

Application Number	2023/2177/OUT
Case Officer	Ed Winter
Site	St Edmunds Community Hall Car Park Chinnock Road Glastonbury Somerset BA6 8EW
Date Validated	13 November 2023
Applicant/	H Bedser
Organisation	Julian House
Application Type	Outline Application
Proposal	Application for Outline Planning Permission with all matters reserved for erection of 4.no 1-bed units for rental accommodation.
Division	Glastonbury Division
Parish	Glastonbury Town Council
Recommendation	Approval
Divisional Cllrs.	Cllr Nick Cottle Cllr Susannah Hart

Scheme of delegation

In accordance with the scheme of delegation, this application has been to be referred to the chair and vice chair of the planning committee, as the recommendation is for approval and this does not accord with the recommendation of Glastonbury Town Council. The vice chair has requested that the application be brought to planning committee.

Description of proposal, site and constraints

This is an outline planning application with all matters reserved for 4.no one-bed housing units for rental accommodation, in use class C3 (dwellinghouses).

The application site is located in the Windmill Hill area of Glastonbury. The site is 735sqm (0.0735 hectares). It lies within the settlement boundary of Glastonbury as defined by the local plan. The site comprises a car park, which is owned by Somerset Council and there are no current parking restrictions applicable.

The site is located to the immediate south of St Edmund's Community Hall. A convenience shop (McCull's) is located to the immediate north of the car park. The car park also appears to be used as an informal access to the rear garden of 9 Sandpits Road.

The site is located 0.5 miles from Glastonbury town centre.

Although submitted as an outline an indicative layout has been submitted to demonstrate how the scheme could be delivered on the site.

A revised layout was submitted on 15th April 2024 in order to address concerns about the indicative layout as submitted. The revised layout shows an internal access road running down the western side of the site, with the 4 residential units located to the eastern part of

the site, in two pairs aligned north-south with their principal elevations (with French doors) also facing 'inwards' towards and area of semi-private and shared amenity space.
7 car parking spaces would be provided including 1 disabled bay.

On site constraints

- Area of high archaeological potential
- Main river buffer 20m
- Somerset Levels and Moors SPA, Ramsar (catchment)

Nearby constraints

- Glastonbury conservation area lies c70m south
- Tree preservation order (group) 50m south

Relevant history

- 2016/0289/FUL - Erection of a transmitter aerial to the side of the building. Aerial will be approximately 2 metres high and 1.5 metres wide. Approved 20-APR-2014.

Summary of division councillor comments, parish/city council comments, representations and consultee comments

- SC division member: No comments received.
- Glastonbury Town Council: Objection (full comments on website)
 - Negative impact on the amenity of another property
 - Not compatible with existing uses for example the development is Class C3 and will be built on a site currently used as a car park for a class F2(b) property.
 - May cause traffic problems due to loss of parking spaces for the hall. Proposed parking spaces appear to be for the proposed development.
 - Negative impact on viability of St Edmunds Ward Community Hall as it will reduce the number of bookings due to the loss of car parking spaces.
 - Layout and density of the development is inappropriate.
 - The type of housing proposed will not satisfy the local housing need identified through Glastonbury Town Councils Housing Needs Assessment.
- SC Contaminated Land: No objection.
- SC Ecology: No objection subject to conditions.
- SC Environmental Protection: No objection subject to condition on construction hours.
- SC Highway Authority: Objection.
 - Turning area shown on plans is outside site area and therefore cannot be secured. Therefore, it has not been demonstrated that a suitable parking and turning arrangement can be achieved.

- Loss of vehicle parking facilities and would, therefore, encourage parking on the highway with consequent risk of additional hazards to all users of the highway.

Any further comments following the submission of the revised indicative layout received on 15th April will be reported as an update.

