

PLANNING APPLICATION REPORT

Case Officer: Jacqueline Houslander

Parish: Berry Pomeroy **Ward:** Totnes

Application No: 3715/16/ARM

Agent/Applicant:

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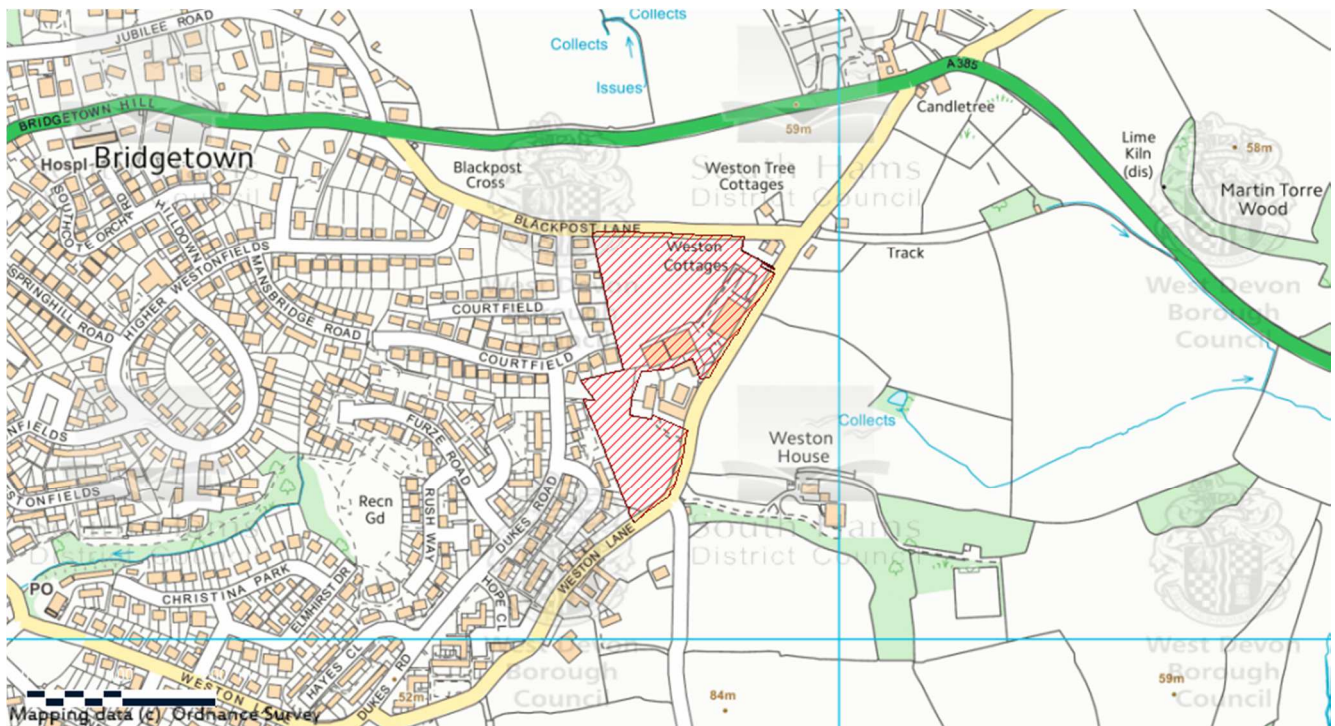
Applicant:

Baker Estates Ltd
C/O Agent

Site Address: Land At SX 817 602, Great Court Farm, Berry Pomeroy, Totnes

Development: Application for approval of reserved matters (appearance, landscaping, layout and scale) following outline approval 03/2163/14/O for residential development of 75no. dwellings

Reason item is being put before Committee: Mindful of the objections and concerns raised by local residents it is considered appropriate for the merits of this proposal to be considered by the Development Management Committee.



Recommendation: Conditional approval subject to the receipt of revised layout plans, clarification of levels details and materials details.

Conditions:

Time limit in accordance with the outline application.
Hedgerow protection scheme
No machinery etc on site until Hedgerow protection
Submission of materials – render
Submission of timber cladding
Submission of joinery details
Submission of roof material
Stonework sample to be submitted and agreed
Highway conditions

Key issues for consideration:

Whether the landscaping, layout, scale and appearance of the proposal is acceptable.
The impact of the proposal on the residential amenity of surrounding development.
The visual impact of the development in the landscape.

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

It is estimated that this development has the potential to attract New Homes Bonus of **£52,000.00** per annum, payable for a period of 5 years. Members are advised that this is provided on an information basis only and is not a material planning consideration in the determination of this application.

Site Description:

The site lies on the edge of Totnes, adjacent to an area known as Bridgetown on land previously used by Great Court Farm as farm land. The site measures approximately 2.6 hectares (6.4 acres) and is loosely triangular in shape. An outline application for up to 75 dwellings was approved for the site in 2015.

The site sits within a triangular piece of land edged by Weston Lane to the south and Blackpost Lane to the north. The eastern boundary lies at a pinch point between the two roads and has 3 houses located on the corner, outside of the application site, known as Weston Cottages. The western boundary is adjacent to existing residential development in the form of Courtfield and Parkfield Close. The land currently slopes down from north to south and also more gently down from east to west. Weston Lodge is on the other side of Weston Road opposite the southern corner of the site. To the east of the site on the other side of Weston Lane is open countryside. Similarly to the north is open countryside. The top edge of the site lies along a ridge and so if developed would be seen from locations to the north over the ridge line.

The existing farm (Great Court Farm) will remain in the centre of the site, but a number of the more modern farm buildings will be demolished to make way for the proposed development. The access to the site was considered at the outline stage. There are three access points one off Blackpost Lane and two off Weston Lane.

The boundaries of the site along Blackpost Lane and Weston Lane are in the main natural hedgerows except for a barn in the farm complex which abuts the road.

The boundaries to the residential developments are also currently hedgerow for the most part, although in various conditions. In some areas there are trees within the hedgerows. Not all of the trees have been shown on the plans.

