

PLANNING COMMITTEE AGENDA - 6th April 2016

Applications of a non-delegated nature

- | <u>Item No.</u> | <u>Description</u> |
|-----------------|---|
| 1. | <p>15/01604/MFUL - Erection of 5 poultry units (5040 sq. m) and biomass boiler unit; formation of attenuation pond, access track, and hardstanding; landscaping; and associated infrastructure at Land at NGR 288027 116786 (Gibbett Moor Farm), Templeton, Devon.</p> <p>RECOMMENDATION
Grant permission subject to conditions.</p> |
| 2. | <p>15/01822/MFUL - Erection of 45 Extracare apartments and provision of associated communal facilities, car parking and landscaping, renovation of Alexandra Lodge following demolition of former stable block and extensions at Alexandra Lodge, 5 Old Road, Tiverton.</p> <p>RECOMMENDATION
Refuse permission</p> |
| 3. | <p>15/01824/LBC - Listed Building Consent for the erection of 45 Extracare apartments and provision of associated communal facilities, car parking and landscaping, renovation of Alexandra Lodge following demolition of former stable block and extensions at Alexandra Lodge, 5 Old Road, Tiverton.</p> <p>RECOMMENDATION
Refuse Listed Building Consent.</p> |
| 4. | <p>15/02004/FULL - Conversion of redundant building to dwelling at Holes Cottage, Bary Close, Cheriton Fitzpaine.</p> <p>RECOMMENDATION
Grant permission subject to conditions.</p> |
| 5. | <p>16/00030/HOUSE - Conversion of garage to reception room, erection of first floor extension above and erection of detached garage at 6 Blenheim Court, Willand, Cullompton.</p> <p>RECOMMENDATION
Grant permission subject to conditions.</p> |

Application No. 15/01604/MFUL

Plans List No. 1

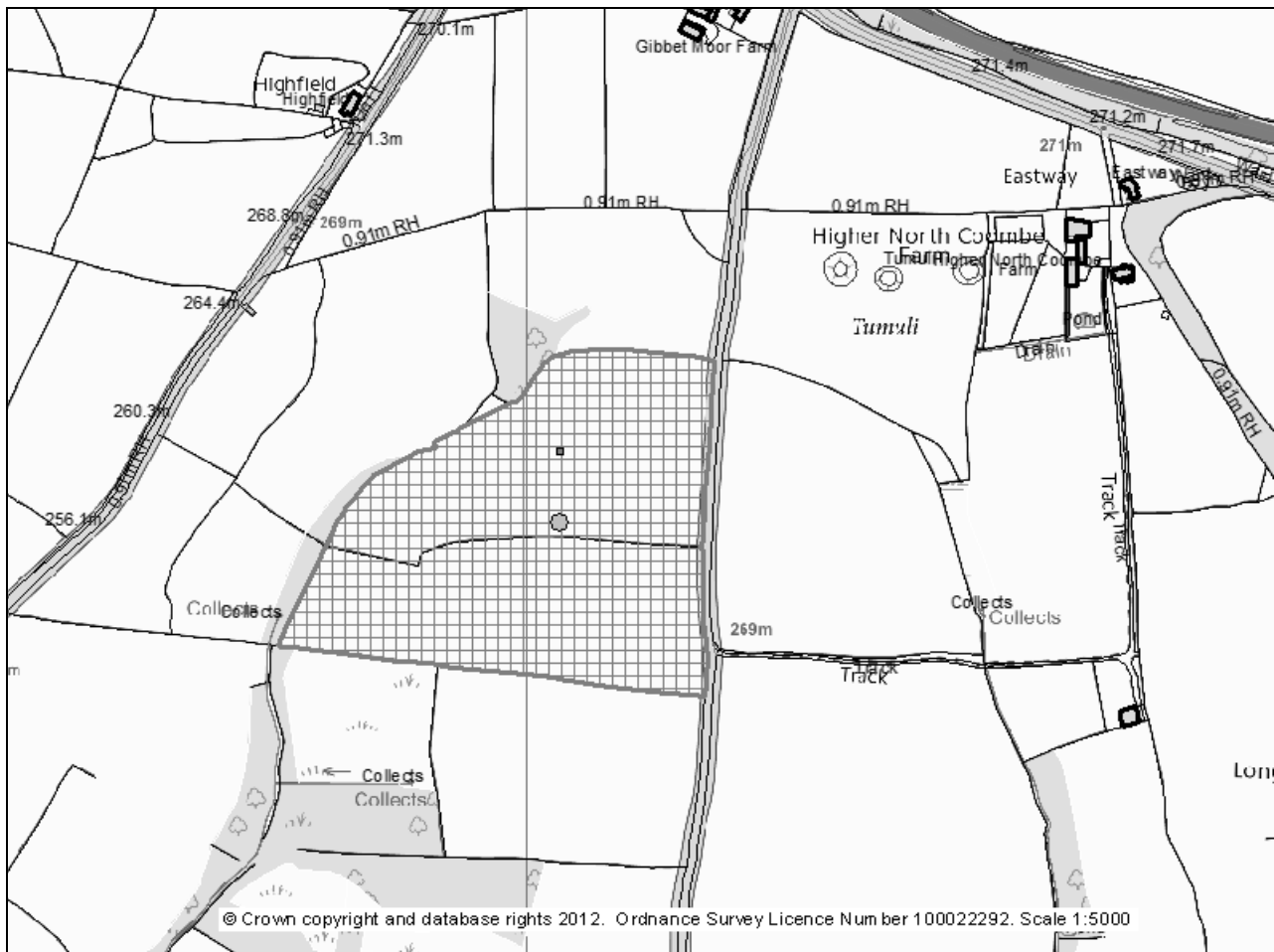
Grid Ref: 288027 : 116787

Applicant: Greener For Life

Location: Land at NGR 288027 116786
(Gibbett Moor Farm) Templeton
Devon

Proposal: Erection of 5 poultry units (5040
sq. m) and biomass boiler unit;
formation of attenuation pond,
access track, and hardstanding;
landscaping; and associated
infrastructure

Date Valid: 5th November 2015



Application No. 15/01604/MFUL

RECOMMENDATION

Grant permission subject to conditions.

PROPOSED DEVELOPMENT

The application seeks planning permission for the erection of 5 poultry units (5040 sq. m), a biomass boiler unit, formation of attenuation pond, an access track, hardstanding, landscaping and associated infrastructure on land to the south of Gibbett Moor farm, Templeton (NGR 288027 116786). The proposed development is on undeveloped agricultural land covering approximately 7 hectares in area, and is approximately 250metres south of the existing farmstead (Gibbett Moor). The site is 3.5km east of the village of Rackenford, 3.5km north of Templeton, 6.3Km north of Nomansland (approximately 15 minute drive time) and 350metres to the south of the A361. The site is accessed via a single track unclassified road to the east. Gibbett Moor Farm includes an existing dairy unit, as well as associated agricultural facilities.

The application site consists of two fields separated by approximately 240metres of hedgerow and 80metres of fence. The site slopes gently from east to west, and is surrounded by well-established hedgerow including a small amount of native woodland to the west. The nearest development to the site is an agricultural livestock building, 20metres to the south east of the site. The nearest residential dwellings which are not associated with the application are 300metres to the west and 320metres to north east of the site. The site is 110 metres from a scheduled ancient monument, described by Historic England as Three Bowl Barrows.

The description of development is as follows:

- Each of the five poultry rearing sheds shall measure 80 metres in length by 12.6 metre width. This gives a floor area of 1008 square metres per building. The buildings have a proposed eaves height of 2.9 metres and a maximum ridge height of 4.2 metres. The sheds are to be constructed using a steel frame system with a timber roof structure to support a pitched roof. Walls will be insulated panels and will extend to 1 metre above ground level, incorporating polycarbonate sections with an open section above. Double opening doors are proposed in each gable end and underground tanks are proposed to hold dirty water which is collected from the clean out of each shed. Each shed will sit on a concrete base with an apron beyond the building dimensions
- A Biomass plant room designed with a mono pitch roof with dimensions of 11.4 metres by 3.8 metres with a maximum height of 3.9 metres.
- Two feed silos are proposed at the end of each shed. They will have a footprint of 3.5 metres by 3.5 metres with a height of just less than 7 metres.
- A small site office building is proposed with a gable roof. The dimensions of which are 6 metres by 3 metres and just under 3 metres in height.
- An attenuation pond is proposed beyond the southernmost poultry shed close the south west boundary. This shall measure 7 metres in width and 20 metres in length.

A total of 60,000 birds are to be housed across the five sheds which will operate on a 56 day cycle, with seven to ten days between cycles reserved for the cleaning of the sheds. This equates to no more than six cycles per year. The proposed poultry sheds will operate on an alternative cycle to the proposed and existing sheds at Menchine and Edgeworthy Farms and will generate waste equivalent to 120 tonnes per cycle, or 820 tonnes each year.

The proposal will result in the generation of additional vehicle trips using the public highway. For each cycle (of up to 66 days) the total number of vehicular trips that can be expected to arrive and depart from the site per cycle is set out below:

- At the beginning of each cycle, there would be two deliveries to the site for the delivery of chicks from the hatchery in Kentisbere. These deliveries would be undertaken over two days, generating one trip to the site per day or two vehicular movements per day (4 vehicular movements per cycle).
- Up to ten articulated vehicles delivering feed to the site throughout each cycle. This will generate a maximum of two vehicular trips to site each week (20 vehicular movements per cycle).

- It is expected there would be nine loads required to transport birds to the processing plant at the end of each cycle, generating nine trips. This is to be undertaken overnight, however, it should be noted that the farmer has no control over these collection times because they are set by the processing plant's requirements (18 vehicular movements per cycle).
- At the end of the cycle, cleaners would visit the site to clear, wash and disinfect the sheds. Over a period of two days they will use a 12 metre rigid HGV to transport their equipment onto site, resulting in a maximum of two trips (4 vehicular movements per cycle).
- A tanker will transfer waste water from the holding tanks after clean out resulting in an additional two vehicular movements (2 per cycle).
- Vets and maintenance teams are expected to visit the sheds with three trips (6 movements per cycle). In addition, a site manager will also generate an additional but small number of movements.
- There will be three deliveries of bedding per year and 12 deliveries of wood chip to run the boiler heating system (30 movements per annum).
- In each cycle there will be nine deliveries of poultry litter from Gibbett Moor Farm to the Menchine Farm AD plant to be used as feedstock. This equates to 54 deliveries annually. Note: The TPA Technical Note received on the 8th January 2015 confirms these trips will already be on the network because they relate to an existing process for another site. As such they are not considered to be additional, new trips to and from the site (see additional comment below).

The cumulative total of vehicle movements associated with the proposed development would be up to 70 vehicle movements per cycle or 420 movements per annum, and the majority of these movements will be accommodated via the A361, with the exception of the transfer of waste from the site.

Movement of waste: Poultry litter from the proposed poultry sheds will be transported to the AD plant at Menchine Farm via Nomansland. The estimated tonnage of waste produced per cycle per shed is 24 tonnes per shed. As such this equates to 120 tonnes per cycle. The load carrying capabilities of the trailers which will be designated for the transportation of waste from Gibbett Moor Farm to Menchine Farm are tractors and trailers with the capacity to hold 14 tonnes per load. Therefore, at the end of each cycle there would be up to nine vehicular trips (18 movements) associated with the movement of waste between Gibbett Moor Farm and Menchine Farm. This equates to 108 movements per year.

The application has been submitted by Pegasus Group on behalf of the Greener for Life group (GFL).

APPLICANT'S SUPPORTING INFORMATION

Statement of Community Engagement
 Drainage Information
 Erratum Notice
 Wildlife Checklist
 Addendum to Historic setting assessment
 Design and Access Statement
 Environmental Statement - Non Technical Summary
 Heritage Desk Based Assessment
 Planning Statement
 Environmental Statement Vol 1
 Environmental Statement Vol 2
 Environmental Statement Vol 3
 EA screening report Land at NGR 285047 114124 (Edgeworthy Farm) Nomansland Devon
 Transport Technical Note
 Ammonia Assessment
 Archaeological Trench Evaluation
 TPA Transport Technical Note: December 2015

PLANNING HISTORY

15/00867/SCR Environmental Impact Assessment Screening Opinion for the erection of 5 poultry sheds - CLOSED

DEVELOPMENT PLAN POLICIES

Mid Devon Core Strategy (Local Plan 1)

COR1 - Sustainable Communities
COR2 - Local Distinctiveness
COR5 - Climate Change
COR9 - Access
COR18 - Countryside

Mid Devon Local Plan Part 3 (Development Management Policies)

DM1 - Presumption in favour of sustainable development
DM2 - High quality design
DM3 - Sustainable design
DM4 - Waste management in major development
DM5 - Renewable and low carbon energy
DM6 - Transport and air quality
DM7 - Pollution
DM8 - Parking
DM22 - Agricultural development
DM30 - Other protected sites

CONSULTATIONS

HIGHWAY AUTHORITY - 12th January 2016 (the comments as set out below are the final comments provided by DCC – Highways, updating earlier comments submitted on 10th December 2015 which are set out below for the sakes of completeness)

The Highway Authority are in receipt of the technical note dated 9th December 2015 received by the Highway Authority on the 8th January 2016.

The applicant has agreed to the passing bay on the C308 in item 4.4 and details of this and the junction improvement of the S1614 with Bulworthy Knap will need to be submitted and approved in writing by the Local Planning Authority prior to commencement on site. The applicant in their route description have identified " the route forks to the southwest onto the S2302 before turning west onto the B3137" for the avoidance of doubt the route from Bulworthy Knap south towards the B3137 is the S2302 and where vehicles turn right to the southwest before joining the B3137 is, according to Highway records, the C308. The Highway Authority has previously shown the location of the passing bays and the junction improvements on a plan and this is resubmitted for clarity. The Highway Authority has also sought the improvement to an existing agricultural gateway in the control of the applicant and such improvements should also form part of the details submitted such an improvement is considered necessary to provide suitable passing opportunity along the S1614.

The applicant has made representation over the additional contributions (£10,000) as originally requested to improve the network, and the Highway Authority has considered the applicants arguments and accept the applicants position and will withdraw the contribution requirement.

The applicant has taken on board the Highway Authority advice for the return route of the vehicles to the chicken farm and while this represents best endeavours this should be included as part of their traffic management plan.

Therefore subject to the approval of the two passing place details and junction improvements, and the submission of a traffic management plan which the Local Planning Authority may wish to securer by legal means the Highway Authority will raise no objections and the conditions previously requested should be imposed – set out below.

Recommendation:

THE HEAD OF PLANNING, TRANSPORTATION AND ENVIRONMENT, ON BEHALF OF DEVON COUNTY COUNCIL, AS LOCAL HIGHWAY AUTHORITY, MAY WISH TO RECOMMEND CONDITIONS ON ANY GRANT OF PLANNING PERMISSION

1. The site accesses and visibility splays shall be constructed, laid out and maintained for that purpose in accordance with the a drawing which should be submitted to , and agreed in writing by the Local Planning Authority prior to commencement on site where the visibility splays provide intervisibility between any points on the X and Y axes at a height of 1.00 metres above the adjacent carriageway level and the distance back from the nearer edge of the carriageway of the public highway (identified as X) shall be 2.40 metres and the visibility distances along the nearer edge of the carriageway of the public highway (identified as Y) shall be 25.00 metres in both directions.

REASON: To provide a satisfactory access to the site and to provide adequate visibility from and of emerging vehicles.

2. The site access road shall be hardened, surfaced, drained and maintained thereafter to the satisfaction of the Local Planning Authority for a distance of not less than 6.00 metres back from its junction with the public highway.

REASON: To prevent mud and other debris being carried onto the public highway

3. In accordance with details that shall previously have been submitted to, and approved by, the Local Planning Authority, provision shall be made within the site for the disposal of surface water so that none drains on to any County Highway

REASON: In the interest of public safety and to prevent damage to the highway

4. Off-Site Highway Works No development shall take place on site until the off-site highway works for the improved accesses, provision of passing bay(s), Junction improvements has been submitted to and approved in writing by the Local Planning Authority and have been constructed and made available for use.

REASON: To minimise the impact of the development on the highway network in accordance with policy 32.

5. Prior to commencement of any part of the site the Planning Authority shall have received and approved a Traffic Management Plan (TMP) including:

- (a) the timetable of the works;
- (b) daily hours of construction;
- (c) any road closure;
- (d) hours during which delivery and construction traffic will travel to and from the site;
- (e) the number and sizes of vehicles visiting the site in connection with the development and the frequency of their visits;
- (f) the compound/location where all building materials, finished or unfinished products, parts, crates, packing materials and waste will be stored during the demolition and construction phases;
- (g) areas on-site where delivery vehicles and construction traffic will load or unload building materials, finished or unfinished products, parts, crates, packing materials and waste with confirmation that no construction traffic or delivery vehicles will park on the County highway for loading or unloading purposes, unless prior written agreement has been given by the Local Planning Authority;
- (h) hours during which no construction traffic will be present at the site;
- (i) the means of enclosure of the site during construction works; and
- (j) details of proposals to promote car sharing amongst construction staff in order to limit construction staff vehicles parking off-site
- (k) details of wheel washing facilities and obligations
- (l) The proposed route of all construction traffic exceeding 7.5 tonnes.
- (m) Details of the amount and location of construction worker parking.
- (n) Photographic evidence of the condition of adjacent public highway prior to commencement of any work;
- (o) details of operational routes

10th December 2015

Observations:

The Highway Authority (HA) has visited the site and in particular the route to be taken for the waste material to serve the AD plant at Menchine. The Highway Authority has considered this route along roads which are substandard in terms of width and visibilities and would recommend a number of mitigation measures that are considered necessary to accommodate the increased traffic which would exacerbate existing issues along the route.

The access into the field will need to be brought up to a suitable layout and construction. The HA would wish to see the access constructed as a minimum of 3.0m in width set back from the carriageway edge and with radii suitable to accommodate the swept path of the articulated lorries accessing the site, this would nominally be 10m. Visibility splays of 2.4m by 25m in either direction with no obstruction greater than 1.0m should be provided at the junction with the rural lane S1614. The Highway Authority disagree with the applicant over the forward visibility of rural lane and the available visibility at Bulworthy Knap and would wish to see an additional passing opportunity between the access and the existing passing bay and junction improvements. The location of this passing can be accommodated by an improvement to the existing agricultural gateway by setting back the gates to 4.5 and splaying the access at 45 degrees. this will provide passing opportunities for smaller vehicles and improve the substandard visibilities of the farm gate. The junction of Bulworthy Knap can achieve the visibilities shown on the plan but will require the removal of several small saplings carriageway side of the ditch and this work will need to be undertaken before construction begins. In addition to which the northwestern radii should be improved to cater for the swept path of articulated lorries and other construction and operational vehicles so that vehicles do not cross to the opposite carriageway. this will require an improvement to the radii and necessitating protection of the ditch and culvert; details of which should be approved in writing by the Local planning Authority.

The route between Bulworthy Knap and Nomansland has the benefit of passing bays but onsite evidence shows that there is still issues of conflict, verge and edge of carriageway damage. The traffic generated by the site in terms of tractor and trailer while limited to 9 loads per cycle will exacerbate the current situation and the HA would seek a contribution to the improvement of the existing bays a nominal sum of £10,000.00 towards this cost is requested.

At the junction of the S2302 and C308 the routing of the vehicles is to turn right along the C308. The C308 is narrow with limited passing relying solely on Private access drives. The HA would seek the provision of a passing bay along the route on verge in the control of the HA this will necessitate curvetting of the ditch and inclusion of headwalls and possibly additional drainage requirements. The Local planning Authority should seek to approve the design, construction details, and its implementation prior to the use of the Chicken farm first being brought into use.

The current route plan has empty vehicles returning via the same route, the HA has concerns with a return movement along the C308 in particular the substandard nature of the junction visibility with the S2302. The HA would recommend that the return route should take vehicles to the junction of the C308 with the B3137 adjacent to the Mount Pleasant Inn which would afford greater visibility.

