

HYBRID APPLICATION FOR A MIXED-USE DEVELOPMENT, SEEKING FULL PLANNING PERMISSION FOR 28 DWELLINGS, 665M2 OF COMMERCIAL USE (CLASS E), PUBLIC OPEN SPACE, ALLOTMENTS, DRAINAGE, LANDSCAPE AND ANCILLARY WORKS AND OUTLINE PERMISSION WITH ALL MATTERS RESERVED BAR ACCESS FOR AN ADDITIONAL 3 SELF/CUSTOM-BUILD DWELLINGS.

**LAND BETWEEN NORTH ROAD AND HARVEST LANE,
CHARLTON HORETHORNE**

Planning Statement

August 2023

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1.0 INTRODUCTION

1.0 On behalf of Hopkins Estates Ltd, Grass Roots Planning has been instructed to prepare and submit a hybrid application for a mixed-use development, seeking consent for full planning permission for 28 dwellings, 665m² of commercial use (class E), public open space, allotments, drainage, landscape and ancillary works and outline permission with all matters reserved bar access for an additional 3 self/custom-build dwellings at land between Harvest Lane and North Road, Charlton Horethorne (the site). The site lies within the administrative boundary of Somerset Council (SC).

1.1 The site comprises two agricultural fields which form a roughly triangular parcel of land, situated between North Road and Harvest Lane. The site is bound by hedgerows interspersed with trees.

1.2 The application comprises the following documents and this statement should be read in conjunction with these:

- Application Forms and Certificates;
- Design & Access Statement prepared by Orme Architects;
- Biodiversity Checklist, Ecology Report and BNG assessment prepared by Grass Roots Ecology;
- Flood Risk Assessment and Surface Water Drainage Strategy prepared by Vectos;
- Arboricultural Impact Assessment prepared by Bosky Trees;
- Landscape Strategy and Visual Impact Assessment prepared by Greenhalgh;
- Transport Assessment prepared by Key Transport;
- Statement of Community Involvement prepared by Grass Roots Planning;
- Phosphate Statement prepared by Southwest Environmental Limited; and
- Plans prepared by Orme:
 - 1742_A01_005 Proposed Site Plan
 - 1742_A01_006 Proposed Site Plan GF Level
 - 1742_A01_030A House Type A1 Full Set
 - 1742_A01_031A House Type A2 Full Set
 - 1742_A01_032A House Type A3 Full Set
 - 1742_A01_033_A House Type E Full Set

- 1742_A01_034_A House Type B1 Full Set
- 1742_A01_035_A House Type C_D Full Set
- 1742_A01_036_A House Type B2 Full Set
- 1742_A01_037 Commercial Unit 1 Full Set
- 1742_A01_038 Commercial Unit 2 Full Set
- 1742_A01_230724 Proposed Visuals
- Plans Prepared by Greenhalgh:
 - 170-001_P1 Landscaping Plan
 - 170-201_P1 Planting Plan
 - 170-301_P1 Boundary Treatment Plan
 - 170-401_P1 Tree Pit Details
 - 170-402_P1 Boundary Treatment Details
 - 170-501_P1 Section AA
 - 170-502_P1 Section BB
 - 170-503_P1 Section CC and DD
 - 170-504_P1 Section EE
 - 170-801_P1 Illustrative Landscape Masterplan
 - 170-SCH-001_P1 Plant Schedule

2.0 SITE DESCRIPTION

2.1 The site lies to the north of the village of Charlton Horethorne and comprises two agricultural fields which are intersected by a hedgerow which is interspersed with trees. The fields are used for grazing accessed from North Road. The site slopes gently downward from north-west to south-east and there is existing residential development to the north, east and south fronting onto North Road.



Figure 1. Site Location (for exact measured boundaries please see submitted location plan)

2.2 The site lies in close proximity to the centre of the village of Charlton Horethorne which is to the south. The village has a number of everyday facilities, including a primary school, shop, pub and village hall.

2.3 The land is not subject to any specific policy designations, such as an Area of Outstanding Natural Beauty (AONB), Conservation Area, Site of Special Scientific Interest (SSSI), Special Area of Conservation (SAC), or Flood Zone. There are two listed buildings which lie adjacent to the site on North Road. There are no Public Rights of Way (PRoW) crossing the land.

