

Houses, Layout, Design Working Group – Key Messages and Evidence

23/02/2022

The working group met twice to initially agree key issues / topics and then source what evidence to justify these key messages was available. The following list of issues and evidence could be used to inform what key messages are communicated to the church commissioners at consultation stage – and then again with fine tuning at any outline application stage.

The site has already been allocated for housing even though there was a strong local campaign to object (4 years ago during consultation stage of local plan) with a number of similar issues communicated and considered. The district council ultimately decided on the allocation which has since been examined and adopted by Mendip DC.

The current proposal as presented by zoom in January 2022 does not seem acceptable to anybody and so the key messages communicated could help to stop this proposal in its current form.

There are some in the community that want to stop any development of the site for housing, others accept that the principle of housing has been decided despite earlier campaigns and so the focus should now be on ensuring an exemplar development.

For those wanting to stop any development on this site there appears to be little traction in arguing for the site not to be used for any housing – there seems to be a better chance to achieve a stop to all development by seeking such major mitigation (highways road widening, pedestrian crossings, wide ecology boundaries, nutrient pollution measures, open spaces to match WSM character) to the extent that the development is not viable and is unattractive to developers.

For those accepting that some housing is inevitable given the local plan allocation these same key issues and the evidence (planning policy support) can be used to successfully secure a much better quality, exemplar development that minimises impact on the village.

The following list of key issues was agreed as representing most of the objections raised. The source of planning policy evidence to justify / support each key issue is in italics.

1. House numbers

a. Evidence to limit to 40 in local plan

Mendip Local Plan runs to 2029 and needs to satisfy the need to meet a 5 year housing target set by formulas from central gov. The last review of these numbers was voted on at district level and subject to an examination by the planning inspectorate. This process took a number of years and the resulting plan was adopted by Mendip DC in Dec 2021. Westbury sub Mendip is classified as a primary village and therefore is required to contribute more houses than secondary or non-classified villages. The adopted local plan is the basis of all applications between now and 2029 and this includes the formal allocation of the land off Roughmoor lane for 40 houses (Local Plan Part 2. Page 16. Table 2). The policies and the examiner makes it clear that the 40 is a minimum but the level of growth the village can sustain is also a consideration (see c below).

b. Sustainability (Sustainable Transport)

There are strong policies in the National Planning Policy Framework (NPPF) that seek to control development where sustainable travel is not possible. For example *Para 34 (Plans and decisions should ensure developments that generate significant movement are located where the need to travel is minimised and the use of sustainable transport modes can be maximised"* (and *paras 37,38, 58, & 70*)

Mendip Local Plan 1 DP9: Transport Impact of New Development - development proposals must demonstrate how they will improve or maximise the use of sustainable forms of transport (particularly by means other than the private car),

// avoid causing traffic or environmental problems within the wider transport network or generating any requirement for transport improvements which would harm the character or locality;

The outline planning permission will need to submit a Transport Statement that considers impact on the highway, safety and sustainability. These development-lead transport statements can whitewash the real issue but there is perhaps an opportunity to make the case that more housing over and above what is allocated in WSM will encourage even more private car use (& where other links not sufficient) and cannot be justified - especially if the potential growth of the village is considered in addition – see c.

c. Acceptable village growth – looking forward

In addition to the 40 allocated on the local plan WSM is expected to yield 10 more houses from individual applications where plots are split / extra houses built (Local Plan I Page 36 Table 8). So the total target in the calculation for target house numbers for WSM is 50. The number of houses the village has already “provided” to meet the local plan numbers 12. (Local Plan II Page 158 11.27.2).

The farm buildings site is a brownfield site (about 0.4ha) that in due course if it does not get absorbed into the allocated development site will very likely come for housing separately. It lies between the village settlement boundary and the allocated land. Although it has 3 listed buildings close by there will be reasonably strong policy support for this site to be used for housing. This site could yield 10 + houses.

So in period to 2029 WSM could be faced with growing by 12 houses already permitted / built; 40 houses on allocated land (or 60); 10 houses on farm buildings site plus probably say 5 more from individual sites around the village in next 7 years = A growth of 67 houses if allocated land is kept to 40 or 87 houses if 60 get built.

This would represent an increase (assuming 350 houses currently) of between 19-25% growth with no proposed changes to village facilities being a part of any of these developments. The problem for those objecting to this scale of development is that each one of these developments as they arise are considered on their own – and they are not required to consider what might happen in the future.

