

# The Charltons Parish Council

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1<sup>st</sup> December 2023

Application No: **23/02768/OUT**

Applicant: **Mr Brian Rousell**

Planning Officer: **Stanley Norris**

Proposal: **Outline application for all matters reserved except for access for the erection of 5 dwellings**

Location: **Land Os 2560 part George Street, Charlton Adam, TA11 7AS**

## **THE CHARLTONS PARISH COUNCIL (PC) OBSERVATIONS**

The PC discussed the plans for the above application at its meeting on 21<sup>st</sup> November 2023. The PC understands that with no five year supply of housing land in South Somerset, footnote 7 to paragraph 11 of the National Planning Policy Framework (NPPF) is engaged, which explains that, for applications involving the provision of housing, relevant policies are considered out-of-date where "...the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph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." As such, the tilted balance set out in paragraph 11 of the NPPF is the measure against which the proposed outline development will be assessed. This states that "For decision-taking this means...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are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: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."

In this case there are no specific policies in the NPPF that indicate development should be restricted, so an assessment must be made as to whether the adverse impacts of the development significantly and demonstrably outweigh the benefits.

There would be very limited benefits from the proposed development of five dwellings. Any contributions towards education provision, community, sport and leisure provision, through S106 obligations and CIL, would be negligible and, therefore, should be afforded little weight as a benefit of the scheme.

It is highly unlikely that the proposed development would offer benefits in terms of delivery of both market and affordable dwellings when considering the number of dwellings proposed and taking into account previous application/s submitted by and on behalf of the Applicant/land owner, in which there has been no such provision nor has the Parish received the S106 contributions from PA 16/02353/OUT, despite actions taken by SC.

Weighed against the negligible benefits outlined above, the scheme would cause particular harm. Firstly, the policy is contrary to Policy SS2 of the South Somerset Local Plan. It is understood that this particular harm can only be afforded limited weight as Policy SS2 must be considered out of date in the absence of a five year supply of housing land. Further areas of some harm are the disturbance likely to be caused during the construction phase of the development. Other areas of harm have also been identified, namely:

### **Landscape and Character.**

The significant open fields between George Street and Top Road are a distinctive part of the local heritage and landscape that provide clear demarcation between the two ancient communities of Charlton Adam and Charlton Mackrell. The site is on one of the open spaces that lie between the villages' residential pockets and is considered a distinctive landscape element that contributes to local settlement character. Thus the proposal is at variance with local settlement character and will erode one of the village's distinctive spaces.

As the Applicant states the dwellings in George Street are arranged in a linear fashion. There is no precedent in George Street, or indeed in the wider village of Charlton Adam, for a courtyard development such as is being proposed.

This development would also extend the western boundary of the village of Charlton Adam. Any development outside the current outline of the village and with the potential to expand, would cause unacceptable detriment to the rural character and appearance of the area from all approaches.

Therefore, the proposal does not respect local character and distinctiveness, thus failing to satisfy LP policy EQ2, providing landscape grounds for refusal.

### **Highway Issues.**

George Street is 9ft wide along its length from the entrance to Parks Orchard to the Ilchester Road. Two cars cannot pass each other along this stretch contrary to the assertion in para 6,20 of the Planning Statement that they can. Additionally, there are no pavements so that pedestrians must walk single file or walk on the grass verge should a car approach. George Street also suffers from surface water flooding during periods of heavy rainfall. The turning right from Ilchester Road to access George Street is just before a left-hand curve, which severely limits visibility when turning. While it can be accomplished with care there have been several near misses at this point.

While the site management plan would not normally be considered at an outline stage, because of the restricted access to the site it is important that the Applicant addresses how access during construction would be managed. As previously stated George St is a narrow unclassified road 9 feet wide with no passing places. The Applicant should explain at this stage of the process how Plant and Materials would be delivered to the site without damage to the carriageway and grass verges of George Street and Ilchester Road and how vehicles will perform a 180 degree turn to exit by Ilchester Road.

Consideration should also be given to the ability to turn and exit from these dwellings by the numerous delivery services used today. The prospect of larger vehicles carrying on up George Street and trying to negotiate the tight corner through to Chessels Lane, or going up past the Church to Top Road is a real concern.

