the same approved specification, in the same location; unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure the planting of new trees and shrubs in accordance with the Council's statutory duties relating to The Town & Country Planning Act, 1990 (as amended)[1] and the following policies of The South Somerset Local Plan (2006 - 2028); EQ2: General Development, EQ4: Bio-Diversity & EQ5: Green Infrastructure.

06. The development hereby approved shall be carried out in accordance with the following approved plans:

Drawing numbers: 7854-pl001.

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

07. 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;
- measures to prevent dust, mud or other debris from being deposited on the public highway;
- 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.

Reason: in the interests of highway safety and local amenity to accord with Policies EQ2 and TA5 of the South Somerset Local Plan.

08. The proposed estate roads, footways, footpaths, tactile paving, cycleways, 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 to accord with Policy TA5 of the South Somerset Local Plan.

09. Before the development hereby permitted is commenced, foul and surface water drainage details to serve the development, shall be submitted to and approved in writing by the Local Planning Authority and such approved drainage details shall be completed and become fully operational before the development hereby permitted is first brought into use. Following its installation such approved scheme shall be permanently retained and maintained thereafter.

Reason: To ensure that the development is properly drained to accord with the NPPF.

10. The proposed roads, including footpaths and turning spaces where applicable, shall be constructed in such a manner as to ensure that each dwelling before it is occupied shall be served by a properly consolidated and surfaced footpath and carriageway to at least base course level between the dwelling and existing highway.

Reason: In the interests of highway safety to accord with Policy TA5 of the South Somerset Local Plan.

11. In the interests of sustainable development none of the dwellings hereby permitted shall be occupied until a network of cycleway and footpath connections has been constructed within the development site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of promoting sustainable travel and highway safety to accord with Policy TA5 of the South Somerset Local Plan.

12. None of the dwellings hereby permitted shall be occupied until a scheme of street lighting has been installed within the site in accordance with a design and specification to be approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety to accord with Policy TA5 of the South Somerset Local Plan.

13. No work shall commence on the development site until details of the access junction have been submitted and approved by the Local Planning Authority. Details of the access junction to be provided should be in general accordance with Drawing No. 1736/03/C (Appendix 7 of the Transport Statement). No part of the development shall be occupied until the approved access junction has been constructed. The visibility splays shown shall be constructed prior to the commencement of the development and shall thereafter be maintained at all times.

Reason: In the interests of highway safety to accord with Policy TA5 of the South Somerset Local Plan.

14. No work shall commence on the development site until details of the footway have been submitted and approved by the Local Planning Authority. Details of the footway to be provided should be in general accordance with Drawing No. 1736/03/C (Appendix 7 of the Transport Statement). No part of the development shall be occupied until the approved footway has been constructed.

Reason: In the interests of highway safety to accord with Policy TA5 of the South Somerset Local Plan.

15. No development shall commence unless a Traffic 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.

Reason: In the interests of highway safety and residential amenity to accord with Policies TA5 and EQ2 of the South Somerset Local Plan.

16. Tree & Hedgerow Protection Condition: Prior to commencement of the development, site vegetative clearance, demolition of existing structures, ground-works, heavy machinery entering site or the on-site storage of materials, the scheme of tree and hedgerow protection measures (as prepared by Greenman Environmental Management) shall be installed and made ready for inspection. A site meeting between the appointed building/groundwork contractors and a representative of the Council (to arrange, please call: 01935 462670) shall then be arranged at a mutually convenient time. The locations and suitability of the tree and hedgerow protection measures shall be inspected by a representative of the Council and confirmed in writing by the Council to be satisfactory prior to any commencement of the development (including groundworks). The approved tree and hedgerow protection requirements shall remain implemented in their entirety for the duration of the construction of the development and the protective fencing and signage may only be moved or dismantled with the prior consent of the Council in writing.

Reason: To preserve the health, structure and amenity value of existing landscape features (trees and hedgerows) in accordance with the Council's policies as stated within The South Somerset Local Plan (2006 - 2028); EQ2: General Development, EQ4: Bio-Diversity & EQ5: Green Infrastructure.

17. The reserved matters application shall include details for dormice mitigation including habitat compensation and landscape planting proposals. A habitat replacement ratio of at least 2:1 is recommended.

