

## Appendix I

3 April 2018

Morning Mark,

Before Easter we discussed the Broadmeadow Site, Teignmouth regarding a recent TPO placed on the woodland on the site.

As previously agreed please find attached the Pre-application response I provided to DM.

Happy to discuss.

Kind Regards

David Kiernan

### **Broadmeadow Affordable-led Pre-application Enquiry**

#### What is being proposed?

The submitted pre-application details illustrate a steeply sloped, greenfield site of approximately 4 hectares on the western edge of Teignmouth. The site stands outside but adjacent to the Teignmouth settlement boundary on a site unallocated within the adopted Teignbridge Local Plan. The submitted details show a potential range of housing between 131 to 165 dwellings. Discussions with the applicant highlight the scheme is to be affordable-led which indicates the number of affordable dwellings will exceed market homes proposed on site, although no detailed breakdown is provided.

#### Principle of Development

A number of residential allocations are presented within the local plan, including for Teignmouth however this proposed site is not an allocated site and stands adjacent to the Teignmouth settlement boundary within an area defined as undeveloped coast.

The scheme is being promoted as 'affordable-led' with such schemes falling under local plan policy WE5 for rural settlements. However Teignmouth is identified as a Town within the Local Plan and WE5 is not applicable in this case.

The proposal would not constitute a rural exception site, is not allocated within the Local plan and stands within an area of undeveloped coast where residential development is not permissible. Therefore the proposal would constitute a departure

from the adopted development plan and the principle of development has not been established.

### Plan Departure

The District Council currently has an 8.5 year housing land supply with a 5% buffer and as such the housing policies within the local plan are up-to-date and applications should first and foremost be determined in accordance with the adopted and up-to-date development plan.

Departures from the Development Plan can be permissible where material considerations weigh in favour of the proposal. In addition Local Plan policy S1A establishes the Council will take a positive approach to development which reflects the presumption in favour of sustainable development, work proactively to find solutions and to secure development that improves the economic, social and environmental conditions in the area.

Therefore the onus is upon the applicant to not only demonstrate how they will adequately address related constraints and comply with local plan policy generally but also how the proposal would improve the economic, social and environmental conditions of the area.

### Site History

The site was submitted and assessed as part of the Strategic Housing Land Availability Assessment (SHLAA) (2009) which provided part of the site selection evidence base in the preparation of the current Local Plan.

The SHLAA identified and assessed the site as developable but raised the following concerns:

- Potential overshadowing/overlooking of the site from adjacent flats
- Nearby infrastructure capacity not acceptable given access via Bitton Park Road has significant problems
- Possible contamination issues
- Wildlife constraints as site stands within a Cirl Bunting County Wildlife Site.
- Woodland on site is important in defining the setting of Teignmouth and providing an enhancement to the urban edge.
- Potential direct or indirect impact on air quality relating to the A381 Bitton Park Road Air Quality Management Area (AQMA).

The site was included in Local Plan Preferred Options (2012) as part of a much larger allocation ('TE1') to test the feasibility of a potential significant urban extension and provision of western distributor road to help resolve the AQMA.

It was subsequently excluded from the LP Submission Plan since the distributor road was found to be cost prohibitive, and also due to landscape and ecological constraints.

Site promoters made representations at examination to include this site as a residential allocation. The examiner considered the representation and made the following comments under Matter 7- Teignmouth:

*"54. Teignmouth is the one settlement where the amount of new housing proposed is proportionately smaller than the size of the town now, in accordance with the strategy in Policy S4. As I have already discussed, this approach is justified by the significant constraints to new development in the only directions possible, to the north and west. These are set out in detail in evidence to the examination but in summary comprise three main local constraints. Firstly, air quality along the A381, which is defined as an Air Quality Management Area (AQMA), is poor, particularly at the junction with B3192 and Shaldon Bridge, during the summer months. This would be exacerbated by any significant amount of new housing on the west side of the town for a significant part of the year. Secondly, the attractive landscape on the western side of the town, which is designated as Undeveloped Coast, would be very sensitive to change. Thirdly, extensive wildlife sites that form an extremely important habitat for ciril buntings would be affected. The area between Teignmouth, Broadmeadow and Bishopsteignton supports the densest population of this species in the country (4% of the British population).*

*55. Earlier proposals for new housing on sites TE1 and TE2 were withdrawn from the Preferred Options version of the Plan after viability studies indicated that the quantum of development was not able to fund a necessary link road. Finally, further housing would add to the current imbalance in the provision of employment land in the town. I conclude that the amount of development in Teignmouth shown on the Plan is sound and that the re-instatement of the two sites is not justified.*

*56. A small part of TE1 enclosed by existing development has been put forward as an affordable housing development proposal. On the evidence to the examination, significant doubts remain that adequate access can be obtained and that the scheme would be viable. Given these doubts about effectiveness, I consider the site should not be included in the Plan at this stage."*

The above history clearly demonstrates the site was assessed as part of the Local Plan preparation process and discounted. Its reinstatement was considered by the Local Plan Inspector and was not considered justified.