- SC Housing Enabling: Support.
 - Aligns perfectly with the Council's strategic aims and efforts to increase the overall provision of affordable housing, and specifically supported and specialist accommodation for homeless individuals
 - It also directly relates to the government's targeted funding programme: Single Homelessness Accommodation Programme (SHAP) a short-term funded programme set up to help local authorities reduce rough sleeping in areas of significant need.
 - This scheme will not only contribute towards a wider range of affordable homes through additional units which will support different client groups and cohorts; but it will also contribute significantly to the lives of people who have experienced homelessness and who need specialist accommodation to enable them to transition to independent living.
 - The application is based on the principles and evidence of reducing rough sleeping and ending homelessness as outlined above and worked up in full collaboration with government departments at DHLUC, Homes England and their specialist investment managers, cross-departmental working within Somerset Council, Glastonbury Town Council, and the Housing Provider Julian House the applicant for the scheme.
 - We have insufficient accommodation in the East Somerset area for vulnerable people/rough sleepers and significant gaps in the accommodation pathway to meet the identified need and demand. Existing schemes are working at full capacity and the lack of next step and intermediate move on accommodation is causing issues in meeting overall demand and next step move on, from Off the Street provision.
 - In addition, the mismatch in supply versus demand means that existing supported housing creates longer waiting times or work arounds with general needs housing, the private rented sector, and complex needs as well as Floating Support. Therefore, move on accommodation with support levels to meet the complex needs and a step down from higher support services, is a critical need.
- Environment Agency: No response received.
- Natural England: No objection.
- South-West Heritage Trust Archaeology: No objection.

Summary of representations from neighbours/members of public

Support 6

- New Meaning Foundation have built and installed this type of homes at 3 sites. We have got to know many of the residents over the last years. Our work is with ex-homeless and NEET people training and employing them in construction of the homes. The improvement in self-esteem, self-confidence and subsequent rehabilitation into society, into employment and the clear general greater wellbeing and health of residents in these schemes is truly life-changing and hugely inspiring.
- Units are placed in the town near enough to facilities for local engagement.
- There are buses into town.
- There will still be space for the hall to continue to be used for activities and parking.
- There is local fear and prejudice against the homeless but surely we have to accept that in Glastonbury there are homeless people and anything that can be done to help this situation should be welcomed.
- The public often have a misconception of the 'Homeless'. These days many people are on the edge of managing even if in secure work and have families, and even a small crisis in their lives can tip the balance. A temporary home can set them back on track.
- Residents could become valued members of the local community.
- 'Homeless' people are often used to walking long distances.
- It will provide an appropriate environment for individuals recovering from homelessness to develop independence skills, grow in self-esteem, engage in meaningful activities.
- This high-quality provision is much needed as an alternative to low quality emergency or temporary accommodation in which individuals receive little or no support.
- I see this proposal as providing a great waypoint for people on their supported journey, from social exclusion and homelessness to independent living and a better future. There is clearly a very high level of need in this area and better solutions, situated within the community itself, are needed to tackle the continuing growth in van and shelter living. These will be purpose-designed units, supported 24/7 by the Julian House team and with a Management Plan in place to support community cohesion.

Objections 30

- Inappropriate location.
- Loss of car parking for events at community hall.
- Not a suitable place for vulnerable individuals who may have alcohol/drug abuse issues.
- The area is isolated and difficult to reach without private transport.

- Employment opportunities in the area are limited.
- This will bring dangerous people to our community and encourage antisocial behaviour (wording as represented).
- The location of the site behind a licenced shop would be inappropriate for recovering alcoholics (wording as represented).
- The community hall provided a safe community space for children. These units would jeopardise this.
- The hall provides a number of community activities.
- Consultation events were poorly advertised.
- The recent Town Deal Funding award of £50,000 towards comprehensive refurbishment has re-vitalised its popularity.
- The existing car park has a higher capacity than stated in the application submission – at least 17 instead of 11, and therefore the proposed development would result in a greater loss of parking than stated in the application.
- Vehicular access and manoeuvring on the proposed site will inevitably raise concerns for Emergency Vehicles, Waste Collection and deliveries to the hall.
- Car park is not underused.
- The units would look out of place on that site.
- The shop already generates significant parking need. Loss of parking would exacerbate this.
- The parking is essential for the hall as the hall is located up a steep hill.
- McColl's may be negatively impacted due to loss of parking.
- Other car park would be better than this one for the development.
- Existing uses of the community that require car parking include its use as a polling station, as a repair café, where members bring their own tools.
- Reduction in privacy for adjacent garden and would make it difficult to access drive.
- This is not a good use of public money when there are houses standing empty in the town that could be re-utilised. Also £100,000 per unit is a vastly inflated sum. For example bespoke small eco homes at tinyecohomesuk.com sell at retails for between £48,000-£64,000. How are these basic units so expensive?
- No site notice was displayed.
- We as residents of Highbank, Old Wells Road directly opposite, bought our house 3 years ago at the very start of the Covid 19 pandemic , it was a difficult time . We suffered from several homeless people in caravans parked in the carpark with fights, noise pollution fires and violence to which the police were called several times . Eventually they were evicted and a height barrier was installed to stop them. I know modular homes are not quite the same as a caravan, but possibly worse as they are more permanent than a caravan. The car park is on the same level as our house and any noise we will suffer. The kind of people that homeless people will attract are not desirable. This will probably cause a lowering of our property value which is unacceptable to us all.