Reason: To mitigate the loss of habitat to accord with Policy EQ4 of the South Somerset Local Plan.

#### **Informatives:**

01. 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. Please ensure that an advisory note is attached requesting that the developer contact the Highway Authority to progress this agreement well in advance of commencement of development.

The proposal involves the construction of a footway/road widening, which should be dedicated to form part of the public highway. The applicant is therefore advised to contact the Transport Development Group at County Hall, Taunton, TA1 4DY, for details of the dedication procedure. The Highway Service Manager for the South Somerset Area at Somerset County Council Highway Services, South Somerset

Area Highways Office, Mead Avenue, Yeovil, BA22 8RT, Tel No 0845 345 9155, must also be consulted regarding the specification and supervision of these works before they commence on site.

The applicant should be advised that at least seven days before access works commence the Highway Service Manager must be consulted. They can be reached at Somerset County Council Highway Services, South Somerset Area Highways Office, Mead Avenue, Yeovil, BA22 8RT, Tel No 0845 345 9155.



## Broadway Parish Council

[www.broadwayparishcouncilsomerset.org.uk](http://www.broadwayparishcouncilsomerset.org.uk)

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20<sup>th</sup> June 2018

### **PLANNING APPLICATION FOR HOUSING DEVELOPMENT ON LAND AT POUND FARM, BROADWAY: 18/01311.**

#### **RESPONSE BY BROADWAY PARISH COUNCIL**

Broadway Parish Council considered application 18/01311 at a specially convened public meeting of the Council on 19 June attended by 33 residents and the developer's representatives, it has met the developer to hear about the changes made from the application for this site withdrawn in 2017 and councillors attended the applicant's exhibition at the Village Hall. The Council notes that the number of buildings proposed for the site has been reduced from 46 to 35, that a greater mix of dwellings has been included, that some open space would be created, traffic calming measures are proposed for Pound Road on its approach to the Broadway Road/Hare Lane crossroads and that a pathway is intended to be constructed for 210m towards the centre of the village from the proposed site. Despite these alterations from, and additions to, the previous application, the Council remains opposed to the development and accordingly objects to the application.

From the outset there has been significant opposition in Broadway to the development of the land which is the subject of this application. This was reflected in the Council's letter of 14 December 2017 objecting to the first planning application for this site. In its view, the arguments which the Parish Council adduced on that occasion are still valid.

The Parish Council's grounds for objecting to this application are as follows and are summarised at the conclusion.

#### **The integrity of the village.**

One of the Parish Council's key concerns is the impact the proposed development would have on the character and integrity of the village.

For centuries, Broadway was a small settlement of vernacular cottages and farms, often thatched, which was typical of the many villages which gave South Somerset its attractive and historic character. Despite the addition of some local authority housing and minor in-fill, that remained the case until the 1960s. From that time onwards, new housing developments at

Stoford Place off Suggs Lane (15 houses), Lamparts Way (15), Carlan Stepps (6), Tanyard (13) and St. James' Gate (16) off Broadway Road and Brookside (18) and Standerwick Orchard off Goose Lane (38) significantly increased the number of dwellings and, by their modern appearance, changed the character of the village. Although, at the eastern end of the village, development ended at the Village Hall, at the western end linear in-fill continued to extend the built-up area along Broadway Road towards the proposed development site, although much of this modern in-fill was separate from the older, traditional housing between Paulls Lane and Goose Lane.

At paragraph 2.7, the applicant's Planning Statement summarises this incremental process of development and enlargement thus:

*Development in Broadway is largely linear in form, with housing fronting Broadway Road, Goose Lane and Hare Lane. Since the last half of the twentieth century up to the present day, there have been a number of small scale housing developments built to the south and north of Broadway Road.*

This misrepresents the situation.

First, development in Broadway has seen a visible contrast between linear development on the northern side of the village, with only one cluster of 5 new houses built on a brown field site in Olivers Lane, hidden behind housing fronting Broadway Road, and a mix of predominantly clustered developments on the southern side. All of the developments since the 1970s mentioned earlier are on the south side. Thus the historic practice has been to in-fill lineally on the north and create housing clusters to the south, each accessed by its own roadway onto Broadway Road, Suggs Lane or Goose Lane. It is for this reason that the applicant's Land Appraisal Report states at paragraph 3.2 that the built environment on the northern side of the village extends back only 100m, while on the south it extends to twice that distance. A similar process of linear development continues in Hare Lane westwards from its junction with Pound Road and Broadway Road.

