

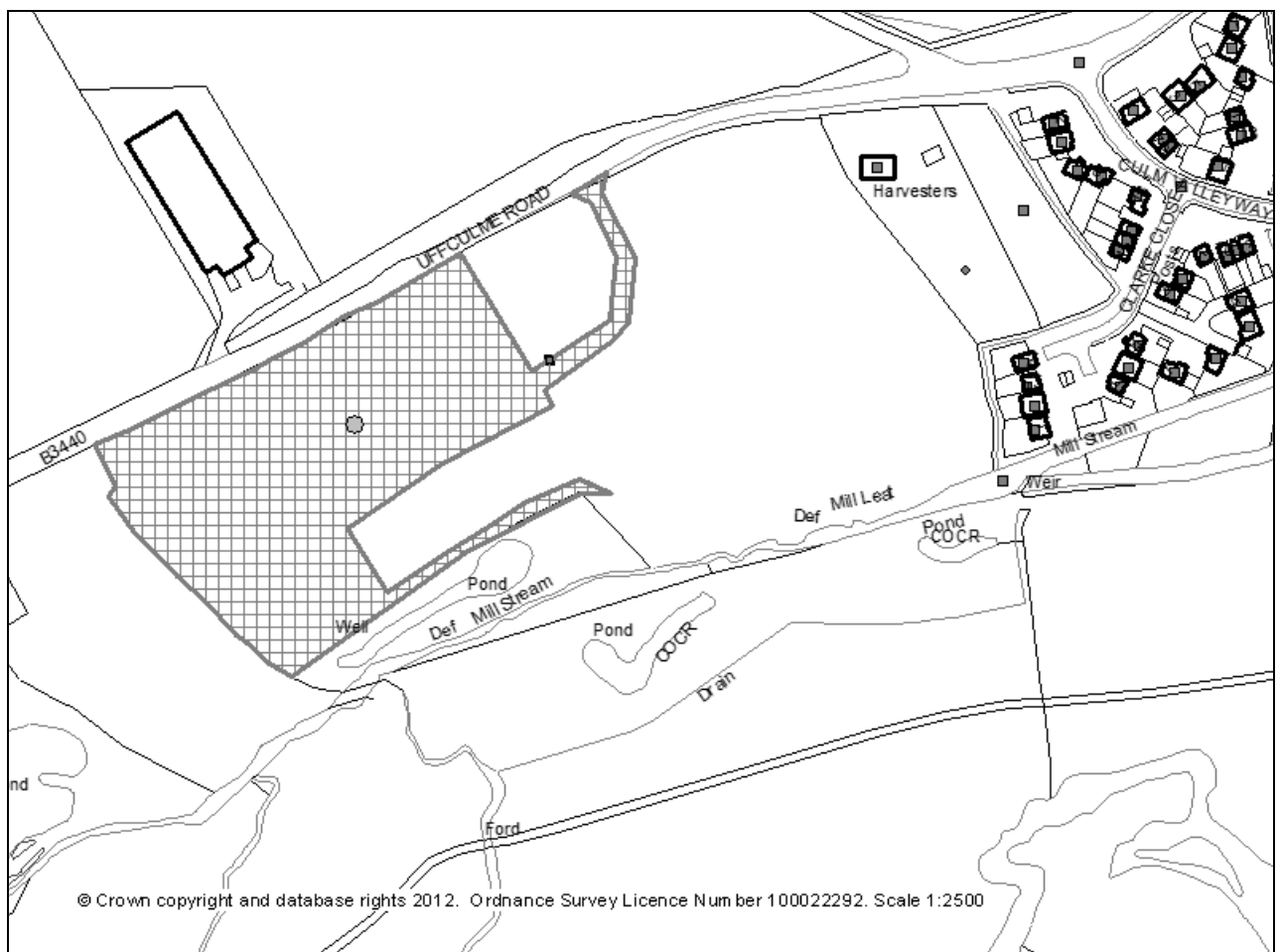
**Grid Ref:** 305658 : 112080

**Applicant:** R & L Persey Vegetables, C/O  
Jillings Heynes Planning

**Location:** Land at NGR 305578 112053  
Uffculme Road Uffculme Devon

**Proposal:** Outline for the erection of 30  
dwellings and new vehicular and  
pedestrian accesses

**Date Valid:** 23rd February 2017



## **Application No. 17/00300/MOUT**

### **RECOMMENDATION**

Grant permission subject to conditions and the signing of a S106 agreement to secure.

