PLANNING APPLICATION REPORT

Case Officer: Bryony Hanlon **Parish:** Ivybridge **Ward:** Ivybridge West

Application No: 2045/19/HHO

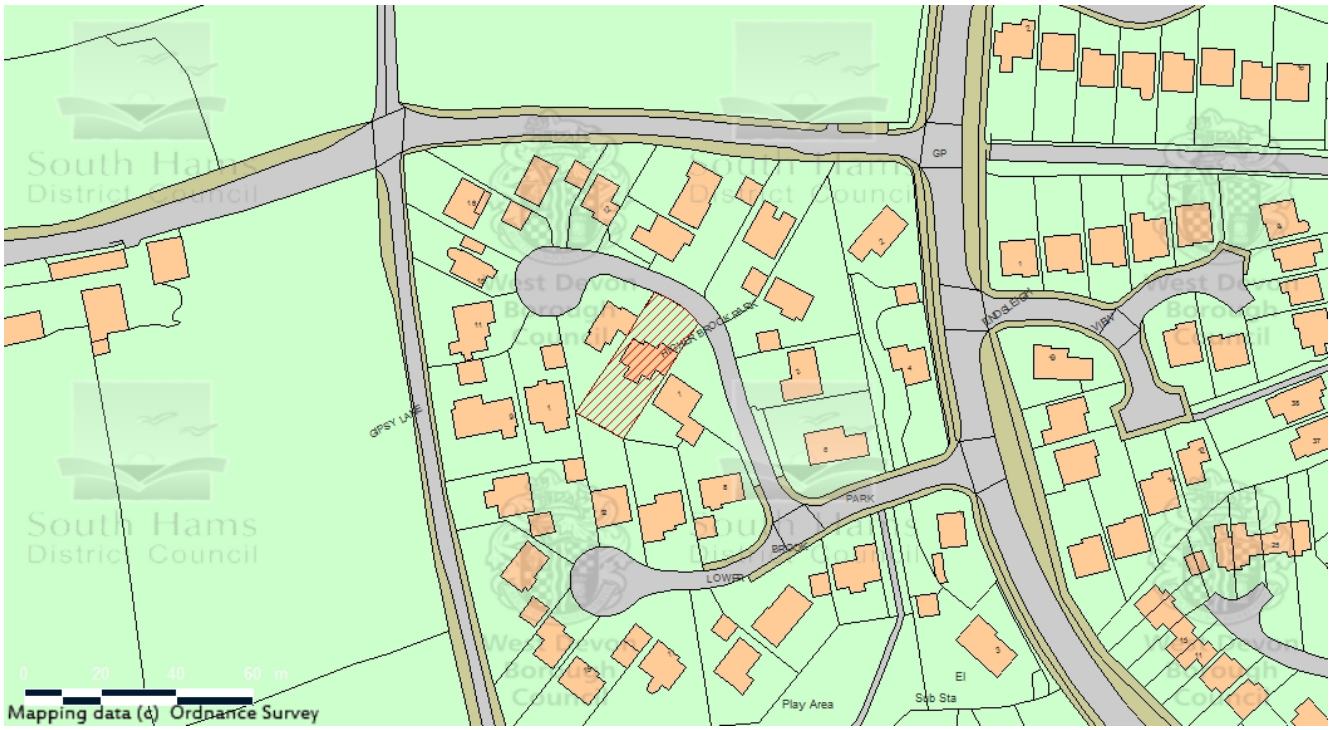
Agent:
Mr John S Rowe
52 Southgate Avenue
Plymstock
Plymouth
Devon
PL9 9LW

Applicant:
Mrs A Luscombe
3 Higher Brook Park
Ivybridge
PL21 9UA

Site Address: 3 Higher Brook Park, Ivybridge, Devon, PL21 9UA

Development: Householder application for proposed ground floor extension to form new shower room.

Reason item is being put before Committee:
The application is referred to Committee by Cllr May who considers that the disposal of the surface water to the mains system is acceptable.



Recommendation: Refusal

Reasons for refusal
The proposed method of surface water disposal via the mains sewer rather than to a soakaway, where it has not been demonstrated that a soakaway is not a viable option for managing surface water, is considered contrary to the adopted policy of the Plymouth and South West Devon Joint Local Plan DEV 35 Managing Flood Risk and Water Quality Impacts (4 and 7) and the guidance contained within the National Planning Policy Framework (2019) including, but not limited to, paragraphs, 155-165.

