

REPORT TO THE DEVELOPMENT CONTROL COMMITTEE		
Date of Meeting	28th January 2009	
Application Number	08/02628/FUL	
Site Address	Sutton Lane, Sutton Benger	
Proposal	Erection of seven dwellings for affordable housing	
Applicant	Jephson Homes Housing Association	
Town/Parish Council	Sutton Benger	
Grid Ref	394974 178435	
Type of applications	Full	

Reason for the application being considered by Committee

This application has been submitted to the Committee for decision under the scheme of delegation in force after the 8th April 2002 because Councillors Greenman and Causer have requested that the DC Committee consider the form of development and how it fits with the locality.

Summary of Report

The proposal is for the erection of seven new houses for the purposes of providing affordable housing for Sutton Benger and the surrounding Parishes. The application site is outside of Settlement Framework Boundary of Sutton Benger and must, therefore, be considered as an exception to normal planning policy. This report is intended to allow Members to consider the development, its context and assess the proposal against adopted Local Plan policy.

- Implications of DC Core Policy C3 and Housing Policy H7 in respect of exception sites for affordable housing and NE15 in respect of the countryside
- Outline planning permission
- Principle of development
- Design and external appearance
- Siting
- Parking provision and highway safety

Officer Recommendation

REFUSE planning permission for the reasons outlined below.

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Proposal and Site Description

Accessed from Sutton lane, this 0.26Ha site consists of agricultural land located in the open countryside, some 12.0m south of the Settlement Framework Boundary to Sutton Benger. The proposal is for the erection of seven dwellings to be managed by the Registered Social Landlord, Jephson Homes Housing Association. The dwellings are to be a mix of 2, 3 and 4 bed properties for social rent.

Twin access is proposed for a bisected parking court, around which the seven units are to be positioned in an approximate L shape.

This application is a resubmission of an earlier application for similar, which was refused planning permission under reference 08/01679/FUL. This revised scheme seeks to overcome the second of the two reasons for refusal forwarded relating to the number of parking spaces. An appeal is pending on that earlier refusal.

Relevant Planning History		
Application number	Proposal	Decision
07/0692/OUT	Development of affordable housing	Permitted 26/09/08
08/01679/FUL	<p>Affordable housing – erection of seven dwellings</p> <p>Refused for the following reasons :</p> <ol style="list-style-type: none"> 1. The proposed layout of this development will result in an expansive area of vehicle parking and manoeuvring space being presented to the road frontage, with development arranged around and to the rear of such parking. Notwithstanding the existence of a boundary hedge, which over time could be removed in whole or in part, the parking led layout of the proposal is considered to have a poor visual effect upon this gateway approach to the village of Sutton Benger. The proposal is considered to be contrary to the provisions of Policies C3 and NE15 of the North Wiltshire Local Plan 2011. 2. The development includes an inadequate number of parking spaces to serve the number and size of units proposed. As such the proposal is considered to be contrary to the provisions of Policy C3 of the North Wiltshire Local Plan 2011. <p>Informative : The applicant should be aware that it is the opinion of the Local Planning Authority that, given the extent of land under the control of the applicant, it would be possible to overcome both reasons for refusal by a careful reorganisation of parking on the site, thus also allowing for an improved presentation of built form to the road frontage.</p>	<p>Refused 30/10/09</p> <p>Appeal pending</p>

Consultations

Sutton Benger Parish Council –

“The parish council has the following concerns relating to the above application:

- (i) The site is outside the building framework of the village and we are assured by Community First’s Housing Enabler that the houses built on this rural exception site would only be used to satisfy the proven local housing need. The number of dwellings proposed relates directly to Community First’s survey of need in Sutton Benger. The plans submitted are ambiguous regarding allocation of the properties and confirmation is needed of the ruling , as assured by Community First. This is of particular concern, given that the linkage of local people in need might be changed by future legislation. The Parish Council OBJECTS to any development outside the building framework of the village UNLESS people with local connections to the village are the first priority, and considers that this must not be allowed to change in subsequent years.*
- (ii) The applicant also owns land adjoining the application site, and the Parish Council requires a rider to any permission, to avoid any future infill applications for this land.*
- (iii) There are a number of inaccuracies/omissions in the supporting technical information that need to be addressed:
 - (a) The drainage report is for the six smaller dwellings previously proposed for the site, and does not include the impact of the seventh, 4-bed property. Since Sutton Benger drainage system is already struggling, proof is needed that these properties will not make the situation worse. The Parish Council is also concerned about public foul sewer usage, which would require Wessex Water to change the requirements to give permission to connect, given that the site cannot meet the gradient requirements. This should be fully addressed by the applicant.*
 - (b) The soil chemistry (Hydrock report pp.23,35) shows some contamination, by but the Environmental Health Officers report on measures needed to address this is not included.*
 - (c) The pond and ditch assessment is not accurate, since it claims that Waterbody 1 no longer exists, despite local knowledge to the contrary, undermining the value of the whole report.”**

Wiltshire County Council Highways –

No objections subject to conditions.

Environmental Health Officer –

Final comments awaited.

Housing Enabling Officer –

Affordable Housing Need. There is a demonstrated housing need within Sutton Benger and surrounding parishes. In October 2008, the Housing Needs Register showed that 10 households had been registered on the Housing Waiting List as being in housing need in Sutton Benger and its surrounding parishes. The 2007 Parish Needs Survey for Sutton Benger identified 7 households as being in housing need for social rent, whilst Housing Needs Surveys for the surrounding villages identified a further 14 households as being in affordable housing need.

Affordable Housing Units. The need is for houses rather than flats; the application reflects this requirement and proposed a mix of 2, 3 and 4bed properties for social rent. The application proposes a ‘Code for Sustainable Homes Level 3’; the proposal also complies with the Homes and Communities (previously known as the Housing Corporation) “Housing Quality Indicators (Version 4)” as set out in

NWDC's "Revised Affordable Housing Supplementary Planning Document April 2008".

Management and Perpetuity The applicant, Jephson Homes Housing Association is a Registered Social Landlord who is regulated by the Homes and Community Agency. All affordable housing units will be owned and managed by Jephsons; therefore the rent levels will be subject to target rents for social housing, whilst management standards will reflect the Homes and Community Agency's required standards at a minimum. All units will be secured in perpetuity through a Section 106 Agreement which will reflect the Exception Site Policy requirements.

Summary. Housing Services are aware that, at time of preparing this response, some planning issues remain unresolved between the applicant and the LPA. Whilst Housing Services support the application for affordable housing in Sutton Benger in principle on grounds of demonstrated housing need, we do not intend to comment on any unresolved planning issues.

Representations

None received.

Planning considerations

Outline planning permission

Under reference 07/01692/OUT, planning permission has been granted for the development of affordable housing on a substantial proportion of this application site. The planning permission was in outline only with all matters reserved for later consideration. The permission is accompanied by a legal agreement under s106 of The Act, which secures the development as affordable housing into the future.

As is required, the 2007 outline planning permission provided an indication of the amount of development, specifying six units to be provided. Development was to be provided on a site that is smaller than that now the subject of this application.

Of principle concern at the time of the 2007 application was the fact that that site is physically divorced from the Settlement Framework Boundary. A situation that has not altered. The future use of this intervening piece of land is clearly put into question by any approval for residential development immediately adjacent to it, be it affordable or not. However, it was, and continues to be, clear that there is a high identified need for affordable housing within the locality, in the context of the status of the outstanding housing allocation for Sutton Benger (Chicken factory site) remaining unclear. It therefore cannot be relied upon to meet that identified need. On this basis it was, and continues to be, considered reasonable for this exception site to come forward for development by a recognised RSL, despite the obvious questions and problems that would be raised about the adjoining land. It does, however, mean that this site will very obviously project out into the countryside, almost certainly being the prominent built feature when entering Sutton Benger from the south.

