

42/2008/002

WEST OF ENGLAND DEVELOPMENTS (TAUNTON)

**OUTLINE FOR ERECTION OF 8 AFFORDABLE HOUSES ON LAND OPPOSITE  
DIPFORD COTTAGE, DIPFORD ROAD, TRULL**

320773/122213

OUTLINE APPLICATION

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**PROPOSAL**

The proposal seeks outline planning permission for the erection of eight affordable houses with associated parking and access. The site is approximately 0.3 hectares and is located to the west of Trull, and 3km south west of Taunton. The site is currently vacant and was previously probably an orchard. The nearest settlement is Trull, which has a limited range of facilities and the local public transport services are infrequent.

As the application is for outline permission, indicative plans have been submitted to show how the proposed development is envisaged. The layout is four a row of four terrace houses, and two blocks of two semi detached dwellings. The dwellings are all two storey with a simple design, with 2/3 bedrooms. Access is proposed to run from the centre of the frontage of the site, perpendicular to the rear of the site, where two car parking spaces per dwelling are proposed. There is amenity space to the front and rear of each house plot, and each dwelling has a pedestrian access at the front.

A housing needs survey was submitted with the application, which was carried out by Trull Parish Council and the Community Council for Somerset's Rural Housing Enablers. In summary the survey found that 18 households have a need for affordable housing in Trull Parish, with the majority of respondents requiring 1 bedroom accommodation, followed by 2 bedroom accommodation being the second highest in demand.

**CONSULTATIONS AND REPRESENTATIONS**

COUNTY HIGHWAY AUTHORITY - The proposed development site is located outside of any development limit, remote from any urban area and therefore distant from adequate services and facilities, such as, education, employment, health, retail and leisure. In addition, public transport services are infrequent. As a consequence, occupiers of the new development are likely to be dependant on private vehicles for most of their daily needs. Such fostering of growth in the need to travel would be contrary to government advice given in PPG13 and RPG10, and to the provisions of policies STR1 and STR6 of the Somerset and Exmoor National Park Joint Structure Plan Review (Adopted: April 2000). Notwithstanding the aforementioned comments, Policy 35 of the Somerset and Exmoor National Park Joint Structure Plan Review and policy H11 of the Taunton Deane Local Plan, state that there are exceptions whereby 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 centre

providing they meet the appropriate criteria. Therefore its acceptability from a planning perspective must be a matter for the Local Planning Authority, and whether the proposal meets this criteria set out by Policy H11. It is clear that the proposal will result in an increase in use of private vehicles. According to the application form, this is an outline proposal with all matters reserved apart from layout and scale. It would seem that this would be the appropriate time to deal with the detail of access to the site. It has been stated in item 10 of the Design and Access Statement, that a single point of access will be created approximately at the mid point in the site frontage, which will provide acceptable visibility across the site frontage. In detail, the proposal derives access from/onto a classified unnumbered highway which is subject to the national speed limit. No information has been submitted regarding traffic speeds in this location, however the observed speed of traffic would appear to be in the region of 40mph. Therefore the Highway Authority, would recommend that visibility at the point of access where the private access meets the public highway should be based on minimum co-ordinates of 2.4m x 90m in each direction to the nearside carriageway edge. There shall be no obstruction to visibility within these areas that exceeds a height greater than 300mm above adjoining carriageway level. Therefore, it will be necessary to construct the 850mm high boundary wall fronting plots 3 and 4 behind the splay. The new footway can be widened up to the back of the splay. The provision of splays across the site frontage would not be sufficient or acceptable and it would appear that required splays (set out above) might be difficult to achieve. Therefore proof would need to be provided that the required splays can be achieved on land within the application site and/or highway land, as I am concerned that the splays, in particular to the east may encroach onto third party land. Given that the proposal is located in what is considered an unsustainable area, I would recommend that the maximum parking standard is applied in this location for this development which would equate to 2 spaces per dwelling, which appears to have been set out on the submitted plan together a turning area to enable vehicles to enter and exit the site in a forward gear. For information there is a footway (located on the opposite side of the carriageway) that links the site to Trull, the nearest bus stop, local shop and school and are all in excess 400m away and outside of the target distances set out in RPG10. However this footway is narrow in places making it difficult for wheelchairs or users of prams/pushchairs etc, in addition it is unlit and therefore not considered to be a ideal pedestrian route. The following highway related comments have been made as a result of looking at submitted drawing number 3874/07 together with the 'Design and Access Statement'.

