

PLANNING APPLICATION REPORT

Case Officer: Cheryl Stansbury

Parish: Stokenham **Ward:** Stokenham

Application No: 0265/20/ARM

Agent:

Mr Peter Roberts - Barton Willmore
101 Victoria Street
Bristol
BS1 6PU

Applicant:

Mr Lewis - Acorn Property Group
C/O Agent

Site Address: Field To Rear Of 15 Green Park Way, Port Lane, Chillington

Development: Application for approval of reserved matters following outline approval 0771/16/OPA (Resubmission of 3193/18/ARM)



Reason item is being put before Committee: The Head of Practice (Development Management) considers in light of the previous reserved matters application being a member decision, that this resubmission therefore should be determined by Development Management Committee.

Recommendation: Conditional Approval

Conditions

1. RM time for commencement
2. Accords with plans
3. Secure delivery and maintenance of soft landscaping in LEMP

4. Details of thresholds where steps to dwellings are proposed to be agreed
5. Details of electricity sub-station and landscaping around sub-station to be agreed
6. Flat roofs shall not be used as a balcony/terrace/amenity area
7. Colours of materials to be used in external hardsurfaces to be agreed
8. Details of boundary treatments and retaining walls/slopes/structures to be agreed and implemented
9. External levels, including levels of gardens and public open space to be agreed
10. No raised decks or terraces to be provided/construction unless otherwise agreed by LPA
11. Within 3 months of the commencement of development full details of planting proposals along the southern site boundary shall be submitted
12. Materials to be agreed
13. Roof to be clad in natural slates, nailed and not hooked
14. Details of pedestrian access onto Coleridge Lane
15. The CMP to be agreed pursuant to condition 10 of 0771/16/OPA shall include measures to prevent contaminants from construction activities affecting the Kingsbridge to Salcombe Estuary SSSI
16. The surface water drainage scheme to be agreed pursuant to condition 19 of planning 0771/16/OPA to detail how operational phase run-off impacts have been development to prevent water quality impacts upon the Kingsbridge to Salcombe Estuary SSSI.
17. Details for overflow at land drain/spring
18. Noise assessment of pump
19. No works until the repair works on the existing highway sewer have been carried out,

Key issues for consideration:

Whether the details of the reserved matters (external appearance, scale, landscaping and layout) provide a high quality design and layout that sits comfortably in the wider landscape as well as within the general character of the area; impact on the amenity of existing neighbours, quality of the environment for future residents. Has this proposal addressed the previous refusal?

Site Description:

Chillington is located approximately 7km east of Kingsbridge, 2km east of Frogmore, 1.5km west of Stokenham, and 3km west of the coast and Torcross.

Chillington is centred on the A379 which is the main route from the coast at Torcross to Kingsbridge. The historic centre of the village sits either side of the road and more modern development has spread north and south of the main road. Chillington has a small village shop and post office, a doctor's surgery, a village hall and a pub. A primary school is located in nearby Stokenham. The village is on the No. 3 bus route from Dartmouth to Kingsbridge.

The site is allocated for up to 65 dwellings in the Plymouth and South west Devon Joint Local Plan (JLP). It is not covered by any constraints. The A379 is the boundary of the South Devon Area of Outstanding Natural Beauty, which lies to the south. Further south, approximately 400m from the site (as the crow flies) on the other side of the A379 and the built area of the settlement, is a watercourse which is within a Critical Drainage Area and Flood Zone 2; the site itself is Flood Zone 1, the lowest risk category.

The application site is situated on the northern edge of the village. To the north, east and west of the site lie open fields, to the south are the residential dwellings of the village, with the dwellings of Green Park Way adjoining the southern site boundary.

The 3 hectare site consists of three agricultural fields which sit behind the houses on Green Park Way and were last used for keeping horses. The site's boundaries are formed by a mix of trees and

hedgerows, fences and stone walls. There are also trees and hedges of varying quality along the field boundaries within the site; some of the trees are covered by a TPO.

The site is sloping, falling from 61.5mAOD at the highest northwestern corner to 45mAOD at the southeastern corner (lowest point) boundary. To the north east of the site is a group of commercial buildings. There is one existing building within the site, which will be demolished.

The Proposal:

This application before Members is a resubmission of 3193/18/ARM and once more seeks to agree the reserved matters of layout, scale, external appearance and landscaping. The number of proposed dwellings has reduced to 62, one fewer than the refused scheme.

The proposal is very similar to the previous proposal in that it provides for:

- 35% affordable dwellings (22 dwellings)
- A linear layout, dictated by the elongated shape of the site and the contours of the land.
- A single vehicular access from Green Park Way leading northwards into the site and then splitting east and west. The main road through the site will be built to adoptable standard with a footpath on the southern side of the road; for the initial access road, up until the point it splits into east and west, a footpath is provided on both sides; revised drawings have been provided to ensure compliance with the outline approval.
- A pedestrian link from the north east corner of the site onto Coleridge Lane.

The following changes have been made, described by supporting documents as an "...enhanced scheme for local residents, with improved relationships between the existing and proposed dwellings, based on a revised drainage scheme."

Elements that have changed following the earlier refusal are:-

- Different house types proposed for plots 44 and 45 in response to residents concerns. These are also set a further 2.5 m away from the southern boundary with Green Park Way dwellings
- Bin collection points are included in the revised highway layout
- New drainage strategy; this broadly follows the earlier drainage strategy but includes fewer individual soakaways and fewer attenuation tanks on site
- The lower road has been realigned which allows more room to the north to accommodate the apartment building; this was originally proposed to the south of the road and has been replaced by bungalows, which are further away from existing properties
- The road levels to the east of the site have been lowered, allowing the dwellings to sit lower and further away from the existing dwellings
- The easternmost dwellings have been orientated to follow the road and sit further northwards, giving greater back to back distances and reducing building heights

The layout once more retains most of the existing field hedgerow boundaries and protected trees that are within the site, save for where the access road runs through the site. Supplementary landscaping is proposed to soften the site boundaries, to provide screening to the south and to create a green, pleasant environment within the site. Informal areas of public open space are provided within the site.

The dwellings have a net density of 28 per hectare, with a lower density to the west, where landscape sensitivity is considered greater. The housing mix is as follows:

Affordable - 22 units (35%), designed as tenure blind

4 x 1 bed apartments (50 sq m)

4 x 2 bed apartments (70 sq m)

1 x 1 bed dwelling (bungalow) (50 sq m)

8 x 2 bed dwellings (79 sq m)

5 x 3 bed dwellings (93 sq m)

Open market – 40 units

2 x 2 bed dwellings (112 sq m)

26 x 3 bed dwellings (121 – 166 sq m)

12 x 4 bed dwellings (139 – 160 sq m)

The scheme includes a mixture of detached, semi-detached and terraced homes, and includes 2 apartment buildings, 1.5 storeys high, towards the centre. The majority of dwellings are 1.5 storeys, although there are bungalows, split level dwellings and full 2 storey height dwellings. Some dwellings are on raised ground and a number of these along the south are split level to address the sloping ground. The 2 storey dwellings are mostly located to the north of the site, with split level/1.5 story dwellings to the south.

Dwellings on the southern boundary have been designed with dropped eaves and limited window openings to minimise overlooking and dominance. Slate hanging has been used in the upper elevations in some buildings to drop the perceived height of buildings.

Architectural styles vary within the scheme but follow a coherent theme, the design is contemporary but reflects the vernacular in terms of roof slope, materials and scale. Proposed materials include natural slate and render as the dominant materials with some buff brick and timber proposed.

The development seeks to address sustainability through a fabric first approach to building design through the use of triple glazing in some homes and low u-value building materials. Ventilation will use ‘whole house’ mechanical ventilation with heat recovery units – this saves energy by using waste heat from extracted air to preheat the fresh intake air.

In addition the majority of houses have a southern orientation to maximise passive solar gain and low water usage fittings will be installed to minimise water consumption, including restrictors on taps and dual flush WCs.

A total of 160 parking spaces are proposed; 147 allocated for the dwellings and 13 unallocated/visitor spaces.

With the exception of 4 of the 2 bed apartments, all dwellings and apartments have allocated parking provision which meets the SPD. Some have garages as well as off-street parking. In several cases, the provision exceeds the SPD requirements by 1 space, for example, the 4 bed dwellings have 4 spaces (the SPD refers to 3).

Of these allocated spaces, approximately 50% rely on tandem parking provision through parking in front of garages.

Consultations: (as of 24th Sept)

Full responses are available on the online planning file.

- **Trees:** No objection on arboricultural merit subject to the noted documents being made approved plans if consent follows.

- **Natural England:**

9th March 2020: Further information required to determine impact.

- **Environment Agency:** No comments to make

- **Affordable Housing:** Support

- **Police & Architectural Liason:**

19th March 2020: No further comments; refer to previous comments

- **County Highways Authority:**

15th April 2020: No further comments to make

23rd March 2020: No objection, but observations regarding ongoing maintenance of the site roads, parking arrangements, kerb heights, and street lighting. In terms of drainage, no objection subject to conditions/S106 obligation requirements. Full response can be seen on the Council website.

17th February 2020: Reserves recommendation to allow applicant to provide extra details requested

- **Lead Local Flood Authority (LLFA):**

9th June 2020: Briefing note submitted in response to objections regarding drainage. (Can be seen in full later in this report.)