- I own and live at number 6, Old Wells Road, along with my long-term lodger. The application as proposed would have a dramatic and negative impact on the natural light available to our property. I believe this to be a unique concern as the proposal would not have the same impact on number 4, Old Wells Road, nor Highbank. Our property already suffers from a lack of natural light. Reassurances that the new builds will be no taller than the existing St Edmunds Hall are not reassuring; the direct proximity of the proposed residential accommodation to Old Wells Rd, beneath, means that these new builds will block out considerably more light than the existing structure.
- Land is public amenity land and should be protected as such.
- I am worried that this proposal will undermine access for less mobile people to this very popular community hall.
- There are loads of houses on the hill that are not selling - why not convert one of them instead?
- My concern for this application is because St Edmunds Hall car park is the way I access where I live. I have a legal Right of Way which clearly states that the area next to the hall is to be kept clear for our use as well as permission to drive through the car park area. I do not have an individual front entrance and I do not have good enough mobility to walk the steep ramps and paths so the back entrance is mine and my family's access.
- Glastonbury Town Deal Board objects to the application, as the loss of the car park will have an overbearing and dominating impact on the viability of the Community Hall; reducing the number of bookings - and threatening the feasibility of the proposed community café and social hub - due to the loss of car parking spaces.
- As Chair of St. Edmund's Ward Community Hall, I am writing on behalf of my fellow Trustees to object to the application. The Car Park is essential to the hirers and users of the Hall, which has recurring, regular bookings every weekday evening and most daytimes. Following the recent £65,000 renovations - as part of the Glastonbury Town Deal Accelerator Fund - our kitchen was re-fitted to a commercial standard with the aspiration to set up a café; providing a Social Hub for the community.

Summary of all planning policies and legislation relevant to the proposal

Section 38(6) of the Planning and Compulsory Purchase Act 2004 places a duty on local planning authorities to determine proposals in accordance with the development plan unless material considerations indicate otherwise.

The development plan comprises:

- Mendip District Local Plan Part I: Strategy and Policies (December 2014)
- Mendip District Local Plan Part II: Sites & Policies (2021) (post JR version)

The following policies of the Local Plan Part 1 are relevant to the determination of this

application:

Core policies

- CP1: Mendip Spatial Strategy
- CP2: Supporting the Provision of Housing
- CP7: Glastonbury Town Strategy

Local development policies

- DP1: Local Identity and Distinctiveness
- DP3: Heritage Conservation
- DP5: Biodiversity and Ecological Networks
- DP7: Design and Amenity of New Development
- DP8: Environmental Protection
- DP9: Highways Impact of New Development
- DP10: Parking Standards
- DP14: Housing Mix & Type
- DP17: Safeguarding Community Facilities
- DP19: Development Contributions
- DP23: Managing Flood Risk

Other possible relevant considerations (without limitation)

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)
- Somerset County Council Parking Strategy (September 2013)
- Mendip Design and Amenity of New Development – Supplementary Planning Document
- Net Zero Carbon Toolkit July 2021

Assessment of relevant issues

- The site lies within the settlement boundary of Glastonbury as defined by the local plan, where the principle of residential development is acceptable. The site is also previously developed.
- The site comprises a car park, whose main use is associated with St Edmund's Community Hall, which is located to the immediate south of the site. St Edmund's Community Hall is considered to be a community facility, for the purposes of local plan policy DP17.
- The existing car park provides 11 car parking spaces. Proposals are for 5 spaces to be retained. No car parking spaces would be provided for residents of the five units. However, the turning area is outside the application site area and therefore cannot be secured.
- The application involves the provision of housing and the Somerset East area is unable to demonstrate a five-year supply of housing sites in the Somerset East

- area.
- The titled balance is engaged.

Principle of the use

This is an outline planning application with all matters reserved for 4.no one-bed housing units for rental accommodation. The site lies within the settlement boundary of Glastonbury as defined by the local plan. The site is also a previously developed site. In order to enable the most sustainable pattern of growth, CP1 directs the majority of growth to the five principal settlements of Frome, Glastonbury, Shepton Mallet, Street and Wells. CP1 also seeks to maximise the re-use of appropriate previously developed sites and other land within existing settlement limits.

