

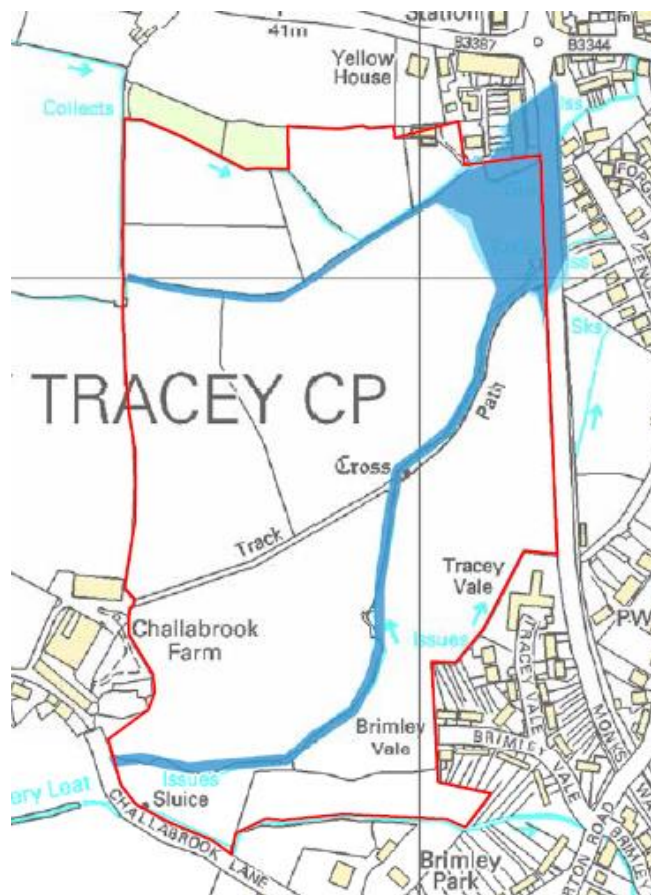
# PLANNING COMMITTEE REPORT

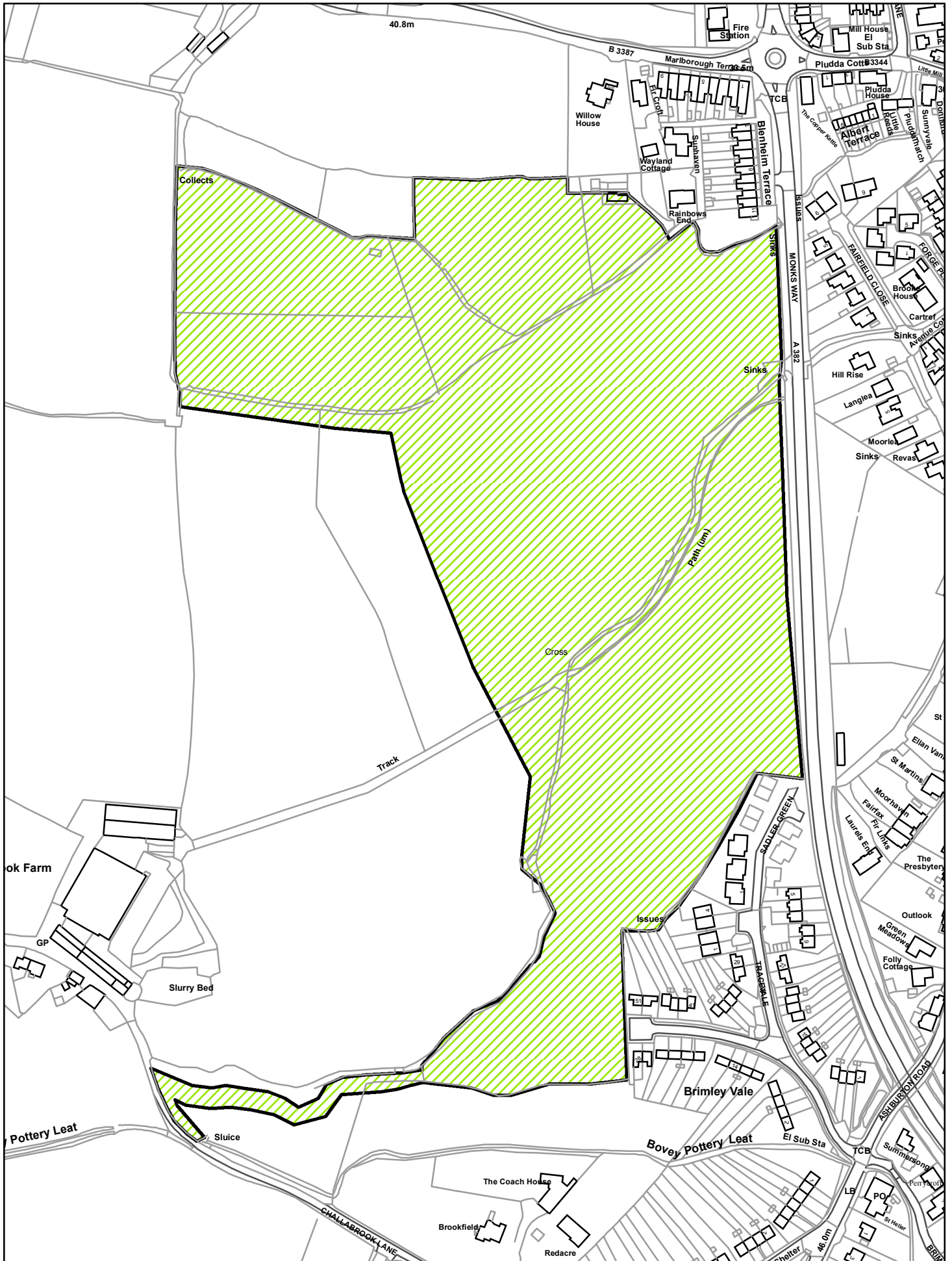
## 31 JULY 2018

CHAIRMAN: Cllr Dennis Smith



<b>APPLICATION FOR CONSIDERATION:</b>	<b>BOVEY TRACEY - 17/01821/MAJ - Land At NGR 280887 78068, to west of Monks Way - Detailed application for initial phase of residential development of 156 dwellings including access, associated infrastructure and landscaping; outline application for 12 self-build housing plots and employment use site (B1/B2/B8)</b>	
<b>APPLICANT:</b>	<b>Rule 5 Land Ltd</b>	
<b>CASE OFFICER</b>	<b>Donna Crabtree</b>	
<b>WARD MEMBERS:</b>	<b>Councillor Gribble Councillor Kerswell Councillor Morgan</b>	<b>Bovey Tracey</b>
<b>VIEW PLANNING FILE:</b>	<a href="https://www.teignbridge.gov.uk/planning/forms/planning-application-details/?Type=Application&amp;Refval=17/01821/MAJ">https://www.teignbridge.gov.uk/planning/forms/planning-application-details/?Type=Application&amp;Refval=17/01821/MAJ</a>	





## 1. REASON FOR REPORT

The application is a Major application and has been called in to the Planning Committee in accordance with the Council's Scheme of Delegation at the request of Councillor Kerswell for the following reasons:

- Highway safety (infrastructure being inadequate)
- Housing types not satisfying local needs
- Drainage concerns

## 2. RECOMMENDATION

SUBJECT TO:

1. The completion of an Appropriate Assessment and agreement (in consultation with Natural England) on mitigating measures to off-set any identified adverse impact upon biodiversity to be reflected in appropriately worded conditions in addition to those set out below;
2. The agreement that the additional drainage information satisfactorily addresses the requirements of the Environment Agency and any additional conditions recommended by the Environment Agency are imposed in addition to those set out below;

And subject to the applicant entering into a Section 106 Agreement to secure:

- Delivery of a controlled crossing, footpath, and introduction of a 40 m.p.h. speed limit on Monks Way;
- Delivery of Affordable Housing to meet local needs at 30% with a tenure mix of 70:30 rented (subject to a reduction in quantum according to provision of wheelchair accessible dwellings, Part M4(3))
- £75,382 (or other such amount agreed with Devon County Council) towards secondary school transport;
- 12 Custom Build Plots and marketing strategy;
- Provision of serviced employment site comprising a minimum of 3,500m<sup>2</sup> of gross floor space and agreement of marketing strategy for the site;
- Travel Packs (including £300 sustainable travel voucher) provided prior to first occupation of each dwelling and employment building;

THE BUSINESS MANAGER BE AUTHORISED TO GRANT PLANNING PERMISSION subject to the following conditions (unless additional information is submitted prior to the decision which addresses the requirements of the conditions/and in addition, any other conditions which may be considered necessary under 1-2 above):

To apply to the outline consent (Custom Build/Employment) only

1. Submission of a reserved matters application within 5 years for Custom Build Plots/ 7 years for the employment building;
2. Development shall commence before the expiry of 2 years from the date of final approval of reserved matters
3. Submission of a Design Code (in respect of the Custom Build Dwellings) to be approved by the Local Planning Authority prior to submission of first reserved matters relating to custom build plots;

To apply to the full planning permission

1. Development to be commenced before the expiry of three years;
2. Implementation of a programme of archaeological work and palaeo-environmental investigation and analysis in accordance with a written scheme of investigation which shall be submitted to and approved by the Local Planning Authority;
3. Details of equipment and future maintenance/management strategy for the Public Open Space and formal play areas to be submitted and approved by the Local Planning Authority (to include details of remediation following any greater return flood event);
4. Detailed design of the bridge crossing of Challabrook Stream to be submitted to and approved in writing by the Local Planning Authority;
5. Notwithstanding the approved plans, details of the substation building shall be submitted to and approved by the Local Planning Authority;
6. New trees shall not be planted until written approval has been obtained by the Council that they meet British Standards;
7. Tree protection fencing shall be erected around trees to be retained, in accordance with plans to be approved;
8. No materials shall be brought onto site until a programme of arboricultural supervision is agreed;
9. Details/samples of external surfacing materials/hard landscaping shall be submitted to and approved by the Local Planning Authority;
10. Notwithstanding the submitted plans, architectural detailing of the proposed dwellings shall be submitted to and approved by the Local Planning Authority;
11. Notwithstanding the submitted plans, samples and/or details of the materials to be used on the external surfaces of the dwellings shall be submitted to and approved by the Local Planning Authority;
12. Notwithstanding the submitted plans, details of boundary treatments shall be submitted to and approved by the Local Planning Authority;
13. Details of external lighting to be submitted to and approved in writing by the Local Planning Authority;
14. Highways details to be submitted to and approved in writing by the Local Planning Authority;

To apply to both the outline (custom Build/Employment) and the full

15. Development to be carried out in accordance with the approved plans;
16. Phasing plan/details to be submitted (to include construction access, estate roads, drainage works and landscaping);
17. Restriction on hours of works generating significant noise and deliveries to the site;
18. Development to be carried out in accordance with Construction Impact Assessment;
19. Waste removed from the site by alternative means other than burning;
20. Details of security lighting during the construction period to be submitted to and approved;
21. Construction Management Plan (CMP) to be submitted to and approved by the Local Planning Authority;
22. Off-site highways works shall take place prior to commencement on site;
23. The Brimley Vale access shall only be used in connection with the construction of the Custom Build units and shall be bollarded and used as an emergency access only thereafter;
24. Detailed drainage design for the permanent surface water management drainage system to be submitted to and approved by the Local Planning Authority;

25. Detailed drainage design for the construction phase surface water management drainage system to be submitted to and approved by the Local Planning Authority;
26. Full adoption and management details to be submitted to and approved by the Local Planning Authority;

### **3. DESCRIPTION**

- 3.1. The application site is approximately 11 hectares in total and is located to the west of Monks Way. The site is on the western edge of the settlement of Bovey Tracey, to the south-east fringes of Dartmoor National Park. The site forms part of the wider BT3 (Challabrook) site allocation.
- 3.2. The application site comprises parcels of agricultural land, divided by well-established hedgerows and mature trees, and watercourses Five Wyches Stream and Challabrook Stream, and currently farmed by Challabrook Farm. The land falls from a gently sloping hillside down from the west, to a low point at the north-eastern corner of the site.
- 3.3. The application site is bounded to the east by Monks Way (A382) with residential development beyond; to the northern boundary lies a section of woodland and a number of residential properties including Blenheim Terrace; to the south-eastern boundary of the site lies existing residential development at Brimley Vale and Tracey Vale; to the south the application site is bounded by hedgerow and beyond is agricultural land which forms part of the wider site allocation for BT3; to the western boundary there is farmed agricultural land. The agricultural land to the west forms part of the wider site allocation for BT3. To the south-west lies the main farmstead of Challabrook Farm.
- 3.4. Land adjacent to the watercourse is in flood zones 2 and 3 of Five Wyches Stream and Challabrook Stream which drain an area of Dartmoor to the West. The site also lies within the Critical Drainage Area of Bovey Tracey.
- 3.5. A Public Right of Way (PROW) runs through the site connecting Monks Way and Challabrook Farm. This PROW runs parallel to the banks of the Challabrook Stream.
- 3.6. Land outside the application site to the north is classified as an Area of Great Landscape Value (AGLV) and the Bovey Tracey Conservation Area lies to the north of the application site.

#### Planning History

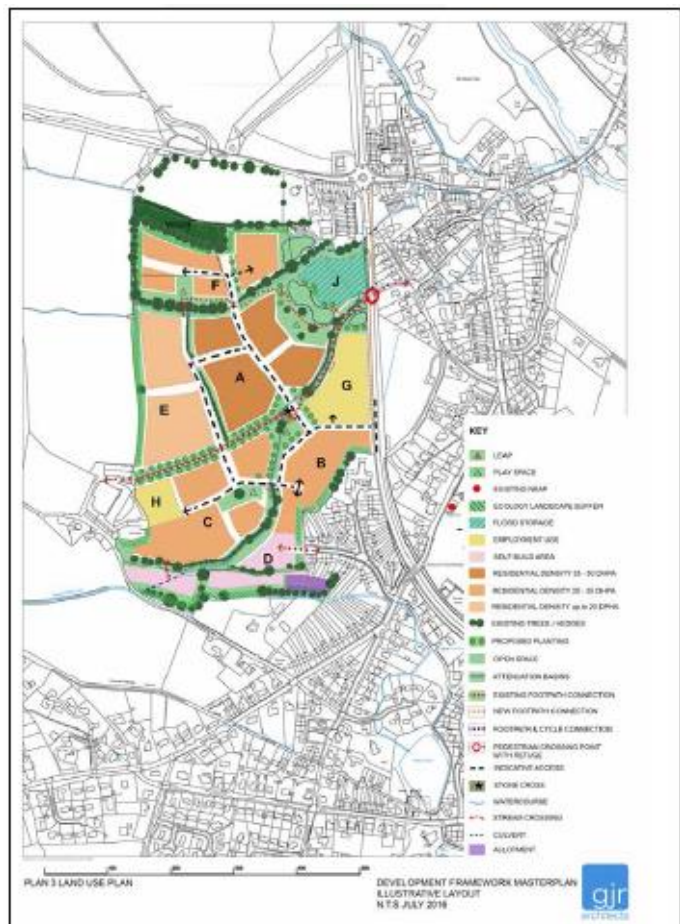
- 3.7. The application site extends to 11.4 hectares and forms part of the wider BT3 (Challabrook) site allocation. The wider site allocation covers 19 hectares.
- 3.8. The BT3 site allocation policy as set out in the Teignbridge Local Plan 2013-2033, allocates land for a residential led mixed use site. The site allocation policy reads:

*A site of approximately 19 hectares is allocated for mixed use development at Challabrook including:*

- a) a comprehensive landscape and design-led masterplan for the strategic site allocation, produced with meaningful and continued input and engagement from stakeholders including measures to mitigate and overcome flood risk;
- b) delivery of at least 1.2 hectares of land for office, general industrial or storage and distribution as appropriate to the site and its wider context, ensuring that there is a mix of unit size to enable businesses to start up and expand; support will also be given to employment generating uses provided that they are compatible with the immediate surroundings and do not conflict with town centre uses;
- c) delivery of up to 270 homes with a target of 30% affordable homes;
- d) green infrastructure and on-site open space incorporating appropriate buffering, landscaping, retention of existing trees and hedgerows and other mitigation measures to address any ecological impacts relating to Greater Horseshoe Bats or landscape impacts relating to the site's sensitive setting adjoining Dartmoor National Park;
- e) pedestrian and cycle footpath provision to ensure permeability through the site including towards the town centre, and to local facilities on Ashburton Road; and
- f) a bespoke Greater Horseshoe Bat mitigation plan for Challabrook must be submitted to and approved before planning permission will be granted. The plan must demonstrate how the site will be developed in order to sustain an adequate area of non-developed land as a functional part of the foraging area within the SAC sustenance zone and as a part of the nearby strategic flyway used by commuting Greater Horseshoe Bats associated with the South Hams SAC. The plan must demonstrate that there will be no adverse effect on the SAC alone or in combination with other plans or projects.

3.9. In accordance with criterion a) of the above policy, a 'developer-led' Development Framework Plan (DFP) has been produced and this document was presented to and approved by the Planning Committee on 20 September 2016.

3.10. The DFP is not a supplementary planning document, but it is a material consideration in determining this planning application. The DFP includes an illustrative masterplan to guide the layout of the site as shown (right);



### Proposed development

- 3.11. This application is a hybrid application which seeks full consent for development of the site for 156 dwellings, together with access, associated infrastructure and landscaping. Outline consent is sought for 12 custom build units and 0.95 hectares of employment land.
- 3.12. The application forms Phase 1 of the proposed development of BT3 site allocation, with submitted plans indicating where the internal road network would link with Phase 2, comprising the remainder of the site allocation in the future.
- 3.13. The layout of the proposed dwellings are mainly located across the western part of the application site, with the eastern part of the application site designated to provide flood storage, public open space and land for use as an employment site.
- 3.14. The proposed dwellings are a mix of 2, 2½ and 3 storey terraced, semi-detached and detached dwellings including some flats.
- 3.15. The dwellings would be finished externally in render, brick or stone. Windows and fascias would be uPVC and the proposed roofing materials comprise a mix of natural slate, and a fibre cement and 'Forticrete' roofing tile.
- 3.16. The properties would be arranged around the new road network, with dwellings fronting the new road network and areas of green infrastructure. The vehicular access would be via a new junction connected to the Monks Way link road to the eastern boundary of the application site.

### Principle of Development

- 3.17. The application site comprises part of the wider BT3 strategic site allocation. The site BT3 site area is allocated for a residential-led, mixed use development, including at least 270 homes and 1.2 hectares of employment land and associated infrastructure, and therefore the principle for development of the site for residential use and for delivery of employment use, in locations broadly consistent with the illustrative masterplan included within the DFP, is acceptable.
- 3.18. A number of the public representations received in respect of this application raise concern about pressure on existing services and facilities/infrastructure and consider the development of this site is coming forward too early in the plan period.
- 3.19. Policy S4 (Land for New Homes) of the Teignbridge Local Plan includes a housing trajectory which has assumed the delivery of the housing allocated by Policy BT3 Challabrook from 2023 onwards. However, the assumed trajectory as set out in the Local Plan does not preclude developers from coming forward at an earlier time in the plan period with proposals. The trajectory is reviewed annually and published in the Council's monitoring reports. Paragraph 2.14 of the supporting text to this housing trajectory states;

*The table is purely an assessment of when the Council considers sites are deliverable; it is not a phasing policy and is not designed to delay the commencement of sites which seek to develop in advance of the year indicated.*

- 3.20. Therefore, having regard to the aim of this policy, it is not considered that the delivery of the site at Challabrook, ahead of assumed housing targets at the time of producing the Local Plan, would be a material consideration weighing against the proposed development.

#### Highway Safety

- 3.21. This application proposes access to the development from Monks Road via a new right hand turn lane into the development site and creation of visibility splays. It is proposed that the existing speed limit along Monks Way will be reduced from 60 m.p.h. to 40 m.p.h. along part its length, in conjunction with a controlled crossing point proposed on Monks Way, directly adjacent to the exit/entrance of the PROW.
- 3.22. A new pedestrian footpath link would be created to the west side of Monks Way, between the proposed vehicular access and the proposed controlled crossing; at this point the pedestrian footpath would continue on the eastern side of Monks Way, linking in with the existing footpath at the Newton Road roundabout, outside The Copper Kettle, which leads into town via Station Road.
- 3.23. A construction access for the Custom Build plots to the south of the application site is proposed from Brimley Vale to allow early delivery of those plots. It is proposed that this access will be solely as a construction access for the Custom Build Plots only and will revert to use as a footpath and cycle link and emergency access, at such a time as the main vehicular access becomes available.
- 3.24. Vehicular access to future phases of housing delivery for the wider allocation are shown at three locations to the western boundary of the current application and one location to the southern boundary.
- 3.25. Within the site, parking provision would be delivered on plot or through rear parking courtyards. The main route through the development is designed for a 20 m.p.h. speed limit.
- 3.26. The Devon County Council Highways Officer has no objections to the proposed development, subject to the completion of a Section 106 Agreement securing the off-site works including the right hand turn lane and controlled crossing on Monks Way, the reduction of the speed limit to 40 m.p.h, and to secure travel packs to be provided to the first occupant of any dwelling or employment building.
- 3.27. In addition, the Devon County Council Highways Officer has requested that conditions are attached to any consent requiring the off-site highways works to be completed prior to commencement of development on site, submission of highways details and a Construction Management Plan (CMP).
- 3.28. The Section 106 requirements and conditions which are requested by the Devon County Council Highways Officer are considered to be reasonable, and therefore it



is recommended that if consent is granted, that a Section 106 is required to comply with these requirements and that suitably worded conditions are attached.