15th April 2020: Objection withdrawn following submission of additional information, requests conditions. Accompanied by briefing note to explain why the objection was removed.

14th February 2020: objection, conflict with DEV35

- **South West Water-** No objection subject to surface water being managed in accordance with the Flood Risk Assessment & Drainage Strategy Plan submitted with the application.

- **Landscape:**

28th September 2020: The landscape drawing has been revised to reflect the latest scheme layout which was the primary remaining concern. It is a competent scheme and has addressed the other points raised previously

18th August 2020: (revised plans): Further details required, hard and soft landscape plans do not match following revisions. No cross-reference on the planting plans to the LEMP. Inappropriate species in native hedgerow mix.

- **Stokenham Parish Council:** Object:

17th July 2020 (revised plans): *'Parish Council noted the amendments that had been made to the build heights at the eastern end of the proposed development. They however remained unconvinced that the drainage proposals presented a workable solution, either for the Green Park Way estate or for the village as a whole. The recent objection, by Alyson Cadd Harlington on behalf of the Green Park Way Group, raised the concern that the drainage scheme could not conform to condition 19 of the OPA Decision Notice and therefore represented a breach of that decision. Parish Council urged the DMC to fully examine this claim and respond to it fully. Parish Council further noted the Tree Preservation Orders on several trees on the site of the proposed development and trusted that DMC would ensure the developers' complied with the same and ensured tree root protection areas. During initial pre application discussion Parish Council requested pedestrian access be connected from the footpath meeting the top corner of the development at the Coleridge Lane end to ensure walking and cycling safety. It was requested that this be included as a requirement for future safe usage although it was acknowledge that the'*

Port Lane end could not be safely accommodated. Any Construction Management Plan must ensure that during construction all works vehicles were to be kept off general highways and retained on site'.

28th April 2020: ‘Objection as it was felt that the technical evidence relied upon did not consider potential increased risk of flood damage to properties lower down in the village, those that were already affected by flooding in the recent past. There appeared the potential for more properties to be affected in the future and it was questioned why the proposal did not allow for the roads to be permeable paving and for the water to remain on this land. As Helen Montgomery’s conclusion dated 15th April 2020 stated “... runoff will no longer pour off the site during rainfall events as the runoff will be attenuated safely on the site providing a betterment over the existing scenario” and questioned if this statement could act as an insurance guarantee to residents in the event that Devon County’s flood assessment was incorrect. The proposal as a whole would be out of keeping to the wider area being visible from the AONB. Concern remained as to why the plots at the east end were raised circa 2metres affecting the privacy and enjoyment of the properties directly below. The remodelling of the natural slope was wholly contrary to the nature of this green site and made the proposed development unnecessarily overbearing and unneighbourly to residents of Green Park Way. The overlooking and overbearing nature due to height, lighting and lack of pedestrian access points remained issues that would have a detrimental effect on living conditions of residents.’

20th March 2020: Parish Council had hoped that the resubmission of this application might have addressed some of the egregious defects of the original. After rigorous examination they had concluded that their hopes were misplaced: they could not support the development in its current form, and their objections were based on the following grounds: Surface Water Drainage Management scheme. Although substantially revised, this still retained many of the weaknesses of the previous application. The sizing of the scheme – and in particular the 740-cubic-metre tank in the south-east of the development, which took surface water from a substantial portion of the site – was questionable. It was based on FSR rainfall data from 1975, when best practice recommended the use of the much more recent FEH13 data. In this area of South Devon the latter dataset predicted up to 60% more rainfall. The tank was simply not large enough to manage the extra run-off that this more intense rainfall would generate. No exceedance route plans were indicated should the system not be able to cope. The tank had no agreed point of discharge: instead, two options were given, both of which were in their own way problematic. And in further contravention of Devon County Council’s Guidance for Sustainable Drainage Systems (Version 1.6, January 2017), which imposed, in Paragraph 10.2, a requirement on developers to provide a specific list of information for Full, Reserved Matters, or Discharge of Conditions Planning Applications, the developers provided no evidence that the capacity of the receiving watercourse was sufficient to receive concentrated flows from the site. The same paragraph also called for a Residual Risk Assessment to account for a failure in any part of the system. Not only had no such assessment been seen, but the maintenance plans that had been put forward required in some cases weekly intervention. Any plan reliant on such high-frequency interventions was extremely vulnerable to neglect, leading to premature failure. Any failure in the system would lead to inundation of the properties to the south in Green Park Way. Thus, the scheme failed to adhere to the fundamental principle enshrined in the NPPF, that flood mitigation in one area should not increase flood risk in another. OBJECT. Residual issues of Massing and Overlooking Parish Council acknowledged the improvements the developers had made in removing some of the worst-offending incidences of overlooking along sections of the development’s southern boundary. For reasons that are unclear, however, building heights had actually increased in the south-east corner, although it was noted that the sections provided by the developer’s architects actually obscured this important fact, and could even be said to be misleading on the issue. This point was made very effectively in Alyson Cadd-Harlington’s objection. As a result, the redesigned houses now loomed over the gardens of the houses in Green Park Way below in a highly oppressive manner, greatly increasing the issue of overlooking, and, crucially, failing to meet the developer’s original undertaking that they would be set into the hillside in a way that would not detrimentally affect the setting of the AONB opposite. OBJECT. Is this Sustainable Development? Despite the

recently declared Climate Crisis, very little attention had been given to the sustainability of the development. Leaving aside the usual greenwash of the “highly efficient glazing”-variety, there was no mention, anywhere, either in this application or the one that preceded it, of the primary fuel-type used to heat the new homes. There was clearly no provision for oil or gas tanks to be installed – these fuels would in any case be outlawed for new-builds within a year of the development coming online. So how were these houses going to be heated? There was insufficient space for Ground-Source Heat given the complex drainage and topology; and Air-Source Heat had its own issues, with noise and spacing. Given this, it was doubtful that the development could meet the Joint Local Plan’s Sustainability criteria. OBJECT

- **Frogmore & Sherford Parish Council: Object-**

19th March 2020: ‘This application creates an additional flood risk which will impact the village of Frogmore and the Frogmore and Sherford Parish Council submits the following observations and recommendation. Drainage Proposals; The 7.5 acre sloping development site sits above Green Park Way and we note that 62 houses are proposed. 18 houses will have their own soakaway and 44 houses will feed surface water run-off into a 740,000 litre capacity attenuation tank to be located in the south east corner of the site. The tank out-flow rate is specified as 9,000 litres an hour, releasing surface water into either pipe or open channel through Chillington, then discharging into the open watercourse which flows westwards down to Mill Lane, Frogmore and into Frogmore Creek. We are not confident that the applicant has applied ‘best practice’ in assessing rainfall data, commensurate with DCC guidance as Lead Local Flood Risk Authority (LLFA) and present-day climate change experience. Frogmore residents and visitors no longer need rely on ‘data sets’ to confirm the rapid rise in flood incidents over the last 10 years, exacerbated by further major developments lying to the east within the Frogmore Creek drainage catchment. Severe surface water flooding, impairing access, threatening property and public safety occurs regularly between Mill Lane and Frogmore Bridge during frequent periods of heavy rain. In addition, watercourse scouring and consequent ‘silt-wash’ is doing irreparable damage to the estuary’s salt water ecology. In order to avoid the risk of an imminent catastrophic event, no further major developments should be undertaken within Frogmore’s surface water catchment unless and until supported by a flood risk assessment which accounts current locally recorded statistics and climate science projected data. Flooding in the Frogmore Creek Catchment These photographs are a graphic illustration of recent flooding in Frogmore [Photos had to be removed in order for this objection to be uploaded, file too large, however there are several photographs showing recent flooding illustrating the above objections]. Feb 16th 2020 - Amenity ground adjacent to Mill Lane floods as rainwater overwhelms channels on its way towards Frogmore. Taken at low Tide. The same day - Water overflows onto the road at Frogmore, as capacity is exceeded. Fortunately this occurred at low tide and was not exacerbated by the flow being obstructed by water in the creek. February 13th 2020 - Rain water flowing down the valley from the east meets a high tide in the creek at Frogmore, completely flooding the bridge road. The vehicle pictured is attempting to turn south off the A379, which was also below water in Frogmore. The same day. Water will continue to accumulate around properties in Mill Lane until the tide recedes. Although work has been done to improve drainage along the fields adjacent to Mill Lane, these channels struggle to cope with persistent rain and permanently saturated ground, causing flooding and erosion of fields, and damage to the creek’s ecosystems. Recommendation Frogmore and Sherford Parish Council recommend that this application is REFUSED.

