APPLICATION FOR CONSIDERATION: NEWTON ABBOT/ABBOTSKERSWELL - 19/00238/MAJ - Langford Bridge Farm, Kingskerswell Road - Hybrid planning application seeking full planning permission for part link road and vehicular access point to the site from Kingskerswell Road and Priory Road, outline planning permission for residential led mixed use development comprising up to 450 dwellings within Use Class C3, a local centre of up to 279 sq metres (GIA) with in Use Classes A1, A2, A3, D1 and D2, up to 22,000 sq metres of employment uses including all B class uses, infrastructure and associated development including demolition or conversion of existing farm buildings. Points of access and part link road submitted in full detail for approval with all other matters reserved

APPLICANT: CEG Mr & Mrs Rew

CASE OFFICER: James Clements
1. REASON FOR REPORT

Cllr Mary Colclough, as local ward member, has requested that this application goes to Planning Committee for the following reason: “Premature to the completing of the DPD although submitted separately this is part of the contentious NA3 development. The proposed road is part of the link road. A decision following the NA3 appeal would be more appropriate”

2. RECOMMENDATION

Subject to:

A) The Applicant entering into a prior Section 106 Agreement to secure:

- Affordable Housing 20%, split 70% affordable rent; 30% for sale); Affordable Housing transferred at 50% occupation of dwellings per development phase; 100% of Affordable Housing transferred at 75% occupation per development phase; 5% to be wheelchair accessible; 20% of the Affordable housing would be required to be delivered to step free (accessible/adaptable Part M4 L2) specification. Dwelling should be tenure blind and spread throughout the development; Affordable housing mix to meet housing need and agreed prior to the submission of each phase;
- Provision of 5% custom build dwellings
- Provision of GI/Provision of open space (children’s play spaces, formal parks and gardens, playing pitches, natural green space) and its management; Allotments to be provided onsite or contribution taken should the western side of NA3 not be brought forward;
- Playing pitch contribution of £291,474. Plus a future maintenance contribution over 20 years along with a Sinking Fund;
- Ciril Bunting contribution - £148,386.00
- Safeguarded site for a 1FE primary school
- Safeguarded land for two-way vehicular bridge to east of Langford Bridge
- Safeguarded land for / marketing and delivery of a 279sqm community building for Use Classes A1, A2, A3, D1 and D2
- Travel Plan as set out in the accompanying Residential Travel Plan - £100 per dwelling;
- Bus Contribution - £219,510.00 (£73170 per year for three years);
- Toucan Crossing along with a commuted sum;
- Shared cycle and pedestrian route to the Town centre - £200,000;
- Delivery of the link road to the boundary;
- Air Quality Management Area (AQMA), a contribution towards mitigation - £100 per dwelling if a fully costed project is identified;
- Delivery of the link road to the boundary with the landowner to the west. Provisions for the transfer of land parcels at the north-west corner of the site to Teignbridge District Council to unlock delivery of the TDC land for provision of the link road and employment/education land;
- 200k contribution for a cycle route towards the town centre;
- Provision of cycle path extension along Decoy Industrial Estate;
- Employment site to cascade down to education if employment not viable.

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:

**Full planning permission (link road and vehicular access points)**

- Development shall commence within 3 years of the date of this permission;
- Development to proceed in accordance with the approved plans/documents;
- Surface water details;
- Link road gateway scheme to provide high quality design;
- Hard surfacing to include detailed design of the footways/cycle path as well as other hard surfaces;
- Soft landscaping details including tree lined avenue details within verges either side of highway;
- Full highway engineering details;
- Lighting strategy;
- Construction Environmental Management Plan (CEMP) – Biodiversity and Construction;
- Landscape & Ecology Management Plan (LEMP);
- Contaminated Land and Unsuspected Contamination;
- Programme of archaeological work in accordance with a written scheme of investigation.

