

38/2003/549

BARNADOS DEVELOPMENTS LTD AND RETIREMENT VILLAGES PLC

DEMOLITION OF BLAGDON LODGE AND ERECTION OF "RETIREMENT VILLAGE" COMPRISING 72 APARTMENTS, 11 BUNGALOWS AND 11 HOUSES (INCLUDING 2 DWELLINGS IN COACH HOUSE TO BE EXTENDED) AT FORMER PRINCESS MARGARET SCHOOL SITE, MIDDLEWAY, TAUNTON

22380/23660

FULL

1.0 RECOMMENDATION

Subject to the receipt of a schedule of amendments relating to drawings submitted under cover of agents letter dated 3rd December, 2003 and further observations of the Conservation Officer the Chief Planning Officer in consultation with the Chair/Vice Chair be authorised to determine and permission be REFUSED for the following reasons:-

01 The proposal fails to provide suitable provision for affordable housing in accordance with the requirements of central government advice in PPG3 and Circular 6/98 together with Policy 35 of the Somerset and Exmoor National Park Joint Structure Plan Review and Policy H12 of the Taunton Deane Local Plan Revised Deposit (as amended).

2.0 APPLICANT

Barnados Developments Ltd and Retirement Villages PLC.

3.0 PROPOSAL

The application comprises the demolition of Blagdon Lodge to be replaced by a new amenity building/clubhouse at ground floor with eight apartments at first and second floor levels with wardens, nurses and guest accommodation at third floor level.

The five apartment blocks provide a further 64 units. The proposal also includes 11 bungalows, 9 cottages and the conversion and extension of the Lodge at the Middleway frontage to accommodate a further two units giving an overall total of 94.

All residents will have access to the communal facilities. The application is supported by a traffic assessment, an ecological survey and a landscape design statement.

4.0 SITE

The site, which is located approximately half a mile south of Taunton town centre, adjoins the Haines Hill Conservation Area and has frontages onto Middleway, Churchill Way, Fons George Road and Wilton Orchard. Blagdon Lodge is a substantial Edwardian house which fronts onto Middleway. To the south the buildings of St. Margarets School, which was built for Barnardos in the 1960s, have recently been demolished. The eastern part of the site, which slopes down towards Fons George Road, is largely undeveloped. The site accommodates a large number of significant trees, including cedar, oak, maple, whitebeam and beech.

5.0 **RECENT PLANNING HISTORY**

38/2000/230 - Demolition of former Princess Margaret School Buildings and partial demolition at Blagdon Lodge and erection of a Close Care Community Development including the erection of 52 close care units, refurbishment of Blagdon Lodge and the erection of 10 dwellings and 4 social housing units as amended by agents letters dated 14th August 2000, 20th August 2000, 20th April 2001, 8th June 2001, and 27th July 2001, and plans attached thereto. Refused 31st March, 2003 for the following reasons following failure to complete a Section 106 Agreement:-

- 01 The proposed development does not make adequate provision for safe access to the site by cyclists and is therefore contrary to Policy M1 of the Taunton Deane Local Plan Revised Deposit.
- 02 The proposed development does not meet the need for the provision of affordable housing as required by Policy H12 of the Taunton Deane Local Plan Revised Deposit.

6.0 **RELEVANT PLANNING POLICIES**

Regional Planning Guidance for the South West (RPG10) September 2001

Policy SS14: Taunton

Policy EN4: Quality in the built Environment.

Somerset and Exmoor National Park Joint Structure Plan Review 1991-2011 Adopted April 2000

The following policies are relevant:-

Policy STR1: Sustainable development

Policy STR4: Development in Towns

POLICY 35
AFFORDABLE HOUSING

Provision will be made for securing housing to meet the needs of those without the means to buy or rent on the open market. This provision shall meet an identified local need and should be available and affordable to successive occupiers.

POLICY 48

ACCESS AND PARKING

Developments which generate significant transport movements should be located where provision may be made for access by walking, cycling and public transport. The level of parking provision in settlements should reflect their functions, the potential for the use of alternatives to the private car and the need to prevent harmful competitive provision of parking.

The level of car parking provision associated with new development should:

- first, take account of the potential for access and provide for alternatives to the private car, and then,
- should be no more than is necessary to enable development to proceed.

Taunton Local Plan (Adopted March 1986)

The following policies are relevant:-

Policy H/4 New Housing on sites other than allocations

Policy H/10 Designs and Landscaping

Taunton Deane Local Plan Revised Deposit (November 2000)

The following policies are relevant:-

Policy S1: General Requirements

Policy S2: Design

Development must be of a good design. Its scale, density, height, massing, layout, landscaping, colour, materials and access arrangements will be assessed to ensure that the proposal will, where reasonable and feasible:

- (A) reinforce the local character and distinctiveness of the area, including the landscape setting of the site and any settlement, street scene and building involved;
- (B) incorporate existing site features of environmental importance;
- (C) reinforce nature conservation interest;
- (D) minimise the creation of waste in construction and incorporate recycled and waste materials;

- (E) include measures to reduce crime;
- (F) minimise adverse impact on the environment, and existing land uses likely to be affected;
- (G) include facilities to encourage recycling;
- (H) make full and effective use of the site; and
- (I) subject to negotiation with developers, incorporate public art.

Policy H1: Housing within classified settlements

Policy H11: Affordable Housing
Affordable housing is defined as:

- (A) housing that is provided, with subsidy, for people who are unable to resolve their housing requirements in the local housing sector market because of the relationship between housing costs and incomes.

The types of affordable housing which comply with the definition are as follows:-

Units for rent (the main group), shared ownership with grant or shared equity where land value is retained to provide housing for sale at below market levels and where control of the 'equity discount' can be retained in perpetuity'.

