

42/2007/060

SUMMERFIELD DEVELOPMENTS

OUTLINE APPLICATION FOR ERECTION OF 58 AFFORDABLE HOMES AND ASSOCIATED PARKING ON LAND WEST OF COMEYTROWE ROAD, TAUNTON

320959/122614

OUTLINE APPLICATION

1.0 RECOMMENDATION

Permission Be REFUSED for reasons of

1. The proposed development of agricultural land in the countryside outside the settlement limits would be harmful to the character of the area and be contrary to policies S7, S1(D) and EN12 of the Taunton Deane Local Plan and policy STR6 of the Somerset and Exmoor National Park Joint Structure Plan Review.
2. The proposed development is considered to be in an unsuitable location that would foster the growth in need to travel by car contrary to policies STR1 and STR6 of the Somerset and Exmoor National Park Joint Structure Plan Review, policy S1(B) of the Taunton Deane Local Plan and TRAN1 of RPG10.
3. The increased use of the sub-standard lane by additional traffic and the potential for conflict between vehicles and pedestrians would create a significant increase in highway safety hazards on Comeytrove Road contrary to Somerset and Exmoor National Park Joint Structure Plan Review policy 49 and Taunton Deane Local Plan policy S1(A).
4. The lack of adequate surface water drainage provision for the site may lead to additional surface water run-off and flooding in the area contrary to PPS25.
5. The proposal would result in a piecemeal development of an area that has been identified as being suitable for a strategic urban extension, which may be identified within the emerging RSS, and its development would potentially undermine the comprehensive planning of the strategic infrastructure required to enable the area's development.

2.0 APPLICANT

Summerfield Developments (SW) Ltd.

3.0 PROPOSAL

The application is an outline proposal for 58 affordable dwellings and parking on 1.02 hectares of land west of Comeytrove Road. The submission includes a Transport Assessment, a Flood Risk Assessment, an Ecological Survey a Statement of Community Involvement and a Design and Access Statement.

As the application is in outline the agent has submitted indicative plans showing groupings of terraced properties including 12 x 2bed flats, 10 x 3bed houses and 36 x 2bed houses. Parking is proposed on a one for one basis with 14 visitor spaces.

The submitted Design and Access Statement makes the case for the development and can be summarised as follows:

There is a shortage in the necessary 5 year supply of developable land to meet the growing need.

The Ark Consultants report concluded housing need was now in excess of 564 units district wide. Provision has fallen with an average of 70 units/year over the last 5 years so need is now "ACUTE". The only land that can be brought forward is departure or exception site land where land cost is reduced.

Policy S7 of the Local Plan allows development if it accords with a development plan policy and policy H11 deals with Rural Local Needs Housing.

The proposal is to provide 100% affordable houses on site to be sold freehold at an agreed discount to open market value. In order to maintain their affordability the properties will be sold with the agreement that the same percentage discount will apply to all future re-sales. The scheme will be subject to a Section 106 Agreement to secure the availability of the dwellings in perpetuity for those in housing need.

4.0 THE SITE

The site measures 1.02 hectares and is located on the western side of Taunton and consists of agricultural land outside the settlement limit. The land is raised 1-2m above road level, is enclosed by hedgerows and slopes from the south west to the north-east, towards the road. An existing public footpath runs parallel to the southern boundary of the site and links to a further footpath on the south west corner of the site. The proposal occupies approximately two thirds of the field and access is proposed off Comeytrove Road opposite the properties at Overlands and Jubilee Terrace.

5.0 RELEVANT PLANNING HISTORY

None

6.0 RELEVANT PLANNING POLICIES

Regional Planning Guidance for the South West (RPG 10)

Policy SS5 – Principal Urban Areas

Policy SS14 - Taunton

Policy SS19 – Rural Areas

EN1 – Landscape and Biodiversity

EN4 – Quality in the Built Environment

EN5 – Health, Education, Safety and other Social Infrastructure

TCS2 – Culture, Leisure and Sport
HO3 – Affordable Housing
HO6 – Mix of Housing Types and Densities
TRAN1 – Reducing the Need to Travel
TRAN3 – The Urban Areas
TRAN10 – Walking, Cycling and Public Transport
RE2 – Flood Risk

Regional Spatial Strategy – The Panel Report on the Draft RSS has recently been issued and the Panel has identified a number of Policy amendments. Relevant policies are:

SD1 – The Ecological Footprint
SD2 – Climate Change
SD4 – Sustainable Communities
Policy A – Development at the Strategically Significant Cities and Towns
Policy G – Sustainable Construction
SR6.4 – Housing Provision – this sets a housing figure for Taunton of 11,000 within the existing urban area, 4000 dwellings within an area of search to the north east of Taunton and 3000 dwelling is an area of search to the south west of Taunton.
H1 – Affordable Housing – Within the 28,000 dwellings per annum (at least) required for the region, the aim should be to provide for at least 10,000 affordable homes per annum in the period to 2026. Policy provision should accordingly be made for at least 35% of all housing development annually across each local authority area and Housing Market Area to be affordable, with Authorities specifying rates of 60% or higher in areas of greatest need.