1. 35% affordable housing on-site
2. £102,390 toward improved primary education facilities ((£3,413 per dwelling)
3. £98,644 toward improved secondary education facilities (3,288.15 per dwelling)
4. £24,100 toward off-site public open space provision

### **PROPOSED DEVELOPMENT**

This application seeks outline planning permission for the erection of 30 dwellings with new vehicular and pedestrian accesses on land to the east of Langlands Business Park and to the west of the village of Uffculme. Access is to be determined as part of this application with all other matters reserved for future consideration.

The application site is proposed to utilise the access granted planning permission at appeal in 2016 as part of a submission for the erection of 60 houses on land immediately to the east of the application site. This access is off the B3440 Uffculme Road which links the villages of Willand and Uffculme. The red line of the application site overlaps with the site for the 60 houses to allow for this access. (application 15/00108/MOUT).

The application site is outside of any defined settlement limits of a village or town and so is in the open countryside in planning terms. Furthermore, other than for the access, the site of this application does not form part of any current or proposed allocation for development in the Local Plan. The adjacent site for 60 dwellings is proposed to be residentially allocated for this number of dwellings within the submitted Local Plan Review. This proposed allocation has been included in the plan only as a result of the appeal decision granting planning permission.

The site falls in a southerly direction from a high point in the north east corner at approximately 78.5m AOD, to a low point located on the southern boundary at approximately 73.0m AOD. It is bound to the north and west by a tree and hedge belt, to the east by the remainder of the field which now has outline planning permission for 60 dwellings and to the south by vegetation and a stream.

### **APPLICANT'S SUPPORTING INFORMATION**

Design and Access Statement  
Flood Risk Assessment  
Transport Statement  
Ecological Appraisal  
Arboricultural Survey  
Carbon Reduction Statement  
Waste Audit Statement  
Geo-environmental Desk Study Report

### **PLANNING HISTORY**

15/00108/MOUT Outline application for up to 60 dwellings with access onto Uffculme Road, with all other matters reserved - REFUSED (APPEAL ALLOWED WITH CONDITIONS 11.04.2016)

## **DEVELOPMENT PLAN POLICIES**

### **Mid Devon Core Strategy (Local Plan 1)**

COR1 - Sustainable Communities  
COR2 - Local Distinctiveness  
COR3 - Meeting Housing Needs  
COR5 - Climate Change  
COR8 - Infrastructure Provision  
COR9 - Access  
COR10 - Strategic Transport Networks  
COR11 - Flooding  
COR12 - Development Focus  
COR17 - Villages  
COR18 - Countryside

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

AL/DE/3 - Affordable Housing Site Target  
AL/IN/3 - Public Open Space  
AL/IN/5 - Education Provision

### **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  
DM6 - Transport and air quality  
DM27 - Development affecting heritage assets  
DM28 - Green infrastructure in major development

### **Devon Waste Plan**

W4 Waste Prevention

### **National Planning Policy Framework**

### **CONSULTATIONS**

WILLAND PARISH COUNCIL - 13th March 2017

Willand Parish Council discussed this at the meeting on 9 March and were concerned that they had not been directly consulted on this application as any approval will have more of an effect on Willand and Uffculme as opposed to Halberton.

It is recognised that approval has been given, on appeal, for 60 houses on an adjoining piece of land and that access to this application site will be through the approved site and so could be seen as a natural extension to it.