- (B) Rural local needs housing, the occupants of which are limited in accordance with Policy H13.

Policy H12:

On housing sites which meet the following criteria, the provision of affordable dwellings will be sought:

- (A) within Taunton and Wellington, the site is at least 0.5 hectare in size or is proposed for at least 15 dwellings;
- (B) outside Taunton or Wellington, the site is of a sufficient size and land value for the incorporation of affordable housing to be feasible and there is a need for affordable housing in the parish or adjoining parishes; and
- (C) occupants without the use of a car will have safe and convenient access to shopping, employment and education provision.

The provision of affordable dwellings sought on a site will be based on the overall need to provide for the identified affordable housing need. In assessing the level of provision on individual sites regard will be paid to the need to balance other important planning requirements and to any abnormal costs associated with the development of the site which would threaten its financial viability. Indicative targets for the allocated sites are set out in paragraph 3.44b.

In the Inspectors report he recommends that the thresholds be amended to relate to 1 hectare and 25 dwellings.

Policy M3a: Residential parking requirements.

Policy EN5

Development which would harm trees, woodlands, orchards, historic parklands and hedgerows of value to the area's landscape, character or wildlife will not be permitted unless adequate provision is made for tree cover to compensate for this loss.

The good management of such tree cover for nature conservation purposes will be sought.

Policy EN7

Development that would harm the character, landscape or wildlife value of important tree groups will not be permitted unless:

- (A) there is a proven overriding need in the public interest for the development; and
- (B) the development cannot be located elsewhere.

Where it is decided to permit development affecting these tree groups, planning obligations will be sought requiring developers to replace the trees with trees of equal quality and coverage.

7.0 **RELEVANT CENTRAL GOVERNMENT POLICY ADVICE**

Planning Policy Guidance Note No. 1 General Policies and Principles

Paragraphs 13 – 20 design

Paragraphs 33 – 34 access

Planning Policy Guidance Note No. 3: Housing

Paragraphs 9 – 11 creating mixed communities – influencing the type and size of housing

Paragraphs 12 – 13 assessing local housing needs.

Paragraph 14 A community's need for a mix of housing types, including affordable housing, is a material planning consideration which should be taken into account in formulating development plan policies and in deciding planning applications involving housing. Where there is a demonstrable lack of affordable housing to meet local needs - as assessed by up-to-date surveys and other information - local plans and UDPs should include a policy for seeking affordable housing in suitable

housing developments.

Paragraph 15 Local plan policies for affordable housing should:

- define what the authority considers to be affordable in the local plan area in terms of the relationship between local income levels and house prices or rents for different types of households;
- indicate how many affordable homes need to be provided throughout the plan area, including the different types of affordable housing needed by households of different characteristics, taking account of rural as well as urban needs; and
- identify suitable areas and sites on which affordable housing is to be provided and the amount of provision which will be sought.

Paragraph 16 Decisions about the amount and types of affordable housing to be provided in individual proposals should reflect local housing need and individual site suitability and be a matter for agreement between the parties. Local planning authorities and developers should be reasonably flexible in deciding the types of affordable housing most appropriate to a particular site. The objective should be to ensure that the affordable housing secured will contribute to satisfying local housing needs as demonstrated by a rigorous assessment.

Paragraph 17 The policy in this guidance on planning and affordable housing is set out in more detail in DETR Circular 6/98 *Planning and Affordable Housing*. Where a local planning authority has decided, having regard to the criteria set out in paragraph 10 of Circular 6/98, that an element of affordable housing should be provided in development of a site, there is a presumption that such housing should be provided as part of the proposed development of the site. Failure to apply this policy could justify the refusal of planning permission.

Paragraph 18 Local planning authorities should seek to meet the needs of local people for affordable housing in rural areas by making effective use of the affordable housing policy set out above. Rural affordable housing provision may, however, be augmented by an 'exception' policy. This enables local planning authorities to grant planning permission for land within or adjoining existing villages which would not normally be released for housing, in order to provide affordable housing to meet local needs in perpetuity. Local plans and UDPs should make clear whether such a policy exists and how it will be applied. Details of the rural exception policy are contained in Annex B to this guidance.

Paragraph 21 maintaining a supply of housing.

Paragraph 22 The Government is committed to maximising the re-use

of previously-developed land and empty properties and the conversion of non-residential buildings for housing, in order both to promote regeneration and minimise the amount of greenfield land being taken for development.

Paragraph 23 The national target is that by 2008, 60% of additional housing should be provided on previously-developed land and through conversions of existing buildings. Each region will propose its own recycling target to be set in RPG, which should contribute to achieving the national target. Structure planning/UDP and local planning authorities should adopt their own land recycling targets in development plans which will contribute to attaining the regional target and which are consistent with data from their urban housing capacity studies (see below). The definition of previously-developed land is given at Annex C to this guidance.

Paragraphs 52 – 53 greening the residential environment.

Paragraphs 54 – 56 designing for quality.

Paragraph 60 Car parking standards for housing have become increasingly demanding and have been applied too rigidly, often as minimum standards. Developers should not be required to provide more car parking than they or potential occupiers might want, nor to provide off-street parking when there is no need, particularly in urban areas where public transport is available or where there is a demand for car-free housing. Parking policies should be framed with good design in mind, recognising that car ownership varies with income, age, household type, and the type of housing and its location. They should not be expressed as minimum standards.

