

Application No. 11/01927/MFUL

Agenda Item 9

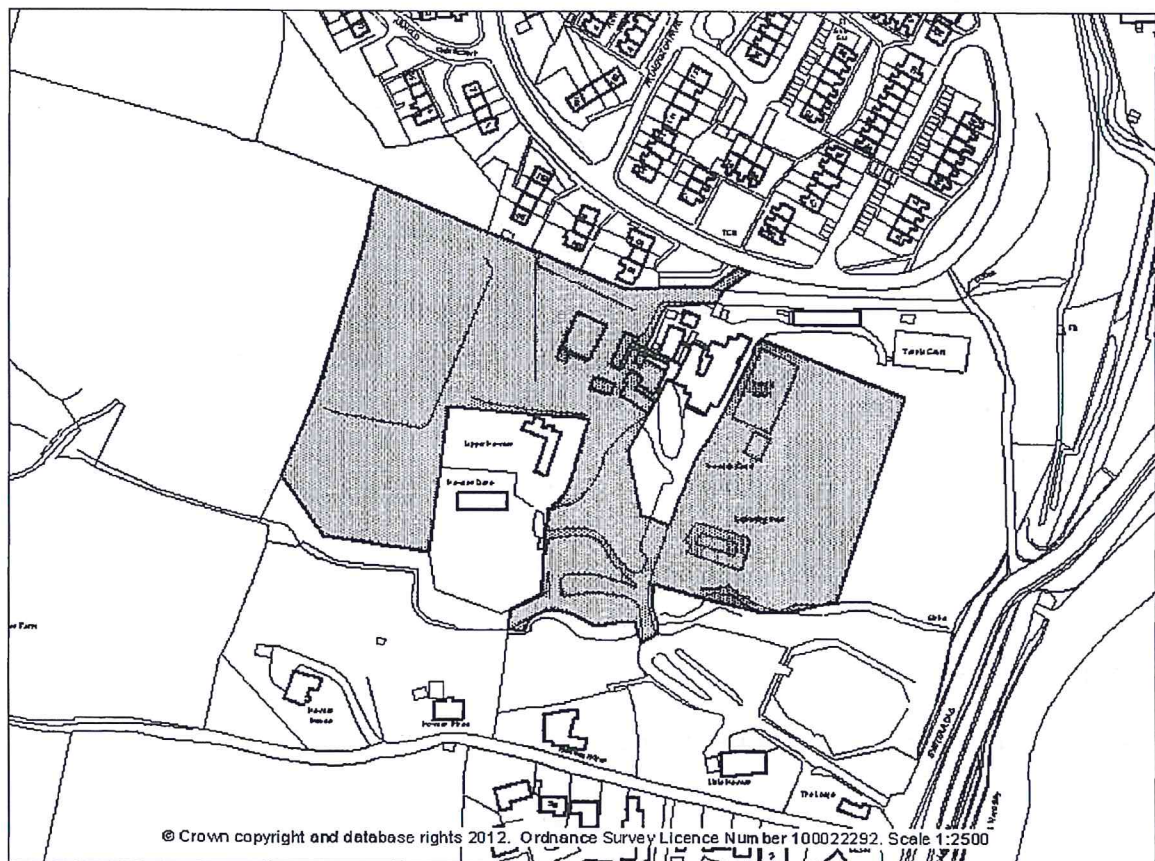
Grid Ref: 111535 : 294646

Applicant: Mr D Lovell, Heritage
Developments South
West Ltd

Location: Land and Buildings at
NGR 294646 111535
Howden Court
Tiverton Devon

Proposal: Erection of 36
dwellings with
associated access
road, car parking,
landscaping and
demolition of existing
outbuildings adjacent
to Howden Court

Date Valid: 12th December 2011



REPORT OF THE HEAD OF PLANNING AND REGENERATION

**11/01927/MFUL - ERECTION OF 36 DWELLINGS WITH
ASSOCIATED ACCESS ROAD, CAR PARKING, LANDSCAPING AND
DEMOLITION OF EXISTING OUTBUILDINGS ADJACENT TO
HOWDEN COURT - LAND AND BUILDINGS AT NGR 294646 111535
HOWDEN COURT TIVERTON DEVON****Reason for Report:**

At the Committee meeting on 14th March the committee considered a report regarding this application with an officer recommendation for approval. At that meeting members discussed the application scheme and deferred from making a decision so that further discussions could take place on the following issues. This report clarifies the extent to which the scheme has been amended to seek to redress these concerns and/or provide additional information, incorporating comments from the Councils Conservation Officer. Further consultation has been undertaken with the Police Architectural Liaison Officer.