The Parish Council objects to the application for the following reasons:

- 1) The site is in open countryside and not in a settlement area where development could be justified.
- 2) The land is not allocated in any current local plan or emerging local plan for development of any description.
- 3) This is a major development for a rural area and will have an impact on the villages of Uffculme and Willand in respect to education, health and many other services. Although in Halberton Parish. it will not adversely impact on that parish.
- 4) The development will create additional vehicle movements, the majority of which will have to travel through Willand via the Four Cross Way roundabout, and most of the traffic will then move up the B3181 to Waterloo Cross. On the way, there are two junctions with accident records. Traffic on the B3181 is increasing with current and approved business developments and much of this increase consists of heavy goods vehicles.
- 5) The Waterloo Cross roundabout is becoming a 'pinch point' and concern as to this junction was raised by a Government Inspector in relation to the recent Devon Minerals plan which will increase traffic at this point. With possible additional development at Junction 27 of the motorway the current position will be further aggravated. If traffic were to travel towards Cullompton there are recorded concerns in relation to the area of Junction 28 of the M5.

Refusal of this additional housing is recommended

UFFCULME PARISH COUNCIL - 13th March 2017

The Parish Council objects to this application. The land lies outside the settlement boundary of the village. Permission would see a further ribbon development that would also further reduce the rural nature of the distinction between the villages of Uffculme and Willand. The land is also not included in the existing or emerging local plans as sites for development.

HIGHWAY AUTHORITY - No objection -

The site is located off an access previously agreed by the Highway Authority and the Highway Authority

accept the application transport assessment. The Highway Authority considers that this site is unlikely to have an

impact on Junction 28 and the existing severe queue lengths even though a proportion will wish to travel in that direction. The Applicants should consider the provision of footway links to the industrial estate at Langlands and the

bus services and stops at that location. Therefore details of the pedestrian footway, access to the footway

and its layout should be sought. A number of conditions are recommended.

ENVIRONMENT AGENCY - No objection -

Although the southern boundary of the site near the River Culm is within Flood Zone 3, where there is a high probability of flooding, the proposed residential units would all sit within Flood Zone 1 where the probability of flooding is low. LPA will need to apply the sequential test.

ENVIRONMENTAL HEALTH - ENVIRONMENTAL HEALTH - 1st March 2017

No objection

HALBERTON PARISH COUNCIL - 24th March 2017

Halberton Parish Council recommends Refusal of this application.

The proposed development site is located within a rural part of Halberton Parish, adjacent to our boundary with Uffculme Parish.

It was clear to the PC that this application is an extension of the application for 60 houses granted on appeal in April 2016, and the PC's objections are the same as those expressed in 2016.

Specifically:

1) This area of development is outside the settlement area and is not included within any planning document for the area.

Halberton PC has is of the opinion as is its neighbouring parishes that the road between Willand and Uffculme should remain a "Green Belt" of primarily agricultural land and no further "ribbon development" should be permitted.

2) Adding a further 30 properties (along with the 60 granted in 2016), in addition to the increased housing which is included within the revised local plan, will have a severe impact on the ability of local community services to meet the needs of the whole rural population.

3) At this time, Devon Highways has not commented on the proposal. Halberton PC's opinion is that the increased traffic flows at peak times onto the Willand-to-Uffculme road will significantly increase the risk of accidents involving not only HGV and passenger vehicles but also pedestrians, whether there be a pedestrian pavement or not. The 41 pages of commentary and 126 pages of appendices by the applicant related to transportation do nothing to change our opinion of that increased risk.

4) Halberton PC has also noted that the previous application which was granted on appeal, was granted on the grounds that development would start immediately, whereas other housing opportunities WITHIN the local plan might take longer to start.

However, twelve months after the 2016 decision was made, there is no evidence of any start to the construction of the 60 houses under that application, and we anticipate the same extended delay would happen, should this current application be approved.

It is recommended that MDDC should Refuse permission for this application.

**LEAD LOCAL FLOOD AUTHORITY - No objection -**

The applicant has submitted a suitable surface water drainage plan in the flood risk assessment (Awcock

Ward Partnership Project Number: 0172) Additional information in relation to the surface water drainage

aspects of the above planning application has been provided by Awcock Ward Partnership. Require pre-commencement conditions be imposed on any approved permission to secure an appropriate surface water drainage management system.