2.4 The site is circa 3.4ha in size.

3.0 PROPOSED DEVELOPMENT

- 3.1 This application seeks a hybrid planning permission for a mixed-use scheme. The scheme seeks full planning approval for 28 dwellings (including 35% affordable), 665m² of commercial (Class E) use, public open space, allotments, drainage, landscaping, ancillary works and outline permission for an additional 3 self/custom-build dwellings..
- 3.2 The proposed description of development is summarised below:
- A new multi-modal access in the form of a spine road, connecting the new residential development to Harvest Lane
 - Additional pedestrian access to the northeast onto North Road
 - New public open space and areas for children's play
 - A new managed publicly inaccessible woodland buffer zone
 - 3 self/custom-build plots
 - 28 dwellings providing a mix of housing sizes from 1 to 4 beds, of which 11 are to be affordable
 - 665m² of employment space provided in two separate buildings
- 3.3 The residential dwellings and employment element are proposed to be predominantly 2 storeys in height, the exception being 4 single-storey dwellings to the southeast of the site. All plots have been proposed with parking and cycle storage to meet SC's requirements.
- 3.4 The main vehicular access points for the site are onto Harvest Lane. A separate access is proposed for commercial units to the residential area, although the two areas would be linked by a footway. Along the site frontage, Harvest Lane is proposed to be widened to 5m to allow a lorry and car to pass. Additionally, it is proposed to widen the road within the public highways further to the southeast to provide two passing places that are designed to be wide enough to allow two cars to pass one another.



Figure 2. Extract of Proposed Masterplan.

- 3.5 The development seeks to deliver 31 dwellings in total (3 being self/custom-build plots), with affordable housing proposed at 35% of the total dwellings (11 units). Of the affordable housing proposed, this will comprise a mix of predominantly social rented properties with the remainder comprising First Homes and shared ownership in accordance with national and local policy. We would be happy to accommodate the council preferred mix in the S106 agreement once it is confirmed.
- 3.6 The submitted masterplan (Ref: 1742_A01_005) shows how the site is proposed to be laid out (see extract above in figure 2). At the centre of the site is an area of green space along with children’s play area, seating and drainage infrastructure, including swales connecting to a main basin which is also located in the central space. A footpath with trim trail connects this main central area to the allotments to the north.
- 3.7 The proposed dwellings fan out from the central green orientated along the three branching roads. The single-storey dwellings are located to the southeast of the site adjacent to neighbouring properties, with the area of managed woodland behind providing separation from the existing neighbouring properties. The self/custom-build plots shown hatched in figure 2 are located on the western edge of the site with the commercial units located just beyond and accessed separately off Harvest Lane.
- 3.8 An attenuation-led drainage strategy has been proposed directing water through a swale into a basin to the centre of the site, before discharging at greenfield rates via infiltration.

4.0 PLANNING STATUS & SITE HISTORY

4.1 As set out in Section 2, the site is not subject to any specific policy designations (aside from a Minerals Safeguarding Area and Source Protection Zone), but does lie in the countryside, where development is normally restricted. An extract of the local plan policy maps is shown below in figure 3 (the quality of this image is unfortunately poor):

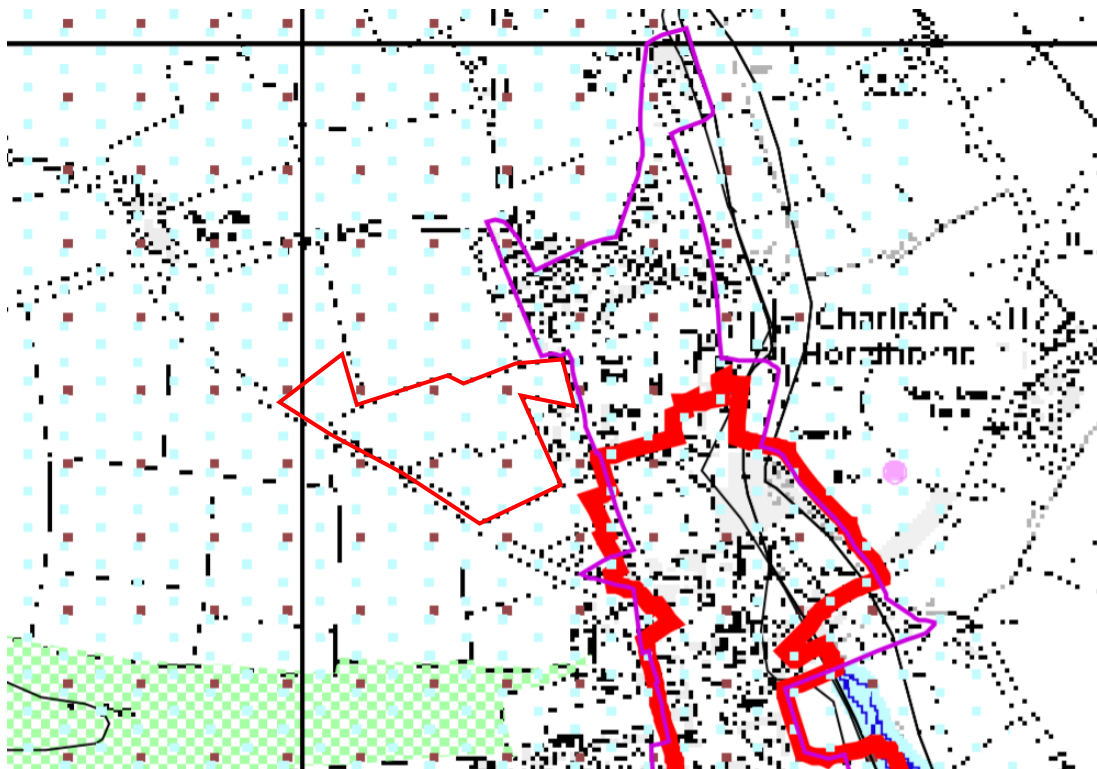


Figure 3. Extract of Local Plan policies map

4.2 To the east lies an Area of High Archaeological Potential (shown in a pink line), and the Conservation Area to the south which is delineated with a red line.