The Proposal:

The proposal is to deal with the reserved matters – scale, appearance, landscaping and layout for 75 dwellings. The outline planning consent provided an illustrative master plan when it was determined which provided for 75 dwellings. The outline application was approved subject to a Section 106 Agreement to secure:

- 44% affordable housing (70% Affordable rented and 30% discount market units).
- Public Open Space: LEAP of circa 400sqm; equipped play area of circa 180sqm, casual/informal play of circa 1,600sqm and allotments of circa 340 sqm; an offsite contribution to playing pitches of £595 per occupier based on an average of 2.2 occupiers per dwelling.
- Off – site highway works and contribution of £1643.24 towards the Totnes Strategy
- £20,000 towards offsite improvements to the footpaths within the Bridgetown Corridor to improve pedestrian and cycle links to the town.
- Bus and cycle vouchers totalling £300 per dwelling.
- Provision of sustainable Urban Drainage system.
- Implementation in full of the Travel Plan

The proposed scheme is for a mix of housing types and tenures and includes a 44% contribution to affordable housing in line with the requirement of the Section 106 Agreement attached to the outline planning application.

The scheme indicates a lower density form of development in the north of the site, gradually increasing in density as one travels from north to south, with the higher density development being along the southern edge of the site and in the south east corner. In the lower density areas parking is provided on plot, however in the higher density areas a combination of parking courts large and small are proposed.

Two blocks of 3 storey flats are proposed adjacent to the south east boundary of the site.

The design of the properties has been proposed so as to reflect the existing character of this site on the rural edge of Totnes. The Design and Access Statement submitted in support of the proposal states: *“The bespoke nature of the property designs, careful choice of materials and organic street pattern define and ensure the developments local distinctiveness”*

The site has been divided into 4 groups for ease of reference when describing the proposals. North East; Centre and South East.

Northern area:

Those properties backing onto Courtfield have been designed to replicate barns and are grouped such that they replicate the groupings of farm buildings. They are proposed with stone and timber elevations and single storey but with rooms in the roof space. Light to these rooms are achieved through roof lights and in some cases there is a gable end window with a Juliette balcony at first floor.

Four detached properties front onto the open space along the northern edge. The elevations are part render and part natural stone. The side elevations are primarily stonework with the front and rear elevations being render. The buildings are designed with a front elevation to the space and a rear tenement extending from one or other side of the properties in this area. A stone parapet sits along the top of the stone elevations. The front elevations looking onto the open space have a large amount of glazing with floor to ceiling windows on the ground and first floor.

Behind the most northern properties is proposed a small cul de sac of 8 properties, some detached and some link-detached. One of these properties has been designed as a thatched cottage (Plot 12). It has stone end gables, with render front and rear elevations. It also has a rear tenement extending out from the eastern end of the rear elevation. Its location is opposite the public open space in the centre of the site.

The other properties within the cul de sac are designed as follows: Plot 13 is a mainly render building with an extended first floor over an open porch which is timber clad. Plot 11 is the same design as plots

18, 19 and 20. They are detached single storey properties with a timber clad gable facing the road. The elevations are a combination of render and timber cladding.

Plots 16 and 17 are also in the cul de sac and are proposed as two storey properties with a single and half element over the attached garage. There is a protruding gable on the front elevation which is clad in timber across the front. The remainder of the dwelling is render finish. A half dormer is proposed in the 1 and ½ storey element.

North East.

The proposals here provide for a series of terraced and semi-detached two storey dwellings running parallel to Weston Lane with a parking court to the rear with some garages and some parking spaces. Access from Weston Lane as a cul de sac. In terms of design the properties facing onto Weston Lane are narrow fronted two storey rendered elevations, but Plot 21 which is located adjacent to the existing properties Weston Cottages has a timber clad front elevation. Some of the other plots along this stretch also have timber elements on the elevations, which would need to be clarified as part of a planning condition.

On the other side of the access to this part of the site are 2 detached properties, one facing the access road and the other facing down towards the access point itself. Plots 34 and 35 are similar in design to the detached properties at the top of the site, with stone end elevations and render elevations front and rear; a rear tenement and a highly glazed front elevation.

To the rear of the parking court there is a significant change in levels which above which are the properties described above in the norther cul de sac. It is proposed to erect a retaining wall at the rear of the parking court.

Centre

In the centre of the site is the area identified as public open space, which is at a low level, with Plot 35, and plots 36,37 and 38 on the higher level land above. Plots 36 and 37 are again barn like in their design, reflecting the close proximity to the traditional farm buildings which will remain. They are similar in design to the barn like dwellings proposed behind Courtfield. They are single storey with rooms in the roof. Plot 38 is the same design as plots 35,10,13,14 and 15.

South East parcel

This parcel of land is adjacent to properties in Courtfield and Parkfield Close.

Plot 39 lies adjacent to a property in Courtfield. It is set back slightly from the building line of the adjacent property and is similar in design to Plots 13 and plot 31. These properties are smaller in scale but are two storey with the extending porch over the open ground floor porch.

South of this property is a terrace of 4 properties (Plots 40 – 44), of two and ½ stories in height with rooms in the loft space. Roof lights are proposed in the rear elevations with a floor to ceiling window and Juliette balcony on the front elevation.

A block of garages are situated at the rear of these plots. Moving southwards plots 46 and 47 are similar in design to plots elsewhere reminiscent of barns, Plots 1 to 8, 37 and 38. Single storey but with rooms in the roof space. Alongside these proposed dwellings is a coach house style property with the garages for the surrounding plots on the ground floor. Constructed with a render finish and rear roof lights. Floor to ceiling windows in the front elevation overlooking the parking spaces in front.

Also fronting these parking spaces and alongside are 4 detached properties 49 and 50 and 48 and 51. Plots 49 and 50 are complete rendered buildings, but with parapet cappings to the end elevations. Plots 48 and 51 are slightly larger with a mainly render finish, but with a front gable extension in stone and a timber clad front elevation.

Behind Plots 48 and 51 are a group of 5 properties (a semi-detached pair and a terrace of 3) Plots 70 to 74. In design terms they are the same as the 4 properties (semi-detached pairs) in the bottom south east of the site. In terms of design these properties are the same as the plots along the Weston Lane frontage (Plots 21 to 27).

The remaining 14 residential units are housed in two 3 storey flats located along the southern boundary adjacent to Weston Lane. The elevations of the first of these (Plots 60 – 65) is proposed as a render building, with the upper floor being partially in the roof slope, with half dormers at 2nd floor level. The other flat block turns the corner in symmetry with the access to this part of the site, with frontages to both Weston Lane and the new access road. The elevations of this building are proposed as timber cladding across part of the frontage to Weston Lane and around onto the access road where all of the frontage is timber clad as well as the end elevation of the building.

