

PLANNING APPLICATION REPORT

Case Officer: Thomas Jones

Parish: Ivybridge / Ugborough

Application No: 27_57/1347/14/F

Agent/Applicant:
PCL Planning Ltd
Fair Oak Close
Silverdown House
Devon
EX5 2UX

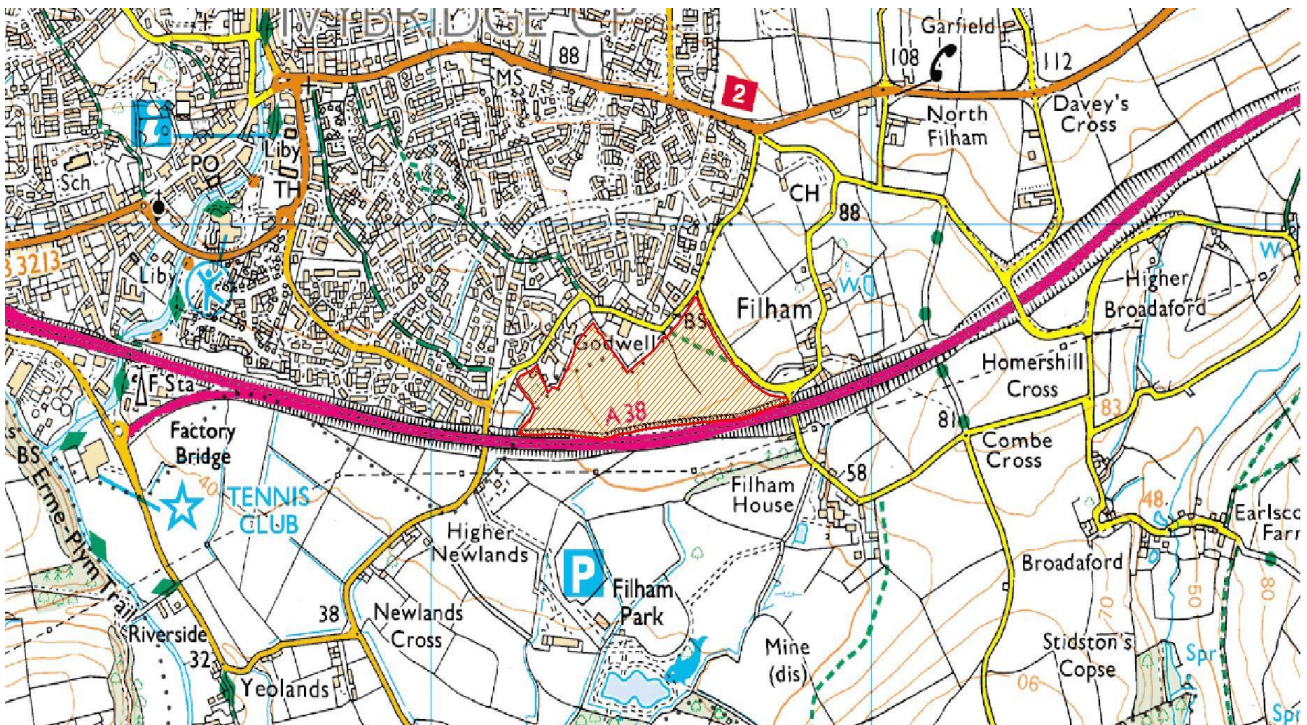
Applicant:
Barratt David Wilson Homes
c/o Agent

Site Address: Land At Torrhill Farm, Godwell Lane, Ivybridge, Devon, PL21 0LT

Development: READVERTISEMENT (Revised Plans Received) Residential development comprising 222 dwellings with green infrastructure, public open space, flood attenuation provisions, vehicle access points, internal roads and pedestrian / cycle links and associated works.

Reason item is being put before the Committee:

Ward Members have requested that the application is considered by Committee due to the number of objections received from residents and local concerns about the number of developments planned for Ivybridge and the lack of infrastructure to support the developments, particularly highways. Ugborough Parish Council would like to see provision for a slip-road on to the Eastbound A38 and improved access to the A38 Westbound at Westover.



