

# PLANNING APPLICATION REPORT

**Case Officer:** Thomas Jones

**Parish:** Ivybridge **Ward:** Ivybridge West

**Application No:** 1971/16/FUL

**Agent/Applicant:**

Persimmon Homes - South West  
Mr A West  
Mallard Road  
Sowton Trading Estate  
Exeter  
EX2 7LD

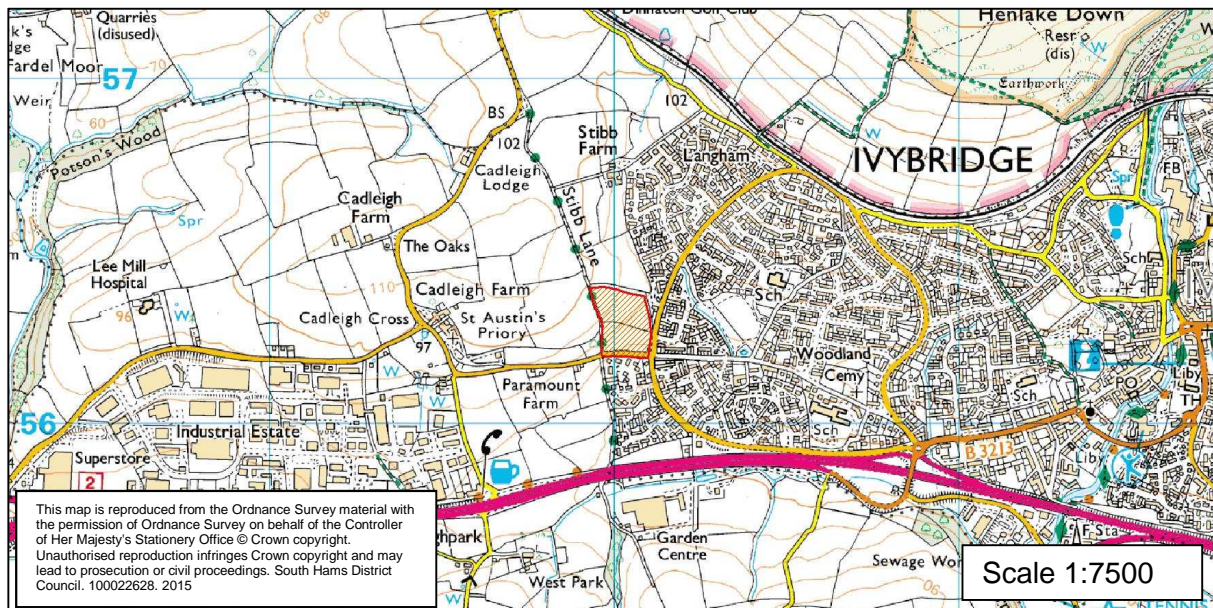
**Applicant:**

Persimmon Homes - South West  
Mr A West  
Mallard Road  
Sowton Trading Estate  
Exeter  
EX2 7LD

**Site Address:** Proposed Development Site at SX 6203 563, Woodland Road, Cadleigh, Ivybridge

**Development:** Erection of 74 dwellings, including all associated public open space, landscaping and all other associated external works (resubmission of 27/1859/15/F)

**Reason item is being put before Committee:** Both Ward Members note the substantial number of objections from local residents that raise planning issues and request that the application is considered by the Development Management Committee.



**Recommendation:** That Development Management Committee delegates the authority to the CoP Lead Development Management in consultation with the Chairman and Vice Chairman of Development Management Committee to approve subject to the conditions listed below and the prior satisfactory completion of a Section 106 Agreement.

### **S106 Clauses**

- Affordable Housing 30% (22 houses), (50% Affordable Rented / 50% Shared ownership)
- £202,475 Education contribution towards additional capacity at Ivybridge Community College;
- £92,981 for Improvements to play facilities at Woodlands Park, Ivybridge;
- £154,105 should be sought for improvements to sports facilities at Filham Park, Ivybridge;
- Provision of an on-site 100m<sup>2</sup> LAP, including appropriate buffers;
- Public access and on-going management and maintenance of the on-site public open space, including the LAP, in perpetuity;
- Landscape Ecology Management Plan (LEMP) & Open Space Specification to be submitted and approved prior to commencement. Open Space works implemented prior to completion of 50% of dwellings;
- £2,460 to off-set recreational impacts on SACs;
- Sustainable travel vouchers; and
- Restrictive covenants with regards to hedgerows.

