

## PLANNING APPLICATION REPORT

**Case Officer:** Anna Henderson-Smith  
Okehampton North

**Parish:** Okehampton Hamlets **Ward:**

**Application No:** 1391/21/ARM

**Agent/Applicant:**

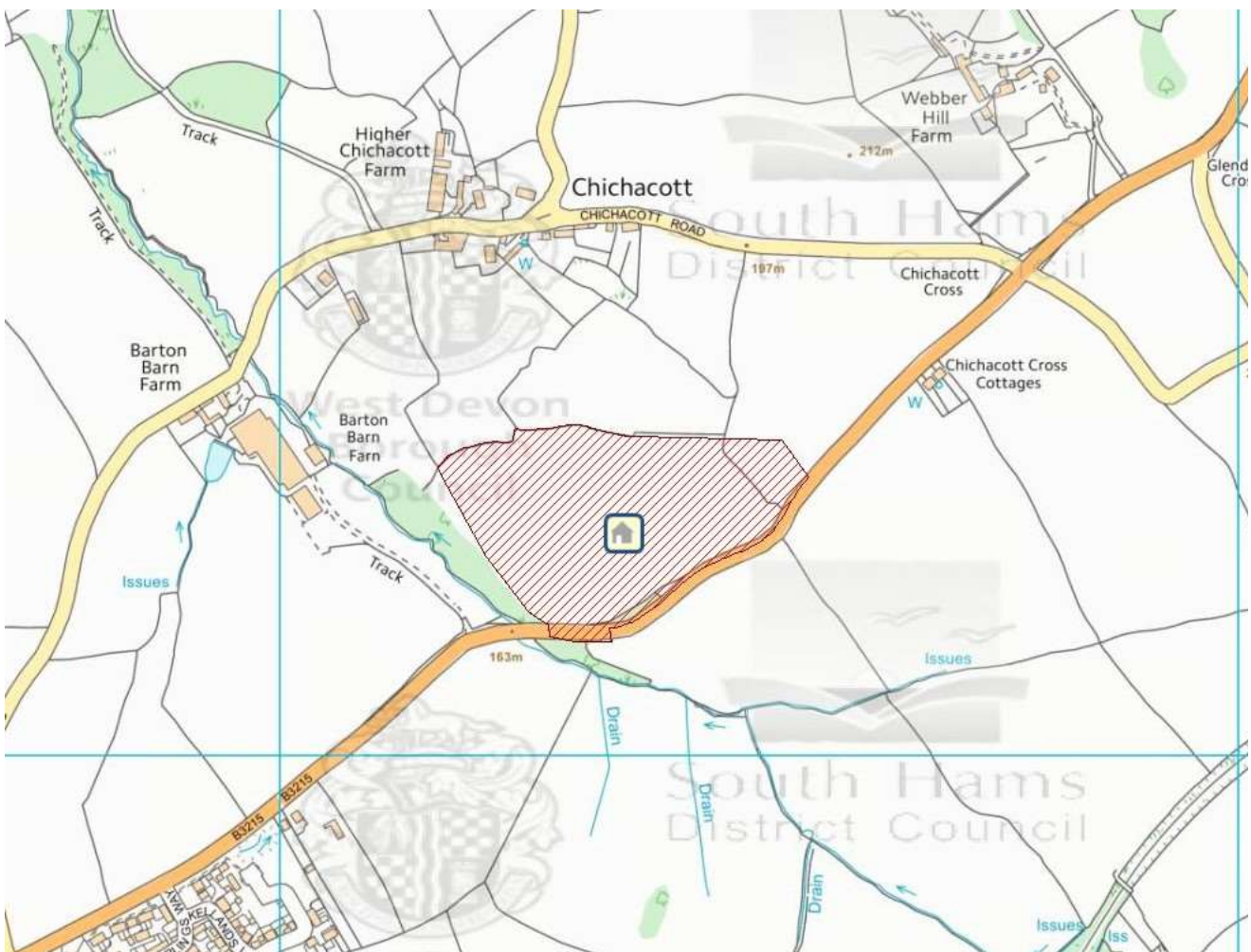
Mr Neil Mantell - LRM Planning Ltd  
22 Cathedral Road  
Cardiff  
CF11 9LJ

**Applicant:**

David Wilson Homes (Exeter) Ltd  
C/O Agent - Vanguard House  
Matford Business Park, Exeter  
EX2 8HL

**Site Address:** Parcel 4A, West of Crediton Road, Okehampton

**Development:** READVERTISEMENT (Revised plans received) Application for approval of reserved matters following outline application 2731/15/OPA for the construction of 89 dwellings, public open space, landscape planting, pedestrian, cycle and vehicular links and associated infrastructure



**Reason item is being put before Committee** – Before Committee at the request of the Head of Development Management due to the scale of the proposal combined with the outstanding objection from the neighbouring Okehampton Town Council.

**Recommendation:** Delegation to Head of Development Management to Grant conditional consent subject to the completion of the association Deed of variation (providing no new material considerations are raised prior to the current consultation end date of 30<sup>th</sup> September).