The Highway Authority will forward sketch plans to indicate the works separately to this response.

While the proposal is acceptable to the highway Authority subject to the conditions set out above it is for the Local Planning Authority to consider the amenity, Fear and intimidation of the additional movements along the roads which are residential in nature. In addition the Local Planning Authority may wish to secure the off site highway works and contributions via an appropriate legal agreement.

ENVIRONMENTAL HEALTH - 23rd November 2015

Contaminated Land - no objection to this proposal

Air Quality - no objection to this proposal

Environmental Permitting - Environment Agency A1 Permit required

Drainage - no objections to these proposals

Noise & other nuisances – (11/03/2016) There should not be an increase in the transportation of chicken litter and in essence there should be a reduction in the amount of transport movements per year resulting from the expansion of Menchine farm and having to import less chicken litter from other sites. Taking this

information into consideration I have no further objections to each of the three planning applications and I would recommend approval of all three.

Housing Standards - N/a

Food Hygiene - N/A`

Private Water Supplies - Not Applicable

Health and Safety - no objections to this proposal

HISTORIC ENVIRONMENT SERVICE – the comments as set out below are the final comments provided by HSC, updating earlier comments submitted)

17th March 2016

The archaeological evaluation of the above site has been completed and no archaeological features other than an undated pit or posthole was revealed. A copy of the report has been received by this office from the applicant's agent and I understand that the archaeological contractor - Cotswold Archaeology - is in the process of preparing an OASIS entry and will be uploading a copy of the report.

In the light of this new information and the absence of any archaeological or artefactual evidence for significant heritage assets being present on the site I would like to withdraw the Historic Environment Team previous objection and request for additional information.

HISTORIC ENGLAND - 11th March 2016 - Thank you for your letter of 19 November 2015 notifying us of the application for planning permission relating to the above site. We do not wish to comment in detail, but offer the following general observations.

Historic England Advice

We can confirm that Historic England consider any impact on designated heritage assets to be 'less than substantial' and that, as recommended previously, it will be for the LPA to determine the case with reference to the planning balance as recommended in NPPF .134.

Our only additional comment relates to the layout of the development and the benefits of ensuring that the sheds closest to the minor road are far enough downslope away from the hedge to ensure that they are not visible over the hedge.

Recommendation

We would urge you to address the above issues, and recommend that the application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice. It is not necessary for us to be consulted again. However, if you would like further advice, please contact us to explain your request.

LEAD LOCAL FLOOD AUTHORITY - 8th March 2016 - Although I have provided an e-mail response to the Consultant Drainage Engineer in respect of the surface water drainage aspects of the above planning application, I have not provided one formally to the Planning Case Officer.

Further to my previous correspondence (FRM/2015/230) dated 26th November 2015, the applicant has provided additional information by e-mail, for which I am grateful. This addresses all of my concerns and I am satisfied that the downslope intercepting swale which is now proposed is satisfactory in terms of its location and design.

I would request that if the Planning Case Officer is minded to grant planning permission in this instance, a pre-commencement condition should be imposed to secure the final detailed design of the surface water drainage management plan. The condition could be worded as follows:

The development hereby permitted shall not be commenced until a detailed surface water drainage management plan has been submitted to, and approved in writing by, the Local Planning Authority. This detailed surface water drainage management plan will be in accordance with the principles set out in the additional information provided by the Consultant Drainage Engineer for this application in an e-mail dated 1st December 2015.

For continuity purposes, I would advise that the aforementioned email is submitted to the Planning Case Officer in order for it to be formally registered as part of this planning application.

NATURAL ENGLAND - 24th February 2016

Designated sites - no objection

Internationally and nationally designated sites

The proposed development is within 4km of the Culm Grasslands Special Area of Conservation (SAC) - a European designated site afforded protection under the Conservation of Habitats and Species Regulations 2010, as amended (the 'Habitats Regulations') and Hare's Down, Knowstone and Rackenford Moors Site of Special Scientific Interest (SSSI) - notified at a national level and a component site of the Culm Grasslands SAC.

These sites are special because of their grassland and heathland habitats and their butterflies. Further information can be found at www.magic.gov.uk Natural England's Impact Risk Zones identified these sites as being sensitive to impacts from aerial pollutants, such as ammonia, due to the scale, nature and location of the development proposal.

The Culm Grasslands SAC

In considering the European site interest, Natural England advises that you, as a competent authority under the provisions of the Habitats Regulations, should have regard for any potential impacts that a plan or project may have.

The consultation documents provided by your authority do not include information to demonstrate that the requirements of Regulations 61 and 62 of the Habitats Regulations have been considered by your authority, i.e. the consultation does not include a Habitats Regulations Assessment.

In advising your authority on the requirements relating to Habitats Regulations Assessment, and to assist you in screening for the likelihood of significant effects, based on the information provided, Natural England offers the following advice: the proposal is not necessary for the management of the European site that the proposal is unlikely to have a significant effect on any European site, and can therefore be screened out from any requirement for further assessment.

When recording your HRA we recommend you refer to the following information to justify your conclusions regarding the likelihood of significant effects:

The Environment Agency pre application screening May 2015

The Conservation Objectives for the Culm Grasslands SAC

<http://publications.naturalengland.org.uk/publication/5051046850199552?category=5374002071601152>

which explain how the site should be restored and/or maintained

Hare's Down, Knowstone and Rackenford Moors SSSI

Natural England is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which the Hare's Down, Knowstone and Rackenford Moors SSSI has been notified. We therefore advise your authority that this SSSI does not represent a constraint in determining this application. Should the details of this application change, Natural England draws your attention to Section 28(1) of the Wildlife and Countryside Act 1981 (as amended), requiring your authority to re-consult Natural England.

Local Sites

We recommend that the Environment Agency is consulted for permitting advice in parallel with the planning application to ensure that there are no permitting concerns that are relevant to the design of the proposal or the determination of the planning decision.

Additional matters

In accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England expects to be consulted on any additional matters, as determined by Mid Devon District Council, that may arise as a result of, or are related to, the present proposal. This includes alterations to the application that could affect its impact on the natural environment. Natural England retains its statutory discretion to modify its present advice or opinion in view of any and all such additional matters or any additional information related to this consultation that may come to our attention.

ENVIRONMENT AGENCY - 25th November 2015

No objection to the proposal subject to the following comments.

The poultry units having an appropriate IPPC Environmental Permit. The wash water from the cleaning of the poultry units will be classified as contaminated waste water and will need to be disposed of at a South West Water Treatment plant or via a site with an appropriately Environmental Permit.

Waste wash water cannot legally be disposed of via at an On Farm Anaerobic Digester (AD) plant as set out within the application documents. On farm AD plants have specific waste acceptance criteria and waste wash water would be considered a non permitted waste.

The biomass boiler would need to be fed with virgin / non waste materials. The use of any waste materials would require the biomass boiler to be appropriately regulated by either the Environment Agency or Local Authority depending upon the biomass boilers overall net thermal output.

The proposed attenuation pond would need to be appropriately sized to manage the expected volume of surface water from the site buildings and the free range chicken areas so as to minimise any environmental impact from the proposed development. Appropriate determinate levels will need to be agreed and complied with regards the discharge from the pond.

The application mentions the poultry litter being processed by an onsite AD plant. This planning application does not reference any AD plant as part of its stated proposals. Any AD plant at this site would need to be appropriately permitted by the Environment Agency.

The application mentions digestate being dried as a fertilizer in fibre or pelleted form but doesn't mention how or where this digestate will be sourced. In addition this proposed activity is currently not legally permissible. Should the regulatory regime change the activity would require an appropriate Environmental Permit.

Can the applicant please provide details with regards the disposal of the chicken litter stating where this material will be disposed at together with confirmation the proposed receiving site has sufficient capacity to accept the material and stay within the conditions of its Environmental Permit.

DEVON & CORNWALL POLICE AUTHORITY - 6th November 2015

I cannot think of any crime and disorder issues with this application, however I have forwarded it to the Road Safety Accident Reduction Officer in case he has any issues.

NORTH DEVON DISTRICT COUNCIL - 2nd March 2016

Having reviewed the additional information and consultee responses North Devon Council has no additional comments to make but would wish for appropriate noise, odour and traffic management conditions to be included in any approval to minimise the impact on the surrounding locality and neighbours.

RACKENFORD & CREACOMBE PARISH COUNCIL - 10th March 2016 –

I write to update the previous letter of objection on behalf of this Parish Council to the above application, which is for a site, which is within a few metres of the boundary of this parish and a little over 3 km from Rackenford village.

Cumulative impact. Since we responded in January and since the responses by the Environmental Agency a new very large poultry farm (36,000 birds in 4 sheds) has been completed at Higher Thorne, which is less than 1 km to the west of Rackenford village. The application in its Environmental Impact statement did not of course take account of this, nor of the two existing large poultry enterprises at Beech Farm, 1km to the south of Gibbet Moor, nor Little Rackenford 3km to the north west at Bulworthy Knap. If this development is allowed there would thus be four large enterprises circling the village and all within some 5 sq km. This

council did not object to Higher Thorne, but a fourth development is expected to result in unacceptable cumulative impact in terms of the environment and transport.

Transport. Local concerns are primarily to do with transport, as has been the case for various previous applications for development at Gibbet Moor. The Highways consultation reply still concentrates on the impact on the A361 and the B3137; it does not take into account the nature of the network of very narrow lanes running between the C784 and the B3137, which is wholly unsuitable for HGVs and large tractors with trailers. The applicants propose a route via the C 308/S2302 on which they would provide one passing place at Nomansland; this hardly begins to address the problem. The suggestion that a maximum effect of 20HGV a day on the busiest days would have a minor effect on this route is clearly wholly inaccurate. However in the event that permission is granted we would want to see an enforceable condition of this traffic plan as at least the lesser evil to the alternative via Templeton Bridge.

TEMPLETON PARISH COUNCIL - 1st December 2015

As this application is from the same Consultants Pegasus it appears to have been cut and pasted from other previous documents.

This application is inextricably linked to Edgeworthy Farm, Nomansland / Menchine Farm / Tollgate Farm, Nomansland all of which service 2Sisters and Greener For Life Anaerobic Digester operations and should be considered as part of an accumulative development. Recommended refusal (Local Plan DM5, DM7, DM23 Core Strategy 2, 5 and 18).

This erroneous document does nothing to alleviate the concerns raised by individual objectors and agencies alike so we submit a selection of glaring errors and missing information as raised at our Parish Council meeting on 18/11/15 and as below:-

Refers to the milk transfer operations already at the site (Not present)

- a) Refers to AD present on site (Not present)
- b) Refers to existing poultry sheds (None present)
- c) Refers to alterations made to the junction accessing/existing the A361 (NDLR) at Stoneland Cross. (Never been done).
- d) There is no recognition of the accumulative disease risk to the wildlife from so many intensively farmed chicken in the immediate vicinity Witheridge Moor, part of the Culm Grass corridor linking with the SSSI sites identified. Witheridge Moor has skylarks, snipe, cuckoo and curlew to name a few.
- e) Two different access points described for the chicken house site neither of them complete and one proposed off the unnamed extremely narrow single track road leading to Templeton Bridge at Temple Bottom (posted as Unsuitable for HGV).
- f) No application for the alteration to present field gate entrance for this preferred proposed access. Nor mention of the ancient bank and road hedgerow that will have to be removed either side of the small field gates (present access) nor the decimation of the dividing boundary ancient bank and hedgerow dividing the proposed site.
- g) No mention of the high water and the four river tributaries (to include the source of the River Dart) rising on and in close proximity of Gibbet Moor land. Quite a few of the surrounding and lower properties have only well or borehole water supplies.
- h) No mention of the two free range chicken farms already in situation within just over 1 kilometer and no reference to the four other chicken farms in the contiguous parish of Rackenford.
- i) No application for suitable changes to the entrance junction of the unnamed road for safe HGV access and exit.
- j) The preferred access (via the unnamed road) is on a blind bend on the B3227 which runs parallel to the A361 (NDLR) and has no speed restriction other than the standard 60 mph. All the servicing heavy traffic for the site is stated as utilising th3 A361 (NDLR) exiting Stoneland Cross which will entail crossing the flow of oncoming traffic on the blind bend on the B3227 to access the site.
- k) There are no enforcement measures available to MDDC to ensure any stated routes between associated sites.
- i) Chicken manure to be disposed of two different ways after the cyclic cleaning out according to this application.
- a) By tractor and trailer twice a week to Menchine Farm AD (5.7 km distance from site). Where will it be stored awaiting export from site and where it will be stored upon import to Menchine AD? The

shorter journey length infers this will be via anyone of three sub-standard inter-linking single track rural lanes via Templeton Bridge - Horestone Cross and Horestone Lane or via Bulworthy Cross and Five Crosses ALL ENTERING NOMANSLAND HAMLET TO ACCESS THE MENCHINE AD and all assessing dangerous junctions onto the B3137 as previously stated.

- b) Sealed container (environmental statement Non Technical 3.6 and Design & Access 2.17). The principal route stated in Table 7 via the A361 and B3137 we presume?
- c) No mention of the woodchip for the Biomass plant. This may be prepared locally but our area is already experiencing huge timber lorries coming in via A361 (NDLR) and utilising the sub-standard single track roads leading to the B3137 and Menchine AD.

As none of the above have been satisfactorily mitigated in the associated documents submitted, indeed many have not even been acknowledged and there is no clarity of intent or due diligence in respect of the accumulated affects as set out; we feel this Application should be refused. In view of the potential financial burden of increased Enforcement on various agencies and road maintenance on Highways representing an unacceptable burden on taxpayers; we feel this Application is incomplete/unsafe and comprises a serious threat to the local and wider Environment/water quality/ tourism/local jobs and small businesses/other farmers livelihood, an increased danger and intimidation to other road users which will be a considerable threat to the well-being of the affected residents in numerous parishes, as well as the many visitors to this much loved glorious part of Devon.

STOODLEIGH PARISH COUNCIL - 1st December 2015

I am writing to advise you that this application was considered at a meeting of the Stoodleigh Parish Council held earlier this evening. Although the application site is situated within the parish of Templeton, Gibbet Moor Farm itself is, of course, within the parish of Stoodleigh.

The Parish Council wish formally to object to this application, firstly, on the grounds of the impact of the additional traffic that this application, if approved, would have on the surrounding road network.

Secondly, on the grounds that the junction with the A361 is unsuitable and dangerous for HGV's turning from either direction particularly as previously required revisions to that junction have not been carried out. Thirdly, that the documentation submitted with this application appears to be defective in many respects.

CRUWYS MORCHARD PARISH COUNCIL - 16th November 2015

At the parish council meeting on 12th November 2015 it was recommended to refuse approval for the above planning application for the following reasons:

1. The cumulative impact of this together with other current and proposed development in neighbouring farms.
2. The impact on the B3137 and surrounding road network especially as there is a lack of information regarding transport movements.
3. This application does not support Mid Devon COR policies 5 and 18 or development policies DM7 and DM22.

REPRESENTATIONS

33 Objections were received on the 14/03/2016, they are summarised below:

- 1 The road network is unsuitable for the volume of traffic, including the size of the lorries the application will rely on.
2. Due to the narrow nature of the country lanes the increase in traffic may create dangers to road users.
3. The lane adjoining the site is signed "not suitable for HGV's", showing it to be an unsuitable road.
4. Two vehicles cannot pass down the lane and therefore it is unsuitable for lorries
5. Nomansland has existing transport problems that will be exacerbated by this proposal.
6. The cumulative impact of the traffic produced by this application, including the existing/proposed applications relating to waste at Menchine Farm, will result in unacceptable impacts on the community of Nomansland

7. The local authority will not be able to enforce any route plan to the site
8. The applicant has not included traffic requirements for the chicken bedding or the biomass boiler.
9. The number of vehicular movements have been underestimated
10. The country lanes are already damaged due to large vehicles using them. This will exacerbate the problem.
11. No reference is made to the vehicle tonnage within the ES.
12. Transport for farm workers is not accounted for in the ES.
13. It is unclear from the ES what the proposed transport route will be.
14. The chicken breeding cycle is uncertain within the submitted information
15. The data within the application is conflicting and misleading, meaning the environmental and highways impacts cannot be fully assessed.
16. The ES ignores cumulative impacts of the application, and existing (and proposed) chicken sheds.
17. The information given in the ES, PS and various email strands create an application which is unreliable
18. The planning statement excludes relevant planning history
19. The application notes there are existing poultry sheds and an existing AD plant at the site. This is inaccurate.
20. Smell of the chicken houses will be detrimental to the neighbouring properties quality of life.
21. The site has been identified as environmentally sensitive due to its potential impacts on various protected sites (i.e. SSSIs).
22. The noise produced by the operation of the chicken houses will harm the neighbours amenity
23. The chicken sheds will cause dust and pollution to the surrounding area.
24. The water runoff from the site may pollute the surrounding river tributaries
25. The application results in a loss of hedgerow causing a loss to local habitats and wildlife.
26. The loss of hedgerow would leave a scar on the country lane.
27. How would the local planning authority prevent the keeping of unhappy chickens?
28. The size of the unit means the welfare of the birds will be poor
29. There is no information regarding the disposal of dead birds
30. The application does not state where manure will be taken that cannot be processed by the Metchine AD plant. This should also be accompanied by a manure management/spreading plan.
31. The proposal will cause harm to the culm grassland and Rackenford SSSI.
32. The application does not state where the waste water will be transported.
33. This application will result in a loss of tourism to the area
34. This is the industrialisation of farming and will damage smaller farmers.
35. The proposal will create unacceptable visual impacts on the surrounding area.
36. No information is given as to the biomass boiler, and how it will be fuelled.
37. No quantities are given on the chicken waste produced at the site
38. The development is distanced from its source of chickens and the processing plant.
39. As the proposal is from a large investor there will be no local benefits from the proposal.
40. No pre-app consultation was undertaken with Rackenford
41. The site is of ecological importance due to the species composition.
42. The spreading out of the chicken cycles will create impacts over a longer period of time, rather than having all the transport movements confined to one day.
43. Greener for life do not build what they gain approval for.
44. The submission does not demonstrate how bio-security hazards will be managed
45. Due to the size of the development it is considered to be commercial and not agricultural.
46. Vermin will be attracted to the site
47. The ammonia assessment does not allow a full consultation of the impacts and risks associated with development
48. The process of pollutants being filtered within the sustainable drainage system does not remove the risk that pollutants may reach the county wildlife site
49. The applicants has not done an adequate heritage statement
50. Underground tanks do not appear on the site location plan
51. Winston Reed & GFL are likely to building a different scheme and not keep with conditions, resulting in problems for the council's enforcement team

MATERIAL CONSIDERATIONS AND OBSERVATIONS

The main issues in the determination of this application are:

- 1. Relevant Policies**
- 2. Policy in context**
- 3. Design**
- 4. Impact on amenity of local residents (traffic, noise, odour)**
- 5. Highways**
- 6. Landscape and Visual Impact**
- 7. Environmental Impact**
- 8. Waste water and Surface Water Drainage**
- 9. Impacts on heritage assets**
- 10. The Planning Balance**

1. Relevant Policies

The key policy used to determine the application is policy DM22 (Agricultural development) of the Local Plan Part 3 (Development Management Policies). This states that agricultural development will be permitted where:

- a) The development is reasonably necessary to support farming activity on that farm or in the immediate agricultural community;
- b) The development is sensitively located to limit any adverse effects on the living conditions of local residents and is well-designed, respecting the character and appearance of the area; and
- c) The development will not have an unacceptable adverse impact on the environment.
- d) The development will not have an unacceptable traffic impact on the local road network.

Relevant assessment of the policy is given throughout this report.