CP2 confirms minimum requirements for the district overall and by settlement and that the delivery of housing will be secured from infill, conversions and redevelopments within development limits defined on the policies map, subject to compliance with national planning policy and specific policies within the Local Plan, particularly matters relating to design, local distinctiveness and identity and amenity. Policy CP7 sets out further guidance for the way in which Glastonbury is expected to develop and grow over the plan period. In relation to the spatial strategy, the proposed development is acceptable in principle, subject to compliance with other relevant plan policies.

Highway and parking impacts

There is no change to the access arrangements to the existing car park.

The plans of the site as existing show 11 car parking spaces which is not representative of the actual layout. Notwithstanding, it is agreed that the site could reasonably accommodate 11 car parking spaces (confirmed by the Highway Authority).

The Countywide Parking Strategy requires 6.8 car parking spaces to be provided for the 4 new units in this location and between 5-6 spaces to serve the Community Hall, resulting in a combined requirement for 12-13 spaces.

Given the scheme proposes 7 parking spaces the proposed development would result in a shortfall of 5-6 spaces against the 12-13 that would be required as set out above.

Comments from the Highway Authority have raised the issue of the shortfall of parking, the extent to which the site and car parking spaces could be accessed and readily used and the servicing arrangements for the convenience store. The revised indicative layout plan incorporates the necessary tracking details to confirm that the proposed parking arrangements would work from an operational point of view without comprising the servicing arrangements for the convenience store. This part of the objection from the Highway Authority is now considered to have been resolved. Any further comments will be

provided as an update to this report.

Turning to the parking provision it is recognised that the shortfall to serve the proposed dwellings and the Community Hall could result in parking displacement which could increase pressure for on street car parking.

Of relevance to this point the applicant is a homelessness charity and the intention is for the units to be used as stop-gap accommodation. In order to control the manner in which car parking as proposed is used it is considered that this can be appropriately managed with a requirement for the submission of car parking management plan which is included as part of the recommendation

Overall, as a result of the likely displacement and increase in demand for on street parking the impact is considered to result in moderate harm.

Safeguarding community facilities

Policy DP17 states that development proposals that would result in the loss of sites or premises currently or last used for local facilities and services will not be permitted unless:

1. Suitable alternative provision is being made in the locality and will be available before development or change of use can commence; or
2. The maintenance of the existing use would perpetuate existing amenity, highway or other environmental problems; or
3. If the service or facility is of a commercial nature (including pubs and neighbourhood shops), and there is no likelihood of a viable community use.

The application site is considered to be a separate planning unit from the community hall and the shop. While it is used in connection with both the community hall and the shop, both of these are separate planning units to the car park. The car park itself is therefore not considered to be a community facility to be protected under DP17.

However, the application site is immediately adjacent to the community hall, which is a community facility for the purposes of DP17, and the car park currently provides car parking for users of the community hall as well as for visitors to the local shop.

Despite there being no specified restriction of the use of the car park for users of the community hall, the car parking is still considered to be important to the *functional* use of the community hall and therefore this is considered material to the determination of this application. For the avoidance of doubt, the application is not considered contrary to DP17 due to loss of parking, but, as discussed in the section above in this the reduction in car parking spaces is considered likely to affect the usage/usability of the community hall and this is considered material to the determination of this application.

The assessment of the car parking impact arising from the development has been set out above and overall, the loss of the car parking spaces is considered to result in moderate

harm to the use of the hall as a community facility.

Local Identity and Distinctiveness

DP1 states that all development proposals should contribute positively to the maintenance and enhancement of local identity and distinctiveness across the district and that proposals should be formulated with an appreciation of the built and natural context of their locality, recognising that distinctive street scenes, townscapes, views, scenery, boundary walls or hedges, trees, rights of way and other features collectively generate a distinct sense of place and local identity.

DP1 also states that where a development proposal would adversely affect or result in the loss of features or scenes recognised as being distinctive, the Council will balance up the significance of the feature or scene to the locality, the degree of impact the proposal would have upon it, and the wider benefits which would arise from the proposal if it were approved. Any decisions will also take into account efforts made by the applicant to viably preserve the feature, avoid, minimise and/or mitigate negative effects and the need for the proposal to take place in that location.

