

PLANNING APPLICATION REPORT

Case Officer: Kate Cantwell

Parish: Ugborough **Ward:** Ivybridge East

Application No: 3703/18/OPA

Agent:

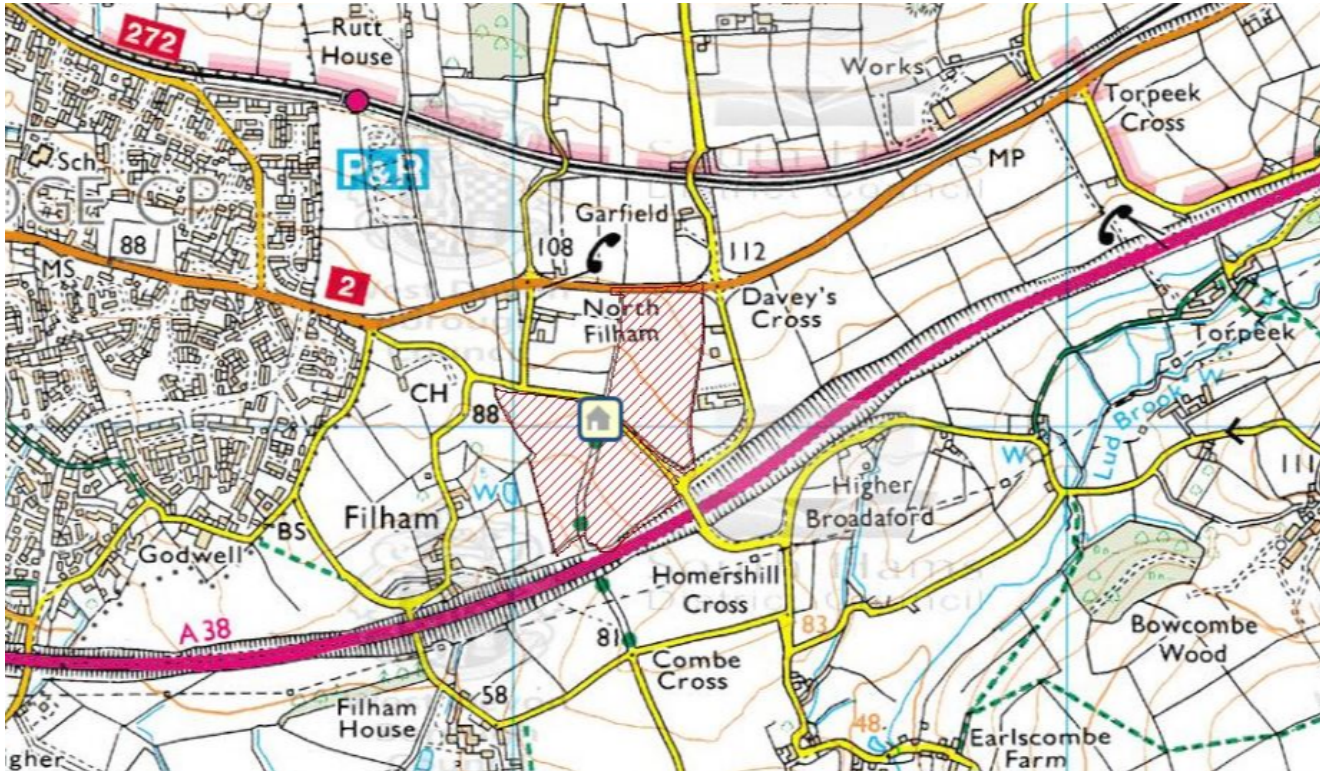
Mr Robin Upton
WYG
Hawkridge House
Chelston Business Park
Wellington,
Somerset
TA21 8YA

Applicant:

Bloor Homes
C/O Agent

Site Address: Land At SX 651 560, Filham, Ivybridge

Development: READVERTISEMENT (Revised Plans Received) Hybrid application for the erection of up to 200 dwellings, comprising the following: Phase 1 - detailed application for the erection of 94 dwellings (C3), formation of access with Exeter Road (B2131), new spine road, internal roads and footpaths, surface water infiltration ponds, landscaping, ground and utilities works and associated infrastructure; and Phase 2 - outline application for up to 106 dwellings (C3) with all matters reserved except for access; strategic landscaping, surface water drainage works, highway works and diversions and associated infrastructure.



Reason item is being put before Committee

On the advice of the HoP Lead Development Management.

Recommendation: Conditional approval

Conditions – pre-commencement conditions to be agreed at time of writing. Full wording of conditions to follow.

Full Planning Permission

1. Standard commencement timeframes
2. Development in accordance with the plans
3. PRIOR TO COMMENCEMENT submission of a phasing plan
4. PRIOR TO COMMENCEMENT detailed design of the proposed permanent surface water drainage management system.
5. Groundwater monitoring in south-western and south-eastern parcels during the construction of the northern parcel and submission of results
6. PRIOR TO COMMENCEMENT full details of the adoption and maintenance arrangements for the permanent surface water drainage management system
7. PRIOR TO COMMENCEMENT detailed design of the proposed surface water drainage management system to serve site during construction.
8. Prior to their construction, details of the facing materials of all retaining walls (except where they form part of a garden boundary wall)
9. Within 3 months of the date of this consent or prior to commencement above slab level submission of an amended Landscape Concept Plan
10. Prior to development above slab level, full soft landscape proposals (the Landscape Scheme) in accordance with the approved Landscape Concept Plan to be submitted.
11. PRIOR TO COMMENCEMENT Construction Environment Management Plan.
12. PRIOR TO COMMENCEMENT Scheme to deliver electric vehicle charging points.
13. All gates to rear gardens shall be same height as adjoining wall/fence and shall be lockable from both sides.
14. PRIOR TO COMMENCEMENT Landscape and Ecological Management Plan for Phase 1 of the development
15. PRIOR TO COMMENCEMENT specification and locations of inbuilt bird and bat boxes of the development
16. Adherence to impact avoidance and mitigation measures for protected species detailed in the Ecological Assessment (Ecology Solutions, October 2018).
17. No removal of Dormouse habitat unless the LPA has the licence issued by Natural England or a statement from the licensed bat ecologist to the effect that one is not needed.
18. Adherence to impact avoidance and mitigation measures for protected species detailed in the Ecological Assessment (Ecology Solutions, October 2018).
19. No removal of Dormouse habitat unless the LPA has the licence issued by Natural England or a statement from the licensed bat ecologist to the effect that one is not needed.
20. PRIOR TO COMMENCEMENT submission of a Construction Management Plan
21. Prior to construction submission of details of all infrastructure details including roads, cycleways, footways, and verges
22. No mud, stones or debris on the highway
23. PRIOR TO COMMENCEMENT submission of a Written Scheme of Investigation
24. Prior to occupation submission of a revised noise mitigation scheme to demonstrate compliance of the development with BS8233:2014 and relevant World Health Organisation noise levels for the prevention of community annoyance.

Outline planning permission

1. Standard commencement timeframe
2. Reserved matters shall include: access, appearance, landscaping, layout and scale
3. Reserved matters to be accompanied by a phasing plan
4. Details of the play provision, including details of equipment and preferably unfenced play area
5. Plan to show the location of benches and bins in the public open space
6. Plan to show additional link pathways to the northwest of plot 94 and to the east of plots 37 and 58
7. Reserved matters for layout to be accompanied by a scheme for electric car charging points
8. Reserved matters for layout to be accompanied by an updated noise assessment.
9. Highways England shall be consulted on the proposed design, construction and future maintenance requirements of any acoustic mitigation measures adjacent to its land.
10. Noise assessment specific to the foul water pumping station to include in combination effects with surface water pumping station.
11. With each subsequent Reserved Matters application, full landscape details
12. PRIOR TO COMMENCEMENT of Phase 2, submission of revised Tree Protection Plan, amendment to road layout to avoid T961, updated Arboricultural Impact Assessment and inclusion of planting of a succession oak.
13. Reserved matters for Phase 2 shall include details of housing mix
14. Reserved Matters shall be accompanied by details to address requirements of DEV32
15. PRIOR TO COMMENCEMENT submission of an Employment and Skills Plans (DEV19)
16. Adherence to impact avoidance and mitigation measures for protected species detailed in the Ecological Assessment (Ecology Solutions, October 2018).
17. No removal of Dormouse habitat unless the LPA has the licence issued by Natural England or a statement from the licensed bat ecologist to the effect that one is not needed.
18. PRIOR TO COMMENCEMENT submission of Construction Environment Management Plan to include ecological impact avoidance and mitigation measures
19. Accompanying reserved matters application for layout, the design of the proposed permanent surface water drainage management system to LPA in consultation with DCC.
20. PRIOR TO COMMENCEMENT full results of a groundwater monitoring programme, undertaken over a period of 12 months required
21. PRIOR TO COMMENCEMENT full details of the adoption and maintenance arrangements for the proposed permanent surface water drainage management required.
22. PRIOR TO COMMENCEMENT details of the exceedance pathways and overland flow routes across the site in the event of rainfall in excess of the design standard of the proposed surface water drainage management system required.
23. PRIOR TO COMMENCEMENT detailed design of the proposed surface water drainage management system during construction required.
24. Prior to construction submission of details of all infrastructure details including roads, cycleways, footways, and verges
25. PRIOR TO COMMENCEMENT submission of a Construction Management Plan
26. No mud, stones or debris on highway
27. PRIOR TO COMMENCEMENT a phasing/timing plan and details of closure of David's Lane.
28. PRIOR TO COMMENCEMENT submission of a Written Scheme of Investigation