### **Conditions**

1. Commencement within 3 years;
2. Accord with Plans, Drawings and FRA;
3. Unsuspected Contamination;
4. On-site / off-site highway works in accordance with plans / drawings;
5. Construction Management Plan;
6. Surface water drainage layout and details to be approved prior to commencement of development and completed prior to occupation;
7. Adherence to the Arboricultural Impact Assessment, Tree Protection Plan and Arboricultural Methodology Statements;
8. Lighting Strategy to be submitted and approved prior to the commencement of development and adhered to;
9. Archaeological investigation and reporting;
10. Security Plan;
11. Landscape and Ecological Management Plan to be submitted and approved prior to commencement of development and adhered to; and
12. Adherence to measures within Ecological Appraisal, and Bat Activity Survey Report.

**Note for Members:** This application is effectively a resubmission of the previous application reference 27/1859/15/F. It seeks to address the issues that formed the reason for refusal as set out below, and follows from pre-application discussions with officers.

*In the opinion of the Local Planning Authority the proposed development does not satisfy the requirements and standards of Policies CS7, DP1 and DP4 of the Development Plan; paragraph 17 and Section 7 of the National Planning Policy Framework; and paragraphs 12 and 40 of the Planning Practice Guidance Note on design by virtue of its layout. In particular the design does not satisfactorily take into account the topography of the site, which results in a number of properties having to be accessed via numerous steps; the location of many bin storage areas being outside the curtilage of individual properties; and the location and arrangement of the parking areas being unsatisfactory with double / tandem parking and an inconsistent approach to the number of and accessibility to the parking spaces that are allocated to individual properties. The combination of these elements is considered to result in an unsatisfactory standard of living accommodation for the residents of the proposed development. The proposed affordable housing is not fully integrated into*

*the site and residents would experience the worst combination of the poor design elements described, namely excessive steps, bin stores off their property and poor parking arrangements. In addition, and in the absence of details of the structures for bin storage, it has not been demonstrated that the structures proposed to the front of the dwellings to house wheelie bins would not have a detrimental visual impact on the character and appearance of the street scene.*

### **Key issues for consideration**

The site is agricultural land outside the development boundary of Ivybridge. The principle of development is, therefore, contrary to Policy CS1 of the Core Strategy DPD. However, the District Council is currently in the process of preparing a new Local Plan and the application site sits within an area which is currently proposed to be included in that plan as being capable of being developed.

As the Council is not currently able to demonstrate a five year housing land supply the application falls to be considered in the context of paragraph 14 of the National Planning Policy Framework (NPPF), which requires development proposals to be approved unless there are any adverse impacts that would significantly and demonstrably outweigh the benefits.

Given the location and sensitivities of the site the key tests in this respect are considered to be:

- Access to services and facilities;
- Affordable Housing, in the context of viability testing;
- Landscape;
- Drainage; and
- Highway safety.

In addition to the NPPF specific 'tests' outlined above, Members expressed concerns with respect to specific design elements that were proposed within the earlier submission, reference 27/1859/15/F. These concerns were used to frame the reasons for refusal and are summarised:

- Road layout and standards;
- Open space and communal space;
- Access to properties;
- Bin storage;
- Fencing / boundary treatments;
- Central hedgerow;
- Sustainable design; and
- Security.

The degree of cumulative impact a development in this location would have has also been considered. Local residents are concerned about the possible cumulative impact caused by the generation of additional vehicular traffic movement to and from the site and the associated potential impact that this could have on the Weston Road Air Quality Management Area.

Having taken advice from the Highway Authority it can be confirmed that the projected increase in traffic at the roundabout at the western end of Weston Road is not significant and that, in isolation, the impact of the proposed development on the AQMA is negligible. It should also be noted that the impact on air quality of the potential combination of development at Stowford Mill (reference 1336/15/F, Rutt Lane (2472/14/F), Godwell Lane (1347/14/F) and the recycling centre (27\_57/2473/14/CM) has been considered in the context of Planning Practice Guidance at paragraph 005 Reference ID: 32-005-20140306 and the proposed development is considered to be acceptable.