Paragraph 61 Local authorities should revise their parking standards to allow for significantly lower levels of off-street parking provision, particularly for developments:

- in locations, such as town centres, where services are readily accessible by walking, cycling or public transport;
- which provide housing for elderly people, students and single people where the demand for car parking is likely to be less than for family housing; and
- involving the conversion of housing or non-residential buildings where off-street parking is less likely to be successfully designed into the scheme

DETR Circular 6/98 Planning and Affordable Housing

Paragraphs 1 – 4

Paragraph 15 Decisions about what affordable housing types to build should reflect local housing need and individual site suitability and be a matter for discussion and agreement between the parties involved. Within that framework, local planning authorities and developers should be reasonably flexible in deciding the detailed mix of affordable housing types most appropriate to a particular site - subsidised and low-cost market housing - provided that it will contribute to satisfying a local need for affordable housing as demonstrated by a rigorous and realistic assessment of local need.

Paragraph 21 The Department's planning and affordable housing policy states that it may be desirable in planning terms for new housing development of a substantial scale to incorporate a reasonable mix and balance of housing types and sizes to cater for a range of housing needs; and that land for housing should be released on the basis that it will meet the housing needs that actually exist in the plan area. Therefore, where a requirement for an element of affordable housing is appropriate, it should be provided as part of the proposed development. The release of a site, where a local planning authority has decided that an element of affordable housing should be pursued, without ensuring the provision of that housing on the land in question, may undermine the objectives of the policy.

Paragraph 24 Where the development plan is material to a development proposal, Section 54A of the 1990 Act requires the application or appeal to be determined in accordance with the development plan, unless material considerations indicate otherwise. Where a local planning authority considers, having regard to the policy in this Circular, that certain sites are suitable for inclusion of an element of affordable housing and an applicant does not make such provision as *part of the proposed development*, such a failure could justify the refusal of planning permission.

8.0 **CONSULTATIONS**

County Highway Authority

I have no objection in principle to the proposed development. In detail the locations of the points of access on to Middle Way are acceptable. Each should be provided with 4.5 x 60 m visibility splays with no obstruction to visibility within these splays in excess of 300 mm above adjoining carriageway level. Both visibility splays to be provided prior to the occupation of any of the units on site. Under the previous application 38/00/231 the Highway Authority required the provision of a length of cycle route between the development site linking to the existing cycle network to the east of the site. This requirement is still applicable in terms of this development and as such the applicant will be required to enter into a legal agreement to secure the design, construction and funding of the footway/cycleway. With regard to the internal layout, however, whilst I have no objection in principle the

layout shown which differs from previous proposal for the site will definitely not meet the standards for adoption in terms of its horizontal alignment. As a consequence the applicant should be aware that the internal layout of the site will result in the laying out of a private street and as such is subject to the requirements of the Advance Payments Code Section 219- 225 of the Highways Act 1980.

I note the intention of the applicant to construct the roads to adoptable standards. This is set out in paragraph 4.1.6 of the Transport Statement. I assume that this comment relates to the construction detail of the roads rather than the layout shown on the drawing. I have no objection to the line taken by the applicant. However, I would advise him to speak to my colleague, Rachel Turner, to discuss these issues, as proof will need to be provided of the regime for future maintenance to ensure the appropriateness of a possible exemption under the Act.

I would also require the following condition to be attached to any consent, which may be granted in addition to those required to secure the details of access mentioned above.

1. The proposed estate roads, footways, footpaths, cycleways, us stops/bus lay-bys, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking, street furniture and tactile paving shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing before their construction begins. For this purpose, plans and sections, indicating as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority.”

County Archaeologist

“The site lies to the south of St George's church, Wilton which has Anglo-Saxon origins. It is possible that associated settlement extended into the area of the development.

For this reason I recommend that the applicant be required to provide archaeological monitoring of the development and a report on any discoveries made. This should be secured by the use of model condition 55 attached to any permission granted:

"No development hereby approved shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the local planning authority."

I am happy to provide a specification for this work and a list of suitable archaeologists to undertake it.”

Environment Agency

“The Agency has no objection in principle to the proposed development subject to the inclusion of conditions which meet the following requirements.

CONDITION: No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been submitted to and approved in writing by the Local Planning Authority. The drainage works shall be completed in accordance with the details and timetable agreed.

REASON: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.

The following informatives and recommendations should be included in the Decision Notice.

It is recommended that the developer investigates the use of Best Management Practices for drainage on this site, in order to reduce the rate of run-off and to reduce pollution. These methods consist of controlling the sources of surface water, and include;

- a) Infiltration techniques
- b) Detention/attenuation
- c) Porous paving/surfaces
- d) Wetlands.

A copy of the Agency's leaflet on Sustainable Drainage Systems has been sent to the applicant's agent for information.

Any works that would affect the flow of water in any stream or watercourse on the site would require the prior consent of the Environment Agency.

The Agency would further comment as follows:-

The District Council's Technical Services Department should be consulted to ensure that the proposal does not affect its flood defence responsibilities.”

Wessex Water

“I refer to your enquiry regarding proposed development on the above site. I enclose an extract from our record drawings showing the location of public foul sewers and water mains in the vicinity. In addition to our previous correspondence, our comments are:

Foul Drainage

The development is located within a foul sewer area.

The existing foul sewerage system has capacity to accommodate the development proposed. The precise point and method of connection can be agreed at detailed design stage.

It is further recommended you contact our Development Engineer, Peter George at the earliest opportunity, to discuss the possibilities of adoptions in line with government protocol.

Surface water drainage

The development is located within a sewer area with both foul and surface water sewers available.

The existing surface water sewerage system has capacity to accommodate the development proposed. Again, the precise point and method of connection can be agreed at detail design stage.

Water Supply

The existing water supply distribution system in the vicinity has capacity to meet the expected demand arising from the development proposed. The point of connection can be agreed at detail design stage.

Wessex Water requires connections to be made to its network at a point where capacity existing to meet the additional demand. Adequately sized mains are in Churchill Way for Phase 1 and in both Churchill Way and Middleway for Phase 2. Access is likely to require a short length of off site connecting main. It should also be noted that minimum pressures for this area should improve following trunk main alterations next year.

