

REPORT OF THE HEAD OF PLANNING AND REGENERATION

17/01370/MARM - RESERVED MATTERS FOR THE ERECTION OF 60 DWELLINGS - LAND AT NGR 305658 112080 (HARVESTERS) UFFCULME DEVON

Reason for Report:

This is a major application that gained outline approval at appeal, the Planning Committee have requested that they consider the reserved matters application.

RECOMMENDATION(S)

Grant permission subject to conditions.

Relationship to Corporate Plan:

The provision of housing

Financial Implications:

Nil – however if members are minded to refuse the application there could be cost implications of defending an appeal. The applicant may make an application for costs on any appeal against the Council and such costs claims are made by demonstrating that there has been unreasonable behaviour. That being the case, Members must be able to clearly justify each and every reason for refusal in line with the development plan and all other material considerations.

Legal Implications:

Nil

Risk Assessment:

If Committee decide to refuse the application for reasons that cannot be sustained at appeal there is a risk of a successful appeal costs claim against the Council for reasons of unreasonable behaviour.

Consultation carried out with:

1. **Uffculme Parish Council - 29th September 2017**

Uffculme Parish Council has been very pleased to have worked with DCH and Consensus over the past few months in respect of the evolving planning application. The Council feels that the concerns raised by the Parish Council have been listened to and acted upon which is encouraging. The Council is also pleased that the application was sent to the Design Review Panel.

The Council supports in main the types and layout of houses and the use of footpaths throughout the site. The properties give a good selection of smaller, as well as larges houses and the use of 1-bedroom houses is great attribute to the site. The Council has concerns about plot 5, the coach house, the Council feels that the risk of fire etc with the garages being below a dwelling, not with common ownership could present an issue. The mix and location of the shared ownership and rental properties will provide local residents an excellent opportunity. The Parish Council wishes the properties to be offered to residents who have had to relocate outside of the village due to housing prices, but are looking to relocate back to the village due to a village connection.

The Council has raised comments in respect of the properties not having chimneys - although we understand these will simply be provided for aesthetic reasons we feel that these should be considered, given the vast majority of properties in and around the village have chimneys.

The Council understands from the 'On Site Open Space Scheme and SUDS' the management of the site will remain DCH responsibility until 80% of the private dwellings are occupied, however at 5.3 it states the Management company must be fully established prior to the occupation of the final private dwelling. The Council wishes to ensure during the interim there is sufficient provision for maintenance for the site. The Council also wishes to ensure there is appropriate responsibility on the Management Company to adequately maintain the site. There are proposals in respect of maintenance schedules and we would require this to be sufficiently binding to ensure proper maintenance.

The Council is pleased with the large open green space at the bottom of the site. We feel this will add to the ecological diversity of the site and would promote the space to be left as open space, providing that suitable paths were mown for walking. In addition, the Council feels that the provision of at least one dog waste bin by the walk would be appropriate. The Council would like to see this area adequately managed to ensure appropriate habitats for wildlife and that any new saplings that do not survive the first few years to be replaced, as opposed to just removed.

The Council would like to see an off-road link to Langlands Business Park. We have concerns about residents walking along this stretch of road and the dangers this presents. The Council is pleased with the footpath link through to the village.

The Council understands that at present this land lies within the Parish Boundary of Halberton. However, as part of the permissions Uffculme Parish Council would like to see this parcel of land allocated to the Uffculme Parish. The Inspector, when granting outline permission on the site, made a number of references to the amenities within Uffculme and none of Halberton. Secondly the S.106 monies will be going to the Uffculme schools, we are not sure where the children would be expected to attend school.

The Parish Council would like to be involved in the naming of the roads within the site, along with Officers of the District Council.

2. Halberton Parish Council – 12th October 2017

The Council reiterates its previous comments regarding equipment within the green spaces and the need for a paved footpath between the site and Langlands Business Park. Following

an explanation from Ms Jenny Clifford, the Council is satisfied with the proposed distribution of affordable housing within the development.

13th September 2017 - Halberton Parish Council considered this application at their meeting on 12th September and has some initial comments (below) but may review the application again and submit further comments.

The Council wishes to see exercise equipment for adults and active play equipment for children included within the green spaces. It also wishes to see a paved footpath between the site and Langlands Business Park

3. **Willand Parish Council** – 13th November – No further comments.

2nd October 2017 - I am writing on behalf of Willand Parish Council with regard to the application in Halberton Parish for the erection of 60 dwellings at Harvesters. The Parish Council has not been formally consulted on this application but believe that it will impact on Willand as part of the local community.

The Council are writing to express concern on two aspects of the plan. Firstly, that the social housing element appears to be in two blocks rather than pepper potted which is thought to be policy.

Secondly to raise concerns about the parking provision for the social housing which is shown to be in a courtyard or at the rear of properties that are not over looked and could therefore encourage damage or anti-social behaviour. This is contrary to policy and normal advice from the police on preventing crime. The on-street parking areas shown on the plan are not supported by the Parish Council as this reduces road width and could cause problems for emergency vehicle access.

30th October 2017 - The Parish Council noted that some minor amendments had been made but that the concerns raised in their letter of 1 October 2017 do not seem to have been addressed.

These concerns regarding pepper potting of affordable housing and 'courtyard' parking still stand in spite of a diagram trying to show that the areas were in view.

It has also been brought to the Council's attention that there is a firework factory/store on the Langlands Business Park which may be of concern.

The minor amendments are not sufficient to make the Parish Council change its mind regarding the development.

4. **Highway Authority** – 6th and 14th November 2017

Generally happy with the amendments made, subject to conditions.