## **Financial Implications**

It is estimated that this development has the potential to attract New Homes Bonus, which would be payable for a period of 6 years.

Members are reminded advised that this information is provided for reference only and that this matter is not a material planning consideration in the determination of this application.

## **Site Description**

The application site measures 2.63ha and comprises two agricultural fields located immediately adjacent to the development boundary at the west of Ivybridge. The highest point of the site is 99.5m AOD, in the north-west, and falling to 67.7m AOD in the south, with an average gradient of 1 in 8.

The site is open countryside and within the Ivybridge Critical Drainage Area. It is Grade 3 Agricultural farmland. With the exception of the foregoing there are, no statutory designations that directly affect the site.

Both of the fields that make up the application site are bounded by mature hedgerows with occasional mature trees and farm gates. At present, the main entrance into the site is to be found in the southern boundary, where access is possible from Woodland Road.

A public footpath (Stibb Lane) runs parallel to western boundary of the site, beyond a substantial screen of hedgerow and trees.

The site lies within Flood Zone 1, indicating that is not likely to be the subject of flooding. On site, however, tests carried out by the Applicant's consultants have demonstrated that infiltration rates are not sufficiently rapid to manage surface run off, which runs into Woodland Road, to the east, before discharging into the unnamed stream some 200m to the east of the site. The use of soakaways to deal with the surface water drainage of the site is therefore not feasible.

The proposed Drainage Strategy for the site is discussed in greater detail later in this report.

A sewer main runs to the south of the site under Woodland Road. There are no formal records of sewer flooding, but residents have reported that this has recently occurred.

As a south facing site the opportunity exists to maximise solar gain.

## **The Proposal**

The planning application proposes the erection of 74 houses along with associated works to create areas of open space, landscaping and flood attenuation.

The mix of properties is 28 (39%) two bedroom houses, 41 three bedroom (55%) houses and 5 (7%) four bed houses. When viewed in the context of other recent approvals and the likely housing need for the District it is considered that the proposed development mix is appropriate in the context of Policy DP11 of the Development Plan.

22 (30%) of the houses would be Affordable Housing (AH) with 50% (11) of these being offered on an Affordable Rent basis, with the remaining 11 being available for Shared Ownership.

Financial contributions have been sought by a number of different stakeholders to aid in the delivery of infrastructure associated with the development. The Applicant has confirmed that they are happy to fully meet each of these requirements.

The payment of these contributions and the delivery of the Affordable Housing elements of the development would be secured through a Section 106 Legal Agreement, the requirements of which are summarised above.

Provision would be made on site for the parking of 162 cars (average 2.2 spaces per dwelling). It is also proposed to relocate the nearest bus stop to a location further north on Cornwood Road in order to facilitate improved access to buses and to provide a safe point of crossing to link the site to the local footpath and cycle path network.

Properties are proposed to be finished in brick and/or render with tile roofs in order to reflect the vernacular of the neighbouring developments.

The application is supported by the following documents:

- Plans and drawings;
- Design and Access Statement;
- Ecological Assessment;
- Historic Environment Assessment;
- Statement of Community Involvement;
- Landscape and Visual Impact Assessment;
- Contaminated Land Assessment;
- Arboricultural Assessment including Tree Protection Plan
- Transport Assessment; and
- Travel Plan

The developer has met with Officers of the Council ahead of the submission of the application. At that meeting the main areas of concern, as identified earlier in this Report, were discussed and advice given. A summary is provided below with regard to how each element has been addressed.

#### *Road layout / standards*

All roads within the development have been designed to an adoptable standard and will be offered to Devon County Council for adoption.

Devon County Council Highways Team makes no objection and re-iterates the requirements of the previous application with respect to conditions and s106.

The Applicant has acknowledged the concerns expressed by Members with regard to the positioning and 'usability' of parking spaces (particularly those located within parking courts) within the previous scheme and has, along with amendments to the orientation of some properties, altered the location of some spaces in order to make them more easily accessible from the dwelling to which they relate.