The existing site is considered to make a negative contribution to identity and distinctiveness of the area. None of the features mentioned in the policy are present on site, with the exception of some hedgerows to the site boundaries, which could be retained. Otherwise, the site consists of a car park laid to tarmac, with no characteristics that are positive in terms of local identity and distinctiveness.

The proposed development is currently in outline form and therefore the details of the proposed development is indicative. However, it is considered that that an acceptable form of development could be achieved on this site. A condition requiring a plan setting out landscaping as part of any reserved matters application is considered reasonable and necessary to protect and enhance local distinctiveness.

Design and Amenity of New Development

DP7 states that the Local Planning Authority will support high quality design which results in usable, durable, adaptable, sustainable and attractive places. The policy continues as follows:

Proposals for new development should demonstrate that they:

- a) are of a scale, mass, form and layout appropriate to the local context
- b) protect the amenity of users of neighbouring buildings and land uses and provide a satisfactory environment for current and future occupants
- c) optimise the potential of the site in a manner consistent with other requirements of this policy

- d) incorporate all practical measures to achieve energy efficiency through siting, layout and design
- e) maximise opportunities for:
 - i. The use of sustainable construction techniques
 - ii. The use of sustainable drainage systems
 - iii. Renewable energy generation on site
 - iv. The use of water efficiency measures, recycling and conservation
 - v. New residents to minimise, re-use or recycle waste
- f) use locally sourced or recycled materials wherever practically possible
- g) meet the access needs of a wide range of users
- h) incorporate appropriate crime prevention measures
- i) undertake construction in a manner that makes efficient use of materials and minimises waste.

Scale, mass, form and layout: This is an outline application and therefore the scale, massing and form is not fixed at this point. However, the application does provide an indicative set of designs. The scale, massing and form of the proposed development (as shown indicatively) is considered appropriate to the local context. The site is within an existing car park, which is accessed through a single-vehicle width entrance. It is thus reasonably well enclosed and detached from the wider street scene. The architecture of the proposed units is very different from that of the typical dwellings in the area, but the detached nature of the site means that the two styles would not read as discordant. Further details of design and materials would be assessed at reserved matters stage.

Amenity: While the application is in outline form, details of site layout and elevations have been provided. The proposed units would be single storey, with windows to the rear (serving the bedroom), side (serving the kitchen) and the front, serving the main living space. The front windows are shown as full length and width glazed doors. A small amenity space is shown between the units.

Due to the single storey nature of the units, distance from existing properties and topography, no undue overbearing is anticipated. This includes the existing dwellings 4-6 Old Wells Road. These dwellings are set on significantly lower ground than the site on which the new units would be located. The car park is 3-6m higher than the relevant section of Old Wells Road. The proposed units are shown as being 13m (measured of plan and not taking into account the level change) from the fronts of 4 and 6 Old Wells Road at closest. A number of trees (albeit deciduous and therefore not in leaf over winter) are also located on the bank between the site and the road. Based on the situation and characteristics described above, it is not considered that any overbearing impacts would arise from the proposed development.

Privacy and overlooking concerns have been raised by the occupiers of the properties adjacent to the site on the Old Wells Road, largely due to the different ground levels between the application and these properties. The layout and any potential impact would be confirmed at the reserved matters stage, however as the revised layout now shows facing each other, and the amenity area has moved, it is considered that limited overlooking would arise and furthermore could be further mitigated with suitable screening, which could be secured as part of the landscaping plan as recommended by condition.

Privacy issues have been raised in relation to the rear garden of 9 Chinnock Road. This garden is already open to view from users of the car park and it is not considered that any undue privacy issues would arise as a result of the proposed development.

It is not anticipated that any other undue overlooking issues would arise.

Therefore, the proposed development is not considered to result in any undue overbearing impacts.

Site optimisation: Whether the proposals optimise the potential of the site in a manner that is consistent with other requirements of the policy requires consideration of the amount of development proposed, while considering other design factors, so as to avoid overdevelopment, for example. In this case, it is considered that the proposed development would optimise the site. While the units are single storey only, introducing further storeys here could result in conflict between the proposed units and existing units, in terms of overlooking and also wider design considerations. It is considered that proposals would accord with this part of the policy.

Energy efficiency: Matters in relation to parts d-h would be addressed through reserved matters. Part i could be addressed through a construction management plan, secured by condition.

Heritage Conservation

The site is located within an area of high archaeological potential. However, South-West Heritage Trust have commented that the archaeological potential of the site is considered to be low and no further investigation is required.