### Ecology

- 3.29. A strategic bat flyway associated with the South Hams SAC is located approximately 2 km to the north-west of the application site and the entire application site lies within a 4km Sustenance Zone associated with the South Hams SAC.
- 3.30. By virtue of the proximity of the application site to the South Hams SAC, as well as Dartmoor SAC and South Dartmoor Woods SAC, an Appropriate Assessment under the Habitat Regulations must be undertaken in respect of the application.
- 3.31. This is currently being undertaken by Devon Wildlife Consultants as instructed by Teignbridge District Council, and the conclusions of the Appropriate Assessment are awaited.
- 3.32. Where an Appropriate Assessment cannot arrive at a conclusion of No Likely Significant Effects, or has not been completed, under the Habitat Regulations it would be unlawful to grant consent to the proposals.
- 3.33. Therefore, in the absence the completion of an Appropriate Assessment under the Habitat Regulations in respect of this application, it is not possible to conclude that the proposed development would not result in adverse impacts on Greater Horseshoe Bats or the integrity South Hams SAC, Dartmoor SAC and South Dartmoor Woods SAC, and therefore the proposed development would not comply with Policies EN8 (Biodiversity Protection and Enhancement), E9 (Important Habitats and Features), EN10 (European Wildlife Sites) and EN11 (Legally Protected and Priority Species) of the Teignbridge Local Plan and the Habitat Regulations.

### Flood Risk and Surface Water Flooding

The majority of the site, as identified on Environment Agency Maps, lies within Flood Zone 1 (land assessed as having a less than 1 in 1,000 annual probability of river flooding), however, there are lower lying areas of the site along Five Wyches Stream and Challabrook Stream which lie in Flood Zone 2 (land assessed as having between a 1 in 1,000 and 1 in 100 annual probability of river flooding) and Flood Zone 3 (land assessed as having a greater than 1 in 100 annual probability of flooding). The proposed development also falls within the Bovey Tracey Critical Drainage Area (CDA).

- 3.34. Five Wyches Stream and Challabrook Stream which drain an area of Dartmoor to the west, are designated as main river and are known to have caused flooding to properties downstream.
- 3.35. A Flood Risk Assessment has been submitted in support of this application which explains the drainage strategy for the site.

- 3.36. A series of proposed re-profiling works and the construction of a bund along part of the northern and eastern boundaries are being proposed to provide a Flood Storage Area capable of increased volume of storage of floodwaters within the lowest (north-eastern) part of the site adjacent to the A382 and to reduce the frequency of flooding to Blenheim Terrace, the A382 and downstream properties.
- 3.37. Proposed attenuation basins would be located either side of the LEAP. These have been sized to safely manage run-off from the development catchment, throughout its 100 year lifetime, with allowance for climate change. The basins include surplus capacity to serve future upstream development opportunities and to assist in the management of exceedance run-off, from events that exceed the 100 year design storm.
- 3.38. The surface water from the site will discharge to the naturally-receiving stream, be it the Five Wyches or the Challabrook.
- 3.39. Devon County Council Lead Flood Risk Authority has confirmed that they have no in-principle objections to the proposed development, providing pre-commencement conditions are imposed on any permission requiring detailed design of the permanent surface water drainage management system, detailed design of the construction phase surface water drainage management system and details of full adoption and maintenance arrangements. It is considered reasonable to impose these conditions as requested.
- 3.40. The Council is awaiting a formal consultation response from the Environment Agency to confirm that they too, are satisfied that the proposed drainage strategy for the site is acceptable.

#### Green Infrastructure/Sustainable Movement

- 3.41. Policy WE11 (Green Infrastructure) of the Teignbridge Local Plan sets out a policy requirement for formal play at a rate of 10 square metres per dwelling. Across the wider BT3 allocation this equates to 2,700 square metres.
- 3.42. The DFP (paragraph 4.16) states that this requirement will be met through one large play area of at least 1,500 square metres and three smaller areas of at least 400 square metres each. Appropriate locations for these play areas were identified on the DFP illustrative masterplan. The DFP also specified a trim trail to accompany the formal play.
- 3.43. The DFP also sets out that the requirement for formal green space (17 square metres per dwelling) will be met by the provision of a central green and land adjacent to the public footpath leading to Challabrook Farm, and natural green space (50 square metres per dwelling) will be provided in areas throughout the site allocation but substantial amounts would be provided in flood storage areas also intended to provide enhanced wildlife habitat.
- 3.44. This current application includes the larger area of play (LEAP) and two of the smaller areas of play (LAP), formal green space and natural green space at

amounts and locations consistent with the DFP. The application also includes trim trail equipment along pedestrian movement routes.

- 3.45. The Teignbridge District Council Play Area Project Officer has concerns about the proposals for formal play and open space. Her primary concerns are the proximity of the main area of formal play to the proposed attenuation features, in addition, she is concerned about the accessibility of the central green area which has the Challabrook Stream running through the centre.
- 3.46. As set out above, the proposed SUDs scheme comprises a flood storage area and attenuation basins to the north-eastern corner of the site. The proposed attenuation basins would be located either side of the LEAP; the Flood Risk Assessment submitted in support of this application states that these would include drainage channels to convey day to day flows, with the basins being used as attenuation storage during greater return period events. The applicant's drainage consultants have advised that the basins either side of the LEAP are predicted to fill to a depth of 150mm in a one in five year + 40% event, meaning that these areas can be used as kick-about areas at the day to day flows.
- 3.47. The level within the Flood Storage Area is predicted to reach 33.15 metres AOD (same level as the proposed LEAP) in one in ten years + 40% flooding events. Therefore, in these greater return events, the LEAP will be at risk of fluvial flooding (from the Five Wyches and Challabrook streams), with an annual probability of 10%, meaning theoretically the LEAP could flood, on average, once every 10 years. The depth of flooding will increase up to a maximum of approximately 0.9 metres within the 1,000 year return period, which has 0.1% annual probability of occurrence.
- 3.48. In accordance with Table 2 of the 'Planning Practice Guidance – Flood Risk and Coastal Change', LEAPs are classified as water compatible development and are therefore considered appropriate for areas at risk of flooding. Therefore, whilst the LEAP has been set above the maximum water level within the attenuation basins and is not at risk of flooding due to development run-off, it has been located within the proposed Flood Storage Area, to maximise downstream relief from fluvial flooding, where 'more vulnerable' development (i.e. residential dwellings) are at risk.
- 3.49. Therefore, as set out above, the LEAP is at risk of fluvial flooding (from the Five Wyches and Challabrook streams), with an annual probability of 10%, meaning theoretically the LEAP could flood, on average, once every 10 years. The depth of flooding will increase up to a maximum of approximately 0.9 metres within the 1,000 year return period, which has 0.1% annual probability of occurrence.
- 3.50. The Teignbridge District Council Play Area Project Officer has raised concerns about this predicted flooding of the LEAP, and whether the surfacing and play equipment, would deteriorate as a result.
- 3.51. Having regard to the concerns of the Teignbridge District Council Play Area Project Officer, for the development to be supported in accordance with the proposed SUDs scheme, then it is considered that it would be necessary to impose a condition to the consent, requiring details of the management of the formal play areas and

Public Open Space to demonstrate how these areas would be maintained, including approach to remediation works after greater return flooding events.