- *Seeking improvement to the contribution/number of affordable homes on the site;*
- *To ensure that any shared equity units remain in perpetuity;*
- *Further consideration of the listed outbuildings surrounding Howden Court;*
- *Possible redesign taking into consideration issues raised by the Conservation Officer*
- *The need to examine the relationship of the of the development with the existing neighbouring properties;*
- *The consideration of access for emergency services;*
- *The consideration of a waste and recycling contribution in line with policy;*
- *The consideration of advice from the Police Architectural Liaison Officer particularly with regard to Plot 3;*
- *The re-examination of the proposed 3 storey dwelling at the junction to the access to the site;*
- *Further information regarding the cycle link.*

RECOMMENDATION(S)

Grant planning permission subject to a Section 106 requiring:

- 3 no. affordable rented units to be provided as part of the scheme layout

- 3 no. first buy residential units (sold at 80% of market price to qualifying buyers, and with provision to ensure that in the event that a buyer subsequently goes onto acquire the 20% balance of equity that the funds are to be re-cycled into delivering affordable housing within MDDC district.
- A commuted sum of £158,892.00 towards the delivery of affordable housing off site.
- A contribution of £50.00 per dwelling for the provision of recycling containers.
- Delivery of a section of a footpath to link to Palmerston Park as indicated on drawing no. Aubyn Rise Site01 rev 1.08.

Relationship to Corporate Plan:

None

Financial Implications:

If New Homes Bonus is distributed across the Council Tax bands in the same way as last year, the award for each market house is estimated to be £1,028. The figure for affordable houses is set at £350 each. The amount of New Homes Bonus that would be generated from this proposal is therefore estimated to be £34,974.

Legal Implications:

None

Risk Assessment:

None

Consultation carried out with:

1. Devon County Council (Highways)
2. Devon County Council (Historic Environment)
3. Environment Agency
4. Natural England – No further comments made
5. Environmental Health – No further comments made
6. Police Architectural Liaison Officer – no further comments/objection

1.0 PROPOSED WORKS

- 1.1 The layout of the scheme remains as per the layout as it was designed previously, i.e. in two phases with a new estate road leading up from the existing estate road. The two key changes to the layout are:

- That the number of dwellings has been reduced to 36 in order to seek to redress the relationship with Upper Howden.
- Revise the design of the 5 courtyard dwellings in order to seek to respond to the setting of the listed building at Howden Court.

1.2 Affordable housing is proposed as set out above and thus delivering the equivalent of 26.5% affordable housing. The applicant has also agreed to provide a financial contribution towards the cost of providing refuse and recycling containers. A contribution towards providing open space off site is not agreed. The formation of a section of footpath to link through to Palmerston Park is to be agreed as part of the Section 106 agreement, including all design details.

2.0 Applicants Supporting Information

- 2.1 The applicant has submitted amended plans to reflect the changes, an explanation of the changes in a letter dated 10th April, a summary paper setting out the affordable housing offer and a series of photographic images seeking to demonstrate the relationship between the stable courtyard buildings and Howden Court.
- 2.2 The supporting documents as summarised in the 14th March Committee report remain largely relevant.

3.0 PLANNING HISTORY

- 3.1 10/01343/MFUL: Planning permission was granted by the authority on the 6th December 2010 for the redevelopment of phase 1 of the Howden Court site for the erection of 14 dwellings; relocation of the listed entrance piers and wall (front of the site); associated access road, car parking and landscaping. This scheme is currently being built by Heritage developments who are the applicants for the application under consideration.
- 3.2 08/00101/MFUL: A planning application was submitted to redevelop the site for the erection of 45 dwellings and change of use of 'Little Howden' to a dwelling (C3 use), and alterations to Howden Court following part demolition of existing extensions. This application was withdrawn prior to a decision being taken on it.
- 3.3 An separate application seeking listed building consent to demolish the outbuildings as set out in the planning application has also been submitted for consideration, and will be determined by your officers following a decision on this planning application.