**Outline planning permission / whole site as appropriate**

- Submission of reserved matters (Access, scale, appearance, landscaping and layout);
- Reserved matters for first phase in no less than 3 years, all other reserved matters to be submitted within 10 years;
- Development of each phase shall be begun before the expiry of 2 years from the date of approval of the final reserved matters for that phase;
- All reserved matters shall be made within 10 years of the date of permission;
- Development to be carried out in accordance with the approved plans;
- Submission of phasing plan prior to reserved matters;
- Limit on employment use – 22,000sqm B&C; B2 or B8; B1a up to 8,100sqm;
- Removal of PD Rights for conversion to residential;
- Prior to any RM a design code to be submitted and approved for all phases;
- Existing and proposed ground levels plan;
- Scheme of security measures – secured by design;
- Site wide housing mix strategy;
- Travel Plan;
- Access, circulation and green space strategy;
- Carbon reduction plan;
- Electric vehicle charging facilities;
- Written scheme of archaeology;
- Retention of the cob barn at Langford Bridge Farm;
- Surface water drainage scheme for each phase to be submitted prior to commencement of that phase;
- Arboricultural Impact Assessment;
• Measure to avoid/mitigate/compensate impacts on biodiversity in accordance with Appendix Biodiversity Section 9.5 of the ES;
• Bespoke Greater Horseshoe Bat Mitigation Plan;
• Detail of bespoke greater horseshoe bat roost;
• Control of External Light Spill to maintain dark areas on Site and in surrounding areas;
• Construction Environmental Management Plan - Biodiversity
• Landscape and Ecology Implementation and Management Plan (LEMP) to be submitted to and approved for each phase prior to commencement of that phase;
• Ecological monitoring to provide early warning of threats to bat habitat and commuting routes;
• Removal of permitted development rights for wind turbines;
• Submission of Scheme, Implementation, Verification, Reporting Unexpected Contamination;
• Construction Environmental Management Plan – CEMP: Construction;
• All reserved matters applications shall be accompanied by a report clearly demonstrating the methods to be employed to stop noise, vibration and odour
• Prior to commencement of the construction works, details of a lighting report and impact strategy shall be submitted;
• No occupation of any dwelling in a phase until foul sewage disposal is provided in accordance with details first approved;
• Notwithstanding the submitted parameter plans development will be located and designed to protect the residential amenity of Langford Bridge House and Langford Bridge Farm.

3. DESCRIPTION

Site description

3.01 The site is agricultural land that forms part of housing allocation NA3: Wolborough within the Teignbridge Local Plan (TLP). NA3 is an area of land to the south of Newton Abbot for the development of approximately 120 hectares of land for a mix of uses, including employment, housing, community facilities, a road vehicular connection between the A380 South Devon Highway and the A381 Totnes Road, and large areas of green infrastructure. The allocation stretches from the A381 Totnes Road, eastwards by approximately 2Km, approximately 200m to the east of Kingskerswell Road and 200m to the west of the Aller Brook, which is adjacent to the A380. The application site also includes parcel of land located on the southeast side of Kingskerswell Road to the north of Langford Bridge, measuring approximately 2.5ha, which is not within the NA3 allocation.

3.02 This application specifically relates to the eastern part of the NA3 allocation, measuring approximately 25.65ha (63.38ac) in size. The site levels across the site vary from approximately 10 -20 AOD on the eastern side of Kingskerswell Road, and approximately 12m AOD along parts of the western side of Kingskerswell Road rising to 60 AOD in the south-west corner.

3.03 The remaining western part of the NA3 allocation is the subject of separate planning applications and associated appeals. These applications are submitted by others and are not related to this application.
3.04 A triangular area of agricultural land currently in arable production located immediately to the north of the site and west of the Decoy Industrial Estate is owned by Teignbridge District Council (TDC). The land is identified for employment/mixed use land within the adopted Teignbridge Local Plan 2013-2033.

3.05 The site is located on the south-eastern edge of Newton Abbot and has a common boundary to the north with Decoy Industrial Estate and Berendsen UK. Decoy Country Park lies to the north of the site and comprises the country park itself, an extensive woodland area, a lake, and Wolborough Fen. There are sports pitches and allotments to the north of the Fen. The built-up residential edge of Newton Abbot/Wolborough is located approximately 320m to the north of the site. The Aller Brook, the South-West Railway trainline and the South Devon Link Road (A380) are located to the east of the site, beyond which is residential development at Milber and Aller Park. The edge of Abbotskerswell is approximately 600m to the south-west of the site. Apart from the commercial units and woodland to the north and The Priory Retirement Village to the south-west, the site is predominately surrounded by agricultural land. The southern boundary of the site, excluding land to the east of Kingskerswell Road, is shared with Priory Road. The remaining part of the southern boundary is denoted by the Aller Brook. Langford Bridge is approximately 50m to the south-east of the site.