Representations:

At the time of writing this report, 123 objections have been received in total. However, as the application has been subject to revisions and readvertisements, many objectors have submitted multiple representations. For clarity, the breakdown of representations is as follows:

Original submission: 53 objections from 40 households or organisations

Revised plans (April 2020): 55 objections from 37 households or organisations (24 of whom had objected to the original submission)

Revised plans (June 2020): 15 objections from 12 households or organisations (11 of whom had objected to earlier revisions of the proposal)

These objections are largely similar in content, and can all be seen in full on the Council's website. In summary, the reasons for objection are:

- Guarantee needed that development would not increase flood risk to nearby properties
- No indication that surface water drainage plans will work safely
- Dispute over proposed drainage system
- Every house should have its own soakaway and deal with their own surface water as the site is in Flood Zone 3
- Will pollute the SSSI and compound existing problems of pollution
- Will increase existing flooding issues on the road and within the local villages
- Conflicts with DCC SuDS guidance which states it is not acceptable to leave drainage details to conditions or reserved matters applications
- Similar to previous application
- Overdevelopment of sensitive site
- Impact on AONB
- Prominent position in the landscape
- Block parking does not look attractive
- AONB unit should respond to consultation
- Over-dominance to Green Park Way, reducing natural light and overlooking to existing properties
- Plots 44 to 49 are sat on a high platform on land already higher than existing properties
- Contravenes covenants in regard to the spring on site
- Two storey design and elevation position inappropriate and above village skyline
- Increased traffic using A379
- Road network cannot cope, particularly given the likely failure of the Slapton line
- Will impact the village community
- Infrastructure cannot cope with more houses
- No safe link for cyclists and pedestrians
- Potential light pollution
- Lack of information on renewable energy sources proposed to new dwellings
- Houses will not be affordable and so do not serve local need
- There are a number of empty properties in the village so where is the need for more houses
- Misleading plans and information submitted
- Construction should not be permitted at antisocial hours
- Proposed dwellings would overlook habitable rooms in Green Park Way; loss of privacy
- Green Park Way will become a building site and car park for contractors
- Misleading ground levels given
- Not enough local employment for residents of new houses
- General quality of submitted application is poor and concerned not everything is published online
- Suburban character is not appropriate
- Limited amenity and village benefit- paths, play areas, etc
- The government's push for new homes should not mean poorly planned development is allowed
- Absence of biodiversity mitigation or enhancement
- SHDC has declared a climate emergency so more renewable energy, and green and sustainable drainage systems should be required
- Proposal does not meet the JLP Sustainability standards
- It does not appear that all the information is being published online for public viewing

- Track between the site and Green Park Way would present a security risk to dwellings
- Request pedestrian access onto Coleridge Lane
- Numerous protected species have been recorded on the site
- Outline application stated that development should be no higher than 1.5 storeys; the expectation was mostly for single storey dwellings
- South West Water should've had input into the proposal
- Conflicts with conditions on the outline application
- Too many dwellings are proposed and this conflicts with the JLP consultation
- Questions raised regarding CCTV, security lighting, timing of street lighting

Most of the objections are related, at least in part, to the drainage information provided, or perceived lack of it. There is dispute with the data used for the calculations provided and general dissatisfaction with the information provided given the history of flooding within the village; these will be discussed in detail later in this report. It is worth noting the site is not in Flood Zone 3 as stated by some objectors, but in flood Zone 1.

Relevant Planning History

Outline planning has been granted on 7th March 2018 for up to 65 dwellings, including open market, affordable and retirement housing, with details of vehicular access only agreed; application 0771/16/OPA. This was subject to conditions and a S106 agreement which secured:-

- 35% provision of on-site affordable housing
- £300.00 per dwelling towards sustainable travel vouchers
- Public Transport Contribution £100,000 towards bus service enhancement
- £71,612 towards the provision of cirl bunting habitat.
- Onsite equipped play space and/or an offsite commuted sum towards the play space at Chillington Playing Field
- Offsite Open Space, Sport and Recreation commuted sum towards improvements to Chillington Playing Field, and/or the extension of the Church graveyard, and/or the purchase of land for allotments
- Securing public access in perpetuity to Public Open Space within the development
- Securing management and maintenance of Public Open Space in perpetuity (in accordance with a Landscape and Ecology Management Plan).
- Primary school contribution £2,840 per dwelling; Secondary education contribution £2,736 per dwelling; Secondary school transport : £2,441.50 per pupil
- Age restrictions on dwellings to be secured in perpetuity
- The provision of a sustainable urban drainage scheme including management and maintenance responsibility and arrangements

Conditions imposed were as follows:

- Details of reserved matters; landscaping, appearance, layout and scale to be agreed
- Prior to commencement - Tree protection, Arboricultural Methodology Statement and Mitigation measures to be agreed
- Prior to commencement - submission of a Landscape and Ecological Management Plan
- Prior to commencement - submission of a Lighting Strategy
- Unsuspected contamination
- Highway features construction details and provision
- Prior to commencement – phasing programme to be agreed
- Site compound and car park to be constructed as first part of development
- Pre commencement - Construction Management Plan (CMP) to be agreed

- Parking strategy to be agreed
- Pre-commencement – percolation testing to be carried out
- Pre-commencement – 12 month groundwater monitoring programme
- Pre-commencement – detailed design of permanent surface water drainage management
- Pre-commencement – construction phase drainage scheme to be agreed
- Car parking/garaging to be retained
- Prior to commencement - barn owl survey to be undertaken
- Prior to commencement - renewable energy/energy efficiency
- Provision of ducting for fibre optic broadband.
- Removal of PD rights

A subsequent reserved matters application, 3193/18/ARM, which originally proposed 64 dwellings and was amended to 63 dwellings, was deferred by the Development Management committee on July 17th 2019 to allow for further drainage information to be submitted, and later refused by the Committee in September 2019 for the following reason:-

"It has not been demonstrated that the proposed layout and landscaping can support a satisfactory scheme of surface water management to adequately manage flood risk. As such the proposed reserved matters are contrary to DEV 35 of the Plymouth and South West Devon Joint Local Plan and the National Planning Policy Framework 2019, in particular paragraphs 149, 150 and 165"

An appeal was lodged against this refusal and at the time of writing this report, remains undecided.

ANALYSIS

Principle of Development:

The principle of residential development has been agreed through the granting of the outline planning permission; it is worth remembering this allowed for up to 65 dwellings. The site is also allocated in the JLP, under Policy TTV24 for 65 dwellings. As set out in the outline application and secured in the S106, 35% of the dwellings are to be affordable. The age restricted dwellings have not been identified on the proposed site layout, but in line with Schedule 4 of the S106, will be identified prior to commencement of development; there will be between 10 and 15 such units.

This reserved matters application seeks to agree matters of layout, scale, external appearance and landscaping.

Comments have been received questioning the need for these dwellings and stating there are too many proposed. The principle has been agreed and cannot be revisited at reserved matters stage, but the proposal is now only seeking consent for 62 dwellings, below the maximum "permitted" at outline stage. The number/density of dwellings and other associated issues are discussed later in this report.

Landscape Impacts:

The site is on land rising northwards beyond the northern built up boundary of Chillington. It is not within a designated landscape but is within the setting of the South Devon AONB which lies south of the A379. At outline stage careful consideration was given to the potential landscape impacts of this development and it was identified that the western part of the site was most sensitive where consideration could be given to limiting building heights to 1.5 storeys, particularly to the east and where a strong landscape buffer would be required on the northern boundary to improve the landscape setting of the village.

The proposal does now include some 2 storey properties, although the majority are 1.5 storey, to which objections have been received. The outline application did not impose any conditions limiting the height of the dwellings and therefore, whilst residents' concerns are noted, it turns to this reserved matters application to determine if 2 storey dwellings are acceptable.

Policy DEV25 of the JLP states that:

The highest degree of protection will be given to the protected landscapes of the South Devon AONB, Tamar Valley AONB and Dartmoor National Park. The LPAs will protect the AONBs and National Park from potentially damaging or inappropriate development located either within the protected landscapes or their settings.

The landscape impact of the proposed development was considered by the Council's landscape specialist on the previously refused reserved matters application; given the similarities between the proposals, it is still considered relevant and are summarised as follows:

In considering this application and assessing potential impacts of the development proposal against nationally protected landscapes, in addition to the Development Plan, the following legislation, policies and guidance have been considered:

- *Section 85 of the Countryside and Rights of Way (CRoW) Act*
- *Sections 12 and 15 of the NPPF, in particular paragraphs 127, and 170, 172 & 173*
- *The National Planning Practice Guidance, particularly Section 8-001 to 8-006 on Landscape*
- *The South Devon AONB Management Plan and its Annexes*
- *Joint Local Plan - DEV23 Landscape Character and DEV25 Nationally protected landscapes*

Landscape comments

The sensitivity of the site, accepting its location outside of the South Devon AONB but within the setting were noted in the outline stage and have sought to guide and influence the initial approach for a landscape led development; this has proved challenging.

Discussions over the life of the application have led to some improvement in layout including setting into the ground and slightly orientating the dwellings located on the upper slopes, reducing the numbers of dwellings in the eastern corner, and more recently the addition of planting around the perimeters of the site to achieve higher standards of planting to mitigate the quantum of units. There remains some disappointment at the overall densities of the build which, if reduced, would have allowed for greater spacing between dwellings; and therefore providing an opportunity for additional planting within setting of individual buildings and garden spaces, and achieving a lower density transition of the village edge with the rural setting.

However, there has been a consistent approach to ensuring that impacts resulting from the proposed development do not adversely harm the setting of the AONB, and the wider landscape character, returning to the LVIA and reviewing of the more sensitive viewpoints. This has seen an overall improved northern edge to Chillington, and with the combination of existing hedgebanks and trees that extend south, down through the site, achieving reasonable screening and division of the development, and with the additional new planting around the periphery, the overall development is now broadly acceptable in landscape terms. On this basis, the development proposal accords with JLP policies which seek to conserve and enhance the landscape character and visual amenity.

