

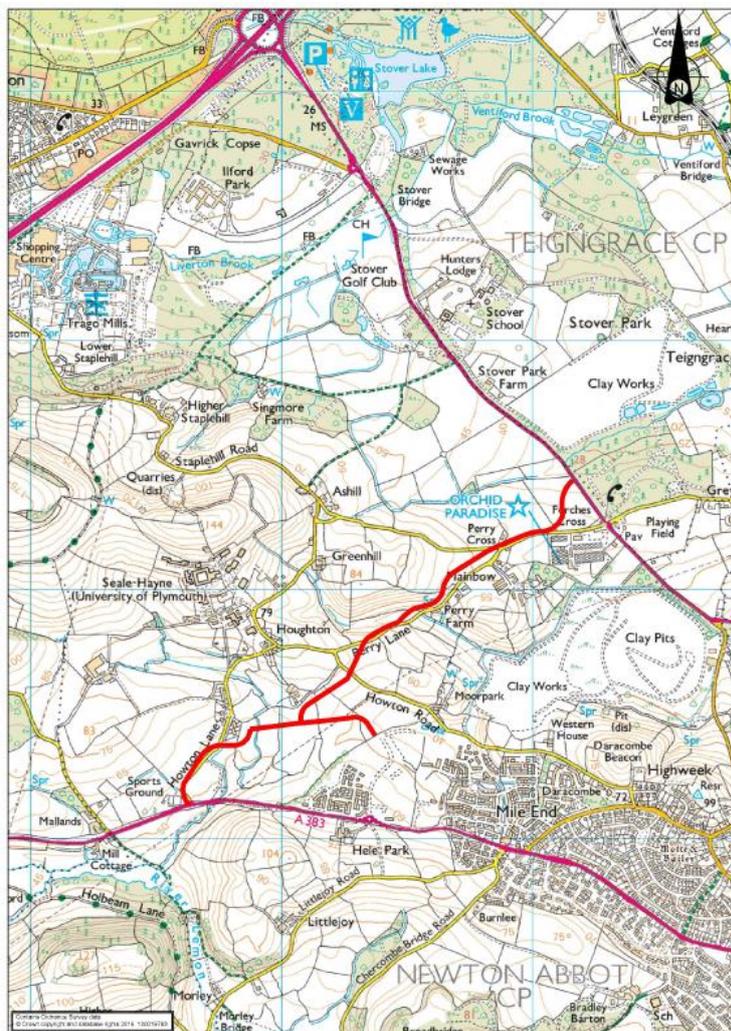
PLANNING COMMITTEE REPORT

3 September 2019

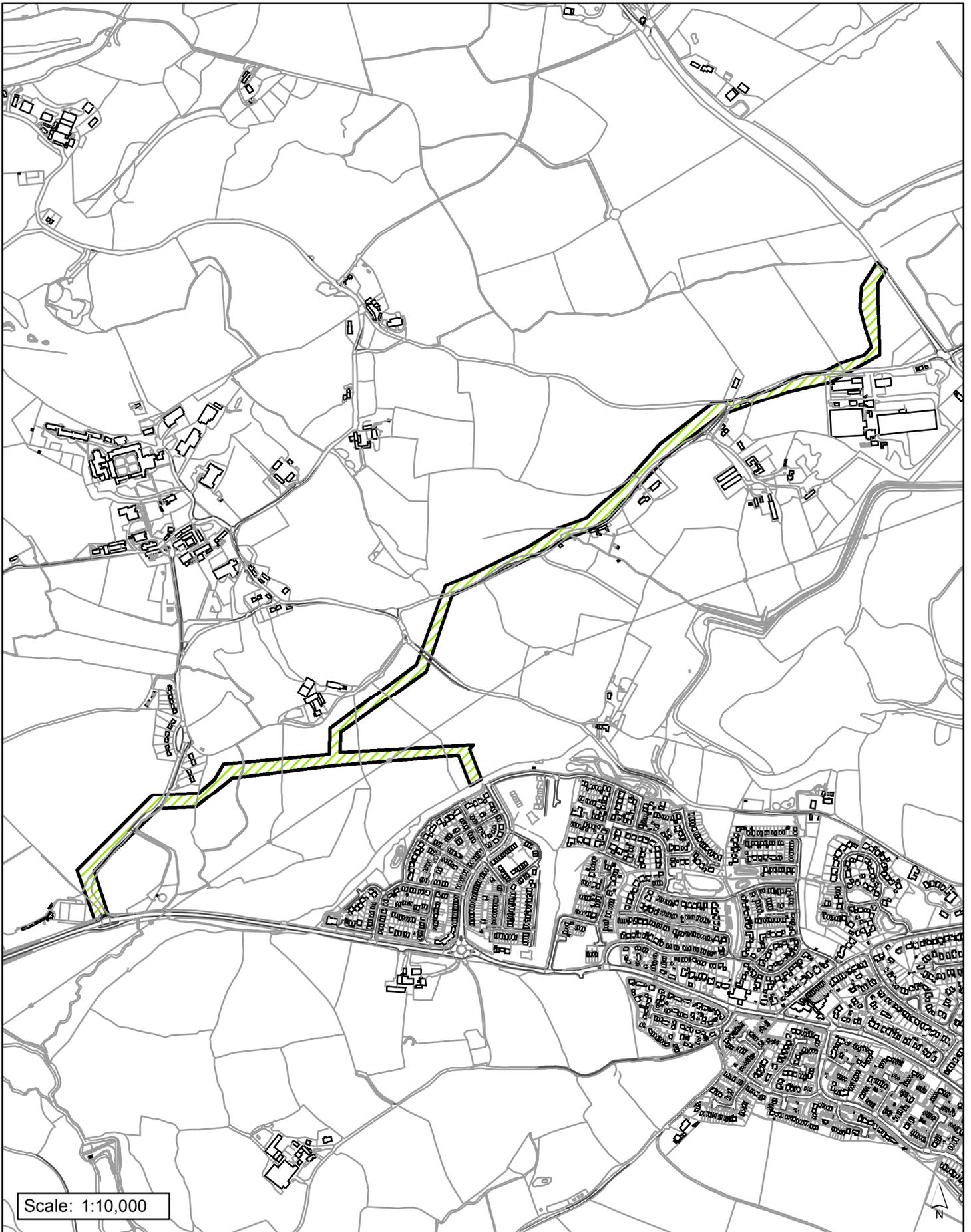
CHAIRMAN: Cllr Dennis Smith



APPLICATION FOR CONSIDERATION:	NEWTON ABBOT - 19/00456/MAJ - A382 - A383 , Forches Cross - An improved highway link, including pedestrian and cycle facilities, sustainable drainage features and landscaping	
APPLICANT:	Mr C Dyer	
CASE OFFICER	Helen Addison	
WARD MEMBERS:	Councillor Hocking Councillor Bullivant	Bradley (02/05/2019)
VIEW PLANNING FILE:	https://www.teignbridge.gov.uk/planning/forms/planning-application-details/?Type=Application&Refval=19/00456/MAJ&MN	



Location Plan
Not to Scale



19/00456/MAJ A382-A383, Forches Cross, Newton Abbot



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1. REASON FOR REPORT

The application includes land within ownership of Teignbridge District Council. The Council's scheme of delegation requires all planning applications that include Council owned land to be determined by the Planning Committee.

2. RECOMMENDATION

Subject to:

- A) Completion of a S106 Obligation for provision of an appropriate contribution towards an offsite bat roost to be delivered within the wider NA1 allocation and
- B) receipt of satisfactory further information in respect of drainage and flood risk, transport, and Environmental statement content;

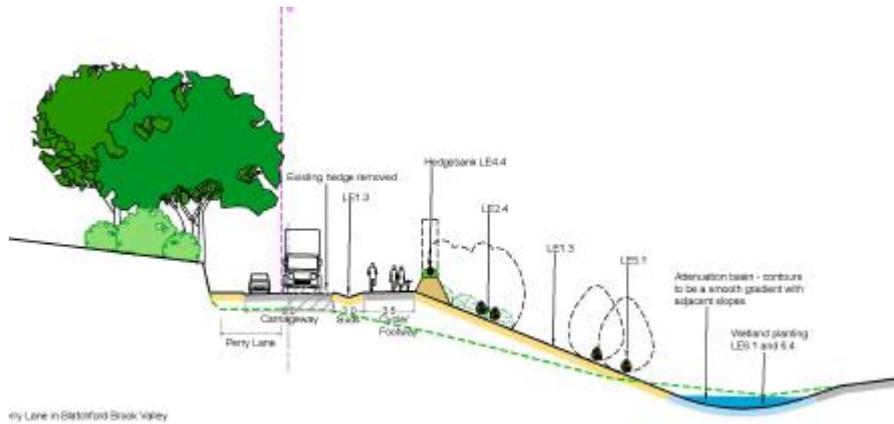
PLANNING PERMISSION BE GRANTED subject to Conditions addressing, as a minimum, the following matters as well as any additional material matters arising from the receipt of further consultation responses, with the final drafting of conditions, their number, content and triggers to be delegated to the Business Manager – Strategic Place

- Tree protection during construction
- Details of boundary treatments
- Typical section through hedgebank
- Details of junctions/roundabouts
- LEMP to include monitoring provisions and feedback / enhancement
- CEMP (to include waste management requirements, and identification and protection of pre historic settlement site at Forches Cross from damage)
- CMP
- Monitoring surveys of hop overs and under passes
- Double hedgerows at crossing points
- Habitat establishment in advance of impacts
- Detailed light assessment
- Mitigation measures and management in perpetuity
- Monitoring and mitigation at Stover SSSI
- Undertake a hydroecological risk assessment
- Precautionary contamination conditions
- Secure implementation of key measures in ES to mitigate risks during construction process
- Archaeology WSI
- Lower noise road surface
- Assessment and details of noise mitigation barriers
- Details of the proportion of materials used the scheme that are recycled to be submitted to and agreed by the LPA
- Technical data provided for any mechanical power generation in connection with development
- Report from professional sound consultant detailing control measures to be adopted for the control of fugitive noise emissions
- Report detailing measures to be adopted for the mitigation of fugitive dust and fine particulates from migrating beyond the boundary onto nearby sensitive receptors
- Control measures for dust mitigation for specific processes such as movement of vehicles etc

3. DESCRIPTION

The Site and Proposal

- 3.01 This application is to construct a new road to link the A382 and A383. The need for the road has arisen from the NA1 Houghton Barton allocation in the Teignbridge Local Plan 2013-33 to address the increase in traffic associated with the development.
- 3.02 The Teignbridge Local Plan 2013-33 allocates approximately 160 hectares of land to the north west of Newton Abbot in Policy NA1 (Houghton Barton) for the delivery of a mix of uses including employment, housing, community facilities, a road linking the A382 to the A383 to the south, large areas of green infrastructure and the continued and supported use of Seale-Hayne. This allocation is bordered by the A382 to the north and A383 to the south.
- 3.03 The NA1 allocation includes 1,800 dwellings and 18 hectares of employment space. This comprises 650 dwellings permitted at Hele Park and the delivery of 1,150 homes at Houghton Barton. The NA1 Development Framework Plan (DFP) SPD (June 2018) identifies that the new road is needed to address the increase in traffic as a result of the development. The Link Road will mitigate the impact of increased traffic across the wider local area including Ashburton Road, Dyrons roundabout, Whitehills roundabout and Exeter Road. In the DFP it is set out that up to 200 further homes should be built off the A383 prior to construction of the main road. A further 200 homes and the employment land at the northern (Forches Cross) end of the site can also be accommodated without the need for the road.
- 3.04 The proposed length of the new road would be 2500m. It would run from the A382 north of Forches Cross to the A383 at Seale Hayne on a roughly north east to south west alignment. A new roundabout would be constructed on the A382 to the north west of Forches Cross, with two further roundabouts at the southern end of the road. A number of junctions would be provided to allow access to existing properties and to future development. A segregated cycle/foot way would be provided along the length of the new road. A foot/cycle bridge would be constructed over the road at Forches Cross. A number of sustainable drainage ponds would be constructed alongside the road. Six culverts would be formed, in some cases to accommodate existing streams. They would also have an ecological benefit supporting movement of bats, including Greater Horseshoe Bats in the area. The road would generally follow existing ground levels, except for two areas of deeper cutting at Perry Farm and between Perry Lane and Howton Road, with a higher embankment linking these two cuttings. A typical cross section of the road is shown below;