Principle of development, design and appearance of dwellings

There is no objection to the principle of the development of affordable housing on this site. Development has been established by the previous 2007 outline planning permission. The increase in size of this application site over and above that of the earlier 2007 application site is also not a matter of

dispute.

The Housing Enabling Officer has clearly identified the local need for such housing. Need in the locality, therefore, is not disputed and consequently the number or type of dwelling proposed does not form the basis for objection.

The design, size, scale, density and massing of the proposed individual dwellings is considered to be of a reasonable quality and, as such, are not objected to.

Layout

The layout of the proposed development, with a large parking and turning area being the dominant feature around which the dwellings are arranged, has long been raised by officers as a concern, since before submission of the earlier 08/01679/FUL application.

It is considered that the proposed layout will result in a form of development that will unnecessarily present parking as the most prominent feature to the road frontage. The arrangement of built form will quite wrongly allow for otherwise well designed and proportioned dwellings to be overly dominated by parked cars and hardsurfacing. The dwellings themselves having very little presence to the road frontage.

Such parking led development is not considered to respect the future character of the site as providing the transition between Sutton Benger village, its designated Conservation Area, and its rural hinterland, thus failing the requirements of Policies C3(i) and NE15(i). This site will/should be viewed as the entrance or gateway to Sutton Benger when approaching from the south and as such it deserves better than being predominantly characterised by parked cars.

The applicant's decision not to rationalise the unusual twin agricultural access arrangements at the south-west corner of the site does seem exacerbate the shortcomings of the proposed layout. It maximises land-take in the most prominent position for the manoeuvring of vehicles. This unusual arrangement was not shown on the original 2007 outline approval.

The existence of typical mid C20th development of College Green to the north, serves only to illustrate the shortcomings of the proposed approach to layout, rather than justify it.

Parking provision and highway safety

This revised application now increases the number of parking spaces within the site compared with the previous submission. The amended plan provides for 12 no. on-site parking spaces, as is required by Wiltshire County Council. There is no reason to diverge from this view and the second reason for refusal under 08/01679/FUL has been overcome and therefore should not be reiterated in any future decision.

It should, however, be noted that the reinstatement of three parking spaces along the site boundary closest to Sutton Lane would exacerbate the effect of the visual dominance of the parking area referred to in reason 1 of the earlier 08/01679/FUL.

RECOMMENDATION :

Planning Permission be REFUSED for the following reason :

- 1 The proposed layout of this development will result in an expansive area of vehicle parking and manoeuvring space being presented to the road frontage, with development arranged around and to the rear of such parking. Notwithstanding the existence of a boundary hedge, which over time could be removed in whole or in part, the parking led layout of the proposal is considered to have a poor visual effect upon this gateway approach to the village of Sutton Benger. The proposal is considered to be contrary to the provisions of Policies C3 and NE15 of the North Wiltshire Local Plan 2011.

Informatives

1. The applicant should be aware that it is the opinion of the Local Planning Authority that, given the extent of land under the control of the applicant, it would be possible to overcome the reason for refusal by a careful reorganisation of parking on the site, thus also allowing for an improved presentation of built form to the road frontage.

2. This decision relates to documents/plans submitted with the application, listed below.

Plans:

Site location plan 1:1250
Block plan 05.16.22D
Elevations 05.16.23B
External works 05.16.24E
Landscape plan 08/10/01
Survey 05.16.20B
Landscape specification notes
Design and access statement
Extended Phase 1 habitat survey
Pond and pitch assessment
Desk study and ground investigation
Drainage statement

All received by the local planning authority 20th November 2008

Appendices:	None
Background Documents Used in the Preparation of this Report:	1.20; 2.02; 3.06; 4.02; 4.04; 5.01