Recommendation

No objection subject to conditions

In regard to the current application, a detailed planting scheme has been submitted. The Landscape Specialist requested some amendments be made. Revised plans have been received and the landscaping is considered acceptable.

The density of the proposal is 28 dwellings per hectare, which Officers do not consider is high and does not appear out of character with nearby developments. Government guidance no longer specifies set densities but the NPPF does, at paragraph 123, require policies and decisions to avoid low density housing, and to make optimal use of a site.

The layout provides each dwelling with adequate amenity space, and allocates small areas to the apartments; a communal area of open space is located around and close to the access road, as well as areas of wildflower grassland throughout the site. The majority of existing hedgerows remain.

Dwellings have been kept as low as is practical and the reconfiguration of the road has allowed for some to be set lower than originally proposed.

Noting that implementation and maintenance of the landscaping is secured at outline stage through submission of the LEMP, along with tree and hedgerow protection measures, all to be agreed prior to commencement of development, the proposed development is considered acceptable in terms of its wider landscape impact and impact on the setting of the AONB. A condition is imposed for details of all retaining walls and structures to be agreed to ensure they are appropriately designed.

Lighting is an issue of concern for objectors and whilst the LPA cannot control future occupants from fitting personal security lights (or even CCTV), the outline permission carries a condition for details of lighting to be submitted and agreed. Highway Street lighting will be largely designed in consultation with DCC Highways.

Design and layout:

Policies DEV10 (Delivering high quality housing) and DEV20 (Place shaping and the quality of the built environment) of the JLP give guidance on the standards new housing development should achieve.

The supporting Design and Access Statement (D&AS) demonstrates a considered approach to the design and layout of the proposed development that reflects and addresses the site topography and local context. Whilst the design and layout is similar to the previous application, the D&AS explains how the previous refusal reasons and comments from residents have been taken on board, resulting in the scheme now before Members (the changes made have been described earlier in the "Proposal" section of this report).

The scale and massing once more broadly follows the parameters shown on the illustrative drawings at the outline stage and with the previously refused reserved matters.

The dwellings to the southern part of the site are predominantly 1.5 storeys and where possible, they have been pulled slightly away from that boundary, towards the north; whilst no objections were noted to this element by Officers or at the previous Development Management Committee, this is seen as an improvement. The areas of the site considered less sensitive, such as the northern boundary, are generally where the 2 storey dwellings are located.

Similarly, the 1.5 storey apartment blocks have been relocated to the north of the road, and replaced by single storey properties, further reducing potential impacts upon the existing properties in Green Park Way.

Separation distances are now a minimum of 26 metres back-to-back; in many cases this is far exceeded, for example, at plots 48/49, the distance measures approximately 45 metres. This complies with guidance on the recently adopted SPD which requires a minimum distance of 21 metres for 2 storey development, increasing to 28 metres where a drop in levels could result in privacy concerns.

Additional cross section drawings have been submitted which demonstrate the relation between existing and proposed dwellings is acceptable, even taking into consideration the change in levels, and especially when considering the detailed landscaping proposals which will strengthen existing vegetated boundaries. Permitted development rights are proposed to be removed by condition and this will prevent additional extensions or works to roofs which might result in unneighbourly development.

Specific concerns have been raised by objectors with regards to plots 44/45 and 48/49; this is discussed in the next section of this report.

The linear layout is dictated by the shape and topography of the site, efforts have been made to make the layout more organic than originally proposed at pre-application stage to help the scheme sit more comfortably in the landscape.

The provision of informal open green space and retention of exiting landscape features within the site helps to break up the massing of the development and introduce a feeling of space and greenness within the development; the net density is 28 dwellings per hectare. Many of the dwellings have front gardens which further softens the scheme, although having the southernmost dwellings as far north as possible means these cannot have front gardens; this is considered an acceptable compromise in order to minimise potential impacts upon existing dwellings. The use of a varied palette of hard surfacing materials will also add visual interest.

A variety of contemporary house types are proposed that are a successful blend of modern and vernacular. The dwellings mostly maintain traditional pitched natural slate roofs but incorporate modern box style dormers and glazing styles. Materials mostly reflect the vernacular including coloured render and natural slate hanging but also propose some buff brick and timber cladding. The use of timber cladding is minimal and used mostly to articulate smaller architectural features within the scheme and is considered acceptable. The specific details of materials can be dealt with by condition.

Frontages are open plan, and appropriate boundary treatments are proposed; rear amenity areas are separated by timber fencing and any boundaries facing the public realm are to be walls, with the exception of the side boundary to plot 1, where a timber fence is proposed running adjacent to the access point; a condition will be imposed to ensure a more appropriate boundary is provided here, given its visibility when entering the site, and to ensure the walls are finished with appropriate materials.

Subject to the above, the general layout, design and orientation of the dwellings is considered appropriate for the site and will create an interesting and pleasant living environment that will complement the character of the area.

Neighbour Amenity:

Concern has been raised by a number of residents of the adjoining houses in Green Park Way with regard to the development being overbearing and causing loss of privacy, and questioning why some plots are set on built up ground, making the development even more unneighbourly.

It is correct that in some areas of the site, due to the sloping ground and need to find a workable drainage solution, the ground has been made up. However, this current application has addressed that somewhat, and lowered some of the plots, namely those in the eastern end of the site. Being in the lower corner of the site the landscape impact of this is considered to be acceptable.

By reviewing the cross section drawings, a good assessment can be made of the levels and neighbour relationships. At the eastern end of the site, it can be seen that the dwellings have been pulled back considerably from the existing southernmost boundary (drawing A-P12-001 C). The finished floor level, as an example, of plot 47 does sit higher than the ridge of the nearest property in

Green Park Way, No. 51, however, this does not, in itself make the development overbearing or unneighbourly; there is a separation distance here of 45m (noting that all measurements are approximate and scaled from metric drawings), plus intervening boundary fencing and landscaping.

Plots 44 and 45, which have been a particular area of concern for residents have also been changed; the house type has altered and the floor levels reduced. It is no longer proposed to build these on significantly raised ground; the original drawings set the finished floor at 52200 and the revised drawings set them at 49350, some 2.85 metres lower.

Moving further west, the dwellings are proposed as split level/1.5 storey, set into the ground to minimise their overall height and prominence within the landscape; they appear single storey from the highway and 2 storey from the rear. The separation distances of around 28 metres are considered acceptable here, particularly when considering they are set down into the site, and there will be screening provided by vegetated site boundaries.

Towards the centre of the site, separation distances increase to around 33 metres, again considered acceptable.

Separation distances at the western end of the site are around 28 to 34 metres; the site here is less steeply sloping and through design, orientation, boundary treatments and proposed landscaping, it is not considered unneighbourly impacts would result.

Some house types feature flat roofs which could become accessible if a property owner installs a door or stair way resulting in unneighbourly impacts; a condition is proposed to prevent the use of these as amenity areas.

The properties on the north side of Green Park Way that back onto the site have, until now, enjoyed privacy in their gardens and rear aspects. To varying degrees their rear gardens are more or less secluded from the development site; some have existing vegetation which will help to screen, others have open boundaries to the development and trees/hedgerows are no longer visible. Some loss of privacy is an inevitable consequence of large scale development such as this however efforts have been made to minimise this and keep it to acceptable levels.

Along this southern boundary, planting is indicated as part of this application, showing a new hedgerow planted to the south with some tree planting. Whilst the landscaping scheme shown is considered acceptable (in relation to landscape and visual impacts) a condition is imposed to secure additional planting along this boundary, in order to further enhance screening and protect privacy.

On balance, whilst the concerns of residents are noted, the impact on residential amenity is considered to be acceptable for the reasons above and accord with policy DEV1 of the JLP.

Drainage:

At outline stage, drainage was a strong matter of contention with local residents very concerned about flood risk having regard to existing flood problems in the village and flooding that already occurs from time to time from the site, caused in part by a layer of impermeable clay close to the surface. The fact the site is on higher ground also raises concern from existing residents.

Drainage was also a major point of contention on the previous reserved matters application, which ultimately led to the application being refused by the Development Management Committee.

Drainage was conditioned at outline stage for full details to be provided prior to commencement for all stages of the development, from construction through to operation, to be informed by 12 months of percolation testing. It could be argued that therefore there is no need for the drainage to be assessed as part of this application, however, given it is integral to the layout and landscaping, plus in response to previous concerns, details have been provided.

As objectors point out, current DCC SuDS guidance does state that drainage details should not be left to reserved matters stage, but dealt with as early as possible. The outline application was accompanied by a detailed Flood Risk Assessment (FRA) and Drainage Strategy. This gave sufficient "comfort" to the Lead Local Flood Authority (LLFA) to recommend the final details be secured by condition; it is not now possible to turn the clock back on that decision.

The drainage scheme presented with the previous application was considered acceptable by the LLFA, nonetheless, a different detailed surface water management strategy has been put forward. It broadly follows the principles as set out at outline stage, and at the request of the LLFA, further work and amendments undertaken during this application process. This scheme is now agreed in principal, but does not override the aforementioned conditions and full, final details will be provided prior to the developer commencing work on site.