Key issues for consideration:
Design and materials, surface water drainage.

Site Description:
The site is located within a residential cul-de-sac within the built form of Ivybridge, c. 1.4km west of the town centre. The site hosts a detached, two storey residential dwelling, with off-road parking and double garage to the front of the site. The site is located within Ivybridge Critical Drainage Area and permitted development rights have been removed.

The Proposal:
The applicant seeks to construct a ground floor extension to the front elevation of the dwelling to accommodate a new shower room.

Consultations:

- County Highways Authority — No highways implications
- Town Council — Support
- South Hams District Council Drainage Engineer — Objection

Recommendations – Objection
Based on the information provided we would object to the current proposal on the grounds of insufficient information. As such we would recommend that the application is not decided until these issues have been overcome.

Observations and comments
The site is within a Critical Drainage Area, as designated by the Environment Agency. This means that the surface water must be controlled on site, if this is not possible then any discharge from the site must be attenuated to the 1:100 year + 40% cc event and the discharge limited to the 1:10 year green field runoff rate.
SuDS should be designed to reduce or manage the surface water as close to source as possible. The drainage hierarchy should be followed with the top of the list as first choice. Evidence will be required to show each option has been explored and discounted.
1. By infiltration, soakaway.
2. Discharge to a water course, attenuation maybe required.
3. Discharge to the public sewer, attenuation will be required and permission from SWW.
No details of the surface water drainage have been provided. The site is small and the proposed development doesn't leave much space for the SuDS. A drainage assessment will be required to ensure that a workable solution is possible.

Overcoming the objection
To overcome the objection the applicant will need to provide the details of the most sustainable drainage scheme. Design steps are as below:
1. Soakaway testing to DG 365 to confirm the use of soakaways or to support an alternative option. Three full tests must be carried out and the depth must be representative of the proposed soakaway. Test results and the infiltration rate to be included in the report.
2. If infiltration is suitable then the soakaway should be designed for a 1:100 year return period plus an allowance for Climate change (currently 40%).
3. If infiltration is not suitable then an offsite discharge can be considered. Attenuation should be designed for a 1:100 year return period plus an allowance for Climate change (currently 40%).
4. The offsite discharge will need to be limited to 1:10 year Greenfield runoff rate. This must be calculated in accordance with CIRIA C753. Full details of the flow control device will be required.
If the calculated Greenfield runoff rate is too small to be practically achievable, then a maximum offsite discharge rate of 1.0l/s can be considered. Which is achievable in most cases with suitable pre-treatment and shallower storage depth.
5. If discharging surface water to the main sewer, then written permission from SWW will be required.

6. The proposed development should not compromise the existing drainage arrangements, details will be required to confirm what the existing drainage arrangements are and that these won't be affected by the proposed development.
7. A scaled plan showing full drainage scheme, including design dimensions and invert/cover levels of the soakaway/attenuation features, within the private ownership. The soakaways should be sited 5m away from all buildings and highways to accord with Building Regulations and 2.5m from all other site boundaries for best practice.

- South Hams District Council Drainage Engineer (additional information received)
  No objection subject to condition

Recommendations – No Objection
Based on the information provided we would support the current proposal. Sufficient information has been provided to demonstrate a workable scheme, the final design will need to be agreed with the LPA. Therefore if permission is granted please include the following conditions to finalise the drainage design.

Observations and comments
The site is within a Critical Drainage Area, as designated by the Environment Agency. This means that the surface water must be controlled on site, if this is not possible then any discharge from the site must be attenuated to the 1:100 year + 40% cc event and the discharge limited to the 1:10 year green field runoff rate.

SuDS should be designed to reduce or manage the surface water as close to source as possible. The drainage hierarchy should be followed with the top of the list as first choice. Evidence will be required to show each option has been explored and discounted.

1. By infiltration, soakaway.
2. Discharge to a water course, attenuation maybe required.
3. Discharge to the public sewer, attenuation will be required and permission from SWW.