**NATURAL ENGLAND - No objection -**

Statutory nature conservation sites - no objection

Based upon the information provided, Natural England advises the Council that the proposal is unlikely to

affect any statutorily protected sites or landscapes.

Natural England has published Standing Advice on protected species.

**DEVON, CORNWALL & DORSET POLICE - Neutral -**

I am unable to comment in any detail on the available 'illustrative feasibility layout', as it does not reveal any

features that would specifically be of concern to the police.

**DEVON COUNTY EDUCATION - No objection**

We request an education contribution to mitigate the impact of development. The proposed 30 family-type dwellings will generate an additional 7.5 primary pupils and 4.5 secondary pupils. Both the local primary and secondary schools are forecast to be at capacity and therefore Devon County Council will seek a contribution towards provision of both primary and secondary school infrastructure. Our primary contribution request is £102,390 and the Secondary education contribution is £98,644.

**MID DEVON DISTRICT COUNCIL - TREE OFFICER - No objection -**

At this early stage I would suggest that the trees on this site will enhance a development in this area, providing the layout is considered correctly.

**SOUTH WEST WATER - No objection -**

A connection to the foul or public sewer should be made

**REPRESENTATIONS**

Two letters of objection received, summarised as follows:

1. Cumulative impact with neighbouring site for 60 houses will cause a serious loss of public visual amenity in respect of the view from the road across the fields to the Culm Valley;
2. Villages of Willand and Uffculme will lose their individuality as there will be almost continuous development on the south side of the road between the villages;
3. Site is on a flood plain;
4. The road is dangerous;
5. The additional traffic would spoil the village of Uffculme.

**MATERIAL CONSIDERATIONS AND OBSERVATIONS**

**The main considerations in the determination of this application are:**

1. **Adopted and emerging planning policy and five year land supply**
2. **Highways considerations**
3. **Considerations of location and scale and the character of the area**
4. **Trees and ecology**
5. **Drainage and flooding**
6. **Infrastructure considerations**
7. **Other matters**
8. **Planning balance**

**1. Adopted and emerging planning policy and five year land supply**

Policy COR12 of the Core Strategy sets out the development focus for the District, concentrating development around the towns of Tiverton, Cullompton and Crediton with more limited development elsewhere. Policy COR17 provides a definition of villages with defined settlement limits and sets out the type and scale of development that is acceptable within defined settlement limits and permitted on allocations outside settlement limits. Policy COR18 seeks to control development outside defined settlement limits to appropriate rural uses, excluding new market housing.

The development is on agricultural land and at present the entirety of the site lies outside the defined settlement limit for the village of Uffculme, to which the site is closest (although it lies in Halberton Parish). The proposal is therefore considered to be contrary to policies COR17 and COR18 of Mid Devon's adopted development plan. With regard to the Council's emerging policy, the strategy for development focus will be at Tiverton, Crediton and Cullompton as identified in policy S1.

Policy COR1 of the Mid Devon Core Strategy (LP1) seeks to manage growth in a sustainable way to support the diverse needs of communities, including the provision of affordable housing and making the most efficient use of land. Policy COR3 seeks to meet the diverse housing needs of the community, including a target provision of approximately 100 affordable dwellings per year across the District.

The Local Plan Review proposes to allocate land immediately to the east of the application site (including part of the red line of this site which relates to the point of access) for 60 dwellings as that site has already been granted planning permission on appeal (policy ref. UF1). That appeal decision in April 2016 found that the authority is unable to demonstrate that it has an adequate 5 year supply of housing land and it is on that basis that this site is now brought forward. The National Planning Policy Framework (the Framework) advises that where a five year land supply of deliverable housing sites cannot be demonstrated, policies on housing supply should not be considered up to date. This includes settlement limits identifying areas which are open countryside and those which are within defined settlements.

Although the Council has now submitted the Local Plan Review to the Planning Inspectorate for examination, at the time of writing the Plan is untested and cannot yet be construed as a demonstration of a five year supply of housing sites.