There are no listed buildings on site or nearby. It is not considered that the significance of any heritage assets would be affected by the proposed development.

Biodiversity and Ecological Networks

Phosphates

The application site is within the fluvial catchment of the Somerset Levels & Moors Ramsar Site. The Somerset Levels & Moors is also designated as a Site of Special Scientific Interest under the Wildlife and Countryside Act 1981 (as amended). In the absence of mitigation, the application will add phosphorus to the catchment of the designated site due to the increase in dwellings proposed.

The applicant has provided a nutrient assessment as part of the submitted Shadow Habitats Regulations Assessment (sHRA), which relies on the purchase of phosphorus credits from Manor Farm Phosphorus Credits Scheme. The submitted nutrient assessment demonstrates that wastewater production and land use change arising from the proposed development will generate an additional 0.31 kg of phosphorus (TP) per year (including a 20% buffer). The nutrient assessment proposes to mitigate for the additional phosphorus by purchasing 0.31 of nutrient credits from Manor Farm Phosphorus Credits Scheme (each credit mitigates 1kgTP/year). Evidence of a transactional agreement/purchase between the applicant and Manor Farm Phosphorus Credits Scheme to purchase 0.31 of Nutrient Credits has also been provided within the submitted nutrient neutrality and mitigation strategy but a condition would be needed to secure completion of this agreement.

Somerset Ecology Services are satisfied with the sHRA, which also covers the nutrient neutrality and mitigation strategy, and recommend that the sHRA is suitable for endorsement and subsequent adoption by the Council. Subject to a condition that requires the submission of evidence of the nutrient credits prior to commencement, the LPA is satisfied that the proposed development would not adversely affect the Somerset Levels and Moors Ramsar site.

Natural England has commented that they have no objection to the proposed development. Taking all of the above into consideration, including the suite of controls as set out in the recommended conditions, sufficient information has been submitted to confirm that the proposal would not result in an unacceptable increase in phosphate levels within the foul water discharge and not affect the current unfavourable status of the Somerset Levels and Moors Ramsar site and as such passes Regulation 63 of the Habitat Regulations 2017. On this basis it is therefore considered that the proposed development accords with Policies DP5, DP6 and DP8 of the adopted Local Plan Part 1 (2014) and Part 15 of the National Planning Policy Framework

Biodiversity net gain

SES is satisfied with the application, subject to the retention of retained hedgerows and

trees, as well as conditions to secure details of external lighting and a landscape and ecology management plan, in order to protect bats and landscape features and other species on the site. These conditions are considered reasonable and necessary to make the application acceptable.

On the basis of the advice received from SES, the proposed development is considered to accord with to local plan policies DP5 and DP6 and NPPF paragraph 180.

Environmental Protection

Policy DP8 states that development (either cumulatively or individually) will be required to demonstrate that it does not give rise to unacceptable adverse environmental impacts on:

- Ambient noise levels.
- Air quality.
- The quality of water resources, whether surface river or groundwater.
- Biodiversity.
- Light pollution.
- Land quality and ground stability.
- Residential amenity.
- Public health and safety.

Biodiversity is dealt with under the section on ecology.

The council's environmental protection team (covering noise, air quality, land contamination and public health and safety) have raised no objection to the application, although a condition regarding the hours of construction operations is recommended.

No details of lighting have been submitted at this stage. However, it is anticipated that an acceptable lighting scheme could be achieved and the submission of a lighting scheme would be secured in any case, as per comments in the section on ecology.

The proposed development is therefore considered compliant with, or capable of complying with policy DP8.

Affordable housing

While the proposed development is described as aimed at those in situations of homelessness, and would likely fall within the definition of affordable housing, planning permission is not sought on the basis that is an exception site. The NPPF also states the affordable housing contributions should not be sought on site of 10 dwellings or fewer.

Therefore, there is no basis to secure tenure through a planning obligation.

Further issues

Public comments raise further issues that have not been addressed above, relating to identity and characteristics of future residents, private rights of access to land, cost

effectiveness of the project and the site notice. These are discussed below.

Identity and characteristics of future residents

- Concerns over vulnerable or dangerous individuals who may have substance abuse issues coming to live in a residential area and this may lead to anti-social behaviour.
- The proximity of the licenced shop to the site would be inappropriate for recovering alcoholics.
- The community hall provides a safe community space for children. These units would jeopardise this.