Following our previous objection the applicant has provided SWW written consent to discharge surface water to their main sewer. However an attenuated offsite discharge can only be considered once use of the soakaway, as a first choice, has been fully explored and discounted.
Suggested conditions
Notwithstanding the submitted information, no development shall be commenced until full details of the most sustainable drainage option has been submitted to and approved in writing by the Local Planning Authority (LPA). Design steps as below:
1. Soakaway testing to DG 365 to confirm the use of soakaways or to support an alternative option. Three full tests must be carried out and the depth must be representative of the proposed soakaway. Test results and the infiltration rate to be included in the report.
2. SuDS to be designed for a 1:100 year event plus 40% for climate change.
3. The site is within a Critical Drainage Area which means that any surface water leaving the site must be limited to the 1:10 year green field runoff rate.
However, if the calculated Greenfield runoff rate is too small to be practically achievable, then a maximum offsite discharge rate of 1.0l/s can be considered. Which is achievable in most cases with suitable pre-treatment and shallower storage depth.
4. If the Local Planning Authority concludes that the method of drainage approved as part of this permission is undermined by the results of the percolation tests, a mitigating drainage alternative shall be agreed with the Local Planning Authority.
5. The drainage scheme shall be installed in strict accordance with the approved plans, maintained and retained in accordance with the agreed details for the life of the development.

Reason: To ensure surface water runoff does not increase to the detriment of the public highway or other local properties as a result of the development. A pre-commencement condition is considered necessary due to the presence of application site within CDA.

Representations:

None received.

Relevant Planning History

Planning Application Reference	Proposal	Site Address	Decision
21/0398/81/1: OPA	Residential development	Land south of Woodland Road Ivybridge	Refusal: 28 Apr 81
12/21/27/0892/83/1: OPA	Residential development	Woodlands Woodland Road Ivybridge.	Conditional approval: 17 Aug 84
21/1346/84/2: ARM	Erection of 39 houses with associated roads and landscaping	Fields 0012 and part 1412 Woodlands Ivybridge.	Conditional approval: 31 Oct 84
21/0840/85/2: ARM	Erection of 31 no. one- and two-storey dwellings together with landscaping screening and garages	Fields O.S. 0012 and part O.S. 1412 Woodlands Ivybridge.	Conditional approval: 02 Jul 85
27/1859/98/F: FUL	Erection of rear extension	3 Higher Brook Park Ivybridge PL21 9UA	Conditional approval: 18 Jan 99

ANALYSIS

Principle of Development/Sustainability

The site is located within the built form of Ivybridge and currently hosts a residential dwelling; the principle of development is therefore established.

Design/Landscape

The proposal comprises a modest ground floor extension (approximately 8m^2) to the front elevation of the dwelling to accommodate a new shower room. The design, scale and massing of the proposed extension is subservient to the main dwelling and the monopitch roof closely mirrors that of the main dwelling. The proposed materials match those of the main dwelling and the proposal has minimal visual impact within the street scene. The proposal is considered complementary to the existing dwelling and is acceptable on this basis.

Neighbour Amenity

It is not considered that the proposal will have a detrimental impact on neighbour amenity due to the size and siting of the proposal within the plot.

Highways/Access

Vehicular access to the site is as existing and no charges to parking arrangements are proposed, as such, it is not considered that the proposal will result in an increased risk to highways safety.

Surface Water Drainage

The South Hams District Council Drainage Engineer initially objected to the proposal, as there was insufficient evidence to demonstrate that a suitable surface water drainage scheme could be achieved on the site. The applicant supplied further information and on this basis, the Drainage Engineer withdrew his objection and recommended a surface water drainage condition. The condition must be discharged prior to commencement as the application site is located within a Critical Drainage Area. The applicant was advised of the proposed condition in writing on 02 September 2019. The applicant refused to accept the condition on the basis that they consider a soakaway is unnecessary, as a direct connection to the mains sewer is available. It should be noted that the proposed drainage condition allows for the direct connection to the mains sewer but only after the use of a soakaway has been proven unfeasible. Further discussion regarding this matter took place between the applicant

and the Council's Drainage Engineer, including a site meeting on 10 September 2019, in order to try to resolve the situation but parties were not able to reach a mutually acceptable drainage solution.