4.3 The site lies entirely within Flood Zone 1 and is not subject to surface water flooding.

4.4 There have been no previous planning applications for the site.

5.0 PLANNING POLICY

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications be determined in accordance with the development plan unless other material considerations indicate otherwise.
- 5.2 In this case the relevant development plan which applies to the application proposals is the South Somerset Local Plan (2006 – 2028).
- 5.3 The ‘other material considerations’ referred to in Section 38(6) of the Act would include the National Planning Policy Framework (NPPF), National Planning Practice Guidance (NPPG), Planning Policy Statements (PPS), Planning Circulars, and relevant Supplementary Planning Guidance (SPG) or Supplementary Planning Documents (SPD) (emerging and adopted).

South Somerset Local Plan

- 5.4 The site is not allocated in a current development plan document and there is no defined development area for the settlement of Charlton Horethorne. Relevant policies to the application’s assessment include the following:
- **Policy SD1 (Sustainable Development)** repeats the presumption in favour of sustainable development found in the NPPF, albeit this policy is now slightly inconsistent with NPPF2 published in February 2019.
 - **Policy SS2 (Development in Rural Settlements)** requires development to be strictly controlled, providing employment opportunities, enhanced community facilities, or meeting an identified housing need. Proposals for housing development should only be permitted in Rural Settlements that have access to two or more key facilities, which include a local convenience store, post office, pub, children’s play area / sports pitch, village hall / community centre, health centre, faith facility and / or primary school.
 - **Policy SS3 (Delivering New Employment Land)** indicates that the jobs target for Rural Settlements will be achieved through sustainable development, likely to be small-scale, which supports a prosperous rural economy and accords with local plan policies SS2, EP4 and EP5.

- **Policy SS4 (District Wide Housing Provision)** states that a minimum of 15,950 dwellings should be delivered in the plan period between 2006 and 2028.
- **Policy SS5 (Delivering New Housing Growth)** requires a minimum of 911 dwellings to be delivered within the Rural Settlements over the plan period.
- **Policy HG3 (Provision of Affordable Housing)** requires 35% affordable housing to be delivered on site, on major developments of 10 or more dwellings.
- **Policy HG5 (Achieving a Mix of Market Housing)** states that a range of market housing types and sizes should be provided across the district.
- **Policy TA5 (Transport Impact of New Development)** requires all development to adequately address the impact on transport movements, the provision of parking, highways safety, and inclusive design.
- **Policy TA6 (Parking Standards)** – set out the number of parking spaces expected to be provided for residential developments.
- **Policy EQ1 (Addressing Climate Change in South Somerset)** requires new development to address the impacts of climate change, improving energy efficiency and providing sustainable drainage mechanisms.
- **Policy EQ2 (General Development)** states that development should be designed to be of high quality, respecting the character of the area and reinforcing local distinctiveness.
- **Policy EQ3 (Historic Environment)** requires new development proposals to safeguard, or where appropriate enhance the significance, character, setting and local distinctiveness of heritage assets.
- **Policy EQ4 (Biodiversity)** – requires development proposals to protect the biodiversity value of land and maximise opportunities for restoration, enhancement, and connection of natural habitats.

National Planning Policy Framework (NPPF)

5.5 The NPPF sets out the government’s planning policies for England. Central to this guidance is the presumption in favour of sustainable development. The NPPF was revised in February 2019, following the initial July 2018 revision when a number of significant changes were made to the previous version, including the implementation of the standard method for calculating housing need (‘the standard method’), the Housing Delivery Test and the differences in calculating five-year housing land supply.

5.6 Relevant paragraphs to the application’s assessment include the following:

- **Paragraph 8** sets out the overarching objectives of sustainable development, which includes an economic objective, a social objective, and an environmental objective.
- **Paragraph 11** sets out the presumption in favour of sustainable development. For decision-taking this means approving development proposals that accord with an up-to-date development plan without delay; or

“Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- *the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole”.*

Footnote 7 clarifies that, for applications involving the provision of housing, this includes situations where the local planning authority cannot demonstrate a five-year supply of deliverable housing sites; or where the HDT indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years.

- **Paragraph 60** notes that to support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed.
- **Paragraph 75** highlights that LPAs should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years’ worth of housing against their housing requirement, including the addition of an appropriate buffer.
- **Paragraph 105** states that the planning system should actively manage patterns of growth and significant development should be focused on locations that are, or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes.
- **Paragraph 119** requires planning policies and decisions to promote an effective use of land in meeting the need for homes and other uses.
- **Paragraph 124** confirms that planning decisions should support development that makes efficient use of land.
- **Paragraph 125** states that where there is an existing, or anticipated, shortage of land for meeting identified needs, “... it is especially important that planning policies and

decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site”.