Open space is provided along the northern boundary of the site, in the centre of the site where there is a change in levels and adjacent to the more southerly access to the site, which has been left vacant because it is a bat fly zone. An area of allotments is also provided adjacent to the boundary with existing properties in Parkfield Close. The boundaries to the site are currently hedgerows and it is proposed in the main to retain these hedgerows.

Access to the site is provided at 3 points. Two off Weston Lane and 1 off Blackpost Lane. Each of which access different sections of the site. There is no through route through the site.

An application to discharge the planning conditions imposed on the outline application has also been submitted to run concurrently with this reserved matters application. That application deals with highway design; ecology and landscape management; flood risk assessment; drainage strategy; tree and hedgerow survey; barn owl survey and archaeology survey.

A statement of Community Involvement was submitted in support of the application, which deals with the way in which the developers have engaged with the local community in arriving at their submission. The consultation period ran from 21st September 2016 until 26th October 2016. The consultation concentrated on the residents who lived close to the site, local ward members, members of Totnes Town Council and Berry Pomeroy Parish Council. A public exhibition was held on 5th October at St Johns Church Hall. Over 100 members of public attended. A web page was also set up. Direct liaison with immediate neighbours was offered and taken up by 9 households. 42 people provided feedback to the consultation. The statement states that 94% of the respondents were happy with the amount of bungalows provided; 60% agreed with the position of the open space; 96% liked or mostly liked the appearance of the proposed dwellings. The statement reiterated the commitment by Baker Estates to continue to work with stakeholders as the application progresses.

The landscape proposals for the site include enhancement measures along Weston lane, retention of the existing hedge and additional planting; retention and enhancement of the hedgerows and prominent trees to the north of the farmhouse. The earth and stone bank will be repaired and the green space beyond will become the central open space for the site. New native planting will be provided along the north western boundary with Courtfield.

The retention of the hedgerow and trees which form the south western boundary of the site, ensuring the boundary with the AONB is unaltered. Retention of the majority of the hedge along Blackpost Lane. The eastern end will have to be removed to accommodate the new vehicular access. Offsite planting (north of Blackpost Lane), which will reduce visual impacts from views to the north.

Representations:

Comments have been received and concerns are expressed about the following issues:

Initial scheme:

Concerns with the proximity and scale adjacent to existing properties

- Concern from 1,3,5,7 Parkfield Close about the 2 and ½ storey flats which would look directly into their properties.
- Concern also about the pedestrian footpath running along the boundary with Parkfield Close and loss of privacy.

- Concern about flooding as the field has flooded the homes along Parkfield in the past.
- Horrified at the change between the outline master plan proposals and the scheme submitted for reserved matters approval.
- The plans have changed from an allotment 30ft from back windows to a two storey block of flats approximately 4 metres above our roofline. Worried about the effect that will have on light to the rear of our property. It is too high and too close.
- Amazed that all of the flats (affordable) appear to be concentrated in one small area, separating different income groups causing a lack of social interaction.
- Why such a large area of Meadow Willdflower grass adjacent to Blackpost Lane while it appears fine to place the flats so close to our gardens, not a very sympathetic development.
- Would it not be possible to relocate the flats (71, 72, 73, and 74) into the area allocated for garages and put the car parking to the other side of the flats?
- The scheme is totally unreasonable from the point of layout, scale and changes to the landscaping. The proposed flats are totally out of character.
- Anything higher than 2 storey will be too close to existing properties and would overlook existing properties.
- The 2 and ½ storey buildings will obstruct light contrary to existing law in England under the Prescription Act 1832.
- Due to the existing topography if it were not for the existing hedges, the backs of Parkfield Close properties would be regularly flooded.
- I have no faith that the drainage system will protect surrounding properties from flooding.
- Concern about the Coach house, which is only 16 metres from the rear of our property. The original masterplan the area was a landscaped buffer with parking spaces to protect the amenity of existing residents.
- The area behind No's 7,8, and 9 Courtfield is overdevelopment in the smallest part of the site.
- Plots 40 – 44 are three storey and orientated such that they will overlook the rear of 7,8, and 9 rear gardens and will have an overbearing and oppressive impact.
- The outline master plan showed an allotment area behind plots 1 – 9 Parkfield and a landscape buffer behind 7,8, and 9 Courtfield which served to protect the residential amenities of existing occupiers.
- The rear of Parkfield now has a building and the rear of 7,8, and 9 Courtfield has new buildings, some of which are 3 storey. The number of units adjacent to Parkfield Close has doubled from 16 to 25 units
- Concerned about the closeness of Plot 1. The developer states that it is 16metres away but measuring the plan it appears to be more like 9 or 10 metres.

Impact on the rural lane.

- It will change the character of the lane, which is narrow and unsuitable for lots of traffic. The surface of the road is not properly maintained and has no drainage and has limited visibility in places and is used by agricultural vehicles.
- The lane has flooded in the past and is always covered in puddles and mud. Any paved or tarmaced areas will make the situation worse.
- Parking: 150 spaces for 75 houses, 25% of which are garages, which are rarely used for car parking. Concerned that there is insufficient parking and so cars will park on adjoin roads.
- Access: For construction traffic and residents and visitors. The roads in this area are already at capacity. A sensible route for construction traffic is needed.
- Concerns regarding the existing bus service using Tru Street, which has to use the centre of the road because the road is too narrow. It will become worse with the proposed development.
- The 385 corridor cannot cope with the additional traffic. It is already at a standstill twice a day and the air quality must be above legal levels.
- The proposed development will create highway safety issues, particularly at Tru Street corner.

- A recently approved development nearby of apparent good urban design has resulted in lack of road width to accommodate on street parking, leading to cars parking on the pavements and huge roofs which are out of character.