**Conditions/Reasons for refusal** (list not in full)

1. Time limit for RM reflecting outline time limit
2. Adherence to plans (including revised Landscaping plans and planting strategy)
3. Rear garden gates locking mechanism
4. Noise mitigation compliance
5. Removal of PD/lighting/windows re biodiversity
6. EVCP prior to plot occupation
7. Trigger for pedestrian access to Parcel 3 prior to first occupation
8. Distribution of resident biodiversity pack on occupation
9. Adherence to ecological mitigation measures

**Key issues for consideration:**

The main issues for consideration relating to this scheme are those relating directly to the 4 remaining reserved matters for consideration: Landscaping, Layout, appearance and scale. Combined with these are the implications of amenity implications for current and future occupiers, sustainability, biodiversity and drainage.

**Financial Implications (Potential New Homes Bonus for major applications):**

As part of the Spending Review 2020, the Chancellor announced that there will be a further round of New Homes Bonus allocations under the current scheme for 2021/22. This year is the last year's allocation of New Homes Bonus (which was based on dwellings built out by October 2020). The Government has stated that they will soon be inviting views on how they can reform the New Homes Bonus scheme from 2022-23, to ensure it is focused where homes are needed most.

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**Site Description:**

The application site is approximately 5.5ha and is currently greenfield agricultural land. The topography is such that it broadly falls from east down to west to the watercourse.

The site forms a part of the East of Okehampton allocations within the Joint Local Plan (JLP). This portion of the allocation is referred to as Parcel 4a as parcel 4 straddles both the East and West sides of Crediton Road. This current application comprises the whole of Parcel 4a and a very small proportion of 4b in order to include a crossing point from one parcel to the other.

The boundaries of this site are all mature well treed deep mature hedgerows. The south western boundary of the application site fall slightly within the field itself, not taking the site right up to Brightley Stream, but finishing within it. There is a linear copse to the roadside set within the site.

Uses around the site are agricultural to the north and east with Barton Barn Farm, Parcels 2 and 3 of the housing allocation to the west and SW (including the new St James Primary School and a neighbourhood shop), residential currently under construction on Parcel 3 to the South by the applicant and parcel 4b as yet undeveloped and not benefitting from a reserved matters permission to the SE.

Other than the JLP site allocation the site is not in any designated areas but does lie to the east of the Okehampton Roman Fort Scheduled Ancient Monument (SAM).

### **The Proposal:**

This is a reserved matters application (appearance, landscaping, layout and scale) for 89 dwellings of the 'up to 400' approved at the outline stage (which approved access with the outline). The units are all 2 storey open market houses and comprise the following mix:

3 bedroom x 17  
4 bedroom x 72

The external materials proposed on this site are render, slate style tiles, reconstituted stone, concrete tiles and brick.

When taking the developable area (3.05 ha), the density proposed is 29/ha, when considering the site in its entirety (5.5ha) it is 16/ha.

### **Consultations:**

- Okehampton Hamlets Parish Council - 25/6/21, Object - councillors resolved to object to the application for the following reasons -
  - too dense to reflect the Hamlets, it is not appropriate to consider Parcel 4a without Parcel 4b as the overall scheme needs to be considered as a whole.
  - drainage issues do not seem to have been resolved.
  - the parking provision is inadequate forcing unnecessary or difficult manoeuvres as outlined by both the police and Highways.
  - there should be a pedestrian crossing between parcels 4A & 4B to the main play area provided for by the developer.

22/9/21:

Okehampton Hamlets PC resolved to submit a neutral view with the below comments

1. Highways – major concern over the access point to the development, it is on a busy, narrow, fast and steep road, access considered inadequate particularly in view of further planned access points onto the road from parcel 4b. Highways are asked to review the situation.
2. Footpath access across the main road – crossing considered dangerous, a potential Health and Safety issue. Similar reasons as point 1 above but also close to an unsighted bend in the road, could an alternative position for this be found?
3. It appears the boundary of the development has changed in that it now crosses the road for a small area where the pedestrian crossing is planned. Is this correct and what are the reasons for it?

4. General appearance of development – Councillors did not think it was of a Hamlets or rural appearance although it was appreciated there was a variety in the design of houses.
  5. Concerns were raised over the levels of the site, reassurance required that retaining walls would be ‘fit for purpose’ bearing in mind current issues with this type of wall on other developments in Okehampton.
  6. Street lighting – what is proposed, would it be wildlife and bat friendly? Recent issues have been raised concerning the effects of LED lighting on wildlife, this development is in a rural area with significant wildlife around.
  7. Parking – there is insufficient visitor parking.
  8. Residents parking – there are too many manoeuvres required for some parking spaces.
- Okehampton Town Council (neighbouring Town Council) – object due to the following comments
    - Density of buildings
    - Highways concern regarding vehicle turning, pinch points and associated traffic.
    - Cumulative impact.
    - South West Water concerned about sewage and flood risk.
    - Lack of infrastructure.
    - Health and safety issues raised by the police.
    - Lack of social housing
    - Play area close to busy road.
    - No public consultation.

