



PLANNING APPLICATION

2025/0137/OUT

Advice from the Neighbourhood Plan Working Group to Westbury sub-Mendip Parish Council



FEBRUARY 25, 2025
NPWG

NPWG advice on planning application 2025/0137/OUT

Table of Contents

Introduction.....	2
Compliance with Local Plan Policy WM1	2
Vehicle Access.....	2
Parking	3
Active travel.....	3
Pedestrian safety	3
Visual impact.....	3
Impact on the heritage setting.....	4
The Applicant’s Design Principles.....	4
Heritage.....	5
Character areas	5
Materials.....	5
Views.....	5
Access.....	5
60 houses.....	6
Community space.	6
Land use parameters	6
Infrastructure	6
Landscaping.....	6
Conclusion	7
Technical Deficiencies in the application	7
Highway and pedestrian safety and Transport Assessment	7
Dark Skies.....	7
Sustainable Drainage Report - Nutrient Neutrality	7
Landscape Visual Impact Assessment.....	8
Appendix 1 - Policy WM1: Development Requirements and Design Principles.....	9

Introduction

In setting up the Neighbourhood Plan Working Group (NPWG) the parish council also asked it to advise on a response to an anticipated planning application for land allocated for housing south of Roughmoor Lane. An application has now been received (2025/0137/OUT) and the group wishes to submit the following comments. They are based on

- surveys of village opinion on facilities and priorities for the neighbourhood plan
- an externally commissioned Village Character Assessment,
- advice from a professional transport consultant,
- the results collected by a village speed watch scheme
- feedback from residents following pre-application discussions with the agents for the applicants
- and, most recently, a village meeting attended by some 10 per cent of the adult population of the village.

Relevant documents relating to the above can be found on the village website, accessible [here](#).

Compliance with Local Plan Policy WM1

The NPWG has paid particular attention to the “Development Requirements and Design Principles” associated with the allocation of this land for housing in the Somerset Local Plan, Policy WM1 (copy attached as Appendix 1) The applicants do not appear to have complied with these requirements in several respects, including those that residents have consistently judged as the most critical. In particular, they have failed to demonstrate that there will be a “*safe access onto the A371*” and to provide “*safe pedestrian links....to enable access on foot to the village core*”.

Vehicle Access

The proposed new junction joining Roughmoor Lane with the new development does not meet highways sight line standards looking west along the A371 and will result in poor visibility for those travelling west along Roughmoor Lane, as they will not be able to see traffic approaching from the west and wait for them to pass through the single-track section. Parking places on the curve on this new road will create safety issues with traffic backing up onto the A371 and will conflict with agricultural traffic

Congestion at this junction will be exacerbated by over 100 extra vehicles associated with residents of the new housing plus business and public service vehicles accessing the estate.

Parking

Traffic issues & safety of pedestrians will be compounded by the loss of public car parking spaces at Mortar Pits which represent one of very few public off road parking areas in the village. This needs to be replaced as a facility for the village, not new development residents' visitor parking. Any development will need to ensure that levels of on-site parking recognise the reality of a rural setting where public transport is not a viable option for travel to work or to access health and similar services.

Active travel

No consideration appears to have been given to including active travel infrastructure to reduce the need for car use. In particular the provision of a link to the corridor to the south, reserved in the local plan for the Strawberry Line, which was present in all the pre-application discussions and welcomed by the village, has not been shown. This link should be reinstated and agreed as a multi-user path suitable for all abilities. Provision of secure bike storage facilities in all properties should be mandated.

Pedestrian safety

There appears to be no attempt in the application to respond in any way to the need for safe pedestrian access to the village core, which means to the shop, school, hairdresser, post office and pub. The applicants appear to have based their decisions on surveys that seriously underestimate the levels of vehicular and foot traffic that are recorded in village surveys. They also appear to have accepted the view of Highways officers that there is no way to provide a crossing that is safe. While it is clear that all options have not been explored, acceptance that there is no way to cross the road safely should require the refusal of an application that would lead to over 120 extra residents having to do so.

It is very clear that the pedestrian pavement to the west of the existing unsafe crossing is narrower than highway standards allow. The pavement is 1.2-1.6 m wide in places when highways have indicated they might accept 1.8m but prefer 2m. Why is this not being addressed in the application? This results in unsafe pedestrian access which is sufficient to trigger refusal of permission.

Visual impact

The applicants are required in WM1 to have "*regard to site layout, building height and soft landscaping, to minimise the visual impact of development in this rural location*". Concern for the impact of development on the character of the village and its setting is a very important issue for residents and has added significance because of its proximity to the protected National Landscape. In seeking to exceed the minimum number of houses by 50% the applicants are looking to impose a rectangular block of urban style housing that does not integrate with the predominantly radial pattern of the settlement and allows little scope for trees to break up the outline. The impact on settlement character is unacceptable.