Landscape impacts

- The loss of trees in the area have already taken place and as such the developer clearly does not have any concern over the wildlife affected on the site.
- The development is not in keeping with the area

Layout and design concerns

- The emphasis of the scheme is luxury housing in the north taking up lots of land with the rest being crammed onto the bottom corner.
- The height of the roofs of the garages (up to 5.50 metres) makes the garages over dominant.
- The flats are on a high point of the site and will this be very dominant and inappropriate for a rural location.
- The flats are grouped together rather than being spread across the site.
- There is no safe pedestrian route to Berry Pomeroy Primary School.
- Why is there a thatched cottage in the middle of the site. There are no thatched buildings in Bridgetown or Totnes as a whole, which means the architect has taken no notice of local vernacular.
- This scheme has a much denser form of development particularly adjacent to existing properties.
- No. 7 Courtfield is adjacent to the proposed pedestrian walkway, which in principle has already been accepted through the outline, however there is no information about how the path will be landscaped.
- Bridgetown area seems to be taking the majority of the towns new developments yet all of the towns services are on the other side of the river, leading to more traffic through the town. The Blackpost Lane junction with the A385 is already an accident blackspot.
- The proposed open spaces and play facilities are grossly inadequate.
- The design of the houses is boring, unimaginative, low grade and disgracefully lowest common denominator.
- The outline application referred to 'up to' 75 houses. It would not therefore be unreasonable to lower the numbers of houses in order to address the urbanisation and claustrophobic impact of the proposals. The topography and location of the site should be the deciding factor for suitability. The steep sloping field on the edge of Totnes needs careful consideration.
- The plans submitted are confusing and in some areas indistinguishable, some including drawing number 160712 L 02 01 Rev are shown as 'preliminary' and marked as 'area to be agreed at detailed design stage' Isn't that now?
- Object to the layout of the proposed allotments. The general rule is for every 10 dwellings there should be one allotment plot, which is equivalent to 250 sqm. Only 340 sqm has been provided for this development, which equates to 1.5 plots.
- In addition three location of small areas of allotment is totally unacceptable and impractical. They have clearly been put in to odd areas to achieve the greatest no. of buildings
- Public open space was promised which has resulted in a narrow strip in the north of the site adjacent to Blackpost lane. Are they suggesting that people relax and play surrounded by traffic fumes? The ten allotments to the south have been removed replaced by a small triangle labelled vegetable patch /play area, in the far south of the site, overshadowed by trees.
- It is not proposed to use locally sourced materials and so as such the carbon footprint is huge. I also object to the pastiche thatched house which is insulting.

General concerns

- Why are we building more houses when the sewerage plant was at full capacity several years ago?
- Totnes is being over developed with no additional amenities.
- Only one family has been taken off the housing register as a result of the 800 houses built around Totnes, so it is not resolving the housing crisis. If it was low cost 100% for locals it would have some value.
- Please can PD rights be removed from the new properties?
- Bridgetown is built on a hillside with an outlook of the Totnes skyline and fields. With houses set back from the road the general feeling is open in nature. A key characteristic of the development is the low pitched roofs. Plots 1 to 9 Courtfield are bungalows.
- Officers and members should visit the site.
- The infrastructure in Totnes cannot take another development. The town is already notorious for its traffic congestion. This development will have a significant impact on the A385, which suffers badly with congestion as it is.
- The NPPF states that if a proposal is deemed to cause significant harm to the character of the area and such harm cannot be outweighed by the public benefits of the scheme, then the presumption in favour of development fails.

Revised scheme (22/02/17):

The revised plans have been submitted and are currently out to consultation and re-advertisement. The consultation period ends on 15th March 2017.

Two letters of representation have so far been received with the following concerns:

- Why has the archaeological recording not been done on the site yet? This is essential before any other work commences.
- I submitted comments about the original plans and although there have been some alterations there is still much about the development that gives cause for concern. The 3 storey flats to the rear of Parkfield Close have been replaced by houses, they are still very close to the backs of these houses -about 15 metres from the nearest property's wall. They will be approximately 4 metres above the roof line of these houses and will still look into the rear gardens and windows. They should be moved further back.
- The height of all of the buildings on this side of the site is still going to be an issue. The two blocks of 3 storey flats are higher up the hill again and will be much taller than the existing farmhouse and will tower over the landscape. These social housing units should be houses or at the very least 2 storey flats. The flats will be seen from the centre of Totnes and are right on the boundary of where town meets countryside. These type of blocks are more akin to a town centre location.
- I am concerned at the density of the development in this small triangle of land behind Parkfield Close. 30 units to the east of the Farmhouse. Surely the social housing units should be spread around the site or at the very least in small groups around the site.

Representations from Consultees

Drainage SH: Major applications are now dealt with by Devon County Flood and Coastal Section.

Devon County Council Education (SH): No comments received. The Section 106 Agreement has a sum of money to be paid by the developer towards education.

Devon County Council Flood Risk Management Team: We have no in principle objections to the above planning application from a surface water perspective at this stage. The submitted Stage 2 Flood risk Assessment – Detailed Drainage Strategy (ref: 16.08.198, Rev 02 dated November 2016) presents a surface water strategy which is in accordance with the approved DFlood Risk Assessment submitted under 03/2163/14/O.

The applicants' engineers have confirmed in their email of 08/02/2016, including Drawing No. 1607 12-L-02-01 Proposed site layout (Rev K dated Jan 2017) in which a raised footpath is no longer provided at the Boundary to Parkfield Close, but instead an earth bund will be formed to divert exceedance flow away from these properties. They have confirmed that this area is being kept free from development, allowing exceedance flows to be diverted into the highway and not into private gardens

Environmental Health: No comments received.

L&L – Trees

L&L Wildlife: Concerned about the lack of the offsite landscaping proposed in the outline application for the north side of Blackpost Lane.

Mark Harris: Concerns expressed with regard to the layout of the scheme which have helped to inform the negotiations with the developer.

Devon Building Control: No comments received.

DCC Highways:

- 1.) The Section 38 Plan needs to include a solid red line around the proposed Section 38 areas and dotted red line around the proposed Section 278 areas.
 - 2.) Grass verges are shown scattered at regular intervals around the highway. It is the preference from a maintenance cost perspective these verges are replaced with footway construction. It will need to be made clear at this stage that should grass verges remain the Highway Authority will be seeking a commuted maintenance sum at Section 38 stage for 30 years of maintenance plus full re-instatement of the verge due to the likelihood of people parking on it and causing damage to the verge.
 - 3.) The highway layout plan shows in two places build outs plus rumble strips. It is considered that these are not required and will add further maintenance burden to the Highway Authority. Please could they be removed?
 - 4.) The refuse lorry, used for tracking is 9.01m. South Hams use a 10.2 m refuse lorry. Presumably the highway will allow for some on street parking and visitor parking so the tracking needs to take that into account too. At least 0.5 m tolerance for passing vehicles and between vehicles and kerb is required.
 - 5.) A flight of adoptable steps is proposed on the footpath between road two and road six. If it is to be adopted then it will need railings and perhaps an alternative disability route could be considered.
- Affordable Housing
- 6.) The footpath link to Parkfield Close is not completed. The applicant should either make sure that the footpath links with Parkfield close or removes it altogether.
 - 7.) Drop kerbs should be provided for pedestrians in key places where desire lines occur.
 - 8.) The highway layout shows that the Section 38 link to Courtfield appears to stop just short of the existing public highway on Courtfield. The Highway Authority would question whether the details shown actually show a gap?
 - 9.) A new Section 38 adoptable footpath is proposed on the west side of the site. It is considered that this route should remain private from the drop kerb south east of plot 32 in a north easterly direction. The maintenance of it can be included in the management companies' obligations. The designer will need to provide adequate visibility splays in accordance with Manual for Streets 2007 where it adjoins the existing highway main road carriageway.