- 3.52. The location of the central green, with the Challabrook Stream running through, is consistent with the location set out in the DFP and the green area and formal play would remain suitable walking distances from the properties which it is intended to serve.
- 3.53. As set out above, an existing PROW runs through the site connecting Monks Way and Challabrook Farm. This PROW runs parallel to the banks of the Challabrook Stream.
- 3.54. As part of this application, it is proposed to divert the existing PROW for part of its length; the proposed route would enter the site at its existing location before crossing the Challabrook Stream via a new bridge. The new route would then follow the northern side of the stream adjacent to the open green space, and frontages of proposed dwellings (rather than following the boundary of the future employment land to the south if it remained on its current alignment). A ramped/level route is proposed as well as a shorter stepped route.
- 3.55. The Devon County Council PROW Officer has advised that there is no objection to the diversion of the PROW subject to a formal diversion order being obtained by the applicant. Devon County Council has advised that nothing should be done to divert or stop up a public right of way without following the due legal process including confirmation of any order and the provision of any new path.
- 3.56. The proposed new route for the initial section of the PROW is considered to be acceptable, and it is considered that an informative should be attached to any decision notice to remind the applicant/developer of their legal duties in respect of obtaining a formal diversion order.

#### Impact upon the Character and Visual Amenity of the Area/Open Countryside

- 3.57. A number of public representations have been received which object to the proposed development due to its impact on the landscape, and in particular the landscape impacts on Dartmoor National Park.
- 3.58. Paragraph 115 of the National Planning Policy Framework gives the highest status of protection for the 'landscape and scenic beauty' of AONBs and National Parks. For major development proposals paragraph 116 sets out criteria to determine whether the development should exceptionally be permitted within the designated landscape.
- 3.59. The proposed development will result in a change to the existing landscape character of the site, from undeveloped agricultural land to a housing-led mixed use scheme.
- 3.60. This application proposes a mix of 2, 2½ and 3 storey dwellings and proposes to retain the majority of the existing hedgerows and trees which would provide some screening for the development. The north-eastern part of the site would serve as a

flood storage and wider Public Open Space providing for recreation and formal play and would serve to soften the eastern edge of the development.

- 3.61. To the north-east the elevated area of Bovey Tracey, including Whitstone Farm, gains views across the rooftops of Bovey Tracey and the site would be viewed in this context. To the south the distant hills more than 3km away gain views to the site with the backdrop of Bovey Tracey. Similarly the ridgeline formed by Haytor and Dartmoor more than 4km to the west would gain distant views of the site with the backdrop of Bovey Tracey on an equal elevation in the low lying land.
- 3.62. Dartmoor National Park have been consulted about this application and they have responded confirming that the proposed development is not considered to have an adverse impact on National Park interests and therefore they raise no objection to the proposed scheme.
- 3.63. As set out above, the properties would be arranged around the new road network, with dwellings fronting the new road network and areas of green infrastructure. The dwellings would be finished externally in render, brick or stone. Conditions are recommended relating to architectural detailing, external materials of dwellings and hard landscaping, and boundary treatments to ensure that such materials and details are of a high quality and reflect the local character of Bovey Tracey in accordance with Policy S2 (Quality Development) of the Teignbridge Local Plan and the design objectives set out within the DFP.
- 3.64. As set out above, the site is allocated for housing-led development under Policy BT3 of the Teignbridge Local Plan and therefore the principle of mixed use development at this site, and the resultant impact of such a scheme on the surrounding landscape has been accepted, subject to a suitably designed scheme coming forward as part of a planning application.
- 3.65. Having regard to the above and taking into account Policy EN2A (Landscape Protection and Enhancement) of the Teignbridge Local Plan and paragraphs 115 and 116 of the NPPF, and subject to conditions requiring details of the materials to be used in the development, it is considered that the impacts on landscape and local character and visual impacts are acceptable.

#### Impact on setting of Listed Buildings/Character and Appearance of Conservation Areas

- 3.66. The Conservation Area of Bovey Tracey includes the terraces at Marlborough Terrace and Blenheim Terrace, which lie to the western extent of the Conservation Area. In context of the application site, these properties and the western extent of the Conservation Area, are located adjacent to the site at its north-eastern corner.
- 3.67. The part of the application site adjacent to these dwellings is proposed as flood storage and public open space and it is considered that this will serve as a suitable buffer between the Conservation Area and built development. Therefore, it is not considered that the development proposed by this application would result in an adverse impact on the character or appearance of the Conservation Area.

- 3.68. A Heritage Appraisal and Impact Assessment has been submitted in support of this application. The Assessment concludes no intervisibility between listed buildings identified in the DFP (Park Lodge, Former Railway Station, Pludda Thatch, Little Reeds, Dolphin Hotel, 1-6 St Johns Cottages, Church of St John the Evangelist, St Marys and Five Wyches Farmhouse and Barn) and the application site, and no intervisibility between the application site and Scheduled Ancient Monuments (Bovey Potteries and Cromwells Arch) due to existing built development obstructing visibility.
- 3.69. The Assessment determines that one designated heritage asset would be affected by the proposed development, this being Challabrook Cross.
- 3.70. Challabrook Cross is a designated heritage asset which will be affected by the proposed development. It is proposed to retain this granite cross as a feature of the scheme in a relocated position within the Public Open Space and outside any areas of flood risk. It is considered that less than significant harm would result from the proposed relocation, and having regard to paragraph 134 of the NPPF, the public benefits of proposed development (provision of housing and employment) would outweigh the limited impacts in this case.
- 3.71. The Teignbridge District Council Conservation Officer has been consulted in respect of this application and has no objections to the proposed development.
- 3.72. The Heritage Appraisal and Impact Assessment is considered to provide an acceptable analysis of the heritage impacts for the site. For the reasons set out above, the proposed development is considered to conserve the character and appearance of the Bovey Tracey Conservation Area and is not considered to result in any adverse impact on the setting of listed buildings, having regard to the requirements of Policy EN5 (Heritage Assets) of the Teignbridge Local Plan and the statutory duty of the Council as set out under Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The proposed development would result in less than substantial harm to a designated heritage asset which would be outweighed by the public benefits of the delivery of this mixed use development.

#### Trees

- 3.73. The Teignbridge District Council Arboricultural Officer has no objections to the proposed development and has offered guidance on conditions which should be applied to ensure that retained trees are protected and new trees meet British Standards.
- 3.74. There are a number of mature trees on the site and at the time of drafting the report, the Teignbridge District Council Arboricultural Officer intends to progress Tree Preservation Orders for those trees that warrant such protection.

#### Affordable/Accessible Housing

- 3.75. The BT3 allocation requires provision for residential development of up to 270 dwellings, with affordable housing provision at 30%. The total number of dwellings

proposed by this application is 168, which generates an affordable housing requirement of 51 (rounded up from 50.4).

- 3.76. As a result of discussions with the Teignbridge District Council Housing Enabling Officer, the applicant has proposed the provision of 50 affordable housing units. The quantum has been rounded down to take account of the enhanced wheelchair accessible housing provision of 3 dwellings which has been included in the affordable housing mix.
- 3.77. The Council's Strategy contains a proposed action to "Make sure our plans take full account of all housing needs including those of older people, vulnerable people, self-build, travelling and rural housing". However, one area in which the current Local Plan does not contain any specific provision is in relation to accessible housing requirements.
- 3.78. To address this policy void, an Executive Report was taken to Committee on 6 September 2016, proposing an interim policy approach which would allow, for every four wheelchair accessible affordable homes provided on site, one fewer affordable home would be sought (to take into account the higher costs associated with providing wheelchair accessible units).
- 3.79. In this case, 3 wheelchair accessible properties, rather than the 4 required to justify a rounding down of the affordable housing requirement has been proposed. Given that in this case 30% of the total number of dwellings proposed equals 50.4, it is considered reasonable to allow affordable housing numbers to be rounded down to 50.
- 3.80. The proposed development also proposes 3 of the affordable housing provision as custom build units. The Teignbridge District Council Housing Enabling Officer has confirmed support for this small number of affordable dwellings to be delivered as Custom Build.
- 3.81. The Teignbridge District Council Housing Enabling Officer has confirmed that the proposed development would provide a suitable mix of affordable housing types and sizes with an appropriate proportion of rented to intermediate properties, which would be acceptably intermixed within the site in accordance with the requirements of Policy WE4 (Inclusive Design and Layout) and the guidance set out in the DFP.
- 3.82. Therefore, providing a Section 106 Agreement is entered into to ensure that the proposed affordable housing details and wheelchair accessible housing are secured as a baseline, the Teignbridge District Council Housing Enabling Officer supports the proposals, and it is considered that the approach to affordable and wheelchair accessible housing is acceptable.