As the site is located within a Critical Drainage Area, "SuDS should be designed to reduce or manage the surface water as close to source as possible. The drainage hierarchy should be followed with the top of the list as first choice. Evidence will be required to show each option has been explored and discounted" (SHDC Drainage Engineer). In this instance, it has not been first demonstrated that the use of a soakway is unfeasible and therefore direction connection to the mains sewer is considered contrary to the principles of SUDS and contrary to the adopted policy of the Plymouth and South West Devon Joint Local Plan DEV 35 Managing Flood Risk and Water Quality Impacts (4 and 7) and the guidance contained within the National Planning Policy Framework (2019) within but not limited to paragraphs, 155-165.

Conclusion
The proposal is considered acceptable with respect to design, scale and massing, materials, neighbour amenity, ecology and highways safety. However, the proposed method of surface water disposal via the mains sewer, rather than to a soakaway is considered contrary to the adopted policy of the Plymouth and South West Devon Joint Local Plan DEV 35 Managing Flood Risk and Water Quality Impacts (4 and 7) and the guidance contained within the National Planning Policy Framework (2019) including, but not limited to, paragraphs, 155-165 and it is therefore recommended that the application be refused.

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

Planning Policy

Section 70 of the 1990 Town and Country Planning Act requires that regard be had to the development plan, any local finance and any other material considerations. Section 38(6) of the 2004 Planning and Compensation Act requires that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise. For the purposes of decision making, as of 26 March 2019, the development plan for Plymouth City Council, South Hams District Council and West Devon Borough Council (other than parts South Hams and West Devon within Dartmoor National Park) comprises the Plymouth & South West Devon Joint Local Plan 2014 - 2034.

Following adoption of the Plymouth & South West Devon Joint Local Plan by all three of the component authorities, monitoring will be undertaken at a whole plan level. At the whole plan level, the combined authorities have a Housing Delivery Test percentage of 166%. This requires a 5% buffer to be applied for the purposes of calculating a 5 year land supply at a whole plan level. When applying the 5% buffer, the combined authorities can demonstrate a 5-year land supply of 6.5 years at the point of adoption.

Adopted policy names and numbers may have changed since the publication of the Main Modifications version of the JLP.

The relevant development plan policies are set out below:

The Plymouth & South West Devon Joint Local Plan was adopted by South Hams District Council on 21 March 2019 and West Devon Borough Council on 26 March 2019.

SPT1 Delivering sustainable development
SPT2 Sustainable linked neighbourhoods and sustainable rural communities
SPT8 Strategic connectivity
SPT9 Strategic principles for transport planning and strategy
SPT10 Balanced transport strategy for growth and healthy and sustainable communities
SPT12 Strategic approach to the natural environment

SPT14 European Protected Sites – mitigation of recreational impacts from development
TTV1 Prioritising growth through a hierarchy of sustainable settlements
TTV2 Delivering sustainable development in the Thriving Towns and Villages Policy Area
DEV1 Protecting health and amenity
DEV2 Air, water, soil, noise, land and light
DEV10 Delivering high quality housing
DEV20 Place shaping and the quality of the built environment
DEV23 Landscape character
DEV26 Protecting and enhancing biodiversity and geological conservation
DEV28 Trees, woodlands and hedgerows
DEV29 Specific provisions relating to transport
DEV31 Waste management
DEV32 Delivering low carbon development
DEV35 Managing flood risk and Water Quality Impacts
DEV36 Coastal Change Management Areas

Other material considerations include the policies of the National Planning Policy Framework (NPPF) including, but not limited to, paragraphs, 155-165 and guidance within the Planning Practice Guidance (PPG).

Neighbourhood Plan
Following a successful referendum, the Ivybridge Neighbourhood Plan was made at Executive Committee on 7 December 2017. It now forms part of the Development Plan for South Hams District and is used when determining planning applications within the Ivybridge Neighbourhood Area.

It is not considered that the proposal conflicts with the policies in the Plan, as listed below;

POLICY INP1: Town Centre Regeneration
POLICY INP2: Town Centre land east of the River Erme
POLICY INP3: Glanville's Mill Site
POLICY INP4: North of Fore Street
POLICY INP5: Community Facilities
POLICY INP6: Housing and Employment
POLICY INP7: Traffic and Movement
POLICY INP8: Historic and Natural Environment

Considerations under Human Rights Act 1998 and Equalities Act 2010
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.