9th October 2017 - Observations:

The Highway Authority are generally happy with the design and layout submitted with this application, however there are a number of issues that need addressing and they can be addressed through the necessary legal agreement under the highways act, but the Local Planning Authority may wish to see the implications of the changes therefore the Highway Authority would raise the following observations;

1. There is some conflict on Drawing 16407-050rev A where annotation indicates that the surface water will be subject to a section 104 legal agreement with South West Water which is acceptable to the Highway Authority however the key indicates that the surface water will be adopted under section 38 of the Highway Act which would not be appropriate as private water is entering the system. The highway Authority would seek an amendment to the key to definitively show the drainage as adopted by SW Water. In addition no gullies have been shown on the drainage plan and the applicant will need to show these and suitable calculations as part of the drainage submission for Section 38 and given the shallow gradients may necessitate kerb details e.g. Beanie blocks.
2. Drawing 16407-003rev h. On road 1 and road 2 there is a 0.5m verge proposed around the open space, The Highway Authority would require any verge which it is expected to maintain to be a minimum of 1.0 m if in grass otherwise it should be in a hard material, in addition where a street light is sited there should be a minimum adoptable area of 1.0 m by 1.0m for services and installation with a 500 mm collar to aid grass cutting. The Lighting design will need to be approved by the Highway Authority and details design calculations will need to be submitted, however the Highway Authority will provide the appropriate design and specification at section 38 stage.
3. On the same plan Visibility to plot 42 will need to cross the frontage of the property and suitable covenants to prevent obstruction should be incorporated into ant deeds and the splays should be annotated on the drawing for avoidance of doubt, the remaining verges should also comply with the observation above.
4. At road 6 there is a build out which has two trees shown these should be removed particularly given the appeal consent for the adjoining site and replaced by shrubs with a mature height not exceeding 600mm.
5. Plots 38 and 39 visibility splays are required to be shown over the frontages for conditioning as will plot 41.
6. The Section 278 works are generally acceptable but will be subject to stage 2 safety audits and section 278/38 approvals.

The Local Planning Authority will be aware of the budgetary constraints on the Highway Authority and may wish to consider the inclusion of all grass verges and planting within the adoptable elements of the scheme as part of the open space management plan and there maintenance responsibility retained by the management company.

Therefore subject to the amendments to the drawing which can be considered at Section 38 submission stage the following conditions should be imposed.

5. **DCC Lead Local Flood Authority** – 9th November 2017

9th November 2017 - Further to the submission of the Construction Management Plan (Surface Water) (Ref: 16.407, dated November 2017) I can confirm that this removes the need to have the proposed pre-commencement condition in our recent consultation.

6th November 2017 - Recommendation:

At this stage, we have no in-principle objections to the above planning application, from a surface water drainage perspective, provided that a pre-commencement condition is imposed relating to a construction surface water management plan.

The proposed surface water drainage strategy presented within Drawing No. 16407-050-B (13/10/2017) is acceptable and represents a betterment over the previously approved Flood Risk Assessment (Ref 0752, dated 04/12/2014); in which discharge rates have been significantly reduced.

6. **DCC Archaeology** – 5th September 2017 – the archaeological investigations are complete on site and no further mitigation is required.

7. **MDDC Tree Officer** – The site layout takes account of the existing mature and veteran trees on site. Adequate RPZs are provided in accordance with BS 5837:2012. Whilst ideally there would be no hard surfacing within the RPZs of any trees, the rearrangement of the path does insure that it is outside of the RPZ of T9 and the constriction details are provided. The arboricultural method statement must be conditioned and an arboricultural consultant must oversee and sign off the works.

8. **South West Water** – 15th September 2017 – Standard comment in relation to asset protection. Request a condition in relation to foul drainage that no other form of drainage shall be connected to the public foul or combines sewer. Surface water should be discharged as high up the hierarchy of drainage options as reasonably practicable, with discharge into the ground as the preferred method.

9. **Devon and Cornwall Police** – 14th of September 2017 - A key strand in the design of a 'sustainable' development is its resistance to crime and anti-social behaviour. The seven attributes of Crime Prevention Through Environmental Design (CPTED) are access and movement; structure; surveillance; sense of ownership; physical protection, and; places with human activity. The physical security element should not be overlooked, including the PAS standards for windows and doors.

All rear boundary treatments should be a minimum of 1.8 metres high and be solid and robust to prevent being breached, but topography can impact on the need and suitability of boundary treatments. Close boarded fences or walls appropriate. 1.5m fencing with 0.3m trellis is acceptable to give more surveillance. Trees should be crown lifted to 2 metres when mature and shrubbery should not exceed 1 metre to ensure surveillance on approach by foot or vehicle. Ideally hedges should not act as a boundary treatment due to maintenance issues and potential conflict with neighbours. Cannot support parking courts which have little or no surveillance from active rooms, 1.5 metre boundaries with 0.3 metre trellis should be incorporated to increase surveillance.

Knee rail should be extended around visitor spaces. Front and side boundaries should be used to clearly define public and private space. The general layout proposed would appear to provide both active frontages and good overlooking to the new internal streets which is

welcome. The use of back to back gardens in some parts is also noted and supported. Assume development will be adopted.

10. **Environment Agency** – Revised comments to be provided as an update.
11. **Natural England** – 14th September 2017 – No comment.
12. **Environmental Health** – 18th of September 2017 - Having reviewed the additional investigation reports I can confirm we have no further recommended requirements in respect of contaminated land.
14th September 2017 - Contaminated land - Air quality - No relevant reserved matters. Environmental permitting - N/a. Drainage - The submitted Sewer Capacity Assessment is noted and recommended for approval in respect of Condition 12 of the outline permission. Noise and other nuisances - The submitted Construction Environment Management Plan (CEMP) is noted and recommended for approval in respect of Condition 8 of the outline permission. Housing standards - No comments. Licensing - No comments. Food hygiene - N/a. Private water supplies - N/a. Health and safety - No objection - enforced by HSE.