4.0 DEVELOPMENT PLAN POLICIES

DEVON STRUCTURE PLAN 2001 – 2016

- ST1 Sustainable development
- CO6 Quality of new development
- CO7 Historic settlements and new buildings
- CO13 Protecting water resources and flood defence
- TR2 Co-ordinating land Use/Travel Planning
- TR5 Hierarchy of modes
- TR10 Strategic road network and roadside service areas

Mid Devon Local Plan (LDF)

- S5 General Development requirements
- S6 Design of new development
- S7 Vehicle parking
- H6 Affordable housing - definition
- ENV8 Buildings of special architectural or historic interest
- ENV16 Protected species

MID DEVON CORE STRATEGY 2007 COR1

- COR1 Sustainable communities
- COR2 Local distinctiveness
- COR3 Meeting Housing Needs
- COR7 Previously developed land
- COR11 Flooding
- COR13 Tiverton

Allocations and Infrastructure Development Plan Document

- AL/DE/3 Affordable Housing Site Target
- AL/IN/3 Public Open Space
- AL/IN/6 Carbon Footprint Reduction
- AL/TIV/10 Howden Court
- AL/DE12 Overall Affordable Housing Provision

Supplementary Planning Documents – Meeting Housing Needs, Public Open Space

- 4.1 Since the assessment of the application as reported in the 14th March report, policy guidance in the National Planning Policy Guidance has been issued. The assessment section of the report will include reference to the extent to which the NPPF changes the policy framework against which to assess the application.

5.0 CONSULTATIONS - IN RESPECT OF REVISED PLANS ONLY

5.1 DEVON COUNTY HIGHWAYS

I have taken a look at the revised drawings and have the following observations.

The applicant has unfortunately not detailed the revisions but from what I can see they refer to Plots 15, 16 and 46. Please let me know if there are any other material revisions.

Plot 15

The opportunity could now be taken to move the garages back a metre or so from the highway thus providing more entry/exit manoeuvring space.

Plot 16

The parking spaces have been turned through a right angle. This results in a more difficult manoeuvre for entry/exit. The parking spaces should be returned to their original orientation.

Plot 46

I have no comments

I refer to the note at the culvert crossing which states "tegular paving set flush with carriageway with 40mm upstand". This is contradictory and should read "tegular paving with 40mm upstand to carriageway".

5.2 Devon County Council (Historic Environment)

24th April 2012 - Assessment of the Historic Environment Record (HER) and the details submitted by the applicant suggest that the scale and situation of this development will have no archaeological impact.

5.3 Environment Agency

The Environment Agency have no further comments to add and their comments remain unaltered from their comments on the 2nd March. In summary no objections are raised subject to the following condition.

Condition – No development approved by this permission shall be commenced until such time that details of the surface water drainage layout have been submitted to, and approved in writing, by the Local Planning Authority.

Reason – To prevent an increase in flooding.

5.4 Natural England

Natural England made no further comments on the revised drawings over and above the comments previously submitted.

5.5 Environmental Health

No objections/Further comments

6.0 REPRESENTATIONS

6.1 A further single representation has been received from a local stakeholder raising the following issues:

- A two storey building plot 15 will dominate the relationship with Upper Howden
- The position of the garage on plot 21 is also considered to over dominate plot 21 and could threaten the survival of the hedge
- The relationship between the proposed courtyard buildings and Howden Court is considered unacceptable (materials palette and height of buildings) is considered unacceptable based on the evidence provided.
- The impact of the scheme on the root protection area of tree 21

7.0 MATERIAL CONSIDERATIONS

7.1 This section of the report sets out how the scheme has been amended to respond to the members concerns when the application was considered at the meeting on the 14th March, as set out above in this report, and your officer's view's with regards to each of the issues.