There is no justification given for the placing of the attenuation pond outside the allocated land, contrary to accepted good practice. The consequence is seriously to

reduce the amount of green space within the built area which means significant negative impacts on the view from various points in the National Landscape by providing a hard straight boundary of buildings on the very visible edge of the village. The local plan policy DP4: "Mendip's Landscapes" makes clear that

"proposals for development that would, individually or cumulatively, significantly degrade the quality of the local landscape will not be supported. 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"

Impact on the heritage setting

There is no indication that the impact on nearby listed buildings and the Conservation area has been "carefully considered" as WM1 requires. Far from careful consideration, the applicants have refused to engage with planners about the potential impact of locating community facilities and housing adjacent to assets identified as within the curtilage of a listed building. They have refused to engage with the community as regards their intentions concerning the adjacent derelict brownfield site. There is no indication in the plans that they have considered access to that site and how it might impact on development on the adjoining field. It is disingenuous of the applicants to maintain that they cannot consider these matters as they lie outside of the allocated area when in the same proposal, they seek to build an attenuation pond on land that is clearly outside that area.

The Applicant's Design Principles

The applicants have produced a Design Principles document which states

"The Design Principles Document presents specific design requirements which will deliver a high-quality place. Subsequent reserved matters applications will be expected to comply with these requirements. The document is therefore submitted for approval and should be read in conjunction with the submitted Land Use Parameter Plan"

We support the idea that permission should be subject to a set of binding design principles. These are particularly important given the ambiguity attached to the ultimate scale and composition of the development, and the pressure which higher numbers of units, and different mixes, will put on achieving the applicants frequently stated ambition of a design in keeping with the village's character.

It is of real concern, therefore, that the design principles, which are uniquely intended to have real impact on the development form, are so limited, incomplete and fuzzy. Several important issues, which are highlighted very explicitly as 'key issues' (sic) in the accompanying Design and Access Statement (DAS), are not carried through at all to the Design Principles. Consequently, the statement in the DAS (section 9.0) that "compliance with this document (the Design Principles) will ensure that

development is delivered in an appropriate manner complementary to the prevailing village character“, is simply not true.

Heritage.

The consideration given to the relationship to heritage buildings, viz the church, churchyard and historic elements of the other buildings is not only not 'careful', it is non-existent. How the development engages with the land and buildings to its east is enormously important to the village and an opportunity to create something that the village can treasure for posterity. It should be subject to very clear, skilled and deliberate urban design thinking. But here it is not even designated as a 'Character Area'.

Character areas.

More broadly, why are some parts of the site considered worthy of the special "Character Area' guidelines and others are not. All parts of this development should have character. The guidelines for the Character Areas, such as they are, should apply to all development on the site and should be revised accordingly.

Materials.

The DAS deals with 'materiality' in some length in 10.0. where it states that "It is expected that (the development) will draw on and complement the existing village palette within the village of which examples considered suitable have been identified". If they are so important, and can even be identified, why are they excluded from the Design Guidelines?

Views

In 6.3 the DAS states that "there are few places within the village where awareness of the surrounding landscape is not prevalent. Of particular significance are the views south across the Somerset Levels and beyond." This scheme not only wholly blocks one of these significant views, but it is also one which is currently available to all passers-by, (and has been from time immemorial). Design guidelines should consider how an element of that view can be retained through the site and make provision accordingly. This could help deliver two other desirables flagged in the DAS, the radial shape historically associated with the village's growth and ignored by the current plan, and a clear and legible pedestrian route through the development that in due course will connect with a pathway linking the development with the Strawberry Line to the south

Access.

It is right that the access arrangements should be fixed at the outline planning stage. As indicated above, however, the proposals presented do not represent a safe solution and should not be accepted as they stand.

60 houses.

Again, it is right that the outline application should seek to fix the total number of houses to be built. It is not easy to judge the precise impact without information on the mix of housing and in particular the number of bedrooms but clear from the illustrations provided that 60 represents serious overdevelopment. In seeking, substantially to increase the minimum number of houses required, the development is unable to reflect the open and radial character of Westbury. The scale proposed requires a standard urban layout with very limited internal green space.

Community space.

It is accepted that the applicants have allocated the community space that they are required to make available and located it where the community asked. It is regrettable that they have not co-operated with a village request jointly to explore with planners their reaction to plans to develop community infrastructure on that site. Agreement to the overall plan should be withheld until such time as confirmation is received that development for a community building on that site might be acceptable.

Land use parameters.