Thus, contrary to the assertion in paragraph 8.10 of the applicant's Planning Statement that the "proposed number of units would be commensurate to the scale and character of Broadway," the proposed Pound Farm development would not only be the second largest housing cluster built anywhere in the village, it would also be by far the largest housing development on the northern side of the village. It would also extend back north from Broadway Road further than the rest of the built environment on that side, with the exception of the 5 houses hidden away in Olivers Lane. Moreover, it would be entirely out of alignment and scale with all the bungalows and modern houses adjacent to it for over 300m east along Broadway Road towards the village centre.

Second, the applicant's Planning Statement refers at paragraph 2.7 to 'a number of small scale housing developments'. In the context of the national planning scene, 'small' is a relative term. In the context of a village the size of Broadway, which in 2011 had only 328 dwellings, some of the developments already built are large. One recent example stands out, that of Standerwick Orchard in Goose Lane. Approved in 1995, this added 38 dwellings to the village housing stock, or over 15% more at a stroke.

Developments such as this have seen the housing stock in the village increase significantly. The 1991 Census has Broadway with 232 dwellings. By 2001 this had increased by 33 to 265. By 2011, however, the rate of expansion had almost doubled, with 63 new houses, bringing the total to 328, a 41% increase over 20 years, but 23% over just 10. Ignoring the occasional single new house in the village, the recently built development at St. James' Gate and those approved on appeal at Varden's Field and the Bell Field, when completed, will bring the total up to 378. Finally, adding the 35 houses at Pound Farm would see Broadway expand to 413 houses, or a 50% increase since the beginning of the millennium.

While the Parish Council believes that there is advantage in providing an increase in housing in the village if it reflects local need, is modest in scale and sympathetic in design, it considers that these figures demonstrate that there has been too much modern housing development in Broadway in recent years, the Council having opposed the last 2 applications for this reason. It believes that the village is being swamped in a way which, by virtue of the scale and modernity of recently completed and approved developments, is robbing it of its character as a modest, historic and attractive south Somerset village. In the Council's view, it is time to halt the spread of relatively large-scale, modern housing developments in the village, but without preventing the construction of individual houses or small groups of houses built sympathetically. This view reflects opinion in the village. Responses to the Parish Council's June 2016 Housing Survey showed local support for housing developments of 10 houses or less, but no support at all for developments on a larger scale.

### **Relevance of District's housing 5 year plan**

Section 6 the applicant's Planning Statement refers to South Somerset District Council's lack of a 5-year supply of deliverable housing land. It further states that the Government's National Planning Policy Framework's paragraph 49 means that, as a consequence, the District Council's policies for the supply of land should not be considered up to date.

The Parish Council endorses the District Council's approach to the supply of housing land, which is to focus development on the larger settlements and to ensure that development in village communities is restricted to those where sustainability can be clearly demonstrated and which do not overwhelm the character of the village. Any other interpretation of the District Council's approach and to the guidance in the Framework is, effectively, to give developers *carte blanche* to build outside the main centres, notwithstanding the District Council's adopted policy and the extent to which any particular village may already have contributed to the increase in the housing stock.

The applicant's Planning Statement reinforces this concern by its reference in paragraph 8.3 to the current gap in the supply of housing land and the estimated demand for housing. By claiming that the Pound Farm development would "*provide a valuable contribution to the districts housing supply and help to reverse this negative trend*" in the widening gap between demand and supply, the applicant ignores the extent to which Broadway has already contributed to meeting the district's demand for housing and will be contributing further via recently approved developments.

The applicant's Planning Statement refers (paragraph 7.3) to the District Council's own calculation that there will be a shortfall of 932 houses in its area over the 5-year planning period. The 35 units proposed at Pound Farm represent 3.7% of South Somerset's projected

housing completions deficit. That is a wholly disproportionate contribution for a village with less than 0.5% of the District's population or 0.5% of the District's housing stock (figures from the 2011 census). But if approved housing developments for the village are added to the figure for the Pound Farm development, Broadway's future contribution to bridging the deficit rises to 7.5%, entirely out of scale with the village's size.