While the application is made by a homelessness charity, details of the circumstances of individuals who would live in the accommodation are not considered to be material for planning purposes. The units would be in C3 use as dwellinghouses and therefore, as far as planning is concerned, anyone could live in them, as is the case with any dwellinghouses in C3 uses, subject to restrictions such as those relating to affordable housing etc.

Private rights of access to land

- Concerns over access to rear garden of 9 Chinnock Road).
- Concerns over access to car parking space adjacent to community hall (for the benefit of 2 Windmill Hill Road).

The access to the rear garden of 9 Chinnock Road is via the car park, which is owned by Somerset Council. There is no right of access to the rear garden of 9 Chinnock Road via the car park. However, the council understands that there is an access agreement that benefits 2 Windmill Hill Road. This car parking space and access to it would be maintained to the car parking space that benefits 2 Windmill Road.

Cost effectiveness of the project/poor use of public money

This is not a planning matter.

No site notice was displayed

Neighbour notifications were carried out in accordance with standard requirements.

Planning Balance

Benefits

The provision of four 1-bed units for rental accommodation. According to council's housing enabling team, this scheme will contribute towards a wider range of affordable homes through additional units which will support different cohorts and will also contribute significantly to the lives of people who have experienced homelessness and who need specialist accommodation to enable them to transition to independent living.

The housing enabling team also states that there is insufficient accommodation in the East Somerset area for vulnerable people/rough sleepers and significant gaps in the accommodation pathway to meet the identified need and demand. Existing schemes are working at full capacity and the lack of next step and intermediate move on accommodation is causing issues in meeting overall demand. 'Move on' accommodation, such as that proposed, with support levels to meet the complex needs and a step down from higher support services, is a critical need.

This benefit is attributed to significant weight.

Harms

Loss of car parking, as discussed above, is considered to result in a moderate harm to the hall as a community facility.

Additional car parking pressure that would arise as a result of the loss of car parking and displacement is also considered a moderate harm.

The cumulative harm of the above is still considered to be moderate.

Environmental impact assessment

This development is not considered, at this time, to require an Environmental Assessment under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

Equalities Act

In arriving at this recommendation, due regard has been given to the provisions of the Equalities Act 2010, particularly the Public Sector Equality Duty and Section 149. The Equality Act 2010 requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities. Protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race/ethnicity, religion or belief (or lack of), sex and sexual orientation.

Conclusion

This is an application that would provide housing within use class C3 (dwellinghouses) on a brownfield site and which is in accordance as a matter of principal with the development policy framework against which the application has been assessed against. Therefore the application should be granted unless the harms arising significantly and demonstrably outweigh the benefits.

As set out in the planning balance section, the identified benefits are considered to be

significant and the harms moderate. Therefore, the harms of the application do not significantly and demonstrably outweigh the benefits and planning permission should be granted.

Recommendation

Approval

Conditions

1. Plans List (Compliance)

This decision relates to the following drawings:

AA/23/29/01 rev A

Reason: To define the terms and extent of the permission.

2. Outline Time Limit (Compliance)

The development hereby approved 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 latest.

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).

3. Phosphate Credits Allocation Certificate (Pre-Commencement)

The development hereby permitted shall not be commenced until an Allocation Certificate has been submitted to and approved in writing by the Local Planning Authority which addresses the additional nutrient input arising from the development within the fluvial catchment area upstream of the Somerset Levels and Moors Ramsar site and on the same hydrological pathway.

The Allocation Certificate shall be a written certificate issued by the phosphate credit provider confirming the allocation of the full phosphate credit requirement generated by the development, thereby mitigating the additional nutrient load imposed on the Somerset Levels and Moors Ramsar site by the development when

fully occupied enabling the local planning authority to conclude on the basis of the best available scientific evidence that such additional nutrient loading will not have an adverse effect on the integrity of the protected site, having regard to the conservation objectives for the site.

Reason: To ensure that the proposed development is phosphate neutral in perpetuity in accordance with Development Policies 5 and 8, as well as Paragraphs 180 and 186-188 of the National Planning Policy Framework.

4. **Construction Environmental and Ecological Management Plan - Reserved Matters (Compliance)**

The reserved matters application shall include a Construction Environmental and Ecological Management Plan. Thereafter, the development approved (including demolition, ground works, and vegetation clearance) shall be done in strict accordance with the approved Construction Environmental and Ecological Management Plan (CEEMP). The CEEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

Reason: To prevent ecological harm and to provide biodiversity gain in accordance with Development Policies 5 and 6 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014). This is a condition precedent as the commencement of works without these details could have a harmful impact on protected species.