### Alternative routes

#### **Greater Exeter Strategic Plan**

As part of residential and employment evidence gathering for both the Greater Exeter Strategic Plan (GESP) and the Local Plan Review a call for sites exercise has been undertaken under the Housing, Employment and Land Availability Assessment (HELAA) Call for Sites process. The HELAA will provide an assessment of a sites development potential. The proposed site has been included within this assessment. The GESP is only assessing strategic sites with a capacity of over 500 dwellings. As such this site will not form part of the suite of strategic site allocations within the GESP (unless it forms part of a larger site).

## **Local Plan Review**

The HELAA sites identified through the Call for Sites process for the Greater Exeter Strategic Plan will also form an evidence base for the Local Plan review in addition to a call for sites scheduled for the Local Plan Issues Paper public consultation. Smaller sites such as the proposed site will form part of the consideration of the Local Plan Review which will include additional housing allocations. The Review is currently ongoing with the first round of consultation on the Issues paper anticipated for April 2018. The Local plan review is not scheduled for adoption until 2020/2021.

It should be noted that unless the Local Plan Inspectors original concerns are satisfactorily addressed the residential allocation of this site within an updated Local Plan is considered unlikely.

The Local Plan review will also include a re-evaluation of all settlement boundaries across the district, including Teignmouth. There is potential for an extension of the Teignmouth settlement boundary to include the proposed site, but a consistent methodology to be applied to this review has not been established at this time.

## **Teignmouth Neighbourhood Development Plan**

In addition Teignmouth are undertaking a Neighbourhood Development Plan. The allocation of development outside the existing settlement boundary, or indeed an amendment to the boundary itself stands within their remit. However these are matters for the Town Council to consider. Engagement with the Neighbourhood planning group and Teignmouth Town Council on any proposed residential development is advisable.

### Constraints

Previous assessments of this site have highlighted particular constraints to development which require addressing:

- Highway capacity and cumulative impact on the Teignmouth AQMA
- Visual impact of development on softening the urban edge of Teignmouth
- Lack of permissibility of residential development in the undeveloped coast
- Impact on Wildlife, specifically Cirl Buntings

The central constraints relating to this site in addition to the undeveloped coast are the County Wildlife Site which covers the site

### Conclusion

The proposed residential site has previously been assessed as unsuitable and unjustified for inclusion within the Local Plan and is therefore not an allocated site. The site whilst standing on the edge of Teignmouth stands within the Undeveloped Coast where there is a presumption against residential development. The principle of residential development on this site has not been established and the scheme would be considered a departure from the adopted and up-to-date development plan.

Departures from the Development Plan can be considered where the proposal would improve the economic, social and environmental conditions of the area. It is up to the

applicant to demonstrate how they comply with local plan policy and how they will improve the conditions of the area.

Based upon the submitted details, the sites location and the sites previous history, Spatial Planning do not support this scheme.

Spatial planning work under a plan-led system therefore site promoters should endeavour to include their site through the Neighbourhood planning or Local Plan review process, rather than through a pre-emptive planning application which doesn't accord with the Development Plan.

24 May 2018

Morning Mark,

As per our earlier discussion in relation to the proposed TPO on the Broadmeadow woodland area, Teignmouth, I have the following comments to make:

Through the Local Plan 2013-2033 examiners report, a representation was addressed which requested this site be re-inserted into the final plan. The Examiner identified a three main local constraints which made the west side of Teignmouth unsuitable for significant amounts of new housing, namely;

- Poor air quality as noted through the air quality management area, particularly around Shaldon Bridge which would be exacerbated by any significant amount of housing on the west side of town.  
[It should be noted that trees can have positive effects on air quality](#)
- The attractive landscape on the western side of the town, which is designated as undeveloped coast is very sensitive to change.  
[In addition the woodland is considered to form part of the landscape setting of Teignmouth, defines its setting and provides enhancement to the urban area](#)
- Extensive wildlife sites which form extremely important habitats for Cirl Buntings would be affected

The site stands within the undeveloped coast which is designated for its own special character and should remain open. The designation is covered through local plan policy EN2 which seeks to protect, maintain and enhance the distinctive landscape and seascape character and ecological qualities of the undeveloped coast. Development is not permitted which would have a detrimental effect on the character of the undeveloped coast.

The site stands on the edge of the existing settlement boundary and as part of the local plan review process the Draft Settlement Boundary review re-examined the settlement boundaries of all towns and villages with an existing boundary across the District. Through this re-assessment sites were included or excluded based on a set of principles. This site was not included within a revised settlement boundary because it was an undeveloped area and did not relate to the character of the built form.

Happy to discuss.

Kind Regards

David Kiernan

David Kiernan, Bsc (Hons), MASP, MRTPI

Principal Planning Policy Officer (Maternity Cover)

Spatial Planning and Delivery

Teignbridge District Council