H2 – Housing Densities

F1 – Flood Risk

RE5 – Renewable Energy and New Development

Somerset and Exmoor National Park Joint Structure Plan Review
Policies Saved in accordance with Direction under paragraph1 (3) of schedule 8 to the Planning and Compulsory Purchase Act 2004.

STR1 - requires a sustainable approach to new development, minimising the length of journeys and maximising the use of public transport, cycling and walking; conserving the biodiversity and environmental assets of an area and ensure access to housing employment and services.

STR6 - controls development outside of settlements to that which benefits economic activity, maintains or enhances the environment and does not foster growth in the need to travel.

Policy 5 - safeguards the landscape character of an area with particular attention to distinctive landscape, heritage or nature characteristics.

Policy 14 - development proposals should ensure that protection of archaeological remains is undertaken.

Policy 33 – Housing requires Taunton Deane to provide for about 10,450 dwellings up until 2011.

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. The provision shall meet an identified local need and should be available and affordable to successive occupiers.

Policy 49 – Transport Requirements of New Development requires all development proposals to be compatible with the existing transport network and, if not, provision should be made to enable the development to proceed.

Policy 50 - Traffic Management.

Adopted Taunton Deane Local Plan Saved Policies

S1 – General Requirements.

S2 - Design.

S7 - Outside of defined Settlement

Outside defined settlement limits, new building will not be permitted unless it maintains or enhances the environmental quality and landscape character of the area and:

- (A) is for the purposes of agriculture or forestry;
- (B) accords with a specific development plan policy or proposal;
- (C) is necessary to meet a requirement of environmental or other legislation; or
- (D) supports the vitality and viability of the rural economy in a way which cannot be sited within the defined limits of a settlement.

New structures or buildings permitted in accordance with this policy should be designed and sited to minimise landscape impact, be compatible with a rural location and meet the following criteria where practicable:

- (E) avoid breaking the skyline;
- (F) make maximum use of existing screening;
- (G) relate well to existing buildings; and
- (H) use colours and materials which harmonise with the landscape.

H9 - Affordable Housing within General Market Housing

H11 – Rural Local Needs Housing

As exceptions to H2, small affordable housing schemes which meet the local community's needs for affordable housing will be permitted on sites where housing would not otherwise be permitted, either within or adjoining the identified limits of villages and rural centres, provided that:

- (A) there is a local need for affordable housing, defined as the presence of households in need of affordable housing in the following categories:
 - (1) households living or including someone working in the parish or adjoining parishes currently in overcrowded or otherwise unacceptable accommodation;
 - (2) newly formed households living or including someone employed in the parish or adjoining parishes;
 - (3) households including dependants of the households living in the parish or adjoining parishes; or
 - (4) households including a retired or disabled member who has lived or worked in the parish or adjoining parishes for a total of five or more years;
- (B) the site proposed is the best available in planning terms and would not harm the character and landscape setting of the settlement more than is justified by the housing need to be met;
- (C) satisfactory arrangements are made to secure the availability of the dwellings in perpetuity for occupiers who are in a category of need as defined in criterion (A), or other genuine housing need only where this is necessary to secure full occupation of the scheme;
- (D) the proposal does not incorporate high value housing to offset a lower return on the affordable housing; and
- (E) the layout and design of the scheme conforms with policy H2.

M4 - Residential Parking Requirements

M5 - Cycling

C1 – Education Provision –

New housing development which generates a significant need for statutory education provision (for children aged 4-16) will be permitted provided that:

- (A) existing statutory education provision within reasonable distance of the development sufficient spare capacity to meet the additional need generated by the development; or
- (B) new permanent provision within a reasonable distance necessary to

accommodate the additional need generated by the development is:

- (i) firmly programmed in the Local Education Authority capital programme; or
- (ii) provided by the development.

In the event of the increased demand for open space not being met by existing facilities, developers of new housing, on sites of six or more dwellings, will provide landscaped and appropriately equipped recreational open space in accordance with the following standards:

- (A) children's play space: 20 square metres per family dwelling to comprise casual play space and LEAPS and NEAPS to the required standard, as appropriate. This standard excludes space required for noise buffer zones;
- (B) adequately constructed and equipped public playing fields: 45 square metres per dwelling. This standard excludes space required for noise buffer zones;
- (C) formal parks, gardens and linear open spaces as required by particular Local Plan allocations;
- (D) in the case of small groups of housing where the site is too small for provision of playing fields or children's play space on-site, or where it is physically unsuitable, off-site provision will be sought; and
- (E) developers will be required to arrange for maintenance of the recreational open space.