Policy DM20 (Rural employment development) is also relevant. This states that in countryside locations, planning permission will be granted for new build employment development or expansion of existing businesses, provided that the development is of an appropriate use and scale for its location. Proposals must demonstrate that:

- a) The development would not lead to an unacceptable impact on the local road network;
- b) There would not be an unacceptable adverse impact to the character and appearance of the countryside; and
- c) There are insufficient suitable sites or premises in the immediate area to meet the needs of the proposal.

The assessment of this policy is made under Sections 2, 3, 4, 5 and 6 of the report.

Policy DM27 (Development affecting heritage assets) states that heritage assets are irreplaceable resources, and aims to protect and mitigate against harm which development may cause. DM27 states that the council will:

- a) Apply a presumption in favour of preservation in situ in respect of the most important heritage assets
- b) Require development proposals likely to affect heritage assets and their settings, including new buildings, alterations, extensions, changes of use and demolitions, to consider their significance, character, setting and local distinctiveness, and the opportunities to enhance them.
- c) Only approve proposals that would be likely to substantially harm heritage assets and their settings if substantial public benefit outweighs that harm or the requirements of requirements of paragraph 133 of the National Planning Policy Framework are met.
- d) Where a development proposal would lead to less than substantial harm, that harm will be weighed against any public benefit, including securing optimum viable use.
- e) Require developers to make a proportionate but systematic assessment of the impact on setting as set down in the guidance from English Heritage: "The Setting of Heritage Assets".

The assessment of this policy is made under Section 9 of this report.

Policy DM30 (Other protected sites) considers the impact the development proposal is likely to have on important sites including Sites of Special Scientific Interest (SSSI) Ancient Woodland and Special Areas of Conservation. These impacts may be individual impacts or cumulative impacts. There are no sites in Mid Devon that are designated at European level for wildlife protection or special conservation, however the proposed development is within 7km of the Culm Grasslands Special Area of Conservation (SAC) and Hare's Down, Knowstone and Rackenford Moors SSSI. There are two County Wildlife Sites (CWS) within 250metres of the site. Policy DM30 states that planning permission will only be granted where:

- a) The benefits of and need for the development clearly outweigh the direct and indirect impact of the protected site and the ecosystem it provides;
- b) The development could not be located in an alternative, less harmful location
- c) Appropriate mitigation measures have been put in place.

The relevant assessment is set out under Section 7 of this report.

Policy COR2 of the Core Strategy 2007 requires development proposals to sustain the distinctive quality, character and diversity of Mid Devon's environmental assets through high quality design and preservation of the distinctive qualities of the natural landscape. Design is also measured under policy DM2 of the Local Plan Part 3 (Development Management Policies).

Policy COR4 (Meeting Employment Needs) seeks measures to diversify the agricultural and rural economy in ways which protect countryside character. The policy recognises that employment development should be distributed across towns, villages and the countryside to support a strong and sustainable rural economy.

Policy COR5 (Climate Change) seeks measures to minimise the impact of development on climate change in order to contribute towards national and regional targets for the reduction of greenhouse gas emissions. Such measures should include the development of renewable energy capacity where there is an acceptable local impact including visual, and on nearby residents and wildlife.

Policy COR9 (Access) of the Core Strategy 2007 seeks to manage travel demand from development and reduce air pollution whilst enhancing road safety. Significant development must be accompanied by Transport plans.

Policy COR18 (Countryside) of the Core Strategy 2007 seeks to control development outside of settlement limits in order to protect the character, appearance and biodiversity of the countryside while promoting sustainable diversification of the rural economy but is permissive of agricultural buildings in principle.

2. Policy in context

The National Planning Policy Framework (NPPF) affirms three dimensions to the principle of sustainable development: economic, social and environmental. Part 3 of the Framework seeks to support a prosperous rural economy through the expansion and diversification of all types of rural business. The NPPF applies a presumption in favour of rural development subject to compliance with local planning policies.

The proposed development is said to be reasonably necessary to address a growing demand for free range chicken in a fast growing UK market. It is argued that the development proposal satisfies this need by seeking to develop a sustainable food chain and forms part of a wider strategic partnership between GFL and 2 Sisters in Willand. The application draws on research by the British Poultry Council, which states on average, each job in the poultry meat industry contributes £41,000 in gross value added to the UK GDP.

An economic gain is secured through income diversification to the farming enterprise and the development is argued to safeguard the existing employment at the farm and generate one additional full time employment position. In addition the development will generate additional contractual employment during cleanout times. It will also support further employment within the associated industries within the poultry industry including the processing plant, hatchery, suppliers, contractors and skilled labourers.

Environmental gains will be secured through carbon reduction and local biodiversity enhancements including extensive planting around the buildings in order to secure a suitable range for the poultry. The proposed boiler unit providing the heating for the poultry sheds would also be heated by biomass, providing carbon displacements in comparison to traditional poultry sheds boilers. The poultry litter will be processed off-site at the existing Menchine AD plant and this satisfies a principle for close proximity with regards to the management of waste. The dried digestate would be usable as a fertilizer in fibre or pelleted forms subject to a license being granted.

On this basis the proposed development is considered to comply with part a) of DM22 and the generation of employment on the site would receive policy support under DM20 of the Local Plan Part 3 (Development Management Policies) and COR4 of the Core Strategy (2007).

The Authority has received a letter of objection questioning why the sheds need to be located at Gibbett Moor Farm and why they could not be situated closer to the processing plant in Willand. The LPA considers that it would be unreasonable to require the applicant to justify the siting of these sheds on land away from the main holding, particularly where it is demonstrated that transport, visual and environmental impacts are found to be acceptable. The supporting and environmental statement argues that the field is ideally suited because it is close to the main Gibbett Moor Site, has limited environmental impact, and is well screened from wider views. On this basis the application scheme is considered to comply with part c) of policy DM20.

3. Design

The development spans across two agricultural fields, resulting in the removal of two sections of hedgerow internally within the field layout to facilitate the proposed buildings and structures. Further sections of hedge removal are required to facilitate an improved access into the unit, and a passing bay on country road down from the A361. The design of the structures is considered characteristic of poultry buildings, and is appropriate for the intended use of poultry rearing. The ridge heights of the proposed buildings are modest, and as a result minimises the visual impact of them. A condition is recommended to control the removal of the hedgerow to soften the impact of the new structure of buildings and assist their integration within their immediate setting.

The development also includes a sustainable drainage scheme which has been subject to consultation with Devon County Council. This applies further support under policy DM2. The provision of an onsite biomass heating system in a small housing unit within the site does not result in harm to the rural character of the area and would comply with policies COR2 and COR5 of the Core Strategy 2007, and DM2 and DM5 of the Local Plan Part 3 (Development Management Policies).

Overall, the design of the proposal is considered to be appropriate for the proposed use, without having a detrimental impact on the local environment at Gibbet Moor. The development of the site is considered to comply with COR2 and COR18 of the Core Strategy 2007, DM2 and DM22 of the Local Plan Part 3 (Development Management Policies).

4. Impact on amenity of local residents (traffic, noise, odour)

The main issues for consideration are the noise associated with vehicle movements and the construction/operation of the site, and potential nuisance from odour associated with the poultry units and water storage tanks, and the potential impacts arising from traffic movements between Gibbett Moor and Menchine farm, in particular for residents of Nomansland. As set out earlier in this report it is recognised that traffic, noise and odour are major areas of concern for local residents, and the comments provided by the Local Authority Environmental Health (EH) Team have guided the conclusions reached on this part of the scheme assessment.

The closest residential property is 300 metres away, which is considered to be a sufficient separation distance not to cause noise concerns in terms of site operations. In addition considering the distance of the site from the other Broiler Units recently considered by Mid Devon District Council (namely Tollgate, Menchine and Edgeworthy), it is not considered that there would be any cumulative impacts relating to the onsite operation in terms of noise and odour for the immediate neighbouring dwellings.

The applicant has submitted details regarding the cumulative impacts of the development in terms of the transfer of waste away from the site, as set out in the technical note submitted in addition to the applicant's environmental statement. The statement below is a summary of the conclusions reached by the applicant.

"The cumulative residual impact of the proposals on the local highway network is considered to be of negligible to minor significance as measures will be in place to reduce the impact of the proposals. This includes ensuring that none of the sheds operate on the same cycle and the transferral of chickens to the processing plant during an overnight period to reduce the impact on the local highway network. As all the sheds supply the same processing plant the cycle times are unlikely to change."

The Environmental Health officer has confirmed that in considering the impact of the development in terms of road traffic emissions and the odour impacts associated with transporting chicken waste no significant concerns are raised as effectively these transport movements will be replacing existing transport movements already on the highway.

Given the concerns expressed by the local residents of Nomansland relating to large vehicles travelling through the village, the applicant was asked to produce an assessment of the likely effects to pedestrian amenity, including fear and intimidation. An assessment into perceived fear and intimidation was included within the transport technical note, which clarifies that whilst as result of associated transport movements there may an impact on pedestrian amenity (perceived fear and intimidation) as a result of the development, but the magnitude in terms of numbers of trips is still considered to be relatively low (see section 5 below).

As set out above reflecting on the scope and operation of the development it is considered that the proposal would result in a low magnitude of harm to the amenity of local residents, in particular residents away from the site. The actual site operations would be subject to monitoring as part of the environmental permit for possible issues arising from noise and odour. On this basis, and subject to the highway mitigation as discussed below, it is considered that the proposal has sought to redress issues regarding the impacts on the general amenities of the area, as required by policies DM2, DM6, DM7 and DM22 of the Local Plan Part 3 (Development Management Policies).

5.Highways

It is clear that the proposed development will generate additional trips on the highway network. As set out earlier in this report, the level and impact of these additional vehicle movements is a major concern of a number of local residents who have submitted representations. In particular, the concerns relate to the increase in movements of movements travelling between the application site and Menchine Farm in terms of transporting the chicken litter.

Advice in paragraph 32 of the National Planning Policy Framework states that all developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether:

The opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;
Safe and suitable access to the site can be achieved for all people; and
Improvements can be undertaken within the transport network that cost effectively limits the significant impacts of the development;
Development should only be prevented or refused on transport grounds where;
The residual cumulative impacts of development are severe.

The Local Planning Authority have consulted Devon County Council Highways team (HA). The response from the HA is set out within their representation (shown above), and the following measures to mitigate the proposal are proposed:

1. Improved access into the site in terms of increased visibility at the junction with the highway,
2. An additional passing bay between the site, and the junction at Bulworthy Knap,
3. Improvements to the junction of Bulworthy Knap, in terms of increases visibility and radii, protection of the ditch, and culvert.

4. A passing bay on the C308 within Nomansland, including the culverting of a ditch and inclusion of headwalls.
5. A traffic management plan, including the proposed route of all construction traffic exceeding 7.5tonnes. This will be conditioned to ensure an appropriate routing of vehicles is maintained to and from the site at Menchine Farm.

A financial contribution was initially requested by the HA towards improvements to the local highways network, however, this request was subsequently withdrawn on the basis that it is unnecessary, unreasonable and does not meet the legal tests for an s106 agreement, as set out in regulation 122 and 123 of the Community and Infrastructure Levy Regulations 2010.

As stated above the Technical Note on transport issues considers how the application scheme will affect the amenity of pedestrians and residents of Nomansland and the cumulative traffic impacts of the development. The report concludes that the cumulative traffic impact will be negligible in terms of total traffic and minor in terms of HGV traffic and that the impact on Pedestrian Amenity (including Fear and Intimidation) will be negligible. The ES supports this by noting the limited transport movements will replace existing vehicular movements through Nomansland. In summary it is recognised that the development of three separate sites close to Nomansland gives rise to local concern over transport impacts, however it is considered that it has been demonstrated, with the mitigation included, that the highway impacts arising as a result of the construction and operation of the application scheme would be acceptable and the impact would be less than severe in the context of Paragraph 32 of the NPPF.

The hard surfacing indicated for the parking and turning of vehicles, including HGVs using the site, is considered to comply with policy DM8 of the Local Plan Part 3 (Development Management Policies).

Subject to the approval and provision of two passing places, junction improvements, and the submission and conditioning of a traffic management plan, The proposal is considered to be in accordance with policies COR9 of the Core Strategy 2007, policies DM8 and DM22 of the Local Plan Part 3 (Development Management Policies) and the National Planning Policy Framework (notably Paragraph 32).

6. Landscape and Visual Impact

The development site comprises of two agricultural fields used for grazing. The development site lies outside of any statutory or non-statutory/local landscape designations and comprises grade 3 common grazing land. It is considered to be of generally low value agricultural land. The site is within the farmed lowland and moorland of the Culm grassland character type.

The Environmental Statement (ES) describes the field as gently sloping from north-east to south-west. The eastern boundary is formed by native hedgerow approximately 3.5 - 4metres tall, alongside an unclassified road. The southern boundary is formed by a further native hedgerow of a similar size, which includes ash, beech, and oak trees up to 13 metres in height. The north-west and western boundary is formed by a belt of native woodland up to 16.5metres in height, including oak, beech hazel, ash and blackthorn. The northern boundary is formed of low quality native hedgerow, including oak and beech hedgerow trees. The two fields are separated by a hedgerow comprising of beech, hazel and willow, including hedgerow trees up to 10 metres in height, including oak, willow, beech and ash. This hedgerow is described as poor quality.

The ES considers the impact on the landscape character from the construction phase as well as in operation. The report identifies that the landscape is of a medium sensitivity to development. The surrounding area is predominantly managed agricultural landscaped, with isolated farmsteads and residential dwellings, including Gibbet Moor Farm 250metres to the north, Higher North Coombe 300metres to the north east, and existing agricultural buildings 35metres to the south east. Rackenford and Templeton are approximately 3.5kms to the west and south of the site respectively. There is not considered to be a cumulative impact on the landscape character resulting from existing developments surrounding the location. The ES states that the construction stage will have a high impact on the application sites landscape character, with a low impact to the landscape character of the area surrounding the application site due the existing and retained hedgerow screening. Once established and during the operational phase, the impact on the application site will lessen which is supported by proposed tree planting surrounding the sheds (refer to condition 13). The report recommends mitigation to prevent damage to the existing trees and hedgerows,

including the planting of extensive tree and shrub planting around the site to minimise impacts. Overall, it is considered that once the proposal is established within the site with the new planting as proposed, it is unlikely to cause an unacceptable impact on the local landscape character/landscape features, which is supported by the existing boundary vegetation, woodland blocks, and tree belts surrounding the site.

The public rights of way surrounding the site include, Stoodleigh bridleway 9 which passes through Rifton Gate approximately 1KM to the north east of the site. Tiverton footpath 1 is approximately 1.5km to the south east of the site and Rackenford footpath 1 approximately 1.25km north-west of the application site. Tiverton footpath 2 and Rackenford footpath 2 are both situated south east. Overall, views from these locations are restricted.

The case officer has visited the site and identified that views to the north, east and north-west are restricted due to sufficient hedgerow screening and the surrounding topography. The surrounding area gently slopes south west, giving some opportunity for long to medium range views of the application site from the south-west and south. It may be possible to see parts of the field from sections of the B3137 to the south, however, these are significantly distanced and are considered to be unnoticeable. The ES notes the application site has limited inter-visibility between the application site and the surrounding site, due to strong field boundary vegetation and frequent woodland blocks and tree belts.

Following a review of the submitted evidence and on-site assessment, it is considered the poultry sheds and other development are unlikely to be prominent from the wider landscape, which is supported by their modest height and the reasonable screening provided. The development is not considered to cause significant visual harm, both individually and cumulatively with other development, and would not result in unacceptable harm to the character and appearance of the rural setting. This view is supported by appeal decision APP/Y1138/A/09/2108494, Land at Gibbet Moor (120metres to the north east of the site) for the erection of a timber treatment/storage plant, where the inspector noted 'despite its elevated position and the long distance views which are characteristic of nearby land, the appeal site is relatively well hidden'. In summary the application scheme is considered to be in accordance with policies COR2 of the Core Strategy 2007, DM2, and DM22 of the Local Plan Part 3 (Development Management Policies) in this respect.

7. Environmental Impact

A screening request was submitted to the Local Planning Authority on 3rd June 2015, and a screening opinion was issued on 23rd June 2015. This determined the development would fall under Schedule 2 of the Environmental Impact Assessment Regulations 2015, because the proposed development would amount to an installation intensively rearing 60,000 broilers. The main environmental impacts likely to arise from the proposed development were identified to be from airborne emissions and from the production of waste in the form of poultry manure and dirty water.

The proposed development is within 4km of the Culm Grasslands Special Area of Conservation (SAC) and Hare's Down, Knowstone and Rackenford Moors SSSI. The proposal adjoins a County Wildlife Site (CWS) to the south (Horestone N), and is within 250metres of a second CWS (Landfoot Copse) also situated to the south. A small stream runs to the west of the application site, flowing through both CWS's. Horestone (N) contains species rich culm grassland, including Molinia mire with sedge-rich flushes. Landfoot Copse also contains species rich culm grassland, including rush pasture, semi improved acidic grassland & broadleaved woodland. An area of wildlife interest (named Gibbet Moor Farm) adjoins the site to the north. This contains species-poor culm grassland, including Molinia mire with willow scrub.

The applicant has submitted an ecology survey, produced by Clarkson & Woods (dated October 2015), which supports the applicants environmental statement. These documents note that the construction stage of the development may produce indirect impacts on the surrounding sites and habitats, however recommend a Construction Environmental Management Plan should be prepared prior to site works commencing which will adequately protect the surrounding habitats. During the operational stage, the site has the potential to create run off. If this reaches the watercourse to the west of the site, it has potential to impact on both CWS's, especially as culm grasslands are particularly sensitive to increased nitrogen. The ecology survey notes the proposed attenuation pond will be capable of removing pollutants from waste water before it is discharged through the protected habitats, which is supported by information submitted by the applicants consulting engineer, Mr Onions. The documents also note the operation of the site will be

carefully processed under an Environment Agency Work Permit, which will control any impacts on the CWS's, including from air pollution, however, the local authority consider this should be considered within this application.

When assessing impacts upon the natural environment and habitats, Natural England guidance states that where the effects of development cannot be excluded, an appropriate assessment is required to reach a conclusion as to whether an adverse effect on the integrity of the site can be ruled out. A request was made on the 07/12/2016, requiring the applicant to submit further details regarding the air quality and ammonia impacts of the development on designated sites. In response to this, the applicant forwarded an environment agency pre-application report detailing the ammonia and nitrogen depositions, however, this summarises "detailed modelling" is required of the proposal as the site is within 250metres of a nature conservation site. Detailed ammonia modelling was submitted by the applicant in February 2016, produced by Waterman Infrastructure & Environment Ltd. In summary, the modelling results suggest that there would be no significant adverse effects from the proposed Development at either the Gibbert Moor Farm LWS or the Horestone (N) LWS.

Mid Devon District Council is the competent authority under the Habitats Regulations 2010, to determine the potential impacts arising from development proposals on the environment including protected sites. The Authority must determine whether the development would be likely to have significant effects.

Natural England has raised no objection to the proposal. The Local Planning Authority considers that sufficient information has been provided to demonstrate the proposal will not significantly harm the surrounding CWS's and sites of wildlife interest. The site is a sufficient distance from any designated site, and subject to condition the development and operation of the site is unlikely to significantly impact on local wildlife and fauna. On this basis it is considered the proposal is in accordance with policy DM30 and criterion (c) of policy DM22 of the Local Plan Part 3 (Development Management Policies).

8. Waste Water and Surface Water Drainage

A number of objectors have questioned the arrangements for managing surface run off and potential impact on polluting nearby streams and wet ditches. The Environment Agency and Devon County Council Lead Flood Authority have both been consulted prior to the determination of the application.

It is confirmed that the waste water generated from the cleaning of the sheds will be stored in underground tanks and will therefore not present an issue with dirty water polluting watercourses. Surface water is proposed to be managed through the attenuation pond at the southern end of the site. Objection has been received regarding the underground tank details not being included on the plans. As the tanks are to be sited underground they are unlikely to significantly alter the character and appearance of the surrounding area or the site. A condition is recommended requesting details of the underground tanks to be submitted prior to their installation.