1.0 PROPOSED DEVELOPMENT

- 1.1 Reserved matters for the erection of 60 dwellings at Land at NGR 305658 112080 (Harvesters), Uffculme. This application follows the approval at appeal of the outline permission 15/00108/MOUT, access was determined under the outline application. This application seeks approval for following reserved matters: Appearance, landscaping, layout and scale. The application also seeks to discharge pre-commencement conditions: 6, 8, 9, 10, 11, and 12 of the outline permission. The conditions relate to: surface water drainage scheme [6], construction management plan [8], programme of archaeological works [9]; arboricultural method statement and tree protection plan [10], highways infrastructure details [11], foul sewage capacity details [12].

2.0 PLANNING HISTORY

- 2.1 15/00108/MOUT - REFUSE DATE 23RD APRIL 2015
- 2.2 OUTLINE APPLICATION FOR UP TO 60 DWELLINGS WITH ACCESS ONTO UFFCULME ROAD, WITH ALL OTHER MATTERS RESERVED (APPEAL ALLOWED WITH CONDITIONS 11.04.16)
- 2.3 17/00300/MOUT - REFUSE DATE 16TH JUNE 2017
- 2.4 OUTLINE FOR THE ERECTION OF 30 DWELLINGS AND NEW VEHICULAR AND PEDESTRIAN ACCESSES (APPEAL ALLOWED 02.10.17)
- 2.6 17/00886/MOUT - WDN DATE 20TH SEPTEMBER 2017
- 2.7 OUTLINE FOR THE ERECTION OF 30 DWELLINGS AND NEW VEHICULAR AND PEDESTRIAN ACCESSES
- 2.8 17/01370/MARM - PCO DATE
- 2.9 RESERVED MATTERS FOR THE ERECTION OF 60 DWELLINGS
- 2.10 14/01084/PREAPP - CLO DATE 18TH AUGUST 2014
- 2.11 PROTECT: ERECTION OF DWELLINGS
- 2.12 16/01253/PREAPP - CLO DATE 21ST OCTOBER 2016
- 2.13 PROTECT - PRE-APPLICATION RESERVED MATTERS ADVICE FOR THE ERECTION OF 60 DWELLINGS

3.0 APPLICANTS SUPPORTING INFORMATION

- 3.1 Affordable Housing Scheme
- 3.2 Arboricultural Impact Assessment
- 3.3 Archaeological Report
- 3.4 Construction Environment Management Plan
- 3.5 Construction Management Plan (Surface Water)
- 3.6 Design and Access Statement
- 3.7 Drainage and SUDS Maintenance Plan
- 3.8 Highway Construction Details
- 3.9 Letters
- 3.10 Micro Drainage 100yr Results
- 3.11 On site open space scheme and SUDS
- 3.12 Phase 2 Bat Survey
- 3.13 Planning Statement
- 3.14 Plans
- 3.15 Proposed Materials
- 3.16 Sewer Capacity Assessment
- 3.17 Soft Landscaping
- 3.18 Statement of Community Involvement
- 3.19 Tree Protection Signs
- 3.20 Waste Audit Statement
- 3.21 Wildlife Survey

4.0 REPRESENTATIONS

Four letters of objection and one neutral representation have been received in conjunction with this application, they are summarised as follows:

1. The development is on a flood plain. Concern over the surface water drainage and increased flood risk to existing properties.
2. Question if there are plans to reroute the road to make egress from the site safer?
3. Very few school spaces at local schools, are there plans to increase the number of school places?
4. Concern over highway safety and the volume of traffic created going through the village centre which can barely cope with the existing traffic.
5. Question where the sewage is being directed to as the existing system is overloaded.
6. 60 houses are too many for this small site.
7. It would be a shame to see the currently fallow field built on, as it is used by many animals.
8. Land to the north and west would be more appropriate for development and less liable to flooding.
9. Concerns over the location of the proposed drainage connection point for Harvesters.

One letter of support has been received and is summarised as follows:

1. Would love to own a house here.
2. With the development on the outskirts of the village it is likely residents will be more inclined to go to Willand or Cullompton for shopping needs and services (doctors).
3. Considers the flooding issues will be addressed, has seen less flooding in the area.

5.0 RELEVANT PLANNING POLICIES

5.1 MID DEVON CORE STRATEGY

- 5.1.1 COR1 SUSTAINABLE COMMUNITIES
- 5.1.2 COR2 LOCAL DISTINCTIVENESS
- 5.1.3 COR3 MEETING HOUSING NEEDS
- 5.1.4 COR8 INFRASTRUCTURE PROVISION
- 5.1.5 COR9 ACCESS
- 5.1.6 COR11 FLOODING
- 5.1.7 COR17 VILLAGES
- 5.1.8 COR18 COUNTRYSIDE

5.2 MID DEVON ALLOCATIONS AND INFRASTRUCTURE DEVELOPMENT PLAN

- 5.2.1 AL/DE/3 AFFORDABLE HOUSING SITE TARGET
- 5.2.2 AL/DE/5 INCLUSIVE DESIGN AND LAYOUT
- 5.2.3 AL/IN/3 PUBLIC OPEN SPACE
- 5.2.4 AL/IN/5 EDUCATION PROVISION

