

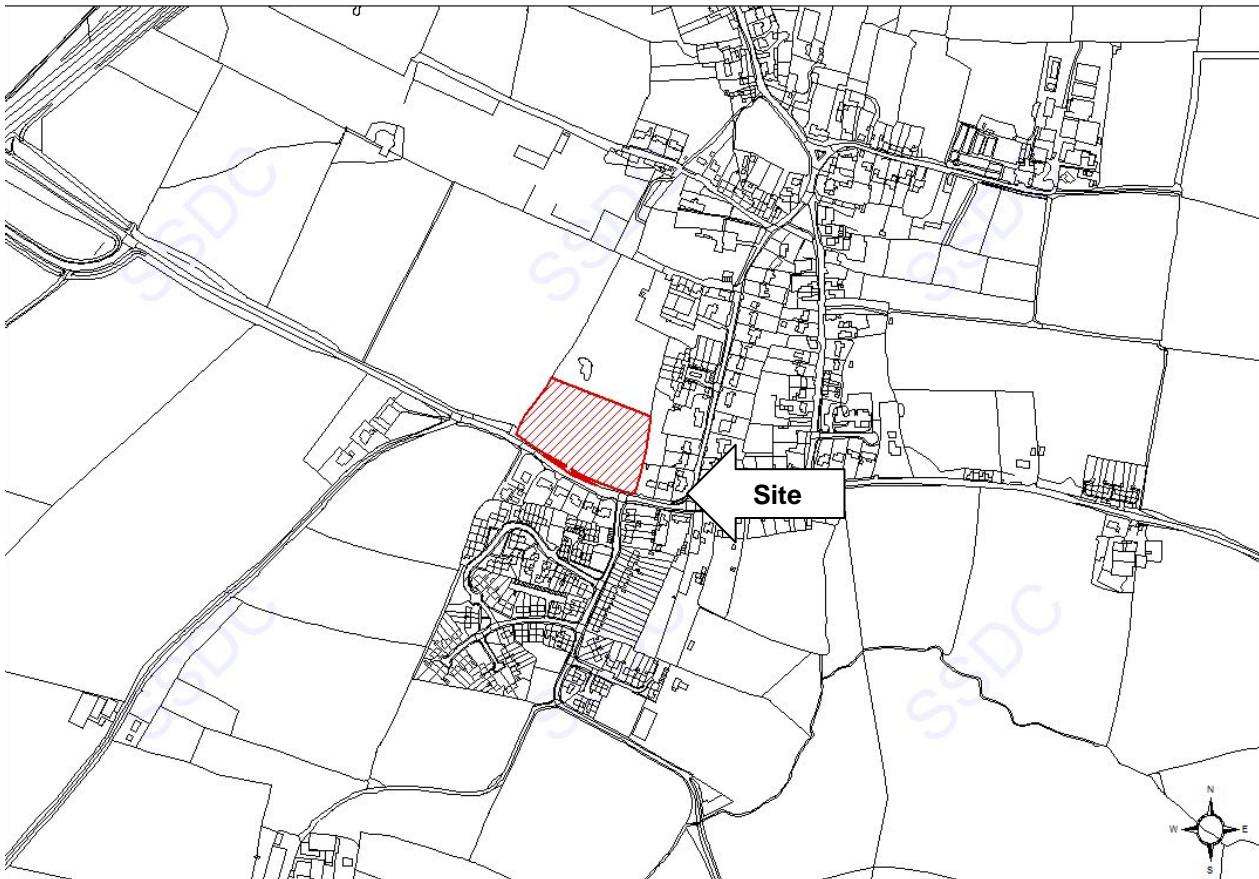
Officer Report On Planning Application: 16/04608/OUT

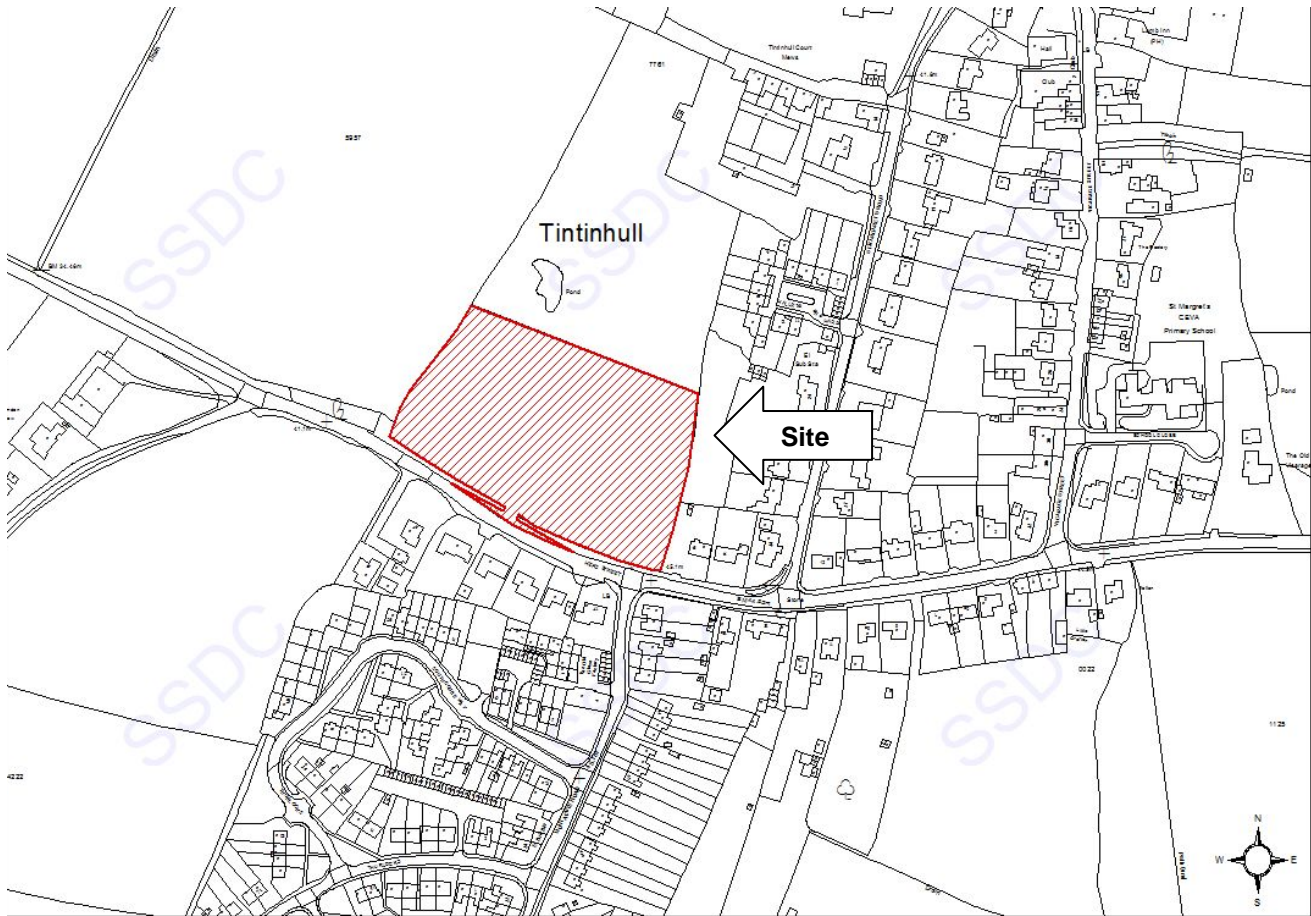
Proposal :	Outline planning application for the erection of 28 No. dwellings (incorporating details of access and layout) and associated works including open space, drainage infrastructure and highway works
Site Address:	Land North Of Head Street, Tintinhull.
Parish:	Tintinhull
ST MICHAELS Ward (SSDC Member)	Cllr Jo Roundell Greene
Recommending Case Officer:	Tel: 01935 462430 Email: alex.skidmore@southsomerset.gov.uk
Target date :	26th January 2017
Applicant :	Abbey Manor Homes Ltd
Agent: (no agent if blank)	Mr Matt Frost, Boon Brown Planning, Motivo, Alvington, Yeovil BA20 2FG
Application Type :	Major Dwlg 10 or more or site 0.5ha+

