

# PLANNING APPLICATION REPORT

**Case Officer:** Thomas Jones

**Parish:** Ivybridge

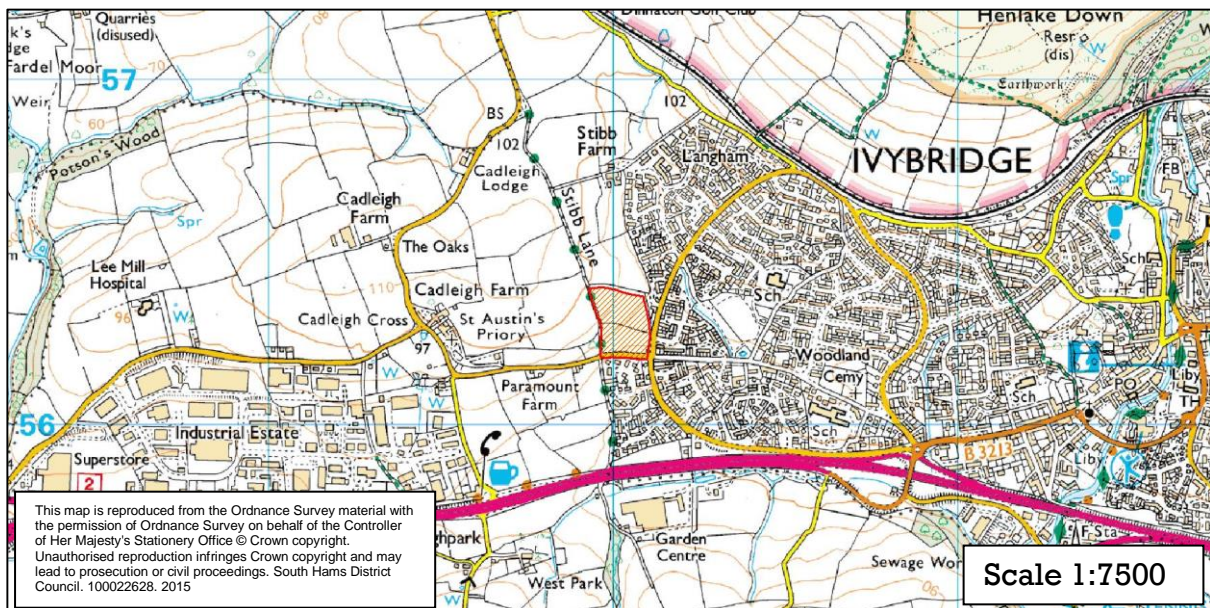
**Application No:** 27/1859/15/F

**Agent/Applicant:**

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

**Site Address:** Proposed Development Site At Sx 6203 5630, Woodland Road, Ivybridge, Devon

**Reason being presented to Committee:** Given the substantial number of objections from local residents the Ward Member has requested that the application is considered by Committee.



**Recommendation:** That Development Management Committee delegates the authority to approve subject to the conditions listed below; the prior satisfactory completion of a Section 106 Agreement; confirmation from the Lead Local Flood Authority (Devon County Council) that the proposed drainage scheme will effectively deal with the surface water; and confirmation that the Highways Authority have no objections to the proposed access and parking arrangements.

### **Conditions**

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

### **S106 Clauses**

- 30% AH, 50% Social Rented / 50% Shared ownership;
- £210,683.55 for the necessary additional capacity at Ivybridge Community College;
- £94,058 for improvements to play facilities at Woodlands Park, Ivybridge;
- £155,890 should be sought for improvements to sports facilities at Filham Park, Ivybridge;
- Provision of an on-site 100m<sup>2</sup> LAP, including appropriate buffers;
- Public access and on-going management and maintenance of the on-site public open space, including the LAP, in perpetuity;
- £2,547.54 to off-set recreational impacts on SACs; and
- restrictive covenants with regards to hedgerows.