Paragraph 14 of the Framework, reiterated by policy DM1 of Local Plan Part 3, states that where development plan policies are considered to be out of date, planning permission should be granted unless adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the Framework as a whole OR specific policies in the Framework indicate development should be restricted. Housing applications need therefore to be considered in the context of sustainable development, unless specific policies indicate development should be restricted.

Policies COR12, COR17 and COR18 are directly relevant to the supply of housing in the District and are now considered to be out of date. This does not mean that Mid Devon's policies must be cast aside, but the weight given to them is proportionate to their consistency with the Framework.

**2. Highways considerations**

The site is proposed to be accessed via a single point of vehicular access from the B3440 Uffculme Road; this point of access was approved as part of the planning permission for the 60 dwellings on the neighbouring site. The Highway Authority has indicated that it has no objection to the use of this access to serve the additional 30 dwellings but would like to see a pedestrian footway provided from the application site to Langlands Business Park to the west and the nearby bus stops which have been installed outside the Business Park. The applicant has amended the red line of the application site to include the land necessary to provide the footway and therefore its provision can be ensured through condition.

Concerns have been raised that the road from which this site is accessed is dangerous and reference is made to a fatal accident in the vicinity. This issue was also raised as part of the appeal at the neighbouring site but the Inspector found that there was no compelling evidence to demonstrate that the scheme for 60 houses would result in highway safety issues or congestion from increased traffic volumes. The additional traffic arising from a further 30 houses would not be significant and a similar conclusion is reached as part of this application.

Junction 28 of the M5 at Cullompton has been the subject of queue monitoring, which identifies significant queues of traffic in the am peak looking to reach the junction or pass over its bridge. These queues arise from the introduction of traffic signals at the junction which have reduced queue lengths of vehicles exiting the motorway, thus eliminating a previous highway safety concern but have exacerbated issues on the County network when combined with the poor operation of the roundabout serving the northbound on and off slips and the services. The queue monitoring has shown the junction to be over capacity at peak times in respect of the County network. The Highway Authority has indicated the additional traffic arising from the development is unlikely to have an impact upon this existing issue as although journey times to Junction 28 via either Junction 27 or the B3181 through Willand (without a queue) are the same at 8 minutes, once the additional time is factored in for the morning queues which would be experienced, the use of Junction 27 would be a more attractive option. On this basis they state that a reason for refusal based on increased impact through Junction 28 would be unsound.

In respect of highways considerations the application is in accordance with policies COR1, COR9 and COR10 of the Core Strategy and DM2 and DM6 of Local Plan Part 3 (DMP), which seek to deliver developments which have safe highway accesses and do not adversely affect the operation of the local or strategic network.

### **3. Considerations of location and scale and the character of the area**

The appeal decision for the neighbouring site concluded that the wide range of facilities available in Uffculme (2 shops, 2 public houses, café, takeaway, GP surgery, community hall and fields, pre-school, primary school & secondary school) render the village better served than the other villages identified as settlements in the Core Strategy and that it was within an acceptable and safe walking distance of those services and facilities. Equally, the proximity to employment land is such that the location is readily accessible to some employment opportunities by sustainable means. Despite being located slightly further to the west than the appeal site, Officers are of the opinion that it would not be reasonable to reach a different conclusion in relation to the location of this site than that reached by the Inspector.

Although the site is situated to the west of Uffculme and would represent further linear or ribbon development to the south of the B3440, the Inspector in the appeal for the neighbouring site found that it would not materially close the gap between Willand and Uffculme and each would retain their individual identity. There is no reason to now reach a different conclusion in relation to this site and there would remain a sufficient gap between the two settlements, including areas of open field on both sides of the road so that they would retain their individual identities. In this respect, the objections raised by Parish Councils and objectors are not agreed.

The development of an additional 30 houses would represent a modest 3% increase in the number of households in the village and there is no evidence to suggest that such an increase would be adverse to the operation of the settlement and its community.