REASON FOR REFERRAL TO COMMITTEE

This application is being brought to committee at the request of the Ward member and by agreement with the Area Chair in order that the local concerns can be discussed more fully.

SITE DESCRIPTION AND PROPOSAL





This application is seeking outline consent for up to 28 dwellings and includes the formation of new access and associated highway works and the provision of open space and is seeking to agree detailed matters of access and layout, with matters of appearance, landscaping and scale reserved for later consideration. The application as originally submitted sought up to 31 dwellings and this has been reduced to 28 dwellings during the course of the application.

The application site is located on the western side of Tintinhull village and sits along the north side of Head Street, which is a classified C road. The application site comprises an agricultural field 1.46 hectares in size that was being used as pasture land at the time of visiting. The site is gently sloping and enclosed predominantly by hedgerows on all sides with a section of fencing and field gateway along the southeast section of the road boundary and there is a row of conifer trees growing along the north boundary outside the application site on adjoining land. A mature deciduous tree growing in the northwest corner of the site is protected by a Tree Preservation Order (TPO).

The site is located in flood zone 1 and there is a public right of way, footpath Y 26/2, that passes along the west boundary in the adjacent field. A bus shelter is sited on the highway verge close to the existing field access close the southeast corner of the site and a traffic island that forms part of a wider traffic calming scheme is located a short distance to the west of the proposed new access that is to serve the development.

Surrounding the site is agricultural fields to the west, north and east and residential properties to the east and south on the opposite side of the main road. Furthermore, the site is adjacent to Tintinhull's conservation area and approximately 55 meters from a residential property known as 24 St Margaret's Road that is grade II listed. Approximately 220m to the north is Tintinhull Court and the village church which are both grade I listed buildings.

HISTORY

15/01227/OUT: Outline planning application for the development of up to 20 dwellings with areas of structural landscaping, open space and drainage infrastructure, formation of a new means of access and associated highway works. Withdrawn.

62462/B: (Outline) Development for residential purposes and formation of vehicular access. Refused.

62462/A: (Outline) Development for residential purposes and formation of vehicular access. Refused.

62462: (Outline) Development for residential purposes and formation of vehicular access. Refused.

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11, 12, and 14 of the NPPF states that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise.

For the purposes of determining current applications the local planning authority considers that the adopted development plan comprises the policies of the South Somerset Local Plan 2006 2028 (adopted March 2015).

Policies of the South Somerset Local Plan (2006-2028):

SD1 - Sustainable Development

SS2 – Rural Settlement

SS4 – District Wide Housing Provision

SS5 – Delivering New Housing Growth

SS6 – Infrastructure Delivery

HG3 – Affordable Housing

TA1 – Low Carbon Travel

TA4 – Travel Plans

TA5 - Transport Impact of New Development

TA6 - Parking Standards

HW1 – Provision of open space, outdoor playing space, sports, cultural and community facilities in new development

EQ1 – Addressing Climate Change in South Somerset

EQ2 - General Development

EQ3 – Historic Environment

EQ4 – Biodiversity

EQ7 – Pollution Control

National Planning Policy Framework:

Part 1 – Building a strong, competitive economy

Part 4 - Promoting sustainable transport

Part 6 - Delivering a wide choice of high quality homes

Part 7 - Requiring good design

Part 8 - Promoting Healthy Communities

Part 10 - Meeting the challenge of climate change, flooding and coastal change

Part 11 - Conserving and enhancing the natural environment

Part 12 - Conserving and enhancing the historic environment

Other relevant documents

Tintinhull Community Plan July 2012

Somerset County Council Parking Strategy, March 2012 and September 2013.

CONSULTATIONS

Tintinhull Parish Council: Strongly oppose the application.

Tintinhull is a rural settlement and has limited resources for example, a temporary post office for 3 hours a week, one pub which is currently for sale and a primary school which is over subscribed. There is no shop or health centre and very limited local employment opportunities. The village would not provide for the day-to-day needs of a large influx of additional residents associated with such a housing development that is considered excessive for a village of this size. The development would generate considerable additional vehicle movements to give the residents access to services essential for everyday living and work.

The Tintinhull Community Plan was endorsed by South Somerset District Council's Area North Committee in June 2012 and states, "To limit the building to small developments of single units or plots of less than 5 dwellings". The Community Plan also states within the guidelines for development "Space is important and the overall development should contribute to communal feeling rather than isolation (e.g. without cul-de-sac development)".