C12 - Renewable Energy

EN6 – Protection of Trees, woodlands and hedgerows

EN12 - Landscape Character Areas

EN26 – Water Resources

EN28 – Development and Flood Risk

T1 - Associated Settlements

7.0 RELEVANT CENTRAL GOVERNMENT ADVICE

Planning Policy Statement 1 – Delivering Sustainable Development (PPS1)

- Paragraph 13 - Key Principles
- Paragraph 16 - Social Cohesion and Inclusion
- Paragraph 17 & 18 - Protection and Enhancement of the Environment
- Paragraph 27 - Delivering Sustainable Development – General Approach
- Paragraph 33 – 39 - Design

Planning Policy Statement 1 – Supplement on Climate Change

Planning Policy Statement 3 : Housing (PPS3)

Paragraphs 23 and 24

Paragraphs 27 – 30

Planning Policy Statement 7 : Sustainable Development in Rural Areas (PPS7)

Paragraph 1 - Key Principles

Paragraphs 8 and 9 - Housing

Planning Policy Guidance Note 13 : Transport (PPG13)

Paragraphs 12 – 71 - Housing

Paragraph 19 - Accessibility

Planning Policy Guidance Note 17 Planning for Open Space, Sport and Recreation

Planning Policy Statement 22: Renewable Energy

Planning Policy Statement 25 Development and Flood Risk

8.0 CONSULTATIONS

FOOTPATHS OFFICER: The public footpaths T29/12 and T29/12A will be affected by the proposals.

LANDSCAPE OFFICER

The proposals are in open countryside and contrary to EN12. My other major concern is the loss of the important roadside hedgerow and lack of proper landscape mitigation.

NATURE CONSERVATION OFFICER

The report dated August 2007 concluded that the hedgerows and mature trees on site provide nesting opportunities for a variety of birds. Resident species noted include dunnock, great tit, blackbird, robin, blue tit, wood pigeon, wren and chaffinch. No badger sett was found but paths potentially used by badgers plus a latrine were noted. None of the trees were considered to hold potential for bat roosts. The tree line and hedgerow are potential foraging site and commuting routes for bats. Where trees of hedge need to be removed they should be checked for wildlife in advance. I suggest conditions re site clearance, badgers and further survey work if no commencement in a year of the survey and noted re bats, birds and badgers.

HOUSING ENABLING MANAGER

Supports the application on the basis of need for affordable housing in the borough. I would like to see a mix of discounted housing held in perpetuity and social rented on this scheme. This application to provide affordable homes in the immediate and surrounding parishes will help address the need. This Council should receive full nomination rights.

DRAINAGE OFFICER

I refer to the comments made regarding the treatment of surface water disposal in the Drainage Statement dated December 2007. I note the recommendation is to discharge flows to a receiving watercourse following on site attenuation and this method of treatment is acceptable. Any scheme should be SUDs compliant as required by PPS25. A condition should be attached to any approval that full details of the surface water disposal should be agreed with the Authority before any works commence on site. These should include details of how long term on going maintenance and operational costs are to be achieved. If the intention is that this Authority is included in any maintenance regime etc, then commuted sums will be required and the Council's Leisure Development Manager should be consulted.

ARTS OFFICER

All developments in excess of 15 residential units or 2500 square metres (gross) of commercial floorspace will be required to contribute towards the provision of public art and public realm enhancements by commissioning and integrating public art into the design of buildings and the public realm or through a commuted sum to the value of 1% of development costs. This therefore applies to the Reed Holland Associate application for a 58 dwelling development site in Comeytrove Road, Trull. They will be expected to include a Statement of Intent regarding public art or public realm enhancement in their Access Statement.

LEISURE DEVELOPMENT MANAGER

In accordance with policy C4 provision for play and active recreation must be made. The play area shown on the illustrative plan is far too small and too close to houses. The minimum size for an on-site play facility is 400sqm and a site of this size needs to provide 1160sqm. We would however prefer to take an off-site sum to be spent at the existing local play area where it can be used to upgrade the facilities to accommodate the additional use. A contribution towards borough wide outdoor recreation should also be requested. All contributions to be index linked.

FORWARD PLAN UNIT

This proposal involves the development of an unallocated greenfield site beyond the defined limits of a settlement, where there is strict control of new development.

New housing is not normally permitted unless it meets one of the limited number of exceptions to the policy of strict control. One of those exceptions is in relation to affordable housing needed to meet local needs (TDLP policy

H11), but that policy only applies to villages and rural centres, whereas the application site is on the edge of Taunton. The proposal is, therefore, contrary to the Local Plan.

Other material considerations can justify the approval of development that is not in accordance with the Development Plan. In this case there are two matters to be considered:

- in the light of increased housing requirements in the emerging RSS, the need to maintain a five year supply of deliverable sites available for housing as required by PPS3; and
- the low level of affordable housing completions compared to the scale of identified needs.

In relation to the first of these my view is that although there is currently a five year supply of sites there is, nevertheless, a case for granting planning permission on a limited number of suitable unallocated sites in order to ensure that required rates of housing delivery are achieved, and that a five year supply of deliverable sites is maintained into the future.

There is also a strong case for permitting suitable proposals that will increase the supply of affordable housing, given the significant shortfalls that have occurred against the required rate in most recent years.

Thus there is a general case in favour of the proposal. The next issue is whether the site is appropriate.

