



Planning Statement

The erection of three dwellings on land to the north of Corner
Cottage Leigh on Mendip
Leigh on Mendip

26th March 2020

Erection of three dwellings.

Introduction & Proposal

The proposal relates to an outline application for the erection of three dwellings. These consist of one detached dwelling together with a pair of semi-detached houses. The site which has an area of 0.16 hectares is located on the west side of the road which runs in a northerly direction from the eastern end of the village, towards Vobster. The land is currently in the ownership of Corner Cottage which is located some 24 metres to the south of the site. The cottage is served by an existing access immediately to the north and this also serves a former shop, agricultural land and a building which has permission for conversion to three dwellings.

The site will be served by a new access which is indicated on the submitted plans.

Planning Policy

Section 38(6) of the Planning and Compulsory Purchase Act 2004 places a duty on local planning authorities to determine proposals in accordance with the development plan unless material considerations indicate otherwise. The following development plan policies and material considerations are relevant to this application: The Council's Development Plan comprises the: Mendip District Local Plan Part I: Strategy and Policies (December 2014) and Somerset Waste Core Strategy. The Local Plan Part 2 has not yet been adopted and as such has limited weight.

The following policies of the Local Plan Part 1 are relevant to the determination of this application, CP1 – Mendip Spatial Strategy CP2 – Supporting the Provision of New Housing CP4 – Sustaining Rural Communities DP1 - Local Identity and Distinctiveness DP4 - Mendip's Landscapes DP5 - Biodiversity and Ecological Networks DP7 - Design and Amenity DP8 - Environmental Protection DP9 - Transport Impact of New Development DP10 - Parking Standards.

The scheme submitted, reflects the latest policies and government guidance in the National Planning Policy Framework (NPPF), and the Planning Practice Guidance (PPG).

Planning Assessment

As a starting point, it is important to examine the requirements of paragraph 11 of the NPPF which relates to sustainable development. This is reproduced below.

*“Plans and decisions should apply a 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: i). 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 ii). 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. (**This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites** (with the appropriate buffer, as set out in paragraph 73); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years. Transitional arrangements for the Housing Delivery Test are set out in Annex 1).”*

In the context of the above, in December 2019 Mendip District produced a report regarding the 5 Year Housing Land Supply. The report gave a headline position which stated – “Based on a Local Housing Need target of 3171 dwellings, the Council’s estimate of

adjusted deliverable supply of 2,408 dwellings. This is a shortfall of 763 dwellings and equates to 3.8 Years Supply. The Council cannot therefore demonstrate a five years supply and provisions in NPPF Para 11 come into effect. The report then goes onto conclude:

“As a consequence of not being able to demonstrate a five-year supply, the ‘presumption in favour of sustainable development’ as set out in Para 11 of the NPPF will apply. This means that policies in the Local Plan which are related to the delivery of housing can be considered as ‘out of date’ where they are relevant to the determination of a housing application.”

Based the above, in the consideration of this application, the first issue to consider is if the proposal can be defined as sustainable development. If it is, the next question is whether it causes harm to assets of “particular, importance”; and then finally, whether any adverse impacts outweigh the benefits of providing new housing.

Sustainable Development.

Although Leigh on Mendip is not listed in the Local Plan as a primary or secondary settlement, it is a settlement with a good range of key facilities. This includes a first school, a church, a public house, a community hall, a playing field as well as a few small businesses. There is a bus service which runs four times a day, to and from Frome and Shepton Mallet. It is also important to note that there are a range of other local facilities including shopping and healthcare in the neighbouring parishes of Stoke St Michael, Mells and Coleford. Frome, Shepton Mallet and Radstock are medium-sized towns which lie around five miles in each direction.

In short, the settlement itself has a good level of sustainability and the proposed development is consistent with paragraph 78 of the

NPPF as it will enhance the vitality of the village which is one of a grouping of smaller settlements.

In the context of the village, the application site itself is in a sustainable location as it is on the immediate edge of the village and is connected to all the facilities detailed above by a footpath/pavement which runs along the entire frontage of the site.