Recommendation: Conditional approval subject to the prior completion of conditions and the prior signing of a Section 106 Agreement, as summarised below

Conditions

1. 2 year time limit for commencement;
2. accord with plans, drawings and FRA;
3. unsuspected contamination is dealt with accordingly;
4. on-site highway works in accordance with plans;
5. Construction Management Plan to be submitted and approved prior to commencement;
6. Phasing Plan to be submitted and approved prior to commencement;
7. Surface water drainage layout and details to be submitted prior to commencement, the approved details completed and operational prior to occupation, maintenance throughout the lifetime of the development. This would include an appropriate buffer zone is maintained between the development and the water course in the south west;
8. Adherence to the Arboricultural Impact Assessment, Tree Protection Plan and Arboricultural Methodology Statements;
9. Tree / hedge protection;
10. Submission and agreement, prior to commencement, of a Landscape and Ecological Management Plan.
11. Adherence to measures within Preliminary Ecological Appraisal, and Bat Activity Survey Report (including light);
12. Noise to comply with the findings of the acoustic report, including provision of acoustic bund and fence;
13. provision to ensure permeability through the development to the remainder of the allocation;
14. Travel Pack aimed at encouraging residents to use sustainable modes of transport; and
15. GPDO exclusions;

S106

1. 20% Affordable Housing;
2. Affordable Housing occupancy (50% shared ownership, 50% rented);
3. £75,000 on site renewables (delivery on site);
4. £20,000 air quality improvement (prior to the occupation of the 10th unit);
5. £425,000 off site employment (£225k prior to the occupation of the 50th unit and £220k prior to the occupation of the 120th unit);
6. Off-site cycle improvements (Woolcombe Lane) and Stage 2 Designer's Review prior to commencement of development completion prior to occupation of 10th dwelling;
7. £500,000 toward secondary school places to be paid prior to the occupation of the 50th unit;
8. £5000.00 towards amending the speed limit on Godwell Lane and adjacent roads (prior to commencement of development);
9. £5000.00 towards Traffic Regulation Orders (prior to commencement of development);
10. £330,000 off site 'improvements to sports facilities at Filham Park, Ivybridge and improvements to recreational access from the eastern side of the River Erme to Longtimber Woods' (£180k prior to the occupation of the 50th unit and £150k prior to the occupation of the 120th unit);
11. Design / review (road safety audit) for a footpath link to Filham Park. Subject to that conclusion, BDW to undertake the required works up to a maximum value of £100k. If works are not appropriate or possible the funds remaining after payment for the audit would transfer to item 10, above). The design review would be completed within 3 months of the commencement of development and any subsequent works (if required) to be delivered prior to the occupation of the 100th unit. If payment as part of item 10

- then prior to the occupation of the 150th unit;
12. £7,641.37 would be required towards minimising recreational risks as identified within the Tamar Estuaries Management Plan 2013-2018;
 13. On-going management in accordance with LEMP (including boundary and retained hedges; and
 14. Pay legal fees, including those of SHDC, DCC Highway Authority and DCC Children's Services legal fees.

s278 off-site Highway works are required at the access.

Key issues for consideration

The application site is one of three parcels of land, each of similar size, that together form Allocation I1 of the Ivybridge Development Plan Document (DPD). Allocation I1 seeks to deliver the following mix of uses:

- about 100 dwellings and about 5 hectares of employment land by 2016;
- beyond 2016, about 275 dwellings and about 5 hectares of employment land;
- a local neighbourhood centre providing for small scale daily shopping and community needs;
- provision for retention, maintenance and development of the park and ride and operations in association with the railway station;
- about 0.6 ha of play provision and 1.3 ha of other public space;
- contribution to the development of the town as a sports and leisure hub;
- strategic landscaping measures to address the site's scale and location;
- cycle and footpath provision including enhanced access to the town centre;
- measures to mitigate impact on the Western Road Air Quality Management Area; and
- retention of the Rugby Club on its existing site with any reordering of facilities only acceptable if it results in improvement to club facilities.

A key issue is the degree to which the proposed development meets an appropriate scope of the requirements of the DPD in its own right and in the context of the development permitted in the northern third (Rutt Lane, reference 24572/15/F) and whether permitting the development would compromise the ability to deliver the remaining requirements of the Allocation on the third (central) parcel of land.