5. **Landscape and Ecological Management Plan - Reserved Matters (Compliance)**

The reserved matters application shall include a Landscape and Ecological Management Plan (LEMP) for the proposed vegetated areas of the application site.

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 DP5 of the Mendip Local Plan.

6. **Parking (Compliance)**

The areas allocated for parking and turning on the submitted plan shall be kept clear of obstruction and shall not be used other than for the parking of vehicles in connection with the development hereby permitted.

Reason: To ensure that sufficient parking is provided to serve the approved development in the interests of highway safety in accordance with Development Policies 9 and 10 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

7. **External Lighting (Reserved Matters)**

The reserved matters application shall include full details of all new external lighting. Such details shall include the location, number, luminance, angle of illumination and type of each luminaire or light source and a lux diagram showing the light spill from the scheme. The lighting shall thereafter be installed, operated and maintained operated in accordance with the approved details.

Reason: To avoid harm to bats and wildlife in accordance with Development Policies 5 and 6 of the Mendip District Local Plan Part 1: Strategy & Policies 2006-2029 (Adopted 2014).

8. **Site Management Plan (Pre-Occupation)**

No occupation shall commence until a Site Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Site Management Plan shall include management arrangements for the property, including procedures for dealing with Complaints and Feedback, Anti-social behaviour, Managing behaviour outside the scheme, Noise, Fire and Emergencies and Parking and Access.

Informatives

1. **"Securing the Acquisition of Third-party Phosphate Credits**

If development is commenced without supplying the Local Planning Authority with an Allocation Certificate in respect of P-credits, then the implementation of your planning permission may be rendered unlawful. This requirement is considered to go to the heart of the permission and therefore you must obtain formal discharge of the condition prior to commencing any works on site."

2. The developers are reminded of the legal protection afforded to badgers and their resting places under the Protection of Badgers Act 1992 (as amended). It is advised that during construction, excavations or large pipes (>200mm diameter) must be covered at night. Any open excavations will need a means of escape, for example a plank or sloped end, to allow any animals to escape. In the event that badgers, or signs of badgers are unexpectedly encountered during implementation of this permission it is recommended that works stop until advice is sought from a suitably qualified and experienced ecologist at the earliest possible opportunity.

The developers are reminded of the legal protection afforded to nesting birds under the Wildlife and Countryside Act 1981 (as amended). In the unlikely event that nesting birds are encountered during implementation of this permission it is recommended that works stop until the young have fledged or then advice is sought from a suitably qualified and experienced ecologist at the earliest possible opportunity.

3. Please consider including the following within the Landscape and Ecology Management Plan (as part of the reserved matters application).

- a) Provision will be made for nesting swallows, for example within a structure providing shelter, such as an open fronted log/ bike store or bespoke box attached to the wall, and with the provision of artificial two artificial nest cups within, at a height above 3m.
- b) One Vivara Pro Woodstone Nest Boxes (32mm hole version) or similar mounted between 1.5m and 3m high on the northerly facing aspect of a tree and maintained thereafter.
- c) One Vivara Pro Barcelona Woodstone Bird Box (open front design) or similar mounted between 1.5m and 3m high on the northerly facing aspect of a tree and maintained thereafter.
- d) One integrated bee brick must be built into the external wall space of one dwelling. The brick will be placed one meter above ground level on a south facing aspect, vegetation must not block the entrance holes. Solitary bees are harmless and do not sting.
- e) One Built-in Woodstone Bat Box, or similar, to be installed on the southern and/or western elevation of a new dwelling, at a height of over 3m.
- f) Any new fencing must have accessible hedgehog holes, measuring 13cm x 13cm to allow the movement of hedgerows into and out of the site.
- g) Tree and native shrub planting; All new shrubs must be high nectar producing to encourage a range of invertebrates to the site, to provide continued foraging for bats. The shrubs must also appeal to night-flying moths which are a key food source for bats. The Royal Horticultural Society guide, "RHS Perfect for Pollinators, www.rhs.org.uk/perfectforpollinators" provides a list of suitable plants both native and non-native. All new trees planted on site must be native species and from local native stock, including field maple, ash, hornbeam, dogwood, spindle, beech and fruiting trees.