Whereas the previous scheme had some areas of double parking courts, this element has been removed entirely from the current scheme. This has led to a situation where all parking court areas are only one bay in depth and no greater than four spaces in width.

This change is considered to have the effect of significantly reducing the visual impact of the parking court areas to an acceptable level.

Where parking court arrangements are not used then parking is provided by spaces to either the front or side of the host property and through the use of garages.

It is proposed that the parking spaces areas to the front of the properties in question will be planted with trees which will visually break up their appearance and reduce their visual impact.

Although the parking areas will not be formally adopted by the County Council, the County's Highway representatives has previously offered comments about the provision of parking spaces and has no objection in safety terms.

#### *Open space / communal spaces*

The positioning of the areas of Public Open Space (POS) was questioned during the determination of the previous application for the development of this site.

The majority of the areas of POS are positioned at the margins rather than the centre of the site act in order to enhance the ecology and biodiversity of the site and to provide an appropriate landscape treatment to the western boundary. The large, linear areas of POS that runs along the western boundary acts as both a wildlife corridor and as a buffer zone, separating the existing tree line and the public footpath beyond from the residential development.

The western area of POS would be overlooked by a number of properties. It would be accessible from both the upper and lower portion of the site with a hoggin path running through its length, thus providing connectivity throughout the site.

The area of Public Open Space that surrounds the existing large oak tree would be easily accessible from all areas of the site and would overlooked, thus enabling the surveillance of the area and engendering a sense of ownership amongst the owners of the surrounding residential units. When added together this area, the slightly smaller area of POS to the south of Plots 1 and 2 and the Public Open Space and attenuation basin at the southern-most extent of the development provide a variety of open space throughout the development.

The Council's Biodiversity Officer makes no objection to the proposals.

#### *Accesses to properties*

The objective is for all properties to be designed with safe, useable access. The relatively steep topography means that it is unavoidable that some will be served by steps, which raises potential difficulty for those with mobility problems including the elderly, those with young children or heavy goods to carry. The use of steps is minimised.

When application 29/1859/15/F was refused particular concern was expressed regarding level of the stepped access pathway leading to the Affordable Housing units in the south-western corner of the site was considered to be excessive. To address this issue the proposed number of units on the site has been reduced and the plots 58-62 re-oriented so that they now front onto the tertiary street to the south and are accessed by short lengths of pathway, with no steps, from the highway/edge parking spaces.

This amendment is considered to be a significant improvement upon the previous scheme. This not only creates a more usable and liveable environment, but also a more visually pleasing site layout.

#### *Bin storage*

Another major concern regarding the previous application was the need for bin storage features to be used on the site and their proposed locations.

With the most recent submission, the applicant has re-assessed the storage of refuse bins and the ease of movement of these to the highway edge for Plots 15 and 16, 36-38, 39 and 40, 41 and 42, 58-61 and 63 and 64. It is proposed that the aforementioned properties will be served by bin storage areas which will be located immediately adjacent to the access pathways running between the relevant residential units.

The reduction in housing numbers has created more generous spacing between some of the dwellings. This arrangement allows for an unobstructed 1.0 metre wide access pathway to be provided and for a bin storage area to be formed in the other half of the space between the dwellings.

The 2.0m wide space between the relevant units will be screened from view by timber cladding and a lockable gate. This will allow access into both the storage area and access pathway and also ensure the security of the area.

Each of these bin storage areas are within easy, unobstructed reach of the properties that they are designed to serve and the designated collection points.

Given that the bin storage areas would be located and designed so as to not impede the outlook of the units that they serve and have been designed so that they are of minimal visual impact, when viewed from the street, it is considered that another of the key concerns associated with the previous refusal has been addressed satisfactorily.

#### *Fencing / boundary treatments*

The central hedgerow element as a boundary treatment for Plots 53,54 and Plots 58-62 would be retained. Consideration has been given to the use of fencing to create a maintenance strip along either side of the hedge was considered, but retention of the hedgerow is preferred as it would provide a visual pleasing element within the aforementioned plots.

To ensure that there are no issues associated with the maintenance of the hedgerow, it is proposed that the entirety of it is maintained by the Management Company that will be set up to deal with all of the maintenance issues associated with the site.