With respect to cumulative impacts it is noted that some traffic accessing the site would pass through an Air Quality Management Area.

The site is also the subject of higher than usual levels of noise that results from close proximity to the A38.

The level and mix of Affordable Housing and contributions has been considered in the context of the objectives of the allocation; and has been the subject of a Viability Assessment that has been reviewed independently.

Site description

The site is approximately 1.2km east of the centre of Ivybridge and forms the southern third of Allocation I1 of the Ivybridge DPD.

The site comprises some 8.13 hectares (20.08 acres) of land between Godwell Lane to the north and the A38 to the south. It is an area of agricultural land that is partly subdivided by a hedgerow and with a single mature tree. The Agricultural Grade is believed to be 3b.

The boundaries are formed of hedgerow with individual mature trees and farm gates. A footpath crosses the site in its north eastern section.

To the north of the site lies existing residential development on Godwell Lane with further residential development beyond. To the east and north east lies agricultural land and Ivybridge Rugby Club. Whilst presently undeveloped the land to the north east forms, with this site and Rutt Lane, part to the I1 site allocation.

The junction of Godwell Lane, St Peters Way Woolcombe Lane lies some 50m to the west of the site.

The site is unfettered by direct designations other than sitting within the Ivybridge Critical Drainage Area.

The nearest Listed Buildings are Middle Filham (Grade II), which lies some 50 metres to the east; and structures at Stowford Mill, which is in the centre of Ivybridge.

The Proposal

A full planning application for 222 dwellings together with landscaping, public open space, flood / surface water attenuation, vehicle access points and internal roads, pedestrian / cycle links and associated works.

The net developable area of 5.77ha, which equates to an approximate density of 38 dwellings to the hectare. The planning layout identifies dwelling sizes of between 63 sqm and 132 sqm, which will provide a mix of 2, 3 and 4 bedroom homes. The break down is 65 two bed properties, 65 three bed and 92 four bed.

Vehicular access to the application site would be from a new road leading on to Godwell Lane, towards the southern end, close to where it joins St Peters Way.

The internal road would be a single carriageway highway running in a largely east–west direction. It would operate as a spine through the site. The layout proposed allows for connectivity to the remainder of the allocation to the north east and when this land is brought forward the exact nature of the linkage would be explored further. The applicant has no control over the remainder of the allocation.

Areas of public open space would be provided in the centre of the development and along the boundary with A38. The central area of public open space would include a Locally Equipped Area for Play (LEAP) of approximately 400 sqm as well as less formal open space. The linear public open space is intended to form a Green Corridor along the site and which would also be capable of linking with a similar provision on the adjoining land that forms part of the wider I1 allocation.

Since the application was first registered the Council has requested and the applicant has made changes with respect to highway layout and design, safety /security, noise and drainage. The level and mix of contributions has also been revisited and the offer by the applicant is as expressed at the start of this Report and summarised:

- Affordable Housing;
- on site renewables (delivery on site);
- measures to address air quality and off site cycling improvements;
- off-site employment;
- road safety measures; and
- off-site open space and improved access to open space / leisure facilities.

Noise is to be attenuated by the use of an acoustic bund, an acoustic fence and measures at individual properties, including fencing.

Consultation responses

Full details of consultation responses are available on the website. The following is a summary of the key issues raised.

South Hams District Council Drainage Engineer has no objection subject to a condition requiring a Surface Water Management Plan.

South Hams District Council Strategic Planning has no objection subject to an appropriate scope of work and payments in the s106 Agreement.

South Hams District Council Landscape Specialist has no objection subject to a condition requiring a Landscape and Ecological Management Plan.

South Hams District Council Ecology Specialist has provided detailed comments and does not object subject to conditions and securing payments and measures for ecological enhancement through a s106 Agreement.

South Hams District Council Open Space, Sport and Recreation Specialist has provided detailed comments and does not object subject to conditions and securing payments and measures for off-site provision and the investigation / provision of links to Filham Park through a s106 Agreement. This is discussed in detail later in this Report.

South Hams District Council Environmental Health has raised concerns with respect to noise levels. This is discussed in detail later in this Report.