- 3.05 The route of the new road from the north west of Forches Cross would roughly follow Staplehill Road until the junction with Perry Lane, where it would follow this road until it is close to Howton Road. From this point it would cross agricultural land with one spur going to join to Buttercup Way and a second spur joining with Howton Lane, to exit onto the A383 Ashburton Road. The road would be single carriageway with a shared footway/cycle way segregated from the carriageway. The north east section of the road closest to Forches Cross would be constructed by DCC and the remainder would be delivered by the developers of the Houghton Barton development. The final delivered arrangement and design of this element of the scheme will be determined through subsequent applications but the submitted details demonstrate it can be achieved.
- 3.06 The ground levels along the route vary from 32m AOD (Above Ordnance Datum at Forches Cross to 62m AOD close to the junction of Perry Lane and Howton Lane. The most significant local change in elevation would be where the route negotiates the valley at Perry Farm with the west side of the valley at 62m AOD and the bottom of the valley at 35m AOD.
- 3.07 The proposed road would be constructed partly on highway land and mainly on agricultural land. Generally the application site is characterised by undulating rural land with hedgerow boundaries. The site is environmentally sensitive because the allocation lies within an area surrounded by features of particular importance to Greater Horseshoes Bat. Greater Horseshoe Bats (GHB) are among the rarest and most threatened bats in Europe. They are protected by designation of the South Hams SAC, which is a European Designated Site.
- 3.08 The proposal constitutes EIA development and therefore an Environmental Statement has been submitted with this application.
- 3.09 The Council has screened the application under the Habitats Regulations and carried out an Appropriate Assessment.

Principle of Development

- 3.10 The adopted Teignbridge Local Plan 2013-33 contains the Council's strategy for delivering sustainable growth which includes delivery of economic growth and new housing to provide positive benefits to local communities through improving their self-sufficiency and resilience. In order to achieve this a number of strategic allocations are identified in the plan, including NA1 (Houghton Barton).

- 3.11 The principle of delivery of the Link Road is established as an Infrastructure Delivery Plan priority, within the Council Strategy, LEP Priority, £3 million is earmarked from Growth Deal funding.
- 3.12 Extensive public consultation has already been carried out regarding the allocation (including the link road) through the Local Plan process and the production of the Houghton Barton NA1 SPD. This is set out in the Statement of Consultation.
- 3.13 NA1 aims to create a new sustainable neighbourhood for Newton Abbot. It will provide new homes with new employment opportunities, education facilities and community spaces. It is inevitable that growth on this scale will require improved infrastructure to address the additional demands that will be placed on existing networks and resources. In selecting this allocation through the Local Plan process the Council recognised that additional highway capacity would be required to address the increase in traffic that would be generated by the development. Policy NA1 (f) identifies provision of a new vehicular route connecting the A382 with the A383 as an integral element of the allocation. It is explained as being necessary to improve the capacity of the A383 and to reduce traffic through Highweek.
- 3.14 Development of the proposed new road will provide improved highway infrastructure that will support the delivery of the NA1 allocation. It will provide an improved route to the existing road network for users that want to travel in an east/west direction, which will speed up vehicle journey times. The provision of a cycle path/footpath will deliver sustainable travel options.
- 3.15 In addition to Policy NA1, further policy support for the development is contained in Policy S5 (Infrastructure) which promotes provision of infrastructure to support the growth of sustainable and resilient communities. Policy S9 (Sustainable Transport) supports provision of more sustainable transport options to improve access for all and to support economic prosperity. It encourages the design of major new development to include provision for buses, cyclists and pedestrians to enter and pass through sites. In addition Policy S14 (Newton Abbot) promotes growth of Newton Abbot and provision of the commensurate infrastructure.
- 3.16 Newton Abbot Neighbourhood Plan supports delivery of development to a high standard in Policy NANDP 2. Policy NANDP 4 promotes provision of cycle/walkways in new residential, industrial and commercial development.
- 3.17 In conclusion, there is clear policy support for the proposed new road in both the adopted Teignbridge Local Plan and the Newton Abbot Neighbourhood Plan. The requirement for the new road has come from a detailed assessment of the NA1 Houghton Barton allocation through the local plan process, which has included public consultation. Therefore subject to compliance with other relevant policies in these plans, it is considered that the development accords with the development plan.

Impact on the Landscape Character and Appearance of the Area

- 3.18 The application site has a rural character away from the A382 and A383, comprising narrow lanes running through predominantly agricultural land. There are farmsteads and hamlets such as Ashill and Houghton, and a small group of

houses at Perry Cross. Existing fields tend to be bounded by hedgerows, with interspersed trees. It is noted that in the vicinity of the site, the landscape character of the area will not remain static, and will be affected by a number of development proposals. These changes will be evident within the short to medium term. In the immediate area, development of the NA1 (Houghton Barton) allocation for a mixed use development, new housing at Hele Park and outline consent for student and staff accommodation and other facilities at Seale Hayne will mean that the rural landscape context will become largely urban edge. This change to the character of the area will lessen the impact of the proposed development on the landscape.

- 3.19 A Landscape and Visual Impact Assessment (LVIA) has been submitted as part of the Environmental Statement (ES). This assesses the scale of change to the landscape and character of the surrounding area, taking into account the proposed mitigation. It is concluded in the ES that the proposed scheme would not give rise to any significant cumulative landscape or visual effects.
- 3.20 It is relevant to identify that the site is not covered by any landscape related designations. The nearest landscape designations are (a) Dartmoor National Park which lies approx. 3.5 to 4km to the north west of Forches Cross and (b) Stover Park Registered Historic Park and Garden which fronts the north eastern side of the A382 to the north of Forches Cross. There are no clear views between the site and Dartmoor National Park, which means that there is no impact from the development on the National Park. Views towards the site from Stover Park are screened by boundary vegetation.
- 3.21 For the purposes of the identifying existing landscape character in the LVIA, the scheme was divided into three sections. The north-eastern Forches Cross to Perry Cross section falls within the Devon and Teignbridge defined Bovey Basin Landscape Character Area (LCA) and associated Devon Landscape Character Type (LCT) 3E: Lowland Plains, and was assessed as being of Medium sensitivity. The central Perry Cross to Perry Farm section crosses the Devon Denbury and Kerswell Farmlands LCA and associated LCT 1E: wooded Ridges and Hilltops, and Teignbridge Lemon Valley and Ridges LCA, and was assessed as being of Medium to High sensitivity. The south-western Perry Farm to A383 section lies within the Devon Denbury and Kerswell Farmlands LCA and associated LCT 3F: Settled Valley Floors, and Teignbridge Lemon Valley and Ridges LCA, and was assessed as being of Medium sensitivity.
- 3.22 To mitigate the impact of the development a number of measures are proposed to integrate the scheme into its surroundings and to reinforce the local landscape character. These include:
- Retention of existing trees and field and roadside hedgerows where possible;
 - new hedge banks along the northern edge of the eastern and central sections of the link road extending up to Houghton Barton Valley Park, along its eastern edge south of the valley park, and also along either side of its length as it approaches the A383;
 - new native woodland and woodland edge planting to link wildlife habitats and extend the off-site woodland on the edge of Hele Park,
 - new native woodland and woodland edge planting linking wildlife habitats between the proposed Houghton Barton Common and the A383 corridor;

- elsewhere along the route, areas of shrubs with intermittent trees, shrubs and linear belts or trees and shrub mix planting;
- seeding of attenuation basins with wildflowers and native wetland grass species.

- 3.23 The Council's Landscape Officer has advised that taking a road through what is an attractive agricultural landscape, will have a significant impact on the character of the landscape, however it is a landscape that is undergoing an agreed urban expansion and the resultant change, though having an adverse effect, is of a scale of harm that is acceptable given the benefits.
- 3.24 The outcome in respect of landscape is for a road that has a character that, where possible, will follow the contours of the land, however, due to the rolling nature of the landscape there are places where cut and fill are necessary in order to maintain a gradient that meets design parameters. This results in one major cutting and one embankment feature in the vicinity of Perry Lane, however, the scale of the embankment and cutting are not considered to be out of keeping with the scale of landform change in the landscape.
- 3.25 The alignment of the route is over relatively low-lying landscape surrounded by more elevated ridges to the southeast, south and northwest, however there are few publicly accessible locations from ridges from which the site can be easily perceived. From the few locations where the road will be visible, the changes will be seen in the context of the forthcoming NA1 development. The northern half of the route, though at a slightly higher elevation is more undulating, interlocking landform and the road will be concealed by the surrounding landform. The greatest landscape impact would be at the junctions with the A382 and A383 where the changes will take the form of new highway junctions visible from the highway. However in the long term the scheme will become consumed in to the NA1 Houghton Barton development site allocation or concealed by screen planting.
- 3.26 DCCs requirement for a modern highway, with adjoining cycle way / footpath, gives rise to a highway character that is markedly different from the character of country lanes in the area. However, the proposed scale of the highway and horizontal curvature help to minimise this difference and would produce a road that will generate low traffic speeds.
- 3.27 Concern is expressed by the Landscape Officer about the visual dominance of the two roundabouts in the south of the proposal. For a single carriageway road in a suburban area it would be preferable for more modest scale junctions to be provided that would be less visually dominant. It is understood that these junctions are indicative only, as this part of the road would be constructed by third party developers and it is likely that the alignment of the road and the form of junctions would change when the detailed layout plans for the area are drawn up. In this case it would be appropriate to condition details of these junctions are submitted to the LPA for approval.
- 3.28 In submitted the LVIA it was concluded that;
- a) In terms of impact on landscape character, the proposed new road will have a slight to moderate adverse effect on the landscape, however in the long term,

the changes will be largely obscured by the NA1 Houghton Barton development site allocation.

b) In terms of impact on visual amenity, there will be only minor adverse impacts on the wider landscape, but for the more immediate landscape, in the short term there will be moderate to significant adverse effect on visual amenity, however in the long term, the scheme will become consumed in to the NA1 Houghton Barton development site allocation or concealed by screen planting.

c) The scheme will not give rise to any significant cumulative landscape or visual effects.

The Council's Landscape Officer agrees with these conclusions and recommends a further condition in respect of provision of hedge banks at the boundaries of the road wherever practicable.

3.29 Therefore it is concluded that in terms of landscape impact there would be no likely significant effect from the proposed development.