3.06 The site is bisected by Kingskerswell Road which is a Class B County Road which runs north-south through the plot. The site excludes Buckland Athletic Football Club which is located on the western side of Kingskerswell Road and Langford Bridge House which is on the eastern side Kingskerswell Road. The site includes Langford Bridge Farm which is located on the eastern side of Kingskerswell Road. Priory Road is a Class C County Road (60mph speed limit) which forms the southern boundary of the site and has a single carriageway with passing places.

3.07 The site predominately contains semi-improved and improved grassland with the exception of a small field adjacent to the south-east boundary which is arable land. The field to the north of the site, owned by TDC, is also arable. The agricultural land is of mixed quality including grades 2, 3a, 3b and 4. The site also includes areas of rough grassland adjacent to the northern boundary, woodland (around the boundary with the football club) and ruderal land to the north of the football club. The field boundaries are predominately defined by native hedgerows. The site is relatively steep, in places, with a maximum gradient of 1 in 6 towards the western boundary. The site also includes mixed woodland, stream corridors, unimproved grassland, wetlands and mature hedgerows and trees.

3.08 The northern boundary is predominately defined by a well-established hedgerow including some mature trees and semi-mature trees. The western boundary is defined by mature hedgerow and trees. The boundary with Kingskerswell Road is defined to the north by post and wire fencing. To the south with Priory Road there is a hedge bank and a mature hedgerow. A mature hedgerow defines the boundary on the east side of Kingskerswell Road. Langford Bridge Farm is located on the south east boundary and has a perimeter hedgerow. The common shared boundary with Buckland Football Club is characterised by woodland. The site is covered by an area Tree Preservation Order (TPO).

3.09 The site contains no heritage assets but there are a number within 1km. The nearest listed buildings are Langford Bridge (Grade II) approximately 50m to the south-east of the site; The Priory (Grade II*) which is located approximately 150m to
the south-west of the site boundary. Abbotskerswell Conservation Area is located approximately 660m to the south-west of the site. Wolbororough Hill Conservation Area and Forde Park Conservation Area are located approximately 700m to the north of the site. Milber Down Camp Scheduled Monument, which is an Iron Age Hillfort, is located over 1km to the north-east. The cob barn at Langford Bridge Farm is considered to be a non-designated Heritage Asset.

3.10 The majority of the site, and all land on the western side of the site, is within Flood Zone 1 which has the lowest risk of flooding. The eastern side of the site adjacent to the Aller Brook borders Flood Zone 3 (FZ3), which has a high risk of flooding. A small section of the site adjacent to Langford Bridge is within FZ3.

3.11 The site does not contain a statutory wildlife site. Decoy Country Park Local Nature Reserve (LNR) is located approximately 240m north of the site which has habitats including ponds, streams, fen, and wet woodland and heath woodland. Wolbororough Fen is a Site of Special Scientific Interest (SSSI) located to the south of the LNR. Parts of Decoy Country Park are designated as County Wildlife Site (CWS), which is a non-statutory designation, with the nearest part to the site being some 90m to the north of the site. Aller Sand Pit Site SSSI is located approximately 450m to the east of the site. Forde Field CWS is located to the east of the site.

3.12 The site is within the South Hams SAC (greater horseshoe bat) Landscape Connectivity Zone. The nearest component SAC roost site, Chudleigh Caves and Woods SSSI, is 9 km from the site.

3.13 There are no Public Rights of Way (PROW) on the site with the nearest being that of Newton Abbot Footpath no.1 which is located to the north of the site. This footpath links with a number of other footpaths in the local area which cross Decoy Country Park.