Devon County Council Highway Authority, makes no objection subject to specific conditions, s278 Agreement and s106 Agreement. At the time of writing the applicant is in the process of amending drawings to satisfy all the requirements. An update will be given verbally at Committee.

Devon County Council Archaeology Officer, in their response dated 30th June 2014, states that no further archaeological work is necessary.

Devon County Council Strategic Planning Children's Services, in their response dated 4th June 2014, requests a contribution of £607,000.00 towards secondary school places.

South West Water (SWW), in their email dated 5th June makes no objection.

The Environment Agency, in their representation dated 5th December 2014, makes no objection subject to the conditions summarised below (and listed at the start of this Report). At the time of writing no comments have been received from the Agency in response to the re-consultation.

- the sustainable drainage scheme is constructed and maintained;
- an appropriate buffer zone is maintained between the development and the water course in the south west; and
- that any unsuspected contamination is dealt with appropriately.

Natural England (NE), in their email dated 17th November 2014, endorses the Habitats Regulations Assessment Screening Opinion and makes no objection subject to payment towards the mitigation of recreational impacts on the Tamar Estuary SPA Management Plan. The full Screening Document is available on the Council's website. In their letter dated 17th November, NE confirms the view that there would be no adverse impact on the Erme Estuary Site of Special Scientific Interest (SSSI).

Historic England (HE), in their response dated 5th August 2014, advises that it is not necessary to seek the view of HE.

Devon and Cornwall Police Liaison Officer, in their response dated 30th June 2015 provides advice with respect to the development achieving the objectives of Secured by Design and identifies some design features that could be improved. At the time of writing an response was being prepared to the amended layout. An update will be given verbally at Committee.

The **RSPB**, in their email dated 29th June 2014, makes no objection and offers advice with respect to measures to be incorporated into the development to enhance habitat for birds.

Ugborough Parish Council (UPC), in their representation of 23rd January 2015 requests funding to address traffic congestion in Bittaford and Wrangaton. The Parish Council would like to see provision for a slip-road on to the Eastbound A38 and improved access to the A38 Westbound at Westover.

Ivybridge Town Council (ITC), in their representation of 15th February 2015, Considers that the application fails to address many of the requirements specified in the DPD for Ivybridge and that a Masterplanning process would have been an appropriate process to achieve this objective.

The full text is available on line. The following is a summary:

- unacceptable piecemeal development;
- one entrance / exit point onto Godwell Lane;
- proportionate increase in residential with no compensating contribution towards any employment opportunities;
- the long term impact of no employment provision would be to reinforce the dormitory town designation;
- too high density and the mix of housing has not been satisfactorily explained;
- anticipated huge growth in numbers of older people in Ivybridge and need for homes for first time buyers justifies some one bedroom properties;
- self-build should be considered as another form of affordable housing;
- suggests that an off-site financial contribution for employment uses south of the A38 (partially in Ugborough Parish);
- suggests improved road link to the above;
- seeks confirmation that acoustic mitigation measures would not have an adverse impact on existing residential properties;
- supports a contribution towards the extension of Filham Park;
- seeks confirmation that appropriate landscape maintenance can be achieved in general and, specifically, once the acoustic screen is in place;
- expresses safety concerns with respect to drainage features;
- resolution of the highways issues is vital and should not rely on delivery on the final parcel of land in Allocation I1;
- considers that any new development must include a contribution to the Western Road air quality area;
- supports a “no right turn” out of the new housing estate up Godwell Lane;
- welcomes the public footpath links as proposed as essential;
- questions the value for peak 8am to 9am traffic and cumulative impact of traffic;
- suggests improvements to roads leading south of the A38 to reduce impact of traffic on Western Road;
- notes the importance of roundabout capacity at the A38 junction;
- requests a financial contribution towards maintenance of bridleway 11;
- seeks assurance from SW Water that the programme to upgrade the sewerage plant at Ivybridge has been completed and that the layout of the sewerage system meets the necessary standards;

- priorities for s106 money are identified as the provision of employment land followed by Affordable housing and requests better prioritisation of the way in which 106 allocations are awarded to meet the principles of the Ivybridge Neighbourhood Plan;
- preference for money to be spent on improved access to public transport rather than Sustainable Travel Vouchers;
- notes the request for payment towards secondary education, but questions that given the limited scope for expansion at this school, whether this is covering the needs of an area wider than Ivybridge; and
- similarly why there is not a commensurate request for primary schools.