- **Paragraph 130** requires that planning policies and decisions ensure that developments are, inter alia, sympathetic to local character, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities).

Additional Considerations

5.7 Whilst not a formal part of the development plan, Charlton Horethorne has a published ‘Community Plan’ which covers the period 2006 – 2026. This set out the aspirations for the village for planning in the longer term, and identifies a number of key considerations and issues to address:

- Up to 20 dwellings should be provided in the Parish between 2016 – 2026;
- A minimum of 4 genuinely affordable homes should be built in the Parish by the end of 2022;
- 2-4 small downsizing / retirement houses should be built in the Parish by the end of 2022;
- Two small workshop units should be provided by the end of 2022; and
- Two additional small office units should be provided in the parish by the end of 2022.

6.0 PUBLIC CONSULTATION

- 6.0 A Statement of Community Involvement (SCI) has been prepared in support of the application which provides further details of the consultation that has taken place prior to submission. The process has been summarised below for ease of reference:
- 6.1 We first met with members of the Parish Council in April 2019, where we discussed the potential for a development on this land. In August 2019, we wrote to the Parish Council and presented three conceptual options for the site's development, all of which comprises a mix of residential and employment use, along with public open space.
- 6.2 Each of the three options presented at this time can be found in the SCI, the primary difference between the layouts was the location of each land use. In correspondence received from the Parish Council, their preferred option was Option 2.
- 6.3 Further discussions led us to preparing a public consultation exhibition on the 3rd December 2019. At this stage some initial technical work had been undertaken which supported the refinement of the proposals and a concept masterplan was produced. A copy of the consultation boards can be found in the SCI.
- 6.4 The exhibition was well attended (over 60 people) and the consultant team were available to answer any questions that members of the public may have. Questionnaires were also provided by the team for residents to either fill out at the exhibition or take away and send via email or post at a later date. A total of 26 responses were received at this stage.
- 6.5 Following this, technical work began to be undertaken in early Spring 2020. Unfortunately, due to the coronavirus pandemic, surveys were not able to take place as planned and this resulted in a delay to the application documents being prepared.
- 6.6 Following this a further round of consultation was undertaken in November 2022 as the details of the development progressed. Full details can be found in the SCI.

7.0 PLANNING CONSIDERATIONS

7.1 Considering the planning context in South Somerset, the public consultation responses received, and technical work undertaken, the main issues relating to the assessment of the application have been identified as follows:

1. Whether the principle of the proposed development is acceptable in regard to;
 - a. The Sustainability of the Site
 - b. Policy Compliance
 - c. Housing Need
2. Landscape Impacts of the Proposals;
3. Design Impact of the Scheme;
4. Highways and Parking;
5. Ecology and Biodiversity Net Gain;
6. Arboriculture; and
7. Other Material Considerations.

7.2 We will now go on to assess the main issues and benefits of the scheme.

The Principle of the Proposed Development

Sustainable Development

7.3 Policy SS2 states that development within rural settlements, specifically housing, should only be permitted in settlements that have access to two or more key services. These services are set out in Paragraph 5.41 of the Local Plan and include:

- A convenience shop;
- Post office;
- Pub;
- Children's play / sport pitch;
- Village hall;
- Health centre;
- Faith facility; or
- Primary school.

7.4 In respect of Charlton Horethorne all but one of these facilities are located within walking distance of the site those being a primary school, church, pub, convenience store and village hall. There is also a bus stop located within the centre of the village that provides a daily

service via the 646 bus, allowing residents of the village to utilise sustainable methods of travel if preferred.

- 7.5 Furthermore, as part of the proposed development there is some small-scale employment uses proposed. Whilst not proposed as retail, restaurants or cafes, the business use of these units would further increase the potential sustainability offer for the village by providing jobs within the village and would therefore enhance the facilities within walking distance from the site, compounding the sustainable credentials of the locale.
- 7.6 The site is well situated within Charlton Horethorne and would represent a logical extension to the residential extent of the town. As a result of these key facilities lying well within the maximum 2km distance referred to in the Manual for Streets Guidance, by which car trips are likely to be replaced by walking or cycling, accordingly, the site lies in a sustainable location for a mixed-use development.
- 7.7 The development of this land would contribute positively and represent an efficient use of land that is in such an accessible location. The application site should therefore be considered to be sustainable in respect of the requirements of Policy SS2

Policy Compliance

- 7.8 The South Somerset Local Plan takes the view that rural settlements are considered to be locations where there will be a presumption against development unless key sustainability criteria can be met. This however does not preclude development with the Local Plan noting that housing and employment should be located where it can enhance or maintain the vitality of rural communities.
- 7.9 The pre-amble to Policy SS2 states that applicants should undergo early engagement and preferably demonstrate support from the community and that the local community is best placed to determine local need and what will make their settlement more sustainable. In this regard Charlton Horethorne have published their community plan setting out the aspirations for the village, many of which will be met through this proposal. Of note is the identified need for around 20 homes, minimum of 4 affordable homes along with 2-4 'downsizing' / retirement units. The plan also identifies the need for two small workshops and two office units. Early consultation with the Parish and local residents has taken place, details of which can be found in the supporting Statement of Community Involvement.
- 7.10 Policy SS2 limits development within rural settlements to those that;
1. Provide employment opportunities appropriate to the scale of the settlement; and/or

2. Creates or enhances community facilities and services to serve the settlement; and/or
3. Meets identified housing need, particularly for affordable housing.