S106 to include:

Highways

1. £173,000 towards a traffic and air quality mitigation scheme in Ivybridge
2. £127,000 towards footway improvements between the site access junction/B3213 and the Rutt Lane/B3213 junction.
3. £5000.00 towards Traffic Regulation Order - Closure of Davids Lane.
4. £5000.00 towards a Traffic Regulation Order 30mph speed limit extension on the B3213.
5. £300.00 per dwelling towards travel vouchers
6. The works set out on drawing 173396_G_10 shall be complete prior to occupation of any of dwellings unless otherwise agreed by the County Council.

Biodiversity

7. Securing Plymouth Sound and Estuaries EMS sums in accordance with figures at <http://www.plymouth-mpa.uk/home/managing-the-mpa/documents/>
8. Securing sum of £25,729.25 towards off-site biodiversity net gain measures ensuring the overall development delivers 10% Biodiversity Net Gain.
9. Ongoing management and maintenance in perpetuity in accordance with the LEMP.
10. Appropriate clauses with respect to setup of Management Company for public open space and boundaries.

Education

The primary contribution of £252,562

The secondary contribution sought would be £381,425

Affordable Housing

11. All of the rented units need to be prioritised to applicants in Bands A - D on Devon Home Choice with a local connection to the parish of Ugborough in the first instance.
12. The secondary cascade is to applicants in Bands A - D with a local connection to Ivybridge.
13. The third cascade is South Hams district wide Bands A – E.
14. All of the above can be achieved in one letting cycle on Devon Home Choice.

Open Space/Play

15. Provision of a LAP (or equivalent play value) in Phase 1 – details to be provided by condition.
 16. Provision of a LEAP in Phase 2 with an activity zone of c.400m², at least 5 pieces of equipment, and a minimum 20m buffer between the activity zone and the habitable room façade of dwellings and 10m buffer between the activity zone and adjacent dwelling boundaries.
 17. Public access and on-going management and maintenance of the on-site public open spaces, including play areas, in perpetuity.
 18. An off-site play contribution of £25,971.50 in respect of Phase 1 in the event that Phase 2 isn't implemented within an agreed timeframe. Contribution to be used towards improvements to play facilities in Ivybridge Town Centre.
 19. A sports and recreation contribution as follows
 - a. Phase 1 = £96,981.21 (£69,583.50 capital and £27,397.71 maintenance)
 - b. Phase 2 = A x £329 capital. Maintenance = A x B x C, where:
 - A = number of occupants (based on number of dwellings x 2.25).
 - B = 12.7 (m²/person requirement for playing pitches)
 - C = £10.20 (20 year cost/m² for maintenance of playing pitches)
- Contribution to be used towards:

- Improvement to sports facilities at Erme Valley Playing Fields; and/or
- Improvements to and extension of changing facilities for Ivybridge Rugby Club; and/or
- Upgrade of All Weather Pitch with Community Use Agreement at Ivybridge College; and/or
- Investment in ground works at old cricket ground, Moorhaven to restore pitch for football and rugby; and/or
- Improvements to football ground at Twinaways Hillhead Cross including provision of a shelter for changing purposes, and secure storage for equipment.

Ecology/Biodiversity 1. Prior to commencement specification and locations of inbuilt bird and bat boxes for Phase 1 of the development

2. Adherence to impact avoidance and mitigation measures for protected species detailed in the Ecological Assessment (Ecology Solutions, October 2018).
3. No removal of suitable Dormouse habitat including hedgerows and scrub shall commence unless the LPA has been provided with a copy of the licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 authorising the development to go ahead, or a statement in writing from the licensed bat ecologist to the effect that he/she does not consider that the specified development will require a licence.
4. Impact avoidance and mitigation measures to be appropriately reflected in any Construction Environment Management Plan.
5. Securing Plymouth Sound and Estuaries EMS sums in accordance with figures at <http://www.plymouth-mpa.uk/home/managing-the-mpa/documents/>
6. Securing sum of £25,729.25 towards off-site biodiversity net gain measures ensuring the overall development delivers 10% Biodiversity Net Gain – triggers and clauses to be advised.
7. Ongoing management and maintenance in perpetuity in accordance with the LEMP

Key issues for consideration:

Whether the submitted details meet the requirements of JLP Spatial Priority SP2: Spatial priorities for development in Ivybridge and policy TTV7: Land at Filham.

The inclusion of a portion of land which is outside by adjacent to the site allocation and the appropriate policy position on that matter.

Landscape and character impact given the location in the countryside and separated from Ivybridge and nearest villages by open countryside.

The design quality, visual and general amenity including site arrangement, parking provision, and open/play space and sports provision.

Traffic impacts and sustainable transport considerations given the separation from Ivybridge and nearby villages and impacts on the A38/trunk road network.

Drainage, in particular in relation to adjacent Highways England land and the two options provided to address the challenges of the sloping land.

Air quality impacts and highway improvements to serve the site and improve traffic flow and emissions at Western Way.

Noise impacts and mitigation measures in the design and layout of the site.

Financial Implications (Potential New Homes Bonus for major applications):

The Government has advised that the New Homes Bonus scheme will end after the 2020-2021 financial year and 20-21 is the last year's allocation. The 2020-21 NHB allocation for the Council will be based on dwellings built out by October 2019. A statement about a replacement scheme was expected in the New Year.

This application will be built after the October 2019 cut off for the New Homes Bonus funding, so no NHB funding will be received.

However, the Council does not know whether a replacement scheme is likely or not to pay the Council similar funding levels.

For information, under the New Homes Bonus scheme an amount of £1,337 was payable to the Council for an individual property, with an extra £280 if the property was for affordable housing.

Members are advised that this is provided on an information basis only and is not a material planning consideration in the determination of this application.

Site Description:

The site is located to the east of Ivybridge and is bordered by the B3213 to the north and the A38 to the south. Vehicular access to the A38 Devon Expressway is provided via an all-movement grade separated interchange at Woodland Terrace located to the south of Ivybridge and approximately 2.5 kilometres west of the site, and via east-facing slip roads at Bittaford approximately 4km to the east of the site.

An unnamed sunken lane runs east-west across the centre of the site, linking Ivybridge Rugby and Football Club to the west and Davids Lane to the east. A further unnamed sunken lane leads from Exeter Road to the north and runs north-south where it ends, south of the application site, having been severed by the A38.

The application site comprises three fields presently used for agricultural grazing. The fields are of an irregular shape with the north eastern field being broadly rectangular and the two south fields broadly triangular. Each field is bordered by hedgerows and trees, and the fields are laid to grass.

The immediate surrounding land is also fields with some scattered farmsteads and residential properties at Filham and North Filham.

The site is south of Dartmoor National Park. It is not located in the South Devon AONB. The site is located in a critical drainage area.

The Proposal:

This is a part outline, part fully detailed planning application referred to as a 'hybrid' application for 200 houses on the site allocated by policy TTV7 in the Joint Local Plan.

Phase 1 - detailed application for the erection 107 dwellings (C3), formation of access with Exeter Road (B2313), new spine road, internal roads and footpaths, surface water infiltration ponds, landscaping, ground and utilities works and associated infrastructure; and

Phase 2 - outline application for up to 113 dwellings (C3) with all matters reserved except for access, strategic landscaping, surface water drainage works, highway works and diversions and associated infrastructure.

The tenure mix proposed is 50% shared ownership and 50% Affordable rent.