Rainwater harvesting is not proposed due to issues of biosecurity. Instead the run off from the roofs of each shed will be piped to discharge into the attenuation pond which is outside of the chicken roaming area. From the pond the water is conveyed by a swale to the watercourse. The Devon County Council Lead Flood Authority Officer has confirmed that drainage details are acceptable, but has requested that a planning condition should be imposed which requires a final detailed drainage scheme to be submitted to the Local Planning Authority before any work is undertaken.

The provision of surface water drainage system and the waste water catchment tanks is considered to amount to good design under policy COR2 and DM2, and will mitigate risk of pollution into the watercourse, in accordance with DM7 of the Local Plan Part 3 (Development Management Policies).

9. Development affecting heritage assets

Devon County Council's Historic Environment Service and Historic England had previously commented on the application, and raised objections as the application failed to provide adequate detail and assessment to the setting of a nearby Three Bowl Barrow (scheduled ancient monument) and archaeology. The applicant subsequently agreed to an extension of time to allow for archaeological investigations and discussions with

Historic England. Following additional works to support the application, the Historic Environment Service and Historic England lifted their objections. It should be noted Historic England requested the development was cited as low in the site as possible to avoid views of the shed from the Three Bowl Barrows. The sheds are considered to be a reasonable distance down the site to avoid any significant views of the sheds.

An additional consultation period allowing contributors to comment on these revisions was made. Additional objections received in this consultation period note that the submitted details are still not adequate to consider the heritage impact, in particular the consideration on the setting of nearby listed buildings and the scheduled monument. After reviewing the information submitted in this case, it is considered an adequate assessment of the developments impacts on heritage assets can be made.

During the planning officers site visit it was determined that the proposal is reasonably well screened and an adequate distance from any heritage asset to cause direct impacts, or any impacts to setting. Considering objections have been lifted from the Historic Environment Service and Historic England, it is considered the proposal is in accordance with policies COR2 of the Core Strategy 2007 or DM2 and DM27 of the Local Plan Part 3 (Development Management Policies).

10. Planning Balance and Conclusions

The key issue in terms of the assessment of this application is the impact of the development in terms of the proposed transportation arrangement, in particular transferring the waste of the site, and impacts on the general amenities of the area.

As stated above each cycle of growing chicken will generate nine deliveries of poultry litter from Gibbett Moor Farm to the Menchine Farm AD, equating to 54 deliveries annually (108 movements on the highway). The issue is whether these trips cause significant harm to amenity of local residents, in particular within Nomansland. The Highway Authority have been consulted and consider that appropriate mitigation for the scheme is proposed in the form of passing bays and junction improvements. It is considered that the proposed vehicle movements created by the scheme are not severe enough to warrant a refusal of the application.

In addition to transport impacts, local residents also raised concerns regarding the character and appearance of the surrounding area and the amenity of neighbours in terms of smell and noise nuisance. The concerns of local residents have been taken into account, and it is considered that although the development will have some limited impact to the character and appearance of the area and the immediate neighbouring amenity, the scope of harm that would arise is not significant enough to justify a refusal of the application.

CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule on the decision notice.
3. No development shall be commenced until details of the surface water drainage system based on the surface water being piped to a swale and then discharged as shown on the approved development area plan, have been submitted to, and approved in writing by, the Local Planning Authority. Thereafter the approved drainage scheme shall be fully implemented before any part of the development is occupied, and be so retained.
4. The site accesses and visibility splays shall be constructed, laid out and maintained for that purpose in accordance with the a drawing which should be submitted to , and agreed in writing by the Local Planning Authority prior to commencement on site. The development shall be completed and retained in accordance with the approved details.

5. The site access road shall be hardened, surfaced, drained and maintained thereafter to the satisfaction of the Local Planning Authority for a distance of not less than 6.00 metres back from its junction with the public highway.
6. In accordance with details that shall previously have been submitted to, and approved by, the Local Planning Authority, provision shall be made within the site for the disposal of surface water so that none drains on to any County Highway.
7. No development shall take place until details of the following works to the highway have been submitted to and been approved in writing by the Local Planning Authority:
 - o Details of the proposed passing bay on the C308
 - o Details of the junction improvement of the S1614 with Bulworthy Knap
 - o Details of the new access's and passing bay, along the S1614

The development hereby permitted shall not be occupied until these works have been completed in accordance with the approved details.

8. Prior to commencement of any part of the site the Planning Authority shall have received and approved a Traffic Management Plan (TMP) including:
 - (a) the timetable of the works;
 - (b) daily hours of construction;
 - (c) any road closure;
 - (d) hours during which delivery and construction traffic will travel to and from the site;
 - (e) the number and sizes of vehicles visiting the site in connection with the development and the frequency of their visits;
 - (f) the compound/location where all building materials, finished or unfinished products, parts, crates, packing materials and waste will be stored during the demolition and construction phases;
 - (g) areas on-site where delivery vehicles and construction traffic will load or unload building materials, finished or unfinished products, parts, crates, packing materials and waste with confirmation that no construction traffic or delivery vehicles will park on the County highway for loading or unloading purposes, unless prior written agreement has been given by the Local Planning Authority;
 - (h) hours during which no construction traffic will be present at the site;
 - (i) the means of enclosure of the site during construction works; and
 - (j) details of proposals to promote car sharing amongst construction staff in order to limit construction staff vehicles parking off-site
 - (k) details of wheel washing facilities and obligations
 - (l) the proposed route of all construction traffic exceeding 7.5 tonnes.
 - (m) details of the amount and location of construction worker parking.
 - (n) Photographic evidence of the condition of adjacent public highway prior to commencement of any work;
 - (o) details of operational routes

The development shall be carried out in accordance with the approved Traffic Management Plan at all times during the construction phases of the development. Once the operational phase of the development begins, the approved details and operational routes shall be permanently adhered to, unless road closures, serious road traffic accidents, or severe weather conditions make the operational routes unpassable.

9. A management plan, setting out the long term management responsibilities and maintenance schedules for the Sustainable Urban Drainage Systems (SUDS) including pipes, swales, detention areas, and associated flow control devices, shall be submitted to, and approved in writing by, the Local Planning Authority prior to any of the buildings first coming into use. The SUDS approved shall thereafter be managed in accordance with the agreed details.

10. No development shall be commenced until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved Management Plan at all times during the construction phase of the development.
11. The development shall be carried out in accordance with the recommendations set out within the submitted ecology survey, Produced by Clarkson & Woods, dated October 2015.
12. Prior to their installation, details of the underground water storage tanks shall be submitted to and approved in writing by the Local Planning Authority. Once installed the tanks shall be so retained.
13. No development shall begin until there has been submitted to and approved in writing by the Local Planning Authority, a landscaping scheme which includes details of all existing hedgerows, hedgerow removal, new planting, seeding, turfing or earth reprofiling. The details approved in the landscaping scheme shall be carried out within 9 months of the substantial completion of the development, (or phase thereof), and any trees or plants which, within a period of five years from the completion of the development 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.

REASONS FOR CONDITIONS

1. In accordance with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt and in the interests of proper planning.
3. To ensure appropriate measures are taken to manage surface water in accordance with policies DM2, DM7 and DM22 of the Local Plan Part 3.
4. To provide a satisfactory access to the site and to provide adequate visibility from and of emerging vehicles.
5. To prevent mud and other debris being carried onto the public highway.
6. In the interest of public safety and to prevent damage to the highway.
7. To ensure that all road works associated with the proposed development are to a standard approved by the Local Planning Authority and are completed before operation, in accordance with policies COR9 of the Core Strategy 2007, DM6 and DM22 of the Local Plan Part 3 (Development Management Policies) and the National Planning Policy Framework.
8. To ensure that all road works associated with the proposed development are to a standard approved by the Local Planning Authority and are completed before operation, in accordance with policies COR9 of the Core Strategy 2007, DM6 and DM22 of the Local Plan Part 3 (Development Management Policies) and the National Planning Policy Framework.
9. To ensure appropriate management of surface water in accordance with policies DM2, DM7 and DM22 of the Local Plan Part 3.
10. To ensure the development will not result in unacceptable harm to the amenities of the area, trees hedges, watercourses or wildlife in accordance with DM4, DM7 and DM22 of the Local Plan Part 3 (Development Management Policies).

11. To ensure any nature conservation interests are preserved in accordance with policy DM11 of the Local Plan Part 3 (Development Management Policies).
12. To ensure appropriate management of waste water in accordance with policies DM2, DM7 and DM22 of the Local Plan Part 3.
13. To ensure that the existing hedgerow screening is retained, and any proposed screening limits the impacts of the scheme on the character and amenity of the area in accordance with policies DM2 and DM22 of Local Plan Part 3: (Development Management Policies).

REASON FOR APPROVAL OF PERMISSION/GRANT OF CONSENT

The proposals are for the erection of a chicken shed unit to accommodate 60,000 free range broilers on a site at Gibbet Moor Farm. Given the nature of the proposed use the application scheme is considered supportable in policy terms as a matter of principal. The application provides sufficient information to determine the environmental impact upon the local setting and the locality within the Culm Special Area of Conservation, and nearby designated areas. It is concluded that whilst the development will result in some minor visual impact, the scope of impact is not considered to be to the detriment of the wider landscape character, because there are only short and medium range views across this part of the countryside without the disturbance of prominent views from public vantage points, bridleways and the public highway. Subject to delivering improvements to the highway network locally to the site, and within Nomansland in order to assist manage the transfer of waste from the application site to Menchine Farm, it is not considered that the proposed development would generate significant levels of traffic on the highway or result in significant detrimental impacts to the character and appearance of the area and the immediate neighbouring amenity to justify a refusal of the application.

On balance it is therefore considered that the application scheme sufficiently complies with Policies COR2, COR2, COR5, COR9, COR18 of and COR18 of the Mid Devon Core Strategy (Local Plan Part 1) and Policies DM1, DM2, and DM22 of the Local Plan Part 3: (Development Management Policies) and government policy as contained in the National Planning Policy Framework.

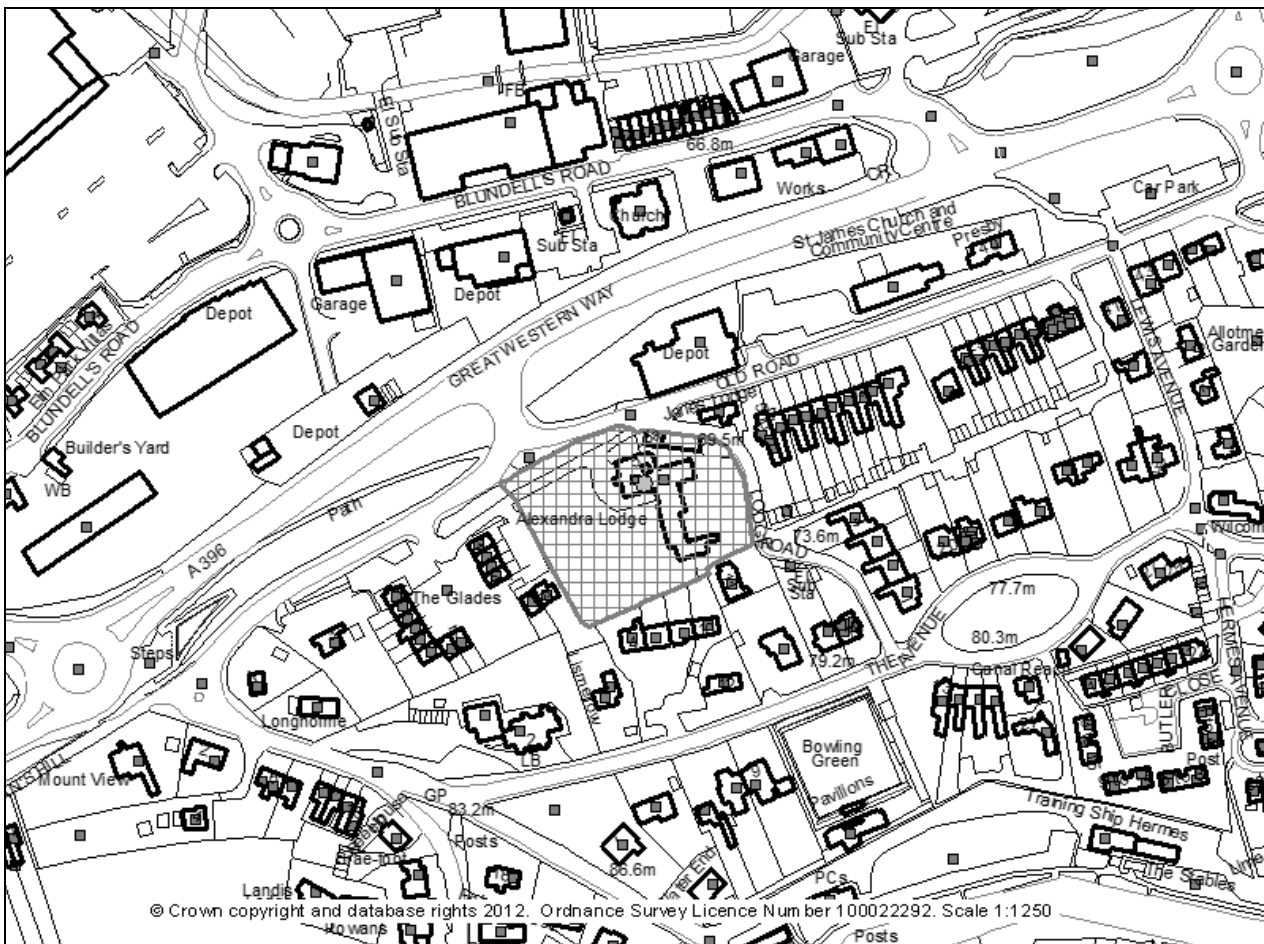
Grid Ref: 296189 : 112569

Applicant: The Abbeyfield Society

Location: Alexandra Lodge 5 Old Road
Tiverton Devon

Proposal: Erection of 45 Extracare
apartments and provision of
associated communal facilities,
car parking and landscaping,
renovation of Alexandra Lodge
following demolition of former
stable block and extensions

Date Valid: 10th December 2015



Application No. 15/01822/MFUL

RECOMMENDATION

Refuse Permission

PROPOSED DEVELOPMENT

Erection of 45 extracare apartments and provision of associated communal facilities, car parking and landscaping, renovation of Alexandra Lodge following demolition of former stable block and extensions.

The application site is on the edge of Tiverton town centre and contains a Grade II listed building, Alexandra Lodge. The pre-existing two storey extensions to the building, dating from when it was a care home, are proposed to be demolished and replaced with 45 extracare apartments and associated facilities. The proposed buildings include two and three storey development.

The application consists of the following:

35 x 1 bedroom extracare apartments

10 x 2 bedroom extracare apartments

18 x car parking spaces

4 x cycle spaces

1 x emergency vehicle drop off point

Mobility Scooter store

Communal facilities including: Restaurant/cafe, hair salon, laundry, garden lounge, domestic and commercial recycling/refuse areas, activity/hobby room, residents lounge

Landscaped gardens

Residents and visitor vehicular access from Canal Hill via The Glades

Service vehicular access from Lodge Road

Pedestrian access from Old Road

APPLICANT'S SUPPORTING INFORMATION

Design and Access Statement

Planning Statement (including Pre-application supporting statement and Design Review Panel review)

Statement of community involvement

Drainage Strategy

Historic Building Evaluation

Transport Statement

Travel Plan

Sustainability and LZC Energy Statement

Ecological Appraisal

Tree survey and arboricultural Impact

Ground conditions desk study

PLANNING HISTORY

81/00864/FULL DEEMED CONSENT for the erection of an extension to social centre and provision of additional car park - DEMCON09/01012/TPO Application to carry out works to 1 Yew tree and 1 Beech tree protected by Tree Preservation Order 96/00008/TPO - DELETE

10/00355/TPO Application to carry out works to 1 Yew and 1 Beech tree protected by Tree Preservation Order 96/00008/TPO

PART GRANTED/PART REFUSED - SPLIT

15/00334/MFUL Renovation and extension to provide 45 Extracare apartments and community facilities for use by residents and the wider community to include demolition of previous extensions, existing outbuildings and boundary walling - WDN

15/00335/LBC Listed Building Consent for renovation and extension to provide 45 Extracare apartments and community facilities for use by residents and the wider community to include demolition of previous extensions, existing outbuildings and boundary walling - WDN

15/01824/LBC Listed Building Consent for the erection of 45 Extracare apartments and provision of associated communal facilities, car parking and landscaping, renovation of Alexandra Lodge following demolition of former stable block and extensions - PCO

95/01593/FULL Change of use from elderly persons home to day care centre for physically disabled, people with learn- difficulties & the elderly, community laundry services, ancillary office accomm & car parking - PERMIT

96/01552/OTHER Erection of boundary wall (incorporating wrought iron gateway) and close boarded fence - REC

97/00596/FULL Erection of boundary wall (incorporating wrought iron gateway) and vertical boarded timber fence - PERMIT

DEVELOPMENT PLAN POLICIES

Mid Devon Core Strategy (Local Plan 1)

COR1 - Sustainable Communities
COR2 - Local Distinctiveness
COR3 - Meeting Housing Needs
COR7 - Previously Developed Land
COR9 - Access
COR11 - Flooding
COR12 - Development Focus
COR13 - Tiverton

Mid Devon Local Plan Part 3 (Development Management Policies)

DM2 - High quality design
DM8 - Parking
DM27 - Development affecting heritage assets

CONSULTATIONS

HIGHWAY AUTHORITY - 5th January 2016

The Local Planning Authority will be aware of the observations and comments of the Highway Authority at the previous application before its withdrawal from the process. The Highway Authority required further information on the applications transport statement and in particular the identified sites and parking provision as well as a travel plan to encourage shared car usage etc. The applicant has included updated information and a framework travel plan. The travel plans is advised to be secured through a legal agreement. The Highway Authority accept the findings of the applicant in terms of TRIC's data in terms of traffic generations. The applicant has indicated that C2 of the Local plan parking standard is the closest to the application usage and the highway Authority agree that the provision of 1 space per unit for a extra care facilities is likely to be an over provision.

The applicant has submitted supporting information from its various other sites and includes survey of the daily movements at one similar site for 56 units all of which the Highway Authority has no reason to discount and this has demonstrated that the level of parking is acceptable for their specific use. The Highway Authority would therefore raise no objection the application subject to the Travel plan being secured through a legal agreement and that the parking and access set out in drawing 4103-P2-0110 are conditional of any consent.

Recommendation:

THE HEAD OF PLANNING, TRANSPORTATION AND ENVIRONMENT, ON BEHALF OF DEVON COUNTY COUNCIL, AS LOCAL HIGHWAY AUTHORITY, MAY WISH TO RECOMMEND CONDITIONS ON ANY GRANT OF PLANNING PERMISSION

1. Spaces within the communal car parking facilities provided as part of the development shall be retained as such, and should not be allocated to individual unit. They should be maintained free of obstructions such as chains or bollards, so as to enable their use by all occupiers of the estate and their visitors.

REASON: To ensure that adequate off street parking facilities are available for all traffic attracted to the site

TIVERTON TOWN COUNCIL - 22nd December 2015

Unable to support this application as it is felt that whilst some improvements have been made since previous application the building is still too high and out of keeping with the area. Concerns remain in relation to loss of neighbours' privacy. Road safety in the area also remains a concern, with difficult access for people with mobility issues to the town centre.

NATURAL ENGLAND - 6th January 2016

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England has previously commented on this proposal and made comments to the authority in our letter dated 16th April 2015.

The advice provided in our previous response applies equally to this application although we made no objection to the original proposal (15/00334/MFUL).

Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again. Before sending us the amended consultation, please assess whether the changes proposed will materially affect any of the advice we have previously offered. If they are unlikely to do so, please do not re-consult us.