7.11 With regards to points 1 and 3 above, the parish in their community plan have identified the need for employment as well as some housing for the village. The need for affordable housing has also been explored in more detail by Charlton Horethorne Community Land Trust conducting a survey in 2022, the conclusions of which are a need for 8-10 affordable homes in the parish. This is detailed further in the following paragraphs.

7.12 The proposed development provides both housing, including affordable, to meet the identified needs and employment space that would be appropriate to the size of Charlton Horethorne and commensurate with the community plan. Lastly the proposed development includes public open space as well as community allotments and play areas, providing community facilities for the village.

7.13 The development is therefore in accordance with Policy SS2 of the Local Plan, and with paragraphs 79 and 80 of the NPPF, and is considered to be acceptable in principle.

Housing Need

7.14 Notwithstanding the above, at the heart of the NPPF is the presumption in favour of sustainable development and for decision-taking, means approving development that accords with the Development Plan without delay.

7.15 Paragraph 11 of the Framework sets out that where there are no relevant Development Plan policies, or the policies which are most important are out-of-date, planning permission should be granted unless "... any adverse impacts of doing so would significantly and demonstrably outweigh the benefits".

7.16 The NPPF requires that local planning authorities review their local plans to assess whether they need updating at least once every five years and "reviews should be completed no later than five years from the adoption date of a plan" (para 33). The South Somerset Local Plan was adopted in March 2005 and is therefore well past the date by which it should have been reviewed.

7.17 Paragraph 74 of the NPPF requires local authorities to identify and annually update a supply of deliverable sites to provide a minimum of five years' worth of housing against their housing requirement. Where an authority cannot do this, policies relating to housing supply cannot be considered "up-to-date" in the context of paragraph 11.

- 7.18 According to the latest report, ‘South Somerset District Council Five-Year Housing Land Supply Paper November 2022’, the council considers that it has a supply of 3.7 years’ worth of deliverable housing land. Therefore, the policies of the Local Plan that prevent housing development coming forward must be considered out-of-date and given reduced weight in decision making.
- 7.19 The “titled balance” is therefore engaged and, in accordance with the NPPF, any future planning application should be approved unless the adverse effects of doing so would significantly and demonstrably outweigh the benefits.
- 7.20 Further to the above, the Charlton Horethorne Community Land Trust conducted a housing needs survey within the Parish in conjunction with Smart Communities, a Somerset-based social enterprise organisation. The aims of the survey were;
- To investigate the housing needs of local people living or working in the Parish or with a local connection over the next 5 years and beyond;
 - To investigate the extent of need for affordable housing and explore the main barriers households face when trying to secure a property within the Parish;
 - To establish the views on future affordable housing in the Parish and gauge the level of support for new homes for local people if a need was identified;
 - To explore the needs of those in older households; and
 - To assist CHCLT, the Parish Council, the District Council and Somerset unitary authority with future planning for the Parish.
- 7.21 The survey was distributed to 294 households in the Parish of which 116 were returned. The results identified that 83% of respondents would support affordable housing for local people and that affordability of property to rent or buy in the Parish is the largest barrier for non-homeowners. The results identified a genuine need for 8-10 affordable homes in the parish in the next 5 years.
- 7.22 It is clear that the proposed development would increase the choice of housing and make a contribution to reducing the shortfall of housing supply in South Somerset, as well as meeting the identified housing needs of local people, in a location that offers a number of everyday facilities within walking distance. The principle of residential development should therefore on balance be considered acceptable in this proposed location.

Landscape Impact of the proposal

- 7.23 Landscape impact was a key concern during the development of the proposals and as such, a Landscape and Visual Appraisal Report accompanies this application, prepared by Greenhalgh Landscape Architecture. This assessment confirms that the site will have negligible to low impact on the local landscape character and not be significant, it also made a number of recommendations to minimise landscape effects and integrate the development into its surroundings and the layout and design overall has been influenced by this advice from the start.
- 7.24 A number of viewpoints were assessed in and around the sites location and overall, it was determined that the level of impact on the landscape character area will be mainly low with no views achievable from the higher ground to the west. This visual assessment found that the development's impact on landscape is limited and confined to only small pockets within the local area and further, these are considered to have no adverse effect and not be significant.
- 7.25 Nonetheless, some mitigation measures have still been proposed and include the restocking of the existing boundary hedgerows new hedgerow planting, creation of a larger central area of public open space with associated planting and new woodland planting to the southeast of the site.
- 7.26 The proposal results in no significant adverse impacts on the wider landscape and where minor impacts have been identified the design has incorporated mitigation measures to minimise this to the lowest possible effects. The proposed development would be seen as a continuation of Charlton Horethorne and not as a separate feature within the landscape.
- 7.27 In conclusion, the proposal is considered to accord with Policies EQ2 and EQ4 of the South Somerset Local Plan and with the NPPF.