#### Custom Build

- 3.83. Policy WE7 requires 5% of the total number of dwellings to be provided as Custom Build units. As set out above, the total number of dwellings proposed by this application is 168, which generates a requirement of 8 Custom Build dwellings (rounded down from 8.4).

- 3.84. This application seeks outline planning consent for 12 Custom Build Units, with 3 of these being affordable Custom Build, located towards the southern extent of the site.
- 3.85. Whilst the number of custom build units proposed as part of this current application is in excess of the policy requirement, it should be noted that this application represents phase 1 of the wider site allocation. Therefore, having regard to the excess proposed in phase 1, an application for the second phase of the site allocation may include Custom Build at below the 5% policy requirement, and the BT3 site allocation could still be compliant as a whole.
- 3.86. The Teignbridge District Council Custom Build Officer supports the delivery of 12 Custom Build units and for 3 to be delivered as affordable units, subject to suitable clauses to be contained in a Section 106 agreement to secure the delivery of these units.
- 3.87. The indicative masterplan, included in the DFP, sets the location for Custom Build at the southern extent of the site. The southern part of the site has been identified for Custom Build units, to allow early delivery through the use of Brimley Vale as a construction access, therefore, the location of the Custom Build units proposed under this application is consistent with the location set out in the DFP.
- 3.88. The Teignbridge District Council Custom Build Officer has requested that a Design Code for the Custom Build dwellings is submitted to and approved by the Council, prior to any reserved matters applications being submitted for the units. It is considered reasonable to impose such a condition if planning permission is granted.
- 3.89. For the reasons set out above, and subject to suitably worded conditions and Section 106 clauses, the proposed development is considered to accord with the Custom Build requirements of Policy WE7 (Custom Build Dwellings), BT3 (Challabrook) and the DFP.

### Employment

- 3.90. Policy BT3 b) of the Teignbridge Local Plan requires the delivery of at least 1.2 hectares of land for office, general industrial or storage and distribution as appropriate to the site.
- 3.91. The DFP identifies two separate areas for location of employment uses which would provide a combined 1.3 hectares. An area of approximately 1 hectare to come forward in phase 1 of the development and the remaining 0.35 in phase 2.
- 3.92. The DFP (para 4.5) states that development proposals will be expected to deliver the accessed and serviced employment land on site at a jobs density of 100 jobs per hectare.
- 3.93. This application seeks outline planning permission for 0.95 hectares of employment land (B1/B2/B8) to the eastern edge of the application site, which is consistent with



the uses specified in the BT3 site allocation policy and the location as set out in the DFP illustrative layout.

- 3.94. The Teignbridge District Council Economy Manager has advised that a gross floorspace of 3,500 square metres would be required to achieve 100 jobs per hectare (based on 1 job per 35 square metres).
- 3.95. It is considered that the proposals are acceptable in terms of the provision of serviced employment land and it is recommended that a Section 106 agreement should secure a minimum floor area of 3,500 square metres to be marketed and delivered.
- 3.96. A condition requiring a noise assessment to be submitted as part of the reserved matters application(s) for the employment site should be attached, to ensure compatibility with residential uses.

#### Education

- 3.97. Devon County Council Education Authority has requested financial contributions towards the cost of Special Education and Primary School Provision. It has been confirmed that there is currently capacity at South Dartmoor College for the number of secondary school pupils likely to be generated by the proposed development. The cost of providing the additional Special Education and Primary School Provision falls to CIL.
- 3.98. Due to the proposal being located further than 2.25 miles from South Dartmoor College, a Section 106 contribution is required towards secondary school transport which is calculated as follows:  $\pounds 3.45 \text{ per day} \times 23 \text{ secondary pupils} \times 190 \text{ academic days} \times 5 \text{ years} = \pounds 75,382$ .
- 3.99. The applicant has questioned this contribution as it was not identified within the DFP process and considers that this should also fall to CIL. It has been confirmed that the Council do not consider the amount would be dealt with under the CIL regulations and the Council is awaiting further information from the Devon County Council Education Authority to justify the level of the contribution.
- 3.100. Unless discussions between the applicant and Devon County Council Education Authority result in a lesser amount being agreed, it is considered that the sum of  $\pounds 75,382$  should be secured by a Section 106 agreement.

#### Archaeology

- 3.101. A programme of archaeological work has been undertaken within the proposed development site, which has demonstrated the presence of regionally-significant waterlogged palaeo-environmental deposits.
- 3.102. The Devon County Council Archaeologist has advised that the proposed development will have an impact upon the waterlogged deposits that will result in their loss or degradation. In addition, it has been advised that groundworks will have an impact upon any features containing deposits of local pottery waste.

3.103. Subject to a condition to secure the implementation of a programme of archaeological work and palaeo-environmental investigation and analysis in accordance with a written scheme of investigation, the Devon County Council Archaeologist has no objections to the proposed development.

#### Impact on Residential Amenity of the Occupiers of Surrounding Properties

3.104. Dwellings located directly adjacent to the northern application site boundary are number 11 Blenheim Terrace, Rainbow End, and Wayland Cottage, to the south-eastern boundary, are numbers 28, 41, 43, 45, 47, 49 and 51 Brimley Vale, and numbers 3 and 4 Tracey Vale. The former Tracey Vale Care Home adjacent to the south-eastern boundary of the application site has recently been developed for 10 houses (under application reference 17/00452/MAJ) therefore some of these houses will share a boundary with the application site.

3.105. In relation to the dwellings located adjacent to the northern application site boundary, the area alongside is proposed as flood storage and Public Open Space and therefore any new dwellings would be sited at such a distance that they would not result in any adverse impacts on neighbouring amenity.

3.106. The proposed dwellings to the south-eastern corner of the site, adjacent to existing residential uses, would be two storey and include Custom Build units. The submitted plans show a proposed boundary treatment to the south-east of the site adjacent to the existing properties as hedgerow and 1.8 metres high timber close boarded fencing. The proposed properties would be sited on similar ground levels to existing residential dwellings.

3.107. Taking into account the relative site levels, separation distances between the existing residential dwellings adjacent to the site, and the scale and height of proposed dwellings, it is not considered that any unacceptable impacts on neighbouring amenity would result. The relationships are considered to be acceptable and are consistent with that which would generally be expected in a medium density residential development.

3.108. A number of concerns have been raised by the residents of Brimley Vale and Tracey Vale about the level of disruption as well as safety concerns resulting from the creation of a construction access by continuation of the existing cul-de-sac at Brimley Vale.

3.109. It is proposed that this access will be solely as a construction access for the Custom Build Plots and will revert to use as a footpath and cycle link and emergency access at such a time as the main vehicular access becomes available. The Devon County Council Highways Officer has confirmed that this access would not be suitable as a construction access serving the wider site, nor as a permanent access for the development, and therefore it is recommended that a condition is attached restricting the use of this access. This approach is consistent with that as set out at paragraph 4.34 of the DFP.