Representations

At the time of writing this Report some 15 letters / emails of objection have been received (one responding to the re-advertisement). These can be viewed in full on the Council's website and summarised as below in so far as they relate to planning matters:

- extending the urbanisation effect of expanding Ivybridge and the loss of green fields;
- loss of privacy, light and view (amenity);
- congestion on Godwell Lane, which would adversely affect safety;
- congestion in the wider area;
- delivery vehicles and HGVs would drive through the new estate;
- 'over-development' when compared to objectives of the allocation (number of houses);
- lower density would allow for more open space;
- access should be considered for the allocation as a whole; and
- noise impact (objection to original proposals).

Other representations from residents have been received and are available on the Council's web pages. Of those in support (one following re-consultation). The points made are summarised below in so far as they relate to planning matters:

- amended plans provide a good level of noise abatement from the A38;
- the access arrangement from Godwell Lane to the new estate now provides appropriate protection from the use of Godwell Lane as a 'rat run', with appropriate visibility;
- tree planting and other screening is appropriate; and
- meets a need for housing

Comments that are neither support nor objection include:

- employment not appropriate on the site;
- concerned about vehicles leaving the proposed development will turn right into Godwell Lane, which is narrow with no pavement few passing places and blind corners – suggests 'no right turn';
- concern with respect to access arrangements for the proposed development at Ivydale; and
- street lighting should be controlled.

Relevant Planning History

The site forms by land size approximately one third of Allocation I1 of the Ivybridge Allocations DPD.

ANALYSIS

Principle of Development

The principle of development at the site is acceptable since it is one of three parcels of land that, together, comprise Allocation I1 of the 'Ivybridge DPD'.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.

Paragraph 7 of the NPPF identifies three dimensions to sustainable development: economic, social and environmental and Paragraph 12 sets out twelve core planning principles that should underpin planning decisions.

Paragraph 14 requires that, given the absence of a five year housing land supply, planning permission should be granted for sustainable development unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

A consideration of the three dimensions of sustainability in the context of the Development Plan is set out below.

Development needs to be broadly compliant with the objectives of Allocation I1.

The formal decision of the Council confirming that the proposed development is not considered to be EIA development was issued on 28th November 2013.

The Economic Dimension

Housing development is recognised as an important driver of economic growth in three ways. Firstly, economic benefits accrue to the construction industry from development; secondly, once dwellings are occupied there would be an increase in the level of disposable income from residents, which would be likely to be spent in the local area with some increase in the demand for local goods, services and facilities; and, thirdly, residents could seek employment with local businesses.

In the process of considering the application for development at the northern part of Allocation I1, the findings of the 'Ivybridge Employment Land and Buildings Market Synopsis' (Jones Lang LaSalle) were reviewed. This document was produced at the request of the District Council to provide evidence with respect to the degree to which the employment requirements of the Allocation could be met. The conclusion of that Report is that demand for new office and employment is not strong in Ivybridge. Nevertheless, the objective of the Allocation is to help re-balance the community such that it acts less like a dormitory settlement to Plymouth and other larger towns. The applicant has offered to make a payment, secured by a s106 Agreement, towards the provision of employment off site.

The Social Dimension

The provision of 222 homes is considered to be a substantial benefit. Policy AH2 of the Development Management DPD requires allocation sites to maximise the proportion of AH with a target of 55%. Following a review of the Viability Appraisal that was submitted by the applicant, Officers accept that a reduce proportion of Affordable Housing is appropriate. Given the need to meet other objectives expressed in Allocation I1, an offer of 20% AH has been agreed.

The site is within walking distance of a good variety of services and facilities, including a bus route. Improved access by walking and cycling would be secured through off-site improvements to Woolcombe Lane.

A good level of open space would be provided off site, but the quality is somewhat diminished due to noise levels. This matter is discussed further in the following section, 'the Environmental Dimension'.