5.3 MID DEVON LOCAL PLAN PART 3 DEVELOPMENT MANAGEMENT POLICIES

- 5.3.1 DM2 HIGH QUALITY DESIGN
- 5.3.2 DM3 SUSTAINABLE DESIGN
- 5.3.3 DM4 WASTE MANAGEMENT
- 5.3.4 DM6 TRANSPORT AND AIR QUALITY
- 5.3.5 DM8 PARKING
- 5.3.6 DM14 DESIGN OF HOUSING
- 5.3.7 DM15 DWELLING SIZES (SUPERSEDED BY THE TECHNICAL HOUSING STANDARDS – NATIONALLY DESCRIBED SPACE STANDARD 2015).
- 5.3.8 DM28 GREEN INFRASTRUCTURE IN MAJOR DEVELOPMENT

5.4 SUPPLEMENTARY PLANNING DOCUMENTS

- 5.4.1 MEETING HOUSING NEEDS SPD (2012)
- 5.4.2 PARKING PROVISION IN NEW DEVELOPMENT SPD (2013)
- 5.4.3 REFUSE STORAGE FOR NEW RESIDENTIAL PROPERTIES SPD (2017)

6.0 MATERIAL CONSIDERATIONS AND OBSERVATIONS

6.1 POLICY AND PROCEDURE

The principle of the proposed development has already been established under planning approval 15/00108/MOUT, this is not a matter for consideration under the current application. This reserved matters application seeks approval in relation to the appearance, landscaping, layout and scale, along with the discharge of the pre-commencement conditions imposed on 15/00108/MOUT, relating to the surface water drainage scheme, construction management plan, programme of archaeological works, arboricultural method statement and tree protection plan, highways infrastructure details, and foul sewage capacity details.

The following suite of policies is relevant to the development proposal;

DM2 requires high quality design which demonstrates a clear understanding of the characteristics of the site and its surroundings, effective use of the site, the creation of safe and accessible places that are well integrated with neighbouring properties, and appropriate drainage, including SUDS and mains foul drainage where available.

DM3 concerns sustainable design which is largely replaced by building regulation requirements and DM4 requires sustainable waste management.

More specifically, DM14 and DM15 concern the design and sizes of housing, including the provision of private amenity space that reflects the size, location, floorspace and orientation of the properties, along with adaptable dwellings that can accommodate a range of occupiers and their changing needs, including 20 percent of dwellings to be built to the lifetime homes standard and parking in accordance with policy DM8.

In addition, policy DM28 concerns green infrastructure in major development and states that major development must demonstrate the incorporation of green infrastructure to include biodiversity mitigation and a net biodiversity gain where possible; flood water and resource management; green corridors to avoid habitat fragmentation, new green infrastructure where possible and public open space within housing developments.

A statement of community involvement [SCI] has been submitted in support of the application detailing the community involvement that has been carried out. This has included meeting with the Parish Council's to discuss engagement and the emerging proposals, as well as a briefing prior to the submission of the formal reserved matters application. The application was taken to the design review panel and their recommendations were incorporated where possible. The community engagement comprised of newsletters sent to over 1000 properties in Uffculme, with a freepost address for comments to record views for those without online access, 24 responses were received. Throughout the process the applicant is considered to have engaged well with the relevant stakeholders, as demonstrated by the submitted SCI.

6.2 SITE CONTEXT AND LAYOUT

The site is located on the western fringe of Uffculme and comprises of 3.49 hectares of agricultural land that slopes gently north to south. The access point is on northern side of the site and leads directly on to Uffculme Road (B3440), which bounds the site to the north. The south the site is bounded by the River Culm. The site layout has been carefully considered through an evolution process and has been taken to the South West Design Review panel prior to the submission of the current application, generally positive feedback was provided. The site layout seeks to reflect the locality and has been landscape lead; the existing landscape features have been designed into the scheme. The mature trees within the site have been incorporated into the design and are key features of the public open space areas, creating rural character and focal points when entering and moving around the site. The layout seeks to work with the existing topography which slopes towards the river in a southerly direction. The built form will be concentrated within the top northern portion of the site, with the southern section bounding the river being provided as public open space.

A footpath is proposed to run along the site frontage and will join up with the existing footpath network, ensuring a continuous footpath between the site and the centre of Uffculme village. There will also be a footpath set within the site frontage going in a westerly direction towards Langland's Business Park; this will serve a bus stop but stops short of the Business Park where the site boundary ends. A footpath will be extended to Langland's during the construction of the adjacent site, as required by condition 12 of permission 17/00300/MOUT, which specifies that no dwellings can be occupied before a footpath from the site to Langland's Business Park has been constructed and made available for use. The

site layout seeks to achieve safe and connected pedestrian movement throughout the site and legible spaces to help all users to navigate around the site.

The vehicular access has already been approved and there are no proposed changes to its location. The access provides a single point for vehicular access and egress. The internal road layout doesn't comprise of a loop and has hammerheads leading to private driveways. Given the low density of the site the proposed road layout works well and facilitates the positive integration of the southern dwellings which have a 'pirates tooth' arrangement, this positively blends the built form with the public open space in a low density manner that reflects the rural parkland character of this part of the site.

The site layout has been carefully designed to create active frontages to the streets and public spaces throughout the site and primary streets defined by built form. The site layout also facilitates an active street presence of dwellings on Uffculme road on the western portion of the site. The layout incorporates the highest density development within the centre of the site, with a lower density on the southern rural fringe. In addition, the bungalow plots [45, 36 and 35] bounding the north eastern corner of the site reduce the impact of the development on the existing bungalow and form a transition in dwelling design, integrating the existing with the new. The houses are well spaced within the site, and are provided with private amenity space, bin storage and designated parking. All of the dwellinghouses have private amenity space that is well located in relation to the dwelling, along with external storage for bikes and bins in the form of hardstanding and either a shed or garage. In addition, bin collection points have been designed in to the scheme to ensure the streets are not blighted with bins, these points are easy to access for all of the dwellinghouses.

