



MODBURY PARISH COUNCIL

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Parish Council Observations and Comments on 0384/23/OPA — Penn Parks

1. The Council accepts that the site was allocated in the JLP and generally agrees with the principle of housing on this site subject to certain conditions. These conditions would ensure the quality of housing as well as the drainage, environment and pedestrian and vehicular access. We are not yet in that position. There are a number of serious problems with the application as proposed.

2. Pedestrian Access. — We generally agree with the objections to the application raised in the letter from the Devon County Highway Engineer dated 22.3.23. Specifically we would make the following points:—

I). The site is very poorly connected to the Town and particularly the Primary School. The pedestrian route is tortuous (569m) and the natural desire lines for pedestrians and children are unsafe.

II). Bus stops on both carriageways and on right angle bends will lead to severe vehicular conflict at a point where pedestrians are crossing. This is on a road that carries over 10,000 vehicles per day in summer. This vehicular conflict will further exacerbate the safety of pedestrians. This has not been addressed with the minor amendments proposed.

III). The footpaths alongside the highways are the minimum widths of 1.15m. Satisfactory safe havens are not provided for pedestrians, wheel chair users, mobility scooters, or buggies. This further exacerbates the safety of highway users and is contrary to JLP Policies DEV1:Protecting health and amenity and DEV29:Provisions relating to transport and to NP Policies MNP3:Future development and MNP6: Safe movement and transport.

IV). The conclusion of both ourselves and the County council is that an alternative access via Green Lane is essential before the application is approved. This access needs to be well lit, drained and hard surfaced. (Hard surfaces and not 'hoggin' as 'hoggin' will wash out on the slope of the path.)

V). In short the community safety should not be compromised because the developer 'is finding it difficult' to secure a pedestrian access.

3. Vehicular Access. — As a result of the poor pedestrian access people will be forced to use vehicles to access the Town and school. This will lead to further pedestrian/vehicular conflict as outlined in the County Highways letter dated 22.3.23. This is contrary to the policies contained in the Joint Local plan (JLP) Policies DEV1: Protecting health and amenity and DEV29: Provisions relating to transport. It is also contrary to the Neighbourhood Plan (NP) Policies MNP3: Future Development, MNP6: Safe Movement and Transport and MNP12: Community Facilities and Infrastructure.

We do, however disagree with the comments of the highway engineer that his concerns on vehicular access have been mainly addressed. The combination of the desire lines, vehicular movements, proximity of the school and lack of pedestrian access via Green Lane all combine to make the proposed development unacceptable and unsafe. The Highway Engineer even summarises the situation himself as "far from ideal".

General Points

It is suggested by the applicant and the Highway Engineer that it could prove difficult to condition any of the above points. This should not be used as a reason for not providing satisfactory conditions on developments. Indeed it is essential that the community is protected by both conditions and a legal agreement as the development progresses.

This is the crux of the matter. Despite housing being agreed for the site this application is premature until such time as issues are satisfactorily dealt with.

Whilst we recognise that all matters other than transport are reserved at this time, should this application go forward it is essential to ensure that the following issues are protected and are dealt with by conditions:

1. Density of site: Proposed density is up to 45.6 homes. The JLP TT24 site allocation is for 40 homes.
2. Capacity of infrastructure, including drainage.
3. Light pollution
4. Sustainability, including design, construction and energy efficiency.
5. Amenity land, parking, fencing and planting.