3.30 In terms of the relevant policy in the Teignbridge Local Plan 2013-33, the proposal accords with Policy EN2A (Landscape Protection and Enhancement) which seeks to ensure development proposals conserve and enhance the character of the locality and maintain landscape quality. The level of change to and the impacts on the landscape is considered to be outweighed by the significant economic benefits that the proposal would unlock housing and employment development.

Impact on Biodiversity

3.31 In assessing the impact of the proposed development on ecology the relevant chapter in the ES considers any European site located within a 2km buffer, and SACs within 30km, a 2km buffer for a local records desk study and an area of 250m either side of the proposed alignment of the road for a phase 1 habitat survey.

3.32 The proposed development lies within the South Ham SAC – Greater Horseshoe Bat consultation zone. It is adjacent to the sustenance zone, associated with the Chudleigh Caves and Woods roost. There are two biological SSSIs within 2km of the site which are potentially affected by the proposal; Stover Park SSSI and River Lemon Valley Woods SSSI. There are a variety of non- statutory sites for nature conservation within 2km of the proposal.

3.33 Greater Horseshoe Bats (GHB) are among the rarest and most threatened bats in Europe. They are protected by designation of the South Hams SAC, which is a European Designated Site. Consideration of the proposed development on GHBs is relevant because the application site is comprised of habitats that have the potential to support greater horseshoe bat activity, which include cattle grazed pasture, rough and semi-natural grassland, woodland, veteran trees, scrub, watercourses, and a network of hedgerows.

3.34 In the survey work carried out by the applicant no GHB roosts were identified. However GHB activity was widely distributed across the proposed scheme area. Particularly high concentrations of Greater Horseshoe Bats were recorded in areas of the site associated with pasture, the valley and hedgerows opposite Perry Farm and along the hedgerow adjoining the Hele Park development.

- 3.35 There are potential risks that the proposed development could have a negative impact on the surrounding area that would reduce natural habitat features that GHBs need to survive. These risks include a loss of hedgerows, with the severance of 21 species-rich hedgerows, and removal of 1960 metres of species-rich hedgerow. There would be a loss of approx. 5.54 ha of linear strips of agricultural grasslands and arable fields. In addition there is the potential for the new road to sever habitat links across the road, and to discourage and pose an increased risk to low flying species such as GHBs that rely upon linear features to facilitate navigation through the landscape. Any obstruction of crossing points would affect GHB's ability to access foraging areas comprising high quality pasture landscape to the north. Impacts would be permanent and irreversible at a landscape scale, with the potential to further fragment commuting habitats used by greater horseshoe bats to move between the South Hams SAC designated roosts.
- 3.36 In order to ensure that the favourable conservation status of the GHB is not adversely affected, a number of mitigation measures are integral to the development to address impacts in both the construction and operational phases. In addition, the applicant proposes new habitat creation, avoidance and mitigation measures and enhancement measures. The proposals also include a monitoring programme and a detailed Landscape and Ecological Management Plan (LEMP).
- 3.37 The mitigation measures include provision of replacement habitats through roadside planting plus associated features such as Sustainable Urban Drainage (SUDS) and vegetation screening. In addition considerable habitat replacement is proposed which would result in net gains in the amount of semi-improved neutral grassland, amenity grassland, broad leaved woodland, scrub dense and continuous, and an additional 340 metres of hedgerows. There would however be net losses of arable land, improved grassland, and mixed plantation woodland.
- 3.38 In their initial consultation response Natural England requested further information be submitted in support of the application to include consideration of severance/collision impacts associated with new roads upon GHB activity, demonstration of the suitability of new crossing points, provision of a dedicated GHB roost as identified in the DFP, and up to date survey data. Advice was provided about timing of habitat establishment to ensure that it will be functional in advance of impacts, the need for a detailed light assessment to avoid detrimental light spillage, securing mitigation and enhancement measures in –perpetuity and provision of a construction and environmental management plan (CEMP).
- 3.39 Further information has been received in response to the points raised by NE. With regard to survey information, results from a number of other surveys can be used to support the application. This includes the screening of the NA1 allocation for the Habitats Regulations, surveys for the DCC A382 road widening application, Bloor Homes' survey for NA1/NA2 and follow up monitoring from September 2018 for the DCC application. On the basis of this information it is concluded that the risks that significant impacts could have been missed through lack of complete updated survey information are considered to be low and the survey effort is deemed to be acceptable.
- 3.40 The Council's Biodiversity officer has carried out a Habitats Regulations Assessment (HRA) which concluded that a Significant Effect is Likely on the South Hams SAC. It is considered that without effective mitigation there would be the

potential for the development to have a significant harmful impact on the GHB by reason of (a) loss of foraging features in the landscape, (b) severance of linear features used for navigating or commuting, (c) disturbance from new illumination causing bats to change their use of the area and (d) collision with vehicles. As a result of this HRA it was necessary for the Council to carry out an Appropriate Assessment (AA).

3.41 The AA is a detailed report as considerable information has been submitted to address the issues raised in the HRA. The following conclusions are reached on the four issues identified above;

a) Foraging features -it is considered that landscape features appear to be used by SAC bats more for commuting than protracted foraging. The sum of gains vs losses as a result of the proposed development and mitigation would not lead to a significant reduction in area of bat prey producing habitats. However the location of replacement habitats is also a consideration. Effectiveness of the proposed mitigation will depend on the landscaping and maintenance schemes. A detailed set of plans showing the type and areas of mitigation that will be provided. Additional clarity on full details of planting, maintenance, target heights of vegetation, agency carrying out works, monitoring and on going management in-perpetuity would need to be secured in a LEMP and a CEMP for the construction. It is agreed that these can be dealt with by condition.

b) Severance of linear features – there is a threat of obstruction to commuting features by the formation of the road which would effectively be a linear barrier bisecting the landscape. Six strategic crossing points would be provided through means of culvert underpasses with associated hop overs provided at 5 of the crossing locations, supported by planting. This landscaping will direct bats into culverts under the road, provide screening around culvert entrances linking these crossing points to connecting roadside hedges and encourage bats to gain height to cross over the road. The principle of bat underpasses is deemed to be an acceptable form of mitigation and has been subject of recommendations in two previous assessments in 2014 and 2017 by an external consultant. There is however limited information on best practice for this form of crossing. There are reservations about hop overs which encourage usually low flying bats to ascend and fly at height over the road. Additionally two of the culverts would comprise pipes 60 cm wide for GHBs with a wingspan of 35-40 cm wide to pass through. The applicant has agreed to install three 60 cm pipes grouped together, and to potentially use a 'letterbox' shape instead of circular at these points to address this concern. It is concluded that subject to agreeing the specification of the culverts and hop- overs through condition (including their long term maintenance) this would be an acceptable way to ensure sufficient crossing points for GHBs are provided.

c) Disturbance from Illumination - the central section of the link road will not be lit. Lighting is required where the road enters future residential roads in the south and west sections and at the junction with the A382. Light modelling has been carried out which does not take into account night time dimming or fitting of louvers, which would reduce light spill on non-highway areas. There is a risk that sections of lit highway will affect three of the crossing point culverts. To counter this the applicant proposes additional landscaping to reduce light spill levels. Light modelling to show whether this would be effective has not been carried out. It is considered that this matter can be addressed by condition.

d) Collision with vehicles – avoiding risk of bat casualties will depend on crossing point design. It will be important that the design of road crossing points and landscaping should discourage bats from entering the new road corridor. Recording bat casualties should form part of the routine monitoring programme for the development. Road surface treatments which can give warning to bats of approaching vehicles should also be considered. Full landscape management plans and monitoring programme details which can be provided by condition are required.

- 3.42 The conclusion of the AA is that the Adverse Affects on the Integrity of the South Hams SAC can be ruled out subject to implementation of mitigation measures and conditions securing submission of additional information as referenced above. It is noted that NE has agreed with the conclusion of the AA.
- 3.43 The submitted ecology report also assesses the impact of the proposed development on the following species; bats other than GHBs, badgers, otters, dormouse, amphibians, reptiles, and birds (including Cirl Buntings). In the survey work Barbastelle bats (European protected species) were recorded in low numbers. A number of other bat species were recorded within the application site including lesser horseshoe bats and pipistrelle, which shows a diversity of bat species in the area. Dormouse nests were recorded in two locations within the study area. A total of 36 bird species were recorded which included the following notable species; redwing, bull finch, house sparrow, skylark, song thrush and yellow hammer.
- 3.44 The proposed development is within the Cirl Bunting Consultation Zone. Cirl Buntings were recorded twice (out of nine surveys) outside of the red line boundary. It is considered likely that Cirl Buntings utilise the area for the purposes of foraging, prospecting and possibly breeding. Limited evidence of otter was recorded during field surveys. The proposed development is also within the Great Crested Newt (GCN) Consultation Zone. Six ponds within 250m of the proposed scheme were subject to survey. GCN presence was found in one pond, which is approx. 160m east of the proposed scheme.
- 3.45 Signs of badger activity recorded within the study area included badger runs and evidence of foraging and a latrine along the edge of a maize field. There was considerable evidence of badger activity around Mead Farm; with evidence of badger foraging in the maize fields to the south of the farm and several badger trails crossing the lane leading down to the farm. Only one potential site for reptiles was identified. This was along the outer edges/tops of fields towards the centre of the Proposed Scheme (in the steep field opposite Perry Farm). No other areas were considered suitable for reptiles.
- 3.46 Most impacts on protected species will occur during the construction phase when land-take occurs which will lead to habitat loss and potential habitat severance and fragmentation and species mortality during vegetation clearance.
- 3.47 In order to address this impact proposed mitigation includes hedgerows to be retained along the proposed scheme as far as possible. Where removal is unavoidable, approximately 1960m of existing hedgerow shrubs will be coppiced and translocated into permanent planting areas and will be used as new boundary features, where possible. Approximately 340m of new, species rich hedgerow will also be planted. All new hedgerow shrubs will be of locally native provenance. Appropriate exclusion zones will be maintained around valuable retained habitats to

avoid accidental damage and materials and/or plant will not be stored in these areas. A range of proposed features will be provided that will have a beneficial impact on a range of species. These include proposed culverts, attenuation ponds which would include beneficial habitat for a range of amphibian, reptile, plant and invertebrate species.