Drainage - Gullies and connections need to be added to the Drainage Strategy Drawing.

Overland flow - no details are provided demonstrating the overland flow water movements next to Plot 20 will not cause water issues for the property.

Parking - The parking layout relies on garages as part of the overall parking provision makeup. It should be noted by the designer that statistics show 90% of garages are not used for parking they are used for storage. Therefore it is recommended that the parking provision discounts garages as part of

the overall parking provision. However without evidence to demonstrate they could not be used the Highway Authority would be reluctant to object on lack of parking grounds. Assuming therefore the applicant decides to include garages as part of the provision it is recommended for each parking space in a garage 6m x 3m internally is provided so that all car types can physically use them. Currently this is not the case.

The Highway Authority is likely to recommend refusal unless further information is provided.

Response to revised plans:

Berry Pomeroy Parish Council: Object, overlooking; overbearing impact; loss of light to neighbours; Drainage concerns; inadequate provision of allotments and open space; inadequate parking provision; 3 storey buildings out of character with the area.

Response to the revised plans dated 16th Feb 2017:

Further to the meeting on 2nd February. The Parish Council voted to agree to support the proposed plan, however they would like to record a conditional approval with the items listed below, that were discussed at the meeting and agreed to be changed/rectified as set out in the letter from Baker Estates on 27th January.

- Positioning and servicing of the allotments
- Replacement of two storey Coach House with a single storey garage block
- Improvement to drainage off site near the southern access
- Flood risk Assessment in outline consent to be scrutinised by Devon County Council

The Parish Council feel very strongly that it is vital these issues are addressed.

Totnes Town Council: No comments received.

DCC Archaeology: The consent granted for application 03/2163/14/O is conditional upon a programme of archaeological work being undertaken - Condition 14.

To date the Historic Environment Team is unaware that the required archaeological works have been undertaken. I would therefore advise that the applicant was made aware of the outstanding requirement to undertake the agreed programme of archaeological works required by Condition 14 on consent granted for planning application 03/2163/14/O.

Devon and Cornwall Police Architectural officer: Concerns expressed about: rear parking courts and their experience of them being a target for crime, often due to a lack of natural surveillance. If such a parking solution is unavoidable, then the parking courts should be gated with gated pedestrian access also. Rear garden gates should be lockable from both sides and match the height of fences or walls (1.8m).

Some of the footpaths seem unnecessary – between plots 23&24; 27&28; 30&31. And should be removed. The footpath behind plots 71 and 74 and is considered a negative design feature. The one footpath link would be much preferred and encourage community cohesion.

The police are increasingly being called out to newer developments with complaints over parking and damage to vehicles, which appears to be down to inadequate parking provision. Driveways and footpaths are being obstructed and vehicles damaged due to limited manoeuvring space. Given the range of house types and the fact that only 150 spaces are being provided many of which include garage spaces, that amount may prove inadequate.

Plot 15 would benefit from a defined curtilage. The Police formally object to the proposal.

Devon and Somerset Fire & Rescue: The development must comply with Approved Document B of the Building Regulations to include access requirements for the Fire Service vehicles (B5). These include vehicle access, including minimum road widths, turning facilities for the fire service vehicles and a maximum reversing distance of 20 metres.

Environment Agency: No longer the responsible agency for Flooding so recommend Devon County Council are consulted.

Barn Owl Trust; No comments received

NHS: No comments

Natural England: No comments received

RSPB: No comments received

Relevant Planning History

03/2163/14/O Outline application with some matters reserved (access to be considered) for residential development of up to 75 No. dwellings

Approved 24 Nov 2015

03/2561/13/PREMAJ Pre - application enquiry for proposed residential development of 65-75 units- Pre app not concluded.

03/1507/93/3 Construction of store for farmyard manure and installation of separation & storage tanks for dirty water. Approved Nov 1993

03/0630/75/3 Barn lean-to stock yards and open feeding areas. Approved June 1975.

ANALYSIS

Principle of Development/Sustainability:

The principle of residential development and associated works has been accepted by virtue of the outline planning consent that was granted in 2015, which was for up to 75 houses. The purpose of the reserved matters application is to review in detail the scale of development; how the houses are proposed to be laid out across the site; the details of landscaping for the whole site and the physical appearance of the development both in terms of the house types but also in general terms how the whole site will appear in its setting.

In policy terms the relevant policies to be considered are outlined below in the policy section. However the NPPF is a material consideration and in relation to design it is clear, that the government attaches great importance to good design and identifies it as a key component of sustainability and contributes positively to making better places for people.

The Core strategy policy CS7 seeks to ensure that new developments respect local distinctiveness, character and its context. It contains a set of clear criteria that development proposals should aim to meet. Policy DPP1 in the Development Policies DPD also promotes high quality design. It states that new development should be based on a good understanding of the context; seek to enhance local character; create places with variety and choice; defined public and private spaces; allow for ease of movement through a place by pedestrians and cyclists; protect local and strategic landmarks and enhance skylines; promote inclusive layouts which contribute to health and well being deter crime and promote community cohesion.

In addition to the design policies it is also important to consider the scheme against Policy DP2 Landscape Character and CS9 Landscape and the Historic Environment. These policies seek to protect the character and qualities of the landscape. This is particularly the case in designated areas such as AONB's and whilst the site does not lie within the AONB, the boundary is very close by and whilst the principle of the development is already accepted it is important to be aware of the Landscape designation when considering the design details of the scheme. The other area that needs consideration with a reserved matters application is the impact of the scheme on the residential amenity of any surrounding development. Therefore policy DP3 in the Development Policies DPD is relevant.

It is proposed to deal with each of the reserved matters in turn.