The Parish Council is also concerned that justifying a large housing development in Broadway because it helps to bridge an otherwise increasing District-wide housing completions deficit, leaves the village open to similar over-large developments in the future. Given the extent of the existing and approved housing developments in the village, the Parish Council believes that Broadway has made much more than its fair contribution to meeting the demand for housing in the district, but at the cost of over-development. For this reason, the Parish Council believes that the Pound Farm development would represent in Broadway a disproportionate contribution to District housing needs and would be out of scale with the size of the village.

### **Housing Need**

Two significant advantages of the proposed development cited in paragraph 4.1 of the applicant's Planning Statement are the provision of 5 bungalows and 9 affordable housing units.

So far as the bungalows are concerned, the Parish Council's June 2016 Housing Survey did reveal support for the provision of single-storey dwellings, in part to facilitate down-sizing by older residents from larger two-storey dwellings, thus freeing up the wider housing market. However, it is emphatically not the case that the applicant has introduced bungalows into the proposed development at the request to the Parish Council, which has made no formal suggestions as to features it would like to see included. It should also be noted that a significant proportion of the housing stock built in the village since the 1960s has included bungalows, whether as part of major schemes or as in-fill.

The Parish Council's June 2016 Housing Survey also revealed support in the village for the provision of affordable housing. However, this was at a relatively modest level, with only 8 respondents (out of 134) indicating a desire for affordable housing in the next 5 years. Since then, 6 units of affordable housing have been provided at St. James Gate. It is expected that around a further 7 or 8 will be provided at the housing development approved on appeal to the rear of the Bell Inn. The Parish Council believes that the provision of affordable housing is to be welcomed if it satisfies local demand and thereby enables families to remain in their communities. Given the affordable housing recently provided and planned for in approved developments, the Parish Council does not consider that its provision at Pound Farm is a compelling reason for permitting the development proposed there.

### **Sustainability and social benefits**

Paragraph 8.8 of the applicant's Planning Statement claims that Broadway is a sustainable location for the proposed development because it has 4 of the services required to meet the sustainability standard. It also prays in aid the Inspector's view of this issue in his report on the Bell Field housing development appeal report. The 4 key services referred to are a primary school, doctor's surgery, village hall and public house.

It should be noted that all 4 key services are at the opposite end of Broadway from the proposed Pound Farm development. The School is 1 km away and the village hall and medical centre are 1.3 km away. While residents of Hare Lane and upper Broadway Road use these facilities, the addition of 35 families in one development can only increase traffic along Broadway Road and, so far as pedestrians are concerned, increase road safety risks. Both of these factors further argue against the sustainability of Broadway as a location for the proposed development.

It should be noted that there is no longer a scheduled or request bus service through Broadway. Residents' shopping is therefore done largely in Ilminster and Taunton by car, with the shop and Post Office on Goose Lane in Horton providing a much-valued but modest convenience outlet. The heavy reliance on cars for personal transport undermines the sustainability of the village and immediate local area, particularly as a location for relatively large housing developments.

Finally, the applicant's Planning Statement confirms that it is intended to make an area of open space available to the village in the development. This would be available because of the reduction in the number of houses intended for the site and the consequent release of land to the north of the built area. An increase in public open space is to be welcomed, but in this case is likely to have very limited value. The proposed site is at the far end of the village and thus far less accessible to residents than the village's own playing field next to Neroche Primary School. Moreover, in June 2018 the Parish Council started a consultation on the redevelopment of the playing field, which will make it a much more attractive facility for local children of all age groups up to age 16. While the proposed public open space at the Pound Farm site would no doubt be enjoyed by residents of the development, it is most unlikely to appeal to any but a small number of current villagers, even those living close by, who have ample access to the countryside via the network of nearby footpaths.