30% Affordable Housing Provision = 60 units based on a 200 unit scheme

Affordable Rent (50%) 30 Units

12 x 1 Bed 2 Person Apartment

9 x 2 Bed 4 Person House

9 x 3 Bed 5 Person House

Shared Ownership (50%) 30 Units

15 x 2 Bed 4 Person House

15 x 3 Bed 5 Person House

Consultations:

- **Ivybridge Town Council:** 21 December 2018
OBJECTION - Ivybridge Town Council objects to the proposed development 3703/18/OPA Bloor Homes Application - Land at SX 651 560 Filham, Ivybridge, due to the site being unsustainable, which is contrary to the key principles of the NPPF. Despite it having an address of Land at Filham, Ivybridge, the whole site is situated in the countryside under Ugborough parish. Future occupants of the development are likely to assume they reside in Ivybridge, as is the case for the Barratts site to the east of Ivybridge providing 222 homes. This proposed application is yet another example of an excessive major development of over 220 [later amended to 200] dwellings to the east of the town being situated in another parish, but creating a cumulative damaging impact to the town of Ivybridge, with no infrastructure or employment provision.

The site is included in the emerging Plymouth and South West Local Plan. TTV9 – Land at Filham requires a quality form of development which integrates with the existing housing. The Town Council contests that the development complies with this requirement. It is not sustainable due to its remoteness, neither connected to Ivybridge nor Ugborough and therefore not possible to integrate with existing developments. The development is situated equidistant between the nearest shop in Ivybridge approximately 2 miles away, and Ugborough village 2 miles in the other direction.

TTV9 stipulates safe and attractive pedestrian and cycle connections for residents to access local facilities and services, including the station and local schools, however the proposed development will encourage a car dependent community due to creating a linear expansion of Ivybridge, and not considered quality planning when the town could expand south of the A38 and would be a more sustainable solution. Owing to the steep topography of the site, sustainable transport options such as walking and cycling to enable access to buses, trains, facilities and services will be challenging for some, particularly from properties near to the A38 which includes affordable family homes.

Ivybridge has in the past been served by a number of bus operators simultaneously, but this has gradually dwindled down to one provider which is not subsidised. Therefore, as only one commercial bus operator would be serving the route on Exeter Road to the north of the site, this cannot be a reliable assumption that it will continue in the current volatile economy. As there is only one service at peak times, the bus travelling to Plymouth is full to standing, and this would impact on the commuters in the town if residents of the proposed development were to access this service.

The train station is a mile uphill from the site, plus the train times would not satisfy commuters relying on early morning trains, particularly for Exeter. It is therefore not realistic to assume that families will rely on sustainable transport to travel into Ivybridge

and beyond. They will use vehicles to travel to schools, access work (mainly Plymouth and other areas for employment), health services, leisure etc thereby adding to the problems of traffic congestion in the town.

The Phase 1 parking strategy allocates 208 parking spaces and 55 garage spaces [figures changed when phase 1 dwelling numbers reduced], thereby acknowledging that occupants of the development will require vehicles to access the site for day to day living, and thus generating additional traffic which continue to add more pressure to the AQMA in Western Road and the roundabout junction at the A38. The County Highway's proposal to paint yellow lines to restrict parking on Western Road will not offer a solution to alleviate the congestion. The safety of traffic access and egress from the site onto the B3213, which is a 60 mph speed limit with traffic often speeding, is a concern.

There are also issues with flood water flowing off Dartmoor, and parts of the B3213 can become very waterlogged at times. The water run off onto the steep site will cause drainage issues, and into David's Lane.

In the JLP TTV31 [changed to TTV29 in adopted JLP) - Development in the Countryside states that housing and employment development adjoining or very near to an existing settlement will only be supported where it meets the essential, small scale local development needs of the community and provides a sustainable solution. There has already been considerable development approved in Ivybridge, and Ugborough's Neighbourhood Plan states that there is not a requirement for this development. Building in the open countryside is damaging to the environment, with loss of tranquillity and harm to open space adjacent to the town. The development does not take into account the rural character of the site and it will also have a harmful visual impact from Dartmoor.

The development does not accord with the principles of Sustainable Development in the Ugborough Neighbourhood Plan, nor does it conform with their Thematic Approach to Housing Policy which states delivery of new homes over the period of the Plan in line with historic growth trend (currently an average of 3 new homes per year).

The development conflicts with the NPPF paras 7 and 14, and the Emerging Plymouth and South West Devon Local Plan SO6, SPT1, SPT2, TTV9, TTV30 and TTV31, DEV31 and the Ugborough Neighbourhood Plan.

• **Ugborough Parish Council:** Object.

- Land should be reserved for access onto the A38.
- Contravention of Policy UG4 in the Ugborough Neighbourhood Development Plan.
- Unacceptable traffic generation through Bittaford, Wrangaton & Ivybridge.
- Excessive residential development without adequate infrastructure or employment provision.

If SHDC are minded to approve the application, provision should be made for:

- Earmarking land for a new access from Exeter Road onto the A38
- Retention of existing trees and hedgerows
- S106 contribution towards a new pedestrian crossing in Wrangaton
- Extension of the 30mph speed limit in Bittaford
- Traffic calming in Bittaford & Wrangaton
- Contribution towards a new preschool premises for Ugborough

- **County Highways Authority:** No objection subject to conditions and s106.
- **Lead Local Flood Authority:** Our initial objection is withdrawn and we have no in-principle objections at this stage, assuming that the recommending pre-commencement planning conditions are imposed on any approved permission.
- **DCC Historic Environment Service:** no objection subject to condition.
- **SHDC Environmental Health Specialist:** Raised some concerns relating to noise, suggested Air Quality mitigation approach and suggested conditions if application is approved.
- **SHDC Strategic Planning / Joint Local Plan Team Specialist:** No objection
- **SHDC Landscape Specialist:** Subject to the inclusion of suggested conditions, overall the proposed development would meet the requirements of Policies DEV23 and the allocation at Filham, Ivybridge. The extension of the development into the adjoining land allows for the provision of the allocated number of dwellings in a manner that is, overall, more satisfactory on landscape grounds than restricting the built form to the allocated parcels alone. No objection on landscape grounds.
- **SHDC Tree Specialist:** No objection subject to conditions.
- **SHDC Open Space Sports and recreation Specialist:** Concerns are still present over the provision of public open space in Phase 1 of the development. Although policy compliant, it is regrettable that the provision will not be a central focal point of the development.
- **SHDC Affordable Housing Specialist:** The Affordable Housing team support this application as it is providing 30% affordable housing. This is policy compliant and equates to 60 affordable units. The tenure mix proposed is 50% shared ownership and 50% Affordable rent.
- **SHDC Waste Specialist:** Waste storage and collection arrangement, for the most part, align with Council advice. Our only reservation is related to the location of the bin storage for flats (10-13), in its current location there is risk that bins may come in to contact with parked cars and it is unclear whether there is a drop curb to aid bins being wheeled to collection vehicle.
- **Public Health Devon:** There is no health impact assessment available from which to base our commentary, and this may be something the local planning authority may wish to consider in future.

The covering letter indicates that the developer is contributing towards the improvement and provision of active travel infrastructure which we support.

The play area in the lower section of the development doesn't appear to be overlooked particularly well by many properties and hidden by the trees.

We are pleased to see that consideration has been given to the impact of the development in respect to the climate and environmental emergency within the energy statement.

- **Highways England:** Highways England has no objection in principle to the proposed development subject to planning conditions being attached to any consent the planning authority is minded to grant, to the effect that:
- **South West Water:** No comment.
- **Police Designing out Crime:** no objection
- **Dartmoor National Park Authority:** No comments received.

Representations:

14 letters of representation were received in response to the public consultations. Of these 1 was 'undecided' and the remainder were objections. As a result of the re-consultations some people made further submissions. Each person's submission is counted just once.

- Now that Filham Park has a recognised bridleway there has been a significant rise in horse traffic from Ivybridge Equestrian and other stables, down Davids Lane and then along the lane through Middle Filham down to Filham Park. If this development is built the lane will be closed and there will be no access for horses from Davids Lane unless they go via the main B3213 road. This situation is likely to cause a hazard and accident risk, is it not?
- I object to this development because although, in isolation, the impact of additional traffic may be below the threshold, the other large developments in Ivybridge must be taken into account. We have already seen a significant rise in traffic over the last 18 months as these developments have been progressed and it is clear that the road infrastructure is already inadequate. There are still proposals in the Local Development Plan for hundreds more houses in eastern Ivybridge so clearly this scheme, which is not part of the Ivybridge Plan, will produce additional traffic which was never expected and which the current infrastructure is totally unsuitable.
- I would like to confirm that I object to the proposed development by Bloor Homes for the same reasons given in my previous correspondence - especially the comments by Devon Highways. They suggest that a row of six or seven parallel parking spaces are formed in sheltered parking bays outside the boundary of 4 and 5 North Filham Cottages and extend about 35m west from this point (they are actually called Filham Cottages, North Filham). They go on to say that a 3m shared use cycleway should then be formed between the rear of the parking spaces and the cottages.
- I object to the planning application for all the same reasons which are also covered by the objections by both Ivybridge town and Ugborough parish council.
- We do not require another 220 houses in addition to the 500 houses already proposed. All of which are either on, or proposed to be on, green field sites.
- Traffic and pollution (air & noise) are at significantly high levels and this will only add to these problems. Western road has already been identified as having unacceptable values. Try crossing the road at North Filham during peak times with either a child, dog or horse and it is a very difficult and dangerous experience.
- The infrastructure of Ivybridge is already at breaking point. Schools are full, as are doctors and dental surgeries. Sewage facilities are at capacity.
- South Hams Forward Planning identified Palace lane as being the finishing point for development to the east of Ivybridge. This proposal falls well outside of that line.
- The proposed layout and appearance is not in keeping with existing housing.
- This development would take away land that had been earmarked for an access road on to the Expressway from the east end of Ivybridge.
- The traffic along Western Avenue and through Bitaford is already too high, and this is before the hundreds of houses which already have planning approval have been built. In my view there has to be another access to the A38 giving fairly direct access to both the new housing at the railway station. Unless this provision is made I object to the application.
- I am concerned about impact on wildlife,
- Poor cycle and pedestrian provision.
- Concern regarding renewable energy
- I query the basis on which you have forecast an increase of pupil numbers for the proposed dwellings.