- 3.48 To ensure the success of the proposed mitigation and enhancement it will be essential to undertake monitoring of ecological features during the operational phase. Co-ordination of mitigation, biodiversity enhancement and monitoring will be addressed in the LEMP.
- 3.49 The River Lemon Valley Woods Site of Special Scientific Interest presents an extensive example of ancient semi-natural woodland developed almost wholly on limestone and calcareous soils, a habitat rare in Devon. The woodlands also include important habitat for a range of bird species, and include valuable watercourse habitat. In order to mitigate detrimental impacts upon the SSSI and make the development acceptable a number of mitigation measures are proposed.
- 3.50 Stover Park SSSI/Stover LNR lies more than 1.1km north of the proposed scheme immediately adjacent to, on the eastern side of, the A382. At the SSSI/LNR, the NO_x limit for the protection of vegetation set by the Air Quality Standards Regulations is predicted to be exceeded under all scenarios (baseline, opening year and 2036). A moderate beneficial air quality effect is predicted in the opening year, but in the forecast year a substantial adverse air quality effect is predicted. Overall the proposed scheme is considered to have a slight beneficial effect on air quality in the opening year, changing to an adverse effect on air quality in the forecast year. This is attributable to further development and consequently higher traffic flows being facilitated by the link road, and the development of residences along the route. The air quality assessment suggests the nitrogen deposition will not exceed the critical load within those habitats in the SSSI which are most sensitive to impact.
- 3.51 In conclusion, the proposed development will inevitably result in habitat loss, severance and species mortality. Changes to environmental conditions during construction could impact water quality environments and changes to lighting of the area. The applicant advises that the proposal has been designed to minimise land take of key habitats for sensitive species and to maintain habitat connectivity. The submission includes enhancement measures and environmental mitigation including habitat creation to deliver biodiversity enhancement. Providing the measures identified in the Landscape and Ecological Mitigation Plan are secured, implemented at the appropriate stage of the development and effectively monitored it is considered that the impact of the proposed development on biodiversity would be acceptable. Consequently it is concluded that in terms of biodiversity the proposal would not have a likely significant effect.
- 3.52 The following Policies in the Teignbridge Local Plan are relevant to assessing the biodiversity impacts of the development; WE11 (Green Infrastructure), EN8 (Biodiversity and Protection and Enhancement), EN9 Important habitats and features, EN10 European Wildlife sites, EN11 Legally Protected and Priority Species and EN12 Woodland Trees and Hedgerows. When considered against these policies it is concluded that subject to securing final details of mitigation measures and the mechanism for ensuring that they are effectively monitored, the proposal would accord with the development plan.

Land Drainage/Flood Risk

- 3.53 In support of the application a Flood Risk Assessment (FRA) was submitted and a chapter in the ES addresses Water Issues.
- 3.54 The proposed development is located within Flood Zone 1 which has the lowest probability of flooding (defined as a less than 1 in 1000 annual probability of fluvial flooding). The construction of a road which is classified as 'essential infrastructure' in the national Planning Practice Guidance (PPG) is considered appropriate development within Flood Zone 1.
- 3.55 In their initial consultation response the EA advised that further information was required to demonstrate that the proposed road would not increase flood risk to third parties. Additional information was required about sizing of culverts, exceedance routes and the potential impact on the Holbeam dam flood storage area.
- 3.56 Following submission of further information, the EA advised in their second consultation response that they will shortly be designating a River Lemon Critical Drainage Area (CDA) to restrict runoff into the Holbeam Dam and would expect the part of the road within the CDA to meet these drainage standards. They express concern about the size of Culvert 2 and it is advised that the application should not be determined until further information has been submitted to demonstrate that the proposed development will not exacerbate existing flood risk problems associated with the capacity of the Holbeam Dam. It should be noted that the CDA has now been designated. The assessment indicated that the catchment upstream of the Holbeam Dam on the River Lemon was generating more surface water runoff than those assumed in the dam's design, which could potentially lead to more frequent overtopping. The CDA requires that all developments proposing to drain by means, other than infiltration, and within the catchment upstream of Holbeam Dam must restrict post-development peak discharge rates to match the equivalent greenfield runoff rate for the 1 in 10 year storm event.
- 3.57 The consultation response from DCC as the Lead Local Flood Authority is awaited.
- 3.58 There are two low points in the topography where the proposed development crosses two small watercourses, and these are shown to be at a 'high' risk of surface water flooding. The applicant proposes that measures will be incorporated to include no works or structures to take place within 5m of any watercourses in the vicinity of the site to ensure that there would not be an increase in flood risk.
- 3.59 The surface water drainage system to be installed as part of the development will limit the rate and volume of surface water runoff to existing greenfield runoff rates. The drainage strategy relies on storage features to attenuate surface water runoff from the road. It would comprise a mix of traditional pipe networks and swale features which direct the water towards attenuation basins and oversized pipes. The proposed mitigation measures would allow sedimentation to occur leading to an improvement in water quality entering the system, as well as ensuring surface water is held on the site for up to the 1 in 100 plus 40% climate change allowance annual probability flood event, only allowing to discharge off the site matching existing greenfield rates.

- 3.60 Mitigation is required during construction to protect water quality. Mitigation measures will be included in the CEMP to ensure that best practice is employed and the environment is safeguarded. The CEMP will include method statements for the construction works and will provide details of the materials (type and quantity) to be taken to and from the site. The CEMP will also provide a pollution control and contingency plan.
- 3.61 In the ES it is concluded that the magnitude of impact during both the construction and operation phases on flood risk, surface water drainage, surface water quality and groundwater quality would be neutral. The assessment of significant environmental effects during construction and operation phases on flood risk concludes the impact would be neutral. It is acknowledged that without the inclusion of mitigation measures during the construction phase there is a potential moderate adverse effect on surface water runoff and surface water quality. During the operation phase with the attenuation of surface water drainage the effect would be neutral.
- 3.62 The FRA concludes that the proposed development is safe from flooding and does not increase flood risk downstream.
- 3.63 The relevant policies in the Teignbridge Local Plan 2013-33 are S2 (Quality Development) which has the relevant objective 'location and scale of Sustainable Urban Drainage Systems' and Policy EN4 (Flood Risk). This Policy encourages developments to be located within Flood Zone 1. It promotes the use of sustainable drainage systems where ground conditions are appropriate, and states '*Planning permission will not be granted for any proposal which as a consequence of inadequate provision of water services or surface water drainage and disposal, would pollute the water environment.*'
- 3.64 As set out above, further advice is awaited from the EA to confirm that the proposed development would not exacerbate existing flood risk problems. In addition the consultation response is awaited from the LLFA. Both organisations are statutory consultees on this application. Their comments are needed before an assessment as to whether the proposed development would have a likely significant effect on water and drainage and whether the proposal accords with Policies S2 and EN4 in the Teignbridge Local Plan 2013-33 can be concluded and an update will be provided to members in this regard.

Cultural Heritage

- 3.65 There are no designated heritage assets within the application site boundary. The Grade II registered Stover Park borders the site for 316 m along the section of the A382. Stover Park comprises 20 hectares of gardens and pleasure grounds and circa 160 hectares of parkland, lakes and plantations. Stover Park is the key setting of the listed buildings (Grade II and Grade II*) within it and as a result these buildings are not considered to have their setting affected by the proposed development.
- 3.66 Designated heritage assets that are within 2km of the site area include the Highweek War Memorial and the Gatepiers at South East Entrance To Wrigwell House. In the ES it is stated that they do not have any clear views of and are at

such a distance from the Application Site that there will be no impact on their setting or level of significance.

- 3.67 The Grade II listed buildings at Seale-Hayne Faculty, Houghton; Houghton Farmhouse at 2-3 Howton Road and the Barn approximately 30 metres south-east of Houghton have no clear views of the application site and they are all well screened by vegetation and topography and therefore the impacts to this heritage asset group are considered to be low.
- 3.68 To the south of the proposed route, the Grade II listed Hele Park and attached walls and piers will have views of the newly proposed road route. Hele Park is located 455m to the south of the proposed development. It will have visibility over the new length of road between Perry Lane and Howton Lane. The setting of this heritage asset is considered to be its rural setting and this directly contributes to the understanding of this heritage asset and its significance. The proposed new section of road will have a minor adverse impact on this, but will not fundamentally change the historic setting of the heritage asset, which will still look out over rural fields.
- 3.69 A number of non-designated heritage assets are located within the application site and will be subject to a direct impact. These are 'Clay Park' Fieldname, part of the Enclosure near Forches Cross, Milestone along the section of the A382, a Toll House at the Forches Cross crossroads, a linear cropmark and Forches Cross Gallows. The impact of the proposed development on these assets is considered in the Environmental Statement. The features are assessed to be of low heritage significance apart from the enclosure near Forches Cross which is judged to be of medium significance as there are potential prehistoric remains.
- 3.70 Two extant, non-designated heritage assets, in proximity to the proposed route of the scheme, have the potential to have their settings affected which are Perry Farm and Rose Barn and Chuntor Barn (Mainbow farm). In the ES it is predicted they would be subject to a magnitude of impact of Medium adverse and a significance of effect of very slight harm.
- 3.71 In terms of archaeological impact the application site is situated within a rich historic landscape and the extent of finds and sites of both prehistoric and historic dates demonstrates a high potential for further, unknown archaeological remains to exist within the application site. Archaeological remains have been found in four out of five trial trenches in the vicinity of the application site. Most of the features present appear to relate to agricultural functions, comprising ditches for field boundaries and drainage. A probable pit in Trench 5 contained three sherds of pottery of Middle Bronze Age date.
- 3.72 In order to address this, proposed archaeological mitigation measures are included in an outline Written Scheme of Investigation (WSI). This sets out archaeological mitigation for the development in terms of arrangements for fieldwork, post-fieldwork assessment, reporting and archiving, archive deposition and report dissemination. The DCC Archaeology Officer has confirmed that the submitted archaeological Written Scheme of Investigation is an acceptable programme of mitigation for the direct impacts of the scheme on known and potential archaeological assets. He recommends that consent for the development should be conditional on the implementation of this WSI. In addition, the Construction Management Plan for the development should include robust measures to identify and protect the prehistoric

settlement site at Forches Cross from damage by construction vehicles or storage of construction materials. Such protection could include fencing and signage.

- 3.73 In summary, the impact of the proposed new road on heritage assets is considered to be low. The majority of heritage assets in the vicinity of the site would not be impacted by the development as the new road would be screened by existing topography and vegetation. Where the road will be visible from heritage assets, the impact has been assessed as being low.
- 3.74 In considering this application, special regard has been had to the preservation of the relevant Heritage Assets as noted by the Conservation Officer. Some harm to designated Heritage Assets has been identified although the Conservation Officer identifies this as less than substantial and in my view it would be towards the lower end of this spectrum. Furthermore, the significant public benefits that would accrue from the delivery of this road are considered to demonstrably outweigh this low level of harm to the setting of the designated heritage assets.
- 3.75 The relevant Policy in the Teignbridge Local Plan is Policy EN5 (Heritage Assets) which seeks to ensure new development will protect and enhance the area's heritage. In this case it is considered that the proposal will not result in harm to heritage assets and therefore accords with this Policy.

Air Quality

- 3.76 The Design Manual for Roads and Bridges (DMRB) Volume 11 Section 3 Part 1 HA 207/07 Air Quality states that the pollutants of most concern to human health near roads are NO₂ and PM₁₀, and for vegetation and ecosystems NO_x is of most concern. Air quality monitoring was carried out for a month in January/February 2017.
- 3.77 The study area contains existing human receptors (dwellings) alongside the construction site, trackout routes and existing and proposed roads, and ecological receptors (a site of special scientific interest (SSSI) and local nature reserves) alongside existing roads. Effects of the proposed development on these receptors were assessed. The significance of effects on human receptors was assessed at the most vulnerable locations closest to affected roads, and also more widely by considering the net beneficial and adverse effects on all receptors within 200m of affected roads. The assessment was been repeated for the opening year (2021) and fifteen years after opening (2036).
- 3.78 Applying the EPUK/IAQM impact descriptors to the most vulnerable existing receptors results in effects for pollutants impacting on human health (NO₂, PM₁₀, PM_{2.5} and CO) being rated as negligible adverse or better in all cases, with the exception of one existing residence (Stover Lodge) close to the northern part of the link which is predicted to experience a slight adverse effect for NO₂ by 2036. Moderate adverse effects are predicted for NO₂ and slight adverse effects for PM₁₀ and PM_{2.5} at the worst-case locations of new dwellings along the link road, but in absolute terms predicted concentrations at these locations are less than 50% of the limit values.
- 3.79 Model verification and sensitivity testing indicates that limits are unlikely to be exceeded taking into account model inaccuracies. However, were vehicle emissions

to show no improvement in future years, exceedances would be likely to result both with and without the link road due to forecast increases in traffic.