The boundary treatments within the site include 1.2m high timber estate railings on the site entrance and around the public open space areas containing the mature and veteran trees; the railings are also used to clearly define public and private spaces when used on the frontage of numerous plots around the site. The railings are considered to give a high quality appearance to the public realm and entrance to the site. Where rear and side boundaries front public spaces [roads and parking areas], these boundaries comprise of walling, this varies between 1.8m walling and 1.5m walling with 300mm trellis above in the parking areas where additional overlooking is required for security purposes. For plots 17, 18, 19 and 23, the rear boundaries will comprise of 600mm high walling and pillars with infill 900mm hit and miss fencing, this lower boundary treatment reflects the site topography in this location. The walling will give a higher quality appearance to public spaces and ensures a secure boundary treatment that clearly defines private spaces. The hedge planning to the sides of plots 60 and 46 on the northern boundary of the site, and plots 32, 33 and 34 on the south eastern boundary of the site will be strengthened with native planting to reinforce the existing boundary to protect the amenity of the occupiers of the new and existing dwellinghouses; 1.8m chain link fencing will also be introduced inside the boundary to ensure the boundaries are secure without inhibiting the hedge growth. Rear gardens will be defined by close boarded fencing. Post and rail fencing will define the fronts of properties where a boundary is required between the properties and the public open space area, to maintain a rural character.

Overall, the site layout is considered to create a high quality place which takes into account the physical context, local character and surrounding density and land use mix, in accordance with policies DM2 and DM14.

6.3 SURFACE WATER DRAINAGE AND FLOOD ZONE CONSIDERATIONS

The southern portion of the site is located within Flood Zones 2 and 3. There will be no built development within the flood zones, but there will be some earthworks which extend into the flood plain. As a result, there is a reduction in flood plain storage. To mitigate the loss of

storage, a depressed area is proposed within Flood Zone 3 in the south western corner of the site. The depressed area has been designed for aesthetic appeal and will have a depth of 0.5m and will have an overall storage volume of 90m³, this will ensure the flood plain storage volume as a result of the proposal will remain unchanged. The applicant has been working with the Environment Agency [EA] to agree the site constraints and the flood zone capacity, following the submission of the further details discussed above, it is considered that the concerns raised by the EA have been addressed and that the proposal will not result in any increased flood risk elsewhere in accordance with policy COR11. Revised comments have been sought from the EA to confirm this position and will be provided by way of an update.

A surface water drainage scheme comprising of a Drainage Strategy, Floor Exceedance Plan, Micro-drainage Results and a Drainage and SUDS Maintenance Plan have been submitted. Surface water will be managed on site by a SUDS scheme; the proposal incorporates a network of pipes which will collect surface water in a detention basin located in the western corner of the site. The basin has been designed to manage surface water and cater for all storm events, up to and including the 1 in 100 year plus 40 percent climate change. The basin will discharge into the Mill Stream watercourse south of the site. The surface water and foul drainage systems will be adopted by South West Water [SWW]. In addition, a SUDS maintenance scheme has been submitted, detailing that SWW will be responsible for the continued maintenance of the network. The detention basin will be retained in a private ownership and will be maintained regularly in accordance with the details provided; ensuring the vegetation is managed and kept clear of litter to avoid debris and blockages and the structure and pipework is clear and undamaged.

In addition, a surface water construction management plan has been submitted detailing how surface water will be managed during the construction phase. The plan sets out the construction planning, erosion, sediment and pollution control measures.

The LLFA consider the details relating to the onsite SUDS scheme for the long term management of surface water and the scheme for the management of surface water during the construction phase to be appropriate to serve the site. Compliance with the details submitted will be conditioned. Overall, the proposed surface water drainage proposals are considered to be acceptable in accordance with policy DM2 and are sufficient to discharge condition 6 of permission 15/00108/MOUT.

6.4 HIGHWAYS WORKS

The site access was determined at outline stage and is not a matter for consideration. A number of highways plans have been submitted detailing the works proposed to the highway, the site roads and footpath arrangements within the site, which will all be to an adoptable standard. The highways works largely comprise of widening of the existing carriage way and the relocation of the crossing island to facilitate the new footway; the creation of a site access and visibility splays, two on road bus pull ins complete with signage and shelters, and; relocated bar margins and an extended 30mph zone beyond the site entrance.

The Highway Authority has confirmed that they are happy with the submitted proposal and that the comments made have been addressed. There is one outstanding matter raised, that the verge area to roads 1 and 2 is not to an adoptable standard; the applicants have confirmed that this area will be managed by the site management company, as they do not wish for this to be hard surfaced, which would detract from the rural character of this part of the site. The only serviced potentially required on this strip is for three street lights. On this basis the Highway Authority has confirmed that the 500m verge is acceptable. Overall the highway works are considered to be acceptable in accordance with policy COR9 and are considered adequate to discharge condition 11 of permission 15/00108/MOUT.

A construction management plan has been submitted to address the requirements of condition 8 of permission 15/00108/MOUT. This details the location of the site accommodation, storage of plant and material including the location for loading and unloading, and the parking for site personnel, operatives and visitors [on plots 29 to 32]. Details have been provided of [amongst other things] the programme of works, working hours, and measures to control noise and dust. The submitted details are considered to adequately address the requirements of condition 8 of permission 15/00108/MOUT.