Safety

A major safety concern is the proposed development access onto Head Street which is considered to be highly dangerous. A traffic calming scheme has been installed nearby on Head Street and a build-out, just to the west of the access road, forces cars onto the 'wrong' side of the road coming into the village from the Martock/Ash direction. Vehicles are frequently travelling in excess of 30mph at this point which is a current problem for the community. There would be the potential for serious collisions to occur with vehicles turning right from the development meeting vehicles on the wrong side of the road coming into Tintinhull. This problem would be exacerbated by the fact that at this point there is limited visibility as there is a bend in the road and also a blind hill summit. There is also a danger to the east, of the development access with buses waiting at the stop blocking the line of sight, and the proximity of the junction where Montacute Road joins Head Street.

Increase in traffic

Head Street is already a very busy road with traffic movements, at peak times, of over 800 per hour in each direction. This will only increase with the residents of hundreds of houses in Yeovil (Brimsmore in particular), Martock and Coat using this route. Each dwelling on this proposed development would generate extra vehicle movements several times a day which will only add to the vehicles using Head Street. In addition to this, if there are any traffic problems on the A303, A3088 (Cartgate link road), or A37, commuter traffic inevitably comes through Tintinhull.

Loss of good quality farm land

The location of the proposed development is a greenfield site which is good quality farming land. This development would not make best use of this land and cause the loss of a greenfield site.

Visual Impact.

The site sits higher than the surrounding area and this development would be highly prominent when entering the village from the west, spoiling the effect of a village that generally nestles into the landscape. As this is the highest part of the village it also has the potential to negatively impact on the views from Ham Hill and Ash.

Drainage and Sewerage

This application will impact on the existing system. Residents of Head Street have a problem now with bad smells

County Highways: No objection.

This amended submission appears to have taken the comments that the highway authority made into consideration with regards to the internal layout as well as other concerns raised by the highway authority. The amended plans and amendments to the Travel Plan mean that the highway authority are willing to condition the travel plan rather than secure it via a Section 106.

The highway authority still requires the visibility splay located at the entrance to be grassed to prevent the possibility of overgrowth from the hedge and preventing any obstruction greater than 300mm in the visibility splay. It was apparent that the hedge was overgrown in this area which would represent a significant highway safety concern.

They further noted that the average dwelling generates 6-8 vehicle movements per day which would mean that the site would generate approximately 248 vehicle movements per day. This represents an increase of vehicle movements along Head Street however the highway authority is satisfied that there is capacity within the existing highway to cope with the proposal.

Drawing number 3698/PL/01 show that the visibility for the proposed access is 2.4m x 43m. From my onsite observations, it was apparent that vehicle speeds were lower than the 30mph that Head Street is subject to and were approximately 20mph. From my onsite observations, the traffic calming helps to reduce the vehicle speeds. The appropriate visibility requirements can be established using Manual for Streets and the 2.4m x 43m shown on the submitted drawing are sufficient.

It is noted that the application proposes to keep the hedge located to the rear of the visibility splay. The highway authority would prefer to have this grassed to prevent the possibility of overgrowth of the hedge at the back of the visibility splay and preventing any obstruction greater than 300mm. From my onsite observations it was apparent that the hedge is already encroaching into the proposed visibility splay.

Taking the above into account the highway authority does not wish to raise an objection to the amended plans that have been submitted. Should the planning authority be minded to grant permission we recommend conditions that cover the following matters:

- Secure visibility splays as per drawing 3698/PL/01;
- Estate roads details;
- Construction Traffic Management Plan;
- Any entrance gates to be hung to open inwards and set back a minimum of 5 metres from the carriageway edge;
- Consolidated and surfaced footpath and carriageway to serve each dwelling prior to occupation;
- Gradient of proposed drives no steeper than 1 in 10;
- A network of cycleway and footpath connections within the development;
- An area of hard standing at least 5.5 / 6 metres in length in front of garage doors;
- Condition survey of the existing public highway;
- Details of the footway to be provided joining Head Street;
- Secure the recommendation of the approved Travel Plan.

Somerset Waste Partnership: Access for waste collection vehicles has been taken into account and it appears that all road surfaces will be to an adoptable standard allowing refuse vehicles to access

most properties. However we would like clarification on the proposed waste collection point for each property, in particular plots 8-10 which are set back from the roadside. According to my calculations from the plans provided it would appear the residents at plot 8 would have the maximum distance of 30m to transport their receptacles to the kerbside for collection. The closest kerbside area being located next to plots 11 & 12 which may not be acceptable to residents of these plots.

County Education: SCC will not be seeking education contributions in respect of this application.

Strategic Housing: Further to the proposed reduction of dwellings from 31 to 28. The revised split for these properties would be 8 for social rent and 2 for shared ownership or other intermediate product. We accept the applicant's proposed property mix in principle but note that a number of the houses do not satisfy our minimum internal space standards. We would expect the affordable units to blend in with the proposed housing styles and types and would not expect the affordable housing to be provided in a single cluster.

Leisure Policy: Initially, prior to the introduction of CIL, sought a contribution of £86,162 (equating to £3,077 per dwelling) towards the increased demand for outdoor playing space, sport and recreation facilities should the scheme be approved as follows:

- £57, 716 for local facilities, towards enhancing off-site youth facilities and playing pitch provision at Tintinhull Sports Ground and the provision of a new community hall in Tintinhull;
- £18,504 for strategic facilities, to go towards a new studio theatre at the Octagon or toward the stage refit at the Westlands Entertainment Complex and the enhancement of sports hall provision at Westfield Academy School, Yeovil.
- £9,089 as a commuted sum towards local services;
- £853 as the Community Health and Leisure Service administration fee.

Following the introduction of CIL leisure officers have been asked to reconsider their requests in light of the Council's 123 list and an oral update will be made.

Open Space: No comments received.

Wessex Water: Note that the site will be served by separate systems of drainage and that there is adequate current spare capacity within the existing foul sewerage network to accommodate predicted foul flows. There is adequate current space capacity within the existing water supply network to accommodate predicted demands. The applicant has indicated the disposal of surface water via attenuation pond to ditch which will require the approval of the appropriate authorities.

They further responded directly to a local residents email which raised concern that the sewer that flows from the travellers site in Marsh Lane to connect with Head Street sewer had not been shown on their plan and that there has been problems with Marsh Lane effluent as it is pumped under pressure into Head Street. Wessex Water responded by saying they are aware of a history of odour complaints at 27 Head Street associated with the connection point of the rising main coming from the Marsh Lane traveller site. The pumping station and rising main are private and it is for the Council's Environmental Health Officer to investigate this. The connection point for the new foul flows for the development is downstream. The connection of foul flows from the development will not impact on the odour concerns raised as this issue is associated with septicity in the above stream connecting rising main. We have assessed the diameter of the sewer proposed for connection and the anticipated foul flows from the development and have confirmed previously that there is capacity.