17/9/21 – objection

On 13th September 2021 Okehampton Town Council's Planning Committee resolved to OBJECT to the application on the following grounds:

- Density of buildings
  - Highways concern regarding vehicle turning, pinch points and associated traffic, no access to some properties for delivery or waste collection vehicles
  - Cumulative impact of the development on the area
  - South West Water concerned about sewage and flood risk
  - Health and Safety issued raised by the Police in relation to rear gates
  - Lack of Social Housing
  - Play area close to busy road
  - No public consultation
  - No rainwater harvesting or solar systems included
  - Concern that EV charging points are not within the garages
  - Lack of infrastructure - entrance/exit is single vehicle road on brow of hill just past a bend in the main road
  - Pipe located under a tree root protection area, how will this be managed without causing damage?
  - Ecology – trees to be protected – document 836737
  - Construction environmental management plan, concern re hedgerows and the presence of dormice
- Letter to A Henderson Smith about Agricultural Impact Statement and Method statement not included on the document list from LRM Planning
- Woodland and stream corridor of high importance – no ecological appraisal or noise amendment
  - Light pollution effect on resident bats, bat boxes per home advised
  - Green corridor hinterland important for protection

- Species rich grassland and maintained meadow
  - Building design – 3rd bedroom only 2m x 2m
- County Highways Authority 28/5/21 – ‘detailed comments relating to the operation of the internal layout of the site, but the highway authority have some reservations about the suitability of pedestrian cycle access generally to the south through the remainder of Parcel 4 and to the west towards the Parcel 2 development including the shop and the school.’
- 7/9/21 – ‘The four points made in the initial response, have been considered and addressed, with the exception of point 3, but this can be addressed in detail in the event that the road is offered for adoption as a publicly maintained highway.’ Request an informative
- DCC as LLFA 26/5/21 ‘Although we have no in-principle objection to the above planning application at this stage, the applicant must submit additional information, as outlined below, in order to demonstrate that all aspects of the proposed surface water drainage management system have been considered.’  
16/9/21 Objection withdrawn, no objections based on revised scheme and plans.
  - Environment Agency 20/7/21 – ‘ I have reviewed the application and note our previous comment relating to another Reserved matters Parcel, however there looks to be no constraints within parcel 4a which relate to our remit and therefore we have no comments to make.’
  - Police Designing out crime officer – 18/5/21, some areas of concern, most concerning is lack of detail re rear locking garden gates and the prevalence of tandem parking in the development,
  - Devon and Somerset Fire and rescue – advice provided, no objections raised.
  - Environmental Services WDBC – 20/5/21 ‘no further comment at this stage of the application’
  - Environmental Health Section - 2/6/21, ‘We have considered the noise reports submitted and have no concerns regarding their recommendations for enhanced noise mitigation in some properties which might be affected by road noise.’
  - DNPA – 21/5/21, ‘the proposed housing development would not be harmful to the setting of Dartmoor National Park and consequently this Authority raises NO OBJECTION.’
  - Affordable housing 24/5/21, ‘The Affordable Housing team have no comments to make on this application. This is because the affordable housing is being provided on Parcel 4B, West of Crediton Road, Okehampton.’
  - SWW – 24/5/21, query re housing numbers. 20/9 SWW confirmed no issues and no objections.
  - Open Space Sport and Recreation Specialist (OSSR) – 13/7/21, raised the need for additional detailed information. 16/9/21 – alterations made acceptable re OSSR

- Landscape Specialist – 13/7/21 – raised several queries and the need for additional information, holding response. 15/9/21 – no objection, most issues addressed  
16/9/21 – now acceptable in landscape terms  
1/10/31 – agreed to revised plans which replace Griselinia instant hedge with Beech
- Tree Specialist – 30/7/21 no objections, approval
- DCC Ecology – 14/7 – Further information required. Revised comments, no objection, conditions required.
- Natural England – 16/7/21 no comments to make
- DCC Minerals – no requirement for consultation and thus no comment to make

## **Representations:**

1 – undecided:

Concern that adjacent land is used for the grazing of horses close to the border with the proposed dwellings. Horses health can be put at risk by disposal of garden waste and feeding by locals. Would like the council to consider whether the proposed landscaping at the border with our property is sufficient to stop members of the public fly tipping or otherwise accessing the fields in which the horses are kept.

## **Relevant Planning History and associated applications**

2731/15/OPA - Outline application with some matters reserved (access to be considered) for residential development of up to 400 dwellings. Approved by committee and issued 22/1/19

0713/21/NMM - Non material minor amendment to planning consent 2731/15/OPA (in order to allow visibility splay arrangement to be dependent upon the road speed limit at the time of implementation). Approved 18/8/21

1887/21/FUL – New vehicular access from Crediton Road and associated footway, Land at Parcel 4b – application live at the time of writing.

1726/20/ARM - Adjacent site Parcel 3 also pursuant to the same outline permission above was approved for 'the construction of 220 dwellings, public open space, landscape planting, pedestrian, cycle and vehicular links (including a link road between Crediton Road and the Hameldown Spur) and associated infrastructure.' Approved 16/12/20

## **ANALYSIS**

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

The site is sustainably located on the fringe of one of West Devon's 2 largest market towns and centres with employment, retail, education and leisure within the town. The Principle of the development has already been established, both by its inclusion within the JLP housing

allocations as part of TTV14 'East of Okehampton' and by the approval of the extant outline planning permission in 2019 (2731 above).