In response to the numerous lengthy objections and questions raised, DCC LLFA provided a briefing note to summarise the discussions between them and the applicant's team:

Briefing Note to Support the Removal Of Objection By DCC As The LLFA And Statutory Consultee

Introduction

The aim of this briefing note is to explain how Acorn have taken on board the concerns of the residents and councillors whilst re-designing the surface water drainage strategy. This has produced a much better gravity fed sustainable drainage strategy which encompasses a mixture of on plot soakaways, permeable paving, a swale, an oversize pipe and two attenuation tanks to restrict the runoff rates to provide a betterment over the existing scenario. Furthermore, the revised strategy has committed to upgrading the major defects within the existing highway sewer within the village which generates an even greater benefit to the local area.

Major Changes Since Last Application

This submission sought to address the concerns of the locals and councillors associated with the previous application 3193/18/ARM. DCC LLFA, advised SHDC that the previous application was in line with local and national guidance and recommended approval. This application was subsequently refused at planning committee in September 2019 and the applicant has submitted a new application with a revised surface water drainage strategy.

With the previous strategy, the locals had concerns regarding the reliance on large communal soakaways, the pumping station, the use of perforated risers as flow control devices, factors of safety and soakaways being situated close to buildings. These issues have all been carefully addressed in this new submission. The communal soakaway is now an attenuation tank with a positive discharge into the sewer requisition which will be undertaken by South West Water under the Water Industry Act 1991. This means that there is no risk of infiltrated water re-emerging downslope in the village as the tank no longer infiltrates. The previously proposed pumping station has been removed completely and all flows can drain naturally to one of the two attenuation tanks. The perforated risers have also been removed and the on plot soakaways have been designed extremely conservatively, with a factor of 10, in excess of what DCC LLFA and Ciria SuDS Manual C753 (2015) require.

Ground Investigations

The applicant has undertaken three separate ground investigation studies so we have extensive data on the geology at this site. The applicant has also undertaking 12 months' worth of groundwater monitoring extending from January 2017 to December 2017 so we are aware of seasonal fluctuations within the water table at the site. This is a requirement of our DCC Suds Guidance, BRE365 and Ciria SuDS Manual C753. The results indicate groundwater was found to be between 7.5 and 10 m below ground level and therefore once the seasonal maximum water table has been reached, groundwater is sufficiently deep at the site so it will not impact on the proposed soakaways.

In light of the data above, the on plot soakaways have been carefully designed below the clay layer, with a conservative factor of safety of 10 and with consideration for half drain down requirements, where the soakaway would be half emptied within 24 hours in readiness for a subsequent storm.

Diversion of the Spring

Initially, the proposal was to upgrade the pipe from a 100 mm diameter pipe to a 150 mm diameter pipe. We were concerned that the upgrade would result with more flow coming off the site which would then be restricted downstream when entering an existing 100 mm pipe. Consequently, the applicant has now proposed a 100 mm pipe to ensure there is no increase in flow downstream.

Maintenance Schedule

The applicant has produced maintenance schedules for the on plot soakaways, attenuation tanks, permeable paving and the swale feature. Part of the access road will be adopted by DCC Highways with the remainder of the drainage remaining private and will be maintained by a management company.

Exceedance Flows

Exceedance flows relate to flows generated by rare extreme events, above the design event of 1 in 100 year plus 40% for climate change. The applicant has carefully designed the exceedance flows which will be carefully routed away from properties and due to the steepness of the site, an earth embankment has been proposed to improve the flood exceedance routing at the site. Instead of flowing off the site during exceedance events, flows will be held back against the bund and redirected towards the highway in line with best practice.

Rainfall Data

There was discussion about FEH rainfall data being more appropriate. As it stands, FSR data is still acceptable as per the Ciria SuDS Manual C752. Taking into consideration the conservative design of the attenuation features, the factors of safety, we have no reason to discredit this data set.

Highway Improvement Works

The applicant has committed to undertaking much needed repair works on the existing highway sewer. The works involves undertaking remedial work on the major defects within the sewer, as identified within a CCTV survey. The works have been agreed with DCC Highways and will be undertaken before any connection from the development into the highway drain. The remedial works will provide a major betterment to the wider area within Chillington.

Water Quality

The applicant has proposed to use smart gullies on the private roads which will provide pollutant removal, in particular hydrocarbon and oil removal, to ensure that water quality will not suffer as a result of the development. A sustainable drainage treatment train comprising permeable paving and the swale will also ensure that adequate treatment of runoff has been undertaken prior to runoff discharging from the site in line with SuDS Mitigation Indices identified in Table 26.3 of the in Ciria SuDS Manual C753. This is particularly relevant due to the presence of the Kingsbridge Salcombe SSSI downstream.

Conclusion

We believe the revised sustainable drainage scheme offers a vast improvement compared to the previous strategy. The revised scheme benefits from utilising an array of sustainable drainage features such as a swale and permeable paving. The runoff will ultimately be restricted prior to discharge into the highway drain or the sewer requisition. This will mean runoff will no longer pour off the site during rainfall events as the runoff will be attenuated safely on the site providing a betterment over the existing scenario. In addition, the applicant has committed to undertake remedial works on the highway drain which is known to be in poor state of repair which offers an improvement within the wider village area.

We have worked closely with Acorn Developments, Sands Civil & Structural Chartered Engineers to improve the proposed surface water drainage strategy. We have also taken on board local knowledge from the residents of Chillington. We no longer have any reason to maintain our objection to the application. This revised scheme clearly fulfils all four pillars of sustainable drainage: reducing flood risk, improving water quality, providing biodiversity and amenity therefore we recommend the strategy is in line with local and national SuDS guidance.

The drainage proposals have once more attracted considerable objection. These objections can all be viewed in full on the file, but are broadly summarised as follows:

- Consider the site could be developed provided the design of both the site layout and drainage system were changed, and number of dwellings reduced considerably.
- Roads frequently flood in the immediate area and this development will make this worse. Gardens and houses will be put at risk.
- The outline approval carried very little detail, leaving it to Reserved Matters. In addition the surface water drainage, an absolutely crucial element of the whole proposal, was considered unworkable – so was set aside as a 'Pre-commencement condition', conflicting with DCC's own guidance document which states drainage should not be left to conditions and needs to be agreed at OPA stage.
- The current proposal collects the majority of the rainwater from across the site and intends to discharge it downhill; meaning the rest of Chillington and beyond needs to deal with the water.
- The developer is using older, less effective technologies and rainfall data. DCC LLFA are not demanding any better. The use of old technology shows a lack of understanding of current and future climate change. DCC even accept old rainfall data (FSR) from 1975, adapted with a 'protocol' that brings it 'up' to 1994. This does not instil confidence that this development is 'future proofed' for flooding in any way.
- Believe the LLFA have made comments without all of the information being made available.
- DCC's SuDS guidance is rarely fully implemented and a relaxed attitude is used, so developers are able to interpret it, or ignore it, as they have here. In some sensitive Critical Drainage Areas - and particularly here - the guidance should be rigorously adhered to, requiring high standards of design, using the latest sustainable drainage technology, to minimise flood risk and manage surface water efficiently and appropriately within the development itself by the individual new properties.
- As with the original application the applicant continued to update and/or alter the detail of the revised application over the course of several months. Whilst there may have been minor tweaks during this time, the system that forms the basis of the current revised application is based on the same approach as that which was proposed back in February.
- Whilst the applicant has made minor changes to the site layout, the significant changes they have made to the proposed drainage system fail to address many of the issues that were deficient in the original design and make the drainage system worse than it was in the original application.
- A comparison has been made:

	Original Application	Revised Application
Number of properties	63	62
Properties served by private attenuation tanks	20	0
Properties served by private soakaways	14	18
Surface management within own curtilage	34	18
Properties draining to soakaways and managing water on-site	63	18
Properties draining off site via attenuation tanks	0	44

Max volume of largest tank	492m3	740m3
Max depth/height of largest tank	1.2m	2m

- Rather than take the opportunity to improve the drainage system, the applicant has chosen to wind the clock back more than fifty years in terms of 'best practice'. Instead of trying to retain as much of the surface water on site as possible, as stated in both the SuDS manual and the reports that were produced prior to OPA being granted, they now propose to pipe the runoff from more than 70% of the development off the site via a single attenuation tank that is even larger than either of the two soakaways that were proposed for the original application.
- How can DCC be so confident that the scheme will not only work but will also provide 'betterment' when we do not know where the water is going to end up?
- DCC appear to be somewhat uncertain as to whether or not the site is suitable for infiltration.
- DCC state the development contains a number of SuDS features and these provide betterment. What is not stated is that the vast majority of this relates to the part of the site which is not covered by development; many of the features exist already in the greenfield site, for example, the Devon Banks.
- Why did the applicant and their consultants not even undertake a preliminary assessment of the drainage system using more recent rainfall dataset. The only logical explanation is they knew/suspected it would demonstrate the system would not work to the required standard. Notwithstanding this, DCC advise that the attenuation tank will provide a betterment as it will reduce the flood risk. At the very simplest level this might be considered to be true - the peak discharge rate from the site will be reduced.
- Reliance on attenuation tanks means that even during lower magnitude rainfall events the majority of rain will run off the site almost immediately. Whilst this is unlikely to cause issue during wetter months, in drier periods, water levels and flows in receiving watercourses will be lower, meaning that there will be less water available to dilute runoff from the development.