The site is within the Lowland Plains landscape character area as set out in the Mid Devon

Landscape Character Assessment. This area is characterised by having an open, low lying flat agricultural landscape. The fields to the north of the B3340 are partially screened from views by the existing field boundaries. The application site is more enclosed than the neighbouring site for 60 houses by virtue of more established field boundaries and it is noted that the Inspector raised no issues with the impact of development of that site on the character of the area or with respect to visual amenity. Officers are of the opinion that a similar conclusion is reached in respect of this application site and the aim to sustain the quality, character and diversity of the environment are met as required by policy COR2 and DM2.

The registered historic park and garden at Bridwell Park lies approximately 215m to the north east, on the opposite side of Uffculme Road. Due to the intervening distance and existing vegetation it is not considered that the development will have a material impact upon the setting of the registered park and development would accord with policy DM27 in this regard.

#### **4. Trees and ecology**

A tree survey is submitted with the application that identifies all existing trees and hedges around the perimeter of the site will be retained. The authority's Tree Officer has visited the site and is of the opinion that these trees and hedges will enhance the development if the layout is carefully considered. There are some concerns regarding proximity of properties to the roadside trees as shown on the submitted feasibility layout but as layout is a reserved matter for later consideration, this could be adequately addressed through any reserved matters submission. The construction of the new footway to Langlands Business Park will necessitate the use of a no-dig method for some parts of the path where they would pass within the Root Protection Area of certain trees. Subject to the imposition of a condition to secure adequate details of a Tree Protection Plan and Method Statement for the construction phase, no objections arise to the development in relation to the impact upon existing trees and hedgerows.

Policy DM28 of Local Plan Part 3 relates to the provision of green infrastructure in major development and seeks to achieve a net gain in biodiversity. The submitted ecology survey makes a number of mitigation and enhancement recommendations, including the use of bat tubes and bird bricks on a number of new dwellings and the retention of the semi-improved grassland which is located close to the southern extremes of the site, outside the area identified for dwellings to be constructed on. Natural England have raised no objections to the application and a condition is recommended for imposition to require the submission of an ecological management plan with a reserved matters application.

#### **5. Drainage and flooding**

The majority of the site lies within Flood Zone 1 and is at the lowest risk of fluvial flooding; all new dwellings will be located in this area. A very small portion of the site lies within flood zone 3 and is at risk of flooding from the watercourse which runs to the south. This land would only be used for drainage purposes and would not accommodate dwellings or access or egress routes across it. The sequential test referred to by the Environment Agency in their consultation response seeks to direct development to areas at the lowest risk of flood by appraising what other land is available within the area at lower risk of flood. As none of the land within the application site which would accommodate built development is at risk of flooding and that the only other site proposed for allocation in the Local Plan Review is the neighbouring site for which planning permission exists, it is considered that the sequential test is passed and there is no other land at lower risk of flooding reasonably available for development in the area.

The submitted flood risk assessment includes a surface water drainage plan which Devon County Council as Lead Local Flood Authority have confirmed they have no in-principle objections to. Any approval of planning permission should include a condition requiring the submission of the detailed design of any management system and also an appropriate construction phase drainage management.

The site is proposed to be connected to the mains foul network.



Having regard to these matters the application meets with policies COR11 of the Core Strategy.

## **6. Infrastructure considerations**

Policy COR8 of the Core Strategy sets out that the council will ensure that new development is served by necessary infrastructure and that developers will be expected to contribute to, or bear the full cost of, new or improved infrastructure and facilities where appropriate.

The site is above the affordable housing threshold and policy AL/DE/3 of the Allocations and Infrastructure DPD requires 35% affordable housing to be provided; this would equate to 10 dwellings on a site of this size. Subject to this requirement being included in a Section 106 agreement to ensure its provision and the later agreement of tenure and size split, this would accord with the policy requirements.

Devon County Council have indicated that both the local primary and secondary schools are forecast to be at capacity and on this basis they request a financial contribution toward increased facilities to accommodate for the increase in pupils as a result of this development. This contribution equates to £3,413 per dwelling for the primary education contribution and £3,288.15 per dwelling for the secondary education contribution. Such contributions would mitigate the impact upon education provision in the locality and meet with policy AL/IN/5 in this respect.