2. Farm Buildings Site

Interestingly the description of the site allocated in Local Plan II suggests the farm buildings are part of the site: “ The site is part of a large single field adjacent to but outside the development limit on the south western edge of the village. *The site contains a number of farm buildings on its eastern side,*”

a. Brownfield first include this brownfield site in WM1 site development

NPPF makes it clear that brownfield sites should be developed as a priority before green field sites. In principle this presumably should be applied to the Court Farm buildings – but the site is not on a list of brownfield sites which normally do not include farm sites. There is a host of other reasons it is also best to include this site in any development to improve proposals using this principle but the policies are not as clear as they might be.

NPPF Section 11. Making effective use of land. Para 119-125. Partic Para 120 a) c) and d)

a) *//encourage multiple benefits from both urban and rural land, including through mixed use schemes*
//

- c) *give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities //...*
- d) *promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively// ...*

b. Safe Access

WM1 in the Mendip local plan II is usefully prescriptive “6. Further investigation will be required of traffic impacts and a safe access onto the A371 will be required. Safe pedestrian links should be provided to enable access on foot to the village core.”

We could argue that a safe access needs to be separated from Roughmoor Lane to avoid conflict with farm vehicles. The location of the access out of the farm buildings entrance provides better visibility and will mean the parking area (Mortar Pits) can be retained. This is perhaps a key part of the argument to include the farm buildings within the development site being proposed.

Any outline planning application will need to address safe access and safe pedestrian links to village core.

c. Right location for employment / community space

A clear local preference is to locate any community space near the centre of the village and over 50% of survey respondents felt best use of space would be for a village hall.

Alternatively the use of the stone barns at the front of the farm buildings could perhaps suit a mix of community, business, café uses. (see NPPF section 11 above) These could provide more facilities / opportunities and perhaps provide some more parking. However, the stone barns are probably not right for a village hall so there may be a debate to have about what the priority is for community use. If the village hall does move what would happen to the site it sits on now?

3. Influencing Layout

There was broad agreement in the numerous letters written to CC and in meetings that the current sketch layout presented is not satisfactory for a multitude of reasons. These reasons include house numbers, access, layout, sizes of houses. The following key messages have some basis in the way a planning application is judged – though nearly all the policy wording is subject to interpretation / balanced against other needs (houses).

A. Settlement character

The proposed site represents a rectangle of development on the edge of a village that does not have block of development of this scale or pattern anywhere else. There would be some improvement if the layout design reflected WSM character more carefully – both in layout, open spaces and size of properties (no 2.5 storeys).

There is support for these objections in the following areas:

Policy WM1 (Mendip DC Local Plan II) : Development Requirements and Design Principles

“.. Have particular regard to site layout, building height, and soft landscaping, to minimise the visual impact of the development in this rural location.”

The character of WSM could be said to include a pattern where the countryside and open space extends into various parts of the core of the village – the pattern of development for WSM is perhaps star shaped. The proposal does not respect this pattern.

A recent refusal at appeal decision for a 95 home development (Chilcompton) discussed the impact on the settlement character of the village – including references to visual impact and amenity of neighbours. This turned out to being a major reason for refusal. However please note – WSM site is allocated land so does NOT have the same potential for refusal – this appeal is only referred to here because it discusses “impact on character of a village” Mendip DC Ref 2021/0421/OTS.

NPPF Section 12 -Achieving well designed places - Para 128 & 130

130. Planning policies and decisions should ensure that developments:

//...

(b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

(c) are sympathetic to local character and history, including the surrounding built environment and landscape setting,

Also see paras 134 and 135:

134. Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design 52, taking into account any local design guidance and supplementary planning documents which use visual tools such as design guides and codes. Conversely, significant weight should be given to:

(a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents which use visual tools such as design guides and codes; and/or

(b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

135. Local planning authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).

All this can be seen to provide strong support for any development to respect / be sympathetic to settlement character of WSM but there is always variation in final judgment as the process is subjective.

B. Green open spaces

DP16: Open Space and Green Infrastructure // “2. All new residential development will make a contribution towards the provision of new open space, including accessible natural greenspace, to meet the needs of the growing population”.

It seems clear that for any development on this site to be sympathetic with the settlement character of WSM there needs to be more open space / letting the countryside in. The Mendip policy is an example of where green space is identified as a requirement but the challenge is agreeing what is meant by a “contribution”.

C. Storm pond located within development

There do not appear to be any policies that specifically prescribe where attenuation ponds should be located. We would need to build a case to argue that all infrastructure relating to this allocation of land for 40 houses needs to be retained within the marked area on the village map. Anything outside this area is countryside and should be protected. Successful arguing for the pond to be located within

allocated area – as part of any housing development will effectively limit the house numbers to much closer to 40.