### **Design:**

The dwelling designs themselves are predominantly gable ended properties which is more vernacular in this location. The majority are detached with some small sections of terrace included to echo the smaller workers type cottages in the Hamlets. The dwellings themselves are relatively simple in design and are appropriate for the area, they are similar to those approved on Parcels 2 and 3 in design terms with some variety across unit types to add interest, but enough adherence through design and the palette of materials to form a cohesive development.

### **Materials and boundaries:**

The materials for this site as proposed are a combination of reconstituted slate roof tiles, grey concrete roof tiles, brick, reconstituted stone cladding in mid grey and 3 differing colours of render in pearl grey, stone grey and mushroom.

With the exception of some of the single garage units, materials are used wholly on all 4 sides of properties, and not just used as a façade 'wrap'. Around half of the units are render (46) with 25 in reconstituted stone and the remaining 18 in brick (Ibstock crowborough stock). The reconstituted slates, reconstituted stone and render are positions predominantly around the outside of the site and flanking the main street into the site, with the majority of the brick and concrete tile units positioned within the centre of the site.

It is disappointing not to see natural slate and stone used in this edge of town location which should look more to the Hamlets in design terms, although the variety in render colours from the palette set out in the adopted SPD is welcomed. Similarly the use of render on key buildings along with the reconstituted stone as seen used in the Broadpark Development off Exeter Road and the recent Redrow development on Parcel 2 off Crediton Road is welcomed to punctuate the street layout. This currently proposed palette of material is similar to those approved for the reserved matters for Parcel 3 in December 2020 although parcel 3 looks more to the Town and adjacent Linden scheme for context rather than the more rural setting of 4a.

In relation to the boundaries proposed, all inward facing boundaries are close boarded fencing, whilst those outward facing ones onto the public domain are also close board, but are in combination with instant hedging, this was initially shown as Griselinia, however following member and officer concerns about the liberal use of this non-native in an edge of town rural location, the Griselinia instant hedging was replaced in its entirety by Beech hedging, which is by far preferable and supported by officers. The other ornamental hedging being used is in close proximity to the residential units and native species rich hedgerows have been incorporated on the buffer around the outside and the wedges of strategic native planting and include hornbeam, hazel, field maple, guelder rose, holly and hawthorn, as well as now higher numbers of Beech, Oak, Lime and Birch in the standard tree planting (along with the more ornamental street trees). Existing Devon hedges have been retained where possible and 2 new sections have been introduced curving into the site to form the entrance to the site. As such then the boundaries as proposed are considered acceptable.

The only public letter of representation received (at the time of writing) was regarding the adjacent use of land for horses and a concern that new residents may be able to put rubbish and garden waste over the fence into the livestock field. There is a fenced deep green

landscape buffer proposed around the majority of the northern and eastern edges of the site which will prevent access to the shared boundary with the fields beyond for the majority of the boundary. Where access to the gates into these areas is open, the boundary to the field beyond will remain the existing Devon hedgebank, and also a livestock fence within this and for the remainder. As such, whilst these concerns are understandable, the boundary will be inaccessible to the public for the most part and well fenced for the rest, and there will be a management company for a responsible point of contact should any such issue occur.

Design re. climate change:

Condition 11 of planning permission 2731/15/OPA to which this reserved matters is pursuant, requires the application to ensure that at least 10% of the energy used by the proposed dwellings is generated from decentralised and renewable or low carbon sources OR that the development is constructed to be 10% more energy efficient than the building regulations standards at the time of approval of the reserved matters. Since the granting of the outline permission the JLP has been adopted and DEV32 also reiterates a similar drive for carbon reduction and the Council has also declared a climate change emergency.

The agent has advised that the proposal for 4a to meet this is as per Parcel 3 – ‘The proposed energy strategy is based on utilising passive design measures, well insulated and airtight building fabric and high efficiency gas fuelled heating system with the installation of photovoltaic panels for the provision of supplementary renewable energy generation.’ Essentially, as and when the applicant applies to discharge this outline condition 11, the scheme will include fabric first type principles bettering building regulations, and also incorporation of on-site renewables through the installation of solar PV panels. The proposed heating system will be mains gas as these units are proposed to be built prior to the 2025 Future Homes Standard coming into force.

In addition to this, although not secured at outline stage due to its age, the applicant will be providing an electric vehicle charging point for all dwellings. The charging points will have a power rating of 7kw, will be untethered and be fitted with a universal socket to ensure that all types of electric vehicles currently on the market can be charged. Provision of these is proposed to be secured by condition. As such, it is officer view that this aspect of the proposal meets the requirements imposed upon it at the time of the outline permission, has made further effort to incorporate EVCPs in addition to this and as such, it is acceptable.

Layout:

The layout takes a roughly triangular shape within the site, leaving a deep landscape buffer around the field edges and stream. A north-south green corridor bisects the site and a ‘central greenway’ to the south of the site provides the focus for much of the planting, preserving the roadside copse where possible and incorporating the new hedge alignment at the back of the visibility splay and the LAP (Local Area of Play).