### **Key issues for consideration**

The site is agricultural land outside the development boundary of Ivybridge. The principle of development is, therefore, contrary to Policy CS1 of the Core Strategy DPD.

The Council is not, however, able to demonstrate a five year housing land supply and the planning application must be considered in the context of paragraph 14 of the National Planning Policy Framework (NPPF). Given the location and sensitivities of the site the key tests in this respect are considered to be:

- access to services and facilities;
- Affordable Housing, in the context of viability testing;
- landscape;
- drainage; and
- highway safety.

## **Financial Implications**

It is estimated that this development has the potential to attract New Homes Bonus, payable for a period of 6 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 application site measures 2.63ha and comprises two agricultural fields located immediately adjacent to the development boundary at the west of Ivybridge. The highest point of the site is 99.5m AOD, in the north-west, falling to 67.7m AOD in the south, with an average gradient of 1 in 8.

The site is open countryside and within the Ivybridge Critical Drainage Area. It is Grade 3 Agricultural farmland. There are, otherwise, no statutory designations that directly affect the site.

The fields are bounded by mature hedgerows with occasional mature trees and farm gates. The main entrance is found to the south of the site from Woodland Road.

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

The site lies within Flood Zone 1, indicating that it is not likely to be the subject of flooding. On site, however, infiltration rates are not sufficiently rapid to manage surface run off, which runs into Woodland Road, to the east, before discharging into the unnamed stream some 200m to the east of the site.

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

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

## **The Proposal**

The planning application proposes 77 houses with open space, landscaping and flood attenuation.

The mix of properties is 34 two bedroom houses, 38 three bedroom houses and 5 four bed houses. It is noted that planning permission has recently been granted for 98 residential properties in the centre of the Town at Stowford Mill, including 15 one bedroom apartments. It is considered, therefore, that the proposed mix of development is appropriate in the context of Policy DP11 of the Development Plan.

30% of the properties would be Affordable Housing (AH) with 50% of these being Social Rented. All contributions that have been requested would also be provided. This and AH would be secured through a s106 Legal Agreement, which is summarised above.

Provision would be made for parking 152 cars on site. It is proposed to relocate the nearest bus stop to improve access to buses and to provide a safe point of crossing to link the site to the local footpath and cycle path network.

Properties are proposed to be finished in brick and / or render with tile roofs.

The application is supported by the following documents:

- plans and drawings;
- Design and Access Statement;
- Ecological Assessment;
- Historic Environment Assessment;
- Statement of Community Involvement;
- Landscape and Visual Impact Assessment;
- bat and owl Survey;
- contaminated land assessment;
- arboricultural report
- tree plan;
- transport assessment; and
- travel plan

## Consultations

**Natural England**, in their letter dated 7<sup>th</sup> September 2015, makes no objection and offers standard advice.

The **Environment Agency**, in their email dated 4<sup>th</sup> September 2015, makes no objection.

**Historic England** has made no comment.

**Highways England**, in their letter dated 14<sup>th</sup> September 2015, makes no objection.

**DCC Highway Authority**, in their email dated 15<sup>th</sup> September 2015, makes an initial objection that would be resolved through the provision of further evidence with respect to proposed safety measures relating to the crossing of Cornwood Road.

**Environmental Health**, in their email dated 22<sup>nd</sup> September 2015, makes an objection subject to conditions.

The **Landscape Specialist** raises no objection.

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

**Devon County Council Children's Services**, in their letter dated 26<sup>th</sup> August 2015, indicates that a contribution would be necessary to meet the need for additional facilities at Ivybridge Community College.

**The Local Lead Flood Authority** (DCC Flood Risk Management, Environment Group), in their email dated 27<sup>th</sup> October 2015, raises concern with respect to the effectiveness of the proposed surface water management.

**Devon County Council Historic Environment Team**, in their letter dated 2<sup>nd</sup> September 2015, raises objection due to inadequate information with respect to archaeology.