Protected Species

If the proposed works could, at any stage, have an impact on protected species, then you should refer to our Standing Advice which contains details of survey and mitigation requirements.

ENVIRONMENTAL HEALTH - 21st December 2015

Contaminated Land -The proposed development will involve the demolition of existing premises or structures, which may contain hazardous liquid or solid materials (including asbestos). Therefore, the following condition is recommended if permission is granted.

Demolition should be carried out in such a manner as to minimise the potential for airborne nuisance, additional land contamination and/or the creation of additional contamination pathways either on the site or at adjacent properties/other sensitive receptors.

Prior to demolition commencing, a works plan and risk assessment shall be submitted for approval to the Local Planning Authority for consultation with Environmental Health Services. This plan and assessment should identify and risk-assess any potential hazardous material in above or below ground structures that will be removed or disturbed during demolition and measures to deal with these safely. All potentially hazardous materials should be assessed.

Reason: In the interests of public health and protection of the environment.

Air Quality - I have no objection to this proposal

Environmental Permitting N/A

Drainage - I have no objection to this proposal

Noise & other nuisances - I recommend approval with conditions:

No work shall be carried out on the site on any Sunday, Christmas Day or Bank Holiday or other than between the hours of 0730 and 1900 hours on Monday to Fridays and 0730 and 1300 on Saturdays.

Reason: To ensure that the proposed development does not prejudice the amenities of neighbouring properties.

Housing Standards I have no objection to this proposal

Licensing - No Comments

Food Hygiene - I have no objection to this proposal.

Informative: If food is going to be provided registration will be required and please send detailed kitchen etc. plans to Environmental health for advice prior to installation.

Private Water Supplies - No comment

Health and Safety I have no objections to this proposal but would refer the applicant to HSE's website for guidance on layout and design e.g. window restrictors, changes in height etc. Please contact the Environmental health department if you wish to receive further advice.

DEVON & CORNWALL POLICE AUTHORITY - 21st December 2015

I have had a brief conversation with the agent that confirms 100% perimeter security and gating.

The premises will be manned 24 hours by care staff.

Structure and security standards will comply with Document Q

The Police have no further comments or concerns.

HISTORIC ENGLAND - 21st December 2015 - On the basis of information provided, we do not consider that it is necessary for this application to be notified to Historic England under the relevant statutory provisions, details of which are enclosed.

If you consider that this application does fall within one of the relevant categories, or if there are other reasons for seeking the advice of Historic England, we would be grateful if you could explain your request.

REPRESENTATIONS

12 letters of representation have been received, 8 objecting to the proposal (plus 71 signature petition) and 4 supporting the proposal.

The letters of representation are summarised below:

Objection (including petition):

1. not in keeping with surrounding area;
2. does not harmonise with the architecture of the grade II listed building;
3. loss of privacy for surrounding homes
4. lack of vehicle parking provision
5. two storeys with accommodation in roof as a maximum;
6. proposal should be rendered not brick;
7. distance between development and existing dwellings unacceptable;
8. lack of screening on boundaries;
9. impact on bat habitat;
10. loss of light to dwellings and gardens;
11. loss of trees from the site;
12. pedestrian route into town for elderly residents is unsafe;
13. additional use of The Glades access is unacceptable;
14. development in compatible with 18th Century building;
15. overdevelopment of the site;
16. the development is based on economics and not on the suitability of the site for 45 apartments;

Support:

1. lack of suitable accommodation for elderly people when leaving hospital;
2. provides a safe home environment that prevents blocking of hospital beds;
3. increasingly ageing population and a demand for supported living accommodation;
4. further supported living accommodation required in addition to the 50 beds provided in this scheme;
5. improvements and repairs and reuse of Listed Building

MATERIAL CONSIDERATIONS AND OBSERVATIONS

Site description

The application site is located on the edge of Tiverton town centre. It is positioned at the bottom of Canal Hill and adjacent to the Canal Hill, Old Road and Lodge Road junction. The site is elevated above the carriageway level of the adjacent roads. Due to the position and size of existing trees on the northern boundary of the site, there are currently only clear views of the northern gable end of Alexandra Lodge on approach from the north. There are prominent views from the north of the former stable building, the north elevation of which forms the boundary with Lodge Road. There are limited views of the wider site from public vantage points due to the existing trees on the northern boundary. These trees are protected by a group tree preservation order.

The ground level of the site rises toward the south and, as a result of this and the height of the proposed development adjacent to the southern boundary of the site, will be visible from public vantage points to the north and east, as well as from private views from nearby residential properties to the south and west.

The application site currently consists of the grade II listed building, Alexandra Lodge, as well as a former stable building, and one and two storey extensions to the south and east side of Alexandra Lodge. There are substantial gardens to the west of the site which include a number of trees protected by Tree Protection Orders.

The proposed development requires the demolition of the existing single and two storey extensions as well as the former stable building. The existing access points are proposed to be retained with residents and visitors accessing the site via the vehicular access from Canal Hill and pedestrian access from Old Road. The secondary vehicular access from Lodge Road would be retained for access by service vehicles/deliveries. The third vehicular access also from Lodge Road would be for maintenance use only.

Alexandra Lodge has been largely vacant since 2012 and is now in need of repair in order bring it back into use. The former stable building is not in a good state of repair and is proposed to be demolished. The existing extensions to Alexandra Lodge do not provide scope to accommodate the proposed extracare apartments.

The main material considerations in respect of this proposal are:

- 1) Need for extracare housing**
 - 2) Planning history and pre-application process**
 - 3) Design and impact on character of area**
 - 4) Works to the listed building, Alexandra Lodge**
 - 5) Design and impact on nearby residential properties**
 - 6) Highways, Parking and accessibility to services and facilities**
 - 7) Other**
-
- 1) Need for extracare housing**

The application would deliver 45 extracare apartments and associated facilities on an edge of town centre site. The concept of extracare housing is to provide independent living for people with care needs in self-contained apartments in a secure and supportive environment. There is an on-site manager and in-house care as well as accommodation suitable for residents that are active and those that require individual care.

The services and facilities within Tiverton town centre would be within walking distance of the site although potentially not feasible for all residents. The 45 apartments would be created through conversion of the listed building, Alexandra Lodge and in purpose built buildings attached to the south and east of Alexandra Lodge.

Letters of support have been received from the local Member of Parliament as well as from the local NHS Trust, Devon County Council, and local General Practitioner Surgeries. The supporting letters identify a need for extracare housing (supported living) in the Tiverton area.

Policy COR1 (MDCS) requires development to meet sustainability objectives, brings positive benefits, supports the diverse needs of communities and provides vibrant, healthy and inclusive places where existing and future residents want to live (and work). The provision of these 45 extracare apartments would help to meet the housing needs of the community, providing a form of accommodation which allows older people to live independently but to organise on site care as and when it becomes necessary. The application is therefore in accordance with the requirements of this policy. Policy COR1 is supported by Policy COR3 (MDCS) which seeks to provide 340 dwellings in Mid Devon per annualised year. The application would make a meaningful contribution toward the annual provision of dwellings for Mid Devon.

The site is considered to be previously used and as such the principle of development is in accordance with policy COR7 Mid Devon Core Strategy (MDCS) which seeks the early development of previously used or underused land in settlements.

2) Pre-application discussions and planning application history

The applicants have engaged with the Local Planning Authority through pre-application discussions and a previous scheme for the development of this site was withdrawn in 2015. Prior to the submission and withdrawal of an application in 2015 the applicants had taken an earlier version of the proposal to the Design Review Panel. The Design Review Panel identified aspects of the proposal that they considered could be improved. Following the withdrawal of this earlier scheme the pre-application discussions resumed. This process has provided opportunities for the design of the proposal to be amended to reflect officer (and some local resident) concerns. The current application therefore follows fairly extensive pre-application discussions. The design of the submitted proposal is not considered to reflect all of the pre-application discussions and although positive changes have been negotiated to the scheme, both during the pre-application phase and during the consideration of this application, it has been concluded that the development would cause substantial harm to the setting of the listed building, Alexandra Lodge.

Policy DM27 requires that proposals that would cause substantial harm to a heritage asset and its setting should be refused unless substantial public benefit outweighs the harm or the requirements of paragraph 133 of the NPPF are met. In this instance, while there would be a public benefit with regard to the provision of extracare/supported living accommodation in Tiverton, this is not considered to outweigh the harm to the setting of Alexandra Lodge. The application is considered to be contrary to policy DM27 Local Plan Part 3 (Development Management Policies).

3) Design and impact on the setting of Alexandra Lodge and surrounding area

Alexandra Lodge is a 3 storey grade II listed building. It is a late 18th century building that has been altered over the years. The building was used as part of a care home since the 1970s and ceased being used as such in 2012. The external appearance is off white render with a hipped slate roof behind a parapet.

Of the proposed 45 extracare apartments, 3 would be provided within Alexandra Lodge. The remaining 42 would be provided within the new buildings to be attached to the southern and eastern sides of Alexandra Lodge.

The design of the development can be broken down into sections. To the north east of the site the former stable building is to be demolished and replaced with a new building on a similar footprint and of a similar size and proportion to the existing building. This proposed building would contain a flat roof dormer on the north (Old Road facing) elevation that would enable the roof space of the building to be used to provide accommodation, with the communal restaurant/cafe on the ground floor. The external appearance would be

rendered walls and a slate roof with zinc standing seam wall cladding on the dormer window. The north west gable end would be mainly glass. This building would be physically attached to Alexandra Lodge with a glazed and slate roof link. The linking area would form the main entrance/lobby to access the apartments. This element of the proposal, due to its lower height, smaller size and scale than Alexandra Lodge would sit fairly comfortably alongside the listed building and within the street scene of Old Road/Canal Hill/Lodge Road junction.

To the east of Alexandra Lodge there is a large section of the development that provides many of the communal facilities as well as apartments. The development at this point is three storeys high and is attached to and higher than the listed building. While the appearance of the eastern elevation, looking onto Lodge Road is not in itself considered to be detrimental to the street scene of Lodge Road, and the red brick facade would generally reflect elements of the character of the street scene at this point, due to the height of the development it would not be possible to appreciate that the site contains a listed building. When this east/south eastern section of the development is viewed from the west (on approach to the site via the main vehicular access), its height, mass and bulk would have an uncomfortable relationship with the listed building. Although set back from the frontage of the listed building, the overall scale and bulk of the proposal is considerably greater than that of Alexandra Lodge and the external design would appear 'heavy' and at odds with the front facade of the listed building. Alexandra Lodge would appear 'swamped' by development. This is considered to result in substantial harm to the setting of the listed building contrary to policy DM27 and the NPPF.

The third section of the development extends along the southern boundary of the site. Unlike the eastern/south eastern area of the site, the southern side of the site has not previously contained structures. There are a number of trees close to the boundary and a fairly significant change in land levels. The proposed development includes a south western wing that would extend along a majority of the southern part of the site. This section creates a 'U' shaped development. The design changes from west to east. The western end is two storey, flat roof with a deep footprint and face brick appearance. This is attached to a three storey section with a shallower footprint and a face brick plinth, rendered walls at ground and first floor, and zinc standing seam cladding at second floor level (on the north facing elevation) resulting in a more contemporary appearance than the face brick sections and elevations. The different design approaches, external appearances and fenestration patterns to the 2 and 3 storey elements of this southern section prevents the design from appearing coherent and results in a development that is visually unattractive and does not integrate well with the surrounding buildings, contrary to policies DM2 and DM14 Local Plan Part 3 (Development Management Policies). The southern elevation of this section of the proposal has a more traditional appearance with rendered and brick sections and a domestic scale and pattern of fenestration.

Due to the increase in land levels toward the southern side of the site, the two storey, flat roofed western end would be a similar height to Alexandra Lodge. The three storey section would be considerably taller than Alexandra Lodge. This southern section of the development would significantly encroach on the existing gardens of Alexandra Lodge. On approach to the site from the main access to the west, there is currently space around the building which is required to maintain its status and character. The space provides a sense of 'amenity' and allows an appreciation of the architectural merits of the building. This setting of the building is considered to be important to the value of the building overall.

The proposed development would substantially fill in the land on three sides of the listed building both in terms of physical construction and views. The visual approach to the listed building would be significantly altered and be dominated by the proposed development and would prevent an appreciation of the building in its grounds. As the setting is very important to the listed building and the setting will be encroached upon and severely damaged by the scale, mass, bulk and appearance of the proposed development, the value/significance of the listed building would be substantially harmed. This substantial harm to a heritage asset is unacceptable and contrary to policy DM27.

Policy DM27 states that proposals that would be likely to substantially harm heritage assets and their settings should only be approved if substantial public benefit outweighs the harm or the requirements of paragraph 133 of the NPPF are met.

As detailed above, there is considered to be a need for extracare/supported living accommodation in Tiverton and the surrounding area and it is identified that the proposal would create approximately 20 jobs. The principle of providing such accommodation on this site is supported. However, the design and impact of such a development must also be acceptable. Unfortunately, in this instance, although elements of the design have been amended following officer (and residents) comments/suggestions it has not been possible to reduce the bulk, scale and overall mass of the development to a degree that prevents the proposed development from causing substantial harm to the setting of the listed building which is an irreplaceable resource. While it is understood that in order for the development to be financially viable a certain number of apartments would need to be provided, the current application for 45 apartments would result in unacceptable harm to the setting of the listed building. On balance it is not considered that the harm caused to the setting of the listed building would be outweighed by the public benefit of providing the proposed level of accommodation and additional jobs on this site. While the principle of providing supported living accommodation on the site is accepted, the current proposal is not considered to comply with relevant planning policies. The proposal is contrary to policy DM27.

The NPPF paragraph 133 states that where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply: the nature of the heritage asset prevents all reasonable uses of the site; and no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and the harm or loss is outweighed by the benefit of bringing the site back into use. It could not be said that any of the 4 criteria set out in paragraph 133 apply to Alexandra Lodge. As it has been concluded that the development would result in substantial harm to the listed building which is not outweighed by the public benefit of the proposal, it is concluded that the development is contrary to paragraph 133 of the NPPF. This forms the reason for refusal of this application.

4) Works to the listed building

Although the proposed development is considered to cause substantial harm to the setting of the listed building, the physical works proposed to the listed building are considered to be acceptable and would not in themselves cause substantial harm to the listed building. A detailed schedule of works to the listed building has been submitted, the content of which is acceptable. The works to the listed building are considered to be in accordance with policy DM27 Local Plan Part 3 (Development Management Policies).

5) Impact on nearby residents

The application site has residential development to the south, east and west.

To the south, the nearest off site property is 11 Lodge Road. It is a single storey dwelling at right angles to the proposed southern section of development. The garage on the northern end of the dwelling is very close to the boundary with the application site, however, there are no windows on the north gable end of his property. While there would be no window to window overlooking between this property and the proposed development and there are a number of trees on the southern boundary of the site that would filter views toward 11 Lodge Road, there would be an element of overlooking to the rear garden of this property.

Also to the south there is a terrace of 4 dwellings 4,6,8,10 The Avenue, the rear elevations of which look toward the development site. The minimum distance between these dwellings and the south elevation of the development is 21m. At this point the development is two storeys high. The closest point of the development where 3 storey accommodation is provided is 26m. As a rule of thumb a separation of distance of 20m plus is considered to be acceptable in order to prevent window to window overlooking. While there may be some increase in overlooking to the rear gardens of these dwellings a result of the development, the separation distance and the existing tree coverage on the southern boundary would help to filter views towards these off site dwellings and filter views of the development from the dwellings. Although the proposed development along the southern boundary of the site is 3 storeys (in part) it is not considered that it would have an unacceptable impact on the outlook from these dwellings and would not result in over shadowing of these off site properties.

To the west of site lies a residential development called The Glades. There is approximately 18m between the gable end of the nearest dwelling and the west elevation of the two storey element of the development. Although there are a number of windows on the west elevation of the development, there are no facing windows on the dwellings in The Glades. Views between The Glades and the development on the west boundary of the site are filtered by existing trees.

The proposed development, in making use of the space toward the east of the site and therefore behind the listed building, brings the development significantly closer to the dwellings in Lodge Road/Old Road than the existing buildings. However a re-design of this eastern elevation during consideration of the application, reducing the height of the existing stone boundary wall and by stepping the development back from the boundary by 10m allows a separation distance of 21m to be achieved between windows on the east elevation of the development and the west facing elevation of 5-7 Lodge Road. The reduction to the height of the stone boundary wall, stepping the development away from the east boundary for a majority of the east elevation and re-designing the south east corner block to provide accommodation in the roof space has improved the east elevation design and assists in reducing the impact on the street scene of Lodge Road. While a pinch point remains in Lodge Road opposite a block of garages (associated with Old Road properties), alterations to the design have reduced the impact on Lodge Road. While the development would significantly change the appearance of the street scene in Lodge Road, it is not considered that this impact would relate to an overbearing impact on the residential amenities of the occupiers of nearby residential properties.

While this same elevation of the development may provide some opportunity for views toward Janes Lodge (adjacent to the north east corner of the site), these are oblique views. There are few windows on the southern elevation of Janes Lodge and therefore any overlooking and the impact of any overlooking would be limited. The dormer windows that form part of the replacement stable block building face north east and those toward the east side of the building have potential to allow views toward Janes Lodge. However, any overlooking would be to the side garden and would be oblique views. It is not considered that the dormer windows would have an unacceptable impact on the occupiers of Janes Lodge.

Overall it is considered that the development, in terms of effects on the privacy and amenity of the neighbouring properties is considered to be acceptable and in accordance with policy DM2 (e) (in part) and DM14 (b) (in part).

6) Highways, access and parking

The primary vehicular access to the development would be from Canal Hill via The Glades. The 18 car parking spaces (and emergency vehicle access) to serve the development would be accessed from this primary access. This access and the level of car parking have been agreed with the Highways Authority and although the level of parking is not specifically supported by Policy DM8 LP3 it has been justified through the transport statement and travel planning information submitted with the application.

The primary pedestrian access to the development would be from Old Road close to the junction with Lodge Road and Canal Hill. The pedestrian access would be formed by utilising an existing vehicular access in the same location. Some concern has been raised regarding the ability of pedestrians to cross Canal Hill close to the application site due to the speed of traffic approaching from Great Western Way (to the north) or downhill on Canal Hill and the lack of central refuge/official crossing point. However, the Highways Authority has not objected to the proposed pedestrian access. While it is not considered to be ideal to encourage the crossing of Canal Hill at this junction with Old Road, without objection from the Highways Authority it would be difficult to justify a refusal on this basis.

A secondary vehicular access from Lodge Road is to be retained. This would provide an access for deliveries/service vehicles. A third vehicular access on the south east boundary of the site would also be retained to be used only by maintenance vehicles.

It is considered that the location on the edge of the town centre will assist in reducing the need to travel to the site by car and does encourage some access on foot and by cycle. However, the potential difficulty in crossing Canal Hill close to the site (at the low and more easily accessible part of the road) could detract

from pedestrian accessibility of the site for less able residents/visitors. The level of car parking is acceptable and there is buggy storage within the development as well as storage for 4 cycles. The level of accessibility is considered to be broadly in accordance with policy COR11 Mid Devon Core Strategy and the level of parking justified and broadly in accordance with policy DM8 Local Plan Part 3.

7) Other

An ecology report was submitted with the application which concluded that the former stable building was being used as a non-breeding summer roost for long eared bats. The demolition of the building will result in a disturbance to bat species and destruction of a roost. A European Protected Species Licence would be required from Natural England before the building could be demolished. The EPSL would need to include measures to ensure the works are timed to reduce any impact on bats and to ensure bats are not harmed. The mitigation would need to include further survey works, species identification, appropriate timings of works, bat buildings or internal roof space roost provision. Subject to ensuring that appropriate mitigation was provided it is considered that the development would be in accordance policy DM2(c) Local Plan Part 3.