6.5 PARKING

The application site provides 118 parking spaces to serve the dwellinghouses, along with three visitor spaces located fairly centrally to the site. Every dwellinghouse has allocated parking. The one bed units are allocated a single space; all other units have two or three allocated spaces. The total overall provision is 1.96 spaces per dwellinghouse, which exceeds the policy requirement contained within DM8, which requires 1.7 parking spaces per dwelling across the site as a whole.

The parking has been designed to present a practical solution to parking for residents and visitors without impacting on the aesthetics of the streetscape. Whilst this has resulted in two small parking courts, which can generally be considered as undesirable, this parking solution is acceptable in this instance. The parking courts provided will not dominate the street scene and will be adequately overlooked through the incorporation of dwellings with primary living space on first floor level, boundary treatments that incorporate trellis for increased overlooking and parking that is generally well related to the dwellings the spaces serve. In addition, the development includes the ability to charge electric vehicles within the integral garages, equating to 10 percent of the total number of homes provided.

6.6 DESIGN OF HOUSING

The design of the proposed housing has been carefully considered and seeks to positively contribute towards its location, incorporating design elements found within the immediate surroundings. The development proposes to deliver a broad mix of housing, from one to five bed units. The housing numbers mix comprises of 39 open market dwellings and 21 affordable homes. The market dwellings comprise of 65 percent of the total number of dwellings on site, including one 2 bed apartment, eleven 3 bed houses, three 3 bed bungalows, twenty 4 bed houses and four 5 bed houses. All of the dwellinghouses meet or exceed the National floor space standards in terms of the overall floor space provided. Despite this, a small number of dwellings do not meet the standards in respect of minimum bedroom sizes and not all of the properties meet the built in storage space requirements. Given that the dwellings meet the overall size standard, the conflict with these specific elements of the guidance isn't considered so fundamental as to warrant the refusal of the application. Overall, the dwellings provide adequate and adaptable space for future occupiers in accordance with policies DM2 and DM15 [superseded by the National Space Standards].

In respect of sustainable design, the proposed development takes a fabric first approach driven by the building regulations requirements and is considered to adequately satisfy DM3 in this respect. The dwellings have been designed to maximise natural surveillance of the public realm and to maximise natural light intake along with the sites natural assets.

The materials proposed are considered to reflect the locality with a simple palette comprising of predominantly grey roofing materials [concrete tile and natural slate], with some red/brown roof tiles. The majority of the dwellinghouses have render walling with a palette of pastel colours, including yellow, lilac, blue, grey and white. The colours intend to give the streetscene some variation, adding interest and character to the scheme. The windows are

proposed to be UPVC and will vary in colour; the majority are proposed to be white, with some anthracite and some pale green. The fenestration detailing varies across the site, with simple rural character areas comprising of casement windows and simple canopy porch detailing. In contrast there are areas with a more formal character, which incorporate sash windows and door surrounds with top lights.

Overall, subject to conditions relating to the approved materials details [which have been submitted for approval in conjunction with this application], the design of the dwellings is considered to be of a generally high quality, in accordance with policies DM2 and DM14.

6.7 AFFORDABLE HOUSING

The submitted scheme incorporates 21 affordable houses, equating to 35% of the total housing number. The dwelling sizes and numbers are in accordance with S106; this includes six 1 bed units, nine 2 bed units and six 3 bed units. DCH will retain ownership of the affordable rented units. The overall tenure mix is proposed to be 11 properties for affordable rent (52.4 percent) and 10 properties for shared ownership (47.6 percent); this is considered to be appropriate and acceptable.

Policy AL/DE/5 guides that affordable housing should benefit from an inclusive design and layout and should be indistinguishable from the market homes. In addition, the policy states that particular concentrations of affordable dwellings should be avoided. The affordable houses are distributed across the site in clusters of less than 10. The cluster in the centre of the site is designed as such for management purposes but will not appear as a cluster as the properties benefit from different outlooks across the site and are in a prominent position overlooking some of the key green spaces within the site. The 1 bed houses are a particular asset to the site, providing generous living accommodation that benefits from natural light, as well as providing the occupiers with private external amenity space. The remaining affordable units are located on the site's western boundary, with small pockets of affordable units next to the market dwellings. Overall, the distribution of the affordable units has been justified and is considered to adequately meet the policy requirement.

All of the affordable homes share the same palette of materials as the market housing and elevational details. In addition, all of the 2 and 3 bed affordable homes have been designed to the lifetime homes standard; this equates to 25% and exceeds the policy requirement contained within policy MHN/4. The design, materials, location and mix of affordable housing is considered to be acceptable in accordance with policies DM2, AL/DE/5 and MHN/4.

During the course of the reserved matters application it was brought to the attention of your Officers that the original S106 agreement in relation to the outline permission (15/00108/MOUT) doesn't include Uffculme within the cascade of parishes with priority for the occupation of the affordable dwellings. At the request of your Officers, a revised S106 has been drafted to include Uffculme and Halberton as the parishes with joint priority over the affordable dwellings. The revised S106 is being considered separately as an agenda item at this committee [29th November 2017]. The S106 also amends the ownership details to reflect the current single ownership and in turn removes the restriction relating to the Harding land and removes the associated supplemental deed. In all other respects the S106 agreement reflects that previously agreed.

6.8 LANDSCAPING, PUBLIC OPEN SPACE AND ECOLOGY

Landscaping:

A plethora of documents have been submitted relating to the site landscaping operations, maintenance, tree removal and retention, and tree protection. In summary, the landscaping operations comprise of a new hedge bank to the northern boundary with Uffculme road in

front of plots 1 to 6; a substantial amount of new tree planting is proposed in the public open space area, around the housing and to strengthen the existing boundaries to replace the trees lost at the entrance and to result in a net gain in trees on the site. The landscaping includes the planting of specimen shrubs and herbaceous planting, along with amenity grass mixes, wetland meadow grass, wildflowers and wetland shrubs within the public open space areas.