- 7.2 Affordable Housing - Seeking improvement to the contribution/number of affordable homes on the site: As stated above the applicant has increased the affordable housing offer to equivalent of 26.5% with 6 units to be provided on site, and a financial contribution of £158,892 to deliver 3 units off site. Members will note that the applicant is not proposing to make a separate open space contribution and is technically asking that members prioritise the delivery of affordable housing over and above contributions towards improving and delivering off-site open space. It is also noted that this improved offer has been made notwithstanding the fact that the number of dwellings on the site has decreased since the original application submission from 37 units to 36 units.
- 7.3 Three of the on site units are proposed as affordable rent and as such will remain affordable in perpetuity. The other three units are first buy units which are sold at 80% of the market value with the 20% subsidy to be provided by the applicant. Provisions will be made in the section 106 agreement to ensure that the 20% subsidy will be recycled within the district for further affordable housing should the occupiers seek to acquire the subsidised element.
- 7.4 The guidance outlined in Policy AL/DE/2 and in The Meeting Housing Needs Supplementary Planning Document sets out that 60% of affordable housing providing should be for social rent and 40% for intermediate housing. Notwithstanding the fact the tenure of affordable housing is not strictly in accordance with the policy framework outlined in the Allocations and Infrastructure Development Plan Document given the advice in the draft revised Supplementary Plan Document on meeting housing need (April 2012) which expands the tenure types, officers in Housing Services remain supportive of his improved offer. In summary taking into account the policy provisions outlined in policy AL/DE/3 and the submissions made by the applicant regarding the viability of bringing forward the development of the site in the current economic climate as outlined in submitted viability appraisal, the application scheme as it has been revised is considered to be an robust solution which will guarantee that the site will be brought forward for development including an acceptable level of affordable housing and with sufficient controls to ensure that the affordable housing will remain affordable in perpetuity.
- 7.5 Impact on Setting of Listed Building -The design of the plots 45, 38, 15, 16, 17: (The Courtyard): The applicant has amended the design of these five houses using a much simpler style with mainly flush facades and repetitive patterns of fenestration to keep the elevations clean and simple, using timber as a second material to compliment the brickwork. The applicant has submitted revised photomontages to demonstrate the relationship between these buildings and Howden Court.

- 7.6 The Council's Conservation officer had raised concerns regarding the scheme as it presented to members at the March meeting. Her comments on the amended scheme and the evidence base submitted by the applicant is set out below:

I have looked at the distant CGI views and considered their impact on the setting of the listed building. Given the fact that this is an allocated site and therefore there will be an inevitable and unavoidable impact on some views from this angle (because of the land levels), I think that the change is acceptable. The setting is partially protected through the trees and shrubs on this bank and obviously it will be of paramount importance to consider the planting scheme for this area and the boundary treatments for the new houses – hedging being my suggestion with only minimal (if any) temporary wire fencing and PD rights being removed.

The views submitted are only from one angle rather than from, say, the current pool area as well, but I have considered the fact that the existing vehicular route will no longer be present and this part of the site will also form a green backdrop to the new housing above it. I therefore feel that it does not require further illustration.

- 7.7 In addition the County Archaeologist has confirmed that in his view, given the scale and situation of this development it is not considered that the proposals will adversely affect any archaeological material associated with the heritage assets on the site.
- 7.8 In conclusion, taking into account the views of the Conservation Officer, the proposals and the evidence base submitted, the application is considered acceptable in terms of demonstrating that the buildings proposed on plots 15, 16, 17, 48 and 49 will have an acceptable relationship with the listed building at Howden Court and will not adversely affect the setting of it.
- 7.9 Relationship with Neighbouring Properties -The need to examine the relationship of the of the development with the existing neighbouring properties: The applicant has changed the scheme layout so that plot 47 has been omitted which has meant that the building on plot 46 is designed so that the side elevation is facing Upper Howden with over a 45.m separation distance (side elevation to rear elevation). In addition plots 50, 51 and 52 have been designed that that have deeper gardens by 2.5 metres, and resulting in over a 20.0 metre separation distance between the rear elevation of the building on plot 52 and the side elevation of Howden Deane.
- 7.10 In terms of the relationship between plot 21 and Upper Howden, the dwelling house on the plot has already been re-sited so that there are no uncomfortable window to window relationships. Whilst the single storey garage for this plot is less than 5.0 metres from the boundary with Upper Howden, there is a boundary hedge between which will shield out views towards the garage building from Upper Howden, with

only the top of the roofscape of the garage likely to be visible given that the height of the garage is only 2.5 to eaves and 3.5 to ridge.