4. Limiting visual impact

Section 3 focussed on using policies that support a better layout that is more in keeping with the existing settlement character of WSM. In addition to impact of layout there is also a group of policies that assess the visual impact of any development. These can also be used to influence the layout.

a. AONB, Landscape Character,

The site is most visible from Roughmoor Lane and Stoneleigh and from the AONB (from above). The impact on Stoneleigh should be defended via policies on neighbouring amenity – see c below (and ecology corridor). The impact on the AONB can perhaps be used to seek a more sympathetic layout that creates more open spaces, breaks up the development and presents a less of a block of development. The following policies can support these messages.

DP4: Mendip's Landscapes (MDC Local Plan)

- *Proposals in areas adjacent to the AONB will, depending upon their prominence in the wider landscape, be expected to demonstrate that their location and form do not compromise the setting of the designated area.*
- *proposals should demonstrate that their siting and design are compatible with the pattern of natural and man-made features of the Landscape Character Areas*

Dark Skies

The majority of Westbury Sub Mendip Parish benefits from truly dark skies and consequently thriving populations of nocturnal wildlife. The Mendip Hills National Landscape is recognised as having significant and extensive areas of naturally Dark Night Skies.

Both the AONB and Westbury Parish Council have adopted position statements on the need to protect dark skies against light pollution and Mendip DC policy *DP8 Environmental Protection* refers to “*Development proposals, particularly those in a rural setting and especially those in designated Areas of Outstanding Natural Beauty (AONBs), should make all reasonable efforts to minimise noise and light pollution impacts*”

NPPF Para 180 / ..iii. limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

Given proximity to Bat corridors. AONB and parish dark skies initiatives and Mendip local plan any new development needs to be designed without street lighting.

b. Wildlife Corridors,

The ecology objections / mitigations detailed in separate document make the case for suitable ecological corridors and other mitigations. The planning policies that support this are communicated elsewhere (WM1 for example) and also include

DP4 – Mendip Landscapes (MDC Local Plan)

proposals must ensure the protection, conservation and, where possible, enhancement of internationally, nationally or locally designated natural habitat areas and species.

Proposals with the potential to cause adverse impacts on protected and/or priority sites, species or habitats are unlikely to be sustainable and will be resisted.

c. Wider roads, tree-lined

This is part of the same argument to be sympathetic to the settlement character and provision of green space. Extracted below are parts of DP7 that also

DP7: Design and Amenity of New Development

a) are of a scale, mass, form and layout appropriate to the local context

b) protect the amenity of users of neighbouring buildings and land uses and provide a satisfactory environment for current and future occupants

c) optimise the potential of the site in a manner consistent with other requirements of this policy

d. New house rear gardens backing on to Roughmoor Lane side.

For any new houses closest to Roughmoor Lane there needs to be a) a wide wildlife corridor (15m recommended by Ecology doc) and also the orientation of the houses such that the houses face south with larger rear garden to the north to further protect amenity of existing houses along Roughmoor Lane. DP7 above supports this argument

5. Affordable housing

Mendip DC has a reasonable record of holding out for minimum affordable house provision where developments of more than 10 dwellings (normally 30%). Developers will argue this to lower levels where they can. There is provision for development in rural locations to be provided with up to 40% if there is a local need evidenced.

The evidence for affordable housing provision is based on housing needs assessments. Further research required but it seems that the 30% normal provision is maintained with the potential for up to 40% if rural local needs evidences greater demand. The assessment also looks at the demand for house sizes which determines what size houses are provided within the affordable house provision. There appear to be suggestions that more 1,2 and 3 beds are required than previously determined.

a. Mendip policies robust

DP11 Affordable Housing (MDC Local Plan I)

Proposals will make provision for 30% of the total number of new homes to be provided in affordable tenures // In rural areas the Council may negotiate or allocate sites with provision in excess of 30% where this is justified and financially viable

In rural areas the Council may negotiate or allocate sites with provision in excess of 30% where this is justified and financially viable. Equivalent financial contributions in lieu of on site provision will be negotiated.

b. The right mix of sizes (affordable)

DP14: Housing Mix and Type(Mendip Local Plan I)

Proposals for residential development should provide an appropriate mix of dwelling types and sizes. This mix should reflect identified local need in Mendip (both within the district as a whole and within identified sub-market housing areas) - including for small family sized units and housing suitable for

older people - as set out in the Strategic Housing Market Assessment and other local evidence, particularly Local Housing Needs Assessments in rural communities.