The development would give rise to an additional need for public open space provision and policy AL/IN/3 requires 60 square metres of equipped and landscaped public open space per dwelling. It is not considered that on-site provision is necessitated in this instance but a financial contribution toward improved provision off-site in the locality should be required through a Section 106 agreement. At the time of writing, a specific project/s for these monies to be spent on is being identified and an update will be provided.

## **7. Other matters**

A Waste Audit Statement has been submitted to detail how waste produced during the construction phase will be disposed of. Although somewhat scant in nature, it is sufficient for the purposes of this application and accords with the requirements of policies DM4 of the Local Plan Part 3 and W4 of the Devon Waste Plan in this respect.

A Carbon Reduction Statement has been submitted which states the use of a fabric first approach to building construction in order to reduce energy consumption and CO2 emissions. Policies contained in the Local Plan requiring specific levels to be achieved are no longer valid by virtue of Ministerial Statements but the elements of policies COR5 and DM3 in relation to the demonstration of how sustainable design and construction methods will be incorporated is met.

The proposed dwellings would be eligible for counting towards the New Homes Bonus. If the New Homes Bonus is distributed across Council Tax Bands in the same way as in 2015, the award for each house would be £1,028 per year (each affordable house attracting a further £350 bonus), New Homes Bonus is under review by the Government. If completion of the development takes place in 2018/19, payment would be made for 4 years, amounting to £137,360.

## **8. Planning balance**

The Framework contains a presumption in favour of sustainable development and requires local authorities to boost significantly the supply of housing. The development would provide up to 20 open market and 10 affordable dwellings which would provide economic and social benefits for Uffculme.

The Framework requires that where Local Plan policies are considered to be out of date, planning permission should be granted unless adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the Framework as a whole or specific policies in the Framework indicate development should be restricted.

The impacts on local schools and public open space provision can be off-set by financial contributions towards improvements. The visual effects of the development would depend very much on the

designs submitted under a later reserved matters application and the final landscaping proposals however the site is not in a designated landscape and with the retention of existing tree and hedge screening, it is considered that development would not cause demonstrable harm to the character and appearance of the area and would be read alongside the adjacent site for 60 dwellings which has the benefit of planning permission and the development of Culm Valley Way further to the east.

Weighing in favour of the development is the provision of 30 additional houses, including 35% affordable housing in a location adjacent to an existing settlement which is recognised as being sustainable for modest expansion.

In weighing up all material considerations, including those raised in consultation responses from Parish Councils and objectors, Officers are of the opinion that there are no adverse impacts arising from the development which would indicate that planning permission should be refused and therefore the application is recommended for approval by virtue of presumption in favour of sustainable development set out in paragraph 14 of the Framework being engaged. Members are asked to note that a similar planning balance for 60 dwellings on the adjacent site was undertaken by an appeal Inspector fairly recently resulting in the grant of planning permission. In light of this earlier decision it is not considered that a refusal of permission on this site could be substantiated.

## **CONDITIONS**

1. Before any part of the development hereby permitted is begun, detailed drawings to an appropriate (scale) of the (layout), (scale) and appearance of the building(s), [the means of access thereto] and the [landscaping] of the site (hereinafter called the Reserved Matters) shall be submitted to and be approved in writing by the Local Planning Authority.
2. Application(s) for approval of all the Reserved Matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
3. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the Reserved Matters which have been approved, whichever is the later.
4. The detailed drawings required to be submitted by condition CO1 shall include the following additional information: boundary treatments, existing and proposed site levels, finished floor levels and materials, an ecological management plan based on the recommendations for ecological mitigation and enhancement contained in the submitted Ecological Appraisal by Ecological Surveys Ltd., dated August 2016.
5. The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule on the decision notice.
6. As part of the Reserved Matters submission/s referred to in condition 1, a Sustainable Urban Drainage Scheme and long term management and maintenance plan shall be submitted to the Local Planning Authority. The submitted details shall include a full drainage masterplan and associated drainage calculations also include a timetable for the implementation of the Sustainable Urban Drainage Scheme. The development shall be constructed and the Sustainable Urban Drainage Scheme provided, maintained and managed in accordance with the approved details submitted at Reserved Matters stage.
7. No development shall begin until a temporary surface water drainage management plan, to demonstrate how surface water runoff generated during the construction phase will be managed for the full construction period, has been submitted to and approved in writing by the Local Planning Authority. The plan must satisfactorily address both the rates and volumes, and quality, of the surface water runoff from the construction site and must also include details of how eroded sediment will be managed to prevent it from entering the permanent surface water drainage management system and include a timetable for the implementation of the management plan. Once approved the management plan shall be implemented in accordance