- 7.11 In terms of the relationship between plot 15 and Upper Howden, the dwelling house is positioned so that it does not sit directly in front of the upper floor window to the living space at Upper Howden, and therefore the new building on plot 15 will be seen at an angle, with a 10.0 metre separation distance.
- 7.12 On this basis, and taking into account the scope of the changes that have been made to the plots that are adjacent to Upper Howden and Howden Deane since the scheme was considered by committee on the 14th March, it is considered that the scheme will create a satisfactory relationship for existing and future occupiers, whilst acknowledging that there will be some change.
- 7.13 Other Issues -The consideration of access for emergency services: Although this was raised by members of the committee, the Devon & Somerset Fire Service have raised no objection to the proposed layout with the main point of access off the Exeter Road and via the existing Estate Road.
- 7.14 The consideration of a waste and recycling contribution in line with policy: The applicant has agreed to include the necessary provisions with a section 106 agreement provide the necessary refuse and recycling containers.
- 7.15 The consideration of advice from the Police Architectural Liaison Officer particularly with regard to Plot 3: Consultations with the Police have been undertaken on the revised plans, and they have confirmed that the revised plans raise no further concerns for them.
- 7.16 The re-examination of the proposed 3 storey dwelling at the junction to the access to the site: The building on plot 36 has been revised (refer to drawing no: Hwdn – PL36(revA) so that it will have accommodation over 2 floors with a pitched slate roof, with no dormers. In summary it is consistent with the design of the other dwellings as proposed and responds directly to members concerns.
- 7.17 Further information regarding the cycle link. It will be necessary to remove a number of the conifer trees to form a gap on the boundary. In terms of managing the change in levels the design of the pathway will include a number of steps at the top of the link, and bunding either side so that it integrates into the landscape as it drops away to Howden Court and the curve of the new estate road. A pathway will be laid on the existing grass verge beyond the site boundary linking the path to the existing footway

on Palmerston Park. It is recommended that provision to ensure the delivery of this section of footpath, including the design of it will be included in the section 106 agreement.

- 7.18 There are no other reasons which suggest that planning permission should not be granted for this application as it has been revised and whilst officers in the highway authority have revised concerns about the amendments to the layout, the applicant has responded positively to the concerns as expressed.

8.0 Conclusion & Recommendation

- 8.1 The scheme will deliver a wide choice of quality homes and help to responding to the housing needs of residents in Mid-Devon, on a site which is allocated for housing in the Council's Adopted Development Plan.
- 8.2 Your officers consider that the revisions that have been made provide a satisfactory response to the concerns that were expressed by the Committee when the application was considered on the 14th March, and reflecting on the provisional of the relevant policy framework outlined in the adopted development plan and the National Planning policy Framework.
- 8.3 Therefore your officers recommend approval subject to the satisfactory completion of a section 106 agreement to cover the heads of terms as set out above, and the conditions as set out.

Conditions

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. No development shall begin until samples of the materials to be used for all the external surfaces of the buildings and hard surfaced areas shall be submitted to and approved in writing by the Local Planning Authority. No other materials or colour shall be used.
3. No development shall begin until details of proposed street lighting shall be submitted to and approved in writing by the Local Planning Authority. Installation shall be in accordance with the submitted details and retained.
4. No development shall begin until a construction management plan and a phasing plan for the development, shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details and shall be so retained.
5. Notwithstanding the submitted landscaping plan, No development shall begin until there has been submitted to and approved in writing by the Local Planning Authority a revised landscaping scheme, to include further low level planting details for the frontage for plots 22 and 23 and details of any changes proposed in existing ground

levels. All planting, seeding, turfing or earth reprofiling comprised in the approved details of landscaping shall be carried out within 9 months of the substantial completion of the development 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 or species.