Condition 10 of the outline permission required the submission of an arboricultural report. An arboricultural report has been submitted in support of the current application, from which it is clear that the layout has taken consideration of the existing mature and veteran trees on the site. The key mature and veteran trees will be protected during and post-construction and will be incorporated into scheme with sufficient root protection zones that will remain undeveloped save for a footpath. While ideally there would be no hard surfacing within the RPA of any of the trees T8, T9 and T10, the rearrangement of the path does ensure that it is outside of the RPA of T9. The construction of the path is dealt with in the Arboricultural Method statement in chapter 4, with a porous non slip surface still to be determined. In addition future pedestrian access under the canopy of the trees will be discouraged. The Arboricultural Method Statement, the landscaping works and tree protection measures are considered to be acceptable, in accordance with policy DM2 and sufficient to discharge condition 10 of permission 15/00108/MOUT.

Public open space:

The proposed site incorporates a large area of public open space [POS] located on the southern boundary of the site, this area amounts to almost 30 percent of the total site area. The POS will create new habitats and is capable of generating a net biodiversity gain for the site. Pedestrian and ecological movements have been key drivers for the final scheme and the layout incorporating green infrastructure connects existing habitats, creates newly planted areas and provides a range of public spaces across the site.

Upon the completion of the development the open space area will be transferred to a management company who will be responsible for maintenance and management, details of the soft landscaping specification and maintenance operations have been submitted. The POS area will be allowed to grow in the summer to create a grass meadow, but is proposed to have cut paths and will provide seating in the form of benches and picnic tables and benches to encourage its use. The creation of this public open space area is a positive benefit of the scheme that will create a pleasant and useable space for residents and provides a buffer between the built form and the rural surroundings. The public open space provided is in compliance with the requirements of policy DM28.

Ecology:

In respect on ecological mitigation and enhancement, an Extended Phase 1 Survey and Phase 2 Bat Survey were submitted in support of the outline planning application. Walkover surveys were carried out in September 2016 and June 2017 to update the previous surveys details of which have been submitted.

The Phase 2 Bat survey submitted concerned a dying Oak tree on site with high bat roosting potential. No bats were observed emerging or entering the tree during the two dusk emergence surveys and the single dawn re-entry survey. The survey was to inform the removal of the tree on health and safety grounds, this work has since been undertaken.

The substantial amount of new tree planting within the POS is considered to mitigate the tree removal associated with the site access and will significantly increase the number of trees on the site. The trees in the POS area have been specifically chosen to thrive in this wetland

location. In addition, the grass will be allowed to grow and form a meadow in the summer, this will benefit wildlife and the previous land use was as an arable field.

The proposed scheme incorporates built in bird and bat boxes which seeks to achieve a net gain in biodiversity. Bird boxes will be provided on east and north facing elevations and bat boxes on the south and west elevations; they will be integrated into garages to avoid direct illumination and will be above 2 metres high in the apex. Overall, it is considered that the proposed measures are capable of resulting in a net gain to the biodiversity interests of the site in accordance with criterion [a] of DM28.

6.9 ARCHAEOLOGY

An archaeological report has been submitted in support of this application, detailing the results of a trench evaluation, used to establish the presence of any archaeological features within the site. The investigations comprised of 11 machine excavated trenches, totalling 520 metres in length. Only limited evidence for archaeology was present, comprising of three field boundaries and a small quantity of post-medieval artefacts. Consequently, the site is considered of low archaeological potential or interest. The archaeological investigations on the site have been completed, Devon County Council Historic Environment Team are satisfied with the work undertaken and have confirmed that no further mitigation is required. In this respect the proposal accords with policy DM27, the NPPF and condition 9 of permission 15/00108/MOUT.

6.10 SEWER CAPACITY

A report has been submitted in relation to sewer capacity. Hydraulic modelling analysis has been undertaken to determine the impacts of the proposed development on the existing sewerage infrastructure. Following this exercise, it is concluded that there are 3 locations where manholes are recognised to have a low risk, but are identified as flooding out significantly with the existing case. This is as a result of existing pipe incapacity. To mitigate the increase in flood volumes from these manholes an engineered solution on its own is not viable, due to their cover levels being significantly lower compared to the levels in upstream sewers. The levels prevent provision of a storage facility upstream. In order to have some form of control and mitigation South West Water (SWW) will require the developer to requisition the on-site pumping station to allow SWW to inhibit the pass forward flow to the Uffculme SPS.

In addition, in one location the surcharge level predicted is greater than 20mm, the freeboard in this location is 0.296m, however there are no properties in the vicinity of the manhole with any flooding history.

The report concludes that the connection of this development to the public foul sewerage system is not predicted to cause a significant deterioration in the levels of service currently afforded to existing SWW customers in the area. On this basis, there is considered to be adequate sewer capacity to dispose of foul sewage, in accordance with the requirements of policy DM2 and condition 12 of permission 15/00108/MOUT.

7.0 SUMMARY

The proposal is acceptable in principle; outline planning permission has previously granted [reference: 15/00108/MOUT]. The only matter for consideration at outline stage was access; all other matters were reserved. This is the reserved matters application that seeks such approval for the appearance, landscaping, layout and scale and as such, this assessment

has restricted itself to those matters.

The proposed layout and density of the site respects its rural surroundings, the site layout is considered to create a high quality place which takes into account the physical context, local character and surrounding density and land use mix. The site will be served by a suitable sustainable urban drainage system and will not increase flood risk elsewhere; in addition, there is sufficient sewer capacity to serve the proposed development. The dwellings provided are of a generally high quality design, are sufficiently sized to meet the changing needs of future occupiers, and will be served by adequate parking and private amenity space. In addition, the design, materials, location and mix of affordable housing is considered to be acceptable.

The scheme retains the mature and veteran trees on site and provides a comprehensive landscape and public open space proposal, which provides opportunities to enhance the biodiversity and ecological interests of the site.

Overall, the proposal is considered to be in accordance with policies DM2, DM3, DM4, DM6, DM8, DM14, DM15 and DM28 of the Local Plan Part 3 [Development Management Policies]; COR1, COR2, COR3, COR8, COR9, COR11, COR17 and COR18 of the Mid Devon Core Strategy; policies AL/DE/3, AL/DE/5, AL/IN/3 and AL/IN/5 of the Allocations and Infrastructure Development Plan Document; Meeting Housing Needs SPD [2012], Parking provision in new development SPD [2013], Refuse Storage for New Residential Properties SPD [2017], and; the National Planning Policy Framework.

8.0 CONDITIONS AND REASONS

1. The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule on the decision notice.

REASON: For the avoidance of doubt in the interests of proper planning.

2. Notwithstanding condition 1 above, the layout for plots 43 and 44 and their parking areas, the private driveway serving such properties and the fencing between T8 and plot 45 shall be constructed in accordance with the submitted Proposed Site Layout, drawing number P1545:03 Revision D, submitted to the Local Planning Authority on the 15th of November 2017.

REASON: To ensure the approved development is built out in accordance with correct approved plans to ensure adequate parking is provided and no fencing is within the root protection Zone of T8, in accordance with Policies DM2 and DM8 of the Local Plan Part 3 (Development Management Policies).

3. The construction phase of the development shall at all times be carried out in accordance with the Construction Management Plan [Surface Water] [Ref: 16.407, dated November 2017] and received by the Local Planning Authority on the 7th of November 2017.

REASON: To ensure surface water is appropriately managed during the construction phase of the development to ensure flood risk isn't increased elsewhere, in accordance with Policies DM2 of the Local Plan Part 3 (Development Management

Policies) and COR11 of the Mid Devon Core Strategy (Local Plan Part 1).

4. The approved Surface Water Drainage Scheme shall be fully operational prior to the occupation of any dwellinghouses on the site or part thereof and shall be maintained thereafter in accordance with the submitted maintenance details.

REASON: To ensure surface water is appropriately managed on site to ensure flood risk isn't increased elsewhere, in accordance with Policies DM2 of the Local Plan Part 3 (Development Management Policies) and COR11 of the Mid Devon Core Strategy (Local Plan Part 1).

5. Foul drainage from the Development (and no other drainage) shall be connected to the public foul or combined sewer.

REASON: To ensure the discharge of drainage from the Development shall not be prejudicial to the public sewerage system and ensure there are adequate public foul sewerage facilities to receive foul water flows, in order to safeguard the public and environment.

6. All planting, seeding, turfing or earthworks comprised in the approved details of landscaping as shown on the submitted plans, shall be carried out within 9 months of the substantial completion of the development, (or phase thereof), whichever is the sooner; and any trees or plants which within a period of five years from the implementation of the scheme (or phase thereof), die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. Once provided, the landscaping scheme shall be so retained.

REASON: To ensure that the development makes a positive contribution to the character and amenity of the area in accordance with Policy DM2 of the Local Plan Part 3: (Development Management Policies).

7. Off-Site Highway Works No occupation of the development shall take place on site until the off-site highway works in accordance with drawing no. 16407-004-C have been constructed and made available for use.

REASON: To minimise the impact of the development on the highway network in accordance with paragraph 32 of National Planning Policy Framework.

8. The following materials are considered to be acceptable: Redland Mini Stonewold roof tile in Slate Grey; Redland Mini Stonewold roof tile in Breckland Brown; Brazillian slate in Natural Green/Grey; Grecon Architectural Stone 'Minster' for cills and door surrounds; Ibstock Ivanhoe Katrina Multi bricks; Marshalls Brindle Block Paving. The approved materials shall be so used and retained.

REASON: To ensure that the development makes a positive contribution to the character and amenity of the area in accordance with policy DM2 of the Local Plan Part 3: (Development Management Policies).

9. The development shall not be commenced until the trees shown for retention within the approved plans as detailed in the Arboricultural Impact Assessment Report prepared by Devon Tree Services have been protected in accordance with the Arboricultural Method Statement contained in Part 9 of the report dated 28th July 2017 reference DTS14.100.2.AIA. The tree protection measures shall be maintained during the whole period of site excavation and construction. The area surrounding each tree/hedge within the approved protective fencing shall remain undisturbed during the course of the works, and in particular in these areas:

1. There shall be no changes in ground levels;
2. No materials or plant shall be stored;
3. No buildings or temporary buildings shall be erected or stationed.
4. No materials or waste shall be burnt; and

5. No drain runs or other trenches shall be dug or otherwise created, without the prior written consent of the Local Planning Authority.

REASON: In order to ensure that damage does not occur to the trees during building operations in accordance with Policy DM2 of the Local Plan Part 3 (Development Management Policies).

Contact for any more information

Hannah Cameron Planning Officer
01884234218

Background Papers

Local Plan, NPPF

File Reference

17/01370/MARM

Circulation of the Report

Cllrs Richard Chesterton
Members of the Planning Committee