The land use parameter plan lacks imagination and fails to reflect in any way the character of the settlement. It is, in essence, a rectangular block of housing with a green frill. The southern boundary of the built area would present a straight hard edge to the development, visible from the National Landscape as an alien feature impairing very significant public views. The oddly named "village green" represents a patch of redundant land cut off by roads and of little use either for people or wildlife. A central play area is welcome but not well aligned with potential views through the estate other than to the church.

Infrastructure.

The location of the attenuation pond outside the allocated area misses an opportunity for sustainable water management to contribute to green and open space within the built area. In a similar way the design misses an opportunity to use swales running through the site to contribute to both water management and a more open character.

Landscaping.

The creation of new hedging and grassed areas alongside Roughmoor Lane and on the western boundary achieves the requirement to provide 0.13 ha. of accessible bat

habitat, though a more generous width of the strips would be better for bats. It would also better reflect the requirement to “*safeguard the amenity of neighbouring residential properties*”

Conclusion The inescapable conclusion is that the Design Principles do not live up to their billing, and need to be revisited and recast before this application is approved, to ensure they include and protect major issues which are central to the scheme’s positive relationship with the village,

Technical Deficiencies in the application

Further to the comments above NPWG also advise that technical deficiencies in a number of reports should be highlighted:

Highway and pedestrian safety and Transport Assessment

The PC have submitted professional comment on the management of this application by Highways and on the technical gaps and inconsistencies presented. The executive summary to this commentary states:

The Transport Assessment supporting the planning application for development of land on Roughmoor Lane contains misinformation in its commentary.

Highway standards are not met in the proposed realigned Roughmoor Road junction with the A371. The proposals fail to provide a footway meeting standards between Mortar Pits and the School Hill junction. The existing crossing point fails to meet standards and is therefore unsafe. However, the proposals include the retention of the unsafe crossing and the provision of only minor works. There is no indication in the Transport Assessment that alternative crossing proposals have been tested.

Dark Skies

The Parish Council have advised that the ‘dark village’ status of Westbury-sub-Mendip should not prevent the provision of street lighting to improve pedestrian provision in the village. However, there is no evidence that the applicant’s designers or highways officers have heeded this.

The proposals fail to provide priority to pedestrians, particularly in relation to the needs of less able users, as required by the NPPF. The proposals fail to meet standards for pedestrian safety. The proposals trigger the test for refusal on highway grounds set out in paragraph 116 of the NPPF. The planning application should be refused on highway grounds as the safety implications of the increase in pedestrian movements is severe. Requirement 6 of Policy WM1 is not satisfied.

Sustainable Drainage Report - Nutrient Neutrality

This report presents errors in appearing to use an out-of-date phosphate calculator and mis-applies low density exemptions. Somerset Ecology and Natural England should respond accordingly.

Sewage Treatment Plant

- We are concerned that there are no plans to upgrade the existing sewage works to cater for the additional demand and phosphate control. This is not acceptable.
- The consequent proposal to offer a private treatment plant requires a contract for its adoption by an OFWAT certified operator. This must be agreed at outline stage and is missing from this application
- There are no details as to what size or at what location the foul drainage field will be located. All foul drainage detail with adoption contracts should be agreed at outline stage

Surface Water

- The SUDS proposal does not follow best practice which would advise more use of swales to store water within the built environment (which would also help to provide green breaks, scope for tree planting and open up the development more in keeping with settlement character.
- No attempt has been made to confirm the capacity of the culvert to the watercourse (an old concrete pipe under the old railway is neither investigated nor assessed. Neither is there an explanation of where it discharges to). This applies to surface and foul water drainage.

Landscape Visual Impact Assessment (not following Landscape Institute Guidelines)

As commented above the visual assessment omits any reference to the value or susceptibility of the adjacent Mendip National Landscape with a range of views in and out affected. The choice to only consider visual impact within 0.5 km of the site is ignorant at best and irresponsible at worst – it does not follow Landscape Institute guidelines

The assessment of visual effects and specifically the visual representation of these effects from the photo viewpoints uses only the most basic methodology – again not following Landscape Institute guidelines for the scale of this development and the sensitivity of the landscape.

Appendix 1 - Policy WM1: Development Requirements and Design Principles

1. A minimum of 40 dwellings including affordable housing consistent with relevant policy.
2. Have particular regard to site layout, building height, and soft landscaping, to minimise the visual impact of the development in this rural location.
3. New development should reflect the local materials and style
4. The site should be designed to safeguard the amenity of neighbouring residential properties.
5. Opportunities should be taken to maintain or enhance biodiversity, and particular consideration will be needed of the impact on designated sites. 0.13 ha of accessible bat habitat should be provided.
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.
7. The impact on nearby listed buildings and the Conservation Area will need to be carefully considered.
8. Up to 0.1ha of land will be made available for the delivery of a community facility. No further contributions towards community facilities will be sought from the site.