Assets

The schedule of assets of “particular importance” is found in the NPPF. The assessment of the site in the context of these is below.

The site is not within an area, designated as a Site of Special Scientific Interest, on land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, or a National Park. There are no irreplaceable habitats and is not in an area at risk of flooding. It is not listed or a proposed Ramsar site. Finally, it is not in a conservation area or near any listed buildings (designated heritage assets) or other heritage assets of archaeological interest. There is therefore no harm to any assets of “particular importance”.

Adverse impacts

There are a range of issues which need consideration in terms of assessing adverse impacts. These are considered below with references to the relevant local and national policies where appropriate.

Local Identity & Design (Policies DP1 & DP7) (NPPF para127)

It is important to examine the settlement pattern at the eastern end of the village. Whilst the settlement is primarily linear in form, development at this end extends northwards well beyond the frontage development along Leigh Street. There is a significant pocket of residential development served by the cul-de-sac known

as Bellfield and a large agricultural building which has the benefit of permission for three dwellings. Although this is a change of use there is always the potential for three new dwellings to be erected as a fall-back position. The proposed development will not extend beyond the southern limits of this building and will be well south of the northern limits of Bellfield. In view of this, the proposal will be effectively be a rounding off rather than extension of the built form beyond the village.

In term of design, whilst the application is in outline, the street view submitted gives some indication of topography and shows the property heights based on standard two storey properties. Plot 1 would be the principle dwelling on the site and looking around the village could certainly feature parapet gable ends. The semi-detached properties could be a little less detailed like the many rows of cottages on the village road frontage. The houses could easily feature natural local stone on the principle elevations with render finishes elsewhere. Stone surround windows can also be utilised to tie it in (subject to reserved matters) along with the use of other matching materials such as clay tiles etc. The siting of the properties will not have any impact on the residential amenities of either the existing or proposed dwellings.

All the above, illustrates that the proposal will respect the local character and distinctiveness of the village.

Landscape, Biodiversity & Environmental Protection (Policies DP 4,5 & 8). (NPPF paras 170,175 & 127)

In terms of landscape, the site is not in an international, national or locally designated site. It will have minimal impact on the local landscape and the submitted plans indicate that the dwellings will sit well into the site by use of the topography. The hedge along the frontage will be retained (other than at the point of access) and as such there will be no adverse impact on local habitats. Additional hedge planting is proposed to reinforce the existing. In addition,

further hedgerows are proposed together with new trees. The details can be found on the submitted site plan.

Housing Mix (NPPF Paras 122 & 123)

The NPPF makes it clear that planning decisions should support development that makes efficient use of land. Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that decisions avoid homes being built at low densities. The proposal provides a good balance in respecting the landscape setting whilst optimising the use of the land. It provides a mix, in that there will be two semi-detached “low cost” houses and a detached property with an attached orchard.

Transport Impacts & Parking (Policies DP9 & 10) (NPPF paras 102 & 105.)

The new access is within the 30mph speed limit area and is located some 48 metres from the existing access to the cottage. The access itself will be 5 metres in width and there will be 2.4m by 43 metre unimpeded visibility splays in both directions. This accords with the highway authority, standards and as such the proposed new access will be safe for the use of vehicles. There is adequate room to turn vehicles within the site and the parking provision accords with the Somerset County Council standards. In short, the means of access and parking arrangements meet the required safety standards and will ensure the free and safe flow of traffic on the highway.

Conclusion

The Council do not have a five-year housing supply. In these circumstances paragraph 11 of the NPPF applies. This means that policies in the Local Plan which are related to the delivery of housing can be considered as ‘out of date’ where they are relevant

to the determination of a housing application. The proposal is sustainable development, there are no assets of importance that require protection and it complies with all other relevant local and national policies. There is nothing associated with this development which would significantly or demonstrably outweigh the benefits of providing new housing and as such the proposal should be approved.

26th March 2020

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