Parking numbers are covered later in this discussion but the incorporation of the spaces from a design and layout perspective is acceptable; it is noted that much of it its tandem parking and the Police Designing out Crime Officer has raised concern at this, however the alternative would perhaps have been a very car-centric frontage to all the properties had this been placed side by side and still required to deliver the housing numbers expected. As such, in this instance, the parking layout is considered acceptable re layout and design.



The layout in terms of urban design is good, the main street in is legible and has a slightly denser surrounding form of development, hosting most of the smaller denser and terraced units, beyond this to the edges of the development are larger units and designed enclaves of units, around a courtyard type arrangement (particularly on the western side). This difference and arrangement has been designed to echo the smaller terraced farm worker cottages in the hamlets leading to the larger main farm house and farm manager type properties which tend to inward face onto a courtyard with barns and secondary buildings such as barns and garaging. This replication of local character and layout is welcomed and is compliant with the aspirations of the design aspects for this site in the SPD.

#### **Mix:**

The mix of the dwellings provided was not secured at outline stage, and as such, it is somewhat beyond the scope of the current consideration. The mix provided does allow for a less dense development here achieving some of the design aspirations of the SPD re 4a.

The units proposed are also 100% market units. The proposal from the developer who currently controls Parcels 3, 4a and 4b is to provide all the required 20% affordable housing (AH) on parcels 3 and 4b. In principle, officers have no concerns about that, 4a and 3 have slightly better connectivity to Town etc. However there is a risk that this remaining AH may not come to fruition on Parcel 4b hence the associated deed of variation proposed to tie AH delivery on 4b to market unit delivery on 4a.

With this clause in the deed of variation agreed, officers are content with this proposal.

#### **Landscape:**

In addition to the comments above re boundaries and landscaping, the landscape specialist is now content to support the proposal. The first submission of plans did leave some outstanding landscape issues, however the consequently revised plans and new planting details address the majority of these, enough to make the scheme acceptable in this regard.

The landscape officer raised a concern about there remaining a heavy reliance on tandem parking spaces, shown for the majority of plots and often in front of garages. This arrangement is known to be a cause of tension in housing developments, when households with more than one vehicle choose to park on the road to avoid blocking in vehicles that are already on driveways. However as discussed in layout, above a move away from this would either result in a very car centric designed frontage to all properties or would necessitate a reduction in parking numbers, neither of which are desirable here.

Boundary queries raised by the landscape officer on the first iteration of plans have been addressed and some of the potential problems of the tandem parking above have now been addressed: ' In relation to the potential parking problems that may be created by the tandem on-plot arrangements, it is noted that the site layout now shows a physical barrier (a knee rail fence) proposed along the roadside boundaries of the central green wedge that addresses the level change between different areas of housing. Officers are pleased to see that the woodland edge planting will now benefit from some form of low level barrier, to prevent cars parking along the edge of the planting and causing damage. '

As discussed above, a large proportion of the landscape effort has gone into the proposed native woodland edge planting. Following changes, the planting density (1.2m centres) is

acceptable for 60-80cm transplants. It is noted that the mix also now includes tree species that will achieve a substantial landscape presence, and also a percentage of Beech and Oak standard trees (spaced 10m apart within the mix), which is welcomed as these will make a significant and statuesque contribution to the landscape in the longer term. A couple of outstanding issues re watering regimes for larger specimens at early establishment can be captured in the LEMP (landscape ecological management plan) which is required by the outline permission.

The detailed planting plans have now been amended to reflect initial landscape specialist comments and are overall now considered acceptable in relation to the site specifics and policy DEV 23.

It should be noted here that DNPA raised no objections to the proposal.

### **Trees:**

The main areas of discussion/contention relating to this site and arboriculture has been focussed around the pedestrian access proposed and the location of this in relation to the roadside copse and the splay required for this access plus that proposed under the 1887/21/FUL application ( as set out above in the history).

Both during the course of this live application and at thorough pre-application stage this issue was discussed in detail, the tree specialist has commented as follows: 'Full dialogue has been held with the applicant in respect of ensuring the quantum of tree and hedge loss is kept to a minimum as a consequence of the creation of Pedestrian access C for this application, and the vehicular access applied for under 1887/21/FUL. I am satisfied that due regard has been taken for those tree and hedge features of principal concern that bound Crediton Road and that the combined metric of loss has been considered in the round, and not solely in respect of each application standing individually. The creation of Pedestrian route C will, by necessity considerably thin the prominent linear belt of trees, TG1. Early phase mitigation by way of parallel planting with heavy standard trees will be necessary prior to any commencement on site including earthworks. It is considered that the LEMP may provide a suitable vehicle to secure and deliver this important early planting. This, allied with proposals in front of the Landscape Specialist should ensure net gain of hedge and tree numbers in a timely manner. Upon review of the submitted information I would recommend approval of the reserved matters submitted in respect of tree and hedgerow protection'.