3.14 A mineral safeguarding area is located north west of the site and therefore much of the site falls within a designated industrial minerals and aggregates consultation zone (Policy M2).

3.15 The site is 150m from the Kingskerswell Air Quality Management Area (AQMA)

**Proposed development**

3.16 The application has been submitted as a hybrid planning application seeking both outline planning permission and full planning permission.

3.17 Outline planning permission is sought with all matters reserved for a residential led mixed use development comprising up to 450 dwellings within Use Class C3 on 10.77ha of land on the western side of Kingskerswell Road, a local centre of up to 279 sq metres (GIA) within Use Classes A1, A2, A3, D1 and D2, to be located on the northern side of the link road at entrance of the site, and 22,000sq metres of employment uses on land (4.4ha) to the east of Kingskerswell Road, including all infrastructure and associated development including demolition or conversion of existing farm buildings. It is proposed that the employment use could include a mix of the following up to a maximum of 22,000sqm:

- Office (Use Class B1a), up to 8,100sqm; and/or,
- Light Industry (Use class B1b and B1c), up to 22,000sqm; and/or
- General Industrial (Use Class B2), up to 22,000sqm; and/or
- Storage and Logistics (Use Class B8), up to 22,000sqm.

3.18 The full planning permission element of the application relates to the provision of a part link road and three new vehicular access points to the site from Kingskerswell Road.

3.19 In the event that the proposed employment use is found not to be viable, following appropriate marketing, the use will cascade down to education. This will be secured in the s106 legal agreement.

3.20 The proposal includes approximately 8.14 ha provision of green infrastructure, including public open space, natural space, play space, and including biodiversity and landscape corridors.

3.21 Two sustainable urban drainage (SUDs) attenuation features are proposed on the eastern side of Kingskerswell Road to the north of the proposed employment site, to facilitate a calculated area of surface water run-off (plus assumption for climate change). A culvert is proposed under the new link road.

3.22 The land to the south of the Link Road adjacent to the access with Kingskerswell Road is shown as safeguarded land for a primary school.

3.23 Bat mitigation is proposed including bat crossing light mitigation and a green infrastructure buffer along the southern side of the development along Priory Lane.

**Part link road and access - western side**

3.24 The part link Road would be served by a 36m 3-arm roundabout with a 3m footway/cycleway to tie into the existing highway at Kingskerswell Road. A 6m wide carriageway is proposed with 3m wide footways/cycle paths with 1m highway verge strip between highway and footway. It is proposed to culvert an existing ditch/water course. One smaller access point is proposed on the northern side of the link road to serve the community building and parcel of residential land. 9 trees and 80m of hedgerow would be removed as part of the access works. The Link Road would be approximately 175m in length terminating shortly after the access onto the southern access point onto the main arterial road which will serve the main part of the development. The stub access point is shown with a carriageway measuring 5.5m in width with 2m footways.

3.25 The arterial route, although not forming part of this application, would run southwards from the part link road linking with a new secondary access onto Kingskerswell Road, adjacent to Langford Bridge Cottage and off-set from Priory Road. This access is shown with 3m footways on either side of the access.

**Eastern side – employment use access**

3.26 Two new accesses are proposed to serve the employment land and would provide
an arterial route through the site. The northern access is shown approximately 70m
to the south of the Buckland Athletic FC’s access with the highway. Approximately
20m of hedge to be removed. The southern access is shown immediately to the
south of buildings at Langford Bridge Farm which would require the minimum
removal of approximately 10m of hedgerow. Both of the accesses are shown as
having a 7.3m wide carriageway and 3m footways

3.27 Although subject to the reserved matters stage, other associated works include the
retention and/or alteration of existing buildings and structures within the site, which
may include demolition or partial demolition, including the removal of the existing
working farm buildings and the potential to demolish or refurbish the existing cob
barn, located within the site to the east of Kingskerswell Road.

**Primary school**

3.28 Planning permission is not being sought for a primary school. However, a parcel of
land will be safeguarded within a S106 legal agreement for development of a 1FE
primary school, if it is required. This will be a 1 Form Entry School accommodating
up to 210 students.