Relevant Planning History

There is no site history associated with the application site.

ANALYSIS

Principle of Development/Sustainability:

The application site includes the site allocation TTV7, and an area of land which is outside but adjacent to that allocation. The Council's Strategic Planning/Joint Local Plan Specialist has addressed these in his response which is copied out below, not requiring further commentary on this point:

"The applicant has been asked to justify why unallocated land is being used to deliver the allocated site. The applicant has provided a Planning Statement Addendum to address this matter.

The unallocated land was not available at the time that the JLP was being drafted, and as such was not considered as part of the allocated site.

The addendum identifies that following site surveys that more land is required to adequately deal with surface water, and this has led to a reduction in the developable area of the allocated site.

As the original allocation omitted the middle parcel of land, connectivity between the two parcels was considered difficult to achieve. Utilising the middle parcel of land to create better connectivity between the two parcels of land would be to the general benefit of the overall development. The additional use of the middle parcel to help mitigate the impacts of surface water management are also considered an acceptable use of the land when considered as part of the overall development.

The addendum also states that there are no reasons in the JLP why the middle parcel of land should not be developed upon. It should be made clear that the middle parcel of land is only considered as an acceptable location for development because of its relationship with the allocated site, and its ability to contribute to delivering a more coherent development that meets the aims of policy TTV7."

With reference to the part of the site which is allocated, this status established the principle of development as acceptable. It aligns with the settlement hierarchy set out in TTV1 which establishes the Main Towns, which includes Ivybridge, as the preferred location for growth "to enable them to continue to thrive, achieve strong levels of self-containment, and provide a broad range of services for the wider area."

While Ivybridge is separated from the site by an area of open countryside, the eastern edge of the town (where Godwell Lane meets the B3213 at the Rugby Club junction) is just 480m (approximately) from the west of the north-eastern corner of the site which offers a short cycle route as a sustainable travel option. The central eastern edge of the site is closer at approximately 260m east of the Godwell Lane junction. This is the distance pedestrians would need to travel along the improved route that the applicant will provide, including lighting, from the central part of the site. The town centre is approximately 1.5km west of the site placing a number of the town's community facilities within a practical cycle or walking distance. This means the site has "reasonable access to a vibrant mixed use centre, which meets daily community needs for local services such as neighbourhood shops, health and wellbeing services and community facilities, and ... dual uses of facilities in community hubs." As required in policy SPT2. Other criteria for sustainable linked neighbourhoods set out in SPT2 are considered in other relevant sections of this report.

Policy TTV2: Delivering sustainable development in the Thriving Towns and Villages Policy Area, establishes that the LPA will support development proposals in the Thriving Towns and Villages Policy Area which reinforce the sustainable settlement hierarchy and

deliver a “*prosperous and sustainable pattern of development*”. This report sets out the ways in which the development is, on balance, sustainable through the detail of the application. The development addresses the first two criteria of this policy by providing housing in close proximity to the Main Town of Ivybridge, and secures financial contributions through planning obligations to “*enhance or maintain the vitality of rural communities*” (criteria 1). The applicant is also delivering a policy compliant amount of affordable housing, with 30% of homes on the site being offered as a type of affordable product. In Phase 1 alone, 28 of the 94 homes proposed are affordable, comprising 14 affordable rented and 14 shared ownership.

The JLP explains at paragraph 5.24 that:

“The level of growth proposed for Ivybridge represents an expansion to what can be considered the extent of its natural boundaries, which are constrained by Dartmoor to the north and the A38 to the south. The proposed developments will contribute to the delivery of an alternative road access to the A38 from the east of Ivybridge and improved connectivity to the town and Filham Park by cycling and walking. These measures are important given the existence of an Air Quality Management Area (AQMA) at Western Road. The location of development to the east also seeks to maximise the potential to support enhanced rail services given its close proximity to the railway station.”

The applicant has committed to pay £173,000 toward the Devon County Council project to improve part of Western Way in order to address congestion and resulting air quality issues in that location. The proposed pedestrian and cycle link from the central part of the site provides the improved connectivity for Filham Park.

Spatial Priority SP2 states establishes that the plan seeks to enhance the vibrancy and sustainability of Ivybridge and that this will include:

- “1. Providing for mixed use development to help meet local housing need and increase employment opportunities to support the long term resilience of the town.*
- 2. Delivering investment which enhances the identity and economy of the town alongside building stronger economic and social connections with Plymouth.*
- 3. Improvements to the existing road connections and junctions to the south of Ivybridge, working with relevant authorities to look for appropriate solutions to manage traffic flow in and around the town, including new and improved access to the A38 from the east of the town.*
- 4. Improving the existing retail offer, protecting the integrity of the town centre and enhancing its character.*
- 5. Maximising the potential of the A38, and identifying opportunities to invest in rail connections to Plymouth and Exeter.*
- 6. Building on the opportunities presented by proximity to Dartmoor National Park and ensuring development recognises this sensitive location.*
- 7. Ensuring that all development, singularly or cumulatively, will not negatively impact on the ability of the relevant authorities to improve air quality within the Western Road AQMA.*
- 8. Ensuring appropriate infrastructure is delivered alongside new development, including community facilities identified in Policy INP5 of the Ivybridge Neighbourhood Plan.”*

These specific criteria are addressed in the topic-specific sections of this report and it is demonstrated that the proposed development, on balance, meets these priorities.

Housing mix:

SHDC Strategic Planning / Joint Local Plan Specialist commented:

“The hybrid application provides information for detailed consideration for the northern section of the site. As presented, it is considered that the open market housing mix is just about policy compliant with the appropriate evidence base documents (2017 SHMNA) and relevant ONS housing stock data for Ivybridge and Ugborough. The current open market mix offers too few 2-beds and too many 4-beds than required in the SHMNA, but when considered against the current housing stock in Ivybridge and Ugborough, the proposals are considered ok. There is no over-supply of 4-bed dwellings in Ivybridge, and nor is there a relative over-supply of detached dwellings in either the town or Parish of Ugborough. However, these circumstances are unlikely to be replicable for the future phases of the development, not least because there is also an over-provision of 4-beds within Ugborough parish, and policy DEV8 requires housing development to avoid perpetuating imbalances whilst improving the affordability and accessibility of housing for specific housing needs groups. This would necessitate an uplift in smaller dwellings that are able to meet a wider range of needs for smaller households. Larger dwellings cater for those who have the luxury of economic choice, and can choose to under-occupy a dwelling if they so wish. Policy DEV8 seeks to deliver a wide choice of homes, and that means ensuring that the open market offer not only caters for those who are economically privileged, but also for those who have limited financial means within the open market, and who cannot afford to under-occupy their home.

The LPA will place a condition on the outline permission for the remainder of the site that requires open market housing mix to be agreed with the LPA as part of a reserved matters application at a later date, to ensure that the development continues to meet the stated policy requirement of ensuring a sufficient diversity of housing sizes and types within the open market offer, in accordance with the figures in the 2017 SHMNA.

Any information submitted as part of a reserved matters application to deal with open market housing mix needs to be in the prescribed format by the council, with a full breakdown of housing sizes, types and tenures across the site. Whilst housing density is a relevant consideration of RM, and will inform the level of acceptance of the design and layout of the scheme, agreeing a housing density should be not seen as a substitute for establishing a policy compliant housing mix.”

Given the analysis of the Strategic Planning Specialist with which I concur, and by including the recommended planning condition to apply to the outline consent, requiring specific details of housing mix to be provided to accompany the reserved matters application, this aspect of the development is acceptable and accords with policy requirements.