In respect of the visibility splay required, the outline permission was based on the speeds currently experienced along this stretch of Crediton Road which is currently National Speed limit. A current TRO (Traffic Regulation Order) application is with DCC for approval, applied for by the applicant to this planning proposal, to reduce the speed limit along this stretch to 40pmh. Although still in the processing with DCC it is anticipated this will be approved, which is supported by WDBC officer, as it will reduce the splay required minimise the hedge and tree works required and reduce visual impact of the access at the edge of town location. In order to ensure that the outline permission was able to reflect this possible change, a Non Material Minor Amendment was approved earlier this year to allow for the conditions securing the splay to reflect the speed limit at the time of implementation (see history above).

The roadway copse is substantial and a prominent and distinctive feature when entering the town from Crediton Road. Ideally its integrity would have been preserved in its entirety, however without creating some form of pedestrian access along this frontage, the only formal route from 4a into the town and adjacent developments, shops and school would have been

uphill, out of the main vehicular entrance of 4a, across into 4b (as and when it may be approved) and down through 4b and Parcel 3 into the main town. This route is clearly not the desire line for those who would be living in 4b west of the entrance and the risk, and the temptation would therefore be for residents to create an informal route out of the SW corner of the site, onto Crediton road, along the carriageway to the new roundabout and back into town or Parcel 2. We have seen this elsewhere and it is extremely unsafe. In order to address this risk a proactive approach has been taken which has undertaken a detailed level of work into the various possible pedestrian route access points to the SW of the site and the tree loss implications. This has been overlaid on the visibility splay tree loss implications of the proposed secondary vehicular access into parcel 4b as currently proposed by the applicant (under a separate application, see history above). The result is that point C as proposed is the preferred route from 4a, through the copse, across Crediton Road (with a suitable visibility splay secured as proposed) and back into the section of 4a previously approved as Public open space under the previous reserved matters application. Essentially what this does is ensures that there is a designed and safe pedestrian route far more akin to the desire line for access to town, adjacent housing and the school. Due to the levels over the site this may not be an achievable route for those with mobility issues, however the alternative correctly graded and step free route will also still be available out of the 4a vehicular access and through parcel 4b and 3. The creation of these 2 pedestrian route options not only minimises the risk of informal desire line routes as far as is possible within the control of the applicant (they do not control the land right up to Brightley stream adjacent to 4a, nor was that included within the outline permission red line), it also allows for a circular route to be created from 4a, into Parcel 4b, Parcel 3 or 4b and back to 4a. In recent times we have seen the importance of these local residential type loops and this particular one would link 3 areas of public open space, several greenspaces, 2 play areas and has benches along its length. As such then with regards to trees, although the loss of hedge and trees in this location C is most regrettable it is necessary to ensure there is a safe pedestrian access to those amenities residents will inevitably want to access and this location minimises the loss required when combined with the proposed secondary access opposite.

As discussed above the landscape proposal now includes a number of larger oak and beech trees including some in line with Crediton Road and create an eventual avenue into the town as per New Road or Fatherford lane, and these and the other green wedge and Public Open Space (POS) trees go some way to offsetting the losses.

Overall then the tree specialist is in agreement with the arboricultural proposal and it is considered to accord with policy DEV 28 of the JLP.

### **Biodiversity:**

Various aspects regarding biodiversity were considered in detail at outline stage and conditions securing lighting schemes, mitigation and a LEMP, amongst other conditions, were secured at this stage. Further work, including updated bat, dormice and habitat surveys were included with this current submission.

Initially the DCC ecologist had some concerns that, as the LEMP and lighting strategy were not submitted in detail at this stage, and rather were to be submitted across both parcels 4a and 4b at a later stage (the trigger in the outline permission is prior to commencement on site), that he could not confirm that the layout as being requested at present would secure the ecological mitigation needed. However on further discussion and interrogation of the layout it was established that, as there is currently a 19m buffer from the woodland edge to housing at

the nearest point and that the plots with gables which abut the greenspace will have minimal glazing and will not support external lighting, the ecologist was confident that any future lighting strategy submitted to discharge condition 19 will show a minimum of 5m of dark corridor where light levels will not exceed 0.5Lux which is what the mitigation requires.

The ecological mitigation would be secured by condition and secures bee bricks and bat/bird boxes on all housing as well as other mitigation. The residents' information book on the biodiversity of the site and in general will also be secured by condition, to be distributed to initial residents upon first occupation.

As such, through a combination of the studies and work done and outline stage which has been incorporated into the reserved matters details along with the extra updated surveys to inform this, it is considered that with suitable conditions the proposal is now in accordance with policy DEV26 of the JLP.

### **Amenity:**

There are no existing residential units immediately adjacent to the application site and as such none affected by potential overlooking, overshadowing, privacy/light loss etc.

With regards to the units themselves and the amenity of future occupiers, the units are well spaced with room between them and are side to side, front to front or back or back which minimises overlooking of one unit to another. In the majority of cases the garden and side accesses separate the units and all have on plot parking and /or garaging for convenience and easy access.

The garden sizes are considered to be commensurate with the unit sizes and location, in addition to which POS and a LAP are being provided on site and there are 3 additional areas of POS and 4 additional equipped play areas within less than a 10 minute walk from the site. The S106 required amount of amenity space was provided for in Parcel 3, so this extra POS and LAP on 4a is in excess of this, and aids in adding amenity value to the site.