6. No development shall begin until there has been submitted to, and been approved in writing by, the Local Planning Authority a plan indicating the height, positions, design, materials and type of boundary treatment to be erected on the site boundary and on the boundaries with Howden Dene, Howden Court and Upper Howden, and a timescale for its implementation. The boundary treatments so approved shall be completed in accordance with the approved details and shall be so retained.
7. No works or development shall take place except in accordance with a scheme for the protection of the retained trees as set out in a tree protection and retention plan, which shall first have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
 - a. an Arboricultural Method Statement and Tree Protection Plan.
 - b. a Construction Exclusion Zone Plan.
 - c. details of the trees to be retained.
 - d. details of those trees to be removed and the method of their removal.
 - e. the details and positions of Ground Protection Zones.
 - f. the details and positions of Tree Protection Barriers. The Tree Protection Barriers must be erected prior to each construction phase commencing and remain in place, and undamaged for the duration of that phase. No works shall take place on the next phase until the Tree Protection Barriers are repositioned for that phase.
 - g. the details and positions of underground service runs.
 - h. the method and details for the erection of fencing and planting within the construction exclusion zone.
 - i. the additional precautions should changes in levels or the position of any proposed excavations within 5 metres of the Root Protection Area (para. 5.2.2 of BS5837) of any retained tree.
 - j. the approved development shall be carried out in accordance with the approved Tree Protection Scheme.
8. Prohibited Activities - The following activities must not be carried out under any circumstances:
 - a. No fires shall be lit within 10 metres of the nearest point of the canopy of any retained tree.
 - b. No works shall proceed until the appropriate Tree Protection Barriers are in place, with the exception of initial tree works.
 - c. No equipment, signage, fencing, tree protection barriers, materials, components, vehicles or structures shall be attached to or supported by the retained tree.
 - d. No mixing of cement or use of other materials or substances shall take place within a Root Protection Area, or close enough to a Root Protection Area that seepage or displacement of those materials or substances could cause them to enter a Root Protection Area.

No alterations or variations to the approved works or tree protection schemes shall be carried out without the prior written approval of the Local Planning Authority.
9. Protected species mitigation proposals shall be carried out in accordance with those set out in the 'Proposal for bat and reptile Mitigation Works, dated 30 September 2011) and received 1 December 2011.

10. The proposed estate road, cycleways, footways, footpaths, verges, junctions, street lighting, sewers, drains, structures, retaining walls, service routes, surface water outfall, road maintenance/vehicle overhang margins, embankments, visibility splays, accesses, car parking and street furniture shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing before their construction begins. For this purpose, plans and sections indicating, as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority.
11. The highway works hereby approved shall not be carried out otherwise than in accordance with a phasing programme which shall previously have been submitted to and approved by the Local Planning Authority in writing.
12. The occupation of any dwelling in an agreed phase of the development shall not take place until the following works have been carried out:
 - A) The carriageways including the vehicle turning head within that phase shall have been laid out, kerbed, drained and constructed up to and including base course level, the ironwork set to base course level and the sewers, manholes and service crossings completed;
 - B) The footways and footpaths which provide that dwelling with direct pedestrian routes to an existing highway maintainable at public expense have been constructed up to and including base course level;
 - C) The visibility splays have been laid out to their final level;
 - D) The street lighting for the carriageways, footways and footpaths has been erected and is operational;
 - E) The car parking and any other vehicular access facility required for the dwelling by this permission has/have been completed;
 - F) The verge and service margin and vehicle crossing on the road frontage of the dwelling have been completed with the highway boundary properly defined;
 - G) The street nameplates have been provided and erected.
13. When once constructed and provided in accordance with condition 10 above, the carriageways, vehicle turning heads, footways and footpaths shall be maintained free of obstruction to the free movement of vehicular traffic and pedestrians and the street lighting and nameplates maintained so that the highway can operate safely.
14. Notwithstanding the provisions of Article 3 of The Town and Country Planning (General Permitted Development) Order 1995, the Town and Country Planning (General Permitted Development) Amendment (No.2) (England) Order 2008 (or any Order revoking and re-enacting those Orders with or without modification) no development of the types referred to in Classes A, B, D, E and F of Part 1, Schedule 2, relating to the enlargement, improvement or other alteration of a dwellinghouse, addition or alteration to the roof, construction of a porch, buildings or enclosures within the curtilage of a dwellinghouse and provision of a hard surface, shall be undertaken within the application site without the Local Planning Authority first granting planning permission.
15. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Air Quality - No objection
Drainage - No objection
Noise & other nuisances - No objections
Housing Standards - No objections
Licensing - No comments
Food Hygiene - N/A
Water Supplies - N/A
Health and Safety - No objections

16. Amendments to the garage designs for plots 18 and 28 to avoid a hipped roof shall be submitted to and approved in writing prior to the development of each of the plots. The garages shall be implemented in accordance with the approved details.