The site is in flood zone 1 so is not at risk of flooding. The foul drainage is proposed to be connected to the public sewerage system. It is intended that surface water will be discharged via a Sustainable Urban Drainage System of infiltration to the ground through permeable paving and a soakaway. This is in accordance with policy COR11 Mid Devon Core Strategy and policy DM2 (f) Local Plan Part 3 (Development Management Policies).

An arboricultural report was submitted with the application. It identifies that there are 26 trees on the site and 2 groups of trees. The proposed development would retain 16 of the trees and 1 group. The 10 trees to be removed are classified as being in such a condition that any existing value would be lost within 10 years and should be removed for reasons of sound arboricultural management. The five trees on site that are protected by a Tree Preservation Order will be retained. The tree coverage retained on the site would maintain the tree coverage aspects of the character and appearance of the area including the site screening currently provided by trees on the periphery of the site.

Summary

The application seeks planning permission for the demolition of a former stable building and existing extensions to Alexandra Lodge and the erection of 45 extracare apartments and provision of communal facilities, car parking, landscaping and renovation of Alexandra Lodge. The development would provide much needed extracare/supported living accommodation the provision of which would be of benefit to the public and enable residents to retain independence while receiving care in their own homes. However, the development due to its design, size, scale, bulk and mass would erode the setting of Alexandra Lodge to such a degree that it would cause substantial harm to the listed building and would not create a visually attractive place that is integrated with its surroundings. It is not considered that the substantial harm caused to the setting of the listed building, which is an irreplaceable resource, would be outweighed by the public benefit associated with the provision of this accommodation, in this instance. The development is therefore considered to be contrary to policies DM2 and DM27 Local Plan Part 3 (Development management Policies). Additionally, due to the appearance, size, scale, bulk, mass and mix of materials of the southern section of the proposal, the development would not represent high quality design or create a visually attractive contrary to policy COR2 Mid Devon Core Strategy (LP1) and policy DM2 Local Plan Part 3 (Development Management Policies). The application has therefore been recommended for refusal.

REASONS FOR REFUSAL

1. Due to its appearance, size, scale, bulk and mass the proposed development would cause substantial harm to the setting of Alexandra Lodge which is a grade II listed building. In the opinion of the Local Planning Authority the public benefit provided by the development would not outweigh the substantial harm that would be caused contrary to policy COR2 Mid Devon Core Strategy (LP1) and policy DM27 Local Plan Part 3 (Development Management Policies).

2. Due to the appearance, size, scale, bulk, mass and mix of materials of the southern section of the proposal, the development would not represent high quality design or create a visually attractive place that is well integrated with the surrounding buildings contrary to policy COR2 Mid Devon Core Strategy (LP1) and policy DM2 Local Plan Part 3 (Development Management Policies).

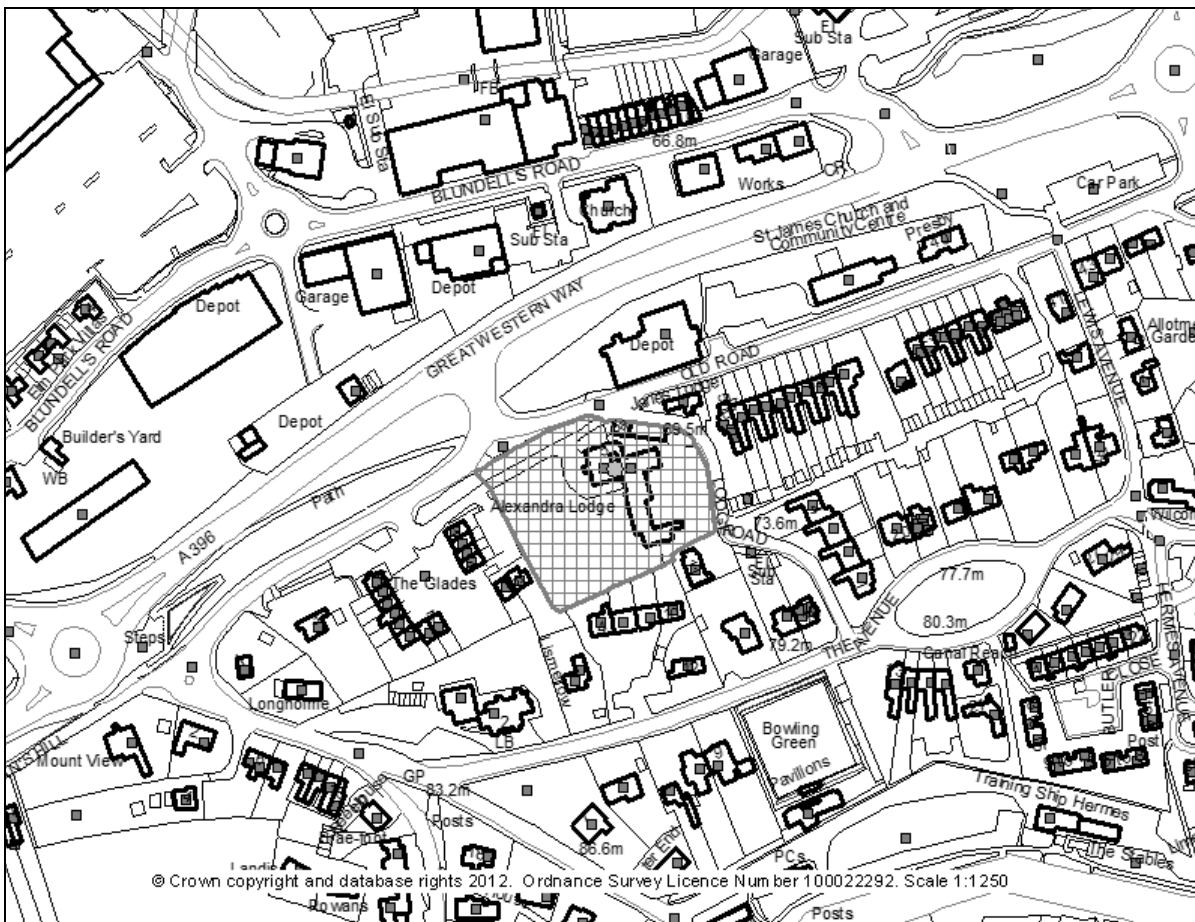
Grid Ref: 296189 : 112569

Applicant: The Abbeyfield Society

Location: Alexandra Lodge 5 Old Road
Tiverton Devon

Proposal: Listed Building Consent for the erection of 45 Extracare apartments and provision of associated communal facilities, car parking and landscaping, renovation of Alexandra Lodge following demolition of former stable block and extensions

Date Valid: 10th December 2015



Application No. 15/01824/LBC

RECOMMENDATION

Refuse Listed Building Consent.

PROPOSED DEVELOPMENT

Erection of 45 extracare apartments and provision of associated communal facilities, car parking and landscaping, renovation of Alexandra Lodge following demolition of former stable block and extensions.

The application site is on the edge of Tiverton town centre and contains a Grade II listed building, Alexandra Lodge. The pre-existing two storey extensions to the building, dating from when it was a care home, are proposed to be demolished and replaced with 45 extracare apartments and associated facilities. The proposed buildings include two and three storey development.

The application consists of the following:

Internal and external works to the listed building

35 x 1 bedroom extracare apartments

10 x 2 bedroom extracare apartments

18 x car parking spaces

4 x cycle spaces

1 x emergency vehicle drop off point

Mobility Scooter store

Communal facilities including: Restaurant/cafe, hair salon, laundry, garden lounge, domestic and commercial recycling/refuse areas, activity/hobby room, residents lounge

Landscaped gardens

Residents and visitor vehicular access from Canal Hill via The Glades

Service vehicular access from Lodge Road

Pedestrian access from Old Road

APPLICANT'S SUPPORTING INFORMATION

Design and Access Statement

Planning Statement (including Pre-application supporting statement and Design Review Panel review)

Statement of community involvement

Drainage Strategy

Historic Building Evaluation

Transport Statement

Travel Plan

Sustainability and LZC Energy Statement

Ecological Appraisal

Tree survey and arboricultural Impact

Ground conditions desk study

PLANNING HISTORY

81/00864/FULL DEEMED CONSENT for the erection of an extension to social centre and provision of additional car park - DEMCON

95/01593/FULL Change of use from elderly persons home to day care centre for physically disabled, people with learn- difficulties & the elderly, community laundry services, ancillary office accomm & car parking - PERMIT

96/01552/OTHER Erection of boundary wall (incorporating wrought iron gateway) and close boarded fence - REC

97/00596/FULL Erection of boundary wall (incorporating wrought iron gateway) and vertical boarded timber fence - PERMIT

09/01012/TPO Application to carry out works to 1 Yew tree and 1 Beech tree protected by Tree Preservation Order 96/00008/TPO - DELETE

10/00355/TPO Application to carry out works to 1 Yew and 1 Beech tree protected by Tree Preservation Order 96/00008/TPO

PART GRANTED/PART REFUSED - SPLIT

15/00334/MFUL Renovation and extension to provide 45 Extracare apartments and community facilities for use by residents and the wider community to include demolition of previous extensions, existing outbuildings and boundary walling - WDN

15/00335/LBC Listed Building Consent for renovation and extension to provide 45 Extracare apartments and community facilities for use by residents and the wider community to include demolition of previous extensions, existing outbuildings and boundary walling - WDN

15/01824/LBC Listed Building Consent for the erection of 45 Extracare apartments and provision of associated communal facilities, car parking and landscaping, renovation of Alexandra Lodge following demolition of former stable block and extensions - PCO

DEVELOPMENT PLAN POLICIES

Mid Devon Local Plan Part 3 (Development Management Policies)

DM27 - Development affecting heritage assets

CONSULTATIONS

CENTRAL AREA CONSERVATION OFFICER - 16th March 2016

This is a listed building, grade II with large gardens, stables and mid 20th century extensions.

Proposal

Listed building consent for the erection of 45 Extracare apartments and provision of associated communal facilities, car parking and landscaping, renovation of Alexandra Lodge following demolition of former stable block and extensions.

Impact on the listed building and/or conservation area

You have asked me to expand and clarify my previous comments about 'substantial harm' to the setting of this listed building.

The NPPF asks us to put great weight on the conservation of heritage assets due to the fact that they are irreplaceable resources. It further states that development should be refused if it will lead to substantial harm or the total loss of significance of the asset, unless that harm is necessary to achieve substantial public benefits that outweigh that loss.

As previously commented, the works to the listed building itself are acceptable and do not create substantial harm. However, in my opinion the development that will occur around the building to create the Extracare facility will be substantially harmful to the setting of the listed building - and the setting forms a large part of the significance of the listed building (in this I disagree with the submitted heritage report). (Historic England advice on setting is provided in The Setting of Heritage Assets, Historic Environment Good Practice Advice in Planning: 3 (2015)).

A building such as this one is set within larger grounds and has a primary elevation - an approach to which creates a main, important view of the house. Beyond those grounds, gradual encroachment of housing etc. has changed the larger setting from one that was much more rural to a more urban feel. However, the gardens and immediate land associated with Alexandra Lodge have been fixed since at least 1889. The house, in my opinion, is of a status and character that requires land around it to give it space, context and a sense of 'amenity' as well as an appreciation of the architectural merits of the building itself - the setting is therefore important to the value of the building overall.

The proposed development will substantially fill three sides of the land around the house in terms of physical construction and views - dominating the approach to the house visually and damaging the appreciation of the house in its grounds. Because the setting is important to the house and that setting will be encroached upon and severely damaged, there is a knock-on impact on the value/significance of the house itself - it is substantially harmed.

Summary

There is no doubt that the development is of a scale, mass, volume and appearance that will massively alter the appreciation of the listed building, views to it, its setting and context. For this reason I find that the harm is substantial and has an extremely negative impact on the significance of the building.

HISTORIC ENVIRONMENT SERVICE - 16th December 2015

The proposed development will involve the demolition of the historic stables to the north of Alexandra Lodge, this building has been highlighted as being contemporary with the lodge itself.

I would therefore advise in the first instance that the MDDC Conservation Officer was consulted with regard to any comments she will have on the loss of these historic buildings.

Please note that the following comments are made without prejudice to any comments made by the Conservation Officer.

Should consent be granted by your Authority for this development that includes the demolition of the stable buildings a detailed record should be made of these heritage assets prior to any construction works commencing.

For this reason and in accordance with paragraph 141 of the National Planning Policy Framework (2012) and the supporting text in paragraph 5.3 of the Mid Devon Local Plan Part 3: Development Management Policy DM27 (2013), I would advise that any consent your Authority may be minded to issue should carry the condition as worded below, based on model Condition 55 as set out in Appendix A of Circular 11/95 and English Heritage guidance as set out in 'Understanding Historic Buildings: Policy and Guidance for Local Planning Authorities - 2008', whereby:

"No works to which this consent relates shall commence until an appropriate programme of historic building recording and analysis has been secured and implemented in accordance with a written scheme of investigation which has been submitted to and approved in writing by the local planning authority."

The development shall be carried out at all times in strict accordance with the approved scheme, or such other details as may be subsequently agreed in writing by the District Planning Authority.

Reason: 'To ensure, in accordance with paragraph 141 of the National Planning Policy Framework (2012) and the supporting text in paragraph 5.3 of the Mid Devon Local Plan Part 3: Development Management Policy DM27 (2013), that an appropriate record is made of the historic building fabric that may be affected by the development'

The results of the historic building recording and any post-excavation analysis undertaken would need to be presented in an appropriately detailed and illustrated report.

HISTORIC ENGLAND - 21st December 2015

On the basis of the information provided, we do not consider that it is necessary for this application to be notified to Historic England under the relevant statutory provisions, details of which are enclosed.

If you consider that this application does fall within one of the relevant categories, or if there are other reasons for seeking the advice of Historic England, we would be grateful if you could explain your request. Please do not hesitate to telephone me if you would like to discuss this application or the notification procedures in general.

We will retain the application for four weeks from the date of this letter. Thereafter we will dispose of the papers if we do not hear from you.

TIVERTON TOWN COUNCIL - 22nd December 2015

Unable to support this application as it is felt that whilst some improvements have been made since previous application the building is still too high and out of keeping with the area. Concerns remain in relation to loss of neighbours' privacy. Road safety in the area also remains a concern, with difficult access for people with mobility issues to the town centre.

CENTRAL AREA CONSERVATION OFFICER - 19th January 2016

Site

This is a listed building, grade II with large gardens, stables and mid 20th century extensions.

Proposal

Listed building consent for the erection of 45 Extracare apartments and provision of associated communal facilities, car parking and landscaping, renovation of Alexandra Lodge following demolition of former stable block and extensions.

Impact on the listed building and/or conservation area

This scheme has been the subject of repeated pre-application discussions with the planning department and also an earlier iteration was considered by the design review panel which was unable to support the scheme.

Alexandra Lodge is a late 18th century house, listed grade II with a good quality interior. It has a contemporary stable block to the north-east and also a late 20th century extension range to the east. The extensions are not of value and their removal is encouraged as, although single storey, they are poorly design and detract from the main building. The stables are unused and although in need of repairs, are in fair condition.

The proposal falls into two categories - the works to the listed building itself (including stable demolition) and the extension to create the Extracare facility.

Works to listed building

The proposed alterations and use of space are considered to be acceptable. They make best use of the rooms and layouts and whilst some adaptation is required, these changes are clearly thought through and reversible without the loss of significant historic fabric. The loss of the stables is unfortunate but it stemmed from discussions on how to fit this facility on the site. Our suggestion was that, if it helped minimise the impact of the scheme, created better use of space and led to an acceptable level of harm overall, that the loss of the stables would be acceptable.

The extension to create the Extracare facility.

The requirement for the scheme to be of a certain size for it to be viable and appropriate has put enormous pressure on the site. Despite many attempts to minimise impact and improve the design it is my conclusion that the proposal is simply too big for the site - the heights, mass, volume, design and materials dominate the listed building to a totally unacceptable degree. The listed building is dwarfed by the new structures and becomes a minor part of the site, lost in a confusing combination of roof lines, materials and designs that do nothing to compliment the historic building or reference its special character.

The Historic Building Evaluation and assessment concludes that the impact of the proposal on the setting of the listed building is moderate-major and that the setting forms a "minor part of the overall significance of the building and therefore this impact on the setting will not result in a consequential impact on the significance of the building as a heritage asset". It goes on to say that the development causes 'less than substantial harm'. Whilst the evaluation has referenced and used the correct guidance to make this assessment, I disagree with its conclusions. In my professional opinion the impact on setting is major and represents substantial harm as per the NPPF para 133.

The desire to achieve Extracare provision in Tiverton is admirable and justified, but this site is not the right one given its size, the presence of the listed building and the impact that it has on the locality.

Summary

I strongly recommend that the application is refused as it represents substantial harm to the listed building's setting and therefore, significance.

REPRESENTATIONS

12 letters of representation have been received, 8 objecting to the proposal (plus 71 signature petition) and 4 supporting the proposal.

The letters of representation are summarised below:

Objection (including petition):

1. not in keeping with surrounding area;
2. does not harmonise with the architecture of the grade II listed building;
3. loss of privacy for surrounding homes
4. lack of vehicle parking provision
5. two storeys with accommodation in roof as a maximum;
6. proposal should be rendered not brick;
7. distance between development and existing dwellings unacceptable;
8. lack of screening on boundaries;
9. impact on bat habitat;
10. loss of light to dwellings and gardens;
11. loss of trees from the site;
12. pedestrian route into town for elderly residents is unsafe;
13. additional use of The Glades access is unacceptable;
14. development in compatible with 18th Century building;
15. overdevelopment of the site;
16. the development is based on economics and not on the suitability of the site for 45 apartments;

Support:

1. lack of suitable accommodation for elderly people when leaving hospital;
2. provides a safe home environment that prevents blocking of hospital beds;
3. increasingly ageing population and a demand for supported living accommodation;
4. further supported living accommodation required in addition to the 50 beds provided in this scheme;
5. Improvements, repairs and reuse of the listed building

MATERIAL CONSIDERATIONS AND OBSERVATIONS

Site description

The application site is located on the edge of Tiverton town centre. It is positioned at the bottom of Canal Hill and adjacent to the Canal Hill, Old Road and Lodge Road junction. The site is elevated above the carriageway level of the adjacent roads. Due to the position and size of existing trees on the northern boundary of the site, there are currently only clear views of the northern gable end of Alexandra Lodge on approach from the north. There are prominent views from the north of the former stable building, the north elevation of which forms the boundary with Lodge Road. There are limited views of the wider site from public vantage points due to the existing trees on the northern boundary. These trees are protected by a group tree preservation order.

The ground level of the site rises toward the south and, as a result of this and the height of the proposed development adjacent to the southern boundary of the site, will be visible from public vantage points to the north and east, as well as from private views from nearby residential properties to the south and west.

The application site currently consists of the grade II listed building, Alexandra Lodge, as well as a former stable building, and one and two storey extensions to the south and east side of Alexandra Lodge. There are substantial gardens to the west of the site which include a number of trees protected by Tree Protection Orders.

The proposed development requires the demolition of the existing single and two storey extensions as well as the former stable building. The existing access points are proposed to be retained with residents and visitors accessing the site via the vehicular access from Canal Hill and pedestrian access from Old Road. The secondary vehicular access from Lodge Road would be retained for access by service

vehicles/deliveries. The third vehicular access also from Lodge Road would be for maintenance use only.

Alexandra Lodge has been largely vacant since 2012 and is now in need of repair in order bring it back into use. The former stable building is not in a good state of repair and is proposed to be demolished. The existing extensions to Alexandra Lodge do not provide scope to accommodate the proposed extracare apartments.