With respect to affordable housing, the Council's Specialist has confirmed the proposal is policy compliant and suggested s106 clauses which relate to the timing of delivery of the affordable housing, and application of local connection criteria. This addresses policies UG7 and UG8 of the Neighbourhood Plan is policy compliant in that respect.

Design/Landscape:

The original application was for 220 dwellings across the site which was later adjusted down to 200 across Phase 1 and Phase 2 in response to feedback from the Planning Specialist and Landscape Specialist who comments:

“... the reduction in unit number and reduction in house types with detached garages has noticeably loosened the built form, allowing more in the way of street trees and rear garden trees to form breaks in the development. This will be most valuable when viewed from elevation on Dartmoor. Internally the configuration also allows for structural landscaping to be located centrally within the site, and in strategic locations on its boundaries. The trees lists, including large growing, robust tree species to the open space areas are welcomed.

The Landscape Masterplan sets out reasonable principles for the boundary landscaping of the outline areas of the site, but does not provide indicative or strategy detail of landscaping and tree planting within the built parcels or open spaces. Without this detail (which is not necessary at this stage) the Landscape Masterplan doesn't provide a comprehensive strategy for the landscaping of the site, and I would suggest that this is not made an approved plan (it would achieve very little in its current form, and may be counterproductive in limiting the landscaping that can be secured within the built parcels and open spaces).

In terms of detailed comments made previously, these have largely been addressed with subsequent amendments to the scheme. I can't see details of retaining wall/underbuild materials (where these don't form part of a garden boundary wall), and this should be conditioned, as these will form conspicuous site features and should be appropriately detailed.

There are inconsistencies between the Landscape Concept Plan and the remaining site layouts, and some details (such as where the planting detail is obscured by tree illustrations) are not clear. Rather than approving this drawing or attaching a 'notwithstanding' condition to secure amendments via the detailed planting plans, I would suggest that we seek amendment/clarification to the Landscape Concept Plan by condition so that the principles it establishes remain fixed, and then secure the full planting plan details by a separate condition (see suggested wording below).

Finally, to ensure that appropriate detail is submitted (and is not restricted by the Landscape Masterplan) I would recommend that we secure full details of the landscaping of subsequent phases to come forward with each subsequent Reserved Matters application.

These comments demonstrate general policy compliance with the JLP policies SPT1, STP12.4, DEV23, DEV25, UG2 and UG11. The suggested conditions are included in the recommendation of this report.

It should be noted that Highways England also made specific comments regarding landscape matters:

“In our previous planning response we set out the requirements for any proposed landscaping adjacent to the Highways England boundary, which relates to Phase 2 of the development for which outline consent is being sought. The applicant's consultants have confirmed the intention to finalise the landscaping proposals adjacent to our

boundary at reserved matters stage, and therefore we are recommending that a landscaping plan and planting schedule be submitted for our approval in advance of the commencement of development. Owing to the southern section of the development being immediately adjacent to our boundary, the applicant will also be required to demonstrate there will be no adverse impact to Highways England assets arising from construction of the development, and to ensure appropriate visual screening is provided from the A38 trunk road. We are therefore also recommending that a detailed boundary treatment plan be submitted for our approval ahead of commencement ...”

The Councils Tree Specialist also reviewed the plans and advised that there are no significant arboricultural constraining features present on or off site other than:

- *No succession planting has been proposed for T961. There will be a detrimental impact on tree health and residual risk to road users due to likely crown decline following loss of circa 30% of its RPA. Easement of the road layout to the West would reduce the ingress into the RPA, which when allied with soil improvement and cessation of livestock trampling will allow T961 to continue healthy growth and its associated amenity benefit contributions.*
- *Planting of a succession tree may be addressed in the Landscape Plan.*
- *It is noted the AIA is now outside of its liability period therefore a revised and/ or updated version is required for review.*
- *Whilst it is noted the Application is presently at Outline stage it is considered that the constraint posed by the impact on T961 when considered against the proposed adjacent usage is such that the following level of information is required to ensure no significant long term or non-mitigated adverse harm may arise as a consequence.*
 - a. Revised road layout.*
 - b. TPP that addresses whole site tree protection methodologies.*

These requirements have been included in the suggested scheme of conditions and therefore the proposed development accords with the requirements of policies SPT1 and DEV28.

Where areas of banked parking are proposed, tree planting and ornamental hedging is proposed to provide some green element to the streetscene and screen cars. Hedging to the front of half the property boundaries will also provide some screening of cars from the streetscene. The amount of parking provided is acceptable with a mixture of on plot and banked on street parking. There are a number of tandem parking spaces utilised in this design, some with long drives which are unusual in a suburban streetscene, but overall with some amendments secured through negotiation and some spaces for on street parking, the level of parking is adequate. Revised details to avoid use of grass verges which the Council observes are often parked on causing accessibility and amenity issues will be secured through the highways details already required by planning condition.

The Police Designing out Crime consultation response noted that care should be taken with regard to the sections of footpath to the sides of some plots so that they are not concealed from view. The proposed layout does offer some natural surveillance of the footpaths to the east and west side of Phase 1 from the properties bordering those green walkway areas. All dwelling frontages are afforded some neighbourly overlooking to deter unscrupulous cold callers, criminal activity and reduce the fear of crime when answering the door to callers,

especially during the dark hours. These design aspects respond to design quality principles in the NPPF and JLP policy DEV10.

Open Space:

Phase 1 Open Space

The plans show the public space to comprise a pocket park, including a LAP (see section on play below), landscaped pedestrian links along the east and west boundaries of the site and an area in the south, which is dominated by drainage basins to the west and tree planting/landscaped buffer to the east.

Figures were provided showing that 2.8 acres (1.13ha / 11,331m²) public open space is provided in Phase 1 (this excludes the area of the drainage basin). Although that exceeds the policy requirement, it is noted that the calculation includes areas with significant planting, particularly the south-east corner which is proposed as a landscape/tree buffer and amounts to at least 2,000m², as well as the edges of the detention basins (where detailed design is yet to be provided), and the inside of the northern hedgebank which is a narrow strip bordering the B3123. These areas are not practical, usable open spaces and so the provision on Phase 1 relies on the pocket park and the green walkways along the eastern and western edges of the site. The Open Space Specialist expressed concern that these factors reduce the amount of useable public open space and that aside from the pocket park (circa .900m²), the public open space provision is largely linear and around the peripheries of the site.

It is noted that the masterplan indicates larger areas of open space in Phase 2, though this would not be available for occupants of dwellings in Phase 1 for a number of years, even if there are no delays in progressing the reserved matters for Phase 2. Overall therefore the provision of open space in Phase 1 is technically policy compliant, but it is regrettable that a larger area(s) of open space have not been provided in a central location.

The Specialists suggestions for planning conditions have been included in the recommendation of this report.

Phase 2 Open Space

Although the application for Phase 2 is in outline form, the Landscape Masterplan (Drawing A106760 LA100[B]) shows the public open space for this phase to comprise an area in the north of the site either side of the sunken lane, including a LEAP and drainage basin, and areas at the southern end of both the south-west and south-east parcels providing a buffer between the dwellings and the A38.

It is noted that pumping stations are proposed in the south-west parcel which, although likely to utilize belowground equipment, will remove an area of open space from public use, may present emit noise (yet to be established through the conditioned Phase 2 noise assessment) and will require careful design and siting to avoid dominating or detracting from the quality of the open space in these southern areas.

The amounts of public open space in Phase 2 are as follows:

Phase 2 south-west area – 1.18 acres (excluding foul and surface water pumping stations) = 0.48 ha or 4,775m²

Phase 2 south-east area – 2.25 acres = 0.91 ha or 9,105m²

Total Phase 2 = 1.39ha or 13,880m²

Rough measurements taken from the concept masterplan shown the northern public open space to be c.4,370m² in size c.1,780m² to the east of the lane (excluding a 400m² play area) and c.2,590m² to the west (excluding a 380 m² attenuation feature). This largely meets the policy requirement of 4,555m² for this phase. The Open Space Specialist considers that this area has the ability to be designed as a useable space with surveillance from adjacent properties and it is appropriate that further details will be required at the reserved matters stage.

The areas of public open space at the south of the site are primarily provided as a buffer between the dwellings and the A38. Noise levels will limit the use of these areas but they are considered to have some value for dog walking/recreation. Again, further details will be required at reserved matters stage, including details of the positioning, design and access of the proposed pumping stations in relation to the public open space

Play

Phase 1

The Specialist suggested conditions regarding the specification and layout including boundaries of the pocket park. Features could include stepping stones, boulders, balance beams, sensory planting and similar.

There is potential for there to be a shortfall in play provision if Phase 2 does not proceed and the Specialist therefore recommends that the s106 secures an off-site contribution for play of £25,971.50 (reduced from £50,971.50 to allow for on-site provision) in the event that Phase 2 (with its associated LEAP) is not implemented within an agreed timeframe. This contribution would be used to improve play facilities in Ivybridge Town Centre, close to the leisure centre, which would be likely to be used by children when travelling into the town with parents or for school etc.