Consideration has been given to the impact of development on infrastructure and services. In addition to the measures described above, payment would be made for off-site employment provision and for improvements to Filham Park as a recreational facility for the whole Town, potentially including enhanced access by foot and cycle.

Devon County Council has requested a contribution of £607,425.30 towards the provision of secondary education. Following the review of Viability Assessment it is recommended by Officers that a reduced payment of £500,000.00 is secured through a s106 Agreement. The reason for the reduced payment is that in securing payment towards other items, including recreational facilities at Filham Park, and that the DCC request does not account for the potential for AH to be occupied by families with children already attending the school.

SWW, the Environment Agency and the Council Drainage Engineers emphasise the sensitivity of the site being in the Ivybridge Critical Drainage Area (ICDA), but consider that the proposed foul and surface water treatment is acceptable. The Council's Drainage Engineer advises, however, that a revised Drainage Scheme should be required as a condition and that this should clarify the functionality of the attenuation features and maximise SuDS measures.

Conditions are proposed that will require sustainable drainage design and a landscape and ecological management plan. The delivery of appropriately designed formal and informal open space and their ongoing management will be a key consideration when approving these documents.

The Highway Authority raises no objection subject to conditions and measures to be included in the s106 Agreement. These will cover provision for a future link through to the remainder of the Allocation (through a Deed of Dedication from Road 5), off site cycle links to the town, and a Travel / Welcome Pack for new residents. The Highway Authority has also requested payment for £300 Sustainable Travel Vouchers to be given to new residents. The view of SHDC Officers is that the money available for contributions would be more effective in facilitating more sustainable forms / patterns of transport through payment towards the off-site cycle works and that money would also be more effective on addressing the related issue of air quality by being paid towards measures to address the AQMA on Western Road.

The density of development at approximately 38 dwellings per hectare. Consideration has been given to the potential impact of new dwellings on the residential amenity of the neighbouring dwellings to the north. It is the view of Officers that there would be no unacceptable impact.

Public open space is split into two main areas, one linear and adjacent to the southern boundary and the second located alongside the existing north-south hedgerow that penetrates the site from the northern boundary near the public right of way. The public open space is described as providing an attractive 'green' walking route as well as accommodating a variety of play spaces including casual play, a LEAP (circa 400m²) and linear parkland.

Open space would cover approximately 1.8ha, including the LEAP area, which is considered to be sufficient in the context of the requirements of the Allocation.

Concern has been expressed, however, with respect to the level of noise that would be experienced in open space as well as private gardens and this is discussed further in this Report. It is also considered important that the SUDS features within the open space are designed to maximise useable space and provide multiple functions in terms of flood attenuation, recreation and amenity. It has been suggested and the applicant agrees that the proposed attenuation basins would be designed with shallower sides to provide greater useable space, other than the main attenuation pond in the south west corner. It is considered that this can be addressed through a condition requiring a revised Surface drainage Plan and a LEMP.

The site does not include on-site sports or recreation provision. Projects have been identified within the Playing Pitch Strategy, which will be further refined as part of a Filham Park Masterplan and through the Ivybridge Neighbourhood Plan. In addition, consultation with Ivybridge Town Council has identified a project improving recreational access in Ivybridge, including the reinstatement of a pedestrian bridge across the river Erme to provide a linkage into Longtimber Woods from the eastern side of the town.

A request has been made for a sum of £525,087.50 to contribute to the above. Following a review of the VA submitted by the applicant a revised figure of £330,000 has been agreed in the Heads of Terms. This would be combined with £100k to investigate and, if appropriate, pay for improvements to cycle and walking access to Filham Park. If this money is not used in this way it would be combined with the £330k to contribute to improvements at Filham Park.

The Environmental Dimension

The key issues are impacts on air quality, biodiversity, surface water drainage, landscape and noise within properties and their gardens and noise levels in formal open space.

Air Quality

The Western Road Air Quality Management Area lies to the west of the application and some vehicles leaving or accessing the site would pass through. The Transport Assessment finds that the impact would be limited in terms of additional emissions; and that the payment towards works on Western Road to address the impact of emissions on residents, which would be secured through a s106 Agreement; and direct provision to improve cycle and footpaths. In the context of paragraph 005 Reference ID: 32-005-20140306 of the National Planning Policy Guidance the development is considered to be acceptable since there would not be a significant adverse impact.