1. The new footways fronting the site shall be constructed to Somerset County Council specifications.
2. Any parts of private access paths that are contained within visibility splays, shall be constructed to SCC footway specifications. (Plots 5-8).
3. The proposed footway construction along the site frontage shall not impinge upon the existing carriageway width through Dipford Road, an extract of highway record is enclosed for information.
4. A Section 38 Agreement will not be required here as the site is to remain within private ownership. The Highway authority would be willing to adopt the

footway fronting the site together the first 5.0m of the access road and associated visibility splays under a Section 171 Agreement.

5. Where works are to be undertaken on or adjoining the publicly maintainable highway, a licence under Section 171 of the Highways Act 1980 must be obtained from the Highway Authority. Application forms can be obtained by writing to Roger Tyson, Transport Development Group, Environment Department, County Hall, Taunton TA1 4DY, or by telephoning him on 01823 356011. Applications should be submitted at least four weeks before works are proposed to commence in order for statutory undertakers to be consulted concerning their services. A proposed start date, programme for works and traffic management layout will be required prior to approval being given for commencement of works on the highway.
6. A condition survey of the existing public highway will need to be carried out and agreed with the Highway Authority prior to works commencing on site. Any damage to the existing highway as a result of this development is to be remedied by the developer before occupation of the development. The applicant/developer is encouraged to contact the Highway Service Manager on 08453459155 and make arrangements for such a survey to be carried out.
7. It has been noted that soakaways are to be used for draining storm water from this site. The use of soakaways is dependent upon the proven existence of highly permeable strata below the surface. In-situ percolation tests should be undertaken in accordance with the BRE Digest 365.
8. Due to the fact that the internal service road is to remain private, no surface water from the site will be allowed to drain out onto the existing public highway and vice-versa. This will depend upon finished carriageway levels. This comment also applies to the private access paths.
9. Can the applicant please advise as to how future maintenance operations of the site will be carried out?
10. It has been noted that the internal private footway is to be 1.0m wide. To enable the movement of disabled pedestrians, it would be preferable if a minimum width of 1.5m were provided. This would be in accordance with 'Dept. of Transport - A Guide to Best practice on Access to Pedestrian and Transport Infrastructure'.
11. It has been noted that private access paths will provide a direct link out onto Dipford Road. The provision of these paths must not result in 'on street' parking within Dipford Road.
12. Tactile paving will be required across the site entrance. They shall be set out in accordance with 'Guidance on the use of Tactile Paving Surfaces - Dept. of the Environment and the Regions 1998'.

13. Tie into Dipford Road - Allowances shall be made to resurface the full width of the carriageway where disturbed by the extended construction and to overlap each construction layer of the carriageway by a minimum of 300mm.
14. The proposed 850mm high boundary wall fronting plots 5-8 can be set at the back edge of the visibility splay. Drawing 3874/07 currently shows a thin length of verge between the wall and the back of the visibility splay.
15. 'Estate Roads in Somerset - Design Guidance Notes' recommends the use of 6.0m junction radii for access roads. The submitted proposal shows a radii of 4.5m, more suited for shared surface roads.
16. Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway.

Taking the above points into consideration I would request further information is submitted addressing the issues raised above.

LANDSCAPE OFFICER – My main concerns are:

- Loss of hedgerow – although in poor condition
- Loss of orchard – although neglected
- Loss of countryside
- The lime tree along the western boundary is not in great condition but it is worthy of retention.

If approval is given it is important to reinforce the northern boundary to provide a softer face to the open countryside.

WESSEX WATER – Standard response that point of connection to Wessex Water infrastructure for water should be agreed prior to commencement of any works on site, and any Wessex Water infrastructure running across the site must be protected.