The cost of new mains for the development can be given when the site layout design has been finalised. A quotation can be given at that time."

Police Architectural Liaison Officer

"I have studied the above planning application and viewed the detailed drawings of the individual units. I have concerns regarding the design of the bungalows. The entrance doors of these dwellings appear to be very secluded as they are recessed into the building lines. This raises concerns regarding security and personal safety, especially as the residents are to be of 'retired' age. I would recommend that the front doors of these bungalows should be open to natural surveillance from

nearby units. I would be happy to discuss this issue with the developer, or any other relevant person, if required.”

Fire Safety Officer

“With reference to your letter dated 23 October 2003 received on 28 October 2003 and enclosed drawings numbered Jap 0111-PI 8 in respect of the above application, the details of the proposals have been examined and the following observations are made:-

1. Recommendations concerning means of escape and associated fire safety matters are detailed in the attached appendix:-

Appendix 1 Matters covered by the Approved Document Part B, Building Regulations 2000.

Appendix 2 Associated fire safety matters not covered by Building Regulations.

- (a) Matters to be complied with under the Fire Precautions Act 1971
- (b) Fire Precautions (Workplace) Regulations 1997 (as amended)
- (c) Matters to be complied with under the fire provisions of other legislation
- (d) Goodwill recommendations not enforceable under any legislation

It is confirmed that the above premises when completed and occupied will be put to a designated use under the Fire Precautions Act 1971, and copies of the following should be forwarded to the fire authority when available:

- (a) Copy of notice of passing of plans
- (b) Copy of completion certificate”

Taunton & District Civic Society

The members of the committee of the Civic Society are concerned over the fate of Blagdon Lodge. We understand that there was possibly a covenant prohibiting demolition placed on the building when it was sold; can you assure us that this has been looked into and considered fully?

We also feel that the architectural diversity of the area would suffer if this Edwardian building is pulled down before the natural end of its life, and we strongly urge you to list Blagdon Lodge before it is too late.

Landscape Officer

“Further to detailed tree proposals including: any agreement to fell two trees and replace with more appropriate species; and detailed maintenance and management proposals being agreed as reserved matters I am now content that the proposed scheme can now meet Council’s landscape and tree guidelines. “

Conservation Officer

- “1.. Decision on spot listing Bladgon Lodge awaited.
2. Street scene of Middleway required, including beyond site.
3. Sections through site, existing and proposed needed.
4. Garden room roof to New Bladgon Lodge, awkward transition pitch/conical.
5. Indication of profile of existing lodge to new would greatly assist.
6. New Bladgon Lodge, monolithic and will certainly make a presence!
7. Apartment blocks – these too are large and should not detract from the New Bladgon Lodge by competing with similar detailing. Indeed these blocks appear over articulated/busy and mansard roofs are not typical to the immediate area or indeed Somerset.
8. Cottages – pseudo chimneys appear to be louvred. What is their purpose, if any?
- 8a. By all means introduce chimneys but make those practical, or if for decoration only, site at party walls or gables and make solid.
9. Bungalows – dormers heavy and over-dominant. Deep plan, resulting in squat, wide side gables and front elevations of twin bungalows. In respect of the latter, front doors would be better expressed on the elevations.
10. Coach house and extension – work with simple form and detailing of existing. Delete part-hipped roofs.

Hope the above is of positive, initial advice.”

Environmental Health Officer

Contamination

Before any work, other than investigative work, is carried out in connection with the use hereby permitted a suitably qualified person

shall carry out an investigation and risk assessment to identify and assess any hazards that may be present from contamination in, on or under the land to which this permission refers. Such investigation and risk assessment shall include the following measures:- (a) The collection and interpretation of relevant information to form a conceptual model of the site; and a preliminary risk assessment of all the likely pollutant linkages. The results of this assessment should form the basis of any subsequent site investigations. (b) A ground investigation shall be carried out, if required, before work commences to provide further information on the location, type and concentration of contaminants in the soil and groundwater and other characteristics that can influence the behaviour of the contaminants. (c) A site-specific risk assessment shall be carried out to evaluate the risks to existing or potential receptors, which could include human health, controlled waters, the structure of any buildings and the wider environment. All the data should be reviewed to establish whether there are any unacceptable risks that will require remedial action. (d) If any unacceptable risks are identified a remediation strategy shall be produced to deal with them effectively, taking into account the circumstances of the site and surrounding land and the proposed end use of the site. (e) Submission to the Planning Authority of 2 copies of the Consultants written Report which shall include, as appropriate, full details of the initial research and investigations, the risk assessment and the remediation strategy. The Report and remediation strategy shall be accepted in writing by the Local Planning Authority and thereafter implemented. (f) If any significant underground structures or contamination is discovered following the acceptance of the written Report, the Local Planning Authority shall be informed within two working days. No remediation works shall take place until a revised risk assessment and remediation strategy has been submitted to and accepted in writing by the Local Planning Authority. (g) On completion of any required remedial works two copies of a certificate confirming the works have been completed in accordance with the agreed remediation strategy, shall be submitted to the Local Planning Authority. (h) All investigations, risk assessments and remedial works shall be carried out in accordance with current and authoritative guidance. (i) All investigations and risk assessments shall be carried out using appropriate, authoritative and scientifically based guidance (Stat guidance B.47). Any remedial works should use the best practicable techniques for ensuring that there is no longer a significant pollutant linkage. (Stat guidance C.18).

Reason: To ensure that the land contamination can be adequately dealt with prior to a new use commencing on site.