- 3.80 There is an existing Air Quality Monitoring Area (AQMA) to the south of the site. It is concluded that during the operational phase of the development it is not expected to have a significant effect on the AQMA.
- 3.81 Operational effects on ecological receptors are considered to be potentially significant in the case of the area of the Stover SSSI directly adjacent to the A382, on the basis of the assessment of magnitude of impact and assessment of significant effects. NO_x concentrations and nitrogen deposition currently exceed critical levels and loads. Whilst expected to improve in future years, by 2036 with the link road in place the exceedance is significantly greater than it would be without it. By 2036, exceedances of NO_x limits are limited to within 20 m of the A382 for the do minimum case, and for an additional 3 m with the link road in place; corresponding figures for nitrogen deposition are 100 m and 125 m respectively. Mitigation measures should be considered as necessary to ensure that impacts have been minimised within this zone close to the A382. This can be addressed by condition requiring monitoring to be carried out and submission of a strategy to address the impacts of air pollution.
- 3.82 Overall the proposed link road impact on air quality is considered to have a slight beneficial effect in the opening year, changing to an adverse effect in the forecast year (2036). This is attributable to further development and consequently higher traffic flows being facilitated by the link road, and the development of residences along the route.
- 3.83 More significant adverse effects are predicted at the worst-case new residences, with moderate adverse effects for NO₂ in both assessment years and slight adverse effects for PM₁₀ and PM_{2.5} by 2036. This is not surprising given the presence of a new road with significant traffic flow in close proximity to the locations, compared to more distant, lightly trafficked country lanes. Perry Farm, in close proximity to the northern part of the link, is also predicted to experience slight adverse effects for NO₂ by 2036. In all these cases the predicted concentration is less than 50% of the limit value; although the change in exposure is substantial, it remains low in absolute terms.
- 3.84 The Council's Environmental Health Officer raises no concerns about the submitted assessment. No comment is made about whether the survey information that was conducted for only one month during the winter is sufficient for this assessment. Subject to a condition requiring monitoring and potential mitigation for Stover SSSI it is concluded that in terms of impact on air quality the proposed development would not result in a likely significant effect.
- 3.85 The relevant Policy in the Teignbridge Local Plan 2013-33 is Policy EN6 (Air Quality) which requires submission of sufficient information in an application to assess the impact of development on an AQMA and to assess whether a proposed development could itself result in the declaration of an additional AQMA. It is likely, based on the submitted information that the proposal would not result in a level of emissions that would necessitate the declaration of an AQMA. Therefore the proposal is considered to comply with the requirements of Policy EN6.

Noise and Vibration

- 3.86 Noise and vibration nuisance is addressed in the ES. The study area for noise nuisance used was 1km from existing routes that are being bypassed or improved, and any proposed new routes. Vibration nuisance is only undertaken for properties within 40m of affected roads within the scoping area and of those, the property needs to show a predicted noise level greater than 58dB LA10, 18h.
- 3.87 Whilst the majority of sensitive receptors within the study area are designated as residential dwellings, there are also two designated Public Rights of Way (PROWs) and Seale-Hayne can be considered a community facility.
- 3.88 In carrying out the assessment the study uses the without-scheme model, named Do-Minimum, and the with-scheme model, named Do-Something.
- 3.89 The assessment found during construction at the nearest receptors there is the risk of impacts up to a Moderate impact above the noise threshold limits. The predicted noise levels are higher than the suggested limits, but these are based on unmitigated noise levels. The locations showing breaches of the limits relate to the boundary edge of earthworks that will be needed. These small areas of works can be managed to reduce the impacts on residents. With the inclusion of noise mitigation measures such as quieter equipment, use of noise barriers, restrictions on working times and siting on noisiest equipment away from sensitive locations, there would be enough noise impact mitigation methods to bring the noise impacts to within the acceptable limits. These construction methods can be managed through the CEMP.
- 3.90 For the operational phase of the development the benefits in using a lower noise level road surface material is shown throughout different noise assessment elements between the low noise version and the standard Do-Something version. Due to these large scale benefits and reductions in impacts, the use of a Low-noise surface (with a Road Surface Influence value of - 2.5dB or better) is suggested as a required benefit to this scheme.
- 3.91 During the short-term operation of the road network following the construction works there is predicted to be only 20% of the properties within the calculation area that show an increase in noise level with approximately 5% showing a perceivable increase. This is using the Low Noise Surface version of the scheme.
- 3.92 During the long-term operation of the road network 71.6% of properties are predicted to show an increase in noise impact but only 1.4% of all dwellings in the study area would show a perceivable increase. This is using the Low Noise Surface version of the scheme.
- 3.93 With regard to impact from vibration only 10 properties are highlighted within 40m of the extent of the carriageway works and were then included in the Airborne Vibration Assessment. The assessments show in the Do-Minimum scenario that only 1 dwelling shows an increase in vibration nuisance and this is the lowest assessed tier of impact. The Do-Something scenario shows 3 dwellings showing increases in airborne vibration nuisance. 1 of these increases show levels higher than 10% increase. This worst-case property relates to a new build property on Buttercup Way, the closest property to where the new connection road will tie into Hele Park estate.

- 3.94 There are several properties that are showing increases in both noise impact level and in nuisance levels where they are showing as either Moderate impacts or reasonably high bands of nuisance. These are generally within the centre of the study area closely positioned to the new proposed carriageway. These locations need to be assessed for the possibility of including further Noise mitigation features such as an Acoustic barrier to help reduce these impacts even further and provide more benefits for the residents. The assessment of the location of acoustic barriers needs to be tied in with more detailed proposals for the development around the scheme, as new construction can work beneficially along with the acoustic barrier to further reduce noise impacts overall for the area. It would be a great benefit to the region if the acoustic barrier design tied in with any proposed new development to ensure that both existing properties and any new proposals (close to the proposed barrier locations) all gain the greatest improvement on the noise climate.
- 3.95 In the Teignbridge Local Plan 2013-33 Policies S1 (Sustainable development) and S11 (Pollution) address noise. Policy S1 states that health, safety and environmental effects of noise and other forms of pollution must be considered and be used as a performance criterion for development. Policy S11, looks to reduce, where possible through planning and other legislation, the impacts of noise, air, water, light, land and other forms of pollution. Part of this policy is to take actions to reduce pollution levels in areas of concern and to guide development and infrastructure provision to seek improvements in pollution levels.
- 3.96 In order for the development to comply with the objectives of these policies it is important that construction methods are agreed with the LPA, a low noise road surface is secured and further work is carried out on provision of acoustic barriers. These can all be secured through conditions.
- 3.97 The Council's EHO has recommended conditions requiring submission of a report from a professional sound consultant detailing control measures to be adopted for the control of fugitive noise emissions arising from this application and provision of technical data for any mechanical power generation.
- 3.98 In conclusion, subject to submission of additional information in accordance with conditions outlined above the proposal would not result in a likely significant effect in terms of noise and vibration.

Light impacts

- 3.99 As the proposal is for a new road it will result in the provision of new street lighting along sections of the road. Illumination will be from the A382 near Forches Cross continuing west to Perry Cross, which will include the new employment land. Street lighting will also be incorporated throughout the local hub and community facilities extending west to the A383 junction.
- 3.100 The lighting proposal would ensure that a dark corridor remains in line with the Houghton Valley Park. All existing habitat connectivity across the landscape is retained, either by no proposed lighting or by mitigated dark culvert crossings. This is consistent with the requirements of the South hams SAC and the NA1 DFP.
- 3.101 In order to minimise light pollution all of the proposed street lighting will make use of louvers to reduce light spill onto adjacent areas. All lanterns on the scheme will use control gear which have built in timed dimming of the lights to reduce the lighting

level to 65% output of the normal start up lighting level, between 10pm and 1 hour after dawn throughout the year.

- 3.102 As considered in terms of impact on biodiversity the Council's ecology officer is satisfied that subject to submission of a LEMP and further detail relating to lighting the principle of the lighting scheme would be acceptable and would not have a harmful impact on ecology in the area surrounding the site. When considering the effect on the landscape character of the area it is relevant to consider the extent of the NA1 allocation. The character of the area surrounding the new road will change from rural with interspersed dwellings to an urban extension. In this context the extent of proposed lighting and its impact would be commensurate with the development of this area and would be acceptable in this location.
- 3.103 It is concluded that the light impact of the proposed development would not result in a likely significant impact.
- 3.104 It is considered that the proposed lighting scheme would be consistent with the objectives of Policy S11 (Pollution) in the Teignbridge Local Plan in that the proposal would not result in light pollution.

Transport

- 3.105 A transport assessment (TA) has been submitted in support of the application.
- 3.106 Government Policy in the NPPF (February 2019) promotes provision of sustainable transport which includes pursuing opportunities to promote walking, cycling and public transport. Policy S9 (Sustainable Transport) in the Teignbridge Local Plan 2013-33 is consistent with this objective. Policy S10 (Transport Networks) seeks to protect existing transport networks which includes the locally important road network referring to the A382 and A383.
- 3.107 The scheme will connect the new Houghton Barton development to existing bus services, enhancing access to sustainable modes. The new road will be wide enough for buses to accommodate new or diverted bus routes in the future.
- 3.108 A segregated route for cycles and pedestrians will be provided along the length of the entire road. These will enable a link to the A382 Corridor Improvement Scheme, where a shared pedestrian and cycle path along the A382 from Drumbridges to Jetty Marsh II will be implemented along with a pedestrian and cycle bridge at Forches Cross. This combined provision will result in a notable improvement in cycle and walking provision in the area which will encourage sustainable methods of travel.
- 3.109 In the TA an assessment is carried out on the impact of the proposed development on the existing road network. This is quite comprehensive to ascertain whether there is sufficient capacity on the network to accommodate the development.
- 3.110 It is concluded that the new road will provide a journey time saving for trips to and from the housing and employment in Houghton Barton, as well as existing traffic that currently travels from the A383 through Highweek or Dyrons Roundabout and Churchill's roundabout. The distance for a journey between Forches Cross and the Howton Lane / A383 junction will reduce by approximately 3km with the new road in place compared to the Dyrons/Churchill's roundabout route. The SATURN

modelling indicates that this translates to a journey time saving of around three and a half minutes in the AM and PM peak, in each direction.