3.29 The site measures 1.1ha and is indicated to the south-west of the proposed
roundabout serving the link road from Kingskerswell Road. The primary school
could provide outdoor sports facilities including a mini pitch. If required this would be
located adjacent to the existing football ground.

**Secondary school/higher education provision**

3.30 The TDC land to the west of Decoy Ind. Est. and north of the link road does not
form part of the application but could potentially be used in the future, subject to the
necessary permissions, for the provision of education land. The link road extension,
which would abut the southern boundary of the site, would provide control for TDC
and DCC that the site could be accessed and unlocked for education provision,
should this be required.

**Parameter Plans**

3.31 A suite of parameter plans covering density, building height and land use &
movement have been submitted to inform and set limits for the reserved matters
stage.

3.32 The ‘Detailed Residential Density’ parameter plan identifies a density range of
between 20 to 50 dwellings per hectare (dph), including a zone of up to 50 dph to
the immediate south of the Link Road, a zone of 35-45 dph within the central
section of the site and a zone of 20-35 dph within the southern section of the site.

3.33 The Land Use and Movement Plan shows the different land uses across the site
(residential, employment, local centre, attenuation features & green infrastructure)
and existing highways together with the proposed link road, highway connections,
indicative primary highway routes, access points and pedestrian/agricultural access
points.
3.34 The ‘Building Heights’ parameter plan indicates the following:

Residential building heights:
- Up to 2 storey (up to 9m to ridge);
- Up to 2.5 storey (up to 10m to ridge);
- Up to 3 Storey (up to 11.2m to ridge);
- Up to 4 Storey (up to 12m).

Non-residential ‘B’ use building heights:
- Up to 1 storey (up to 6m to ridge);
- Up to 2 storey (up to 10m to ridge).

Mixed-use building heights:
- Up to 3 Storey (max 10m to ridge).

3.35 The ‘Ecology’ parameter plan identifies the proposed mitigation required as part of the Habitat Regulation Assessment (HRA) and the South Hams Special Area of Conservation (SAC).

3.36 A ‘Detailed Residential Development Plan’ adds to the density parameter plan to identify the dwelling numbers on different parts of the site.

3.37 The application as originally submitted proposed a small parcel of residential development in the south-west corner of the site adjacent to The Priory, to be accessed from priory Road. This was withdrawn by the applicant following concerns raised regarding impacts on bats, impact on the setting of The Priory which is a Grade II* listed building and wider concerns regarding its isolated location and good place making.

**Environmental Statement (ES)**

3.38 The scale of development has triggered the requirement of an Environmental Statement which has been submitted as part of this application. An Environmental Statement is required to consider the ‘likely significant’ effects of a proposed development on the environment. Schedule 4 of the EIA Regulations 2017 (as amended) sets out the information for inclusion in Environmental Statements.

3.39 The ES and the September 2019 Addendum find that the proposed development has no substantive effect on the environment as submitted.