Design impacts of the scheme

- 7.28 Design is an integral aspect of sustainability as the NPPF sets out and this is also reflected in a number of policies within South Somerset's Local Plan, including Policy EQ2.
- 7.29 The application puts forward a high-quality development, which will sit comfortably within its landscape setting as it will be extensively screened with tree planting and existing shrub. The scheme will make use of high-quality materials, such as local stone, render and timber cladding
- 7.30 Within Charlton Horethorne's community plan, Policy HD7 states that new development needs to be of a high design quality. This may be achieved either by using local materials and

vernacular design elements or a high standard of modern design. Influence has been taken from the character of the existing village which is made up of predominantly stone with some use of render and cladding. This is explained in more detail by the project architects in the submitted Design and Access Statement. Extracts of the elevations are shown below in figure 4.



Figure 4. Proposed elevations (see submitted drawings for full details)

- 7.31 The development will comprise a mix of 2, 3 and 4-bed houses which are varied in size but limited to 2-storeys. It will also include 1 and 2-bed flats creating an attractive mix of dwellings on the site. Additionally, 3 no. self-build plots are proposed. Detail for these will be submitted at a later date and will be managed through the plot passport documents also submitted with the application to ensure that their final design is reflective of the wider development and does not jar with it.
- 7.32 The positioning of the properties has been designed to allow for a central area of open space that links the dwellings via the access roads, with single-storey dwellings positioned closest to the exiting residential properties to the southeast of the site.
- 7.33 Allotments have been positioned to the northeast of the site where pedestrian access can be obtained from North Road making them an attractive proposition for the existing residents of the village and for occupiers of the development. Whilst they have been positioned to encourage walking, we acknowledge that from time to time larger and heavier goods will need to be transported to the site as thus visitor parking has been positioned in close proximity.
- 7.34 Small scale employment is proposed to the northwest of the site accessed via a separate access onto Harvest Lane. The units are one and two-storeys in height and can be separately accessed via a proposed footway to the rest of the development. They have been designed to

be cohesive with the rest of the development utilising similar materials found in the wider site. The larger of the two is proposed as a two-storey Dutch barn style building whilst the other a single-storey 'L' shaped building, both appearing agricultural in form.

- 7.35 Streets are proposed to be tree-lined to accord with the aims of the NPPF and an area of inaccessible managed woodland is proposed to the east of the site to provide a buffer zone to nearby properties. This has been incorporated following public consultation and to protect the amenity of the existing neighbouring properties by preventing overlooking and minimising noise disturbance from gardens.
- 7.36 The development proposes high-quality landscaping throughout with local drystone walls proposed as boundary treatments in areas that are publicly visible and fencing in areas that are not prominent. Estate railing is used along with hedgerows to define the inter-plot boundaries. Full details can be found within the landscape strategy prepared by Greenhalgh.
- 7.37 In conclusion, the proposals provide a high-quality designed scheme which both the policies of the Local Plan and NPPF support.

Highways

- 7.38 A Transport Statement prepared by Key Transport supports the application and this explains in detail how the proposed development meets favourably with adopted national and local transport policy. However, we briefly cover this issue here for completeness.
- 7.39 The statement compares vehicle trips generated by the proposed development of the site concluding that the scheme would result in an increase of 25 two-way movements in the morning and evening peak hours, averaging at less than one vehicle every two minutes. As a result, the development would have very little impact on the road network.
- 7.40 Each Plot has been proposed with parking to meet South Somerset Parking standards with a combination of garages and parking spaces. In addition to this, four visitor spaces have been situated to the northeast of the development.
- 7.41 Currently Harvest land is a single-track land and therefore we have looked to see how we can facilitate two way traffic movements along it in a sensitive way. To achieve this the frontage of the site is proposed to be widened to allow for a lorry and car to pass and in addition to this, two passing points are proposed within Highways land. These are shown in figure 5 below.