**Ivybridge Town Council**, in their letter dated 18<sup>th</sup> September 2015, objects on the basis of the development being unnecessary given that allocations have been identified in the Development Plan to meet the need for housing in Ivybridge, that development would increase flood risk on Woodland Road and Cornwood Road; highway safety concerns; that no social infrastructure is proposed; that 50% of the properties should be Affordable Housing; that the amount of housing represents over development; and an adverse impact in the landscape.

**South West Water** (SWW), in their email dated 3<sup>rd</sup> September 2015, raises no objection.

The **Police Architectural Liaison Officer**, in their email dated 14<sup>th</sup> September 2015, raises concerns with respect to security.

**Dartmoor National Park Authority**, in their email dated 8<sup>th</sup> September, offers a formal response of no comment.

## **Representations**

In excess of 100 letters of objection and one of support have been received.

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

- loss of green space;
- insufficient education provision;
- insufficient amenities / services / shops in Ivybridge;
- highway safety;
- highway congestion;
- surface water run off causes flooding;
- adverse impact on landscape;
- adverse impact on biodiversity;
- housing needs met through Development Plan Allocations in Ivybridge and Sherford;
- Affordable Housing is not integrated;
- loss of farmland; and
- overlooking existing residential development.

Additional comments, but not specifically objections have been made in representations:

- enhance cycling;
- increase trees as part of drainage strategy

The single expression of support identifies the importance of providing new properties in Ivybridge to meet the needs of an ever growing population.

## **Relevant Planning History**

None.

## **Analysis**

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

The site is not allocated for development in the Council's adopted Local Development Framework Site Allocation Development Plan Documents 2011 (SA DPD). It is located adjacent to but outside the Ivybridge development boundary as defined in the South Hams Local Plan (1996).

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

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

When preparing the SA DPDs this site was one of many in and around Ivybridge considered as potential development sites as part of the Sustainability Threshold Assessment (STA). This assessment concluded by giving the land north of Woodland Road (the application site) an overall middle/neutral sustainability rating of yellow. This conclusion indicated that the site had possible sustainability issues. Further assessment would be required to clarify this initial summary. This has now been undertaken as part of this application process. The site was not allocated for development in the Ivybridge SA DPD, but this should not be regarded as indicating that it is an unsustainable site in principle.

In this respect the site is considered to be in a sustainable location, in that services and facilities can be easily accessed by walking, cycling and public transport.

The key sensitivities are identified as surface water run-off / Ivybridge Critical Drainage Area and landscape, including potential impact on Dartmoor National Park. The numerous mature trees and the existence of habitat suitable for protected species, specifically the boundary hedgerow, also represent parameters within which proposed development must be framed.

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

### The Economic Dimension

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

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

### Social Dimension

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

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

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

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

### The Environmental Dimension

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

The layout of development minimises landscape and visual impact by placing open space to the west and north-west, along the footpath and by making a feature of the mature tree that sits in the centre of the site. It is also notable that the proposed development would not infringe on the skyline. The Dartmoor National Park Authority has confirmed that they do not consider that the development would have a significant adverse impact on the National Park.

The site is not at risk of flood itself, but given poor percolation run off can contribute to flooding of lower land to the south and south east. Local residents have advised that flood occurs on occasion. The applicant has submitted a flood risk assessment and drainage plan that demonstrates betterment, such that by holding run off in a surface water storage feature would reduce the risk of flood off site. The Local Lead Flood Agency has, however, questioned some elements of the FRA including checking stability of the proposed pond; checking buoyancy of the proposed attenuation tank during high groundwater levels; clarifying the overflow arrangement from the below ground structure to the above ground structure; the provision of benefit with regard to water quality from the site; and confirmation with respect to the soakaway testing rates. At the time of issuing this Report the LLFA is not available to confirm whether these matters have been addressed. An update will be given at the Committee Meeting.