Note to Applicant

The Applicant is reminded that a Remediation Strategy should include reference to the measures to be taken to safeguard the health and safety of the workforce undertaking the remediation works and any other persons who may be affected by contaminated materials or

gases. The site investigation and report should be in line with the latest guidance. Sources of such guidance will include, although not exclusively, publications by the Department for Environment, Food and Rural Affairs (formally DoE and then DETR) the Environment Agency and the British Standards Institute. The Council has produced a Guide to the Assessment and Remediation of Contaminated Land (attached) which gives more details on the relevant sources of information available.

Construction Noise

Noise emissions from the site during the construction phase should be limited to the following hours if nuisance is likely at neighbouring premises:- Monday - Friday 0800 - 1800, Saturdays 0800 - 1300. All other times, including Public Holidays no noisy working.”

Housing Officer

“We are anxious to see social housing on this site. We require 30% of the total numbers agreed.”

9.0 REPRESENTATIONS

A letter has been received from Wilton & Sherford Community Association raising the following issues:-

“Blagdon Lodge

The Community feels that the building should be preserved in part if not in totality. The developers should be asked to utilise the building perhaps by removing two or three external walls (but retain the westerly face) and the inside completely then building on that in sympathy with the existing architecture. This would allow them to alter the building to suit their requirements. It is the belief of many that the developers have taken the most cost-effective route and arrived with the plan to demolish Blagdon Lodge. That this decision has been taken without the due consideration of its architectural and historical value to the Community that lives with the building, some of which have overlooked this building in excess of forty years. This building is a Landmark building in Wilton & Sherford. It is all too easy for developers destroy history to make way for new "better" buildings. It is also worth remembering that when Barnardos drew up the original plans Blagdon Lodge was being retained and adapted as the focal point of the village.

Apartment Block One

At an earlier meeting with the developers, they were advised that residents in Wilton Orchard were not happy with the prospect over Apartment block One overlooking them. They were led to believe that the developers would reduce the height of 14.5 metres and move the

building further from the boundary. Looking at the plans, the height has certainly reduced by 4 metres but the building remains in the same spot. On the north face we have kitchen windows and lounge diner windows that directly overlook the gardens of Wilton Orchard. These residents are going to lose the privacy of their own gardens that they normally enjoy when you consider that usually it would be bedrooms of a house that would overlook gardens, places where people do not often sit to watch the world go by. If this building goes ahead in its current position these residents will be deprived of their gardens as without the privacy that they have now, they will refrain from using them. The block of flats is too close to other their properties, perhaps only narrow windows on the north face would help.

Social Housing

There has been no provision made for Social Housing in this application. It is clear that there is a need for social housing among the elderly. Why not here? The residents would like to know what the Council is proposing in the way of Social Housing and this development.

Retirement Village

Residents are of the opinion that the Village is not the right development for the area as the area is already predominantly retired where is the new housing for the young families?

It is also a concern that these flats etc will be filled with people from outside of Taunton Deane, i.e. moving in from London and the Home Counties. A needs to be made that preference is given to those already residing within Taunton Deane and that a percentage, say 75% should be held only for this purpose.

The village that will enjoy fine services and facilities has no provision to allow use of these by the local retired Community, this is as important as social housing. (Doctors, hairdressers, library, restaurant, shop). We would like to see this include our local retired residents.

What is being suggested here is a segregated Community. As the Chairman of the Association, I feel as do our residents that if this village goes ahead, then it is vital that they become part of our Community and not a separate entity and that measures be in place to establish and protect this.

Entrance & Exit

Residents are very concerned at the proposed entrance and exit on Middleway. We can see from the plans that some adjustments have been made such as widening the opening and reducing the height of the boundary walls to help with visibility. However, consideration must

be given to the fact that this entrance is at the narrowest point of Middleway and that it is right by a blind spot there is also residents parking opposite. Vehicles regularly travel in excess of the thirty miles an hour limit on this road and we should be actively seeking ways to reduce this and to protect the community and the retired residents of this village. A small roundabout would go a long way to easing this situation though this would mean that the developers would need to "give up" some land to achieve this but the end result would help protect residents of the village and slow down traffic in Middleway. Alternatively another place for the opening should be considered.

General Observations

The development is quite dense and not in keeping with the surrounding area where low density estates have been established.

Why have Blocks of flats been placed on high ground and Bungalows and cottages on low ground? Surely this should be the other way round.

Is sympathetic planting being used to reduce the impact of these blocks of flats? If not can we incorporate some?

Summary

The developers need to revisit some key areas on the plan to make adjustments and allowances for the concerns of the resident's of Wilton & Sherford. Whilst the resident's and the Association understand the need for Barnardos and the developers to realise the "maximum amount of profit from this site, it is felt that this should not be at the cost of the local Community and the effects that this development will have on it. The development should be in sympathy with the area and its residents.

It is felt that this site is certainly in need of development but question whether this is the most appropriate way forward.

During the development of this site in whatever guise is finally approved the association would request that because of the extensive "on road parking" of Middleway that vehicles using the site travel South on Middleway and West on Sherford Road. We would also request that a vehicle wash down facility be installed to prevent the depositing of mud on Middleway from these vehicles.

The points above are points raised at a public meeting held 27th October 2003 in Wilton Church Hall. Should you need to discuss any part of this letter then please feel free to contact me on the above number and I will be happy to discuss the points with you.

I would like to attend the planning meeting for this application and kindly ask that you notify me of the date for the hearing. I would also request that you notify all of the residents on roads that adjoin the property, i.e. Churchill Way, Haines Hill, Middleway, Wilton Orchard and Fons George as I am sure they also would like to attend.”