Phase 2

Specific recommendations are made which should be addressed in the reserved matters applications.

Sports and Recreation

The s106 includes the suggested financial contribution to mitigate for increased use of local facilities in Ivybridge by occupants of the new housing.

Taking these matters into account, while there are some concerns over the impacts of the phasing of the development and the amount of truly usable open space in Phase 1 and it is regrettable that there are some missed opportunities to improve on site provision and as such amenity for residents, this is not sufficient to justify a reason for refusal.

Amenity:

The residential use of generally compatible with the existing residential uses adjacent to the site.

With respect to noise, the Council's Environmental Health Specialist advises:

"The submitted noise report highlights that the site is in an area which is identified as being medium/high impact from noise. The noise assessment states that they have followed the Professional Planning Guidance note produced by the Institute of Acoustics. This states the following:

High noise levels indicate that there is an increased risk that development may be refused on noise grounds. This risk may be reduced by following a good acoustic design process that is demonstrated in a detailed ADS. Applicants are strongly advised to seek expert advice.

As noise levels increase, the site is likely to be less suitable from a noise perspective and any subsequent application may be refused unless a good acoustic design process is followed and is demonstrated in an ADS which confirms how the adverse impacts of noise will be mitigated and minimised, and which clearly demonstrate that a significant adverse noise impact will be avoided in the finished development.

The assessment then goes on to state how they have met good acoustic design by specifying upgraded noise insulation of the building and the fact secondary ventilation will be required for the majority of properties, the IOA guidance states;

.21 Good acoustic design is not just compliance with recommended internal and external noise exposure standards. Good acoustic design should provide an integrated solution whereby the optimum acoustic outcome is achieved, without design compromises that will adversely affect living conditions and the quality of life of the inhabitants or other sustainable design objectives and requirements.

2.22 Using fixed un-openable glazing for sound insulation purposes is generally unsatisfactory and should be avoided; occupants generally prefer the ability to have control over the internal environment using openable windows, even if the acoustic conditions would be considered unsatisfactory when open. Solely relying on sound insulation of the building envelope to achieve acceptable acoustic conditions in new residential development, when other methods could reduce the need for this approach, is not regarded as good acoustic design. Any reliance upon building envelope insulation with closed windows should be justified in supporting documents.

It is difficult to see how the design has been amended to incorporate the noise impact assessment to limit the number of properties exposed to high levels of background noise. It seems that the assessment solely considers the use of sound insulation. The site however is an allocated site, therefore there should be a design which is acceptable but I cannot see a layout currently which shows good acoustic design and delivers 222 [later adjusted to 200] houses at this time.

If however the authority is minded to approve the application contrary to these concerns then I would suggest that we require an amended noise mitigation scheme, therefore I propose the following condition:

Prior to occupation of any part of the development, the applicant shall submit a revised noise mitigation scheme to demonstrate compliance of the development with BS8233:2014 and relevant World Health Organisation noise levels for the prevention of community annoyance. The applicant shall also provide evidence that the proposed mitigation scheme has been installed.”

This recommendation is included in the proposed scheme of conditions.

With respect to noise, HE advise that its soft estate should not be relied upon in respect of contributing any perceived benefits of acoustic mitigation because it is required to maintain its soft estate which may result in the removal or amendment at any time. The applicant is therefore required to ensure that appropriate and sufficient acoustic mitigation is provided as part of the development, and in addition to any Highways England soft estate that may be present. The WYG note 'A105371 Land at Filham' Ivybridge dated 16 October 2019 proposes that as Phase 2 at the southern area of the site is outline in nature, assessment of any required acoustic assessment for the whole development will be undertaken once details of the site layout are finalised. The applicant is willing to accept a planning condition requiring the submission of relevant acoustic assessments prior to commencement of the development. We are therefore recommending a planning condition to this effect.

We wish to make clear that should it be determined that any acoustic or visual measures are necessary to mitigate the impact of traffic on the A38, any fences, screening and other structures must be erected on the developer's land, and far enough within the developer's land to enable maintenance to take place without encroachment onto highway land, as set out in Annex A, paragraph A1, of DfT Circular 02/2013 "The Strategic Road Network and the Delivery of Sustainable Development". To ensure compliance with the above, we would request that we are consulted on the proposed design, construction and future maintenance requirements of any such measures.

Waste storage and collection arrangement, for the most part, align with Council advice. Our only reservation is related to the location of the bin storage for flats (10-13), in its current location there is risk that bins may come in to contact with parked cars and it is unclear whether there is a drop curb to aid bins being wheeled to collection vehicle.

Highways/Access:

Highways England previously issued a Planning Response in respect of the application on 17 December 2019. The response recommended an opening year capacity assessment of A38 Woodland Terrace junction to demonstrate development impacts. Since this date the applicant's highways consultant submitted additional supporting information, and Highways England were able to remove their holding objection instead making some recommendations for inclusion in planning conditions.

Highways England provided specific comment on the Woodland Terrace junction as follows:

"It is accepted that the impact of development trips at the A38 Woodland Terrace junction would be minimal, and the development in isolation is not considered to have a severe impact on the SRN [strategic road network /A38]. However, Highways England continue to have concerns over the future operation of the A38 Woodland Terrace junction over the lifetime of the adopted plan. Nevertheless, it is appropriate that such cumulative impacts are considered by the relevant highway authorities in the context of Highways England's own study work for the A38.

It is noted that as part of the Section 106 package for the application proposals, the developer will commit to funding measures to address air quality issues in the town. Vectos indicate that traffic travelling eastbound along Western Road from the A38 Woodland Terrace roundabout is currently delayed due to on-street parking. The development will make a contribution of £173,000 towards air quality improvements, which include the removal of on-street parking on Western Road. Vectos indicate that this measure is likely to have a positive effect on the operation of the SRN, by safeguarding against blocking back towards the A38 Woodland Terrace roundabout.

Based on the above, Highways England accepts that the traffic impact of the development is unlikely to result in a severe impact on the safe and efficient operation of the Strategic Road Network.”

With respect to impacts on the local road network, the Highways Authority (Devon County Council) advised:

“It is noted the site is included in the Joint Local Plan (JLP) as a site, which is allocated for housing. There have already been a number of concerns with the JLP and that this development would prevent the Western Road roundabout operating within capacity. The Western Road Corridor Saturn Modelling Assessment findings (which include committed development and future JLP sites indicate this is not the case – the roundabout should still have enough spare capacity to accommodate the development movements. There is some delay around the roundabout in general and some arms perform worse than others, but the Highway Authority would anticipate queuing to be limited to the peak hours and not be severe. It is noted and not disputed from in the Transport Assessment this site will add 1.4% and 2.13% extra traffic to Western Road in the am and pm peak hours respectively. The Highway Authority must consider whether this impact is severe as the National Planning Policy Framework states that planning applications should not be refused unless the cumulative impact of the development is severe on the road network. In this case there is predicted to be less than a 3% increase on the overall extra traffic flow impacting on the roundabout at peak times, so the conclusion from the Highway Authority is that the impact cannot be considered severe.

No other highway capacity issues are predicted from the development.”

Ugborough Parish Council objected to the development for these reasons:

- Land should be reserved for access onto the A38.
- Contravention of Policy UG4 in the Ugborough Neighbourhood Development Plan.
- Unacceptable traffic generation through Bittaford, Wrangaton & Ivybridge.
- Excessive residential development without adequate infrastructure or employment provision.

Highways England which has responsibility for the trunk road network (e.g. A38), has not required any improvements to the A38 or new access on to it. The Highways Authority have not identified that any additional routes to reach the A38 are required, and so there is no evidence that the first request is necessary. Notwithstanding that, the site has been allocated for housing development and the Applicant is only responsible for the land within its control and not any adjoining land.

The application included assessment of traffic flows and connections with local road network which meets the requirements of UG3 and UG4. The Highways Authority has not identified any unacceptable traffic flow through the villages identified above, and financial contributions have been committed by the Applicant towards measures to reduce speed limit on the B3213, congestion and air quality relief at Western Way, and pedestrian and cycle improvements. These objections are therefore all addressed by the details of the application.