The Somerset Strategic Housing Market Assessment 2016 suggests the following mix which will be used in judging what the appropriate mix of house sizes might be (affordable and market)

	1-bed	2-bed	3-bed	4+ bed
Market	5-10%	30-35%	40-45%	15-20%
Social/Affordable Rented	35-40%	35-40%	20%	5%
Intermediate/Starter Homes	15-20%	50-55%	25-30%	0-5%

6. Build quality & design

a. Meeting net zero targets,

In February 2019, Mendip District Council declared a Climate and Ecological Emergency. They pledged to make best endeavours to enable the District to be carbon neutral by 2030. In August 2021 MDC adopted a Carbon Management Plan to guide the path towards decarbonisation. The Carbon Management Plan includes energy efficiency targets for domestic and non-domestic buildings, including energy efficiency, decarbonised heating systems and increased use of renewable energy.

The Net Zero Carbon Toolkit was published in July 2021 and adopted by Mendip DC on 10th January 2022

MDC have stated

“The Local Plan Policy DP7: Design and Amenity of New Development sets out requirements to include practical measures to improve energy efficiency and maximise opportunities for sustainable construction, sustainable drainage systems, renewable energy generation, water efficiency and waste minimisation. This Toolkit provides guidance for planning applicants on measures which could be included within schemes to help to meet the requirements of Policy DP7.

The endorsement of this Toolkit is accompanied by the provision of a Supplementary Planning Document which provides further guidance on the interpretation of adopted Policy DP7.”

Extracts from the toolkit below

The developer must ensure that this development fulfils the requirements of the Net Zero Carbon Toolkit July 2021 – endorsed by Mendip District Council 10th January 2022.

Linked with this Zero Carbon Toolkit is the requirement of the developer to provide Sustainability Statements on submission of planning applications for 10 or more dwellings, development sites of 1 hectare or more.

This means that a Sustainability Statement will be required for this proposed development.

This toolkit includes the following requirements:

- A. New gas or oil boilers should not be installed in new homes.*
- B. All new buildings should be built with a low carbon heating system and must not be connected to the gas network.*
- C. Heat pumps are considered the most efficient low carbon heat source.*
- D. For new homes solar photovoltaic panels should be placed on the roofs to enable energy generation is equal to the energy use of the building.*

E. All new homes should have electric vehicle charging points

F. All new homes should have triple glazed windows.

b. Right house size mix,

See comments in 5 b) above which also relate to market housing size mixes

c. Compatible designs

Ellie Mains' picture library of house designs shows some great examples of bad and good design. There is also a clear call from the objections already submitted to block any plans for 2.5 storey houses.

The planning policy that should support these objections is both Mendip Local Plan I policies *DP7: Design and Amenity of New Development* mentioned in section 4c above and *WM1* Development Requirements and Design Principles.

//.. Have particular regard to site layout, building height, and soft landscaping, to minimise the visual impact of the development in this rural location.

New development should reflect the local materials and style.

The impact on nearby listed buildings and the Conservation Area will need to be carefully considered.

The challenge will be that an outline application does not normally address detail on design of the houses. If CC engage effectively then an approach could be developed to agree design codes / parameters that are issued with any outline permission for future detailed build designs to meet.

7. Access

Early assessment of WSM survey suggests 72% of Roughmoor Lane respondees wanted to keep the Roughmoor lane access as it is and separate from any development.

If Farm building site is incorporated into development then the access from these buildings and local views / safety issues may be best served if leave Roughmoor lane access as is - separate from any new development access.

If CC refuse to incorporate farm buildings site then new access for development would be close to Roughmoor Lane access and would best be combined – but design and route needs to be improved on current proposal to meet safety concerns ref farm vehicles. Further parking to replace Mortar Pits also need to be considered.

Mendip Local Plan II policy for this allocation (WM1) is very clear

.... Further investigation will be required of traffic impacts and a safe access onto the A371 will be required. Safe pedestrian links should be provided to enable access on foot to the village core

8. **Safety on A371**

Mendip DC Local Plan II WM1 Refers to

6. Further investigation will be required of traffic impacts and a safe access onto the A371 will be required. Safe pedestrian links should be provided to enable access on foot to the village core.

Await traffic survey results?

- a. Re-assess A371 congestion
- b. make sure footpaths & cycle ways are linked
- c. pedestrian safety & crossing,