REASONS FOR CONDITIONS:

1. In accordance with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. To ensure the use of materials appropriate to the development in order to safeguard the visual amenities of the area and the setting of the nearby listed building.
3. To ensure the use of details appropriate to the development in order to safeguard the visual amenities of the area and the residential amenities of neighbouring residents.
4. To ensure the orderly development of the scheme and to safeguard the residential amenities of the area.
5. To ensure that the development makes a positive contribution to the character and amenity of the area.
6. To safeguard the character and amenities of the area and the privacy of occupiers of neighbouring properties.
7. To ensure the development makes a positive contribution to the character and appearance of the area by protecting the existing trees during development.
8. To ensure the protection of trees to be retained on the site.
9. In the interests of reducing the impact of the development upon protected species.
10. To ensure that adequate information is available for the proper consideration of the detailed proposals.
11. To ensure the proper development of the site.
12. To ensure that adequate access and associated facilities are available for the traffic attracted to the site.
13. To ensure that these highway provisions remain available.
14. For the avoidance of doubt and to ensure the Local Planning Authority can give proper consideration to the effect of alterations in the site levels in the interests of the visual

amenities of the area and the protection of trees and protect privacy of occupants of neighbouring properties.

15. To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy S5 of the Adopted Mid Devon Local Plan (Local Development Framework
16. To ensure that the development makes a positive contribution to the character and amenity of the area.

Informative Note:

1. This permission shall not constitute an approval of drawing number 10087.552 (highway construction details) submitted with the application, because it has been treated as being for illustrative purposes only.

REASON FOR APPROVAL OF PERMISSION/GRANT OF CONSENT

The application seeks planning permission for the erection of 36 dwellings on an allocated site toward the south of Tiverton and is therefore considered to comply with policies ST1, TR2 and TR5 of the Devon Structure Plan and policy S5 of the Adopted Mid Devon Local Plan (LDF) and policy COR1 of the Mid Devon Core Strategy in terms of locating development in sustainable locations with access to services other than by the private car and policy AL/TIV/10 Allocations and Infrastructure DPD. The design and layout of the scheme is considered to be an acceptable response to a complex site that has a number of key constraints. It is not considered that the application proposals will have a detrimental impact on the setting of the listed building, result in the loss of any trees that are considered worthy of protection, and will provide an attractive residential development without harming the privacy and/or amenities of others. In this respect the scheme is in accordance with policies CO6 and CO7 of the Devon Structure Plan 2001-2016, policies S5, S6, S7 and ENV8 of the Adopted Mid Devon Local Plan (LDF) and policy COR2 of the Mid Devon Core Strategy. Highway capacity, safety and parking issues have been assessed by the Highway Authority who have considered it to be acceptable. The Emergency Services, and therefore in accordance with policy TR10 of the Devon Structure Plan 2001-2016 and policy S7 of the Adopted Mid Devon Local Plan (LDF). Issues regarding drainage and prevention of flooding have been explored and addressed, and on the basis of advice from the Environment Agency the development is considered acceptable and therefore in accordance with the requirements of policy CO13 of the Devon Structure Plan 2001-2016 and policy COR11 of the Mid Devon Core Strategy. Issues relating to affordable housing provision are capable of resolution subject to the completion of an agreement under section 106 of the Town & Country Planning Acts, and following such an agreement the proposals would meet the policy requirements of policies AL/DE/3. The scheme has been designed to include aspects to ensure that the provisions of policy AL/IN/6 will be achieved. Satisfactory provision will be made to relocate protected species that will be affected by the application in accordance with the policy requirements of and the proposed site layout has been designed to take into account the occupiers of the existing residents close to the site. A number of objections have been received and the contents of which have been considered by your officers. However, it is not considered that there are any matters which would outweigh the policies of the Devon Structure Plan, Adopted Mid Devon Local Plan and Mid Devon Core Strategy and

the Mid Devon Allocations and Infrastructure Development Plan Document as set out above. The application has therefore been recommended for approval.

Contact for any more information

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Background Papers

14th March 2012 Planning Committee

File Reference

11/01927/MFUL

Circulation of the Report

Cllrs Richard Chesterton
Members of the Planning Committee