When considering the above, insufficient information has been provided to demonstrate that the proposal would be served by a safe and suitable means of access; as such the development fails to accord with the aims and objectives of policy TA5.

### **Nutrient Neutrality.**

While it is up to other agencies to determine the suitability of the Applicants proposals the following comments may be relevant. The planning application 18/02568/FUL for a fully mobile home for an Equestrian worker on the site makes reference to a septic tank. It would seem strange that its removal for use by one person could compensate Nutrient Neutrality for five dwellings accommodating twenty or more residents.

The proposal that occupation of the dwellings should not take place until the sewage treatment works in Somerton have been upgraded assumes that these works are successful. Should they not be would there be five unoccupied houses on the site?

The erection of five dwellings will also cause sewage problems. Whilst the Charlton Adam Pumping Station has capacity to accommodate waste from additional houses it becomes overwhelmed by groundwater during periods of heavy rainfall. There is nothing in the developers' proposal or from Wessex Water which seek to overcome these issues.

### **Planning History.**

The Applicant believes that the granting of permission 18/02568/FUL for a mobile home with wheels and fitted with a tow bar so that it is still seen mobile as temporary accommodation for an equestrian worker creates the precedent that this proposal is sustainable development. Comparing a permission to install a mobile home to erecting five dwellings is stretching precedents to say the least. However, should this application be approved, it could create a precedent for the whole of the north road frontage of George Street to be developed.

When considering planning application 18/02568/FUL, the PC was assured that there is a covenant on the land which prevented development. The proposed site of the mobile home would also be within the confines of equestrian/agricultural buildings already on site. In the Design and Access Statement for 18/0256/FUL, the Agent stated that, given the specific personal circumstances, the Applicant would welcome a temporary consent. Taking this statement into consideration, the PC agreed that, if permission was granted for the siting of the mobile home, it should be on a temporary basis of no more than three years and occupation limited solely to the Head Lad, in order to give him sufficient time to find accommodation closer to the business. The change of use of land would be solely for the period of the temporary dwelling, which would be removed within three years or once the need ceases, i.e., accommodation found; the land would then be returned to mixed agricultural and equestrian. It was for these recommendations only that the PC previously recommended approval of the application.

### **The 2017 Parish Community Plan.**

The Plan contained the Guideline that residents wished to increase the housing stock in the Parish by 5% or 24 over the 10 year period of the Plan.

Since 2017 the following new dwellings have been built or approved in the Parish:

Charlton Adam - 8 completed and 35 approved, with 5 awaiting outline determination

Charlton Mackrell- 1 completed, 5 with outline permission and 9 awaiting outline determination.

Therefore if you take the baseline of 480 dwellings in the Parish in 2017 The Charltons have delivered and approved 49 dwellings, 10.2% of the housing stock and, should the applications awaiting determination be approved, this would rise to 63 dwellings 13,1%. The Charltons have more than fulfilled its obligations in provision of new dwellings with significant repercussions, whilst losing local facilities. The application refers more than once to the existence of a Post Office/convenience shop in Charlton Adam, which closed in April 2022. There is no identified need or support for additional housing.

### **Planning Balance and Conclusion.**

Given all of the above, whilst mindful of the 'tilted balance' it is considered that the identified harm is not outweighed by the minimal contribution of the proposal towards the supply of housing or public benefits. The moderate economic and social benefits of the

addition of five dwellings to housing supply is significantly and demonstrably outweighed by the adverse impact highlighted above. The proposed development therefore constitutes unsustainable development that is contrary to policies SD1, SS1, SD2, EQ2 and TA5 of the South Somerset Local Plan (2006 - 2028) and to the aims and objectives of the NPPF.

**PARISH COUNCIL RESOLUTION:** The identified harm significantly and demonstrably outweighs the benefits of the scheme and, as such, the Parish Council strongly objects to the outline plans and resolved unanimously to recommend **REFUSAL**.

Kind Regards

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Rebecca Carter

Parish Clerk

The Charltons Parish Council