14 individual letters have also been received raising the following concerns:

1. entrance is unsuitable for large vehicles;
2. vehicles currently speed past site;
3. access should also be provided for Churchill Way;
4. timescale for works should be restricted;
5. construction vehicles should not park on highway;
6. noise levels should be restricted;
7. central facilities should be completed before all units constructed;
8. some of the units should be restricted to local residents;
9. buildings do not complement the area; will put pressure on services;
10. car ownership figures question; loss of significant number of trees;
11. Blagdon Lodge should be retained;
12. lighting levels should be kept low;
13. overlooking and visual impact upon properties in Wilton Orchard from Block One;
14. taller units should be on lower land;
15. density proposed is excessive;
16. no social housing proposed;
17. should be minimum of 10 m between buildings and boundary;
18. an exclusive gated residential scheme is inappropriate;
19. will encourage elderly from areas other than Taunton;

- 20. buildings out of scale;
- 21. impact on bat colony.

10.0 **PRINCIPAL ISSUES FOR CONSIDERATION**

- A. Should the demolition of Blagdon Lodge be permitted?
BLAGDON LODGE
- B. Is the bulk, form and design of the proposed buildings appropriate in this location? DESIGN
- C. Does the development result in demonstrable adverse impact on neighbouring properties in terms of loss of light and overlooking? IMPACT
- D. Does the proposal meet the requirements of the Council's policies in respect of affordable housing? AFFORDABLE HOUSING
- E. Does the proposal meet the principles of sustainable development? SUSTAINABILITY

A. Blagdon Lodge

The building was built in the early 20th century and is a significant feature within the Middleway street frontage. However, unless the building is considered to be of listable quality, refusal on the grounds of its loss could not be sustained. The building has recently been inspected by English Heritage who concluded that "architecturally Blagdon Lodge is unexceptional and well below the standard required for listing a building of this period." Their report in full is attached as Appendix A.

B. Design

A number of the concerns raised by the Conservation Officer appear to be addressed in the revised submissions, although a schedule is required before this can be assessed in full. Whilst the design of the various buildings, and in particular the larger apartment blocks, are quite different from existing buildings in the area, this development is of a scale and nature that it is not inappropriate that it should have an appearance and character distinct from the more traditional residential development in the locality.

C. Impact

The proposal will have little or no impact upon properties in Churchill Way or on the opposite side of Middleway. As can be seen from the representations section of this report concerns have been raised in respect of overlooking from apartment block one of the rear of

properties in Wilton Orchard. Apartment block one is two storey in height, but also contains a third floor within the mansard roof. Whilst there are windows in the side of the building that face the adjoining properties, the building is located in approximately 10 m from the boundary. This together with the length of gardens of the relevant houses in Wilton Orchard lead to a conclusion that the proposal is acceptable in terms of impact.

D. Affordable Housing

The proposal makes no provision for affordable housing. The applicants have provided a justification of why they do not intend to make provision. This is attached as Appendix B. At face value, a development of this scale clearly triggers the need to provide an element of affordable housing in accordance with Policy H12 of the Taunton Deane Local Plan Revised Deposit which is in conformity with advice in PPG3 and Circular 6/98. In response to an objection by McCarthy and Stone the Local Plan Inspector has stated that “sheltered schemes should not be excluded from the requirement to provide affordable homes. However, where they are appropriate the level of any requirement will depend on the analysis of issues such as the suitability of the site, the particular costs associated with the development, and where other planning objectives would be prejudiced.” The Housing Officer’s suggested figure of 30% would appear reasonable and accords with previous requests in relation to similar schemes.

Whilst there clearly is an unfulfilled need for additional elderly persons accommodation within the Borough, a significant element of that need will be for rented accommodation. Neither central government advice nor the relevant development plan policies give any indication that it is inappropriate to seek affordable housing from proposals for elderly persons accommodation. The Local Plan Inspectors comments gives further backing to this view. The case referred to the applicant related to a single building, where the issues of accessibility to central services may cause a problem. However, this proposal for a number of separate buildings would allow for the affordable housing occupants to be easily accommodated without such concerns arising. In any case, if it were to have been felt that this were an insurmountable problem in this instance, an alternative would be to provide for off-site provision in the form of a commuted sum.