Lead Local Flood Authority (LLFA): No objection subject to a drainage condition to secure a surface water drainage scheme and a programme of implementation and maintenance for the lifetime of the development.

SSDC Technical Engineer: No new comments received.

Environmental Health: Recommend a contamination watching brief condition due to infill land identified in the southeast corner of the site.

Somerset Wildlife Trust: In general we agree with the findings of the submitted ecological reports and support the proposed enhancements. We would also request that internal boundaries and fences are constructed in such a way as to allow small mammals free passage. We would request that all of these enhancements are incorporated into the planning conditions.

Ecology: No objections subject to conditions to secure an updated badger sett survey at each stage of significant ground works and for the reserved matters application to include details of proposals for the incorporation of features to enable the enhancement of biodiversity.

County Archaeology: No objections. No further archaeological work is required on the site.

Historic England: Tintinhull Court and the Church of St Mary are both grade I heritage assets and form an important group within the village. The fact that the open landscape directly surrounding the west and south of this estate has survived provides the buildings with a setting that is historically connected with its earlier uses. The application has included a Historic Environment Impact Assessment and Landscape Impact Appraisal. Nevertheless, neither document assesses the impact to the highway listed assets, particularly in light of the increase in dwelling units. There are no photographic viewpoints taken from this historic core to affirm intervisibility and within section '8. Impact Assessment' of the HEIA there is again no assessment of the impact on settings and significance of the Court or Church. As such, this assessment should be undertaken in line with Historic England's Good Practice Advice Note 3: The Setting of Heritage Assets, before the application can be determined (para 128 of the NPPF).

We urge you to address the above issues and recommend that the application be determined in accordance with national and local policy guidance and on the basis of your specialist conservation advice. It is not necessary for us to be consulted again.

Conservation: Later comments in response to the amended plans – The significance of the setting of the building is that it adjoins farmland and has rural aspect. The alterations appear to be to replace the proposed house with a bungalow and then to hide that with dense planting which will have a noticeable change to the setting of the listed building which will have a slight impact on the setting of the building. The alterations made so far do not change my opinion that there is harm to the setting of the building.

Original comments - Close to the site are a number of heritage assets, including the grade I Church and Tintinhull Court and grade II Old Dairy and the conservation area.

The application is supported by a Heritage Statement. Historic England are concerned that this does not go far enough and advise on more work.

I have visited the site and understand that the hedge to the north is not within the site. I would agree that change to the setting of the two grade I listed buildings would be neutral, both from near to the site, and from a distance. I would say as an aside that the roofing colours need to be dark and muted.

In my view the changes made by the construction of the new dwellings at Halletts Orchard have diminished the quality of the conservation area at this point such that I would be likely to recommend it is removed from the conservation area in any review.

The conservation area also runs to the rear of Old Dairy and 14 St Margaret's road. The trees are

large mature conifers which at best have 20 to 30 years life left and are off site. There is no guarantee they would remain for the rest of their natural lives. In my view there would be intervisibility between the conservation area around 14 St Margaret's Road. Given the distance between the conservation area at this point and the relative orientation of the two sites, I would gauge the effect to be neutral to slight adverse impact on their significance. It may well be possible to mitigate this impact.

The Dairy House is listed. The historic garden/curtilage of this house extends to be contiguous with the site in part. A more modern part of the garden extends along the south. There is clear intervisibility between house and its garden to the site. This is not a planned view, but the house currently enjoys a rural setting and aspect. The illustrative layout shows a gable end of a two storey house close to the boundary, resulting in a negative impact on the setting. As shown on the indicative drawings I would assess the impact potential is that the setting of this building could be significantly modified with a moderate adverse impact on the setting of this listed building.

I would suggest that the applicant revisit their indicative layout taking the setting of this listed building into account to demonstrate a form of development which would not harm the setting of this listed building.

Campaign for the Protection of Rural England (CPRE): Object. The development on this site would severely and substantially harm the character of the village, its landscape, conservation area and setting of its grade I listed assets, namely Tintinhull Court and the Church of St Margaret, contrary to LP policies EQ2, EQ3 and NPPF para 132.

We disagree with the applicant's claim that the amendments address all the design / landscape concerns expressed by Robert Archer, SSDC Landscape Officer. The amendments are all of a minor nature relative to his main objection which was that this site would obtrude into the open field setting of both the listed assets and the conservation area to thus erode the character of this length of the village edge, contrary to policy EQ2.

We do not accept the applicant's claim that lack of intervisibility due to hedging makes this development acceptable. At present there is a conifer hedge outside the site, and additional hedging inside the site is now proposed. The premise of this argument is the incorrect one that, provided a heritage asset or its setting is screened by vegetation, then housing development behind it should be permitted, even if it is within a few hundred yards of grade I listed buildings, as in this instance. Moreover, the historic open field setting of the listed assets includes the site itself. This fact is not negated simply because hedging has been, and more will be, planted along the site boundary.

Arborist: No comments received.

Landscape Officer: Objected to the initial submission but dropped this objection following the later amendments to which the following comments apply:

"I have previously stated the landscape case as being finely balanced, but noted that a case for refusal can be argued, as development would obtrude into the strongly defined open field setting of both the village and conservation area, to thus erode the character of this length of the village edge. I have also commented that the introduction of a (comparatively) tightly arranged housing layout at the village edge is at variance with the character of the adjacent residential area (to the east) nor in its massing is it sympathetic to the character of the rural edge.

In response, we now have a proposal with an amended layout, which presents the units at the outer edge of the plot as a farmyard style complex, with the open space shifted to the west, to assist a coherent transition into the open land to the west. Densities are a little more relaxed. I see this as an improvement on the original scheme, such that whilst there remains a local character concern, I do not add design as an issue. The landscape case remains finely balanced, and there remains an adverse

character impact, but I no longer regard it to be of sufficient weight to provide over-riding landscape grounds for refusal.”