The Parish also requested that if the Council is minded to approve the application, provision should be made for:

- Earmarking land for a new access from Exeter Road onto the A38
- Retention of existing trees and hedgerows
- S106 contribution towards a new pedestrian crossing in Wrangaton
- Extension of the 30mph speed limit in Bittaford
- Traffic calming in Bittaford & Wrangaton
- Contribution towards a new preschool premises for Ugborough

It is not within the gift of the LPA to earmark land for a new access onto the A38 as it is not the landowner. Any strategic transport measures that might be required to support development in the town will be considered as part of the Local Plan Review. The Tree Specialist is content with the limited tree works required to accommodate the development and has specifically suggested the road alignment into Phase 2 is amended to avoid loss of a particular tree, and compensatory planting for an oak where loss is unavoidable. The 30mph speed limit on the B3213 is being amended and paid for through the s106. Traffic calming in Bittaford and Wrangaton is not considered necessary by the Highways Authority and so it not reasonable to require. Similarly the Education Authority does not identify any need for pre-school funding as a result of this application, and has explained that while the north east portion of the site is in Ugborough Parish, it is closer to and will function as part of Ivybridge and falls within the Ivybridge catchment area so need has been assessed in that area. The requests from Ugborough Parish are therefore either not necessary, reasonable or have already been included in the detail of this planning application.

Taking all these highways matters into account, policies SPT9, SPT10, DEV29, DEL1 UG3 and UG4 are properly addressed and the application accords with those policies.

Health:

Devon County Council Public Health team was consulted in relation to this application and responded noting that the developer is contributing towards the improvement and provision of active travel infrastructure. It also suggested that the play area in the lower section of the development does not appear to be well overlooked. However the southern portions of the site are being submitted for outline consent only so the detail has yet to be determined. The Councils Open Space and Play Specialist has agreed the principle of the location of the open and play space in Phase 2, and the matter over surveillance from properties will be considered when reserved matters are submitted for that part of the site.

In this respect the application accords with policies DEV1 in respect of amenity and DEV20 which relates to place making.

Health impacts relating to air quality are considered below.

Air quality

Joint Local Plan policy SPT9.9 seeks to *“deliver transport projects which provide a safe and effective transport system, as well as supporting place shaping and healthy community objectives, as guided by the hierarchy.”* More specifically, the Spatial Priorities for Ivybridge set out in SP2.7 require that *“all development, singularly or cumulatively, will not negatively impact on the ability of the relevant authorities to improve air quality within the Western Road AQMA.”*

The Applicant has committed £173,000 toward improvements on Western Way which aim to reduce congestion and therefore also air quality. The Council's Environmental Health Specialist is supportive of this in order to address potential air quality impacts from the development and in accordance with the Council's Air Quality Management Plan. The application therefore accords with policies SPT9, Dev1, DEV2 and Spatial Priorities for Ivybridge.

Climate Change and sustainability:

The Council's Strategic Planning / Joint Local Plan Specialist provided comment on this element as follows:

"It is noted that the energy statement proposes a 20% equivalent carbon reduction from building regs requirement through a mix of solar PV, Mechanical Heat Recovery and improved energy efficiency through a fabric first approach. The policy requires a 20% onsite renewable energy deployment, using the most appropriate technology. The report identifies that there are a number of south, south-west and south-east facing roofs that can be utilised by solar PV. However, the proposal only selectively utilised some of these roofs, and only on detached properties. In order to be policy compliant the applicant should be utilising all available roof space if the technology is considered to be appropriate. It is not clear why only detached properties have been selected for this technology."

It would be more equitable for a mix of house types/sizes to benefit from the solar PV technology, or ideally for additional homes to be included in the carbon reduction plans. However DEV32 does not specifically require that all suitable homes are fitted with solar PV and as the applications appears to meet the requirement for the development to incorporate low carbon or renewable energy generation to achieve regulated carbon emissions levels of 20 per cent less than that required to comply with Building Regulations Part L, an uplift is not being required in the recommendation of this report.

The Specialist goes on to say:

"The heat recovery technology also proposed does provide a level of carbon reduction, although the primary energy used to create this saving is from gas. If more solar PV were deployed on the available roofs, this would generate more energy for space heating that would render the use of heat recover systems superfluous. However, as the PV will have no direct benefit on hot water heating, and since the homes will have gas boilers anyway, it seems logical to recover the heat where possible to make the hot water system more efficient."

It appears that unless alternative water heating systems that do not require gas are of a quality and reliability to properly serve users, the mix of solar PV for electricity and heat recovery for heating water is acceptable.

Furthermore the Specialist notes:

"The fabric first uplifts are to be welcomed, although the proposed reductions in u-values of material used reflect that current building regs do not drive energy efficiency levels far enough to make an appropriate contribution to carbon reduction through the construction process. This is expected to change during 2020 and onwards to 2025 as part of the Future Homes Standard review."

As such no additional requirement is made on this application with regards to fabric first.

A planning condition is recommended to secure appropriate details of compliance with DEV32 for Phase 2 of the development to ensure that it also delivers a 20% carbon reduction equivalent to building regulations requirements. It should be noted that the date of Building Regulations used as a baseline is not fixed in policy, but will be the most up-to-date standards adopted. This approach also accords with requirements of policy UG12.

Drainage:

Due to the steep nature of the site, the application proposes connection to the mains sewer system. South West Water have raised no objection and noted that it had been approached pre planning application stage regarding this development and a suitable point of connection for foul flows confirmed.

With respect to the surface water matters, the Lead Local Flood Authority (LLFA) commented acknowledging receive of additional information since the initial submission, and that the drainage consultant, acting on behalf of the applicant, has confirmed how surface water can be suitably managed during the construction phase to enable groundwater to be monitored.

The suggested conditions include requirement for measures to remove sediment from surface water during construction phases to prevent it from entering permanent drainage systems which can cause blockages and adverse ecological and amenity impacts both on and off site.

The LLFA notes that the hydrogeologist, acting on behalf of the applicant, has confirmed that groundwater shall not re-emerge downslope of the soakaway if it is satisfied from the information provided that is the case.

Highways England were consulted on the recommendation of the LLFA due to the steepness of the site and close proximity to the A38. The LPA had not initially consulted Highways England as the development did not meet the trigger set out in the General Development Procedure Order Schedule 4. However consultation was valuable to inform the assessment of this development, and the LPA is grateful for their response to a late request for advice and comment.

The applicant had proposed a basin within the northern parcel to initially treat surface water before being piped to the soakaway and basin arrangement. The applicant has also proposed swales within the southwestern and southeastern parcels to treat surface water before draining to the soakaway. These areas border Highways England land and so in its initial response dated 17 December 2019, additional information was requested in respect of the development surface water drainage strategy. Following the submission of a revised drainage strategy and the results of additional monitoring, Highways England advised it is satisfied that the proposed development will not adversely impact on the Highways England drainage asset.

Ivybridge Town Council expressed concern about surface water from Dartmoor emerging onto Davids Lane. This is not something that the Applicant has control over. Both the LLFA and HE are content with the details submitted in this application and therefore the application is considered to accord with policies SPT1, DEV2, DEV35 and UG12.

Biodiversity/ecology

The Council's Biodiversity Specialist has provided detailed comment which addresses the relevant matters for this application:

"This comment is formalised after a dialogue over some 6 months with the consultant ecologists working on behalf of the applicant.

Initial comments were generally supportive (in terms of the ecology reports being thorough and well-reasoned) but raised the need for a further dialogue with respect to:

Dark corridors for bats - in the context of light-sensitive species having been recorded on site in previous surveys and the degree to which these had been reflected in site layout.

The site now being within the Landscape Connectivity Zone identified within the South Hams SAC HRA Guidance (June 2019) which the LPA adopted during the lifetime of this application, and implications for the proposal.

Biodiversity Net Gain, this having evolved significantly during the lifetime of the application nationally, and the degree to which the proposal secured a measurable net gain for biodiversity.

The site falling within the Zone of Influence associated with the Plymouth Sound and Estuaries European Marine Site, with the associated charging schedule to mitigate in-combination recreational impacts of new residents as required for the purposes of the Habitats Regulations.

Further information has been reviewed and discussed during telephone and face-to-face meetings, such that where there have been concerns, these have been satisfactorily addressed and a final comment can be made.

With respect to the points above, the following is noted:

The development, through new and retained hedgerows (and tree lines) and buffering, such that their management can be controlled, and as reflected in the lighting assessment, retains the connectivity of dark corridors across the site for more light-sensitive bat species, both in generally N-S and E-W directions.

The proposal (in the context of being within the Landscape Connectivity Zone for the South Hams SAC) is not considered alone or in-combination to cause loss or disturbance to potential bat commuting features, and there is unlikely to be a significant effect on the South Hams SAC.

Notwithstanding the layout as was originally presented, and the evolution of Biodiversity Net Gain during the lifetime of the application, the consultant ecologists have sought to drive as much onsite net gain as possible, with various revised approaches, amendments to habitat creation, and inclusion of additional planting. The conclusion of these revisions being that upon applying the Defra Biodiversity Metric 2.0 calculator (which takes account of existing habitat, loss as a result of development, improved management of existing habitat, and creation of new habitat), a 1.14% net gain in on-site habitat units could be achieved, and an 11.64% net gain in hedgerow units. Discussions have focused on the acceptability of these figures both in the current national/local policy context, and also in the potential future context (noting that the majority of this site is in Outline).