To this end, an agreement allowing the company's contractors access to the garden areas of the aforementioned properties in order to carry out works to the hedge would be included in the relevant purchase agreements.

Similarly to the western area of POS, the hedgerow has been identified as a wildlife corridor and a feature that is of ecological and biodiversity that would be retained as an attractive, natural feature.

It is reconfirmed that the Council's Natural Environment Team makes no objection to this approach.

#### *Sustainable design*

A number of units within the development would have a southward orientation, which will maximise the solar gain that is available to them. Several other units would be oriented westwards which will still offer significant opportunities for solar gain.

The rear gardens of the majority of units will be orientated in such a way that they will benefit from the sun throughout the day.

Persimmon Homes properties are constructed using the 'Fabric First' method. Recent testing by independent energy consultants has suggested that this type of construction is approximately 6% more energy efficient than more standard construction methods.

#### *Security*

In response to the comments of the Police Architectural Liaison Officer the applicant advises that considerable effort has been made by Persimmon Homes to ensure that there is sufficient surveillance from the properties over roadways, footways and the areas of Public Open Space.

All areas of Public Open Space would be enclosed by 0.9 metre high railings to ensure a high level of security between these areas and the residences beyond.

## Consultations

**Natural England**, makes no objection and offers standard advice.

**The Environment Agency**, makes no objection.

**Historic England** has made no comment.

**Highways England** makes no objection.

**DCC Highway Authority** has raised no objection to the proposal.

**Environmental Health** makes no objection subject to conditions.

The **Landscape Specialist** makes no objection.

**Strategic Planning** states no over-riding policy objections to the development of the site. Subject to the detailed planning considerations being satisfied and there being no substantive planning reasons why the development should not go ahead, SP recommends that the application is approved.

**Devon County Council Children's Services**, indicates that a contribution would be necessary to meet the need for additional facilities at Ivybridge Community College.

**The Local Lead Flood Authority** (DCC Flood Risk Management, Environment Group) made an initial objection. Following the receipt of additional information this has been formally removed as stated in their email 26<sup>th</sup> August.

**Devon County Council Historic Environment Team** raises no objection subject to an archaeology condition.

**Ivybridge Town Council** objects on the basis of the development being unnecessary given that allocations have been identified in the Development Plan to meet the need for housing in Ivybridge, that development would increase flood risk on Woodland Road and Cornwood Road; highway safety concerns; that no social infrastructure is proposed; that 50% of the properties should be Affordable Housing; that the amount of housing represents over development; and an adverse impact in the landscape.

**South West Water** (SWW) raises no objection.

The **Police Architectural Liaison Officer** raises concerns with respect to security. It is considered that these can be addressed successfully through the implementation of conditions

**Dartmoor National Park Authority** offered a formal response of no comment with respect to the previous application.

## Representations

Seventy two (72) letters of representation have been received. All raise objection to the proposal.

The concerns raised by third parties can be read in full on the Council's website and are summarised as below, in so far as they relate to planning matters.



## Principle of residential Development

- Greenfield site with unsuitable topography.
- Land is located outside development plan boundary
- Already enough development in Ivybridge
- Current local plan identifies enough sites
- Granting permission would set unwelcome precedent for future applications
- Might have been possible to develop the site with substantially fewer houses
- The original consultation exercise by Persimmon envisaged 65 houses

## Extra traffic & road safety

- Proposal will lead to an increase in traffic, generating road safety concerns on surrounding roads and access, for pedestrians and in particular the children's' nursery
- It is understood that the level of traffic would require a roundabout.
- No confidence in assurances that the junction does not constitute a hazard
- Site traffic – diggers will cause disturbance
- Air pollution – more and more children suffer from asthma.

## Infrastructure capacity

- Will generate huge strain on doctors, schools and other local services.
- Local schools such as Ivybridge Community College already full
- Lack of play facilities

## Flood risk & Drainage

- Unsuitable for development
- Increased water run off from hard surfaces
- Steep slope in winter months surface water pours down onto the roads.
- Lack of natural drainage
- Potential flooding
- Drainage not able to cope
- Weather is warmer and wetter
- Drainage pond at the bottom will be a breeding ground for mosquitos.