It is noted that the units are not NDSS compliant, the outline was granted prior to the adoption of the SPD and as such the need to stipulate that a reserved matters scheme must be compliant with the NDSS sizing at outline stage was not secured. The Town Council have raised the small sizing of some of the bedrooms. However the proposed units are generally acceptable in size and scale re. rooms and many third of the fourth bedrooms are now utilised as office/homeworking areas. Considering this, and the fact that there is no way now of insisting upon this compliance with the NDSS sizes, the room sizing and scale in this regard is considered acceptable.

A noise assessment has been undertaken and additional noise mitigation recommended to some properties. Environmental Health are content with the report and findings and this mitigation is secured via condition.

### **Highways:**

#### **Parking**

The levels of parking proposed are broadly compliant with those requested in the SPD. The proposal is for 249 car parking spaces. All 3 beds have at least 2 spaces, sometimes 3 and the majority of 4 beds have 3 spaces, occasionally 2. All garages are larger than the SPD

guidance and as such are capable of being considered as parking space, as well as providing additional domestic and cycle storage space.

Also as discussed above, whilst there is no obligation within the principal decision, the applicant will be providing an electric vehicle charging point for all dwellings. The charging points will have a power rating of 7kw, will be untethered and be fitted with a universal socket to ensure that all types of electric vehicle currently on the market can be charged.

DCC Highways have no objections to the scheme, the access point was secured at outline and the associated Traffic Regulation Order to achieve a reduction to 40mph is running with DCC concurrent to this planning application.

Similarly there are no concerns raised by DCC or officers re the internal layout of the site re highways or streets and, combined with the pedestrian access points into Parcel 4b as discussed above it is concerned that the highways aspect of this proposal is acceptable re safety and permeability/accessibility.

### **OSSR (open space sport and recreation):**

The quantity requirement for public open space in the s106 agreement has already been met through the reserved matters application for parcel 3. A further 2.1ha public open space would be provided through this parcel 4a application.

The proposed pathways through the central greenway and POS in the west of the site, in the vicinity of the attenuation basin, is welcomed. Benches have not been added alongside these pathways as requested by officers and pathway surfacing has been clarified as requested by the OSSR officer.

It is noted that the attenuation basin has a pathway around it which is welcome. The slope gradient is acceptable and a shallower access has been formed at the northern end (1 in 6) which would appear to allow some access for informal recreation. A LAP is shown on the plans in accordance with the Play Strategy approved under application 1726//20/ARM. The proposed location is suitably overlooked, with a substantial hedge/hedgebank to the adjacent roadside. There appears to be a c.8.5m buffer between the closest dwelling and the activity zone of the LAP, which should be sufficient depending on the equipment proposed (the West Devon OSSR Study 2017 requires 5m to the forward-most part of the nearest dwelling for a LAP). Thought will need to be given as to the equipment here – the play strategy indicates one piece of equipment together with natural features such as mounds and logs. It is understood that the detail of equipment, surfacing, any fencing etc would be submitted as part of an application to discharge condition 5 of the outline application. Knee rail fencing to indicate the perimeter is now included to ensure the amenity of the nearby dwellings is not compromised.

Both the Okehampton Hamlets PC and Okehampton TC have raised concerns regarding the proximity of the LAP to Crediton Road. Officers have considered this in detail. The Council's Environmental Health Specialist has commented specifically on this saying that 'I have looked at the proposal and do not consider there to be any unacceptable risks. Although the play area is near a road, traffic pollution is only likely to affect residents living within 20m of the roadside, and only then if they have pre-existing vulnerabilities. In terms of children playing in the space, they will tend to be active, they will only be there for short periods of time and they will be screened by vegetation. I would not consider either air quality or road

noise to be a material consideration in the selection of that site as a play space. ' Similarly the OSSR specialist commented specifically on the comments from the town and parish councils and stated that 'given the existing vegetation and new hedge I felt that it was acceptable.' In terms of equipment, the play strategy for the overall development shows one piece of equipment together with natural features such as mounds and logs here.

Overall, the public open space, paths and benches around the site and the LAP combine to complement those areas provided on adjacent parcels and provide well for parcel 4a itself. It is thus considered that policy DEV27 is satisfied.

### **Drainage:**

SWW and DCC have raised no objections to this proposal, both of which were considered in principle at outline stage. The detailed scheme is now acceptable in relation to this.

### **PC/TC Representations:**

Many of the points raised by the neighbouring Town Council and the Hamlets Parish Council have been addressed within the analysis above, however the following more directly addresses some of the remaining concerns raised.

The access location for both vehicles and pedestrians, essentially the vehicular access point, was approved at outline stage so this cannot be revisited at this stage as it is not open for consideration. DCC Highways in any case have no objection. The pedestrian crossing points are the safest available, they have appropriate visibility splays in accordance with DCC requirements and are necessary to ensure informal routes are not formed where people walk down the carriageway of Crediton Road.

As with the access point, the overall number of units proposed here, combined with the future 4b and approved Parcel 2 is already set at up to 400 and the principle of the development of this 4a site is already established.