The potential cumulative impact with development permitted at Rutt Lane (reference 57/2472/14/0) and Stowford Mill (reference 27/1336/15/F) have been taken into consideration. In this respect both of these development are also making contributions towards measures to mitigate potential adverse impact on air quality.

Biodiversity

The application is supported by an Ecological Assessment that pulls together the results of a range of surveys including an Extended Phase 1 Habitat Survey and subsequent Phase 2 surveys for reptiles, hazel dormouse, badgers, and bats.

Council specialists accept the conclusions of the report that the outlined habitat creation has the potential to deliver a net biodiversity gain.

A Habitats Regulations Assessment (HRA) Screening has been undertaken for this proposed development (final copy dated 27th November 2014), which concludes that the 'proposal is not considered to have a likely significant effect alone or in-combination with other developments or plans on a European site. S106 contributions to minimise recreational risks, which is a strategic objective identified within the Tamar Estuaries Management Plan 2013-2018, will reduced any effects on the European Marine Site to a negligible level.

With respect to specific species evidence of dormice nesting was recorded during the detailed survey and roosting / habitat is present for bats. It is reasonable to consider that the 3 tests are met with

respect to dormice and with respect to bats; and that Natural England is likely to subsequently grant a European Protected Species Licence (EPSL).

A pre-commencement Landscape and Ecological Management Plan (LEMP) would be required by condition. This would provide further detail of all proposed mitigation measures as well as management and maintenance of the new and retained habitats with the objective of maximising biodiversity value. On-going management in accordance with LEMP (including boundary and retained hedges) would be secured in perpetuity through inclusion in a s106 Agreement.

Surface Water Drainage / Flood Risk

The surface water drainage scheme is considered to be generally acceptable, but that improvements could be made to clarify the function

A condition would require a revised drainage scheme that would maximise the implementation of SuDS features, given the known limitations, and adheres to safety principles. This is likely to include more shallow gradients for the attenuation features at the higher parts of the site and consideration of fencing around the attenuation pond in the south west of the site.

Landscape

The application is supported by a Landscape and Visual Impact Assessment. This demonstrates that the proposal would not have an adverse impact on the AONB; and provides the basis for a LEMP, which would be required by condition.

Noise

When the site was allocated it may have been the intention to place employment buildings in the most exposed areas and that these buildings would act to a degree as a buffer. The applicant seeks to bring forward only housing on the site and proposes an acoustic bund and acoustic fence to reduce noise levels. The Council's Specialist advised that noise levels within houses would meet standards, but that some of the gardens and in open space noise would be higher than the levels recommended by the World Health Organisation.

A solution could be to dispense with gardens in the worst cases, but the view of Officers is that retention of gardens is preferred. With respect to open space it is noted that the LEAP would be positioned in one of the parts of the site where noise attenuation is best, next to the acoustic fence. Nevertheless, noise levels are still exceeded and it is considered to be an important measure to provide s106 money to improve facilities at Filham Park and to improve access on foot and cycle to Filham Park.

A condition proposed to ensure the levels of noise predicted in the acoustic report are met both inside and outside residential properties.

Other matters

The applicant considers that the development is lower than the normal level of return that would be acceptable, but recognises the importance of making as high contributions as possible to meet the requirements and objectives of Allocation I1.

The VA submitted by the applicant has been reviewed by Levvels and the advice to the Council is that the development could not support higher contributions / a higher proportion of AH without rendering it

unviable. On balance the view of Officers is that the items set out at the start of the Report under the heading s106 are appropriate and represent a good balance of distributing the funds available. In particular, substantial contributions and work would deliver improved cycling and walking in Ivybridge and improved recreational facilities for new and existing residents; and money would be paid towards mitigating impact on the Air Quality Management Area.

The layout, form and design are considered to be in keeping with the requirements and standards of Policy CS7, Policy DP1 and Policy DP4 of the Development Plan; and paragraph 17 and Section 7 of the NPPF.