## Affordable Housing

- Too many affordable homes.
- Insufficient rental houses proposed.
- Affordable housing especially poor in terms of size and layout.
- Affordable housing will lead to tension between neighbours.

## Design

- Very substantial overdevelopment
- Good design principles not followed
- Scale and proportion of surrounding buildings out of character.
- Poor design bin access inadequate bin storage refuse lorries would not be able to get around the small site.
- The houses are all squashed together too small significant overdevelopment too many houses squeezed in insufficient parking
- Inadequate open spaces, developers only paying lip service to them. Solar panels should be mandatory for new development

### Detrimental affect on residents amenity

- Overshadowing of neighbouring properties

### Ecology & Wildlife

- Proposal will involve loss of farmland / countryside
- disturb wildlife
- impact on views of Dartmoor National Park

### Miscellaneous

- Developer failed to serve notice
- no significant improvement on previous application

## **Relevant Planning History**

29/1859/15/FUL – Application for the erection of 77 units including all associated public space, landscaping and all other associated external works – Refused (April 2016)

## **Analysis**

### ***Principle of Development / Sustainability***

The site is not allocated for development in the Council's adopted Local Development Framework Site Allocation Development Plan Documents 2011 (SA DPD).

It is located adjacent to but outside the Ivybridge development boundary as defined in the South Hams Local Plan (1996), but within an area which is considered to be capable of development within the consultation documents for the Joint Local Plan.

Any recommendation relating to whether this application should be approved for development needs to take account of not only the local Development Plan, but also the National Planning Policy Framework (NPPF). This national policy documents is clear in its requirement that in order to boost significantly the supply of housing local planning authorities should maintain 'a supply of specific deliverable sites sufficient to provide five years` worth of housing against their housing requirements.'

The Council is not able to demonstrate a five year housing land supply. In the context of paragraph 14 of the NPPF this means that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.

The site is considered to be in a sustainable location in that services and facilities can be easily accessed by walking, cycling and public transport. This position is further enhanced by the offer of sustainable travel vouchers.

The key sensitivities associated with the development of the site are considered to be surface water run-off / Ivybridge Critical Drainage Area and landscape, including potential impact on Dartmoor National Park.

The numerous mature trees and the existence of habitat suitable for protected species, specifically the boundary hedgerow, also represent parameters within which proposed development must be framed.

The decision relating to the principle and suitability of development needs to be made in the context of the three dimensions of sustainability as set out in the NPPF: economic, social and environmental. A consideration of the proposals for each of these categories in the context of the Development Plan and general requirements of the NPPF follows.

### *The Economic Dimension*

The provision of housing, including Affordable Housing (AH), is a significant benefit in terms of the associated employment in the short term and the provision of accommodation for workers in the long term. New residents would also spend money in the local economy, supporting the retention and improvement of local services and facilities.

The application has been brought forward to meet some of the requirement for a five year housing land supply, it is important to secure the delivery of Affordable Housing early in the construction timetable and that all development commences in a timely manner.

### *Social Dimension*

The provision of housing, including Affordable Housing (AH), is a significant benefit. For a non-allocated greenfield site the level of Affordable Housing would normally be 50%. The applicant has submitted, however, a viability assessment that has been independently reviewed and this confirms that the proposed (increased) offer of 30% AH with a split of 50% Affordable Rented and 50% Shared Equity, represents a good level given the costs associated with development.

The applicant has also confirmed that the requirement for a payment to meet the capacity needs that will arise at Ivybridge Community College as a consequence of development will be met in full.

The layout of the development is considered to provide a good level of open space that is easily accessible to all residents.

The Police Liaison Officer has identified a number of concerns. Whilst these concerns are well founded, the layout has been designed to limit landscape and visual impact and this has resulted in much of the open space running alongside the public footpath. The design responds to security concerns to an extent by ensuring a reasonable degree of overlooking of public spaces. It is considered, however, that further security measures, such as lockable gates between houses, are necessary and that if planning permission is granted then a condition would be to require a security plan.

The Police Liaison Officer has advised, verbally, that the use of a condition as described would be acceptable.