- Drip-feeding minor changes until people simply give in is a classic ploy, and appears to have been well implemented in this case. Similarly, it appears that a significant amount of technical material has been passed between the applicant and LLFA without making it into the public domain.
- The design of the proposal is based on a significantly higher density of development than was stated at the OPA stage and higher than the existing development at Chillington.
- DCC have confirmed the feature nearest our homes is a bund. However its location, composition and maintenance is vitally important to the residents whose homes are within feet down-slope of it. The '*exact location to be confirmed via submission of details*' is concerning.
- Drawings state the detailed monthly schedule of inspection and maintenance for the swale features elsewhere in the development, but there is no schedule for the bund, which itself forms a small swale I gather. Do we assume the maintenance of the bund would be the same schedule and process?
- Would like more detailed information on the exact location of this important feature please. It forms a 'dam' and is an integral part of the Flood Routing Plan, channelling exceedance flows along the rear of our properties and off the site.
- The bund is likely to be vulnerable to damage, removal or neglect, so making it not only useless but a potential flood risk in itself. Any storm water intended to flow along it will be stopped or possibly diverted south into any garden or property below the point of dam.
- If the bund is fenced off, this creates a narrow track; an unlit, unsupervised haven for dumping, kids and anti-social behaviour. Either way this is looked at it is a cause for concern and cannot work with the current layout and density.
- The solution is for a reasonable size bund and swale in a much wider open area, visible from several vantage points and a usable space so it could become a landscape feature in its own right, adding both visually and as an amenity for the residents.
- Revised plans now extend the fences of plots 44-45 and 36-37 so they now enclose the bund within their gardens, making the situation worse. However, if the reverse was proposed and all the gardens stopped short of the bund it would create an unwelcome, unmanaged and unsupervised area that we don't want either - and neither did the Police when it was proposed the first time.
- Is it plausible that the developers place the entire flood management feature at the southern boundary within private gardens? No flood prevention infrastructure should be under the control of private homeowners.
- The original scheme specified in Condition 19 was primarily on-site infiltration with all properties or pairs of properties having individual private garden soakaways. The current reserved matters scheme is primarily an off-site discharge scheme with only 18 of 62 homes having private soakaways, plus some driveways and parking areas that infiltrate into the ground. This conflicts with condition 19 on the outline application, which states:

"No part of the development hereby permitted shall be commenced until the detailed design of the proposed permanent surface water drainage management system has been submitted to and approved in writing by the Local Planning Authority in consultation with Devon County Council as the Lead Local Flood Authority. The design of permanent surface water drainage management system will be informed by the programme of approved BRE Digest Soakaway Design (2016) percolation tests, in addition to the results from the approved groundwater monitoring programme, and in accordance with the principles set out in the Flood Risk Assessment (Report Ref. 4660, Rev 5, dated January 2017) Reason: To ensure that surface water runoff from the development is discharge as high up the drainage hierarchy as is feasible, and is managed in accordance with the principles of sustainable drainage systems"

DCC LLFA have responded specifically to this final point:

The FRA was submitted in two parts. The Option B strategy shows underground attenuation in the form of oversized pipes just before the two connections; into the sewer requisition and into the highways network so the underground attenuation is keeping in line with what was approved previously. The principles of the drainage strategy were established at outline – they were not set in stone and we feel the strategy put forward is an improved solution for the site. The latest drainage strategy plan for the current application is 2501 P07.

Officers would emphasize the key here is the condition requires accordance with the “principles” as set out in the FRA, not “strict adherence” to it. Two options were considered at outline stage, one of which was shown in the FRA Appendices.

It is accepted there are some differences between the previous scheme and that now being presented, as referred to by the objectors’ summary above, but it is not considered the condition is breached.

In response to queries raised over the proposed bund, which runs at the rear of the gardens on the southern part of the site, DCC LLFA commented:

The bund is proposed to manage exceedance flows if the other tanks/ soakaways/ oversized pipes/swale become overwhelmed. This will only happen during very rare rainfall events which may not even be witnessed during the life time of this development. The inclusion of the bund is merely an additional fail safe measure over and above the design standard to direct flows away from existing properties backing onto the development and to route the runoff along the road within the development in line with best practice. It is the role of the management company to gain access to maintain the bund and homeowners will be made aware of it in their deeds. It is no different to management companies gaining access to maintain soakaways. Due to the nature of the feature, an earth bund, as long as it's not removed then it will carry out its function if indeed it was ever called into play. It is quite different to an attenuation tank requiring specialist knowledge to maintain.

Officers would point out that whether the bund is in gardens, or divided by fencing, this will still result in objections. The Police Architectural Liaison Officer previously stated that fencing this off would be undesirable, at risk of encouraging antisocial behaviour. Having it publically accessible would also introduce activities immediately to the rear boundaries of the existing properties in Green Park Way, which has also attracted objections. The proposed solution is seen as the most practical and Officers would remind Members that the requirement for management and maintenance of all of the drainage as well as communal areas is covered in the S106 agreement.

Furthermore, in response to lengthy detailed objections from a third party, Dr Bennett, DCC issued a rebuttal statement:

Introduction

Upon request from SHDC we have produced this statement to provide clarity over Dr Bennett’s objection letter. A number of issues raised challenged the input from Devon County Council’s Flood & Coastal Risk Management team, which we believe are unjust. We take our role as statutory consultee extremely seriously following our SuDS Guidance for Devon (2017) and have worked very closely with SHDC and the applicant for two years on this application. We have spent more time and effort on this application than any other in the past 5 years since DCC became statutory consultee for surface water management. We have reviewed the contents of Dr Bennett’s letter and have compiled this Briefing Note in response. For clarity and contrary to what is reported, DCC as the Lead Local Flood Authority (LLFA) do not have any development targets whatsoever and for avoidance of doubt our statutory role is to provide advice to the Local Planning Authorities on whether the proposed surface water management system will function in accordance with the design parameters. The LLFA do not have any direct responsibility or involvement in the design process, as this will contravene the Construction Design & Management Regulations 2015, but will direct the applicant in accordance with national policy and local guidance to ensure the proposal meets the strict standards that have been

set. It should also be stated that we can only comment on the information provided to us and cannot unreasonably object to a proposal that does not make matters worse or provides a betterment.

This statement is intended to provide further details of points raised in Dr Bennett's objection letter, explaining why we have made the decisions we have and how these link to current national and local policy. We feel it is important that residents and councillors are party to correct and accurate information from an impartial source.

Firstly, we completely disagree that the new application 'makes the drainage situation worse'. The new drainage strategy provides a significant betterment in that it will pick up and store the surface water flows which currently flow off the three fields during rainfall events. The benefits will be provided to the residents of Green Park Way who currently have their highway flooded from this uncontrolled surface water pouring off the pre-developed site during rainfall events. The strategy also boasts a treatment train of various sustainable drainage techniques, one of the key principles of SuDS, via the provision of a swale and extensive permeable paving which has been completely ignored in the letter. It also fails to recognise that the applicant is committed to upgrading the public highway drainage system, at their own expense, which will provide further benefit to the residents of the village. The current highway drain has major structural defects throughout and Acorn will repair these defects as part of this proposal. This provides a significant betterment to the wider village of Chillington, not just the residents at Green Park Way. The previous surface water drainage strategy, although workable, relied on a pumping station and a series of perforated risers for controlling local flows, placing further onus on a private 2 management company. The new drainage strategy removes these maintenance risks.

The objection letter queries whether we accept that infiltration at the site will work. There has never been any doubt as to whether infiltration will work at the site. Three sets of site specific infiltration testing to BRE 365 have been undertaken. All three sets of infiltration test results indicated favourable rates of infiltration. Residents had concerns about subsidence of the large communal soakaways as well as potential groundwater re-emergence so the applicant took these views on board and provided more on-plot soakaways, as demonstrated by Table 1 in Dr Bennetts report. It is not normal practice for developers to seek opinion of local community groups on the design of surface water drainage system. However, in this instance the applicant has taken on board the concerns raised by the residents with the previous application, which goes above and beyond what is required. Dr Bennett's letter also states that the assessment of groundwater monitoring was not complete by September 2019 which is incorrect. This was clearly explained in a previous Briefing Note dated 30 th August 2019 linked to the previous drainage strategy put forward for this application.

The proposed strategy combines both the use of infiltration and attenuation. This formed the alternative drainage strategy which was approved at outline stage. This is evidenced in our DCC LLFA formal response dated 9th January 2019 for 0771/16/OPA. The combined option of infiltration and attenuation is clearly illustrated in the drawing entitled Surface Water Drainage Layout Option 2 - Combined Attenuation and Infiltration based scheme (Drawing No. 4660/503/02, Rev. A, dated 15th November 2016). In light of this the applicant is not departing from what was previously approved at the outline stage of planning.

Another issue which the letter raises is to do with the size of the attenuation tank proposed at the east of the site. The size of the tank is required to comply with current design standards (1 in 100 year rainfall event plus climate change) in line with the Non Statutory Technical Standards for SuDS (2015). The volume of storage being provided will achieve the standards required in both our local Suds Guidance and national guidance. The attenuation tank will be sited under the ground, as illustrated in the cross section identified on page 10 of the Design & Access Statement. For the majority of the time this tank will be completely empty or only partially full during periods of rainfall. Even on the rare occasion when the tank will be full, which has a likely probability of 1% in any one year, it will in fact weigh significantly less than the earth which is in situ at present.