3.110. Whilst a certain level of disruption during construction phase is inevitable, Devon

County Council Highways Authority has requested a condition requiring the submission and approval of a Construction Management Plan (CMP) prior to the commencement of the development, in the interests of local amenity.

- 3.111. In addition to the above, the Teignbridge District Council Environmental Health Officers requested a condition requiring a scheme of works designed to prevent/mitigate fugitive dust and mud emissions beyond the boundary of the site arising from construction and demolition activities.
- 3.112. In response to the above request, the applicant has submitted a Construction Management Plan, which has been reviewed by the Teignbridge District Council Environmental Health Officers and they are satisfied that the detail is acceptable. Therefore a condition should be attached to the decision notice to ensure that the development takes place in accordance with the detail contained within the document in relation to the control of fugitive noise and dust/mud beyond the boundary of the site.

#### Minerals and Waste

- 3.113. A Waste Management Statement covering both construction and occupancy stages has been submitted as part of the consideration of this application and confirmed as acceptable by Devon County Council.

#### Conclusions

- 3.114. As set out in the report, the proposed development as per the revised plans submitted as part of this application, in respect of landscape impacts, design, trees, green infrastructure and connectivity, listed buildings and conservation areas, affordable and custom build housing, archaeology and neighbouring amenity, are considered acceptable, subject to suitably worded conditions being imposed as discussed in the report.
- 3.115. Whilst there are concerns about the flooding of the play equipment in one in ten year + 40% events, taking into account the drainage strategy for the site would benefit downstream areas which are prone to flooding by increasing the flood storage on site and subject to conditions requiring details of maintenance to include how the Public Open Space will be maintained following the greater return events, it is considered that the balance of considerations falls in favour of the application proposals.
- 3.116. There are other matters set out in this report, including matters of flood risk and surface water drainage and particularly impacts on protected species and European Designated sites, which, at the time of drafting this report, have not been satisfactorily addressed.
- 3.117. In respect of the flood risk and drainage matters, the applicant has submitted additional information and the Council is currently awaiting the revised consultation response of the Environment Agency

- 3.118. In relation to the impacts on protected species and European Designated sites, discussions between the applicant, Natural England and the Teignbridge District Council Biodiversity Officer are ongoing.
- 3.119. Therefore, it is considered that, subject to agreement being reached between the applicant, Natural England and the Teignbridge District Council Biodiversity Officer, and providing a Habitat Regulations Assessment is completed by the Local Planning Authority, and providing that the revised drainage information satisfactorily addresses the requirements of the Environment Agency, Officers would be in a position to make a positive recommendation for approval of the application.
- 3.120. Therefore, it is requested that Planning Committee provide delegated authority to the Business Manager to determine the application as set out above (subject to prior completion of a Section 106 agreement to secure financial contributions and obligations, together with attaching specified conditions to the decision notice), providing matters of impacts on protected species and European Designated sites, in addition to flood risk and drainage matters, are addressed to the satisfaction of the relevant technical consultees.

#### **4. POLICY DOCUMENTS**

##### Teignbridge Local Plan

S1A (Presumption in Favour of Sustainable Development)

S1 (Sustainable Development Criteria)

S2 (Quality Development)

S5 (Infrastructure)

S7 (Carbon Emission Targets)

S9 (Sustainable Transport)

S1 (Transport Networks)

S19 (Bovey Tracey)

S21A (Settlement Limits)

WE4 (Inclusive Design and Layout)

WE7 (Custom Build Dwellings)

WE11 (Green Infrastructure)

EN2A (Landscape protection and Enhancement)

EN3 (Carbon Reduction Plans)

EN4 (Flood Risk)

EN5 (Heritage Assets)

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)

BT3 (Challabrook)

Planning for Affordable Housing - Interim Policies (Executive Report to Committee dated 6 September 2016)

Devon Waste Plan

Custom and Self Build Housing Supplementary Planning Document

National Planning Policy Framework

National Planning Practice Guidance

**5. CONSULTEES**

Teignbridge District Council Biodiversity Officer (23 August 2017) - An ecological report has been submitted, which states that further surveys, including surveys for European Protected Species, are to be carried out or are ongoing, but these apparently are not yet completed. (It is noted there are surveys from 2014-15 for a previous pre-application stage). Local Plan Policy BT3, in order to meet its own Habitat Regulations Assessment requirements, necessitates preparation of a bespoke Greater Horseshoe Bat mitigation plan for Challabrook (BT3f); at present there does not appear to be further information for this.

Teignbridge District Council Environmental Health Officer - Contaminated Land (24 August 2017) - No objections

Natural England (7 September 2018) - Natural England standing advice is applicable to this application.

Teignbridge District Council Custom Build Officer (14 September 2017) - The proposal for 156 dwellings in total should deliver at least 8 Custom Build plots. Whilst the inclusion of affordable housing custom build plots is encouraged, the implication should be considered by colleagues in Housing to ensure overall affordable housing percentages are sufficient, when considered against the custom build policy requirement of 5% (8 plots). Design code should be submitted prior to submission of first reserved matters and Custom Build plots must be secured by Section 106 with suitable clauses.

Devon Wildlife Trust (21 September 2017, and 9 December 2017) - Objection to the application on the grounds that it fails to comply with the requirements of Local Plan Policy BT3 Challabrook paragraphs d) and f), by reason of insufficient/out of date survey information. Significant loss of foraging land for bats, and loss of flight paths by severing existing hedgerows. No biodiversity gain.

Devon County Council (Education) (22 September 2017) - The proposed development would generate additional pupils at primary level. A financial contribution has been set out which would be sought from CIL. A request for a payment towards secondary education transport provision has been requested as follows;

Due to the proposal being located further than 2.25 miles from South Dartmoor College, a Section 106 contribution is required towards secondary school transport which is calculated as follows:  $\pounds 3.45 \text{ per day} \times 23 \text{ secondary pupils} \times 190 \text{ academic days} \times 5 \text{ years} = \pounds 75,382$

Wales and West Utilities (23 October 2017) - Service pipes, valves, syphons, stub connections, etc., may not be shown but their presence should be anticipated.

Teignbridge District Council Play Area Project Officer (21 November 2017) - Concerns about the amount and quality of play provision and the predicted flooding of the LEAP in greater return events.

Devon County Council (Archaeology) (8 May 2018) - The proposed development will have an impact upon the waterlogged deposits that will result in their loss or degradation. In addition, groundworks will have an impact upon any features containing deposits of local pottery waste, therefore a condition is recommended to secure the implementation of a programme of archaeological work and palaeo-environmental investigation and analysis in accordance with a written scheme of investigation.

Teignbridge District Council Technical Officer – Waste and Cleansing Services (10 May 2018) - Concerns about the locations that bins will be placed for collection in the areas with un-adopted roads or car parking as their only access. Collections cannot be made from private land and so containers will need to be taken to the public highway for collection.

Teignbridge District Council Arboricultural Officer (11 May 2018) - No arboricultural objections to the proposal as the spatial relationship between the proposed dwellings and existing trees is considered to be satisfactory.

Dartmoor National Park (23 May 2018) - The proposed development is not considered to have an adverse impact on National Park interests and therefore this Authority raises no objection.

Please ensure that the potential indirect impact on the Dartmoor SAC, the South Dartmoor Woods SAC as well as the South Hams SAC is considered as part of the Habitat Regulations Assessment so that the cumulative impact of developments and the recreational pressures that they present are considered.