The Council's Biodiversity, Open Space / Recreation and Green Infrastructure specialists raise no objection to the proposed development subject to a number of measures. Over-arching would be a pre-construction agreement of a Landscape and Ecological Management Plan that would implement the findings of the Ecological Assessment and include protection of hedgerows and trees. The latter would need to be secured within a s106 Agreement. A financial contribution would be necessary to address recreational impact on Special Areas of Conservation.

The specialists also recommend the pre-commencement submission and agreement of details of the public open spaces including play area and surface water storage basin. This would cover on-going management and maintenance. In this respect the s106 should seek to secure payments for improvements to play facilities at Woodlands Park and sports facilities at Filham Park, Ivybridge, the provision of an on-site 100m<sup>2</sup> LAP, including appropriate buffers, and public access and on-going management and maintenance of the on-site public open space, including the LAP, in perpetuity.

### Sustainability balance

The site is considered to enjoy good access by walking, cycling and public transport to a range of facilities and services. With no significant adverse impacts identified the weight of the provision of housing, including 30% Affordable Housing is significantly in favour of the development.

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

### Other material considerations

It is considered that the layout of the site responds well to its setting, as described above. The objective of retaining open space in the most sensitive parts of the site (the west and north-west) and to ensure betterment with respect to surface water run-off, has resulted in a low density development in comparison to the area of the whole site. Some of the properties are typically small and the desirability of this in the context of Policies DP4 and DP11 is questionable. The key tests of the NPPF, however, require a balanced approach. In the case of this application the high quality of the landscape treatment / quantity of public open space, the delivery of 30% Affordable Housing (please see later in the Report for further



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

Parking spaces and arrangements are generally sufficient and appropriate, although some scenarios appear to be likely to cause difficulties for residents and others may detract from the quality / functionality of the open space. Again, this is not considered to be a reason for refusal, but it is recommended that if permission were granted that the submission of and adherence to a revised parking plan is a condition.

Concern has been expressed by the Police Liaison Officer with respect to security, but in the balance it is considered that maintaining a landscape led layout with additional security measures makes the development acceptable in this respect.

Parking provision for some of the properties appears to be inconvenient and some visitor spaces would have an adverse impact on the landscape plan and the applicant has been asked to reconsider the arrangement.

Representations have questioned the impact on neighbour amenity. In this respect it is considered that appropriate distances exist between existing properties and the proposed new properties and that there are no views from existing properties that would be dominated by the new development such that it would render them unpleasant places to live. It is recognised that disruption would occur during the construction phase, but that this would be short term and could be controlled to an appropriate level through condition.

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

Devon County Council Highway Authority makes an initial objection that would be resolved through the provision of further evidence with respect to proposed safety measures relating to the crossing of Cornwood Road. The measures would then be secured by condition or s106 agreement to ensure appropriate design in terms of highway / pedestrian safety.

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

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

## **Conclusion**

It is recognised that granting planning permission would result in a level of housing development in excess of what has been proposed in the Development Plan. With all

contribution requests to be met there are, however, no adverse impacts with respect to infrastructure and other provisions. Notably neither Devon County Council as Highway Authority nor Highways England have raised any objection with respect to highway capacity.

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

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

On balance it is recommend that the planning application is approved.

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

## **Planning Policy**

### ***South Hams LDF Core Strategy***

CS1 Location of Development  
CS6 Affordable Housing  
CS7 Design  
CS8 Infrastructure  
CS9 Landscape and Historic Environment  
CS10 Nature Conservation  
CS11 Climate Change

### ***Development Policies DPD***

DP1 High Quality Design  
DP2 Landscape Character  
DP3 Residential Amenity  
DP4 Sustainable Construction  
DP5 Conservation and Wildlife  
DP6 Historic Environment  
DP7 Transport, Access & Parking  
DP8 Open space and recreation  
DP15 Development in the Countryside

## **NPPF**

Paragraph 14.

## **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.