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MR JAMI TEHRANI

OUTLINE FOR THE ERECTION OF 14 HOUSES, ERECTION OF STUDENT/STAFF ACCOMMODATION ON THE TENNIS COURT, ERECTION OF THEATRE WORKSHOP BUILDING AND FORMATION OF ASSOCIATED CAR PARKING AT CANONSGROVE HOUSE, STAPLEHAY, TRULL

21057/21071

OUTLINE APPLICATION

PROPOSAL

Outline application for the erection of 14 houses, erection of student/staff accommodation on the tennis court, erection of theatre workshop building, and formation of associated car park at Canonsgrove House, Staplehay, Trull.

The application site lies around 2 miles to the south of Taunton beyond the identified settlement limits and consists of three separately identified areas. The site of 0.24 ha for the theatre workshop and parking lies to the west of the existing Georgian style country house, now a dwelling. The proposed staff accommodation is intended to be sited on the tennis court area (0.16 ha) to the south east of the main house while the 14 new houses are proposed on the southern and western boundaries of the parkland area of the site with a new access to Sweethay Lane. To the north of the theatre workshop site lies the two storey student accommodation for SCAT.

It is claimed that in order to support the costs of providing educational facilities there is a need to provide residential development. It is also claimed that if SCAT premises were to be vacated then another residential educational establishment acquiring SCAT's existing facilities would be interested in acquiring or leasing Canonsgrove for expansion purposes.

CONSULTATIONS AND REPRESENTATIONS

COUNTY ARCHAEOLOGIST as far as we are aware there are limited or no archaeological implications to the proposal and we therefore have no objections. WESSEX WATER the proposal is not located in a Wessex Water sewered area. The developer has proposed to dispose of foul and surface flows to 'mains via statutory suppliers.' As there are no public foul or surface water sewers in the vicinity it is advised the developer investigate alternative methods for the satisfactory disposal of foul and surface water flows from the site (e.g. septic tank or soakaways). It is advised the Council be satisfied with any arrangement for the disposal of foul and surface water flows. Part of the site is subject to an adoption agreement under Section 104 of the Water Industry Act 1991. Sewers are private and you should contact the appropriate party for further details. There is a public water main crossing the site and a three metre easement is normally required. Diversion or protection works may need to be agreed. An informative should be placed on any consent to require the developer to protect Wessex systems.

LANDSCAPE OFFICER my main concerns are detrimental impact on the parkland setting of Canonsgrove House; detrimental impact on the wider and immediate landscape character of the area - 'Low Vale'. Loss of 'important' hedgerow due to visibility splay requirements; detrimental impact on setting of TPO trees and woodland. In my opinion the proposals are contrary to EN6, EN8, EN12, S2 and S7. NATURE CONSERVATION OFFICER my particular concern on this site is that tree roost for bats may be lost. I advise that a comprehensive survey is requested. FORWARD PLAN the proposal lies beyond the settlement limit of Trull as defined under policy T1 of the adopted Taunton Deane Local Plan. Beyond settlement limits there is a presumption against development other than for agriculture and forestry or unless it supports the rural economy and which couldn't be accommodated within the settlement limits (policy S7). The proposal appears to be speculative. There is no educational end user requiring the scheme or any assessment as to why the development could not be accommodated within the defined settlement limit if the need for such space were demonstrated. The proposed private residential element (14 houses) is sought as an enabling scheme to finance the educational element. Since there is no proven need for the educational proposal and no financial appraisal demonstrating the need to subsidise the development through a residential element, there can be no planning justification to relax adopted policy to resist such development beyond the defined settlement limit. Notwithstanding the above, the proposed dwellings lie at the south western extremity of the site, set in open countryside, nearly 600m from the settlement limit and 400m from the halls. The proposal is contrary to policies S1 and S7 of the adopted Taunton Deane Local Plan and should therefore be resisted.

PARISH COUNCIL the Council objects to this application for the following reasons. 1. In breach of the Local Plan, 2. Development not appropriate to the area, and 3. Difficulties with highway related matters.

POLICY CONTEXT

RPG10 Regional Planning Guidance for the South West.

Somerset and Exmoor National Park Joint Structure Plan Review Policies STR1 Sustainable Development, STR6 Development Outside Towns, Rural Centres and Villages, Policy 1 Nature Conservation, Policy 5 Landscape Character, Policy 17 Mixed Use Developments, Policy 48 Access and Parking, Policy 49 Transport Requirements for New Development.

Taunton Deane Local Plan Policies S1 General Requirements, S2 Design, S3 Mixed Use Developments, S7 Outside Settlements, M1 Non-residential Parking and Access, M2 Parking Guidance, M3 Non-residential Transport and Parking, M4 Residential Parking Requirements, C4 Standards of Recreation and Play Provision, EN5 Protected Species, EN6 Protection of Trees, Woodlands and Hedgerows, EN8 Trees in and Around Settlements, EN12 Landscape Character Areas, T1 Defined Extent of Taunton.

ASSESSMENT

The site lies outside the settlement limits of Taunton and the issue is whether there are sufficient grounds to overcome the planning policies set out in the development plan to warrant a decision other than refusal of the application.

The proposal for the theatre workshop and staff/student accommodation are educational linked uses. At the present time there are halls of residence for SCAT on land to the north of the site. However although there is reference in the submission about the possible expansion of SCAT in the future, there is no link proposed in terms of the current application tying the use to SCAT and the sites are in separate ownerships. Indeed reference is made to a potential future educational user possibly acquiring the site. This is pure supposition at the present time and without any identified need for the educational uses in this location they are likely to lead to additional non-sustainable traffic movements to a site in the countryside. Consequently the use here is not justified and is considered contrary to policy S7. The same can also clearly be said in relation to the residential use. The only justification of this is to support the educational use. A residential development in this rural location would be contrary to policy even if it were argued that there was a need to subsidise the educational use. Without such a need the situation is still clearly contrary to policy.

The site for the housing is on the edge of the parkland setting south of the main house and is close to a number of trees. The wildlife that may exist within this area may well be affected by the proposed residential development and a wildlife survey is required. The applicant has been notified of this, however the delay in determining this application is not considered warranted given the other policy objections to the proposal. A note is considered appropriate drawing attention to this issue should the applicant wish to pursue the matter.

The new residential development proposed will require a new access into the site off Sweethay Lane. This Lane is narrow and the proposal will involve the provision of a new access to serve the new housing. This will involve the loss of certain trees and part of the hedgerow to allow for access and this is considered to be contrary to policies EN6, EN8 and EN12 of the Local Plan. The Highway Authority comments in relation to this proposal are currently awaited and will be reported to Members at the meeting.

In summary the proposal is for a number of uses on a site outside the defined settlement limits within the countryside. The uses would be contrary to policy in this location and the alterations likely to be required for the access would detrimentally affect the existing tree and hedge cover along Sweethay Lane and would not be sustainable.

RECOMMENDATION

Permission be REFUSED for reasons of development in the countryside without justification contrary to policies S3 and S7 of the Taunton Deane Local Plan and STR6 of the Somerset and Exmoor National Park Joint Structure Plan Review, adverse impact on hedgerow and trees contrary to policies EN6, EN8 and EN12 of the Local Plan and

POLICY5 of the Joint Structure Plan review, and unsustainable development outside a defined settlement contrary to policies S1 and S2 of the Local Plan and STR1 and POLICY49 of the Somerset and Exmoor National Park Joint Structure Plan Review. Note re the need for a wildlife survey and it being a material consideration.

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

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NOTES: