

PLANNING COMMITTEE AGENDA - 3rd November 2021

Applications of a non-delegated nature

UPDATES

THE PLANS LIST	
1.	<p>21/00454/MARM - Reserved Matters (appearance, landscaping, layout and scale) for 164 dwellings with the provision of public open space, vehicular and pedestrian access, landscaping, drainage and related infrastructure and engineering works following Outline approval 14/00881/MOUT - Land East of Tiverton, South of A361, and Both North and South of Blundells Road Uplowman Road Tiverton.</p> <p>Revised Drawing: EV Charging Layout. Dwg No: POST-21-04-10 Rev G Response: Revised drawing submitted to reflect a more even distribution across the development. 48 charging points identified: Fourteen (x14) north of Blundell's Road and thirty four (x34) south of Blundell's Road. Please refer to detailed response in Officer report (Para 9.1).</p> <p>Consultee Comments: Historic Environment team – 19 October 2021 Neither an objection nor support for Planning Application 21/00454/MARM: A programme of archaeological work is currently on going within the area subject to this reserved matters application in accordance with an agreed written scheme of investigation and, as such, the Historic Environment Team has no comments to make on this current planning application. Response: consultee comments noted. No further action required.</p> <p>Historic Environment team – 21 October 2021 Neither an objection nor support for Planning Application 21/00454/MARM: While the Historic Environment Team has informally approved the written scheme of investigation prepared by Cotswold Archaeology, and that archaeological works are underway on site, I am unaware that this document has been formally submitted to the Planning Authority to comply with Condition 15 on the consent granted for the outline application 14/00881/MOUT. I would be grateful if you could make the applicant aware of the outstanding requirement for the formal submission and approval of the agreed written scheme of investigation to comply with the above mentioned condition. Response: The concerns raised are included as an Informative in the Officer Report. No further action required.</p> <p>Tiverton Town Council – 19 October 2021 The earlier comments previously made by the council remain. Whilst it is appreciated that the developer has made some changes following our recommendations they are fairly minor and many issues have not been addressed. The report submitted by the Tiverton Civic Society which contained many valued points seems to have been mainly ignored. We therefore feel that the developer should revisit the comments and come up with a better amended plan taking those points in to consideration. There would seem to be little if no provision for electric charging points in the large affordable housing block. Can the developer explain the reason for this when we are being pushed towards electric vehicles?</p> <p>Response: revised drawings including (but not restricted to) a revised playing layout, wider distribution of house types, introduction of new house types, enhanced consideration of the Blundell's Conservation Area, introduction of children's play space, change in height, scale and massing of apartment block 2, amended landscape and boundary enclosures, increased depth of landscape buffer south of Blundell's Road, enhanced EV charging provision and changes in the density and distribution of development are a number of changes introduced into the scheme following additional Member and stakeholder consultation. Officers advise that a comprehensive</p>

consideration of the overall design, scale and layout has been given.

As regards to EV charging provision the proposed scheme is providing a significant over provision, 32 in excess of policy requirements. Policy DM5 requires infrastructure for electric vehicles to be built into development without specifying its allocation to unit types.

Tiverton Civic Society – 21 October 2021

Most of our original objections remain, as well as our statement and question on Affordable housing submitted at the MDDC Planning Committee on July 28th. In particular, we emphasise the following points:

- The application remains non - compliant with the NPPF, para 132 relating to early discussion with the local community.
Response: Please refer to detailed response in the Officer report to Planning Committee 28th July 2021, section titled Proposed Development, para 9.1.
- The overall distribution of Affordable Housing remains highly unsatisfactory needing to be integrated with the provision of private housing to promote the creation of mixed and balanced communities. Affordable housing should be indistinguishable from market housing in terms of its visual appearance and its location within the development site and should contribute positively to the high-quality urban design of the scheme
Response: Please refer to detailed response in the Officer report 3rd Nov, para's 5.1 – 5.2.
- Whilst the applicants are correct in stating that the Mid Devon Local Plan Policy DM5 calculates that they are required to provide 16 or 17 electric charging points, and it is gratifying that they are providing 48, surely it would be more sensible with the surge in demand for electric cars and plug-in hybrids, and future developments in the Eastern Urban Extension all being required to provide EV charging points that it is not provided now.
Response: the application represents an over provision in policy terms. Please also refer to detailed response in the Officer report 3rd Nov, para 9.1.
- The proposed development is a standard design replicated in many parts of the country. The development of 'character areas' and 'heritage ranges' is no substitute for local distinctiveness. The development shows minimal appreciation of the local context.
Response: Please refer to detailed response in the Officer report to Planning Committee 28th July 2021, para 3.11.

Consultee Comments:

The objection letters submitted are available and can be read in full from the Mid Devon District Council Planning portal.

6 x letters of objection. The main points including:

- The linking road (north of Blundell's Road) towers over the garden fence to our property in Pool Anthony Drive. This is a violation of privacy with vehicles looking directly into our property. Without an appropriate barrier the increase in noise will be significant.
Response: an acoustic barrier has been constructed in accordance with Application No. 16/01759/FULL. The proposed apartment block (Units 148-156) will act as a visual and noise barrier between vehicles using the linking road and existing

properties on Pool Anthony Drive. Officers can advise that vehicles using the linking road, will not be able to achieve direct views into properties on Pool Anthony Drive. The spur to the Left-in-left-out junction will serve vehicles travelling in a west bound direction; no direct views or head lights will be directed towards existing properties on to Pool Anthony Drive. The detailed landscape Plan (Dwg No. edp6162_d018g, Sheet 2 of 8) identifies a new hedge between apartment block 148-156 and the existing mature boundary on the northern edge of the application site, with 6 hedge species proposed. This will provide additional remediation.

- The car park (associated with Unit No.s 148-156) to the rear of properties in Pool Anthony Drive will, I imagine, also be built up, meaning people can look straight over our garden boundary into our property.
Response: Dwg No. Engineering Strategy 15255-hyd-xx-xx-dr-c-3501 Rev PO1 provides details of ground levels. The point of entry into the apartment car park will have limited impact on the privacy of existing properties where the hedgeline between the existing properties and the development site is at its weakest for providing a visual barrier.
- The application does not comply with the policy expectations relating to visitor parking provision. Visitor parking being poorly located.
Response: Parking provision complies with policy expectations (Dwg No. POST-21-04-10 G). Please refer to detailed response in the Officer report to Planning Committee 28th July 2021, Para 3.12.
- Tandem Parking spaces does not encourage householders to park on their driveways instead resulting in a higher insistence of on-street parking. Visitor spaces will be taken up by those not parking on their drive.
Response: Please refer to detailed response in the Officer report to Planning Committee 28th July 2021, Para 3.12.
- The application does not comply with the Tiverton EUE key design principle relating to the 'centre to edge' and 'garden village' principle.
Response: Please refer to detailed response in the Officer report to Planning Committee 28th July 2021, Para's 3.10, 3.18 and 3.19.
- The application does not comply with the Tiverton EUE key design principle relating to character areas; the application artificially creating 5 new character areas.
Response: Please refer to detailed response in the Officer report to Planning Committee 28th July 2021, Para's 3.10 and 3.21. Also the Officers report 3rd November paras 4.1 – 4.2.
- The application has created high density housing areas in locations that defeat the Tiverton EUE Design Guide expectations.
Response: Please refer to detailed response in the Officer report to Planning Committee 28th July 2021, Para's 3.9 and 3.10. Also the Officers report 3rd November paras 1.1 – 1.2.
- The applicant has totally removed all cycle lanes.