REPRESENTATIONS

Written representations have been received from approximately 31 separate households raising the following concerns and / or objections to the proposed development:

- Over-development of the site.
- Unsustainable location.
- Tintinhull is a Rural Settlement and considered to be part of the countryside to which National Countryside Protection Policies apply. Regardless of the lack of a 5 year land supply there is no planning reason even at national level for it to be supported.
- It would increase the population of Tintinhull by approximately 10%.
- This is a small village with few facilities.
- This will open the door to further developments in the village.
- These houses will be isolated from the rest of the village community.
- The infrastructure of the village will not be able to cope with all of these houses.
- No identified need for the housing.
- This additional housing is not needed. There are a variety of properties in the village of differing prices for sale, some of which are not selling easily.
- There are more than 2500 empty properties in South Somerset, why do we need to build on greenfield sites?
- There are big housing developments going on the edge of Yeovil and Martock where there are facilities available to deal with the numbers of people and cars.
- Contrary to our village plan which favours small developments of around 5 houses at a time built to infill gaps and not to expand into the countryside.
- Offers no employment.
- Inappropriate location for starter homes due to the lack of employment or decent communications.
- Needs to be more houses available for rent to meet the needs of those unable to qualify for a mortgage.
- The site next to the Old Vicarage, Yeovil Road for 11 houses failed and dismissed by the Inspector in part because he identified Tintinhull to be largely a linear settlement and the proposed development, which proposed a cul-de-sac form of development, was at odds with this.
- Objected to this being an outline application.
- The demographics of Tintinhull are currently a good balance of young families, older working and retired people. There is a good sense of community, I would not like to see this negatively affected.
- Loss of prime farmland to development.
- The development is out of keeping with the village.
- It is on raised land, dominating the entry into the village.
- The surrounding farmland is central to the aesthetic quality of a small village.
- Loss of outlook for properties located to the east and north of the site.
- Two-storey houses on an elevated site overlooking bungalows is not acceptable.
- There is a row of conifers along the back of the site which will require regular maintenance. To carry out such maintenance a border should be left between the gardens of the development and the trees and hedge to enable access. Furthermore, an additional maintenance costs should be borne by the owners of the development.
- Density of the proposal is out of character with the village.

- Poor visibility for the new access.
- Increased traffic, lack of road capacity to cope with this, increase congestion.
- Head Street can become grid locked further east even with existing traffic.
- During the summer there is an influx of 26,000 visitors to the National Trust property that is in the village. Has this been taken into consideration.
- Head Street is also used to access the A303 for accidents and emergencies.
- Head Street is used as a rat run from the A303 to Yeovil and has become busier and busier over the years.
- The location of the proposed access is unsafe.
- The traffic calming islands through the village are badly positioned, especially at the entrance to the village from the A303. It is difficult to see traffic approaching from the Yeovil direction at this point. The creation of another access at this point which will not be visible will make matters worse.
- The proposed access to the site is located in such a way that existing traffic calming measures will cause problems for cars approaching from the west as drivers would be unable to tell if it is safe to proceed when a vehicle is pulling out of the new development.
- Excessive speed of some motorists when approaching the village from the west.
- Perhaps a roundabout could be created at the southwest corner of the site to resolve some of the highway safety concerns in respect of the access.
- The proposed access is on the busiest sections of road in the village. A previous application for 11 houses in Yeovil Road was rejected, it follows that this application must also be refused.
- The bus stop on the north side of Head Street will become a dangerous point on this bending road for the disabled and elderly.
- Lack of parking which will necessitate residents having to park in Head Street.
- Harm to local heritage assets, including Tintinhull Court and the church.
- The ACA letter (heritage letter) of 14/12/2016 does not pass the tests of para 132 of the NPPF 'as heritage assets are irreplaceable, any harm or loss should require clear and convincing justification'.
- This land and area is of historic significance. There should be an in depth archaeological survey to establish what remains on this site and what can be preserved or at least recorded.
- A substantial pond is still in existence where as children we fished for newts, frogs etc. This will require a full environmental survey.
- Concerned that the field adjoining the development towards the A303 will be at risk of flooding. With houses and roads and associated car access, heavy rain will not be absorbed even with the proposed measures and will flood the field and footpath.
- This will be built on a potential flood plain.
- The pond in the north field already overflows into the ditch that floods regularly. The developer wants to discharge all the surface water from the site into this ditch.
- Montacute Road has flooded in the past.
- There are already sewerage problems in the area. The sewerage system has been a problem in Head Street for many years. The private sewer from Marsh Lane is pumped under pressure into Head Street and any further effluent from the site will only exaggerate the situation. This can also result in some very unpleasant smells at times.
- Electricity supply is also a concern, I sometimes experience a dip in power.
- I have seen grass snakes and slow worms here.

CONSIDERATIONS

This application is seeking outline consent for up to 28 dwellings and includes the formation of new access and associated highway works and the provision of open space and is seeking to agree detailed matters of access and layout, with matters of appearance, landscaping and scale reserved for

later consideration. The application as originally submitted sought up to 31 dwellings and this has been reduced to 28 dwellings during the course of the application in response to various concerns.

The main issues in the consideration of this application are considered to be:

- The principle of development;
- Impact on heritage assets
- Character and appearance;
- Residential amenity;
- Highway safety;
- Flooding and drainage;
- Ecology; and
- Planning obligations.

Principle

Tintinhull is a village which, given the facilities and services that it contains such as a primary school, public house, workingmen's club, village hall, swimming pool, recreational ground and church, is considered to fulfil the category of a rural settlement where policy SS2 of the new local plan can be applied.

Policy SS2 states that development in rural settlements will be strictly controlled to that which; 1) provides 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. It goes on to prescribe that development should be commensurate in scale and character of the settlement, increase the settlement's sustainability, be consistent with relevant community led plans and generally have the support of the local community.

Reference should also be made to the Tintinhull Community Plan (July 2012), and that this indicates a preference by the community for no major development and for any new development to be of a small scale (5 houses or less), low cost and predominantly for those people with local ties. Whilst this plan does not form part of any of the adopted local plan policy it does nevertheless carry some weight in the consideration of this application, especially when considered in relation to LP Policy SS2.

Further to these policy considerations it must be borne in mind that SSSC cannot at present demonstrate a five-year housing land supply. In such circumstances paragraph 49 of the NPPF states that relevant development plan policies for the supply of housing, i.e. LP policy SS2 and the Tintinhull Community Plan, should not be considered up-to-date. Subsequent case law, High Court decision (Woodcock Holdings Ltd), however concludes that appropriate weight can be attached to 'out-of-date' housing supply policies when considered in the 'planning balance' of whether the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits.