### *The Environmental Dimension*

The fields currently make a contribution to the rural setting of the fringe of Ivybridge and form part of a green space between Ivybridge and development further west. The site is prominent in views from higher ground to the south of the A38 and from higher ground within the northern part of the developed area of Ivybridge. Views are available from Dartmoor National Park.

The layout of development minimises landscape and visual impact by placing open space to the west and north-west, along the footpath and by making a feature of the mature tree that sits in the centre of the site. It is also notable that given the substantial screen of mature trees the proposed development would not infringe on the skyline.

Dartmoor National Park Authority makes no objection.

The Environment Agency confirms that the site is not at risk of flood itself. It would appear, however, that due to poor percolation surface water run off can contribute to flooding of lower land to the south and south east. Local residents have advised that flood occurs on occasion.

In order to address these issues, the applicant has submitted a Flood Risk Assessment and a Drainage Plan that demonstrates the proposals for dealing with surface water drainage.

The proposals are considered to offer betterment over the current situation inasmuch as that by holding run off in a surface water storage feature, and then releasing this in to the existing drainage network at a measured rate the risk of any surface water runoff contributing to any flooding events which occur off site is reduced.

The Local Lead Flood Agency (Devon County Council) makes no objection to the development on the basis of the revised information that has been provided by the applicant. The reason for the initial objection is that the original submission was not entirely compliant with revised legislation that had become active between the first application and this application. The Central Government Guidance in question is titled 'Adapting to Climate Change: Advice for Flood and Coastal Risk Management Authorities (April 2016)'. This has necessitated the provision by the applicant of additional information to clarify that the water management system allows for a 1 in 100 year rainfall event.

The Council's Natural Environment Team raises no objection to the proposed development subject to a number of measures being implemented via the attachment of conditions to any approval. Of greatest importance would be the pre-construction agreement of a Landscape and Ecological Management Plan that would implement the findings of the Ecological Assessment and include protection of hedgerows and trees. The latter would need to be secured within the Section 106 Agreement.

A financial contribution would be necessary to address recreational impact on Special Areas of Conservation. It has been agreed by the applicant that such a contribution will be made.

The specialists also recommend that prior to the commencement of development on site the specific details of the on-going management and maintenance of the Public Open Spaces (including the play area) and surface water storage basin are submitted to the Council for their agreement. In this respect the Section 106 Agreement requires that payments are made by the Applicant towards improvements to play facilities at Woodlands Park and sports facilities at Filham Park, Ivybridge, as well as the on site provision of a 100m<sup>2</sup> LAP, including appropriate buffers, public access provision and on-going management and maintenance of the on-site public open space, including the LAP, in perpetuity.

Again, the applicant has confirmed that they have no objection to making any such contribution or ensuring that the areas are properly maintained.

### *Sustainability balance*

The site is considered to enjoy good access by walking, cycling and public transport to a range of facilities and services.

With no significant adverse impacts identified the weight of the provision of housing, including 30% Affordable Housing is significantly in favour of the development.

The layout and overall density is considered to be sensitive to the location and makes the most of the existing strong hedge and trees at the boundaries and to limit any adverse impact on landscape and biodiversity.

### **Other material considerations**

It is considered that the layout of the site responds well to its setting, as described above. The objective of retaining open space in the most sensitive parts of the site (the west and north-west) and to ensure betterment with respect to surface water run-off, has resulted in a low density development in comparison to the area of the whole site.

Some of the properties are typically small and the desirability of this in the context of Policies DP4 and DP11 is questionable. However, the key tests of the NPPF require a balanced approach. In the case of this application the high quality of the landscape treatment / quantity of public open space, the delivery of 30% Affordable Housing and the meeting all request for contributions are considered to be significantly beneficial.

The government has also recently moved towards a regime whereby Local Planning Authorities must rely on National Standards and Building Regulations rather than require higher standards of design. Whilst high quality in all design matters continues to be an objective of this Local Planning Authority, it is considered that an appropriate quality will be delivered by compliance with non-planning statutory standards; and that given the other benefits of the development, this is not a reason to refuse planning permission in this instance.

Parking spaces and arrangements are generally sufficient and appropriate, and are considered to be well located when compared with previous planning submissions for the site.