### **Inappropriateness of the site**

The Pound Farm site is at the edge of Broadway before Pound Road cuts across Broadway Road and Hare Lane, the latter with its string of linear developments westward. Thus, from west of Olivers Lane in the village, to the end of housing/farms in Hare Lane, a distance of 1 km, there is no cluster development. All the properties access straight onto the highway. The proposed development at Pound Farm would be an incongruous exception to this pattern of housing, by being a rectangular block of modern houses, unrelated in scale or positioning to any of the houses in either direction. This is accentuated by virtue of the fact that the 6 dwellings immediately to the east of the proposed site are all bungalows, representing a significant contrast to the 2-storey buildings which would be visible from the entrance to the site.

Nor does the Parish Council accept the statement at paragraph 8.11 of the applicant's Planning Statement that "*the site is inconspicuous in both the wider and local landscape*" As paragraph 7.30 of the Landscape Appraisal Report makes clear:

*"A new access to the development will require an opening in the hedgerow on Broadway Road about 30m long that will give a view of the four new housing buildings located adjoining the entrance to the site. The roofs of the buildings further back will also be glimpsed from this viewpoint."*

The report also says (paragraph 7.31):

*“The view of the development through the new road access on Broadway Road and the indistinct views through the hedgerows during the late winter and early spring months will change the character of Broadway Road over the 120m long frontage to the site. This change will be noticeable to road users.”*

The Parish Council agrees that it will be impossible to hide the proposed development from road users, but believes that the impact of 35, mainly 2-storey houses on the site will be much more visible to passers-by, particularly in the winter months. As already indicated, the contrast with the nearby bungalows will be very evident. Furthermore, the District Council’s September 2017 5-year Housing Land Supply Paper describes the site as ‘visually prominent’.

The Parish Council believes that the development will in fact be an incongruous and visible addition to the landscape.

### **Design**

Page 23 of the applicant’s Design and Access Statement sets out the ambition for the appearance of the development. In particular it says:

*“Integrating the site into the surrounding area and establishing character is vital in delivering a successful scheme. This includes locally distinctive development patterns, landscape, culture, materials and biodiversity.”*

To achieve this, the Statement continues:

*“The development will adopt a style and character which draws on and interprets the key elements of the surrounding area of Broadway.....The scale and massing of the development will respond to the immediate built environment. The development will contribute to positive change to the image of Broadway and Horton through the design of a high quality housing development.”*

These are laudable aims, but ones which the Parish Council believes are unachievable at the Pound Farm site. As already explained, the attempt to ensure that the scale and massing of the development responds to the immediate built environment will be undermined by the proximity of a line of bungalows. The screening of the development, but particularly its remoteness from the older parts of the village, will make successful integration into the visual character of the village impossible. This contrasts with the Standerwick Orchard development referred to on page 36 of the Planning Statement. Here, the use of materials including brick, stone and thatch derive from a Design Brief drawn up by the District Council in 1997 to reflect those features in adjacent traditional buildings. But at Pound Farm there would be no similar traditional reference points for the development to reflect and respond to. The result here would be the creation of a clearly modern development aping local character in an unconvincing and superficial manner. Nor is it apparent to the Parish Council how such an approach can do other than create an anomalous and isolated mass of housing, drawing attention to itself by virtue of its stylistic incongruity.

**Road Safety**

Page 30 of the applicant's Design and Access Statement indicates that it is proposed to create a pathway on the southern side of Broadway Road for 210m eastwards from the entrance to the proposed development, which the developer claims will be "providing a link to the main body of Broadway village". However, the proposed pathway does not link to the main body of the village. The Pound Farm site is 500m from the village centre at Goose Lane, where the pavements to the school and village hall/medical centre start. Any improvement to pedestrian safety along Broadway Road is to be welcomed, but the section of road along which the pathway is intended to run has clear sight lines and a grass verge, which is not the case for the remaining distance to Goose Lane. Its contribution to improving road safety is thus likely to be less than the applicant argues.

While the applicant's Transport Statement says that traffic flows along Broadway Road are low, the situation is complicated by uncertainty about the possibility that village access to the A358 from Broadway Road will be severed by the dualling of the main road, as indicated in the latest Highways England plans. Were that link to be blocked, Broadway Road and, then, Pound Road would be a tempting rat run for drivers wishing to reach Taunton via the road to Staple Fitzpaine or to the M5 via a new access to the motorway. That would be likely to significantly increase the traffic on Broadway Road.