The site is located close to the facilities that can be found in the village and will be easily walkable with the provision of the new pavement link to St Margarets Road that forms part of this scheme and is therefore considered to be a relatively sustainable location from the point of view of accessibility to local services.

There are local concerns with regard to the scale of the proposed development and that this is excessive and will harm the character of the village, both in terms of its visual character and also its character as a small village. There are concerns that a development of this size could adversely affect the sense of community / social cohesion that currently prevails within the village.

At present there are in the region of 430 residential houses within the parish of Tintinhull, the 28 additional houses proposed under this scheme will equate to a 7% increase in the total number of

households.

There are no maximum figures for housing growth within Rural Settlements set out within relevant policies and there is no evidence to support the assertion by some that the proposed increase in population is harmful purely in terms of statistical growth of the settlement. Paragraph 50 of the NPPF requires the delivery of a wide choice of high quality homes in order to widen opportunities for home ownership and to create sustainable, inclusive mixed communities.

In order to be compliant with policy HG3 of the local plan 35% of the 28 new houses are to be affordable houses (a mix of rented and intermediary type), which the applicant has agreed to, and the proposed layout plan details a mix of house sizes as follows – 5 one-bedroom, 8 two-bedroom, 12 three-bedroom, 1 four bedroom and 2 five-bedroom houses – with a number of these proposed to be single storey. Such a mix of house types and size will meet a range of needs and encourage a mixed and balanced influx of new residents to the village.

The observations that there are already a number of houses in the village on the market and that some of these are taking some time to sell is noted. Whilst this may be the case it is important to note that these are only observations and are not in themselves evidence of a lack of need for new housing either in the village or across a wider area.

The NHS and the Education Authority were both consulted, whilst no comments have been received from the NHS, the Education Authority have raised no objection and are not seeking any contributions towards new school places. Therefore, notwithstanding comments about the lack of school places in the village school and other concerns about the impact the proposal will have upon school services, these are not supported by the views of the relevant statutory consultees and it is not considered the proposal will over-stretch or harm such service provision.

In the case of the current proposal, and in view of the above considerations, there is no evidence to support the view that the introduction of these 28 houses (7% increase in households) will, in terms of the influx of new residents, be harmful to the existing community, local services or the character of the settlement as a rural village. Notwithstanding the local concerns about the size of the development there is insufficient justification to object to the proposal on this basis and bearing in mind the sustainable nature of its location the principle of a development of up to 28 dwellings in the village is considered to be acceptable in principle.

In terms of the wider impact of the development it is not considered that the delivery of 28 dwellings in Tintinhull would be detrimental to the overall delivery of housing numbers across the settlement hierarchies as set out in the Local Plan.

The outcome of the application should therefore be determined based on the 'planning balance' of whether the adverse impacts of granting planning permission, in relation to site specific matters, would significantly and demonstrably outweigh the benefits.

Landscape impact, visual amenity and impact on heritage assets

The site sits alongside the north side of Head Street and on the western approach into the village and comprises a pasture field that sits alongside existing built development. The Landscape Officer has identified the application field as having some local value in that it forms part of a series of small fields that provide a long-established and clearly defined open edge to the established village form. The site is also adjacent to the conservation area and potentially within the setting of nearby grade I listed Tintinhull Court and Church and a grade II listed dwelling (Old Dairy) located to the northeast of the site.

During the course of the application the proposal has been amended in response to a number of concerns including the Landscape Officer's initial objection. The Landscape Officer's original

comments opined that the landscape case was finely balanced as the development would obtrude into the open field setting of both the village and the conservation area and to erode the character of this length of the village edge. He further raised a concern in respect of the density and massing of the housing layout and that this was at variance with the character of the adjacent residential area to the east and this rural edge locality.

The amended scheme, which indicates a farmyard style complex at its outer edge, includes a more relaxed density of housing and has shifted the open space to the outer western edge of the site. Whilst the landscape case remains finely balanced and the Landscape Officer considers this amended proposal to be an improvement to the initial submission and whilst there will still be some adverse landscape impacts he no longer regards these to be so significant as to be sufficient to provide an over-riding landscape objection.

From a more general visual amenity perspective the submitted streetscene plans are indicative only with the detailed design of the buildings reserved for later consideration. However, the general density of housing along Head Street is not out of kilter with the existing properties on the opposite side of the road, nor is the more dense arrangement of houses set behind which mirrors to a certain extent the development at Southcombe Way and Thurlocks. On this basis the general pattern of development is not out of keeping with that located immediately to the south.

In view of the potential for the development to impact upon the setting of the nearby grade I listed buildings Historic England was consulted who raised a concern with regard to the information submitted in relation to this matter. The applicant has responded with further information which was considered by the Council's Conservation Officer and who was satisfied that their setting would not be adversely affected.

The Conservation Officer did raise a concern with regard to the impact of the development upon the setting of the grade II listed Old Dairy house located a short distance to the northeast. As part of the revisions to the proposal the houses located in the northeast corner of the site closest to the Old Dairy have been moved away from the boundary slightly and reduced in height to single storey and additional planting has been suggested along the east boundary to create more of a visual buffer. The Conservation Officer is not completely satisfied that these measures fully mitigate his setting concerns for the Old Dairy. Such harm however is not considered to be substantial.

Paragraph 134 of the NPPF states that where a development will lead to less than substantial harm to the significance of a designated asset the harm should be weighed against the public benefits of the proposal. In this instance the public benefit can be found in the provision of 28 houses which will make a meaning contribution towards trying to make up the district's housing supply shortfall. Given the Council's current circumstances great weight should be afforded to this benefit and it is considered to outweigh the Conservation Officer's concerns identified above.

For the above reasons the proposed development is not considered to give rise to any substantive landscape or visual amenity concern or substantial harm to the setting of the adjacent conservation area and nearby heritage assets.

Residential amenity

The scale and position of the site are such that the proposed development should not give rise to any substantive harm to the residential amenities of local residents. Objections have been made to the effect that the proposal will result in the loss of views to some properties, however, little weight can be applied to such a concern and it is not considered to constitute a valid reason to oppose this development.

Highway safety

Numerous highway safety and road capacity concerns have been made by local residents and the

Parish Council.

The principle concern relates to the position of the access on a bend close to an existing traffic calming island which is viewed as being unsafe. It has been stated that due to the position of the traffic calming island it is difficult for drivers approaching from the A303 direction to see oncoming traffic and that this will be further complicated and exacerbated with drivers pulling out from the new development in view of its position so close to the traffic island.