In this respect I believe that there are three significant objections in principle to the current proposal:

- The site is poorly located in relation to employment, services and facilities, and is not well served by public transport or safe links for pedestrians or cyclists to the nearest facilities.
- The site is located within a wider area that has been identified as being suitable for a strategic urban extension, which may be identified for development within the emerging RSS. This proposal would be piecemeal development which would undermine the comprehensive planning of the wider area, and would not contribute to the provision of the strategic infrastructure required to enable the area's development.
- Although the scale of affordable housing needs in Taunton is sufficient to justify the number of dwellings proposed, the site's poor location, as described at the first bullet point, above, make it particularly unsuitable for affordable housing.

On balance, I consider that the objections to the site outweigh the general case for additional sites for both open market and affordable housing, and that the proposal should not be supported.

CIVIC SOCIETY

The Civic Society object to this outline application. The site is outside of the settlement boundary. While this automatically means that the application fails

to meet Policy S7, the fact that it is adjacent to the settlement robs this potential objection of much force.

Our main objection is based on our assessment that the development is too large to be considered as a minor exception, and that if it came into existence it would act as a barrier to rational planning of any future urban extension in this area of the Borough. We therefore believe it constitutes a threat to the future usability of land in this area that is already identified as a possible urban extension zone.

It is also far too small to justify or adequately contribute to the roadworks etc necessary to make the site acceptable for development. Comeytrove Road is very narrow and does not allow pedestrians and traffic to co-exist comfortably.

We note that access to bus services requires a foot journey to the Honiton Road (via two right angle bends in Comeytrove Road with no footway) or into Galmington (narrowest part of Comeytrove Road, without footways).

The additional foot traffic that may be generated, especially by children attending schools in Trull or Galmington, plus the additional vehicular traffic generated, will we believe mean that this proposal fails to meet Policy S1 (A&B).

We consider that nothing short of continuous footways, wide enough to accommodate taking a pedestrian and something like a twin buggy side by side (ie. Passing each other) to both Trull and Galmington with a minimum of road crossings would make this site acceptable for occupation by families.

We have a further objection in that it is a 'closed' plan, with one road exit, entirely made up of affordable housing. This concentration must be socially undesirable: we believe affordable housing should be distributed much more evenly within a community.

Many of the reasons for objection given above would not be changed even if there were a very considerable reduction in the number of dwelling proposed. However, in addition to the other reasons for rejection we believe that this is not justified by local needs for affordable housing, which considerably less than 58 dwellings.

Therefore we believe that in addition policies S7 & S1 (A&B) are failed for road safety and inadequate highway improvement reasons.

RAMBLERS ASSOCIATION

Query what provision will be made to preserve the route of T29/12A.

POLICE ARCHITECTURAL LIAISON

- The Design and Access Statement should demonstrate how crime prevention measures have been considered in the design of the proposal and of the steps taken to mitigate any identified problems. It does not appear to do so.

- The development should not be comprised by excessive permeability. In addition to the main vehicular/pedestrian entrance, the Site Plan appears to indicate that footpaths will enter the development from the northern and southern boundaries. It would be preferable to limit footpaths to those evidenced to be necessary in order to restrict access by potential criminals.
- All street lighting for adopted highways, footpaths, private estate roads and parking areas should comply with BS 5489 in order to reduce crime and the fear of crime.
- The proposed Play Area to the south west of the development is only partially overlooked and adjacent to a footpath link. I have concerns regarding the personal safety of children using this play area. Also it is immediately adjacent to a dwelling which could well be subject to anti-social behaviour. I recommend that this play area be relocated to an area with better resident surveillance.
- Boundaries between public and private space should be clearly defined using physical or symbolic measures in order to deter unauthorised access eg. Suitable walls, fences, landscaping, change of road surface colour/texture etc.
- Several of the groups of housing units appear to back onto open fields, which potentially renders them vulnerable to burglary. Although the rear gardens appear to be separated from the fields by hedgerows, suitable fencing eg. 1.8m close-board may also be required to deter this. Ideally, dwellings should be positioned to face each another in order to allow better natural surveillance.
- The proposed development also appears to include a number of side/back alleys. If essential, these always should be securely gated on or as near to the front building line as possible, in order to eliminate potential hiding places and prevent unauthorised access to the rear of dwellings.
- The proposed parking court at the centre of this development is only partially overlooked and vehicles parked there could be vulnerable to attack by criminals. This parking court should be lit to BS 5489 standard, be provide with a form an access control and subject to good resident surveillance. Ideally vehicles should be parked within cartilage or failing that within sight of the owners' homes.
- Similarly vehicles parked in the two parking areas adjacent to the hedgerows/fields to the west of the development are also vulnerable to attack, being in an isolated area at the rear of properties with very limited surveillance. I recommend that these parking areas be relocated to an area with better resident surveillance.
- All proposed planting/landscaping should be maintained to a maximum growth height of 1m, especially in areas monitored by resident surveillance. Trees should have a clear trunk height of 2m to allow for better surveillance. Defensive planting (prickly plants) could be used in suitable locations to reinforce security.
- The applicant is advised to formulate all physical design measures of this development in accordance with police approved 'Secured By Design'

award scheme, full details being available on the SBD website – www.securedbydesign.com.