Representations have questioned the impact on neighbour amenity. In this respect it is considered that appropriate distances exist between the properties which surround the site in existing developments and the proposed new properties. Furthermore, it is also considered that there are no views from existing properties that would be dominated by the new development such that it would render them unpleasant places to live.

It is recognised that disruption would occur during the construction phase, but that this would be short term and could be controlled to an appropriate level through condition.

Representations have also questioned whether adequate provision is proposed with respect to open space and recreation / sport provision. With a good proportion of open space on site and specific contributions to be made to off-site recreation provision, it is considered that these matters are addressed to a more than acceptable standard.

Devon County Council Highway Authority makes no objection to the proposals and are satisfied with proposed safety measures relating to the crossing of Cornwood Road. The measures would be secured by condition and/or Section 106 Agreement to ensure the appropriate design in terms of highway / pedestrian safety is implemented on site.

Highways England makes no objection and is satisfied that the Transport Assessment demonstrates that forecast demand can be accommodated by the existing infrastructure.

DCC also requests a condition requiring a Construction Environmental Management Plan such that highway safety can be maintained and harm to amenity minimised during the construction phase.

No comment has been made by any consultee in this respect. Given the nature of discussion surrounding this matter during consideration of the previous application it is noted that no consultee has raised concern that there would be an adverse impact on the Air Quality Management Area at Weston Road.

The site is Grade 3 Agricultural Land, the loss of which cannot be mitigated or compensated. As a relatively abundant resource, this is not considered to be a matter that would outweigh the benefits of delivering housing to meet a five year housing land supply.

Devon County Council Historic Environment Team has confirmed that a pre-commencement Written Scheme of Investigation would be an acceptable condition.

## **Conclusion**

The amendments that have been made to the proposed development in view of the refusal of 27/1859/15/F and the comments made by Members during its determination are considered to fully address the reasons for which the previous planning application was refused. In particular the 'liveability' of the site is much improved by the changes to the layout, their positioning relative to the topography of the site, the rationalisation of the parking provision and the addition of appropriately designed bin storage areas.

Whilst it is noted that some Members have previously expressed the view that a redesign with POS in the centre of the site might be appropriate, in this respect it is the view of the Case Officer that the ecological benefit and landscape / visual benefit justifies the retention of some POS in one centralised location with the majority of POS at the margins. It is also felt that proper maintenance of these areas can be achieved through the use of a Management Company and restrictive covenants.

It is acknowledged that degree of difficulty that may have been experienced by residents having to gain access to properties and their respective bin stores via steps, if the previous application had been approved has now been sufficiently addressed to an extent that only a small number of units are without any some form of level/pathed access. All bin store areas and parking spaces are now within easy access of the units which they serve.

With 28 two bed, 41 three bed and 5 four bed properties, the proposed development is considered to provide an appropriate mix in the context of the indicative targets of Policy DP11.

With respect to the design and materials, the use of a mix of brick, render and grey slate tiles is considered appropriate in the context of the setting of the site.

It is recognised that granting planning permission is likely to result in a level of housing development in excess of what has been proposed in the Ivybridge DPD. With all contribution requests to be met there are, however, no adverse impacts with respect to infrastructure and other provisions. Notably neither Devon County Council as Highway Authority nor Highways England have raised any objection with respect to highway capacity.

With no significant adverse impacts identified, the weight of the provision of housing, including 30% Affordable Housing, is significantly in favour of the development.

Conditions and s106 requirements have been identified at the beginning of this Report and these are considered to be necessary to ensure that the development would meet policy tests with respect to sustainable development. Of particular importance are measures to secure a landscape plan and a surface water management plan.

Given that all of the issues regarding the previous refusal of planning permission are considered to have been addressed and in the context of the balanced judgement required by paragraph 14 of the NPPF it is recommend that the planning application is approved.

This application has been considered in accordance with Section 38 of the Planning & Compulsory Purchase Act 2004 and with Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

## **Planning Policy**

### South Hams LDF Core Strategy

- CS1 Location of Development
- CS6 Affordable Housing
- CS7 Design
- CS8 Infrastructure
- 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 and recreation
- DP11 Housing mix and tenure
- DP15 Development in the Countryside

NPPF Paragraph 7 and 14. Section 7.

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.