Layout:

The density of the layout has been the subject of much discussion, as there was an initial concern that the design of the barn like buildings in the northern section of the site, seemed to take up a lot of land area and there was a feeling from both the local residents and the planning officer that the south east corner which has a much higher density, was too dense and appeared to be that way because of the design of those properties. Certainly the residents in Courtfield (namely 7, 8 and 9) felt that the proximity of the development to their boundaries was overbearing. Revised plans have subsequently been received which removes the coach house on top of the garages. The residents of 7 Courtfield were also concerned about the plot adjacent to them and also the terrace of houses behind them, both in terms of proximity and scale. After further discussions the applicants have agreed to remove one of the terraced houses, reducing them to 4, rather than 5, which will create a little more space between the existing house and the proposed dwellings. In addition and as a result of the same discussion, the plot 39 adjacent to No. 7 Courtfield will be reoriented so that the front windows do not look directly at the side windows of that property.

Concerns were also raised by the adjacent properties in Parkfield Close. The initial drawings had indicated a 3 storey flats building immediately behind No.'s 1, 3, 5 and 7 Parkfield Close. The land behind Parkfield Close is rising and currently the first floor of Parkfield Close is at the same level as the ground level on the site. After concerns were relayed to the applicant, the block of flats was removed and replaced with two storey houses following a different orientation. Further discussions have since been had with the applicant about the proximity of these properties and agreement has been reached whereby they will be moved further to the east. These issues were clearly of concern to the local residents but are also important in planning policy terms. However provided the suggested changes are provided, a great improvement in terms of the relationship of the proposal to adjoining properties has been achieved and so would comply with DP3.

To the **north** of the site, there is an open space immediately inside the hedgerow adjacent to Blackpost Lane. This space is quite narrow but has been incorporated as a result of concerns by the landscape officer at outline stage about the fact that it would not be appropriate to have new built form close to the hedge as it would be visible from the north. By setting them back into the site, it avoids these properties being on the ridgeline. Four detached properties look out onto this area, which does provide natural surveillance of the space, which accords with criteria in DP1 and CS&

The layout in the northern part of the site, after some initial changes is now considered acceptable. The barn styled dwellings along the western edge with Courtfield are set back from these properties and so do not present the same concerns with regard to being overbearing on the existing properties.

In the **centre** of the site, in order to allow for safe and accessible pedestrian routes across the site a new pedestrian path has been created which will also be disabled and pushchair accessible. The route links effectively with the new route to be provided through to Courtfield (a requirement of the Section 106 Agreement). The route is overlooked by several properties. A further stepped route is also provided from the north eastern access off Weston Lane. This route is less actively overlooked by surrounding properties but is only over a short distance. The central space has natural surveillance provided by Plots 12, 6, 7 and 20.

The properties proposed along the **north east** boundary follow the road line of Weston Lane and whilst not on the boundary are adjacent to the boundary with a footpath indicated between two gaps at either end through the existing hedgerow. I am of the view that this approach is better than destroying all of the existing hedgerow to create a safe pedestrian route across the front of these dwellings. It is more sympathetic to the rural edge location of this site. Further a single dwelling is located on the other side of the vehicular access to these properties (15 in total), which is adjacent to the road edge replicating the situation with the traditional barn associated with the farm. Again this represents an attempt to acknowledge the rural location and to refer to the context in the new build proposal. There has clearly been an understanding by the designer of the context of the site.

However there is a concern with regard to the rear parking court in this area of the site. There is a change in levels at the rear of this, with a 2.5 metre high retaining wall with some form of boundary treatment on top for plots 16, 17, 18, 19 and 20. The properties proposed fronting Weston lane are proposed to have 1.8 metre high fencing across their rear boundaries. As a result currently there is no natural surveillance and as expressed by the Architectural Liaison Officer for the police, the area could become a magnet for anti-social behaviour. Having discussed this concern with the applicant they are proposing to provide a solution prior to the planning committee meeting.

As such unless the amended plans have found a solution to this issue, the proposal would not comply with the criteria to create safe environments in Policy DP1. The designers are very aware of the need to resolve this issue so I hope to be able to report favourably on this issue at the Planning Committee meeting. Subject to this issue the layout proposed in the north eastern side of the site, is considered acceptable.

The layout in the **south east corner** has had to accommodate a lot of properties and as such is cramped. I question the use of flats on a site on a rural edge site, however they could be acceptable if they were reduced in scale. The applicant has agreed to investigate the levels on the site where the flats are proposed and attempt to reduce the finished floor levels of the flats such that their scale is reduced.

Recent discussions have taken place with regard to the south eastern corner of the site, so as to improve the layout for the benefit of adjoining residents. Changes to the orientation and clarification of levels of Plot 39; removal of plot 40 and the reorientation of the new terrace of 4 to avoid the overlooking potential to No.'s 7,8 and 9 Courtfield; moving the garages away from the hedgerow between No. 8 Courtfield and the site to protect the stability of the hedge; movement of the terrace of 5 properties northwards to create more space between them and the existing properties in Parkfield Close and lowering the finished floor levels of the two flats blocks to reduce their impact on the skyline. Amended plans are expected and provided these issues are addressed the south eastern part of the site is considered acceptable in layout terms.

The remaining part of the site in the **centre** comprises detached dwellings with onsite garaging, some of which are the more bespoke design and others more standard house types. In the centre of the site there is also an area of open space which is situated on land where there is a significant change in levels, with the open space being lower than the land to the south which is higher and contains 5 dwellings of differing designs. There are some trees on the edge of the open area which are being retained. The play equipment will be located on this section of open space.

Scale

This has been touched on briefly already in the layout section, however it is an important consideration. Bearing in mind that the site is not flat, there are some areas where concern has been raised about the scale of the development because of the levels

This is particularly the case with regard to the 3 storey flats along the lower east boundary where the land within the site is rising and so as such these buildings will be located on one of the higher parts of the site. And adjacent to open countryside beyond. They will be a very hard and urban edge to the site at this point. Having recently discussed this concern with the applicants they have agreed to investigate the finished floor levels (FFL) of these proposed buildings and seek to ensure they are as low as possible along that edge. From measurements taken during these discussions there may be opportunity to drop the FFL by as much as a metre.

Elsewhere on the site, the scale of the development is considered acceptable on the whole. However in reviewing the levels details in recent discussions with the applicant, the FFL of Plot 39 appears to be much higher than the adjacent existing dwelling and so the likely impact on that dwelling could be detrimental to the residential amenity. Clarity on this issue will be forthcoming prior to the planning Committee meeting.

