

Planning Committee – Tuesday 7 July 2020

Late representations/updates

Item No.	Description
1	<p>19/01532/FUL - Brian Harris Ltd, Pottery Road, Bovey Tracey, TQ13 9DS - Change of Use from commercial vehicle repairers to Use Classes B1, B2 & B8 with ancillary Sui Generis use for electric moped/motorcycle test facilities with wholesale distribution</p> <p>Two additional objections have been received raising no new issues</p>
2	<p>20/00434/FUL – Trago Mills, Liverton, TQ12 6JD – Construction of a new secondary access to rear of site</p> <p>Five further objections have been submitted raising no new issues.</p> <p>Following a councillor question, we wanted to let all Members know there have been two previous applications submitted at this / very similar sites for a similar description of development. These were given references 16/00731/FUL and 15/02761/MAJ.</p> <p>Neither of these applications was ever made valid as all necessary information was not received therefore the applications were returned to the applicant. They would not therefore form part of any relevant planning history.</p> <p>Given that the applications were invalid and did not make their way to the public domain no consultations were undertaken and no comments received. Furthermore no planning officer has reviewed or formed an opinion/recommendation on those incomplete applications.</p> <p>For the avoidance of doubt, Members should note that information regarding these applications has been provided for completeness only and the documents were not reviewed and have not formed part of the consideration of the current application or contributed to the formation of the officer recommendation which has been determined on its own merits at the current time.</p>
3	<p>16/02693/MAJ – Land at Berry Knowles, Bovey Road, Newton Abbot - Outline application for residential development (up to 135 dwellings), access from Old Exeter Road, public open space, landscaping and associated works and infrastructure (approval sought for access)</p> <p><u>Correction to paragraph 3.1 of the report.</u></p> <p>The report states the speed limit of Bovey Tracey Road and Exeter Road to be 40MPH which was taken from the DCC maps issued to TDC. However, the correct speed limit is 60MPH on both roads.</p>

Correction to the Traffic Assessment

The TA states at 3.1.4 that the access is 33m north of Sandford Orleigh Farm. This is an error – it should have said 33m south.

DCC has confirmed 03.07.2020 that the submitted site access drawing and the emergency vehicular drawings are acceptable as approved documents, should Members support the application.

Status of the temporary pedestrian/cycle link

The interim pedestrian/cycle link to be provided is a private road known as Milstead Way, which forms a pedestrian and cycle link between the Exeter Road and West Golds Way. It is not currently intended to be lit, as this is a temporary route and will be replaced as soon as the Jetty Marsh link is constructed with full pedestrian and cycle facilities. Lighting could have ecology implications and “undo” the significant ecology net gains being proposed as part of the wider development. It will be a permissive right of way and as with all such networks, users will exercise due care and responsibility.

How frequently will the emergency access be used

It is anticipated that the emergency access will very rarely if ever be required. The application delivers additional on-site flood storage capacity and provides emergency access for 1:50 year events. It is just shy of meeting relevant requirements for 1:100 year events. In reality it is only 6 m of road that would be 40 cm or 16 inches deep in the 1:100 year event and many people would simply drive through it without any problems. This gives adequate resilience.

Green space/POS delivery (management framework, cost structure, service charges, long term quality etc).

A suitable management regime is proposed and can be secured by a condition or a s106 clause, but the essential feature is that the land is managed in accordance with agreed principles and that there is provision for review of the management regime. In either case, TDC as the LPA will be the authority responsible for approving the management regime.

Provisions for the production of local food

Policy S6 requires as follows: d) production of local food, renewable energy and local building materials should be maximised.

The application proposals do not include on-site provision for allotments. The Local Plan does not include a standard or specific requirement for allotment provision in the adopted LP, however, Policy

S6 is a material consideration which includes that opportunities for food production should be maximised.

Officer recommendation is when landscape details come forward at Reserved Matter stage, these should include provisions for the production of local food which may be through planting of fruit bearing trees, the provision of allotments or a combination of both. These details can be incorporated into a suitably worded condition.

Planning condition to cover vehicle charging points.

It is recommended that an additional condition is imposed to secure appropriate provision of electric vehicle charging points.

Carbon emissions and Carbon Reduction Plan

Section 5.77 to 5.82 of the report refers to the TDC Climate Change Officers consultation response. This was not included in the consultation responses at Section x of the report.

The initial consultation response 15 May 2020 is set out below in summary:

There have been some developments regarding TDC's policies and how they are implemented. As you may be familiar, Policy S7 states a commitment to reducing emission by 48% relative to 2009 levels on a per person basis. The old Carbon calculator was developed as a tool to quantify emissions and as a means for assessing and comparing development sites.

Due to a number of drawbacks, the existing Carbon Calculator hasn't delivered on this reduction in emissions. As such, a new Carbon Calculator has been developed by the University of Exeter. It is yet to go through the Council's approval process, so until that happens, my advice remains informal. Nonetheless, I think we can still make meaningful progress with developers in the meantime.

The new carbon calculator is based on achieving a carbon emissions reduction of 48% relative to 2006 building regulations. This translates into a 26% reduction relative to the current set of building regulations (2013 with 2016 amendments). The carbon calculator no-longer includes any transport elements, neither does it suggest any carbon offset payments.

The Carbon calculator statement provided for the Berry Knowles site indicates that each building will achieve an indicative Target Emissions Rate (TER) of 18.8 kgCO₂/m². In order for the Berry Knowles site to comply with this interpretation of the Policy S7, the developer will need to demonstrate that the Dwelling Emission rate (DER) is 26% less than TER.

We want developers to have maximum flexibility over how they achieve this betterment over part L regulations. Developers can use a range of low-carbon technologies and fabric energy efficiency measures. Also, dwellings with low emissions rates can be used to offset dwellings of high emissions rates within the same phase of development.

The TDC Climate Change Officer has reviewed section 5.77 to 5.82 in the report today and confirmed that this approach meets with their advice. They have recommended, however, that when a condition is drafted the baseline position should be the most up-to-date Building Regulation Levels at that time, as these will also be the standards the applicants detailed scheme will need to meet. This wording can be incorporated into a condition.

The recommendation is therefore updated to include:

- A condition requiring local food to be incorporated into landscape proposals at the reserved matters stage; and,
- An additional item relating to the inclusion of electric vehicle charging points.