COUNTY RIGHTS OF WAY TEAM

I can confirm that there is a public right of way on the Definitive Map which crosses the area of the development (footpath T29/12A). The County Council do not object to the proposal subject to the developer being informed that the grant of permission does not entitle developers to obstruct a public right of way. Development in so far as it affects a right of way should not be started, and the right of way should be kept open for public use until the necessary stopping up/diversion Order has come into effect. Failure to comply with this request may result in the developer being prosecuted if the path is built on or otherwise interfered with. I can see from the site plan that provision has been made for the footpath to run through the site. The route will need to be diverted by TDBC under the Town and Country Planning Act.

COUNTY EDUCATION

I am writing to express concerns that the local catchment primary school would not have sufficient capacity to accommodate additional pupils from households moving into the scheme. I am therefore requesting that any grant of permission is conditional upon a planning obligation being entered into in respect of financial contributions towards education provision in accordance with policy C1 of the Taunton Deane Local Plan. On the County Council's normal expectation that there will be demand for 30 additional primary school places from each 150 new dwellings, the development could be expected to generate the need for 12 spaces. Trull CE primary school has a net capacity of 210, although there are 215 pupils on roll. This shortage of space will therefore be significantly exacerbated by the development and a financial contribution to assist in mitigating this would be appropriate. Having recently revised its figures the DCSF (formerly the DfES) now estimates the capital cost of providing a primary school place in Somerset as £11,521. If 12 additional spaces were required this would equate to £138,252. There is currently surplus capacity in respect of the local catchment secondary school (Bishop Fox's) and it is unlikely that any new additional secondary accommodation would be justified.

WESSEX WATER

Foul Drainage – The sewer in Comeytrowe Road has limited spare capacity and some on-site storage may be required.

Surface Water Drainage – Surface water is to discharge to the local land drainage system with the consent of the Environment Agency and Local Drainage Authority. Connection to the sewerage system will not be permitted.

Possible Adoption of New Sewers – In line with Government policy the applicant is advised to contact Developer Services to see if any of the on-site or off-site drainage systems can be adopted under a Section 104 Agreement.

Sewage Treatment – The treatment works and terminal pumping station has sufficient capacity to accept the extra flows this development will generate.

Water Supply – there is adequate capacity to supply the development.

ENVIRONMENT AGENCY

The Environment Agency objects to the development as flood risk management issues have not been sufficiently addressed thus contravening PPS25 Development and Flood Risk. Point 5.3 of the FRA refers to a possible major structure to the north of the site. We are assuming they are referring to the strategic flood risk infrastructure being considered through Project Taunton for this area. We agree that the drainage from the site could discharge to this infrastructure as this would match the strategic flood risk objectives of Project Taunton. This would also then avoid multiple attenuation schemes across the Galmington stream catchments, a situation we do not wish to promote at strategic level. However if the applicant is considering a connection to this facility this may not be possible for some years as the strategic concept is still very preliminary. As the major flood risk infrastructure is out of control of the applicant we object to this proposal as it is unreasonable to put a grampian condition on this application. Should the Agency's objection be overcome the Agency would seek to impose the following conditions for storage of oils/fuels, surface water from parking or hardstandings to be passed through trapped gullies, no discharge of contaminated water to ground or surface waters and provision of adequate sewerage infrastructure.

COUNTY HIGHWAY AUTHORITY

The proposal for 58 homes lies outside the Development Area for Trull and in open countryside. The application is outline with all matters reserved for future approval. The site is on the western edge of the village approximately 500m from the local shop and 750m from the village centre which is located on the east side of Trull road. Whilst generally relatively close to local facilities the site is situated outside the target walking distances set out in RPG10, in particular over 600m from the nearest bus stop. Despite the walking distance, however being relatively manageable, although outside the target distances, the main problem is the geometry of the roads between the site and the facilities. Comeytrove Road is narrow and along the majority of its length towards Dipford Road and all the way north to its junction with Queensway there are no footways. The current use of the lane, the fact that often in front of the existing dwellings cars are parked, means that walking cannot be deemed either safe or convenient. In my opinion this means that walking is unlikely to occur in great numbers and I consider that the vast majority of trips would be by private car. This leads me to believe that not only is the site unsustainable in transport terms, but the increased use of the substandard lane by additional vehicles and the potential for conflict between vehicles and pedestrians would create a significant increase in highway safety hazards on Comeytrove Road and therefore I would recommend refusal of the application.

COMEYTROWE PARISH COUNCIL

The Council agreed to oppose the application for the following reasons:
1) The adjoining road is totally unsuitable for this size of development and would make a very dangerous and narrow road more dangerous and create additional road safety problems. The proposed access comes out opposite existing houses and just along from a narrow dangerous double-bend in the road.

2) When the proposal for large scale additional housing was made a number of years ago on the land the other side of Comeytrowe Road, the plans showed no road access or driveways from individual houses coming out onto Comeytrowe Road. The only access was for cyclists and pedestrians. If this application were to be approved it would establish a very dangerous precedent for future development along Comeytrowe Road. In addition when development on the Comeytrowe side of the road took place a few years ago it was agreed policy to have no traffic coming directly onto Comeytrowe Road from the new development.