The main material considerations in respect of this proposal are:

- 1) Pre application discussions and planning application history**
- 2) Design and impact on Alexandra Lodge and surrounding area**
- 3) Works to the listed building, Alexandra Lodge**

1) Pre-application discussions and planning application history

The applicants have engaged with the Local Planning Authority through pre-application discussions and a previous scheme for the development of this site was withdrawn in 2015. Prior to the submission and withdrawal of an application in 2015 the applicants had taken an earlier version of the proposal to the Design Review Panel. The Design Review Panel identified aspects of the proposal that they considered could be improved. Following the withdrawal of this earlier scheme the pre-application discussions resumed. This process has provided opportunities for the design of the proposal to be amended to reflect officer (and some local resident) concerns. The current application therefore follows fairly extensive pre-application discussions. The design of the submitted proposal is not considered to reflect all of the pre-application discussions and although positive changes have been negotiated to the scheme, both during the pre-application phase and during the consideration of this application, it has been concluded that the development would cause substantial harm to the setting of the listed building, Alexandra Lodge.

Policy DM27 requires that proposals that would cause substantial harm to a heritage asset and its setting should be refused unless substantial public benefit outweighs the harm or the requirements of paragraph 133 of the NPPF are met. In this instance, while there would be a public benefit with regard to the provision of extracare/supported living accommodation in Tiverton, this is not considered to outweigh the harm to the setting of Alexandra Lodge. The application is considered to be contrary to policy DM27 Local Plan Part 3 (Development Management Policies).

2) Design and impact on the setting of Alexandra Lodge and surrounding area

Alexandra Lodge is a 3 storey grade II listed building. It is a late 18th century building that has been altered over the years. The building was used as part of a care home since the 1970s and ceased being used as such in 2012. The external appearance is off white render with a hipped slate roof behind a parapet.

Of the proposed 45 extracare apartments, 3 would be provided within Alexandra Lodge. The remaining 42 would be provided within the new buildings to be attached to the southern and eastern sides of Alexandra Lodge.

The design of the development can be broken down into sections. To the north east of the site the former stable building is to be demolished and replaced with a new building on a similar footprint and of a similar size and proportion to the existing building. This proposed building would contain a flat roof dormer on the north (Old Road facing) elevation that would enable the roof space of the building to be used to provide accommodation, with the communal restaurant/cafe on the ground floor. The external appearance would be rendered walls and a slate roof with zinc standing seam wall cladding on the dormer window. The north west gable end would be mainly glass. This building would be physically attached to Alexandra Lodge with a glazed and slate roof link. The linking area would form the main entrance/lobby to access the apartments. This element of the proposal, due to its lower height, smaller size and scale than Alexandra Lodge would sit fairly comfortably alongside the listed building and within the street scene of Old Road/Canal Hill/Lodge Road junction.

To the east of Alexandra Lodge there is a large section of the development that provides many of the communal facilities as well as apartments. The development at this point is three storeys high and is attached to and higher than the listed building. While the appearance of the eastern elevation, looking onto Lodge Road is not in itself considered to be detrimental to the street scene of Lodge Road, and the red brick facade would generally reflect elements of the character of the street scene at this point, due to the height of the development it would not be possible to appreciate that the site contains a listed building. When this east/south eastern section of the development is viewed from the west (on approach to the site via the main vehicular access), its height, mass and bulk would have an uncomfortable relationship with the listed building. Although set back from the frontage of the listed building, the overall scale and bulk of the proposal is considerably greater than that of Alexandra Lodge and the external design would appear 'heavy' and at odds with the front facade of the listed building. Alexandra Lodge would appear 'swamped' by development. This is considered to result in substantial harm to the setting of the listed building contrary to policy DM27 and the NPPF.

The third section of the development extends along the southern boundary of the site. Unlike the eastern/south eastern area of the site, the southern side of the site has not previously contained structures. There are a number of trees close to the boundary and a fairly significant change in land levels. The proposed development includes a south western wing that would extend along a majority of the southern part of the site. This section creates a 'U' shaped development. The design changes from west to east. The western end is two storey, flat roof with a deep footprint and face brick appearance. This is attached to a three storey section with a shallower footprint and a face brick plinth, rendered walls at ground and first floor, and zinc standing seam cladding at second floor level (on the north facing elevation) resulting in a more contemporary appearance than the face brick sections and elevations. The different design approaches, external appearances and fenestration patterns to the 2 and 3 storey elements of this southern section prevents the design from appearing coherent and results in a development that is visually unattractive and does not integrate well with the surrounding buildings, contrary to policies DM2 and DM14 Local Plan Part 3 (Development Management Policies). The southern elevation of this section of the proposal has a more traditional appearance with rendered and brick sections and a domestic scale and pattern of fenestration.

Due to the increase in land levels toward the southern side of the site, the two storey, flat roofed western end would be a similar height to Alexandra Lodge. The three storey section would be considerably taller than Alexandra Lodge. This southern section of the development would significantly encroach on the existing gardens of Alexandra Lodge. On approach to the site from the main access to the west, there is currently space around the building which is required to maintain its status and character. The space provides a sense of 'amenity' and allows an appreciation of the architectural merits of the building. This setting of the building is considered to be important to the value of the building overall.

The proposed development would substantially fill in the land on three sides of the listed building both in terms of physical construction and views. The visual approach to the listed building would be significantly altered and be dominated by the proposed development and would prevent an appreciation of the building in its grounds. As the setting is very important to the listed building and the setting will be encroached upon and severely damaged by the scale, mass, bulk and appearance of the proposed development, the value/significance of the listed building would be substantially harmed. This substantial harm to a heritage asset is unacceptable and contrary to policy DM27.

Policy DM27 states that proposals that would be likely to substantially harm heritage assets and their settings should only be approved if substantial public benefit outweighs the harm or the requirements of paragraph 133 of the NPPF are met.

As detailed above, there is considered to be a need for extracare/supported living accommodation in Tiverton and the surrounding area and it is identified that the proposal would create approximately 20 jobs. The principle of providing such accommodation on this site is supported. However, the design and impact of such a development must also be acceptable. Unfortunately, in this instance, although elements of the design have been amended following officer (and residents) comments/suggestions it has not been possible to reduce the bulk, scale and overall mass of the development to a degree that prevents the proposed development from causing substantial harm to the setting of the listed building which is an irreplaceable resource. While it is understood that in order for the development to be financially viable a certain number of

apartments would need to be provided, the current application for 45 apartments would result in unacceptable harm to the setting of the listed building. On balance it is not considered that the harm caused to the setting of the listed building would be outweighed by the public benefit of providing the proposed level of accommodation and additional jobs on this site. While the principle of providing supported living accommodation on the site is accepted, the current proposal is not considered to comply with relevant planning policies. The proposal is contrary to policy DM27.

The NPPF paragraph 133 states that where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply: the nature of the heritage asset prevents all reasonable uses of the site; and no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and the harm or loss is outweighed by the benefit of bringing the site back into use. It could not be said that any of the 4 criteria set out in paragraph 133 apply to Alexandra Lodge. As it has been concluded that the development would result in substantial harm to the listed building which is not outweighed by the public benefit of the proposal, it is concluded that the development is contrary to paragraph 133 of the NPPF. This forms the reason for refusal of this application.

3) Works to the listed building

Although the proposed development is considered to cause substantial harm to the setting of the listed building, the physical works proposed to the listed building are considered to be acceptable and would not in themselves cause substantial harm to the listed building. A detailed schedule of works to the listed building has been submitted, the content of which is acceptable. The specific works to the interior and exterior of the listed building are considered to be in accordance with policy DM27 Local Plan Part 3 (Development Management Policies).

Summary

The application seeks listed building consent for the demolition of a former stable building and existing extensions to Alexandra Lodge and the erection of 45 extracare apartments and provision of communal facilities, car parking, landscaping and renovation of Alexandra Lodge. The development would provide much needed extracare/supported living accommodation the provision of which would be of benefit to the public and enable residents to retain independence while receiving care in their own homes. However, the development due to its design, size, scale, bulk and mass would erode the setting of Alexandra Lodge to such a degree that it would cause substantial harm to the listed building and would not create a visually attractive place that is integrated with its surroundings. It is not considered that the substantial harm caused to the setting of the listed building, which is an irreplaceable resource, would be outweighed by the public benefit associated with the provision of this accommodation, in this instance. The development is therefore considered to be contrary to policy DM27 Local Plan Part 3 (Development management Policies) and has therefore been recommended for refusal.

REASON FOR REFUSAL

1. Due to its appearance, size, scale, bulk and mass the proposed development would cause substantial harm to Alexandra Lodge which is a grade II listed building. In the opinion of the Local Planning Authority the public benefit provided by the development would not outweigh the substantial harm that would be caused contrary to policy DM27 Local Plan Part 3 (Development Management Policies).

Application No. 15/02004/FULL

Plans List No. 4

Grid Ref: 287013 : 106280

Applicant: Mrs Angela Lewis

Location: Holes Cottage Bary
Close Cheriton
Fitzpaine Crediton

Proposal: Conversion of
redundant building to
dwelling

Date Valid: 4th January 2016



Application No. 15/02004/FULL

RECOMMENDATION

Grant permission subject to conditions.

MRS P COLTHORPE HAS REQUESTED THAT THIS APPLICATION BE DETERMINED BY THE PLANNING COMMITTEE FOR THE FOLLOWING REASON:

To consider the loss of privacy and overlooking to the neighbouring property.

PROPOSED DEVELOPMENT

Conversion of redundant building to dwelling at Holes Cottage, Bary Close, Cheriton Fitzpaine. The site is a redundant barn located to the south west of Holes Cottage. The barn lies at the edge of the garden area associated with Holes Cottage. The building itself sits just within the conservation area of Cheriton Fitzpaine. To the north of the site there are 12 modern bungalows situated in a cul-de-sac arrangement. The building as it presents to the highway, is attached to Barnhaven which has previously been converted from the same barn. To the front the building appears two storey, at the rear as it extends back into the garden area it has a single storey mono-pitch appearance. The building is constructed of a combination of stone, cob, brick and concrete block, the two storey part at the front is largely rendered. The building has been altered, particularly in terms of the roof structure to the rear part of the building which is likely to have previously been a pitched roof structure.

The proposal is to convert the building to provide a dwelling, and alter the roofscape. At ground floor level there will be a kitchen, living room, two bedrooms and a bathroom and at first floor level a further bedroom with ensuite (within the front part). The building will be rendered externally above a stone plinth, the roof will be of natural slate with hardwood timber windows and door.

APPLICANT'S SUPPORTING INFORMATION

Structural Report produced by Paul Smith Consulting (July 2015)
Preliminary Bat and Protected Species Assessment Report by Brookside Ecology (June 2015)
Technical Report: Bat emergence and Re-entry Surveys (October 2015)

PLANNING HISTORY

None relevant

DEVELOPMENT PLAN POLICIES

Mid Devon Core Strategy (Local Plan 1)

COR2 - Local Distinctiveness
COR17 - Villages

Mid Devon Allocations and Infrastructure Development Plan (Local Plan 2)

AL/IN/3 - Public Open Space

Mid Devon Local Plan Part 3 (Development Management Policies)

DM1 - Presumption in favour of sustainable development
DM2 - High quality design
DM8 - Parking
DM14 - Design of housing
DM27 - Development affecting heritage assets

CONSULTATIONS

WEST AREA CONSERVATION OFFICER - 8th February 2016

I have no heritage related concerns about this application. I did give the agent advice some time ago when we were considering alteration of the conservation area boundary and he raised the issue of the conversion of this barn at the time - I said then that I did not have any concerns but that structural, parking etc. issues would have to be looked at.

HIGHWAY AUTHORITY - 3rd March 2016

I can confirm that we are happy to accept the parking layby and 2 spaces 90 degrees to the kerb.

The Layby should be built with the distance back from edge of kerb 2.4m at the southern end and splayed at 45 degrees back to the carriageway at the Northern end this should be reduced to 2.0m so as to provide some separation from the cob building to the retaining wall. This will provide three spaces which should measure 5m, 6m, and 5m, the additional length is required in the middle section for manoeuvring.

The applicant will need to apply for a licence from the Highway Authority to carry out the works adjacent to the highway and for the drop kerb facility. The drainage from the layby should be away from the carriageway as should the other parking spaces, details of the retaining structure should also be submitted for approval.

The licence and the approval of the retaining structure should be sought prior to commencement of the proposal.

CHERITON FITZPAINE PARISH COUNCIL - 26th January 2016 - A neighbour attended the recent meeting of Cheriton Fitzpaine PC to explain her objections to the recently submitted plan affecting her property.

The closeness of the proposed development impinges severely on her lifestyle and privacy, encroaching as they do on her limited personal space. In addition,

The available parking spaces, which are in very short supply will be badly compromised and she will be unable to park her car outside her own house.

Parish Councillors agreed that the proposal was not in the best interests of the neighbour and wished to register a complaint on the above grounds.

NATURAL ENGLAND - 12th January 2016 - No comments.

ENVIRONMENTAL HEALTH - 19th January 2016 - Contaminated Land - No objections

Air Quality - No objections

Environmental Permitting - N/A

Drainage - No objections

Licensing - No Comments

Food Hygiene - N/A

Noise & other nuisances - recommend approval with conditions:

No work shall be carried out on the site on any Sunday, Christmas Day or Bank Holiday or other than between the hours of 0730 and 1900 hours on Monday to Fridays and 0730 and 1300 on Saturdays.

Reason: To ensure that the proposed development does not prejudice the amenities of neighbouring properties.

Housing Standards: The 'Housing Health and Safety Rating System' is guidance used by landlords and property related professionals when assessing homes for hazards that cause a risk to the health and safety of the occupants.

Inadequate lighting can lead to depression and psychological effects caused by lack of natural light. The three Velux windows in the bedroom are small in size and do not give adequate lighting to the bedroom.

Means of escape in case of fire - the stairs come down into the kitchen, which is a risk room for fire. A protected stairway or an egress window in the bedroom should be provided. This would be covered by Building Regulations and the applicant would be advised to discuss the proposal with Building Control Officer.

Unless these have been resolved I would recommend refusal of the application.

Private Water Supplies - INFORMATIVE NOTE:

No record is held as being a private supply. However, if a private water supply is to be used together with any other associated property, the supply would become a small private supply, unless a commercial element is involved when it would become a commercial supply. In either circumstance would be subject to the Private Water Supply Regulations 2009. As such a private water risk assessment and sampling regime will need to be undertaken by this Authority prior to any residential or commercial use. Please contact Public Health at Mid Devon District Council to discuss on completion of the proposal.

Health and Safety - no objections to this proposal. Informative: If there is a foreseeable risk of asbestos being present in the existing structure e.g. in concrete blocks, A Refurbishment and Demolition Survey following HSG264 available at hse.gov.uk/pUbns/priced/hsg264 should be carried out before work commences to identify precautions and legal requirements enforced by Health and Safety Executive.

REPRESENTATIONS

Two letters of representation have been received and are summarised below:

1. The development will result in a loss of privacy and light to the back garden area of the neighbouring property, Barnhaven.
2. The plans demonstrate 2 parking spaces for the new dwelling but not for the existing property.
3. The agent states that the development will prevent the dereliction of the barn however the structural report confirms they are in good condition.
4. The application incorrectly refers to Wreylands as the listed building, the listed building is Wreylands Cottage.
5. The distance between the redundant barn and Wreylands Cottage is 17.5m not 20m as stated
6. Access to the south elevation of the development will cease when it is redeveloped.

MATERIAL CONSIDERATIONS AND OBSERVATIONS

The main determining factors in this application are:

- 1. Policy**
- 2. Design Issues**
- 3. Impact on amenity of neighbouring dwellings**
- 4. Transportation and Parking Issues**
- 5. Ecology Issues**
- 6. Other matters**

1. Policy

The policies relevant to the determination of this application are set out above. The site is situated within the settlement boundary of Cheriton Fitzpaine, which is a village identified by COR17 as having a level of local services and facilities that enable minor development proposals, including small scale residential development, to be supported in principle. The building is of substantial construction and it is considered that the building provides a positive contribution to the character of the area. On this basis the conversion of the building to provide a dwelling is considered to be supportable in principle.

2. Design

The report prepared by Paul Smith consulting on behalf of the applicant confirms that the barn is in a good condition and from a structural aspect there are no significant works that are required to allow the

conversion of the barn. The main change in terms of the appearance of the barn is to replace the roof structure of the mono pitch part to a dual pitched slate roof.

The planning statement submitted to support the application suggests that the whole building previously had a pitched roof structure. The findings of the structural report support this, stating that the level of the pockets formed by the original floor joists and the height of the new mono pitched roof would suggest that the walls of this barn have been reduced in height in the past. Therefore it is considered that the alterations proposed to the roof are in keeping with the original character of the building. The scheme has been designed to incorporate the existing window and door openings. Some new openings are proposed however the size and placement of these are considered to be in keeping with the character and appearance of the barn. The material palette, including the natural slate roof and hardwood windows and doors, is considered to respect the traditional character of the building and would not harm the visual amenity of the conservation area. The floor space provided within the dwelling amounts to 118sqm which is compliant with the National Space Standards introduced in 2015. Overall the proposed works are considered to retain the character and appearance of the original building and it is considered that the application scheme will sit comfortably within the street scene and provide a reasonable level of amenity to future occupiers of the dwelling. The works proposed within the application scheme are not considered to harm the visual amenity of the conservation area and is in accordance with the requirements of policy DM27.

3. Impact on amenity of neighbouring properties

The building extends back into the garden area of Holes Cottage. To the south the building adjoins Barnhaven. Concern has been raised regarding the impact on the amenity of that property, particularly in terms of the loss of privacy to their external amenity space.

Barnhaven has a small courtyard to the rear, which is separated from the larger yard area by a 2m high (approximate) wire fence. To the front of the property (road side) there is an additional small garden area. Given the orientation of the buildings in relation to Barnhaven, it is not considered that the proposal, including the raising of the roof structure, would result in a significant loss of light to the main rooms and/or the amenity space associated with the property.

The window within the south elevation (kitchen area) would directly overlook the small amount of amenity space that Barnhaven enjoys. However this is an existing opening and following amendments to the plans as originally submitted, the revised plans demonstrate that it will be refitted with obscured glass. A condition is also recommended that the new window is designed so that it is a non-opening window, which the applicant has agreed to.

The courtyard area of Barnhaven is already overlooked by windows within the rear elevation of properties to the south and therefore the Local Planning Authority does not consider that the conversion of the building would result in a material change to the enjoyment of the garden area of that property. The property will have some windows that look directly towards the garden area of the existing property, Holes Cottage. However these are only at ground floor level and subject to appropriate boundary treatments to split the garden area it is considered that there would be an acceptable relationship between the properties and sufficient amenity spaces for each property.

Overall, on the basis that the windows within the south elevation are obscure glazed and non-opening it is considered that the residential use of the building would not cause unacceptable harm, to the amenity of the occupiers of the neighbouring properties.

4. Transportation and Parking Issues

The area in front of the barn currently provides the parking area for Holes Cottage. To the side of the building there is an existing pedestrian access into the garden area of Holes Cottage which is the main entrance route to the property. The block plan demonstrates that two parking spaces to the front will be retained for the proposed dwelling. Two further spaces will be provided in a layby arrangement in front of the existing property, Holes Cottage, to serve that dwelling. The existing pedestrian access will be retained and shared by both properties. The Highway Authority have confirmed that they are satisfied with the proposed parking arrangements with access directly off the highway. No details have been provided as to the surfacing and drainage of the parking area and these details will be required by condition in order to ensure that the finish would not harm the character of the area or result in surface run off onto the highway.

5. Ecology Issues

The applicants have submitted a Preliminary Bat and Protected Species Assessment which was conducted by Brookside Ecology (June 2015). The survey concluded that the site had high bat roosting potential for a number of different species and a bat of Pipistrellus variety was found roosting within the ridge area of one of the barns. Evidence of nesting birds was also found. Accordingly further survey works, emergence/pre-entry, were recommended to determine how significant the habitat is and accordingly identify appropriate mitigation measures. Following this additional survey work a technical report (dated October 2015) has also been submitted with the application. The additional survey work found no evidence of emergence or re-entry. There was some evidence of nesting birds being present in the building. The technical report sets out a number of recommendations to enable the biodiversity interests at the site to be conserved for both birds and bats, including a bat loft arrangement. Subject to the development being carried out in accordance with the recommended mitigation measures, it is considered that the proposal would conserve the biodiversity interests at the site in accordance with guidance set out in the National Planning Policy Framework.