Accordingly, and noting the LPAs aspiration for 10% Biodiversity Net Gain (as reflected in the draft JLP SPD, which itself was consistent with the now withdrawn draft Environment Bill 10% proposed mandatory figure), the consultant ecologists have worked with the LPA (using guidance from elsewhere in the southwest) to seek to arrive at a sum which might be used to subsequently deliver offsite habitat creation/restoration based on the shortfall in onsite delivery of Biodiversity Net Gain (i.e. delivering a further 8.86% offsite Biodiversity Net Gain). Such an approach is typically referred to as biodiversity offsetting and is identified within the draft JLP SPD as a potential option where it is not possible to secure further onsite habitat enhancement/creation, but where offsite delivery might be added on onsite delivery to secure a 10% overall Biodiversity Net Gain in habitat units post development compared to before.

A sum of £25,729.25 is proposed, and would be secured via s106, for the LPA to deliver habitat enhancement/creation. It is noted that this approach is relatively new to the LPA, and it is anticipated that the funds will be held by the LPA initially, to deliver projects which accord with JLP Biodiversity Network, 'made' Neighbourhood Plan or Nature Recovery Network priorities. This approach is accepted by the applicant and will be reflected in the s106 clause wording.

A HRA and Appropriate Assessment has been undertaken (dated 25th Sept 2019 on the website) with respect the Plymouth Sound and Estuaries EMS – the conclusions are accurate, however the figures within the document are not – these figures are now out of date and must be updated to reflect those within the Recreation Mitigation and Management Scheme (and draft JLP SPD) – available at <http://www.plymouth-mpa.uk/home/managing-the-mpa/documents/>

It is also noted that nest tube surveys undertaken at the site in 2017 and 2018 recorded the presence of two confirmed and a number of potential Dormouse nests, within hedgerows throughout the site, and it is considered that hedgerows throughout the site support a small population of Dormouse. While the majority of Dormouse habitat within the site, namely hedgerows/treelines, will be fully retained, to facilitate the construction of the main access road some limited loss of hedgerow/treeline habitats is required, and accordingly a Natural England licence will be required. Mitigation and habitat creation has been detailed, such that the LPA can be confident that the Favourable Conservation Status of the dormice will be retained, and that Natural England would be likely to subsequently grant a licence (it is noted that the site will deliver IROPI by virtue of 30% Affordable Housing, and there is No Satisfactory Alternative that can achieve access to the site without loss of hedgerow)."

Planning conditions and s106 clauses as recommended by the Biodiversity Specialist are included in the recommendation of this report. Taking those into account, the application accords with policies SPT1, SPT12, SPT14, Dev26 and UG11.

NB: The site falls within the Zone of Influence for new residents have a recreational impact on the Tamar European Marine Site (comprising the Plymouth Sound and Estuaries SAC and Tamar Estuaries Complex SPA). This Zone of Influence has recently been updated as part of the evidence base gathering and Duty to Cooperate relating to the Joint Local Plan. A scheme to secure mitigation of the additional recreational pressures upon the Tamar European Marine Site can be appropriately secured by condition, and this approach has been agreed by Natural England.

Archaeology

Devon County Council's Historic Environment Team have commented on this application noting that they have been made aware of the results of a programme of archaeological work to the south of this application area that has demonstrated the presence of Bronze Age settlement in this landscape. In the light of that information, the Historic Environment Team withdrew its previous advice and offer the following comments:

"The proposed development lies in an area where prehistoric settlement is recorded in the county Historic Environment Record in the surrounding landscape. Given the scale of the proposed development in this landscape groundworks for the construction of the proposed development have the potential to expose and destroy archaeological and artefactual deposits associated with these heritage assets. The impact of development upon the archaeological resource here should be mitigated by a programme of archaeological work that should investigate, record and analyse the archaeological evidence that will otherwise be destroyed by the proposed development.

The Historic Environment Team recommends that this application should be supported by the submission of a Written Scheme of Investigation (WSI) setting out a programme of archaeological work to be undertaken in mitigation for the loss of heritage assets with archaeological interest. The WSI should be based on national standards and guidance and be approved by the Historic Environment Team.

As a Written Scheme of Investigation was not submitted prior to determination the advice of the Historic Environment Team to include a planning condition requiring one has been applied and is included in this recommendation of this report. This accords with paragraph 199 of the National Planning Policy Framework (2019), policy DEV21 and UG1.

Conclusion

The proposed development will deliver the number of houses identified in TTV for this site which is allocated in the Joint Local Plan. In doing so it will deliver open market and policy compliant level of affordable housing and associated financial contributions to mitigation impacts of the development. There are no outstanding objections from statutory consultees, and a limited number of objections from local people. The matters raised in those received have been addressed through explanation in this report and through inclusion of planning conditions and the s106.

On balance, the design of the development is considered acceptable and where necessary additional detail for clarification of specification have been required by planning condition.

Overall therefore this application accords with relevant planning policies and is recommended for approval subject to the schemes of conditions which relate to the full and outline consents considered under this hybrid application.

This application has been considered in accordance with Section 38 of the Planning & Compulsory Purchase Act 2004.

Planning Policy

Section 70 of the 1990 Town and Country Planning Act requires that regard be had to the development plan, any local finance and any other material considerations. Section 38(6) of

the 2004 Planning and Compensation Act requires that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise. For the purposes of decision making, as of March 26th 2019, the development plan for Plymouth City Council, South Hams District Council and West Devon Borough Council (other than parts South Hams and West Devon within Dartmoor National Park) comprises the Plymouth & South West Devon Joint Local Plan 2014 - 2034.

Following adoption of the Plymouth & South West Devon Joint Local Plan by all three of the component authorities, monitoring will be undertaken at a whole plan level. At the whole plan level, the combined authorities have a Housing Delivery Test percentage of 166%. This requires a 5% buffer to be applied for the purposes of calculating a 5 year land supply at a whole plan level. When applying the 5% buffer, the combined authorities can demonstrate a 5-year land supply of 6.5 years at the point of adoption.

Adopted policy names and numbers may have changed since the publication of the Main Modifications version of the JLP.

The relevant development plan policies are set out below:

The Plymouth & South West Devon Joint Local Plan was adopted by South Hams District Council on March 21st 2019 and West Devon Borough Council on March 26th 2019.

SPT1 Delivering sustainable development
SPT2 Sustainable linked neighbourhoods and sustainable rural communities
SPT3 Provision for new homes
SPT8 Strategic connectivity
SPT9 Strategic principles for transport planning and strategy
SPT10 Balanced transport strategy for growth and healthy and sustainable communities
SPT12 Strategic approach to the natural environment
SPT13 Strategic infrastructure measures to deliver the spatial strategy
SPT14 European Protected Sites – mitigation of recreational impacts from development
TTV1 Prioritising growth through a hierarchy of sustainable settlements
TTV2 Delivering sustainable development in the Thriving Towns and Villages Policy Area
TTV3 Strategic infrastructure measures for the Main Towns
TTV26 Development in the Countryside
TTV27 Meeting local housing needs in rural areas
DEV1 Protecting health and amenity
DEV2 Air, water, soil, noise, land and light
DEV3 Sport and recreation
DEV4 Playing pitches
DEV8 Meeting local housing need in the Thriving Towns and Villages Policy Area
DEV9 Meeting local housing need in the Plan Area
DEV10 Delivering high quality housing
DEV19 Provisions for local employment and skills
DEV20 Place shaping and the quality of the built environment
DEV23 Landscape character
DEV25 Nationally protected landscapes
DEV26 Protecting and enhancing biodiversity and geological conservation
DEV27 Green and play spaces
DEV28 Trees, woodlands and hedgerows
DEV29 Specific provisions relating to transport

DEV30 Meeting the community infrastructure needs of new homes
DEV31 Waste management
DEV32 Delivering low carbon development
DEV35 Managing flood risk and Water Quality Impacts
DEV36 Coastal Change Management Areas
DEL1 Approach to development delivery and viability, planning obligations and the Community Infrastructure Levy

Other material considerations include the policies of the National Planning Policy Framework (NPPF) including but not limited to paragraphs 199 and guidance in Planning Practice Guidance (PPG). Additionally, the following planning documents are also material considerations in the determination of the application: National Design Guide 2019.

Ugborough Neighbourhood Plan

UG1, UG2, UG3, UG4, UG7, UG8, UG11, UG12

Considerations under Human Rights Act 1998 and Equalities Act 2010

The provisions of the Human Rights Act 1998 and Equalities Act 2010 have been taken into account in reaching the recommendation contained in this report.