Appearance

The dwellings proposed on the site are a mix of styles and tenures and include detached, semidetached and terraced properties. The applicant has attempted to respond to the densities in the developments adjacent to the site. A description of the differing building styles and elevations has been provided in the Proposal section above. The ethos put forward for the design is as stated in the Design and Access Statement – *“the design of the properties has been carefully considered so that both the form and materials of the buildings are synonymous with a farmyard setting. The properties are either large detached farmhouse style houses..... smaller terraced units to match properties in the surrounding area and bungalows and chalet bungalows to suggest a barn style building typology.”*

In terms of acceptability, it is considered that the applicants have attempted to relate the style of properties to the rural edge context and the fact that the farmstead will remain as a feature in the centre of the site.

With regards to materials the palette includes render, stone and black timber cladding, The roof coverings are described as slate style and whilst it may not be justified to have slate on all of the buildings there are certain of them where they form a focal point or are attempting to set up a particular feel to a group where natural slate would be preferable. This is an issue that can be conditioned. There is a thatched house on plot 12 which is described by the applicants as a focal point in the site. Some may describe such a building as pastiche, however it could also be a fun element to the scheme.

Landscape:

Landscape proposals attempt to retain as many existing landscape features as possible, including the majority of the external boundary hedges. Where they have been removed such as in the north western boundary where it has to be removed to allow for the new entrance, replacement planting is proposed.

Open space has been provided in line with the space requirements set out in the Section 106 Agreement. The three areas of open space are all of a different nature. The northern space is open and natural in appearance with a limited number of new tree planting. The central space is where the play equipment will be which is proposed as being constructed of timber. The space as you enter the site from the lower Weston Lane entrance is again left natural as it is the area where there is a bat corridor. A native hedge is proposed along the edge adjacent to the road and two trees are proposed to be planted in the south east corner of the land.

Natural hedges are proposed for many boundaries with the internal road network and the Weston Lane north eastern boundary planting will be reinforced.

The allotment allocation in the section 106 has been provided in the south eastern corner of the site adjacent to the boundary with Parkside Close. An earth bund is proposed along that boundary to act as a flood attenuation system. It will also be planted to act as extra reinforcement to the planting along this boundary.

It is considered that the proposals have made a good use of the existing landscape of the site and reinforced in those areas where there may be some loss as well as adding further natural boundaries where it is appropriate.

In terms of hard landscaping, the proposal indicates tarmac roads where they are covered by the Section 38 agreement and in parking courts. It is also proposed to use tarmac for the driveways and internal footways.

Planning Balance

There have been a number of iterations of these proposals during the progress of the planning application. There have been neighbour concerns regarding the relationship of the proposed development to existing properties and the levels on this site are varied and these levels have an impact on the relationship of the proposed dwellings to the surrounding areas.

The proposed layout was initially of concern in relation to the very uneven balance of density across the site. The low density bespoke dwellings in the northern area of the site being land hungry and the resulting more dense south eastern area. However the revised scheme has addressed some of these concerns and the further expected amended plans will further help to deal with the relationship of the proposed scheme with the neighbouring properties.

In terms of appearance the bespoke designs and the attempt at designing a scheme which is reflective of a rural style of building is to be commended. The higher density areas are perhaps less bespoke, however the use of a variety of materials - render, stone and timber across the site does help to reinforce a rural feel to the scheme.

In terms of scale, there are many single storey dwellings across the site, larger farmhouse style dwellings as well as 2 and 2 and ½ storey dwellings. The only scale of building that was of some concern is the 3 storey flats along the eastern boundary. Provided the revised plans have reduced the finished floor levels of these buildings and because of the fact that there is a large scale traditional barn further along the road then the balance should fall in favour of the scale of development.

The landscaping proposals are sensitive to the existing site, in terms of the retention of many boundaries and trees, reinforcement of these hedges where there has to be some loss. Reinforcement of the boundaries adjacent to the existing properties in Courtside and Parkfield Close.

Subject to the receipt of appropriate amended plans covering the minor but important changes required I would recommend approval of the application with conditions.

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.

The development plan comprises:

- **South Hams**
- 2006 Core Strategy
- 2007 Sherford New Community Area Action Plan (AAP)
- 2008 Affordable Housing Development Plan Document (DPD)
- 2010 Development Policies Development Plan Document (DPD)
- 2011 Site Allocations Development Plan Document (DPD) for:
 - Dartmouth
 - Ivybridge
 - Kingsbridge
 - Totnes
 - Rural Areas
- Saved policies from 1996 Local Plan
- Devon Waste Plan
- Devon Minerals Plan

The Plymouth and South West Devon Joint Local Plan (the JLP) will replace the above as the statutory development plan once it is formally adopted.

Annex 1 of the National Planning Policy Framework (the Framework) provides guidance on determining the weight in relation to existing and emerging development plan policies.

- For current development plan documents, due weight should be given to relevant policies according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).
- For the JLP, which is an emerging development plan, the weight is to be determined by the stage of its preparation, the extent to which there are unresolved objections, and its degree of consistency with the Framework.

The JLP is at a relatively advanced stage of preparation, with the pre-submission version formally approved by South Hams District Council, West Devon Borough Council and Plymouth City Council for a six-week period for representations, pursuant to Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations. It is also considered to be consistent with the policies of the Framework, as well as based on up to date evidence. However, until the Regulation 19 stage has concluded, and the scale and nature of representations known, it is considered that the JLP's policies will generally have limited weight within the planning decision. The precise weight will need to be determined on a case by case basis, having regard to all of the material considerations.

Other material considerations include the policies of the Framework itself and guidance in National Planning Practice Guidance (NPPG).

All policies of relevance to this application are listed below:

South Hams LDF Core Strategy

CS1 Location of Development
 CS7 Design
 CS9 Landscape and Historic Environment
 CS10 Nature Conservation

Development Policies DPD

DP1 High Quality Design
 DP2 Landscape Character
 DP3 Residential Amenity
 DP4 Sustainable Construction
 DP5 Conservation and Wildlife
 DP7 Transport, Access & Parking

South Hams Local Plan

SHDC 1 Development Boundaries
 TP 7 Environment in Totnes

Joint Local Plan

SPT 1 Delivering Sustainable Development
 SPT2 Sustainable linked neighbourhoods and sustainable rural communities
 TTV1 Prioritising growth through a hierarchy of sustainable settlements
 TTV25 Spatial priorities for development in Totnes
 DEV1 Protecting health and amenity
 DEL1 Approach to development delivery and viability, planning obligations and the Community Infrastructure Levy
 DEV30 Trees, woodlands and hedgerows
 DEV24 Landscape character
 DEV20 Place shaping and the quality of the built environment
 DEV10 Delivering high quality housing

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.