LEISURE DEVELOPMENT TEAM – In accordance with Policy C4 provision for play and active recreation must be made. A contribution of £1023.00 for each dwelling should be made towards the provision of facilities for active outdoor recreation and a contribution of £1785.00 for each 2-bed+ dwelling should be made towards children's play provision. The contributions should be index linked and would be spent in locations accessible to the occupants of the dwellings.

HOUSING OFFICER – The Housing Enabling Manager supports this application for Affordable Housing.

SOMERSET ENVIRONMENTAL RECORDS CENTRE – Identifies non-statutory and statutory sites and species are within 1km of the site.

NATURE CONSERVATION & RESERVES OFFICER – MWA's report Jan '08 highlights the fact that existing apple trees on site may contain bat roosts, with recommendations for checking for bats by a licensed bat ecologist before the trees are felled. Breeding birds – the survey identified large areas of bramble suitable for nesting birds. In order to maintain habitat for breeding birds on site I recommend that retained hedgerows are reinforced and new hedgerows planted and traditionally

managed. The report concludes that it is unlikely that other protected species will be affected by the proposals. Suggested conditions and notes included.

TAUNTON & DISTRICT CIVIC SOCIETY – Objects to the application and raises the following concerns: inappropriately sited; footway to Trull is too narrow and unsafe; fails to meet Local Plan criteria; not sustainable amounting to ribbon development; does not adjoin settlement limits.

PARISH COUNCIL – Supports the application. At a meeting of Trull Parish Council on 17<sup>th</sup> March, some 78 members of the public attended and the matter was discussed in some detail. The Council resolved to support the application and I now write to advise of the main points that were raised during the meeting: -

1. The privacy of existing dwellings would be adversely affected and there would be an increase in traffic on a road that is already prone to incidents
2. The development would remove land that is currently absorbing surface rainwater and the foul water drainage arrangements are inappropriate
3. Dipford Road is a route for emergency vehicles to the M5 service station
4. The pavement width, where provided in the area, is inadequate, particularly for families with pushchairs
5. Although designated as an exception site, the proposal is contrary to current planning policy

TWO LETTERS OF SUPPORT – Have been received supporting the proposal for the following reasons: in line with need identified in Housing Survey; mixed development with a variety of properties for sale and lease; scale of proposed dwellings fits in with other properties in the area; site has footpath running to Trull and local facilities; will not adversely affect traffic or flooding potential; scheme has eco-friendly features; would have minimal impact on the village

TWENTY TWO LETTERS OF OBJECTION - Have been received raising concerns over the following: increase of traffic on road which is narrow and has a dangerous bend; high speeds of traffic using road as it is outside the 30mph restriction of Trull, especially emergency vehicles accessing the M5 service stations; overlooking to and from dwelling opposite site; loss of residential amenity; loss of species rich habitat to wildlife; drainage problems from increased run-off; too far from nearest settlement; too far from local amenities; footpath from proposed site to Trull is too narrow, and would not accommodate a pushchair or wheelchair, and would be dangerous with small children; the design of the houses is out of keeping with the rural area, and does not relate to the surrounding properties; site is too small to accommodate eight houses which is incompatible with the area; the lane outside the site is prone to flooding and the proposal would extend and exacerbate the problem; inappropriate site; could set a precedent for area for further residential development; much of the road between the site and Trull is unlit and therefore is dangerous for pedestrians; the area is not connected to mains drainage; site clearance has already taken place; the countryside should be protected; Dipford is a completely separate community from Trull; proposal would change the character of the area socially; the type of houses proposed with 2 or 3 bedrooms do not meet demand shown in Housing Needs survey of 1 bedroom accommodation, which could lead to the houses being sold to people with no connection with Trull; dependency of future inhabitants of site on private car; noise and light pollution; piecemeal development; houses won't be

affordable despite being sold at 70% of open market price; site is not within easy or convenient reach of Trull; visibility of access to/from site is not acceptable; conduct of Parish Council meeting which did not take into consideration the views of the local residents, and is therefore unrepresentative of the majority view of local residents.