There appears to be confusion over the understanding of the proposed sewer requisition and how these are determined. The process is a legal agreement between the applicant and the water company and not something that DCC would get involved with. The water company have already indicated that it is feasible which fulfils our requirements for this stage of planning. The letter mentions that the proposed strategy will route water into Flood Zone 3. The development's surface water flows will no doubt enter a watercourse lower down the catchment but at a significantly restricted rate. To imply that the applicant is routing water from a Flood Zone 1 area to Flood Zone 3 is misleading as any strip of land adjacent to a watercourse and the watercourse itself is designated Flood Zone 3 therefore this argument is invalid, otherwise there would be no discharges into any watercourses. 3
The letter states that there is a lack of supporting information for the proposed surface water drainage strategy however the applicant's drainage consultants have carried out individual calculations for each of the soakaways, the highway attenuation tank, the attenuation tank and runoff rates. A total of 16 calculations are currently available on the planning portal for this application and the calculations have been undertaken using appropriate and nationally accepted industry software.

The letter states that the sustainable drainage features proposed as part of this application already exist at the site. Having visited the site, I can accurately state that there is no existing swale feature or permeable paving at the site. The addition of these features provide biodiversity and amenity benefits to the site as well as treatment of the runoff in line with the 4 pillars of SuDS.

The proposed SuDS provision will manage the surface water runoff from the whole site in such a way as to at least mimic existing greenfield conditions and where possible to provide a betterment. Based on the drainage proposals for this site, including long-term storage, there will be a notable improvement and reduction in uncontrolled surface runoff and the positive discharge to be made via the public sewer requisition will transfer flows downstream beyond those properties at risk from the current surface runoff.

The applicant has met the requirements of the Ciria SuDS Manual C753 (2015) in terms of achieving the SuDS mitigation indices for the relevant pollution hazard level. The letter mentions that a 2.6 l/s discharge is unachievable from the flow control at the bottom of the soakaway. The flow control will be located at the bottom of the attenuation, not at the bottom of the soakaways as suggested in Dr Bennett's letter which by their virtue do not require flow control devices. Modern flow control devices can achieve flows as low as 1.5 l/s so the proposed 2.5 l/s discharge from the attenuation tank to the east of the site is entirely feasible.

The issue of exceedance flows was raised by Dr Bennett in his objection letter. Both the previous strategy and the last strategy adequately dealt with the exceedance flows safely at the site in line with best practice. The applicant has submitted a Flood Routing Plan 1101 P01 dated March 2020 which is available on the planning portal. It clearly illustrates that any exceedance flows will be routed along the internal access roads at the site and will be managed via an exceedance bund along the southern boundary of the site in line with current best practice. It should be highlighted that exceedance flows are those that will only occur as a result of an extremely rare rainfall event over and above the design event with less than 1% probability of occurrence in any one year, so these exceedance flows may not even be witnessed at the site at all considering the design standard and climate change allowance utilised within the design parameters.

The Environment Agency issued new Guidance on Flood Risk Assessments: Climate Change Allowances for Flood Risk Assessments in March 2020. The climate change allowance used within the strategy complies with the upper figure quoted within the report. The application is completely in adherence with the required climate change allowances.

The objection letter also questions the acceptance of the FSR rainfall data set by DCC. Current standards allow FSR dataset to be used within calculations. We cannot unreasonably refuse this dataset.

Conclusion

We have scrutinised the surface water drainage submission within this application and are satisfied that it complies with Policy DEV35 of the Plymouth, West Devon and South Hams Joint Local Plan 2014-2034, our SuDS Guidance for Devon (2017), the Non Statutory Technical Standards for SuDS (2015) and Ciria SuDS Manual C753 (2015). Currently there is an unmanaged, unrestricted discharge during rainfall events from the site as evidenced in the images below [images can be viewed on the file].

With the new drainage strategy, these flows will be picked up and conveyed to on plot soakaways, the highway attenuation tank or the tank to the east of the site. These flows will be stored and managed on the site with a restricted discharge providing a significant betterment over the existing scenario.

There is currently an appeal being pursued against the decision of refusal for the older application, so there is a significant risk that the less sustainable previous strategy could be approved at appeal if this current proposal is not accepted. Whilst we have reached a point of satisfaction for the previous proposal this current proposal is far more sustainable and with reduced maintenance risks.

Comments have been received questioning why SWW have not been involved or commented on the proposal. The developer has had discussions with SWW and as stated earlier in this report, SWW responded that they did not object, subject to the drainage being implemented as shown in the application drawings.

DCC Highways have confirmed that SWW are not responsible for the maintenance of most of the existing Green Park Way surface water sewers; DCC Highways are as these are highway drains. Coleridge Lane and the A379 contain SWW maintained combined public sewers.

Given the LLFA, as statutory consultee are satisfied that the drainage scheme provided is a workable solution. A condition is requested as imposed to ensure the repairs and enhancements to the highway drains are carried out before works commence. Together with the conditions attached to the outline permission and the maintenance being secured through the S106, it is considered this element of the application is satisfactorily addressed in compliance with JLP Policy DEV35.

Should any revisions to the drainage be made in such a way that impacts upon the layout or landscaping of the site, the applicant acknowledges a revised reserved matters application would need to be submitted; that is not a reason to refuse this current application however.

Highways/Access:

On the west side of the site adequate and convenient on plot parking is provided, with a minimum of 2 side by side parking spaces per plot plus garages. On the central and eastern side the development is denser however and there is some reliance on tandem parking. Whilst tandem parking can sometimes result in on street parking due to the inconvenience of 1 car having to move to let out the other car, there are 13 visitor spaces across the site; this should result in an acceptable level of parking provision and limited pressure for unplanned on street parking. Parking spaces, including garages, were conditioned at outline stage to be retained for parking and this was not seen as a fundamental issue when Members refused the earlier application.

Objections have been raised on the basis that the existing highway network cannot accommodate more vehicles and that there is not safe access for cycles or pedestrians. A pedestrian access point is proposed onto Coleridge Lane in the north east corner of the site. This route meets the road directly opposite a rural public right of way (PROW) so allowing easy connection into recreational walking routes. The path will also allow greater permeability and inter-connectivity with the village. It is unclear why objectors have questioned why this access is not provided. A condition is imposed for full details of this access to be provided to ensure it meets appropriate standards and is a safe, attractive link.

There is a safe pedestrian route into Green Park Way with footpaths available to all residents. The Highway Authority have raised no objection to this proposal or the access onto Coleridge Lane on safety grounds and Officers consider there are benefits to providing the connecting link to the PROW.

Matters relating to highways, access and parking are therefore considered to be acceptable.

Biodiversity:

This was addressed fully at outline stage, and the necessary LEMP plus financial contributions secured in the S106. The majority of site trees and hedgerows are to be retained, and additional planting provided as detailed on the landscaping drawings.

Noting once more Natural England have flagged a concern over the potential impacts to the SSSI, it is worth noting the following from the outline Officer report:

Concerns were raised by Natural England with respect the potential for impact from the proposed development on the water quality within Salcombe to Kingsbridge Estuary SSSI. A chain of correspondence between EAD Ecology and Natural England ensued within which further information and clarification was provided (from South West Water and the drainage consultants) which concluded with Julien Sclater of Natural England confirming in his email on 6th July that 'I am satisfied at this point and subject to resolving the detail at the appropriate stage, that our concerns regarding potential impacts upon the SSSI can be resolved for both construction and operational phases.'

Additional conditions are imposed to ensure this information is provided to ensure no detriment to the SSSI. Therefore, subject to compliance with the conditions and the S106 (the "appropriate stage" as referred to be NE above), it is not considered the proposal would result in any detriment to the biodiversity interests of the site, or wider area.

Heritage

There are no listed buildings in close proximity to the site, the nearest listed building are located within the historic village centre fronting the A379, set within the Conservation Area. Therefore, there will be no impacts upon any heritage features.

Other matters:

Objectors state the site is Flood Zone 3; it is actually Flood Zone 1.

Matters of access to water in the on-site spring and covenants relating to this are civil matters, and cannot be taken to be material planning considerations.

Lack of renewable energy/sustainability measures – DEV 32 requires applications to demonstrate a reduction in carbon generation of 20% over Building Regulations requirements. However, it must be remembered this is a reserved matters application and to now introduce new matters at this stage would be unreasonable. Some information regarding building sustainability has been provided with this application, but not any degree of details. However, it is worth noting that the outline approval carried a condition requiring submission of details to demonstrate a carbon reduction.

Comments have been made in that the drawings and levels are misleading but Officers disagree; there are many plans on file, some of which have been revised, and several have levels indicated on them. Whilst it can be confusing when there are numerous drawings, there is nothing to suggest any inaccuracies.

The LPA cannot force the developer to withdraw the application, to make design change or to reduce the number of dwellings, as has been suggested should be the case. The scheme must be determined as submitted, on its merits and in line with current policy and guidance.

Lack of local employment and infrastructure – the principal of this proposal has been set by the granting of outline consent. This consent was accompanied by a S106 agreement which secures contributions towards local infrastructure and facilities (open space/play space, transport contributions and so on), as well as the upgrade of an existing deficient highway drain. Benefits also exist in the form of 35% affordable housing and a minimum of 10 age restricted dwellings.

Planning Balance

The proposed development will deliver a high quality scheme which respects its rural setting and sensitive landscape location. The impact on neighbours has been mitigated as far as is reasonably possible and the impacts are acceptable and accord with Policy DEV1 of the JLP.