- 3.111 The scheme is expected to have a positive impact on safety. The implementation of the new road will reduce the volume of traffic through Highweek and therefore improve safety.
- 3.112 Detailed traffic modelling data is included in the TA. It is concluded that comparing the situation on the network in 2021 without the scheme to 2021 with the scheme, flows on the A382 and A383 see a negligible change as a result of the scheme, whereas flows at Forches Cross increase significantly as development trips can use the new road to access areas in the north and vice versa. Trips at Howton Lane decrease slightly as trips can also enter and exit via Hele Park Roundabout and directly from the A382 in the with scheme scenarios.
- 3.113 The submitted modelling suggests that flows increase on all roads in 2036 in the AM and PM peaks compared to 2021 with the scheme due to an increase in trips from background growth and the Houghton Barton development, increasing by around 800 two way trips per hour on the A382 and 200 trips on the A383 and Howton Lane. The increase is most evident at the Forches Cross junction where the number of two way trips from Houghton Barton Avenue is around 700 trips higher than existing flows from Staplehill Road.
- 3.114 On Ringslade Road, traffic flows in the 2021 with scheme scenario are 40-50% lower than the traffic flow in the 2021 without scheme in the AM peak and, 30-40% lower in the PM peak. The flows in the 2036 with scheme scenario are higher than the 2021 with scheme, however they are of a similar magnitude to the 2016 PM flows.
- 3.115 The TA also includes an assessment of junctions adjacent to and within the scheme. The results show that the junctions will operate within capacity in all scenarios, except the Forches Cross junction in the 2036 pm where the north arm is projected to exceed its theoretical capacity with queuing and delays worsening. The DCC Highways officer has been requested to comment on this point and an update will be provided.
- 3.116 The DCC Highways officer has raised no objection to the proposed development. Conditions are recommended relating to provision of a Construction Management Plan and submission of detailed plans of the road prior to construction commencing. It is noted that part of the proposed road will be constructed by the developers of the Houghton Barton development. It is necessary to ensure that this information is submitted to ensure that the road is delivered to an acceptable standard.
- 3.117 It is concluded that subject to satisfactory further advice from the highways officer, the proposed new road would not result in a likely significant effect as it would improve traffic flows in the area, would provide additional network capacity to cater for the new NA1 (Houghton Barton) development and would encourage walking and cycling along its route. In addition it would be consistent with Policies S9 and S10 in the Teignbridge Local Plan 2013-33.

Climate Change

- 3.118 A chapter has been included in the ES on greenhouse gas emissions. It is recognised that the new link road will result in a change in greenhouse gas (GHG) emissions both during the construction and operation phases. The submission identifies the sources of GHG emissions associated with the proposed construction and operation of the link road and, in line with national and local climate change policy, identifies scope for the mitigation and minimisation of any impacts.
- 3.119 In modelling the likely impact two scenarios were considered the first of these was the “Do Nothing” baseline whereby no road is constructed linking the A382 and A383 and assumes 200 new homes in 2021 rising to 400 homes and 800 jobs in 2036. The second “Do Something” scenario which assumes the construction of the link road together with 200 homes in 2021 rising to the full build out of the proposed Houghton Barton development in 2036 (though the end year of the analysis here is still taken as 2031). Finally, the impact of proposed mitigation or enhancement measures that may improve (reduce) GHG emissions adjustments could be made to the model to quantify these measures in isolation. The final outputs of the modelling were expressed as tonnes of carbon dioxide equivalent (tCO₂e).
- 3.120 The study area was taken to be the boundaries of the new road in terms of the construction phase impacts, and the wider network used in the traffic model in the case of operational emissions from vehicles. At the construction phase, emissions will arise from the use of machinery to construct the road, emissions associated with the transport of, use and disposal of materials, and due to changes in traffic flows, for example due to diversions. During the operational phase emissions will arise due to road use by vehicles, street lighting, traffic lights, road maintenance and any sequestration from planting.
- 3.121 The overall results of the calculation are expressed as tonnes of carbon dioxide equivalent (tCO₂e). The modelling showed the construction phase would be responsible for 6,139 tCO₂e. In the first year of opening (2021) the “Do Something” scenario would result in a reduction in annual operating emissions of 109 tCO₂e compared to the “Do Nothing” approach. At the end of the analysis period, the “Do Something” scenario would result in annual operating emissions being 498 tCO₂e higher than the “Do Nothing” scenario. Cumulatively over the analysis period, the “Do Something” scenario would result in an increase in operating emissions of 2290 tCO₂e compared to the “Do Nothing Scenario”. When added to the construction emissions, building the link road results in a net increase of 6,155 tCO₂e over the period assessed.
- 3.122 When the total net emissions are annualised the report indicates that this corresponds to an average of 512 tCO₂e per annum which is equivalent to an uplift of 0.14% of transport carbon dioxide emissions in the Teignbridge District Council area, 0.03% of transport carbon dioxide emissions in Devon (county administrative area) or 0.01% of total carbon dioxide emissions in Devon.
- 3.123 The most significant sources of emissions occur principally from the transport, use and disposal of materials at the construction phase and from road use by vehicles at the operational phase. The output of the GHG calculations has predicted that 35% of the increase in emissions for the “do something” scenario are due to increased traffic flows occurring the operational phase. The other significant category for GHG emissions also at 35% was from material use. The analysis of

potential mitigation measures showed that 2,259 tCO₂e of emissions could be saved from the transport (to and from site), use and disposal of materials if higher recycled content of materials could be specified. This represented 36.8% of the net increase in emissions. A further 26% of total emissions was due to the delivery, removal and disposal of materials.

- 3.124 An exercise was undertaken to identify design, mitigation and enhancement opportunities to reduce the net increase in GHG emissions over the assessment period arising from the proposed scheme. The most significant measures identified involve specifying that new material (i.e. asphalt, sub-base stone, capping stone and steel in the case of the safety barrier) for use within the scheme should originate from recycled rather than virgin sources, and that a minimum amount of soil should be removed from the site for disposal.
- 3.125 The 2017 Institute of Environmental Management and Assessment (IEMA) guidance states that all GHG emissions are significant and that an Environmental Impact Assessment (EIA) should ensure the project addresses their occurrence by taking mitigating action. In the light of this it is appropriate to impose a condition requiring details of the proportion of materials used in the scheme that are from recycled sources should be submitted to and agreed by the LPA.
- 3.126 Schedule 4 of The Town and Country Planning (EIA) Regulations 2017 requires at 5(f) a description of the likely significant effects on the environment resulting from the impact of the project on **climate**. It is agreed that greenhouse gas emissions are an important issue that need to be considered, and as above this has been included in the ES. It would have been preferable that this topic had been addressed on a wider basis and included an assessment of issues such as the vulnerability of the project to climate change, particularly how climate change will potentially manifest itself in the future and also the effectiveness and feasibility of adaption measures integrated into the scheme to increase the resilience of the scheme to climate change impacts. In addition a further consideration is the in-combination climate change impact which would evaluate the combined effect of the scheme and potential climate change impacts on the receiving environment during the construction and operation of the scheme.
- 3.127 In light of the situation that the LPA did not issue a screening or scoping decision for the proposed development when requested to do so, it is appropriate for the decision maker to consider whether there is sufficient information submitted to assess the likely significant effect on the environment from the impact of the project on climate.
- 3.128 In terms of the wider climate issues described above it is predicted that climate change will increase the frequency and severity of some types of extreme weather events in the UK. Generally it is likely that warmer drier summers will occur along with warmer wetter winters. It is considered that an increase in temperature would present little risk to the proposed road unless the amount of increase was extreme. Increased rates of precipitation would impact the potential for flooding, which would in turn potentially effect ecosystems, soils and biodiversity. As identified above, the site is within flood zone 1 which is has the lowest level of flood risk. Provision to address climate change has been made in the design of drainage for the road. On this basis it is concluded that the level of information contained in the ES allows an assessment to be made on the likely significant effect of the development on

climate and to conclude that there would be no likely significant effect, subject to the receipt of positive consultation responses from the EA and the LLFA.

- 3.129 The relevant Policy in the Teignbridge Local Plan 2013-33 for consideration of carbon emissions is S7 (Carbon Emission Targets) which states that the Council will work proactively to seek to achieve reductions in carbon emissions per person of about 42% from 2009 levels by 2030. The proposed road will contribute to this objective through provision for bus movement, cycle and walking paths. In addition there will be further opportunity through encouragement of the use of recycled materials in the construction process. Therefore the proposal would accord with this Policy.

Reasonable Alternatives

- 3.130 Four different route options were assessed in relation to potential effects upon landscape character and views (under the headings of topography, landform, landscape pattern, vegetation cover, severance and visual containment/prominence) and where relevant other factors (such as Ecology). One of these options (option 2) was selected as the final route. It was selected based on minimising landscape impact, ecological impact, earthworks and not requiring removal of properties.

Cumulative effects

- 3.131 In the ES it is recognized that there is potential for cumulative effects to result from the construction and operation of the development. Two types of cumulative effects are identified;

- a) Cumulative effects arising from other development projects
- b) Cumulative effects on a single resource or receptor.

- 3.132 There are several proposals for new development likely to result in future changes to the area. A number of proposals for new development between the A38, the A382 and A383 towards Newton Abbot are likely to result in future changes to the landscape and visual amenities in the area. These proposed developments in the area are likely to change the existing environmental baseline in the absence of the proposed A382-A383 connection, particularly the existing local landscape and visual setting.

- 3.133 The relevant planning applications are;

- The **A382 Corridor Improvement Scheme** approved planning application
- **Development Site Former Hele Park Golf Centre**, Ashburton Road, Newton Abbot, 650 dwellings- Approved- Under construction
- **Land At Ngr 283353 72691**, Howton Road, Newton Abbot, Devon- 20 Dwellings - Devon- Approved planning application
- **Western House**, 10 Howton Road, Newton Abbot, Devon, 32 dwellings allowed at appeal
- **Seale Hayne** – Staff and student accommodation- Outline consent
- **Seale Hayne** – **Staff and student accommodation**

- **Ilford Park-** Planning application 14/02580/MAJ: an outline consent for an employment-led mixed use development and caravan park at Ilford Park near the A382/A38 junction
- Land At NGR 285451 72391 Whitehill, Exeter Road 203 dwellings

- 3.134 The potential for significant temporary cumulative biodiversity effects exists with nearby developments due to the combined loss of habitat across the area should the construction of local plan allocations and other planning permissions overlap with that of the proposed development. However, these would be temporary and not significant as each development would be individually assessed and required to secure mitigation in order to offset the impact of development.
- 3.135 There would also be potential short-term cumulative landscape and visual effects during construction of the proposed scheme subject to the timing of construction works with other local plan allocations. These are not considered as significant due to their magnitude and short-lived nature.
- 3.136 It is noted that housing, community building, local amenity and local businesses close to the proposed scheme are likely to experience disturbance from a number of aspects during the construction phase. There would be some nuisance from dust, noise, vibration, construction traffic and adverse visual impacts. Some visual impacts are mitigated through advance planting as part of the design. Strict mitigation will be put in place and will be detailed in the Construction Environmental Management Plan (CEMP).
- 3.137 Disturbance from construction traffic and noise would potentially extend to communities and travellers along connecting transport routes. This increased traffic disturbance can result in indirect cumulative effects, such as drivers choosing to travel on surrounding roads. This can affect traffic flows on roads not directly affected by the construction works and can result in reduced air quality, increased noise and reduced amenity. The impacts will be mitigated through traffic management during the construction phase.
- 3.138 During operation, the scheme would provide a different context to these effects as more residential and commercial developments in the area will be established. The proposed development would improve traffic flows and reduce congestions at peak hours hence improving journey times, local amenity including access to community facilities.
- 3.139 In summary, although there are potential adverse cumulative environmental effects during the construction phase of the proposed development. These are not considered as significant due to their magnitude and short-lived nature. Due to the incorporated mitigation, there are not considered to be any significant cumulative environmental effects during the operational phase of the development.

Socio-economics and Health

- 3.140 No specific chapter has been included in the ES relating to socio- economics and health. Para. 4(2)(a) of the The Town and Country Planning (EIA) Regulations 2017 requires the ES to assess the effects of the proposal on *population and human health*. Relevant information has been provided in the chapters relating to Air Quality and Noise, Vibration, and Cumulative Effects which are considered above.