The breakdown of housing types is 65 two bed properties (29%), 65 three bed (29%) and 92 four bed (42%). This mix is broadly in keeping with Policy DP11, which seeks 35% 1 and 2 bed dwellings 35% 3 bed dwellings and 30% 4 + bed dwellings. This interpretation of Policy DP11 is considered to be compatible with the provisions of Planning Practice Guidance Paragraph: 021 Reference ID: 2a-021-20160401, which states that 'Once an overall housing figure has been identified, plan makers will need to break this down by tenure, household type (singles, couples and families) and household size.'

There are no heritage buildings or assets whose setting would be affected. With respect to the test of paragraph 126 of the NPPF and of s66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 it is considered, therefore, that there would no impact.

A footpath crosses the site via a stile on Godwell Lane on the northern boundary. The footpath is to be retained.

Landscape features, including hedgerow would be maintained through a management company. Key features are accessible from land that is not in private ownership

DM Committee of 23rd September 2015 approved, in principle, an outline application for mixed use development comprising 198 residential properties and 2.6ha of employment uses in the 'northern third' (reference 14/2472/O, 'Rutt Lane'). The cumulative impact has been taken into account and consideration has been given to how the two developments, together, meet an appropriate mix of development and contributions to deliver the objectives of Allocation I1. Furthermore, it is considered that delivery would not be compromised of an appropriate development in the third parcel of land (the middle section).

Consideration has been given to the impacts on Bittaford and Wrangaton. Whilst at this time the traffic impacts are not considered to be so significant as to warrant any intervention, it is the view of Officers that the benefits of improved access to Filham Park can be extended and linked through the allocation site. This and other impacts, possibly including education needs ion Ugborough, will require close scrutiny if and when an application is received to deliver the final parcel of land in the allocation.

Measures to limit adverse impacts of lighting are identified in the ecological report. Adherence to the recommendations would be a condition.

Ivybridge Town Council has expressed support for self-build plots. This has not been put forward by the applicant and the view of Officer's is that whilst this is something that would be considered to be a positive element there is currently no planning policy to compel the developer to propose this.

Public Opinion / consultation

The Council is mindful of the content of the Localism Act 2011. The objections raised in respect of this application have been carefully and objectively taken into account in forming a recommendation to Committee.

Land ownership

The Council has no evidence to suggest that there are any land ownership issues that would prevent the development in its current form being implemented.

The Planning Balance and Conclusion

The principle behind Allocation I1 is to improve the self-containment and overall sustainability of the town. The proposed development makes a positive contribution to achieving this.

The delivery of housing including Affordable Housing with the package of benefits to be secured through a s106 Agreement are considered to be significantly positive. The only negative element of the proposed development is that the high level of noise cannot be mitigated sufficiently to avoid an adverse impact with respect to gardens and open space.

In the context of paragraph 14 of the National Planning Policy Framework this adverse impact is not considered to outweigh the benefits.

This application has been considered in accordance with Section 38 of the Planning & Compulsory Purchase Act 2004.

Planning Policy

National Planning Policy Framework paragraphs 6 to 10, 11, 12, 14, 17, 28, 34, 36, 38, 47, 49, 50, 112, 115, 118, 120, 124, and Section 7

Conservation of Habitats and Species Regulations 2010, National Environment and Rural Communities Act 2006. The provisions of the Human Rights Act 1998 and Equalities Act 2010 have been taken into account in reaching the recommendation contained in this Report.

South Hams Core Strategy DPD

CS1 Location of Development
CS2 Housing Provision
CS6 Affordable Housing
CS7 Design
CS8 Affordable Housing
CS9 Landscape and Historic Environment
CS10 Nature Conservation
CS11 Climate Change

Development Policies DPD

DP1 High Quality Design
DP2 Landscape Character
DP3 Residential Amenity
DP4 Sustainable Construction
DP5 Conservation and Wildlife
DP6 Historic Environment
DP7 Transport, Access & Parking
DP8 Open Space, Sport and Recreation
DP9 Local Facilities

DP11 Housing Mix and Tenure
DP15 Development in the Countryside

Affordable Housing DPD

AH1 Affordable Housing Provision
AH3 Provision on unallocated sites
AH4 Mix and tenure of affordable housing

Open Space, Sport and Recreation DPD.