Proposed conditions:

1. The proposed development shall in all respects accord strictly with the detailed drawings hereby approved numbered:

160712 Se 02 03 Section Plot 71
160712 L 01 02 D Location Plan
160712 L 02 01 M Proposed site layout
160712 L 02 02 K Boundary Treatments
160712 L 02 03 K House type layout
160712 L 02 04 K Parking layout
160712 L 02 05 K Bin storage Strategy
160712 L 02 06 I Bicycle storage
160712 L 02 07 I Building materials
160712 L 02 08 E Plot numbers
160712 L 03 01 K Hard works
160712 R 02 Design Statement Addendum
160712 HT 14 04; 160712 HT 14 03; 160712 HT 14 02; 160712 HT 14 01; 160712 HT 12 02 A;
160712 HT 10 14 A; 160712 HT 07 02 B; 160712 HT 03 06; 160712 HT CON 01 160712 HT 16 02
160712 HT 16 01; 160712 HT 15 02; 160712 HT 16 02; 160712 HT 16 01; 160712 HT 15 02
160712 HT 13 02; 160712 HT 13 01; 160712 HT 12 02; 160712 HT 12 01; 160712 HT 11 02
160712 HT 11 01; 160712 HT 10 24 Rev A; 160712 HT 10 23 Rev A; 160712 HT 10 22
160712 HT 10 21; 160712 HT 10 20; 160712 HT 10 19; 160712 HT 10 18; 160712 HT 10 17
160712 HT 10 16; 160712 HT 10 15; 160712 HT 10 14; 160712 HT 10 13; 160712 HT 10 12
160712 HT 10 11; 160712 HT 10 10; 160712 HT 10 09; 160712 HT 10 08; 160712 HT 10 07
160712 HT 10 06; 160712 HT 10 05; 160712 HT 10 04 Rev A; 160712 HT 10 03 Rev A
160712 HT 10 02 Rev A; 160712 HT 10 01 Rev A; 160712 HT 09 02; 160712 HT 09 01
160712 HT 08 02; 160712 HT 08 01; 160712 HT 07 02 Rev A; 160712 HT 07 01 Rev A
160712 HT 06 04 Rev A; 160712 HT 06 03 Rev A; 160712 HT 06 02 Rev A; 160712 HT 06 01 Rev A
160712 HT 05 04; 160712 HT 05 03; 160712 HT 05 02; 160712 HT 05 01; 160712 HT 04 05 Second
Floor Plan; 160712 HT 04 04 First Floor Plan; 160712 HT 04 03 Ground floor plan
160712 HT 04 01 & 02 Elevations 1 of 2; 160712 HT 03 07 Elevations; 160712 HT 03 05 Second floor
plan; 160712 HT 03 04 First floor plan; 160712 HT 03 03 Ground floor plan; 160712 HT 02 01 Plans
and elevations; 160712 HT 01 01 Plans and Elevations; Garages Plans and elevations Plots;
Statement of Community Involvement; 10459 P10c Soft landscaping Proposals-TG_P10;
198 2511P03 Overland Flow Route; 198 2510P03 Proposed Impermeable Area Plan;
198 2500P03 Drainage Strategy Plan; 198 2403P03 External Levels Plan; 198 2402P03 External
Levels Plan; 198 2401P03 External Levels Plan; 198 2252P02 Highway Cross Sections
198 2251P02 Highway Cross Sections; 198 2203P04 Highway Long Sections; 198 2105P04 Vehicle
tracking Plan; 198 2102P03 Highway Layout; 198 2101P03 Section 38 Plan

with the exception of the details which are reserved for approval under conditions of this planning permission.

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.

2. No development shall take place, or any equipment, machinery or materials be brought onto the site for the purpose of development until:-

- (i) The erection of fencing to delineate a Protection Zone to protect retained hedges has been constructed in accordance with location and construction details shown on plans and particulars to be submitted and approved in writing by the LPA. Within the Protection Zone nothing shall be stored or placed, nor any works take place, nor shall any changes in ground levels or excavations take place unless they are shown on the approved plans.

Reason: In order to protect hedgerows of amenity, wildlife or historical importance.

3. No hedgerow shown for retention shall be removed, damaged or worked on except as detailed in the approved plans or as agreed in writing with the Local Planning Authority. If any retained hedge is removed, or damaged, during construction it shall be replaced with planting (and hedgebank) at the same place and species of such size, species and density as may be specified in writing by the Local Planning Authority.

Reason: In order to protect hedgerows of amenity, wildlife or historical importance.

4. No render / or external finish shall be applied to any of the dwellings or walls hereby approved until details of the proposed render type and colour(s) is agreed in writing with the Local Planning Authority and shall be applied without the use of metal beads or stops. Movement joints, where required, shall be positioned at changes of direction or directly behind rainwater downpipes. The render finish shall then be carried out in accordance with the agreement.

Reason: To ensure that the finishes and colours are appropriate to the locality.

5. No cladding shall be applied to the residential units hereby approved until details of the colour and finish of the timber cladding have been submitted to and agreed in writing with the Local Planning Authority. The cladding shall then be carried out in accordance with the agreement.

Reason: To ensure that the development displays good design practice in respect of the age and character of the development and to allow the Local Planning Authority to assess the details of the scheme to ensure that their character is maintained.

6. The stonework shall be constructed of natural stone which matches the colour and texture of that occurring locally, a sample of which shall be submitted to and agreed in writing by the Local Planning Authority, prior to the application of such stone to any of the walls and buildings hereby approved. The work shall then be carried out using the agreed stone.

Reason: To ensure that the development displays good design practice in respect of the age and character of the development and to allow the Local Planning Authority to assess the details of the scheme to ensure that their character is maintained.

7. No joinery work shall commence on site until full details of all new joinery have been first submitted to and approved in writing by the Local Planning Authority. Such details shall be at full or half scale and shall include cross-sections, profiles, reveal, surrounds, materials, finish and colour in respect of new windows, doors and other glazed or timber panels. The work shall thereafter be carried out in accordance with the approved details and shall thereafter be permanently retained in that form unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of the appearance of the development and the surrounding area.

8. Notwithstanding the details of the materials shown on the submitted drawings, the roofing materials to be used in the construction of the proposed development shall be submitted to and approved by the Local Planning authority prior to any roof covering taking place. The work shall then be carried out in accordance with the agreed material.

Reason: In the interests of the appearance of the locality.