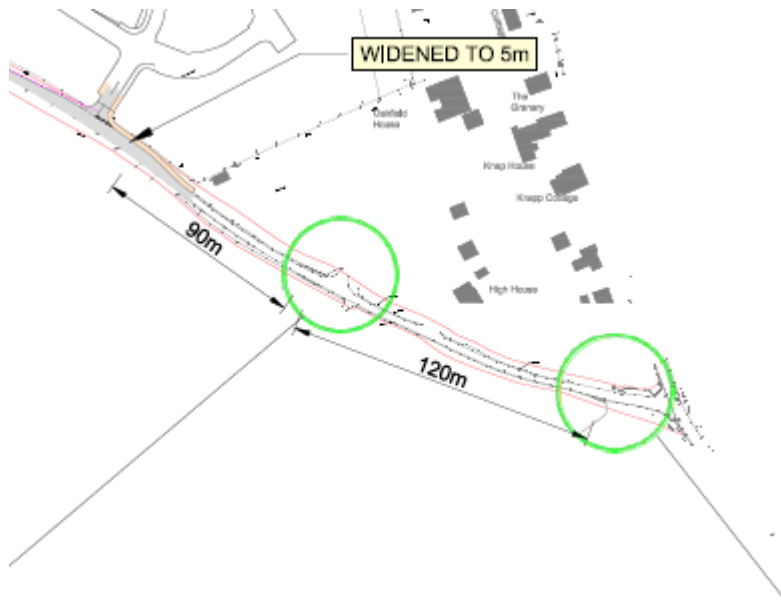


Figure 5. Proposed passing points (see submitted Transport Assessment for full details)

- 7.42 These works will mean that, given then volume of traffic created by the proposed development and the current level of use of the land, sufficient passing spaces will exist to allow free flowing traffic without significant delays.
- 7.43 To promote walking and cycling the site allows for east-west pedestrian access through the site and all properties will be provided with secure cycle storage. We are also suggesting that wider improvements in the village be delivered as part of the development, including a new crossing of the B3145 to improve connectivity through the village and slow traffic speeds through it, while also providing an improved route to school from the application site and northern part of the village in general.
- 7.44 The impacts of construction traffic will also be mitigated through the provision of a construction management plan that will control vehicle routing, timings and condition of the vehicles and roads. The outline proposals for this are also included in the submitted transport statement.
- 7.45 In light of the above, the proposals comply with which both the policies of the Local Plan and NPPF.

Ecology and Biodiversity Net Gain

- 7.46 Ecological and Biodiversity protection, enhancement and mitigation formed a key consideration within the proposals and an Ecological Impact Assessment and Biodiversity Net Gain Calculations have been submitted in support of the application along with an Arboricultural Impact Assessment. The report identifies no significant constraints on the site

that cannot be appropriately mitigated for with pre-commencement checks or adhering to specific methods of work.

7.47 The site is a greenfield site and predominantly features grazed grassland, with trees and hedgerow along the boundaries of the site. The development will have an overall net gain in biodiversity terms as it seeks to provide extensive areas of green public open space, as well as substantial tree planting.

7.48 The Biodiversity Net Gain Report highlights that the development as proposed would result in the net gain of 10% in habitat and 30% for hedgerow. This is achieved through the improvement of an area to the north of the site within the applicant's wider control. The area identified is not suitable for agricultural use and is surplus as a result, shown in figure 6 below.



Figure 6. Off-site biodiversity improvement site location.

7.49 In conclusion the proposed development will provide a positive improvement to biodiversity resulting in an improvement of 10% above the current condition. The development accords with Policy EQ4 of the South Somerset Local Plan and with Paragraph 174 of the NPPF.

Arboriculture

- 7.50 In line with Policies EQ4 and EQ5 of the South Somerset Local Plan the impact of the development on existing trees has been considered from the start. Bosky Trees have input to the overall design of the development and have produced the Arboricultural Impact Assessment that accompanies the application. As set out a total of 4 trees will need to be removed in order to construct the development. These are made up of 2 grade U and 2 grade C trees. The loss of the trees will be compensated by an extensive programme of new tree planting, which will complement the new site layout totalling over 60 new trees planted. The proposed locations for these trees are shown in section 2.6 of the Landscape Proposals and on the Illustrative Landscape masterplan.
- 7.51 Three hedges will need to be removed to allow for the development to come forward. The hedgerows are proposed to be relocated within the development or within the land identified for BNG. Should the hedgerow not take then new hedgerow is proposed in its place. This can be secured via condition. The existing trees on site that are proposed to remain will be protected during the course of the development via tree protection fencing, detailed in the AIA.
- 7.52 Overall, the development protects existing trees through construction and proposes to plant 15 times the amount that is required to be removed. As such it is considered that the proposed development has sufficient regard to green infrastructure and accords with Policies EQ4 and EQ5 of the South Somerset Local Plan and with Paragraph 174 of the NPPF.

Other Material Considerations

Amenity

Neighbouring Occupiers

- 7.53 Amenity of nearby properties has been considered in the proposal with existing properties located to the east and southeast of the site. The nearest proposed dwellings to these have been designed to be single-storey in height to reduce any perceived overlooking or overbearing impact. In addition to this the proposed woodland, which is designed to be inaccessible to the public and retained in perpetuity, will further reduce any potential sense of overlooking.
- 7.54 As a result all new properties have been sensitively located and provided with at least a 21m separation distance with neighbouring properties and in most instances well in excess of that 'rule of thumb' distance.
- 7.55 As such, we do not consider neighbouring amenity to be unduly impacted as a result of the development and the proposals comply with Policy EQ2 of the Local Plan.