The proposed reserved matters of layout, external appearance, scale and landscaping are acceptable and the drainage scheme has been considered a betterment over the previous application, and as such it is again recommended that conditional reserved matters approval be granted.

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 March 26th 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 March 21st 2019 and West Devon Borough Council on March 26th 2019.

SPT1 Delivering sustainable development

SPT2 Sustainable linked neighbourhoods and sustainable rural communities

DEV1 Protecting health and amenity

DEV2 Air, water, soil, noise, land and light

DEV3 Sport and recreation

DEV8 Meeting local housing need in the Thriving Towns and Villages Policy Area

DEV10 Delivering high quality housing

DEV20 Place shaping and the quality of the built environment

DEV23 Landscape character
DEV25 Nationally protected landscapes
DEV26 Protecting and enhancing biodiversity and geological conservation
DEV27 Green and play spaces
DEV28 Trees, woodlands and hedgerows
DEV29 Specific provisions relating to transport
DEV30 Meeting the community infrastructure needs of new homes
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) and guidance in Planning Practice Guidance (PPG). There is no neighbourhood plan in place for this area. Also of relevance is the South Devon AONB Management Plan.

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.

Conditions in full

1. The development to which this permission relates must be begun not later than whichever is the later of the following dates:
 - (i) the expiration of three years from the date of the grant of outline planning permission 0771/16/OPA; or if later
 - (ii) the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act, 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall in all respects accord strictly with the following drawing numbers:

Received 25.09.2020

2100 PO2 Section 38 Plan

2101 P04 Highway Layout Sheet 1

External Levels Plan 2401 P05

Drainage Strategy Plan 2501 P08

Flood Routing Plan 1101 P02

PL001 O Hard and Soft Landscape Plan Location Sheet

PL002 O Hard and Soft Landscape Plan Sheet 1

PL003 O Hard and Soft Landscape Plan Sheet 2

PL004 O Hard and Soft Landscape Sheet 3

PL200 N Planting Plan Location Sheet

PL201 N Planting Plan Sheet 1

PL202 N Planting Plan Sheet 2

PL202 N Planting Plan Sheet 3

Received 24.09.2020

A-P10-001 C Location Plan

A-P10-002 C Planning Layout

A-P10-003 C Materials Plan

Received 21.09.2020

A-P12-001 C Proposed Site Sections 1 of 2

A-P12-003 Proposed Sections 3 of 3

Received 09.06.2020

A-P12-002 A Proposed Site Sections 2 of 2

A-P19-3B01 B Affordable Housetype Planning Drawings

A-P21-001 B Street Scenes with Materiality

A-P21-002 C 3D Visuals

A-P22-001 B Schedule of Accommodation

A-P22-002 B Parking Schedule

Received 26.03.2020

2102 P03 Highway Layout Sheet 2

2103 P03 Highway Layout Sheet 3

Received 07.02.2020

A-P12-003 Proposed Site Sections 3 of 3

A-P19-2B04 Housetype Planning Drawings

A-P19-3B02 Housetype Planning Drawings

A-P19-3B04 Housetype Planning Drawings

A-P19-3B06 Housetype Planning Drawings

A-P19-3B07 Housetype Planning Drawings

A-P19-3B08 Housetype Planning Drawings

A-P19-3B09 Housetype Planning Drawings

A-P19-3B10 Housetype Planning Drawings

A-P19-3B11 Housetype Planning Drawings

A-P19-3B12 Housetype Planning Drawings

A-P19-4B01 Housetype Planning Drawings

A-P19-4B02 Housetype Planning Drawings

A-P19-4B03 Housetype Planning Drawings

A-P19-1B01 Affordable Housetype Planning Drawings

A-P19-2B01 Affordable Housetype Planning Drawings

A-P19-APTS Affordable Apartment Planning Drawings

A-P19-GAR Garage Planning Drawings

A-P19-STO Refuse/Recycling Planning Drawings

TC 190301 – TPP Rev A 2

TC 190301- TPP Rev A 1

TC 190301 TIAP 2020

Received 17.01.2020

2201 P01 Highway Long Sections

2301 P01 Highway Construction Details

3. Details of the timing/phasing for the implementation of the soft landscaping and its long term maintenance shall be included in the Landscape and Ecological Management Plan required by condition 5 of outline planning permission 0771/16/OPA to be submitted and approved in writing by the Local Planning Authority prior to the commencement of development. Development shall take place in accordance with the approved details.

Reason: To ensure that the proposed development is carried out in accordance with the drawings forming part of the application to which this approval relates.

4. Prior to development continuing above slab level on any dwelling hereby approved that will not have a level threshold to a principal door fronting the highway, details of the door threshold including details of steps, ramps and any walls or balustrading shall have been submitted to and approved in writing by the Local Planning Authority. Development shall take place in accordance with the approved details.

Reason: In the interest of visual amenity.

5. Prior to its installation/construction details of the electricity sub-station including landscaping around it shall have previously been submitted to and approved in writing by the Local Planning Authority. Development shall take place in accordance with the approved details.

Reason: In the interest of visual amenity.

6. The roofs of any single storey elements/building projections shall not be used as external amenity or sitting out areas at any time.

Reason: To protect the amenity of adjoining residents.

7. Prior to their installation, details/ samples and colours of materials to be used in external hardsurfaces within the development hereby approved shall be submitted to and agreed in writing by the Local Planning Authority. Development shall take place in accordance with the approved details.

Reason: In the interest of visual amenity

8. Notwithstanding any details submitted as part of this application, prior to their installation details of all boundary treatments and retaining walls or structures shall be submitted to and approved

in writing by the Local Planning Authority. Details shall include measures for biodiversity enhancement such as the provision of hedgehog holes in fencing. Development shall take place in accordance with the approved details and shall be retained as such.

Reason: In the interest of visual and neighbour amenity and biodiversity.

9. Prior to development continuing above slab level on any plot details of external levels within the site as a whole, including levels of gardens and areas of public open space shall have previously been submitted to and agreed in writing by the Local Planning Authority. Development shall take place in accordance with the approved details.

Reason: In the interests of visual and neighbour amenity

10. Notwithstanding the provisions of the Town and Country Planning (England) General Permitted Development Order, 2015, (and any Order revoking and re-enacting this Order), unless previously agreed pursuant to condition 9 above, no raised decks or terraces above 300mm above existing ground levels (measured at any point) shall be provided/constructed within the gardens of any dwelling hereby approved without the express consent in writing of the Local Planning Authority.

Reason: In the interests of residential amenity

11. Notwithstanding the details submitted and approved as part of this application, within 3 months of the commencement of development full details of planting proposals along the southern site boundary shall be submitted to the Local Planning Authority for approval. *The detailed proposals shall be designed in consultation with the residents whose gardens adjoin the southern site boundary.* The approved details shall be implemented and maintained in accordance with a timetable and maintenance schedule to be agreed in writing with the LPA as part of these detailed landscape proposals. No dwelling shall be occupied until these landscaping details have been agreed in writing by the Local Planning Authority and the planting and maintenance shall then take place in accordance with the approved details.

Reason: In the interest of visual and neighbour amenity

12. Notwithstanding any details submitted as part of this application, prior to their installation details and samples of all external building materials, including roofing materials, elevational treatments, door and window details and rainwater goods shall have previously been submitted to and agreed in writing by the Local Planning Authority. Development shall take place in accordance with the approved details.

Reason: In the interest of visual amenity

13. Roofs shall be clad in natural slates which shall be fixed in the traditional manner using nails and not hooks.

Reason: In the interest of visual amenity.

14. Prior to the continuation of development above slab level on any plot full details of the pedestrian access onto Coleridge Lane shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. Development shall take place in accordance with the approved details.

15. The Construction Management Plan to be agreed pursuant to condition 10 of planning permission 0771/16/OPA shall include details of measures to prevent contaminants from construction activities affecting the Kingsbridge to Salcombe Estuary SSSI with details of how

these measures will be managed and maintained. Development shall take place in accordance with the approved details.

Reason: In the interests of biodiversity.

16. The surface water drainage scheme to be agreed pursuant to condition 19 of planning permission 0771/16/OPA shall provide explicit clarification regarding how the operational phase run-off impacts have been development to prevent water quality impacts upon the Kingsbridge to Salcombe Estuary SSSI. Development shall take place in accordance with the approved details and shall be managed and maintained as such.

Reason: In the interests of biodiversity

17. No part of the development hereby permitted shall be commenced until the detailed design of the overflow at the land drain/spring in the vicinity of the existing trough has been submitted to and approved in writing by the Local Planning Authority. Development shall take place in accordance with the approved details.

Reason: This is needed prior to commencement to finalise levels in the existing trough area to provide an overflow from the existing land drain / spring feature and reduce the risk of overland flow.

18. Prior to its installation a noise impact assessment of the drainage pump hereby approved shall be submitted to and approved in writing by the Local Planning Authority and, if identified as necessary, the means of how noise impact will be mitigated shall be submitted to and approved in writing by the Local Planning Authority. Development shall take place in accordance with the approved details and shall be retained and maintained as such for the lifetime of the pumping station

Reason: In the interest of residential amenity

19. No works shall commence until the agreed repair works on the existing highway sewer have been carried out, with evidence submitted and approved by the local planning authority.

Reason: This is needed prior to commencement to ensure the highway drain is in a suitable condition to receive flows from this development to avoid posing a flood risk elsewhere in the village.