3) The Council note the number of houses has been reduced from 80 to 58 but this still remains a large scale development. The Council consider that as part of the land has now been left with a road access from the proposal going into it, then it is very likely that the remaining land will be built on in the foreseeable future. This means that we still have 80 houses but with piecemeal development.

4) The 58 houses are being built on a reduced area and therefore the density is the same and this constitutes overdevelopment of the land.

5) The Council would not necessarily be against affordable homes, but feel this proposed development is in totally the wrong place.

TRULL PARISH COUNCIL

The Council resolved not to support the application as

1) The adjoining road alongside Comeytrowe Road is not suitable to take any additional traffic and there have been numerous incidents involving vehicles. In addition HGV drivers tend to ignore the 7.5T limit and the appropriate authorities do not appear to enforce it.

2) Although the number of proposed dwellings has been reduced from 80 to 58, it still represents a significant overdevelopment on a site that lies outside the of the published TDBC planning policy.

3) Although part of the site has been left clear, but with a road access going into it, it suggests that there may be piecemeal development back to the original figure of 80 or more.

4) There is a high risk of flooding to the properties. Surface water tends to accumulate very quickly in this area and the Council has to regularly request Highways to attend following periods of heavy rainfall.

5) The Council supports the principle of affordable homes and has been proactive in ascertaining the local need. However this particular proposal is contrary to that aim in terms of its location and of its size.

9.0 REPRESENTATIONS

A petition of 300 signatures opposing the application.

80 Letters of OBJECTION raising issues on the following grounds:

Development inappropriate for the village;

The site is outside the settlement limits;

Further housing scheduled for Comeytrowe in the future should have affordable housing dispersed within it not built in isolation;

There is no proven local need and a Parish needs survey only found a need for 18; the single tenure proposed does not meet the range of needs identified in the Needs Survey;

It will erode the countryside between Comeytrowe and Trull,

The proposal outside provision of policy H5;

It would be social exclusion and inhibit social mobility;

Too many houses will lead to social problems,

The schools will not cope with the increase,

Lack of local amenities;

It will put a strain on local services;

Concern over car parking;

No gardens and restricted play areas,

The site is on a narrow winding lane where vehicles can only pass in specific areas, The Dipford Road/Honiton Road junction is already congested and has poor visibility as does the Queensway junction;

It will create a dangerous traffic increase with harm to the safety of pedestrians and motorists;

Damage to property has occurred on the bend in the past;

7t weight limit not enforced,

It will put a strain on the road network and will lead to accidents;

The lane is a rat-run;

There are no pavements and the proposal will be a danger to pedestrians and cyclists;

The submitted Traffic Highway Review lacks objectivity and evidence based testing, There is no bike or other storage space;

It would set a precedent for further development without infrastructure and is a piecemeal approach;

Road widening would destroy the nature of the lane;

It would create unwanted light pollution;

The proposal is a ploy to advance business interests and seek housing while avoiding restrictions of planning policy;

Development should not be contemplated until a two way carriageway is provided; Loss of recreational amenity land and natural habitat;

No landscape mitigation;

The proposal is premature;

It is disproportionate to the size and density of housing in Trull and will compromise Trull village;

There are more suitable brownfield sites;

Affordable housing should be on a bus route;

The lane floods and flooding will worsen;

There is inadequate landscaping, play areas and parking;

There is a need for agricultural land;

It will cause overlooking as the development site is raised

It would be prominent in the landscape and it would break the skyline;

The area is identified for a significant urban expansion and the proposal will compromise an efficient sustainable masterplan.

3 letters of support on basis of local need.

10.0 PRINCIPAL ISSUES FOR CONSIDERATION

- A Is the proposal in line with Development Plan and National Planning Policy Guidance? POLICY
- B Is there a proven local need for the proposed development? NEED
- C Is the arrangement to secure appropriate affordable housing in perpetuity appropriate? AFFORDABILITY
- D Is the screening of the site and its landscape and wildlife impact acceptable? LANDSCAPE/WILDLIFE
- E Are the links to the highway network adequate and safe to serve the development? HIGHWAYS
- F Is adequate play and recreation space and public art provision provided for within the scheme? LEISURE/ART PROVISION
- G Is there adequate education provision provided for within the scheme? EDUCATION
- H Is there adequate provision made for the surface and foul water disposal in relation to the site? DRAINAGE
- I Is the proposal sustainable? SUSTAINABILITY

A. POLICY

The proposal for residential development needs to be assessed against the policies of the Development Plan together with central Government planning policy advice. The site lies outside the settlement limit of Trull and Taunton and therefore is contrary to policy of the adopted Development Plan. The question to answer in assessing the scheme therefore is does the need for affordable housing outweigh the above policy objection and are there any other policy and material considerations which would support the proposal or not.