6. Other Issues

The building is not in a flood risk zone. The foul drainage resulting from the proposed dwelling will be discharge to the mains sewer, surface water will be managed via the existing soakaway. A contribution towards the provision of new/maintenance of existing open space off site is required to comply with the requirements of Policy AL/IN/3 of the Allocations and Infrastructure Development Plan (Local Plan Part 2), and Supplementary Planning Document: The provision and Funding of Open Space Through Development (May 2008). The applicant has made the necessary contribution via a unilateral undertaking (s106) received on 25th January 2016.

There are no other reasons to mitigate against the grant of planning permission and therefore the application is recommended for approval.

CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule on the decision notice.
3. The windows proposed within the south elevation, as shown on drawing SK08 shall be installed with obscured glazing and shall be designed so that they are non-opening and shall be retained as such in perpetuity unless otherwise agreed in writing by the Local Planning Authority.
4. No development shall begin until working details of the new external doors, door frames and windows, including sections, mouldings and profiles, finishes and glazing have been submitted to, and approved in writing by, the Local Planning Authority. Installation of the doors, doorframes and windows shall be in accordance with these approved details, and be so retained.
5. Prior to first occupation of the proposed dwelling hereby approved, details of the boundary treatment including the height, materials and finish, shall be submitted to and approved in writing by the Local Planning Authority. Installation of the boundary treatments shall be in accordance with the approved details and retained thereafter.
6. Prior to first occupation of the dwelling hereby approved, the parking spaces as shown on the block/site plan (received by the Local Planning Authority on 14th March 2016) shall be made available for use. These works shall be carried out in accordance with details of the drainage and surfacing materials that shall have previously been submitted to and approved in writing by the Local Planning Authority.
7. The roof covering of the development hereby approved shall be of natural slate a sample of which shall be submitted to, and be approved in writing by the Local Planning Authority prior to its use on the building. Such approved slate shall be so used and retained.

8. No work shall be carried out on the site on any Sunday, Christmas Day or Bank Holiday or other than between the hours of 0800 and 1800 hours on Monday to Fridays and 0800 and 1300 on Saturdays.
9. The conclusions and mitigation measures set out in the Brookside Ecology protected species survey (technical report: Bat emergence and re-entry surveys - dated October 2015) received on 21st December 2015 by the local planning authority shall be complied with in full during construction of the development hereby approved.

REASONS FOR CONDITIONS

1. In accordance with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt and in the interests of proper planning.
3. To ensure the development does not result in an unacceptable adverse impact to the amenity of the neighbouring property in accordance with policy DM2 of the Local Plan part 3.
4. To ensure the use of materials and detailing appropriate to the development, in order to safeguard the character and appearance of the building and the conservation area in accordance with: Mid Devon Core Strategy (Local Plan part 1) COR2, and Local Plan Part 3 (Development Management Policies) DM2, DM11 and DM27.
5. To ensure the proposed boundary treatments would not harm the character and appearance of the conservation area in accordance with policy DM27 of Local Plan part 3.
6. To ensure that appropriate parking provision is provided in accordance with policy DM8 to prevent an adverse impact to the local highway network and to ensure the development would respect the character and appearance of the conservation area in accordance with policy DM27.
7. To ensure the use of materials appropriate to the development in order to safeguard the character and appearance of the building in accordance with policy COR2 of the Mid Devon Core Strategy (Local Plan part 1) and DM2 and DM11 of the Local Plan part 3.
8. To ensure that the proposed development does not prejudice the amenities of neighbouring properties.
9. To ensure the protection of any ecological interests at the site.

REASON FOR APPROVAL OF PERMISSION/GRANT OF CONSENT

The principle of the conversion of the building, within the settlement boundary of Cheriton Fitzpane, to a dwelling is considered to be supportable in policy terms. The overall design of the scheme, including the material palette, is considered to be acceptable and would respect the traditional character and appearance of the building. The conversion of the barn will provide a reasonably tight relationship with the neighbouring properties, however it is considered that the conversion would not result in a significant adverse impact to the amenity of occupiers of the neighbouring dwellings. The design of the scheme is considered to respect the original character of the building and would provide an acceptable level of amenity for occupiers of the proposed dwelling. The proposed parking arrangement is compliant with the requirements of policy DM8. The applicant has made the appropriate contributions in accordance with policy AL/IN/3. There are no flood risk or drainage issues resulting from the scheme. Overall the proposal is considered to be in accordance with the following policies COR2 and COR17 of the Mid Devon Core Strategy (Local Plan part 1), AL/IN/3 of the Local Plan part 2 (Allocations and Infrastructure Development Plan Document), DM1, DM2, DM8, DM14 and DM27 of the Local Plan part 3 (Development Management Policies) and government advice in the National Planning Policy Framework.

Grid Ref: 303982 : 111022

Applicant: Mr S J Kenshole

Location: 6 Blenheim Court Willand
Cullompton Devon

Proposal: Conversion of garage to
reception room, erection of
first floor extension above
and erection of detached
garage

Date Valid: 11th January 2016



Application No. 16/00030/HOUSE

RECOMMENDATION

Grant permission subject to conditions.

MEMBERS ARE ASKED TO NOTE THAT THIS IS A HOUSEHOLDER APPLICATION

COUNCILLOR RICHARD CHESTERTON HAS REQUESTED THAT THIS APPLICATION BE DETERMINED BY THE PLANNING COMMITTEE FOR THE FOLLOWING REASON:

To consider whether the application constitutes overdevelopment of the site.

PROPOSED DEVELOPMENT

Proposed is conversion of the existing garage to a reception room, erection of a first floor extension above and the erection of a detached garage at 6 Blenheim Court, Willand.

The proposed extension will have a ridge height of 6.95 metres, an eaves height of 4.9 metres, a length of 6.95 metres and a width of 5.9 metres. The extension will have concrete roof tiles, white UPVC rainwater goods, white eaves fascia boards, a white UPVC pedestrian door on the south west elevation, a rooflight on the south east elevation, two narrow windows on the north east elevation, and six windows and a single rooflight on the north west elevation. The walling will be yellow masonry brick work with red masonry brickwork quoin details, all to match the existing house. The conversion of the garage will provide a reception room, study and WC/cloak room at ground floor level. The extension will provide a fifth bedroom with an en-suite at first floor level, this will be accessed from a second staircase from the reception room as it is not possible to access the new room from the existing central staircase and hallway without rearranging the existing rooms at first floor level.

The proposed garage will have a ridge height of 4.45, an eaves height of 2.3 metres, a length of 6.6 metres, and a width of 5.1 metres. The garage will have concrete roof tiles, white UPVC rainwater goods, white eaves fascia boards, a white UPVC pedestrian door on the north east elevation and a white steel garage door on the north west elevation. The walling will be yellow masonry brick work with red masonry brickwork quoin details, all to match the existing house.

APPLICANT'S SUPPORTING INFORMATION

Design and Access Statement
Site location plan, various plans and elevation plans.

PLANNING HISTORY

94/02018/FULL Reserved matters for the construction of 65 No. dwellings and associated works - PERMIT
96/00582/FULL Revisions to estate layout to provide 9 No. two bedroomed semi-detached and terraced houses with garages in place of 5 detached houses previously approved on same area (former plots 39-43) - WD
98/00075/TPO Consent to fell Oak Tree protected under Tree Preservation Order No. 4/59/97/TP8. - REFUSE
99/02201/CAT Consent to remove overhanging branches and carry out 25% crown thin on Oak tree protected under Tree Preservation Order No. 4/59/97/TP8 - REFUSE
99/02760/TPO Consent to remove two overhanging branches from Oak tree protected under Tree Preservation Order No. 4/59/97/TP8 - PERMIT
06/00200/FULL Change of use of garage to living accommodation and erection of detached garage - REFUSE
06/01017/FULL Conversion of garage to living accommodation and erection of detached garage - PERMIT
10/00933/FULL Erection of a conservatory - PERMIT

DEVELOPMENT PLAN POLICIES

Mid Devon Core Strategy (Local Plan 1)

COR2 - Local Distinctiveness

COR17 - Villages

Mid Devon Local Plan Part 3 (Development Management Policies)

DM2 - High quality design

DM13 - Residential extensions and ancillary development

CONSULTATIONS

WILLAND PARISH COUNCIL - 14th March 2016

In response to your letter of 7 March 2016 Willand Parish Council has again reviewed this application for the third time.

To avoid confusion please take this letter as the Willand response to the whole application.

Willand Parish Council recommends refusal of this application as submitted, even having taken into account the submission of all of the revised plans. The reasons are:

1. There are concerns that the alterations to, and extension of, the garage do not comply with the provisions and intentions of Policy DM2 and DM13.
2. It is further considered that the proposed new garage and parking fails to comply with elements of Policy DM8 and Principle 5 of Supplementary Planning Document 'Parking in Mid Devon' adopted June 2013.

In relation to reason 1 the following points are asked to be considered:

a) The Site Location Plan omits the outline of the existing conservatory thereby creating the impression that there is more curtilage to the property than actually exists;

b) The proposed Front (South West) extension elevation will become a solid mass of brickwork with just a small domestic door on the ground floor which will not respect the character, scale, setting and design of the existing property or nearby houses.

The latest elevation drawing shows a picture of a revised ridge height yet there is a note which reads "Ridge height to extension to match existing." This note appears on all elevations.

c) The creation of new windows on both floors of the existing garage and the extension above on the North West side elevation have the potential to have an adverse impact on the occupants of number 5 as it will give a sightline at the front of their property which does not currently exist;

d) It is further felt that the proposal does not show a clear understanding of the characteristics of the site nor would it be visually attractive and well integrated with surrounding buildings.

If the proposals were permitted there is the potential for this extension to become a separate dwelling and therefore it is asked that consideration be given to making conditions in the following terms which has been put in place in similar circumstances recently:-

(i) The connecting door between the extension hereby approved and the existing utility shall remain and thereafter shall be retained.

(i) The extension hereby approved shall be occupied for purposes ancillary to the primary occupation of the property known as 6, Blenheim Court, Willand EX15 2TE and shall not be let, sold or otherwise occupied as a separate unit of accommodation.

In relation to reason 2 the following points are asked to be considered:

a) The proposed detached garage is very close to the boundary of the adjoining property and will be imposing as a mass in that close proximity;

b) The size of the garage does not comply with policy as a 'double garage' in that it is not wide enough although the length has been increased to comply. We are advised that officers are treating it as a 'single' garage with additional storage;

c) The proposals reduce the potential for parking on site whilst at the same time increasing the potential for additional occupancy and therefore more vehicles.

d) The Parish Council is concerned that there is no indication as to the surface treatment of the proposed parking area whereas Principle 2 of the SPD clearly shows that it should be 'permeable'. This is considered important in the light of the potential loss of permeable surface to provide for the garage. Principle 5 of the SPD at paragraph 22 states that there should be a 6m drive in front of a garage. The space in front of the garage does not meet this criterion See measurements on latest revised Block Plan.

Willand Parish Council have been advised via a Ward Member that Devon County Council Highways have measured the site and consider the parking arrangements compliant yet there is no report on file to substantiate this and it is not compliant to MDCC policy.

The mass of the existing building and conservatory, added to by the extension, garage and further hard standing is considered to be disproportionate use of the site compared with adjoining properties. It will be overpowering. It will not be compatible with the other fronts of properties of the street scene.

HIGHWAY AUTHORITY - 7th March 2016 - I would agree with your assumptions. There is sufficient space to park alongside the garden area and provide two spaces and the garage would not be able to object to this proposal.

13th January 2016
standing advice applies
<http://www.devon.gov.uk/highways-standingadvice.pdf>

REPRESENTATIONS

Four objections have been received in relation to this application, they are summarised as follows:

1. The first floor extension has a window that looks to the rear of the garden, this window will have a line of sight into a first floor bedroom and ground floor living room at 6 Pearmain Close, it will affect privacy and quality of life of the occupiers.
2. The current structure blocks light from entering my property, the development would further reduce daylight. Will cause extra expense due to having to turn the lighting on. Light may be cut by as much as one third
3. Overdevelopment of the sight.
4. Many vehicles use and park on the site at present, including those associated with the applicants business, and the storage of a motor home.
5. Proximity of the proposed garage to the boundary of 18 and 19 Blenheim drive would spoil enjoyment of garden. Lack of access for maintenance. Noise impacts of movements and care cleaning.
6. Gable end window will look directly in the first floor bedrooms of 18 and 19 Blenheim drive, and over the garden area, not allowing any privacy.
7. Other properties have extended by going above the garage but retaining the use of the garage, not building in front of the existing building line. Extensions not in keeping with other extended properties in the area.
8. Already a large property with a conservatory to rear.

MATERIAL CONSIDERATIONS AND OBSERVATIONS

The main issues in the determination of this application are:

- 1. Design of the extension and garage**
- 2. Whether the proposal results in overdevelopment of the site**
- 3. Impact on the privacy and amenity of neighbouring properties**
- 4. Loss of parking**
- 5. Planning History**

1. Design of the extension and garage

The proposed extension and garage are of materials that match the existing dwelling. The ridge height of the extension is lower than the ridge height of the main dwelling so as to appear subservient, and it is not considered that the proposal in terms of its scale and design dominates the existing property. In addition, the hipped roof of the garage reduces its overall massing allowing it to have a more subservient appearance.

It is noted that within the immediate locality there are a mix of properties with attached and detached garages that have differing positions in relation to the dwellinghouses, as well as a nearby garage with a first floor extension above. The properties are all relatively large in size and of varying designs, it is not considered that the proposed development would be out of character within the area, nor would it result in an unacceptable detrimental impact upon the streetscene.

Overall, it is considered that the proposed development would respect the character, scale, setting and design of the existing property in accordance with the requirements of Policy DM2 and DM13 of the Local Plan Part 3.

2. Whether the proposal results in overdevelopment of the site

The proposal results in the creation of a five bedroom dwelling with a generous living space. The dwelling has previously had a relatively large conservatory provided to the rear. However, as the proposal is for the conversion of the garage and a first floor extension above, this in itself does not result in any increase to the footprint of the dwelling. Although the proposal incorporates the erection of a new garage, this is on the existing driveway area, and sufficient parking will remain, this is discussed in later detail below. Overall the scheme will result in some loss of parking area and a loss of a very small area of the existing front garden. It is not considered there is an unacceptable loss of amenity space, as the space lost has limited amenity value due to its nature and location which lacks privacy; the rear garden area will not be reduced in size.

3. Impact on the privacy and amenity of neighbouring properties

The proposed extension and the erection of the detached garage are considered to have an impact on the neighbouring properties; however, this impact is not considered to be unacceptably adverse. The extension will be sited to the north west of 6 Pearmain Close, and due to the sun rising in the east and setting in the west the overshadowing on this property will be limited, with likely increased overshadowing being late in the afternoon. In addition it is raised that the first floor window in bedroom 5 will overlook the bedroom window of 6 Pearmain Close, due to the obscure angle between the windows limiting the viewing opportunities this is considered to be acceptable.

The gable end window of the extension has been removed to eliminate any overlooking impact of the proposed development on the gardens and rear windows of numbers 18 and 19.

The objections also raise concern about the proposed garage and the proximity to the boundary. The design of the garage with a hipped roof limits its massing and mitigates its impact on the gardens of the neighbouring properties. The noise associated with the use of the proposed garage is not considered unacceptable, nor is the noise associated with this existing residential site considered to increase as a result of the proposal.

Overall, it is not considered that there would be any significant adverse impacts on the amenity of occupiers of any neighbouring properties in terms of loss of light or privacy.

4. Loss of parking

The proposed development, specifically the provision of a new garage, will result in the loss of some parking at the front of the property.

The Provision of parking in new development Supplementary Planning Document (SPD) adopted in June 2013 provides guidance on parking and garage standards, and sets out that garages do not count as parking spaces, and that the internal dimensions of garages should be at least 6metres long by 3 metres wide. The SPD further emphasises that parking spaces should be in accordance with Devon County Council's Standing Advice in terms of the size of spaces and manoeuvrability. The proposed garage will be 6 metres by 4.5 metres internally and is intended to be for one vehicle, plus additional storage, this is considered to be in accordance with the internal garage size measurements set out in the SPD.

Policy DM8 of the Local Plan Part 3 sets out that residential dwellings should provide a minimum of 1.7 parking spaces per dwelling. The proposed scheme allows for two parking spaces within the curtilage of the dwellinghouse. One will be alongside the proposed garage, to the north east; the other will be to the north west of the proposed garage adjacent to the front garden area. It is proposed to remove a small section of the existing lawn to facilitate the provision of two parking spaces, it will be required by condition that this will be surfaced with a permeable material and to match the existing driveway surface as closely as possible; this will not result in the removal of the tree in the front garden at present. The Highways Standing Advice requires that parking spaces are a minimum of 2.4 by 4.8 metres. However, where spaces are in front of a garage the Standing Advice sets out that spaces should be 6 metres in length rather than 4.8 metres to allow for the opening of the garage doors, and where there is access to both sides of the car with walling either side but a separate pedestrian access to the dwelling, the width of the space should be 3 metres rather than 2.4 metres.

In these circumstances, one space provided will be between the proposed and the existing garage to be converted; this space will have a width of 4.1 metres and a length of in excess of 4.8 metres and is therefore acceptable in Highways terms. The second space is shown on the block plan as being partly in front of the garage, positioned in this way the space does not have a length of 6metres and would not be in accordance with Standing Advice; however, it is not necessary for this space to be positioned as shown on the block plan and a car could park immediately adjacent to the front lawn, this would be in compliance with Standing Advice. The additional response of the Highway Authority on the 7th of March confirms the acceptability of the parking provision and concludes it would not be possible to object to the proposal on Highways grounds.

5. Planning History

Planning permission was refused in 2006 for a detached garage along with the conversion of the existing garage due to the massing of the proposed garage and its subsequent impacts on the neighbouring properties. Following this, the proposed plans were amended to provide a detached garage with a hipped roof; this application was approved but was not implemented. The principle of the erection of a detached garage with a hipped roof in the proposed location has previously been established.

CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule on the decision notice.
3. No hard landscaping works in the areas shown on the approved plans shall begin until details/samples of the surfacing materials to be used in those areas have been submitted to, and approved in writing by, the Local Planning Authority. Such approved works shall then be carried out before the development hereby permitted is first brought into its permitted use, and shall be so retained.

4. Before the development hereby permitted is first brought into its permitted use, the upper floor window on the north east elevation of the proposed extension shall be non-opening, glazed with translucent glass, and be so retained.

REASONS FOR CONDITIONS

1. In accordance with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt and in the interests of proper planning.
3. To ensure the use of materials appropriate to the development in order to safeguard the visual amenities of the area and to ensure surface water is managed appropriately in accordance with: Local Plan Part 3 (Development Management Policies) DM2 and DM13.
4. To safeguard the privacy of the occupiers of 6 Pearmain Close in accordance with Mid Devon Core Strategy (Local Plan 1) COR2, Policies DM2 and DM13 of the Local Plan Part 3 (Development Management Policies).

REASON FOR APPROVAL OF PERMISSION/GRANT OF CONSENT

The proposed garage conversion, extension and erection of a detached garage in terms of scale, design and position is not considered to dominate the host dwelling and is considered to be supportable in policy terms. The proposal is considered to respect the character, scale, setting and design of the existing dwelling. The proposal is not considered to result in over development of the curtilage and it is not considered that there would be any significant adverse impacts on the living conditions of occupants of neighbouring properties. Overall the proposal is considered to comply with the following policies; Mid Devon Core Strategy (Local Plan part 1) COR2 and COR17, Local Plan part 3 (Development Management Policies) DM2 and DM13 and Government advice in the National Planning Policy Framework.

Mrs Jenny Clifford
Head of Planning and Regeneration