Teignbridge District Council Environmental Health Officer – Noise and Air Quality (25 May 2018) - Due to the close proximity of residential dwellings to this proposal complaints of noise nuisance are likely to be received.

Therefore works likely to give rise to significant levels of noise which will include vehicle movements and deliveries to the site should be restricted to the following times.

Monday - Friday 0800 - 1800  
Saturdays 0800 - 1300

There should be no works carried out likely to give rise to significant levels of noise outside of these times, on Sundays or on Bank Holidays.

A scheme of works as part of construction impact assessment should be submitted to the Local Planning Authority for the mitigation of both noise and fugitive dust and

mud beyond the boundary of the site and should be in accordance with the Institute of Air Quality Managements "Guidance on the assessment of dust from demolition and Construction"

Consideration should be given to the construction of those homes in closest proximity to high sensitivity receptors in order to maximise acoustic shadow available and further protect residential amenity.

This will be relevant with regard to both site noise and dust generated during the earthwork stage of the proposed development when dust levels are typically at their worst.

The construction impact assessment should also provide details of any proposed mechanical power generation which should be adequately shrouded to prevent noise nuisance occurring to the occupiers of nearby residential dwellings.

Waste should be removed from the site by alternative means other than by burning.

Security lighting should be situated in such a way and be of such intensity so as to not to cause a nuisance to the occupiers of nearby residential dwellings.

Devon County Council (Highways) (7 June 2018) - The crossing point north of Monks Way has been agreed to be a controlled crossing which will include the introduction of a 40 m.p.h. speed limit, and these both are to be secured through a Section 106 Agreement. Highways layout is acceptable and suitable conditions should be applied to secure Brimley Vale access as an emergency access and bollarded together with conditions requiring a Construction Management Plan; completion of off-site highways works prior to commencement on site; requirement for travel/welcome packs.

South West Water (7 June 2018) - No comments on amended plans, previous comments in respect of foul drainage withdrawn and no planning conditions required.

Teignbridge District Council Housing Enabling Officer (8 June 2018) - On balance, the Housing Enabling Officer supports the revised proposal subject to the baseline details being fixed in the Section 106 agreement by a schedule and specific approved plan or similar.

Devon County Council (Waste) (11 June 2018) - The submitted statement is suitably detailed and thorough, covering both construction and occupancy stages, so I can confirm that it is sufficient and meets the requirements of our request.

Environment Agency (22 June 2018) - Recommend that the application should not be determined until further information is submitted to demonstrate:

- how the discrepancy between the Soft Landscape Plan and the Flood Compensation Storage will be resolved to show that there will be no loss of flood storage;
- any new crossings over the Avenue Stream (aka Challabrook Stream) will be acceptable; and the Lead Local Flood Authority are satisfied with the design of the

SuDS basins.

Teignbridge District Council Landscape Officer (9 July 2018) - Various comments made about site layout, boundary treatments, building scale, landscaping and how the development may be improved in respect of these elements.

Devon County Council (Public Rights of Way Officer) (12 July 2018) - No objections subject to the applicant making an application to Teignbridge District Council for a diversion order. General advice that the grant of planning permission does not grant the right to close, alter or build over a right of way in any way, even temporarily, this includes, for example, a change in the surface, width or location. Nothing should be done to divert or stop up a public right of way without following the due legal process including confirmation of any order and the provision of any new path.

Devon County Council (Lead Flood Risk Authority) (16 July 2018) - No in-principle objections to the proposed development, providing pre-commencement conditions are imposed on any approved permission requiring detailed design of the permanent surface water drainage management system, detailed design of the construction phase surface water drainage management system, details of full adoption and maintenance arrangements.

## **6. REPRESENTATIONS**

56 letters of objection and 5 of comment have been received together with several public petitions raising the following planning issues:

1. Lack of infrastructure in Bovey Tracey for more residential development (doctors' surgeries, schools, dentists, leisure facilities, public transport, sewerage, care for vulnerable people)/too much residential development coming forward too quickly/overdevelopment of Bovey Tracey
2. Layout is too dense
3. Inadequate landscaping/landscape impact on the National Park/loss of countryside
4. Highway safety, inadequate junction for proposed housing numbers
5. Increased vehicle traffic/pressure on transport infrastructure/increase congestion in Town Centre
6. Inaccuracy in submitted transport assessment (Monks Way is 60 m.p.h. road)
7. Impacts on flood risk/concerns that the SuDS will not be maintained
8. Impacts on existing archaeological deposits
9. Impacts on ecology (bats, swifts, herons, kingfishers, dormice, great crested newts) and insufficient mitigation and enhancement
10. Concerns about the use of Brimley Vale as a permanent and/or construction access to the development in the interests of safety of existing residents
11. Sustainability of the site
12. Lack of safe pedestrian/cycle connectivity to the Town Centre
13. Lack of parking for proposed dwellings
14. Proposed dwellings likely to be too expensive for local people
15. Increased traffic/footfall on Fairfield Close and Avenue Road which are private roads
16. Inappropriate location for development next to bypass/lack of integration with Bovey Tracey Town
17. Lack of affordable housing/housing for local people



18. Quality/design of the proposed homes
19. Proximity of proposed housing and employment land
20. Increased light/air pollution and noise disturbance
21. Increased pressure on reservoirs and waste disposal
22. Not enough employment in local area for additional residents/ existing town centre requires regeneration before new houses
23. Impact on the character of Bovey Tracey
24. More development contributing to climate change

Campaign for Protection of Rural England objects to the proposal for the following reasons; unacceptable impact on wildlife, landscape character; increased flood risks; development is coming forward too soon with strain on local services and infrastructure; inadequate access; unsustainable location; Brimley Vale unsuitable for through traffic; size of proposed housing is too large; housing does not meet local housing needs for younger people or older people with limited mobility; adverse setting on Dartmoor National Park, impacts on the South Hams SAC with unacceptable pressure placed on the sustenance zones and flyways of the Greater Horseshoe Bats; in combination impacts; proposed attenuation measures will be inadequate to cope with regular flooding; increased car journeys around Bovey Tracey.

## **7. TOWN COUNCIL'S COMMENTS**

Bovey Tracey Town Council (7 September 2017) - Bovey Tracey Town Council are opposed to the proposed development for the following reasons;

- Concerns about the flooding implications of the proposed development
- Development of the site too soon in the plan period
- Proposed vehicular access is inappropriate
- Provision of safe pedestrian access across Monks Way (footbridge required)
- Concerns that difficulties may be experienced in attracting businesses to the employment site
- Custom Build dwellings must come forward early
- Planning conditions must be imposed to protect hedgerows
- There should be a reduction in the number of larger 3/4 bed homes and increase in smaller 1/2 bed market homes
- Planning conditions must be imposed to deliver safe sustainable transport links to the town centre

## **8. COMMUNITY INFRASTRUCTURE LEVY**

In respect of the full part of the hybrid application;

The CIL liability will be calculated and provided by way of separate update.

In respect of the outline part of this application;

This is an outline application. CIL liability will be calculated when the reserved matters application(s) are submitted.

## **9. ENVIRONMENTAL IMPACT ASSESSMENT**

Due to its scale, nature and location this development will not have significant effects on the environment and therefore is not considered to be EIA Development. A Screening Opinion was issued to the applicant under application reference number 17/01821/MAJ on 12 December 2017.

**Business Manager - Strategic Place**