## **POLICY CONTEXT**

PPS3 – Housing

RPG10 – Regional Planning Guidance for the South West

Somerset & Exmoor National Park Joint Structure Plan Review STR1 (sustainable development), STR6 (development outside towns, rural centres and villages), Policy 33 (provision of housing), Policy 35 (affordable housing), Policy 48 (access and parking), Policy 49 (transport requirements of new development).

Taunton Deane Local Plan Policies S1 (general requirements), S2 (design), S7 (outside settlements), H11 (rural local needs housing) and M4 (residential parking requirements).

## **ASSESSMENT**

The site is located in open countryside, outside of the designated settlement limits of Trull, and is therefore subject to the full weight of restrictive policy regarding development in the countryside. The Authority's Structure Plan (STR6) and Local Plan Policy (H11) allow as an exception for the development of affordable local needs housing sites, where there is clear evidence of local need and providing the site is within the village, or adjoining if no suitable internal site is available. The aim of the policy is also to normally seek to meet local needs for housing within the Parish in which they arise.

In order to demonstrate the requirement for affordable housing provision to accord with the exceptions policy a rigorous local needs survey is required. The local needs assessment that was carried out to justify the type and number of dwellings proposed does not reflect to size of dwellings proposed with 2 & 3 bedrooms. Planning Policy Statement 3 - Housing makes it clear that proposals for affordable housing should reflect the size and type of affordable housing required (paragraph 23). In addition no land availability assessment has been carried out in and adjoining the parish settlements. Whilst the support of the Housing Enabling Officer is noted and the provision of 'affordable housing' is a Corporate priority provision of exception housing must accord with the tests set out in Policy H11 and the aforementioned policy does not allow indiscriminate development of dwellings in the open countryside.

National Planning Guidance endorses that new houses away from existing settlements should be strictly controlled. Policy H11 clearly states that exception housing should be located within or adjoining settlement limits. In this respect the proposal fails at the first hurdle in that the application site is not immediately adjacent to an existing settlement, therefore does not form a logical extension to a defined limit of an existing settlement. The provision of exception housing must also be accommodated satisfactorily on site without compromising the form and character of

the settlement or surrounding landscape to accord with the provisions of the policy. The proposal would represent an isolated and unwarranted intrusion into the predominantly rural surroundings.

The County Highway Authority expresses a concern over the sustainability of the site, as occupiers of the new development are likely to be dependent on private vehicles for most of their daily needs – such fostering of growth in the need to travel would be contrary to government advice given in PPG13 and RPG10. The footway that links the site to Trull, the nearest bus stop, local shop and school are all in excess of 400m away and outside the target distances set out in RPG10. Furthermore the footway is narrow in places making it difficult for wheelchairs and prams/pushchairs etc, and it is unlit and therefore not considered to be an ideal pedestrian route.

The County Highway Authority also note the provision of visibility splays across the site frontage would not be sufficient or acceptable, and it would appear that required splays may be difficult to achieve without encroaching onto third party land.

To conclude, it is considered that development does not accord with the provisions of Policy H11 for the reasons outlined in the report and should also be regarded as unacceptable from a landscape viewpoint. It is therefore considered that efforts should be redirected towards finding a more suitable site elsewhere within the village to meet the current and future local needs for affordable housing.

## **RECOMMENDATION**

Permission be refused

## **REASON(S) FOR RECOMMENDATION:-**

(1) The proposed development does not immediately adjoin the settlement of Trull. As such the proposal would create a form of unacceptable sporadic development in the open countryside. The proposed development would harm the rural character and appearance of the area. The development is therefore contrary to the provisions of Local Plan Policies S1, S2, S7 and H11 of the Taunton Deane Local Plan.

(2) The proposal represents an over development of the site out of keeping with the general scale and character of the existing properties in the vicinity. It would result in a development of comparatively cramped appearance and would thus detract from the visual amenity and rural character of the area contrary to S1 and S2 of the Taunton Deane Local Plan.

(3) The occupiers of the development are likely to be reliant on private vehicles and such fostering of growth in the need to travel would be contrary to advice in PPG13, RPG10 and policies STR1 and STR6 of the Somerset and Exmoor National Park Joint Structure Plan Review.

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

**CONTACT OFFICER: 356469 MISS C NUTE**

**NOTES:**