3.40 A suite of reports have accompanied the application including the following:

- Design and Access Statement (Turley, January 2019) (including Green Infrastructure Plans and Statement);
- Statement of Community Involvement (CEG, January 2019);
- Sustainability and Carbon Reduction Statement (Turley, January 2019);
- Economic Benefits Statement (Turley, January 2019);
- Waste Audit Assessment (RSK, January 2019);
- Arboricultural Impact Assessment (Treework Environmental Practice, November 2018);
- Preliminary Utilities Assessment (RSK, January 2019).
• Outline drawings pack comprising:
  – Outline Site Location Plan (Turley) (Ref: CEGA3001_100E);
  – Parameter Plan – Land Use and Movement (Turley) (Ref: CEGA3001_4000J);
  – Parameter Plan – Building Heights (Turley) (Ref: CEGA3001_4003J);
  – Parameter Plan – Density (Turley) (Ref: CEGA3001_4004H);
  – Illustrative Masterplan (Turley) (Ref: CEGA3001_3001M);
• Full drawings pack comprising:
  – Full Site Location Plan (Turley) (Ref: CEGA3001_1002C);
  – General Arrangement of Roundabout and Link Road (Bryan G Hall) (Ref: 17/355/TR/100/001 Rev D);
  – Long Section of Link Road (Bryan G Hall) (Ref: 17/355/TR/100/002);
  – Cross Sections of Link Road (Bryan G Hall) (Ref: 17/355/TR/100/003 Rev B);
  – Typical Sections of Link Road (Bryan G Hall) (Ref: 17/355/TR/100/004 Rev B);
  – Location Plan of Access Drawings (Bryan G Hall) (Ref: 17/355/TR/100/005 Rev D);
  – Indicative Highway Drainage Strategy (17/355/DE/006 Rev G);
  – Proposed Northern Employment/Mixed Use Access onto Kingskerswell Road (Bryan G Hall) (Ref: 17/355/DE/019 Rev A);
  – Proposed Southern Residential Access onto Kingskerswell Road (Bryan G Hall) (Ref: 17/355/TR/020 Rev D);
  – Proposed Southern Employment/Mixed Use Access onto Kingskerswell Road (Bryan G Hall) (Ref: 17/355/TR/021 Rev D);
• Environmental Statement (Turley) (with individual chapters prepared by competent experts), structured as follows:
  – Non-Technical Summary (NTS);
  – Volume 1: Environmental Statement Chapters;
    • Chapter 1. Introduction
    • Chapter 2. The Site and its Surroundings
    • Chapter 3. Reasonable Alternatives
    • Chapter 4. The Proposed Development
    • Chapter 5. EIA Assessment Methodology
    • Chapter 6. Transport and Traffic
    • Chapter 7. Air Quality
    • Chapter 8. Noise and Vibration
    • Chapter 9. Biodiversity
    • Chapter 10. Landscape & Visual
    • Chapter 11. Heritage (built environment, and archaeology)
    • Chapter 12. Lighting
    • Chapter 13. Hydrology and Drainage
    • Chapter 14. Ground Conditions
    • Chapter 15. Climate Change

Volume 2: Technical Appendices and Figures;
• Figure 1.1 - Site Location Plan
• Figure 6.1 - Site Location Plan & Study Area (Transport)
• Figure 6.2 - Transport Survey Sites
• Figure 6.3 - Broad Location of Other Development Sites
Principle of development

3.41 Sections 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 require the Council to determine any application in accordance with the statutory development plan unless material considerations indicate otherwise.

3.42 The adopted Teignbridge Local Plan 2013-33 (TLP) 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 NA3 (Wolborough).
**Policy NA3: Wolborough**

3.42 The NA3 policy states that to deliver a sustainable, high quality mixed-use development the allocation shall:

"a) include a comprehensive landscape and design led masterplan for the strategic site allocation, produced with meaningful and continued input and engagement from stakeholders;
b) deliver 10 hectares of land for employment development, for office, general industrial or storage and distribution uses as appropriate to the site and its wider context, ensuring that there is also 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) deliver at least 1,500 homes with a target of 20% affordable homes;
d) provide social and community infrastructure including a youth centre, local shops, community facilities and a site of 5 hectares for a 420 place primary school including early years provision and a secondary school or other further education facility;
e) provide a vehicular route connecting the A380 South Devon Link Road with the A381;
f) create a network of green infrastructure that contributes to the overall strategic network;
g) respect the setting of the parish church of St Mary the Virgin;
h) provide a green buffer between development and Decoy woods;
i) protect and enhance Wolborough Fen Site of Special Scientific Interest and flight routes and foraging areas of greater horseshoe bats;
j) enhance or mitigate any impact on county wildlife sites, cirl bunting territories and barn owl sites;
k) maximise opportunities for the generation of on-site renewable energy at a domestic scale and investigate opportunities for community scale renewable energy generation
l) create areas for local food production
m) provide formal and informal recreation space
n) a bespoke Greater Horseshoe Bat mitigation plan for Wolborough must be submitted 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 and 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 and projects."

3.43 Abbotskerswell Neighbourhood Plan Policy PH2: Minimising the Impact of Local Plan Allocation NA3 Wolborough requires the provision of green Infrastructure, planting and buffer areas to mitigate the impact of the scheme on the landscape setting of the village.