Other concerns include the speed of some traffic approaching the village from a westerly direction, traffic generation from the development and its impact on the local road network and that Head Street already experiences congestion at times, especially when there is an incident on the A303. Access to the adjacent bus stop will become even more hazardous for the disabled and elderly with the addition of the access and increased traffic and that the development is served by a lack of parking provision and will result in the new residents parking in Head Street causing an obstructed to traffic flow.

The highway authority has carefully considered this proposal and given a full and detailed response. They state that based on average traffic movements per household the development is likely to result in approximately 248 vehicle movements per day and confirm that they are satisfied that there is capacity within the existing highway to cope with this increase.

Head Street at this point is subject to a 30mph speed restriction and based on the highway officer's own observations when visiting the site it appeared to him that vehicle speeds were actually lower than 30mph as a result of the existing traffic calming measures that are in place and as such he is satisfied with the proposed visibility splays of 43m in either direction. The only outstanding concern relates to the roadside boundary hedge which the applicant wishes to retain and which the highway authority would like to see removed and replaced by a grassed verge to ensure that the hedge does not grow into the splay area either side of the access and obstruct visibility. In response to this concern the developer has provided a further plan detailing the hedge and the splay area and have noted that the hedge is approximately 4m deep at present in this area and that the hedge can easily be cut back so that it is well behind the splay area and easily retained / maintained in this manner. The highway authority's comments in respect of these details had yet to be received at the time of writing this report, as such subject to their further comments and that they do not wish to raise any further objection based on these details the proposed access arrangements are considered to be acceptable.

The layout of the proposal has been amended during the course of the application and following these amendments the highway authority has confirmed they are now content with the internal road layout.

With regard to the level of parking that is being proposed, Tintinhull is situated in St Michaels ward which under the County Council's parking strategy sits in the middle parking zone. The level of parking indicated on the layout plan appears to generally accord with the requirements of the parking strategy and what with the further parking available on the internal road of the development itself there is no evidence to support the view that the proposed parking provision is substandard or that the development will result in parking being displaced on to Head Street.

For the above reasons, the development is not considered to give rise to any substantive highway safety concerns.

Ecology

The application is supported by a preliminary ecological appraisal and phase 2 reptile survey. The Council's Ecologist has confirmed they have visited the site and that they are satisfied with the findings of the submitted details and reptile survey and that subject to the imposition to badger sett survey and biodiversity enhancement conditions they have no objections to the proposal.

Drainage and flooding

The site is located in flood zone 1 and is therefore considered to be at the lowest level of risk from flooding. The application is supported by a flood risk assessment and some drainage details which have been considered by the Lead Local Flood Authority (LLFA) and Wessex Water. The LLFA is satisfied with the principle of the proposed surface water drainage details subject to a condition requiring a more detailed scheme and details of its future maintenance to be agreed prior to commencement. Wessex Water also raise no objection either in terms of the proposed foul drainage strategy of capacity. They have also responded directly to a local residents concerns in respect of this and also an existing odour issue that appears to relate to a connection point of a rising main coming from Marsh Lane. They have confirmed that this rising main and the associated pumping station are private and they are satisfied that the new foul drainage connection for the proposed development will not impact on these odour concerns.

Community Infrastructure Levy (CIL) and Obligations

At the time of consulting on this application the proposal fell under the planning obligation regime, however, as of 1st April the Council has adopted CIL which replaces planning obligations for certain sports, arts and leisure infrastructure requirements. The proposed development falls within the CIL regulations and is therefore CIL liable. The contributions towards the provision of a new community hall and strategic projects sought by the Leisure Policy are included within the list of infrastructure that should now be funded by CIL as such these fall away as obligations. There remains a number of matters that do not fall under the scope of CIL and which need to be secured through a Section 106 agreement in order for the development to comply with the relevant local plan policies including:

- The provision of 35% (10 units) affordable houses on site to the satisfaction of the Strategic Housing Manager;
- A contribution as may be requested by leisure policy towards local facilities in Tintinhull;
- The provision and future management of the on-site open space;
- The provision of the new pavement to link the site to the existing pavement on the north side of Head Street that links into St Margarets Road.

Planning Balance

The council's lack of a five year housing land supply is acknowledged and attracts great weight in the decision making process with policies for the supply of housing considered not to be up-to-date. The Local Plan reflects the presumption in favour of sustainable development set out in the Framework. The sustainability of development needs to be assessed against three elements: social; environmental; and economic.

It is acknowledged that the proposal would make a positive contribution towards meeting the housing shortfall in the district and that the range of house sizes and types proposed will widen the choice of homes to meet the needs of different groups of people both locally and for the district and that substantial weight should be given to this benefit. There will also be some economic benefit arising from employment during the construction phase of the development, however, as this will only last for a short period of time whilst the site is being developed only limited weight should be attributed to this benefit. Conversely some harm has been identified in terms of harm to the character of the settlement and the setting of a neighbouring (grade II) heritage asset. The identified harms however are considered to be less than substantial.

Bearing in mind the presumption in favour of sustainable development set out in paragraphs 14 and 49 of the NPPF, the less than substantial harm that would result from this development it is considered that the social benefits that would arise from the provision of this additional housing demonstrably outweigh such harm. The proposed development is therefore considered to broadly accord with the aims and objectives of sustainable development and as such is recommended for approval.

RECOMMENDATION

Subject to;

- a) The prior completion of a section 106 agreement (in a form acceptable to the Council's solicitor(s)) before the decision notice granting planning permission is issued to ensure:
 - The provision of 35% (10 units) affordable houses on site to the satisfaction of the Strategic Housing Manager;
 - A contribution as may be requested by leisure policy towards local facilities in Tintinhull;
 - The provision and future management of the on-site open space;
- b) The imposition of the planning conditions set out below on the grant of planning permission.

Justification:

Recommend approval for the following reason:

The proposal makes provision for an additional 28 dwellings within a Rural Centre that would contribute towards the enhancement of the sustainability of the settlement and towards meeting South Somerset District Council's five-year supply of housing. The development respects the character and appearance of the settlement and the setting of the adjacent conservation area and nearby heritage assets without causing harm to highway safety, residential amenity, ecology, flooding or drainage. In these respects the proposal is considered to represent sustainable development that accords with the aims and objectives of policies SD1, SS2, SS4, SS5, SS6, HG3, TA4, TA5, TA6, HW1, EQ2, EQ3, EQ4 and EQ7 of the South Somerset Local Plan and the provisions of the National Planning Policy Framework.