3.141 It is noted that health determinants may be affected by the scheme during the construction phase such as access to work and training, access to community services and facilities, and access to open space. During the operational phase the proposed development would impact the local population in terms of numbers of population anticipated due to it unlocking delivery of the NA1 (Houghton Barton) allocation.

Resources and Waste

- 3.142 In the ES it is advised that material requirements and waste generated by the project is not fully known at this stage. Material sources also cannot be definitively identified, although local sources will be encouraged where suitable and available. Therefore at this stage it is only a high-level assessment of the impacts is possible.
- 3.143 For material resources that originate on site, the environmental effects are associated with production, processing and disposal of the materials. Use of locally sourced (South West) primary aggregates has been assumed but opportunities remain for the use of recycled aggregates. This includes processing of excavated materials for incorporation into the permanent works. Materials imported to site will be sourced from the nearest available location where suitable and available, thus keeping heavy goods vehicle journey distances to a minimum.
- 3.144 In terms of waste mitigation during construction it will be managed through the implementation of a Site Waste Management Plan (SWMP). There are 15 inert waste recycling facilities across Devon which process construction, demolition and excavation waste, some are co-located at inert landfill sites.
- 3.145 At this stage, preliminary calculations indicate that the design requires the disposal of surplus excavated materials. The re-use of and processing of excavated earthworks materials will be employed wherever possible to minimise the amount of surplus materials and import of primary aggregate materials.
- 3.146 Material use may deplete natural resources if they are not re-used or sourced from recycled products. The environmental effects of the scheme will be generated by both the construction phase and the operational life of the road after its completion.
- 3.147 In the ES it is concluded that the overall assessment of the impacts on materials resources is **slight adverse**, due to the requirement for primary sources of materials for the construction, although the specification will allow and encourage the use of recycled content whenever available and suitable.
- 3.148 The overall assessment of the impacts on waste arisings is **slight adverse**, due to the surplus of excavated material that may need to be disposed of to landfill, if it cannot be recycled. The surplus of excavated material is a result of considerable work to minimise impact to the landscape, and therefore it may not be possible to reduce significantly. However, proposed landscaping (hedgebanks etc) have not been included in the quantities at this stage, and these features will provide further opportunities to recycle material within the scheme. In addition the regulatory and policy framework will encourage the contractor to explore other means of disposal, by diverting surplus material to other construction projects.

Other issues

- 3.149 **Dust** – The Council’s Environmental Health Officer has recommended conditions relating to measures for the mitigation of dust and fine particulates from migrating beyond the boundary of the proposed development onto nearby sensitive receptors and control measures for dust mitigation.
- 3.150 **Minerals** – DCC has advised that for much of the application site, the proposed road follows the alignment of existing highways and/or will not sterilise any underlying mineral resource. The only potential conflict with the ball clay resource lies with the length of new road between the new A382 roundabout and the point where it joins the existing alignment of Staplehill Road, with this stretch being underlain by ball clay. While it would be possible to realign this stretch so that runs closer to the A382 to reach Staplehill Road, it is recognised that this would result in a rather convoluted alignment.
- 3.151 Given the strategic importance of delivering the proposed link road and enabling development of land allocated in the Teignbridge Local Plan, it is considered that the proposal is an acceptable route that minimises as far as feasible the degree of sterilisation of the ball clay resource, and is consistent with Policy M2 of the Minerals Plan.
- 3.152 **Impact on Playing Fields-** The proposed A382-A383 connection, will affect the playing field east of Howton Lane and will affect the current layout of the football pitch. The current pitch can be moved south from its current location. It is likely that the actual playing field can remain in its current location and in use once the road is built until the residential development which is part of the NA1 allocation is approved and an alternative playing field site will then be identified and constructed. However, the pitch may not be usable, during the construction period of the A382-A383 connection.
- 3.153 Sport England are a statutory consultee where a development prejudices the use or leads to the loss of playing fields. Sport England has advised that they have no objection to the application because it would not reduce the sporting capacity of the playing field to accommodate playing fields.
- 3.154 **Agriculture and Soils** -There would be a loss of approx. 5.54 ha of linear strips of agricultural grasslands and arable fields. In addition the proposal would alter a number of field boundaries, reducing the size of fields that it crosses. The agricultural land classification is grade 3 (good to moderate quality agricultural land). Best and most versatile (BMV) land is graded 1 to 3a. In this case given the relatively small area of agricultural land that would be lost there would be no adverse impact on agriculture in the area as a result of the proposal.
- 3.155 **Vulnerability of the development to risks of major accidents and/or disasters** – Part 1 Para 4(4) in the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 states;
- 3.156 *The significant effects to be identified, described and assessed under paragraph (2) include the expected significant effects arising from the vulnerability of the proposed development to major accidents or disasters that are relevant to that development.*
- 3.157 And in in the same legislation Schedule 4 -Information for inclusion in Environmental Statements para. 8 states;

- 3.158 *A description of the expected significant adverse effects of the development on the environment deriving from the vulnerability of the development to risks of major accidents and/or disasters which are relevant to the project concerned.*
- 3.159 This topic has not been addressed in the ES, and is an omission contrary to the regulations. It is expected that the ES would identify 'major' events that are relevant to and that could affect the scheme, including both man-made and naturally occurring events. Where major events are identified, the ES should describe the potential for any change in the assessed significance of the scheme on relevant environmental topics.
- 3.160 A major accident or disaster is defined within the Control of Major Accident Hazards (COMAH) Regulations 2015 (Ref23.1) as
- 3.161 "An occurrence such as a major emission, fire or explosion resulting from uncontrolled development in the course of operation of any establishmentand leading to serious danger to human health or the environment (whether immediate or delayed) inside or outside the establishment and involving one or more dangerous substance"
- 3.162 Officer's advice on this point will be provided in the update sheet which will be circulated to Members prior to the meeting.
- 3.163 **Competency of ES** - Part 5 Para 18(5) in the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 requires (a) the developer to ensure that the ES is prepared by competent experts and (b) that the ES must be accompanied by a statement from the developer outlining the relevant expertise or qualifications of such experts.
- 3.164 A statement of competency has been submitted. Although not defined by the EIA directive it is expected that the EIA leads should be chartered in their area of expertise.

Conclusion

- 3.165 The proposal for a new road link between the A382 and A383 accords with the NA1 (Houghton Barton) allocation in the Teignbridge Local Plan 2013-33. It would unlock this element of the Council's strategy for delivering sustainable growth which includes delivery of economic growth and new housing to provide positive benefits to local communities through improving their self-sufficiency and resilience.
- 3.166 Development of the proposed new road would provide an improved route to the existing road network for users that want to travel in an east/west direction, which would speed up vehicle journey times. The provision of a cycle path/footpath will deliver sustainable travel options.
- 3.167 The site is sensitive in both landscape and ecological terms. Considerable detailed information has been submitted in support of the application to confirm that the proposed development would not result in a likely significant effect on the environment. The Council's biodiversity and landscape officers are satisfied with the level of submitted information, subject to securing further details on matters such as mitigation and monitoring by condition, and a financial contribution towards

provision of an off site bat barn. Natural England have confirmed that they agree with this position.

- 3.168 Further detailed information and plans have been submitted in respect of flood risk and drainage. Consultation responses from both the EA and the LLFA are awaited before there is certainty on the likely significant effect of flood risk and drainage. It is expected that this information will be available by the Planning committee meeting.
- 3.169 Officers are satisfied that the proposed development will not result in unacceptable levels of air pollution, noise or vibration, subject to the submission of additional information which can be addressed by condition.
- 3.170 The transport impact of the development has been shown to be acceptable with the exception of one junction that would be over capacity at the end of the assessment period. Further comment on this from the highway officer has been requested.
- 3.171 The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 are prescriptive about the process of environmental impact assessment, including the content of Environmental Statements. In this case the topic of vulnerability of the development to risks of major accidents and/or disasters has been omitted from the statement. Advice on the implication of this omission will be provided in the update sheet.
- 3.172 Subject to the satisfactory resolution of the following issues; drainage and flood risk, transport, and statement content the proposal is considered to constitute an acceptable form of development that accords with the Policies in the Teignbridge Local Plan 2013-33 and is recommended for conditional approval subject to a S106 agreement or Unilateral Undertaking.

4. POLICY DOCUMENTS

Teignbridge Local Plan 2013-2033

STRATEGY POLICIES

S1A Presumption in favour of Sustainable Development

S1 Sustainable Development Criteria

S2 Quality Development

S3 Land for Business, General Industry and Storage and Distribution

S4 Land for New Homes

S5 Infrastructure

S6 Resilience

S7 Carbon Emission Targets

S9 Sustainable Transport

S10 Transport Networks

S11 Pollution

STRATEGY PLACES

S14 Newton Abbot

WELLBEING - HOUSING

WE1 Housing Plan, Monitor and Manage

WELLBEING - INFRASTRUCTURE

WE11 Green Infrastructure

QUALITY ENVIRONMENT

EN2A Landscape Protection and Enhancement

EN3 Carbon Reduction Plans

EN4 Flood Risk

EN5 Heritage Assets

EN6 Air Quality

EN7 Contaminated Land

EN8 Biodiversity Protection and Enhancement

EN9 Important Habitats and Features

EN10 European Wildlife Sites

EN11 Legally Protected and Priority Species

EN12 Woodlands, Trees and Hedgerows

HEART OF TEIGNBRIDGE

HT1 Heart of Teignbridge – Movement

HT3 Heart of Teignbridge – Green Infrastructure

NEWTON ABBOT

NA1 Houghton Barton

Devon Waste Plan

Devon Minerals Plan

Newton Abbot Neighbourhood Plan

NANDP2 Quality of Design

NANDP3 Natural Environment and Biodiversity

NANDP4 Provision of Cycle /Walkways

NANDP11 Protection of Designated and non-designated Heritage Assets

5. CONSULTEES – Full responses are available on the application file

Environment Agency

- 5.1 Object to the application on grounds that insufficient information has been submitted to demonstrate that the proposed highway link will not increase flood risk to third parties. We recommend that the application is not determined until further information has been submitted in respect of the sizing of the culverts, exceedance routes and the potential impact on the Holbeam dam flood storage area.
- 5.2 In their second response it is advised that the application should not be determined until further information has been submitted to demonstrate that the proposed development will not exacerbate existing flood risk problems associated with the capacity of the Holbeam Dam. In addition it is intended to designate a River Lemon Critical Drainage Area (CDA) to help restrict runoff into the Holbeam Dam, and would expect the part of the road within the CDA to meet these drainage standards.

DCC Highways

- 5.3 The route of this road has been designed by the Highway Authority's Engineering Design Group taking into account land form and topography and to ensure the minimal impact on the local area. The detailed design of street lighting and highway signage should be covered by conditions.

DCC Minerals

- 5.4 For much of the application site, the proposed road follows the alignment of existing highways and/or will not sterilise any underlying mineral resource. The only potential conflict with the ball clay resource lies with the length of new road between the new A382 roundabout and the point where it joins the existing alignment of Staplehill Road, with this stretch being underlain by ball clay. While it would be possible to realign this stretch so that runs closer to the A382 to reach Staplehill Road, it is recognised that this would result in a rather convoluted alignment.