	<p>Response: Please refer to detailed response in the Officer report to Planning Committee 28th July 2021, Para’s 2.7, 2.8 and 3.7.</p> <ul style="list-style-type: none"> • The applicant has created high density housing areas in locations that defeat the Tiverton EUE Design Guide expectations of sympathetic design to existing properties. Response: Please refer to detailed response in the Officer report to Planning Committee 28th July 2021, Para’s 3.9, 3.10, 3.16 and 3.17. Also the Officers report 3rd November para’s 1.1 – 1.2, 2.1 – 2.5, 4.1 – 4.2 and 7.1. • The applicant has not conformed to the Tiverton EUE Masterplan SPD or Design Guide Key Principles by not following the prescribed process (relating more specifically to the Urban Design and Architectural Principles document and Design Review Panel process); to the detriment in particular to existing residents. Response: Please refer to detailed response in the Officer report to Planning Committee 28th July 2021, section titled Proposed Development, para 1.9, 1.10, 3.2, 3.3, 10.2, 10.3 and section titled Reasons for Approval of permission. • The applicant has totally removed all provision of on-road parking as detailed in the Tiverton EUE Masterplan SPD and Design Guide failing to encourage walking, cycling and public transport ahead of car use. Response: Parking provision complies with policy expectations providing a majority of on-plot parking (Dwg No. POST-21-04-10 G). Please refer to detailed response in the Officer report to Planning Committee 28th July 2021, para 2.3, 2.7, 3.1, 3.8, 3.12 with regard to the achievement of sustainable development and better places in which to live and work. • The approach to Blundell’s Road from the A361 should be fronted by 2 storey buildings with references in local stone, a wide boulevard with cycle lanes. Taller buildings should be nearer the centre. Response: Hybrid application (14/00881/MOUT) established the width and detail of the A361 and Blundell’s Road linking road. This application seeks to establish the form of development either side of the linking road. Please refer to detailed response in the Officer report to Planning Committee 28th July 2021, Para 2.7 that sets out the principles of development, para 3.8 establishing a hierarchy of streets and para 3.21 for negotiated amendments to this part of the development. • The EUE Design Guide references the creation of green boulevards, street trees and on secondary streets on-street parking. Response: Applications 14/00881/MOUT and 21/00374/MARM relate to the development of the green boulevards. Please refer to detailed response in the Officer report to Planning Committee 28th July 2021, para 2.7 that sets out the principles of development, 3.22 for street trees and para 3.12 for parking provision and policy compliance. • Page 53 of the EUE Design Guide describes the approach to the intersection between Blundell's road and the new boulevards as 'a distinctive and high quality urban plaza' with central open space. The proposal materially compromises what was originally intended.
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	<p>Response: Page 53 of the EUE Design Guide is referring to the neighbourhood centre; a part of the EUE that does not form part of this application area and will be addressed through a future application.</p> <ul style="list-style-type: none"> • A children's playground has been sited bang next to a noisy, busy and possibly treacherous main road, the volume of which will only increase dramatically with the arrival of further housing in subsequent years. Play zones should be friendly, safe, accessible and integral to the livelihoods of young children. Response: Please refer to detailed response in the Officer report to Planning Committee 3rd Nov para 6.1. Also the Officer report to Planning Committee 28th July 2021, para 3.7 and the Tiverton EUE Masterplan SPD that identifies as part of the phased development of the EUE, multi-functional community hubs. • It is disappointing beyond belief that cycle lanes are not included in the main boulevard. Cycle lanes should connect all areas and reach the employment centre. Tiverton has some areas of cycle lanes but there needs to be a more consistent strategy. Response: Applications 14/00881/MOUT and 21/00374/MARM relate to the development of the green boulevards. Please refer to detailed response in the Officer report to Planning Committee 28th July 2021, para's 2.7 - 2.9 and 3.7. • Why are solar panels and heat pumps not being installed as part of the development? Why is this development using gas overall for its energy? Response: Please refer to detailed response in the Officer report to Planning Committee 28th July, para 3.27 referring to the fabric first approach. Also the Officer report for 3rd Nov, para 9.1. • We need to create environments for the future which foster mental health, protect biodiversity, maximise sustainability, promote heritage value and consequently encourage strong communities that put welfare and community at the forefront. Response: Please refer to the Officer report to Planning Committee 28th July that seeks to confirm the comprehensive approach to development, including recognition of future phases of development that will deliver community facilities in the form of a community centre and country park. • The self-build homes (outside the application area, north of Blundell's Road) should have a service road from the rear. Response: Please refer to the Officer report to Planning Committee 3rd Nov para 10.1 • There is a lack of provision for children to cross the main roads to the primary school. Response: Devon County Council in approving the technical drawings for the linking road (north of Blundell's Road), the planning application for the primary school, the spine road (south of Blundell's Road) and Phase 2 traffic calming measures (Blundell's Road / Post Hill) will all address this issue. • Two bungalows to the rear of existing properties south of Blundell's Road is not enough. Response: Please refer to the Officer report to Planning Committee 3rd Nov para
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7.1.