Policy S7 of the Taunton Deane Local Plan states that outside defined settlement limits, new buildings will not be permitted unless it maintains or enhances the environmental quality and landscape character of the area and also meets certain criteria. One of these criteria is that buildings should be designed and sited to minimise landscape impact and avoid breaking the skyline. The development of the site as proposed would impact on the character of the area and break the skyline for those existing properties opposite, this would be contrary to criterion (E). Another of the criteria (B) is that any proposal should accord with a specific development plan policy or proposal. Affordable housing schemes may be considered appropriate in the countryside in certain circumstances. This exception to the normal strict control of new residential development in the open countryside is set out in Policy H11 of the Taunton Deane Local Plan relating to rural needs housing. This policy states that small affordable housing schemes which meet the local community's needs for

affordable housing will be permitted on sites where housing should not otherwise be permitted, either within or adjoining the identified limits of village and rural centres, again provided that certain criteria are met. Such proposals will only be acceptable where there is a proven local need and environmental and other standards are met.

Policy H11 however is a rural local needs policy and what is being proposed is not considered to be a rural exception site and so this policy would not apply. The site does not lie within a settlement or adjacent to a rural centre, however it does lie adjacent to the existing settlement limit of Taunton. The number of housing units is also greater than that normally provided under the exceptions policy. The proposal is proposed as an exception which does not fall under any existing Local Plan policy. The development has to be considered in terms of the identified scale of housing need and the impact of the scheme on the surrounding area and any other policies in the Local Plan. The Forward Plan Unit conclude that the site is not suitable due to its unsuitable location in terms of poor proximity to employment, services and public transport and unsafe pedestrian or cycle links as well as its identification as a strategic urban extension in the emerging RSS. This unsuitability is considered to outweigh the need for affordable housing in this location.

I am not convinced this is the best available site in planning terms. There are considerable local objections to the scheme on this site as well as objections from the Highway Authority and the Environment Agency. There will be a visual impact of the development in this location as it will break the skyline. No alternative site options have been identified in the Design and Access Statement and no needs assessment has been included. The principle of the use of the site for housing is therefore not accepted at this time.

B. NEED

The need for affordable housing is a planning consideration and Government policy encourages Local Planning Authorities to increase the supply of affordable housing through appropriate planning policies. The Borough Council is strongly committed to the provision of affordable housing as part of its corporate aims. One of the principal objectives of the Corporate Strategy 2006 – 2009 is to enable the building of 985 units of affordable housing between April 2006 and March 2011. The Local Plan policies reflect this commitment by seeking to meet as much of the housing need as feasible through the planning role. Government policy requires that affordable housing should include both low cost market and subsidised housing.

There have been objections on the basis that a local needs survey carried out in relation to Trull has identified a need for 18 units. However the Local Plan identifies Trull as an associated settlement that is defined as part of Taunton on the Proposals Map (PolicyT1). Consequently any needs survey should encompass the Taunton area and not just Trull itself. The Housing Enabling Manager supports the need for affordable units in general.

The affordable housing targets set in the Local Plan were based upon the level of need identified in the Housing Needs Survey undertaken by Couttie Associates in 2002, which was for 131 additional affordable dwellings a year. A desk-based review carried out by the Ark Consultancy on behalf of all the Somerset local authorities in 2006 identified a fourfold increase in need to 564 dwellings per year in Taunton Deane. Although the work by Ark preceded the publication of Practice Guidance on Strategic Housing Market Assessments, and is not fully compliant with that Guidance, it nevertheless has some value in updating and re-assessing the scale of need. The Authority has commissioned further work by Fordham Research to assess the affordable housing need in the area, and this will be published later this year. However, from the evidence already available – from the Ark study, worsening affordability, and significant growth in the Waiting List – it is clear that need has increased significantly and could be argued as acute.

C. AFFORDABILITY

The applicant has submitted the proposal for affordable housing on the basis of the need in the district. The application is supported by the Housing Enabling Manager on the basis of need in the Borough and has requested a mix of discounted housing and social rented on the scheme. The proposal is not accompanied by a housing needs survey and an assessment of the true need in terms of numbers and tenure breakdown is currently being undertaken by the Authority. There is clearly a general need in the Borough. However, the application relates to purely one type of tenure and not a mix as requested by the Housing Enabling Manager. Paragraph 12 of the Government's 'Delivering Affordable Housing' Policy Statement states there needs to be a good mix of tenures on new developments. The initial submission does not achieve this.

The proposal includes a draft 106 Agreement which seeks to secure the availability of the dwellings in perpetuity. The draft agreement requires that all the dwellings to be built pursuant to the planning permission shall be affordable dwellings. The owner of the dwellings shall not sell the freehold or let other than to a 'Qualifying Person' unless otherwise agreed in writing with the Council. A 'qualifying person' is someone who lives or works in the local area and is in housing need. The sale of the units is based on a 33% discount of the open market sale price.

There is also provision that where there is no 'qualifying person' agreeing terms to purchase, a dwelling may be offered to a 'secondary qualifying person', defined as a person who is considered to be in housing need and who has a strong local connection with the secondary locality (defined as within the District).