- 5.5 Given the strategic importance of delivering the proposed link road and enabling development of land allocated in the Teignbridge Local Plan, it is considered that the proposal is an acceptable route that minimises as far as feasible the degree of sterilisation of the ball clay resource, and is consistent with Policy M2. Devon County Council therefore has no objection in its role as mineral planning authority.

DCC Archaeology

- 5.6 The submitted archaeological Written Scheme of Investigation (SLR, August 2017/Revised 2019) is, in my opinion, an acceptable programme of mitigation for the direct impacts of the scheme on known and potential archaeological assets. Consent for the development should be conditional on the implementation of this WSI.
- 5.7 In addition, the Construction Management Plan for the development should include robust measures to identify and protect the prehistoric settlement site at Forches Cross from damage by construction vehicles or storage of construction materials. Such protection could include fencing and signage.

TDC Arboricultural Officer

- 5.8 While a number of mature trees will be lost and/or impacted by the development there are proposals to undertake tree planting.
- 5.9 Recommends a number of amendments to the landscape plans to ensure the successful establishment of newly planted trees.

TDC Biodiversity Officer

- 5.10 Habitat Regulation Assessment and Appropriate Assessment completed that concludes that Adverse Effects on the Integrity of the South Hams SAC can be ruled out strictly subject to mitigation measures being put in place and finalised details being submitted in accordance with 11 conditions.

TDC Landscape Officer

- 5.11 No landscape objection.
- 5.12 The proposed new road will have an adverse effect of the character and visual amenity of the landscape, however:

- it is seen as an essential component in delivering the 2013 Teignbridge Local Plan and, in particular, the NA1 allocation; and
- the proposed design approach has helped to minimise harm.

5.13 I believe that the scale and alignment of the road will sit acceptably well in the landscape context and that the proposed mitigation will go a long way to minimise landscape harm.

5.14 I agree with the findings of the landscape chapter of the ES which conclude that:

- In terms of impact on landscape character, the proposed new road will have a slight to moderate adverse effect on the landscape, however in the long term, the changes will be largely obscured by the NA1 Houghton Barton development site allocation.
- In terms of impact on visual amenity, there will be only minor adverse impacts on the wider landscape, but for the more immediate landscape, in the short term there will be moderate to significant adverse effect on visual amenity, however in the long term, the scheme will become consumed in to the NA1 Houghton Barton development site allocation or concealed by screen planting.
- The scheme will not give rise to any significant cumulative landscape or visual effects.

5.15 There is, however, scope for further improvement to the detailed design of the road. These could be achieved by adopting conditions.

TDC Environmental Control

5.16 requests further information in respect of;

- Sound control measures for the control of fugitive noise emissions arising from this application
- Technical data for any mechanical power generation to be provided
- Measures to be adopted for the mitigation of fugitive dust and fined particulates from migrating beyond the boundary of the proposed development onto nearby sensitive receptors
- Control measures for dust mitigation.

TDC Environment (Air Quality)

5.17 recommends approval

Planning Casework Unit

5.18 no comments to make on the Environmental Statement.

Natural England

5.19 Your authority will be required to carry out a Habitats Regulations Assessment (HRA). Based on the information provided NE advises that further information is required to inform your HRA. The following information is required;

- Comprehensive, up to date survey data
- Further analysis of collision and severance impacts
- A comprehensive lighting assessment

5.20 Without this information, NE may need to object to the proposal. Please re-consult NE once this information has been obtained. NE consider that without appropriate mitigation the application would;

- Damage or destroy the interest features for which River Lemon Valley Woods Site of Special Scientific Interest has been notified.

5.21 Further consultation response – no objection subject to appropriate mitigation being secured.

Health and Safety Executive

5.22 Does not advice, on safety grounds, against the granting of planning permission in this case.

Sport England

5.23 Having assessed the application, Sport England is satisfied that the proposed development meets exception 3 of our playing fields policy, in that:

5.24 'The proposed development affects only land incapable of forming part of a playing pitch and does not:

- reduce the sporting capacity of the playing field to accommodate playing pitches or the capability to rotate or reposition playing pitches to maintain their quality;

5.25 This being the case, Sport England does not wish to raise an objection to this application.

DCC Lead Local Flood Authority

5.26 Consultation response awaited

TDC Conservation Officer

5.27 I am familiar with the application site and was involved in the development framework plan for the NA1 local plan allocation.

5.28 The proposed new road will have an impact on the setting of a number of listed buildings. There will be an impact on the rural and agricultural setting of the Grade II listed Houghton and Howton Barn. There will be an impact on the wider setting of Seale-Hayne former agricultural college and its curtilage listed buildings, although these buildings will be better screened from the impact of the new road that Houghton and Howton Barn. The level of harm to the significance of the listed buildings is, in my assessment, less than substantial harm.

5.29 The proposed junction with the existing A382 will emerge just to the south of the Registered Park and Garden of Stover Park. There will be a harmful impact on the setting of the Registered Park at the new junction. Much of the impact is likely to arise from elements such as the introduction of new street lighting and street furniture / lining. There is the potential therefore to minimise (although not to avoid) the harm by careful consideration of the detailed design of these elements.

5.30 I draw your attention to paragraph 193 of the NPPF, which states that, “When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. This is irrespective of whether any potential harm amounts to substantial harm, total

loss, or less than substantial harm to its significance. “ and also to paragraph 196 of the NPPF, which states that, “where a development proposal will head to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal”

- 5.31 I also draw your attention to Section 66 of the Planning (Listed Buildings and Conservation Areas Act 1990, which emphasises that special regard must be given to the desirability of preserving a listed building and its setting.
- 5.32 As case officer it is your role to weigh up whether the public benefits that will arise from the construction of the proposed road are sufficient to outweigh the harms identified to designated heritage assets.
- 5.33 It is also necessary for you to consider whether the harm arising is at its lowest possible level to achieve the public benefit.
- 5.34 I am aware from pre-application discussion that DCC have spent a considerable time on detailed highway design in order to avoid or mitigate harm to the character of the area. This includes the use of appropriate edge features including hedgebanks, areas of woodland, avoidance of street lighting through rural areas, and consideration of how the existing historic lane network can be retained for walkers and cyclists. You must use your professional judgement to determine whether these measures are sufficient to minimise the impact on designated heritage assets and on the historic environment.

6. REPRESENTATIONS – Full text of representations are available on the application file

4 contributions in support have been received

- Long time overdue and comes highly recommended
- Essential so roads through Highweek can return to acceptable traffic levels without road safety concerns, noise and pollution associated with new development in Highweek area.
- TDC should approve the scheme quickly and construction should start as soon as possible
- Impact of new development is not acceptable to Highweek residents. New road infrastructure should be put in ahead of new development as a very high priority
- Great shame not completed prior to new development that has taken place.
- Welcomed as currently Perry Lane used as a rat run

9 objections have been received

- Concern regarding safety of young children living in Buttercup Way due to ‘rat running’ and increase of traffic speeds
- Increase in air and noise pollution
- Previously informed road would be by Western House, new route causes problems for residents at 12 to 20 Howton Road
- Loss of wildlife
- Access to 12 to 20 Howton Road should be from Howton Lane end

- Howton Road should be blocked below small private lane part way down Howton Road on the left of Mead Farm so residents can still exit towards Howton Lane and Perry Lane.
- Proposal greatly reduces accessibility for Howton Road residents
- Howton Road should be blocked so can still exit towards Howton Lane and Perry Lane.
- Strongly object to lack of junction for Howton Road to link road (as has been done for other local lanes - Perry Lane, Howton Lane and Staplehill Road) together with blocking of Howton Road between 12-20 Howton Road and Western House would solve this issue.
- Difference in interpretation of NA1 Development Framework Plan - 4.22 Essential Requirements, Illustrative Masterplan, 5.2 Essential Requirements
- If road blocked to the west of '12-20 Howton Road' then volumes of traffic would increase through Highweek Village
- Problems with towing vehicles and emergency vehicle accessing 12-20 Howton Road.
- Object to negative impact on quality of life and reduction of amenity
- Link Road far too close to Perry Farm. Noise, vibration, light pollution and invasion of resident's privacy. Cause severe harm to livestock and wildlife.
- Proposals for mitigation too vague and insufficient to enable residents to determine whether will be undertaken in area adjoining property. Mitigation should be definite condition of approval.
- No need for expensive link road instead A383/A38 junction at Bickington should be modified to include northbound on-slip to A38 towards Heathfield / Exeter and an offslip coming from Exeter direction.
- Impact on bats – brightly lit road carrying a significant amount of traffic will flow right through bat flyway

Five contributions containing comments

- Where link road joins Forches Cross already very busy, often gridlocked especially with new housing by Stover Garage.
- Not sure on efficacy of spending on such large project. Spend money on 1) better signage on M5/A38 at Telegraph hill so traffic completely avoids Newton Abbot 2) dual carriageway from Stover garage to A38
- Cottages on Howton Road have been here since 18th century, seems unfair that inconvenienced. Previous discussions with officers indicated permanent closing of Howton Road would be positioned to enable five properties to exit and join new link road. Breach of human rights. Devaluation of property owing to reduced access. Difficult for large HGV and emergency services to access properties on Howton Road from Highweek direction.
- Prior to any closure being established on Howton Road local residents will be consulted. This has not happened.
- Junction should be provided for Howton Road residents and closure to Howton Road should be to east of drive for 12 Howton Road
- Documents lack detail.
- No public advertising along route
- Plans on website difficult to view
- How will water supply and access to Mainbow Farm be maintained?

- Misunderstanding / misinterpretation of NA1 SPD has occurred regarding Perry Lane has resulted in proposal which alters the effect the road will have on Mainbow Farm and access to it. Seems to be difference in interpretation about quiet lane classification that has been given to Perry Lane in the Masterplan. Through access being restricted by Perry Lane becoming a cul de sac.
- Residents of The Bungalow, Rose Barn, Churntor and Mainbow Farm should have continued access to A382
- Final road layout should be safe for all existing residents

Bloor Homes

- Bloor Homes control and will deliver majority of NA1 Houghton Barton allocation alongside delivery partner, Redrow Homes. Been working constructively with DCC and TDC over last 3 years and support principle of link road in this location. Bloor Homes will be responsible for delivering link road between A383 in south adjacent Howton Road in the north. Bloor and Redrow will redesign and realign parts of the proposed link road to best serve form of residential –led development proposed. Therefore, all parties are positively engaging again to ensure the design proposed with the current application does not fetter on inhibit Bloor and Redrow proposals which will be determined as part of future application. Given ongoing discussions, Bloor and Redrow reserve right to provide detailed comments on this application until such time as certainty is reached in these discussions.

7. TOWN / PARISH COUNCIL'S COMMENTS

Newton Abbot Town Council – no objection

8. COMMUNITY INFRASTRUCTURE LEVY

The CIL liability for this development is Nil as the CIL rate for this type of development is Nil and therefore no CIL is payable.

9. ENVIRONMENTAL IMPACT ASSESSMENT

The proposed development constitutes EIA development. Under Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulation 2017 it falls under part 10 Infrastructure Projects (f) construction of roads. The applicable threshold for development is works exceeding 1 hectare.

No screening assessment or scoping reports have been issued by the Council prior to the submission of the application.

In determining this planning application, the Local Planning Authority has taken into consideration the Environmental Statement submitted with the planning application and also all of the consultation responses and representations received.

This report and any supplementary information sets out our consideration of and conclusions in relation to the likely significant environmental effects of the proposal.

10. HUMAN RIGHTS ACT

The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

Business Manager – Strategic Place