The Parish Council is also very concerned at the road safety implications of creating an access from the proposed development close to the crossroads of Broadway Road, Hare Lane and Pound Road which would have the effect of increasing its use. Although the applicant's traffic safety report downplays the danger posed by this intersection, the Parish Council believes that increased traffic flows would make the intersection more dangerous. This is exemplified by the road traffic accident which occurred early in June 2018, which required the hospitalisation of one of those involved. The Parish Council notes that the applicant proposes traffic calming measures on Pound Road either side of the crossroads. The Council does not have the technical expertise to comment on the suitability of these arrangements. However, it does agree that improvements to the safety of the crossroads will be even more important if the development proceeds and that this should be a condition imposed if approval were to be given.

Concerns about pedestrian safety were a recurrent theme emerging from the consultation undertaken by the applicant and by the Parish Council. This is particularly so in the case of children walking to the Neroche Primary School and elderly people walking to the shop and Post Office in Goose Lane. The Parish Council does not believe that these concerns have been adequately addressed by the applicant, including by the proposed provision of a short section of pathway along Broadway Road.

**Highway issues**

The Parish Council does not consider that the existing road network is adequate to accommodate the level of construction traffic and the additional residential traffic referred to above. It is important that a construction traffic access plan is available to examine how disruption to traffic can be avoided were the application to be approved. For instance, one access to the site, off Pound Road, is over Whitebridge, a small stone bridge which is a dangerous pinch point on the road to and from Horton. The Council is unconvinced that all

the relevant traffic issues, including the danger posed by the short sight lines at the Pound Road/Broadway Road crossroads and the uncertainty about the volume of traffic likely to be using Broadway Road in the future, have been convincingly addressed. The Parish Council believes that the County Highways Department must be fully consulted on all highway safety and access matters.

### **Economic benefits**

Paragraphs 8.4 and 8.5 of the Planning Statement set out what the applicant sees as the benefits to the local economy of the development. These are claimed to be approximately 53 direct construction jobs and 79 jobs created elsewhere in the supply chain. The Parish Council welcomes appropriate provision of new jobs in the area. But, even if the applicant's claims as to job creation are accepted, they are all temporary and are unlikely to have any impact at all on Broadway's economy after completion of the development, which of course would be permanent. Moreover, while the Government's National Planning Policy Framework advises that significant weight should be placed on the need to support economic growth through the planning system, no potential economic growth in the village has been demonstrated from the development proposed.

### **Conclusion**

Paragraph 4.2 of the applicant's Planning Statement succinctly sets out the aspiration for the proposed development as creating *"a sustainable extension to the existing settlement with a scheme that maintains a traditional architectural style which respects the character of the settlement of Broadway."*

Broadway Parish Council believes that the application fails its own test. It believes that the development would be:

1. an anomalously large block of housing adjacent to an otherwise linear stretch of single dwellings in Broadway Road and Hare Lane;
2. a visible group of 2-storey dwellings out of scale with the neighbouring bungalows and the village at large;
3. an incongruous and visible addition to the landscape, particularly in winter;
4. a stylistically unconvincing and incongruous mixture of modern and traditional tropes unrelated to nearby dwellings or to the older, traditional buildings at some distance from it;
5. a wholly disproportionate contribution to meeting District housing needs for a village of its size and one which would accelerate the already excessive urbanisation of the Broadway;
6. a precedent for further large-scale housing developments in the village based on a District-wide housing need and not local demand;
7. liable to increase serious and unresolved concerns about road safety at the Broadway Road/Hare Lane crossroads;
8. unsustainable in respect of local transport;
9. of no significant long-term benefit to the village economy;
10. counter to the clear wishes of the village as expressed in the 2016 Broadway Housing Survey and the meeting on 19 June 2018;



11. and, in respect of those aspects which might otherwise have merit, including the creation of a pathway along Broadway Road, measures to calm traffic on Pound Road, provision of an area of public open space, a contribution to housing mix and the availability of affordable housing, insufficiently compelling to outweigh the many detrimental aspects referred to above.

The Parish Council therefore objects to the planning application. The Council would wish to put these points directly to the Planning Authority at the relevant meeting to consider the application.