The levels of the site are challenging and as such a looser development form across more of the site would have not only lost the opportunity of landscape buffer planting and a dark ecological corridor around the hedges and river, but also have pushed development into the steeper areas requiring more retaining walls. Within reason, it is necessary to achieve a certain number of housing units upon this site in order to deliver the housing requirements but also to make efficient use of the space and make the loss of the greenfield worth it in relation to homes provided. As such, given the constraints and the use of the courtyard type clusters of units where possible and the farmworker terrace units combined with the provision of the more detached spacious plots compared to the density of Parcel 3 and 2, the scheme is considered to accord with the aspiration for a more hamlets type design and association.

The parking provision is considered acceptable by officers and is, in the round, compliant with the SPD. Similarly the access to these spaces is considered acceptable by highways re manoeuvres and accessibility. Street lighting is a matter for DCC at adoption stage, officers at WDBC would prefer that, due to the rurality of the location and the presence of bats and wildlife, street lighting is not erected. In such instances DCC often agree to this providing that the ducting etc is put in place should street lighting ever be reconsidered as essential in the future.

The agent has stated the following in relation to the retaining structures and levels: “The retaining walls throughout the site have been reduced as far as practical by introducing the green wedges and allowing levels to be lost. There are still some retaining features required, however, these are typically less than 2m and are contained within rear gardens following boundaries. The levels throughout the site are designed to follow the existing topography where possible given permitted gradients along paths and public highways.”

## **Conclusion:**

Overall, this proposal is considered to be in accordance with the JLP allocation of TTV14 and with the previous extant outline permission which includes this site. Following revisions and further discussion and alterations the scheme is now officer opinion that it is compliant with all policies including design, amenity, landscape, trees, biodiversity, OSSR, sustainability/carbon reduction, highways. In some areas it has gone beyond the requirements incumbent upon it at the outline permission stage, such as exceeding the 10% carbon reduction/generation threshold, incorporation of 100% EVCP and additional POS beyond the S106 requirement.

It is considered that this scheme presents a well-considered solution to a quite constrained and sloping site, minimising the arboricultural impacts where possible whilst still achieving safe pedestrian and vehicular access points, and providing high enough housing numbers to deliver needed homes whilst designing the density, layout and mix in such a way as to allow the site to have a different more edge of town feel than Parcels 2 and 3, as was the Council’s aspiration.

As such, and after consideration of all material considerations, this proposal is considered to accord with the development plan and is recommended for conditional approval.

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

## **Planning Policy**

### **Relevant policy framework**

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 Plymouth & South West Devon Joint Local Plan 2014 - 2034 is now part of the development plan for Plymouth City Council, South Hams District Council and West Devon Borough Council (other than parts of South Hams and West Devon within Dartmoor National Park).

On 26 March 2019 of the Plymouth & South West Devon Joint Local Plan was adopted by all three of the component authorities. Following adoption, the three authorities jointly notified the Ministry of Housing, Communities and Local Government (MHCLG) of their choice to monitor at the whole plan level. This is for the purposes of the Housing Delivery Test (HDT) and the 5 Year Housing Land Supply assessment. A letter from MHCLG to the Authorities was received on 13 May 2019. This confirmed the Plymouth, South Hams and West Devon’s revised joint Housing Delivery Test Measurement as 163% and that the consequences are

“None”. It confirmed that the revised HDT measurement will take effect upon receipt of the letter, as will any consequences that will apply as a result of the measurement. It also confirmed that that the letter supersedes the HDT measurements for each of the 3 local authority areas (Plymouth City, South Hams District and West Devon Borough) which Government published on 19 February 2019. On 13<sup>th</sup> February 2020 MHCLG published the HDT 2019 measurement. This confirmed the Plymouth, South Hams and West Devon’s joint HDT measurement as 139% and the consequences are “None”.

Therefore a 5% buffer is 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 6.1 years at end March 2020 (the 2020 Monitoring Point). This is set out in the Plymouth, South Hams & West Devon Local Planning Authorities’ Housing Position Statement 2020 (published 22<sup>nd</sup> December 2020).

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  
SPT3 Provision for new homes  
SPT8 Strategic connectivity  
SPT9 Strategic principles for transport planning and strategy  
SPT10 Balanced transport strategy for growth and healthy and sustainable communities  
SPT11 Strategic approach to the Historic environment  
SPT12 Strategic approach to the natural environment  
SPT13 Strategic infrastructure measures to deliver the spatial strategy  
TTV1 Prioritising growth through a hierarchy of sustainable settlements  
TTV3 Strategic infrastructure measures for the Main Towns  
TTV14 East of Okehampton  
DEV1 Protecting health and amenity  
DEV2 Air, water, soil, noise, land and light  
DEV3 Sport and recreation  
DEV4 Playing pitches  
DEV8 Meeting local housing need in the Thriving Towns and Villages Policy Area  
DEV9 Meeting local housing need in the Plan 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  
DEL1 Approach to development delivery and viability, planning obligations and the Community Infrastructure Levy



No neighbourhood plan with any weight as yet.

Other material considerations include the policies of the National Planning Policy Framework (NPPF) and guidance in Planning Practice Guidance (PPG). Additionally, the following planning documents are also material considerations in the determination of the application: The adopted SPD.

**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.

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Full wording of conditions to follow as an update at Committee on 12/10/21.