with the approved details.

8. No development shall begin until an Arboricultural Method Statement and Tree Protection Plan, based on the submitted Arboricultural Survey dated February 2017 (including the supplementary TPP dated 21/04/2017) and to include engineering details for any areas of no-dig construction, has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details.
9. The proposed estate road, cycleways, footways, footpaths, verges, junctions, street lighting, sewers, drains, 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.
10. The development 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.
11. No other part of the development hereby approved shall be commenced until:
  - A) The access road has been laid out, kerbed, drained and constructed up to base course level for the first 20.00 metres back from its junction with the public highway
  - B) The ironwork has been set to base course level and the visibility splays required by this permission laid out
  - C) The footway on the public highway frontage required by this permission has been constructed up to base course level
  - D) A site compound and car park have been constructed to the written satisfaction of the Local Planning Authority
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 spine road and cul-de-sac carriageway 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 spine road and cul-de-sac 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 cul-de-sac visibility splays have been laid out to their final level;
  - D) The street lighting for the spine road and cul-de-sac 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 for the spine road and cul-de-sac have been provided and erected.

13. None of the dwellings permitted shall be occupied until such time as a footway from the site to Langland's Business Park has been constructed and made available for use in accordance with design and construction details that shall first have been submitted to and approved in writing by the Local Planning Authority.

## **REASONS FOR CONDITIONS**

1. The application was submitted as an outline application in accordance with the provisions of Articles 5 and 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.
2. In accordance with the provisions of Section 92(2) of the Town and Country Planning Act 1990 as amended by Section 51 Planning and Compulsory Purchase Act 2004.
3. In accordance with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.
4. In accordance with the provisions of Section 92(2) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
5. For the avoidance of doubt and in the interests of proper planning.
6. To minimise flood risk and provide sustainable drainage on site in accordance with policies COR11 of the Mid Devon Core Strategy (Local Plan Part 1) and DM2 of the Mid Devon Local Plan Part 3 (Development Management Policies) and in accordance with guidance contained within the DEFRA document 'Non-statutory technical standards for sustainable drainage systems'.
7. To ensure that surface water runoff from the construction site is appropriately managed so as to not increase the flood risk, or pose water quality issues, to the surrounding area.
8. To ensure the development is carried out without detriment to the health and amenity of trees and hedgerows on the site.
9. To ensure that adequate information is available for the proper consideration of the detailed proposals.
10. To ensure the proper development of the site.
11. To ensure that adequate on site facilities are available for all traffic attracted to the site during the construction period, in the interest of the safety of all users of the adjoining public highway and to protect the amenities of the adjoining residents.
12. To ensure that adequate access and associated facilities are available for the traffic attracted to the site.
13. To provide safe pedestrian access to the nearest available employment site and bus stops and to minimise the impact of the development on the highway network in accordance with paragraph 32 of the Framework.

## **REASON FOR APPROVAL OF PERMISSION/GRANT OF CONSENT**

The application is considered to be in accordance with the requirements of policies COR1, COR2, COR3, COR5, COR8, COR9, COR10 and COR11 of Mid Devon Core Strategy (Local Plan Part 1), AL/DE/3, AL/IN/3 and AL/IN/5 of the Allocation and Infrastructure Development Plan Document (Local Plan Part 2), DM1, DM2, DM3, DM4, DM6, DM27 and DM28 of Local Plan Part 3 (Development Management Policies), policy W4 of the Devon Waste Plan and the National Planning Policy Framework.