SUBJECT TO THE FOLLOWING CONDITIONS:

01. Details of appearance, landscaping and scale (herein called the "reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

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

02. Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission and the development shall begin no later than three years from the date of this permission or not later than two years from the approval of the last "reserved matters" to be approved.

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

03. The development hereby permitted shall be carried out in accordance with the following approved plans drawings numbered 3698/PL/01 Rev B, 04374-HYD-XX-XX-DR-TP-0203 revision P4, 04374-HYD-XX-XX-DR-TP-0202 revision P4, 04374-HYD-XX-XX-DR-TP-0201 revision P4, 04374-HYD-XX-XX-DR-TP-0200 revision P4, 04374-HYD-XX-XX-DR-TP-0101 revision P3, 04374-HYD-XX-XX-DR-TP-0100 revision P4 and 04374-HYD-XX-XX-DR-TP-0200 revision P4.

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

04. The development hereby permitted shall comprise no more than 28 dwellings.

Reason: To ensure that the level and density of development is appropriate to the location and commensurate with levels of contributions sought in accordance with policies EQ2, SS6 and HW1 of the South Somerset Local Plan

05. Prior to, (and within 2 months of), commencement of each significant stage of ground works, an update survey for badger setts will be undertaken by a competent person, and if any are present within 30 metres (including on adjoining land) of the area of activity, the works shall not commence until a method statement for the protection of badgers has been produced and any necessary Natural England licences have been obtained. The method statement shall be implemented in full.

Reason: For the conservation and protection of legally protected species and to ensure compliance with the Wildlife and Countryside Act 1981, and The Protection of Badgers Act 1992.

06. The reserved matters application shall include full details of proposals for the incorporation of features to enable the enhancement of biodiversity.

Reason: For the enhancement of biodiversity in accordance with policies EQ4 and EQ5 of the South Somerset Local Plan and Part 12 of the National Planning Policy Framework.

07. In the event that any signs of pollution such as poor plant growth, odour, staining of the soil, unusual colouration or soil conditions, or remains from the past industrial use, are found in the soil at any time when carrying out the approved development it must be reported in writing within 14 days to the Local Planning Authority (LPA). The LPA will then consider if the findings have any impact upon the development and development must be halted on that part of the site. If the LPA considers it necessary then an assessment of the site must be undertaken in accordance with BS10175. Where remediation is deemed necessary by the LPA a remediation scheme must be submitted to and approved in writing by the LPA and then implemented in accordance with the submitted details.

Reason: To protect the health of future occupiers of the site from any possible effects of contaminated land, in accordance with policy EQ7 of the South Somerset Local Plan.

09. No development shall be commenced until details of the surface water drainage scheme based on sustainable drainage principles together with a programme of implementation and maintenance for the lifetime of the development have been submitted to and approved in writing by the local planning authority. The drainage strategy shall ensure that surface water runoff post development is attenuated on site and discharged at a rate and volume no greater than greenfield runoff rates and volumes. Such works shall be carried out in accordance with the approved details and shall permanently retained and maintained in that fashion thereafter unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that the development is served by a satisfactory system of surface water drainage and that the approved system is retained, managed and maintained in accordance with the approved details throughout the lifetime of the development, in accordance with paragraph 17 and sections 10 and 11 of the National Planning Policy Framework, Paragraph 103 of the National Planning Policy Framework and the Technical Guidance to the National Planning Policy Framework (March 2015).

10. Before any of the development hereby permitted is commenced details of the internal ground floor levels of the dwellings hereby permitted shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of visual amenity to accord with policy EQ2 of the South Somerset Local Plan.

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

Reason: In the interest of highway safety to accord with Policy TA6 of the South Somerset Local Plan.

12. At the proposed access there shall be no obstruction to visibility greater than 300 millimetres above adjoining road level within the visibility splays shown on the submitted plan 3698/PL/01 Revision B. Such visibility splays shall be constructed prior to the commencement of the development hereby permitted and shall thereafter be maintained at all times.

Reason: In the interests of highways safety and to safeguard the amenities of the locality in accordance with policies TA5 and EQ2 of the South Somerset Local Plan.

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

Reason: In the interests of highways safety and to safeguard the amenities of the locality in accordance with policies TA5 and EQ2 of the South Somerset Local Plan.

14. The development hereby permitted shall not commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority (in consultation with Somerset County Council). The plan shall include construction vehicle movements, construction operation hours, construction vehicular routes to and from site, construction delivery hours, expected number of construction vehicles per day, car parking for contractors, specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice and a scheme to encourage the use of public transport amongst contractors. The development shall be carried out strictly in accordance with the approved Construction Traffic Management Plan.

Reason: In the interests of highways safety and to safeguard the amenities of the locality in accordance with policies TA5 and EQ2 of the South Somerset Local Plan.

15. Any entrance gates erected shall be hung to open inwards, shall be set back a minimum distance of 5 metres from the carriageway edge and shall thereafter be maintained in that condition at all times.

Reason: In the interests of highways safety and to safeguard the amenities of the locality in accordance with policies TA5 and EQ2 of the South Somerset Local Plan.

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

Reason: In the interests of highways safety in accordance with policies TA5 and EQ2 of the South Somerset Local Plan.

17. A Condition Survey of the existing public highway will need to be carried out and agreed with the Highway Authority prior to any works commencing on site, and any damage to the highway occurring as a result of this development is to be remedied by the developer to the satisfaction of the Highway Authority once all works have been completed on site.

Reason: In the interests of highways safety and to safeguard the amenities of the locality in accordance with policies TA5 and EQ2 of the South Somerset Local Plan.

18. No work shall commence on the development site unless the developer has submitted to and had approved in writing by the Local Planning Authority details of the footway to be provided joining Head Street to St Margarets Road. No part of the development hereby permitted shall be occupied until the approved footway has been constructed.

Reason: In the interests of highways safety and to safeguard the amenities of the locality in accordance with policies TA5 and EQ2 of the South Somerset Local Plan.

19. All the recommendations of the Approved Travel Plan shall be implemented in accordance with the timetable therein. Thereafter the development shall operate the Approved Travel Plan or any variation of the Travel Plan agreed in writing by the Local Planning Authority.

Reason: In the interests of highways safety and to safeguard the amenities of the locality in accordance with policies TA5 and EQ2 of the South Somerset Local Plan.