Whilst it is considered that these management and nomination arrangements will ensure that, as far as is practicable, the proposed dwellings will remain affordable in the future, this initially related to the sale of discounted housing only and did not secure any mix of tenure and a social rented element. It has been indicated, however that the applicant would be willing to vary the

proposed section 106 agreement to ensure an element of affordable rented provision is provided on site and on the basis of the this being included it is considered that a mix of tenure could be achieved to address affordable housing needs in perpetuity.

D. LANDSCAPE/WILDLIFE

The site is on agricultural land in the countryside and the site is set largely above road level. The Landscape Officer considers the proposal will have an impact on the landscape character of the area contrary to policy EN12 and would result in the loss of an important roadside hedgerow without adequate mitigation. The development of housing in this location would also break the skyline for existing properties in Comeytrove Road and would appear dominant.

The Wildlife Report submitted with the application found no evidence of protected species on site and the conclusion identified a number of issues to protect wildlife in general particularly in respect of the existing boundary trees and hedges which act as nesting sites for birds and potential foraging areas for bats. The Nature Conservation Officer considers the issues raised could be addressed through conditions.

E. HIGHWAYS

The highway report submitted on behalf of the applicant concludes that there will be no significant impact on the local environment from the site related traffic flows and site related traffic is not likely to exacerbate the accident situation. It is also claimed that bus links in the vicinity are good and participation in the use of public transport by residents can be encouraged by provision of vouchers to the value of £400 per unit. Such a scheme would necessitate inclusion in a legal agreement to secure its provision. The report's conclusion on the highway impact of the proposal is not supported by the majority of the local objectors. The Highway Authority consider the site to be outside the target walking distances set out in RPG10, in particular over 600m from the nearest bus stop. While it is considered that the distance in itself may be manageable the issue of walking is made worse by the width and alignment of the roads and lack of footways. As such the Highway Authority considers that walking cannot be considered either safe or convenient. This is therefore likely to lead to reliance on the private car which is not sustainable. The increase in use of the lane with conflict between vehicles and pedestrians is also considered to be a highway safety hazard and this is considered to be contrary to policy49 of the Joint Structure Plan and the Highway Authority recommend refusal of the application.

F. LEISURE/ART PROVISION

The Leisure Manager has identified that the proposed play area on the illustrative plan is insufficient in size and too close to housing. There is an existing local play area off site and it is suggested that a sum be provided for off site use to upgrade existing facilities. It is also considered that outdoor

recreation is not proposed as part of the development and that a contribution should be sought in respect of such provision also. Provision of such contributions would need to be sought through a Section 106 Agreement. The Art Officer has also requested that 1% of the development cost be set aside for public art. In light of the need to ensure affordable housing on site it is not considered the request should be pursued if this affects viability and given the more pressing social needs of education and leisure provision.

G. EDUCATION

The County Council recognise that the development would result in additional demand for school places. There is considered to be insufficient capacity at the local primary school for the expected number of pupils from the development. A financial contribution is therefore sought for the additional pupils that could be expected from the scheme in accordance with policy C1 of the Local Plan and this would need to be secured through a legal agreement. The applicant argues that the housing will serve existing residents in Taunton and so will not add to additional levels of need.

H. DRAINAGE

The applicant has submitted a drainage statement with the application which identifies the site in Flood Zone 1 with the ground conditions being clay. It also states that it is intended to link the foul drainage to existing foul sewers subject to the approval of Wessex Water. No objection to the principle of the scheme has been raised by Wessex Water. The stated preferred option for surface water is to outfall to the watercourse to the north with attenuation storage. However this scheme would appear to involve land not in the control of the applicant and the Environment Agency have raised objection on this basis and the fact any attenuation facility may be some years away. A Grampian condition in this instance therefore is not considered appropriate. The use of sustainable drainage systems on site may not be suitable due to ground conditions and therefore it is not considered appropriate to condition at this stage. Until adequate surface water drainage provision can be shown the Environment Agency maintain their objection and this potential for flood risk is considered a reason to resist the proposal.

I. SUSTAINABILITY

The application site lies on greenfield land outside the settlement limit, however it does lie adjacent to the settlement boundary to the south and across the road. The area being adjacent to the settlement limit does have potential for future development as part of a comprehensive scheme for a further extension of the town. However as it stands without significant infrastructure provision the site does not lie on an easily accessible bus route and to reach the bus route into town would involve walking over 600m along roads without pavements. The Highway Authority considers this to be unsafe and would result in the occupants of the site being reliant on the private car. This reliance on the car is not

considered to be a sustainable one and undermines the suitability of the site for affordable housing.

11.0 CONCLUSION

In summary the proposed site lies on the edge of the existing settlement beyond the settlement boundary and is not served by good public transport or roads with pavements. As such it is considered that development is likely to be car reliant and non-sustainable as well as adding to highway safety dangers on Comeytrove Road. The proposal is also in an area that has been identified as a future strategic urban extension in the emerging RSS. In addition the submission does not adequately address the risk from surface water flooding and the Environment Agency object. Given these issues and the fact that the development would be on elevated land outside of the settlement limit it is not considered that these considerations are outweighed by the acute need for affordable housing to warrant a divergence from the policies of the Development Plan. The recommendation therefore is one of refusal.

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

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