E. Sustainability

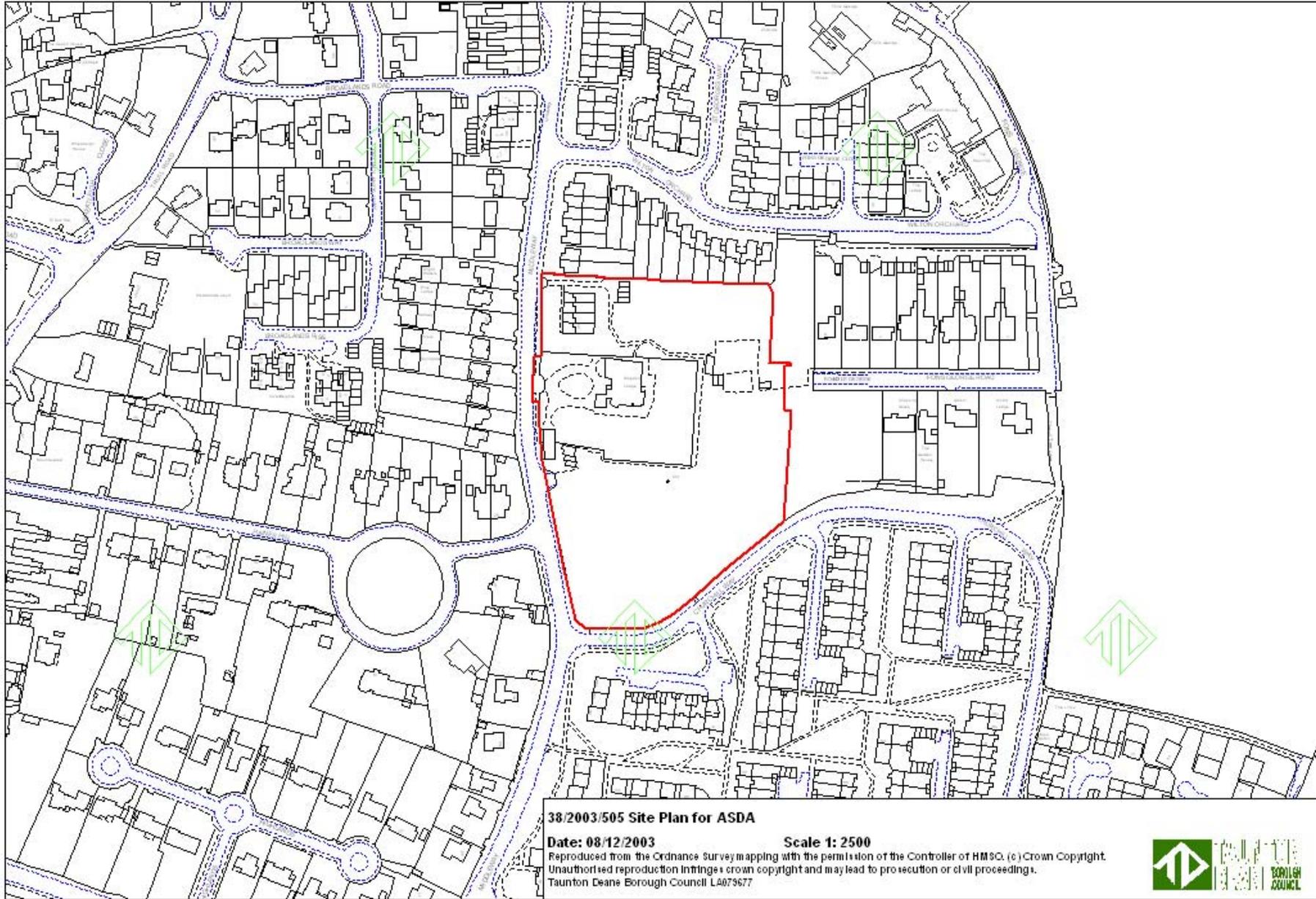
The site will be within walking distance of the town centre for more active occupants. The provision of on site care facilities will also reduce the need to travel. It is therefore appropriate to limit car parking provision on the site. However, the potential loss of prominent trees as set out in Section E is a concern in terms of sustainability.

11.0 **CONCLUSION**

The site is suitably located for the type of development proposed. Subject to detailed assessment of revised proposals it is concluded that the proposal is acceptable in terms of its design, form and density. However, it is imperative that this site makes suitable provision for affordable housing in accordance with the Council's policies.

In preparing this report the Planning Officer has considered fully the implications and requirements of the Human Rights Act 1998.

CONTACT OFFICER: Mr T Burton Tel: 356464



38/2003/505 Site Plan for ASDA

Date: 08/12/2003

Scale 1: 2500

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Taunton Deane Borough Council LA079677



APPENDIX A

English Heritage (Listing)

Inspector's Advice Print

02 DEC 2003

ADDRESS

Blagdon Lodge, MIDDLEWAY, TAUNTON

Parish TAUNTON
District TAUNTON DEANE
County SOMERSET

Case UID: 155492

Date First Listed:

Formerly Listed As:

RECOMMENDATION

Inspector: Mr P Chapman

Outcome: No, do not list

Recommended Grade: NL

02-DEC-2003

Advice Comments/Reason for No Previous Listing:

Reason For Decision: I have looked at all the papers on this file and other relevant information and have carefully considered the architectural and historic interest of this case. In my view The criteria for listing are not fulfilled.

Blagdon Lodge was built in 1906, according to two inscribed foundation stones on the building. It is a large Edwardian villa designed in a Domestic Revival style derived from Shaw's and Nesfield's houses of the 1870s, but Blagdon Lodge was built so much later even than the 1880s and '90s when this style became fashionable. By the early years of the C20 the style was usually only adopted by much less capable architects and that would certainly appear to be the case here at Blagdon Lodge. While it is interesting that it was designed quite intentionally to appear as though it were built in two phases, a feature of many Domestic Revival houses, architecturally Blagdon Lodge is unexceptional and well below the standard required for listing a building of this period. The principal interior features are the inglenook in the drawing room and the staircase with an arcade screen in the hall, both typical features of this style of house, but remainder of the interior has been altered and does not contribute much to the architectural character of the house.

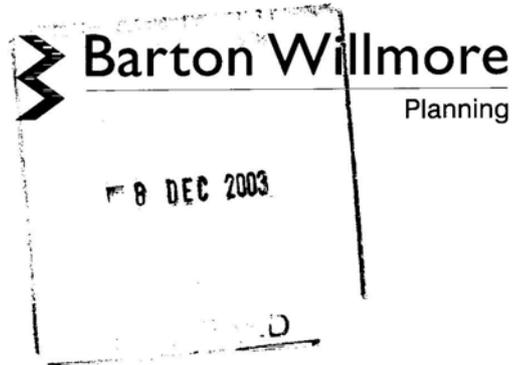
Decision Precis:

VISITS

28-NOV-2003 Internal

APPENDIX B

The Barton Willmore Planning Partnership - Eastern
35 Kings Hill Avenue, Kings Hill, West Malling
Kent ME19 4BW
Tel 01732 845845 Fax 01732 223808
e-mail: planning.eastern@bartonwillmore.co.uk



Taunton Deane Borough Council
The Deane House
Belvedere Road
Taunton
Somerset TA1 1HE

For the attention of Tim Burton

By post and email

12419/A3/PMC/vl/jc

2 December 2003

Dear Sir

PRINCESS MARGARET RETIREMENT VILLAGE, MIDDLEWAY, TAUNTON, SOMERSET

I am writing in relation to your request that the applicant considers the provision of affordable housing in relation to the above development.