Future Occupiers

- 7.56 The layout has been designed as such to prevent any unacceptable overlooking, overshadowing or overbearing impacts between proposed dwellings. All dwelling have a modest sized rear gardens, space for vehicular parking as well as cycle parking.
- 7.57 As such, we consider the proposal will offer a good level of amenity to future occupiers of the development in accordance with Policy DE1 of the Local Plan.

Flood Risk and Drainage

- 7.58 The site is located within Flood Zone 1 and at lowest risk of flooding. Vectos were instructed to prepare a Flood Risk Assessment and Preliminary Drainage Strategy for the site and their report accompanies this application.
- 7.59 The strategy proposes SuDS to manage the surface water run off directing water to a swale before draining into a basin to the centre of the site. From here the water is directed to a soakaway to discharge to the ground. This will help to ensure that surface water arising from the site after it is developed, will be managed in a sustainable way, as well as reducing the site's pre-development surface water flows which is an additional benefit.
- 7.60 The strategy meets national and local requirements for the management of surface water runoff and more detailed designs can be secured as part of a condition. As a result of the sustainable drainage methods proposed on site, the proposal complies with Policy EN6 of the Local Plan.

Phosphates

- 7.61 The application site falls within the catchment area of the Somerset Levels and Moors RAMSAR sites, designated for its rare aquatic invertebrates. Any new housing, including single dwellings, will result in an increase in phosphates contained within water discharge. As such it has been necessary to develop a mitigation scheme to treat foul drainage to ensure that nutrient loading in the nearby watercourses is minimised.
- 7.62 Full details of the mitigation proposals are set out in the report submitted by Southwest Environmental Limited and primarily include a package treatment plant for the foul sewage generated by the development, that then connects to the surface water soakaway. The treatment plant results in a balance of 4.3kg to be off set. This is proposed to be via the

upgrading of seven septic tanks within the applicant's control. Details of which can be secured via a S106 agreement.

7.63 Previously the use of such treatment systems was resisted by Natural England due to concerns that they would not be properly operated and maintained by individuals or private management companies. Our recent experience is that this issue has been alleviated after statutory undertakers (Albion Water, Wessex Water and Others) have confirmed they are willing to take on the management of such systems subject to commuted sums secured via S106.

7.64 As a result, the proposals would result in a phosphate neutral development which should be acceptable to Natural England.

8.0 THE PLANNING BALANCE AND CONCLUSIONS

- 8.1 Regardless of whether the Council can demonstrate a 5YHLS or not, the mixed-use scheme including 31 residential dwellings are considered to be acceptable when assessed against adopted planning policy.
- 8.2 Firstly, even if a 5-year housing land supply were to be demonstrated, Policy SS2 allows for development in village such as Charlton Horethorne if it is meeting an identified housing need and providing employment opportunities. In this case the scheme does both providing both housing and employment growth commensurate in scale with that identified by the local community themselves, including via a housing needs survey. This policy is permissive in these circumstances if a settlement provides at least two of a list of eight key facilities, in the Case of Charlton Horethorne the settlement provides all but one of these facilities and is therefore clearly an appropriate and sustainable location for housing.
- 8.3 So even in the event that the development plan policies are not given reduced weight due to a deficiency in land supply, the proposals are acceptable in principle when considered against the development plan as a whole in any event.
- 8.4 However, the council accept that they cannot demonstrate a five-year housing land supply and therefore policies that restrict then delivery of housing should be given reduced weight and proposals that deliver housing only refused if the benefits are significantly and demonstrably outweighed by adverse effects.
- 8.5 In this case the positive benefits of the scheme are clear and include the following:
- Providing housing to address the land supply deficit and historic under delivery that has occurred in the former SSDC area;
 - Meeting the affordable housing need that the village Housing Needs Survey has identified in full;
 - Providing self/custom build plots to meet identified demand in compliance with national policy;
 - Delivering employment land of a scale identified as needed by the village;
 - Delivering biodiversity net gain in advance of this being a mandatory requirement;
 - Highways improvements in the centre of the village; and
 - Provision of public open space, allotments and play areas for use by the wider community.

- 8.6 These are wide ranging and substantial benefits.
- 8.7 We have assessed the technical aspects of the scheme and the related potential adverse effects in respect to matters such as landscape impact, drainage, highways, ecology and arboriculture. None have been identified that could conceivably outweigh the substantial benefits of the scheme and therefore paragraph 11 of the NPPF dictates that planning permission should be granted without delay.
- 8.8 In conclusion the proposed development which seeks to deliver housing for first time buyers and the elderly by providing a choice of housing; providing employment/ commercial space;; including large amounts of public open space and allotments for local residents; and improving land use, the development can be seen to provide a range of significant benefits.
- 8.9 We therefore consider that the development complies with the relevant and most important policies in the adopted development plan and therefore should be granted permission. Alternatively, any minor conflict that the Council alleges is outweighed by other material considerations.
- 8.10 We therefore commend the application to the Council for approval.



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