- The existing properties, south of Blundell’s Road will lose their southern vistas. This is inequitable.
Response: the application site is an allocated site with outline planning consent. Please refer to the Officer report to Planning Committee 28th July, Para 3.16. Also the Officer report to Planning Committee 3rd Nov para’s 2.1 – 2.5.
- Why have normal working hours been agreed with a 7.30 start; earlier than other sites?
Response: Condition 14 of application 14/00881/MOUT has not been discharged confirming hours of work.

Updated Reports

Two updated reports have been received – amended to reflect the updated Detailed Landscape Design referenced in the Officer’s report at ‘Applicant’s Supporting Information’. The updated reports include the:

Habitat Assessment and Mitigation Plan

(211029_P1046_Habitat_Assessment_and_Mitigation_Plan – Finalv2 Dated November 2021); and

Landscape and Management Plan (edp6162_r005e, Dated November 2021)

Response: The updated Habitat Assessment and Mitigation Plan and Landscape and Management Plan do not have a material effect upon the measures and recommendations of the documents; simply for consistency that they reflect the latest landscape details.

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Landscape and Management Plan (edp6162_r005e, Dated November 2021)

Response: To reflect the updated reports the reference numbers within Condition 11 also require updating. The revised wording for Condition 11 is proposed as follows:

No development shall take place on the site except in accordance with the details set out within the submitted Landscape Management Plan (November 2021; edp6162_r005e) and Habitat Assessment and Mitigation Plan (November 2021;

	211029_P1046_Habitat_Assessment_and_Mitigation_Plan - Finalv2). The recommendations in the Landscape Management Plan (June 2021) and Habitat Assessment and Mitigation Plan (March 2021) shall be adhered to throughout the construction period and the development shall be operated thereafter only in accordance with the management provisions set out within them.
2.	20/01458/FULL - Erection of single storey extension to Care Home - Ashdowne Care Centre Ashdowne House Orkney Mews.
3.	21/00152/FULL - Change of use from place of worship to residential dwelling together with external alterations - Gospel Hall Peter Street Bradninch.
4.	21/01079/FULL - Change of use of land for the siting of a temporary worker's dwelling (log cabin) for three years (Revised Scheme) - Land at NGR 316266 116080 (Poachers Rest) Clayhidon Devon. Public Health withdraw their holding objection with regard to drainage now a package treatment plant is proposed
5.	21/00887/FULL - Erection of 5 dwellings with associated works following demolition of existing agricultural building - Land at NGR 278841 104538 (Linscombe Farm) New Buildings Sandford.
6.	21/01764/TPO - Application to reduce height by 3m and canopy spread on north side by 2m of 1 beech tree (T1) and fell 2 ash trees (T2 and T3) protected by Tree Preservation Order 80/00001/TPO - Land at NGR 294817 112951 (South Of 45 Derick Road) Patches Road.