The proposed retirement village would meet a clearly identified need for a particular type of housing in the Taunton area i.e. for the population aged 55 and over. This need should, therefore, be addressed by granting planning permission for a retirement village. This provision is not for 'special needs' housing but falls within the role of land use planning to meet the requirements of a particular section of the community.

In terms of demographics, the need for retirement housing in Taunton is demonstrated as follows:

- (a) The population of the UK is growing older. The 2001 Census shows that over 12 million people in the UK (21% of the population) are now aged 60 and over and there is an increase in life expectancy, which leads to an increasing proportion of the population living to be over 95.
- (b) Taunton Deane Housing Needs Survey, 2002, points out at paragraph 1.7 (page 7) that:

'the most significant change (in the population of the Borough) is the major increase of 8,600 in the numbers of people aged over 65.'



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and

‘The ‘older’ retirement group, those 80 and over, grows by 30.7%, 1,600 more people by 2011.’

and

‘This group (aged 80 and over) represents 6,800 people in the Borough by 2011 who are much more likely to have care and support needs which should now be addressed in detail.’

In terms of the existing housing stock, I note that there is a short supply of private sector housing specifically designed for the active elderly in Taunton.

In the light of demographics and existing housing stock in Taunton, it is clear that there is insufficient appropriate residential accommodation for the population aged 55 years and over.

The retirement village will provide a central facilities building (The Clubhouse) which provides facilities such as restaurant, doctor’s surgery, warden and matron facility, snooker room, library and card room. The Village provides opportunities to engage in hobbies and other leisure activities. These facilities comprise some elements of the care and support needed by the elderly as identified in the Taunton Deane Housing Needs Survey, 2002.

The Retirement Village would provide an appropriate mix of dwelling sizes and types, reflecting the existing and growing need for smaller accommodation for the elderly in Taunton.

The proposed development of a retirement village would not only make a significant contribution towards meeting the local demand for such residential properties, it would also help make better use of the existing housing stock to meet the needs of the community. The resultant transfer of population would make available existing general market housing in the Taunton area currently occupied by potential retirement village residents.

In terms of the affordability of the new housing, it is expected that the residents of the retirement village will be ‘trading down’ in their move from large family houses to apartments. The affordability of accommodation relates to the fact that the retirement accommodation will be less expensive (on a price per square foot basis) than the larger general market housing in Taunton from which the majority of residents will move.

The management regime and specialist support services provided are funded by the provision of a service charge. Without a satisfactory level of income these essential services would be compromised. In this regard, I consider that the retirement village proposal is an integrated concept whereby each resident needs to take equal share of the financial responsibility (i.e. the service charge) to ensure that the high standards of medical care and supervision and site management are maintained. In order to fund these support services it is essential that a retirement village of not significantly less than that currently proposed is provided.

Revised Deposit Taunton Deane Local Plan (November 2000) at Policy H11(b) defines affordable housing as including low cost market housing. Policy H12 seeks the provision of affordable dwellings on housing sites in the Borough, subject to certain criteria. The policy is based on the need to provide a balanced range of house types:

'... while retaining other important planning requirements.'

Planning Policy Guidance Note Number 3 (PPG3 - Housing) (March 2000) at paragraph 13 urges local authorities to prepare assessments of housing need. It is stated these assessments of need:

'... should include affordable housing and housing to help meet the needs of specific groups - the elderly, the disabled ...'

Circular 6/98 - Planning and Affordable Housing, at paragraph 10(i) states that the following criteria should be taken into account in assessing the suitability of sites for affordable housing:

'Whether the provision of affordable housing would prejudice the realisation of other planning objectives that need to be given priority in the development of the site.'

At a recent (17 September 2003) McCarthy and Stone appeal decision it was held in a scheme of 33 sheltered apartments in one block, that it would be difficult in terms of the subsequent management of the scheme, to incorporate both social and market housing in the one block. This was because of the differing levels of access to facilities between the two types of resident. A similar problem would arise at the retirement village because of access to the central facilities buildings. This would be contrary to paragraph 10 of Circular 6/98.

We believe it is inappropriate to provide Social Housing within the retirement village, for the following reasons:

- The Village is an opportunity to give greater choice in terms of the mix and type of housing as required by PPG3 (paragraphs 2 and 10) and to provide for the needs of a specific group (PPG3, paragraphs 11 and 13).
 - The Local Plan (Revised Deposit) includes low cost within the definition of affordable. The retirement village provides a number of apartments which are a special form of lower cost housing meeting the needs of a specific group.
 - The provision of Social Housing within the retirement village would prejudice the achievement of other planning objectives including the communal provision of facilities. This would be contrary to paragraph 10 of Circular 6/98.
 - The retirement village provides facilities for those who have care and support needs as identified in the Taunton Deane Housing Needs Survey (2002) and as such is already contributing to an identified housing need. As such it is inappropriate to have to contribute towards Social Housing in addition to meeting the identified special housing needs of the Borough.
-

- Concentrating the retired into one retirement village location enables certain efficiencies to be secured in the delivery of social and medical support services for the elderly.

As you are aware Barnados, who own the site, are a 'not for profit' charity. The remit of Barnados is to provide facilities for all sectors of the Community including both children and the elderly. Any income Barnados secure from the proposed development will, therefore, go back into the provision of social facilities for the Community, for example the Somerset Inclusion Scheme. Your members may wish to bear this in mind when assessing whether the provision of social housing at the site would prejudice the realisation of other planning objectives.

I trust your Council will be able to take these points into consideration when the application is determined in due course.

Yours faithfully



PAUL McCREERY

cc Jim Pegg : Barnados Developments Limited
 Bill Gair : Retirement Villages plc
 Mike Wright : SDA Jackson Calvert