3.44 As noted above, the NA3 allocation as set out in the Teignbridge Local Plan includes as the first requirement within its text the need for a ‘comprehensive landscape and design led masterplan for the strategic site allocation, produced with meaningful and continued input and engagement from stakeholders’.

3.45 The Council initially consulted on a draft overarching masterplan for the site in summer 2018, which was originally proposed to be adopted as a Supplementary
Planning Document (SPD). Following legal advice the Council agreed in January 2019 that a Development Plan Document (DPD) should be produced instead. The draft DPD is based on the work produced as part of the SPD but has been updated following consultation in response to comments received and in discussion with key stakeholders that include Historic England, Natural England and landowner representatives. Resident stakeholder workshops have recently been undertaken. The application site is identified as Neighbourhood 4 within the draft DPD.

3.46 At the time of writing, the draft DPD is at the options stage and has not reached the stage of public consultation. The Wolborough DPD has not revisited the principle of the site allocation but has built upon policy NA3, remaining in general conformity with the local plan, providing additional detail and reflecting later information and the increased emphasis on design within the NPPF.

Prematurity

3.47 A number of representations have been raised through the consultation process raising concern that the application is premature given the stage of the Wolborough DPD. The plan making process and prematurity are explicitly mentioned in para.48 & 49 of the NPPF.

3.48 The presumption for decision-taking, as outlined in the NPPF, means:
c) Approving development proposals that accord with an up-to-date development plan without delay.

The NPPF states that: ‘Local planning authorities may give weight to relevant policies in emerging plans according to:
a) The stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
b) The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
c) The degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

49. However in the context of the Framework – and in particular the presumption in favour of sustainable development – arguments that an application is premature are unlikely to justify a refusal of planning permission other than in the limited circumstances where both:
a) The development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging plan; and
b) The emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.’

3.49 In some circumstances, it may be justifiable to refuse planning permission on grounds of prematurity where a DPD or local plan is being prepared or is under review, but it has not yet been adopted. This may be appropriate where a proposed development is so substantial, or where the cumulative effect would be so significant, that granting permission could prejudice the DPD or local plan by
predetermining decisions about the scale, location or phasing of new development which are being addressed in the emerging documents.

3.50 The weight to be attached to such policies depends upon the stage of preparation or review, increasing as successive stages are reached. For example, where a DPD is at the consultation stage, with no early prospect of submission for examination, then refusal on prematurity grounds is unlikely to be justifiable because of the delay that this would impose in determining the future use of the land.

3.51 The Wolborough DPD is at a very early stage of preparation and has not started through the formal plan process. At this stage the DPD cannot therefore be afforded any material weight. On current timeframes, public consultation (Reg 18) is expected for 8 weeks starting in January 2020. The Reg 19 consultation process is expected in April/May 2020 at which stage limited weight could potentially be attributed to the DPD.

3.52 It is worth noting that even if the DPD were some way down the plan process and could be afforded more than limited weight, it would be necessary to demonstrate that the application was in conflict and would prejudice the DPD. Comparing the DPD Plan and application Illustrative Masterplan it is clear that the plans are very similar. Broadly speaking the plans are in accordance with each other. It is considered that the proposed development would not prejudice the DPD.

3.53 As regards to the emerging local Plan (2020-2040) and any potential conflict or prematurity, again, this is at a very early stage of information gathering and options and cannot be afforded any material weight.

3.54 The fact that the Council can currently demonstrate it has a 5 year housing land supply (5YLS) is irrelevant to the determination of this application. The site is allocated within the adopted TLP, rather than a windfall site, and in part forms part of the Council's 5YLS.

3.55 Although the site forms part of NA3 it is a distinct parcel of land which is not dependent on the delivery of the western part of the allocation; or on the outcome of its related appeals. This application should therefore be assessed on its own merits having regard to the relevant planning policies.

3.56 The principle of development on this allocated site is considered to be acceptable.

3.57 As will be discussed in more detail below, the proposal is considered to satisfy the list of criteria (a-n) that forms part of the NA3 policy.

a) Include a comprehensive landscape and design led masterplan for the strategic site allocation, produced with meaningful and continued input and engagement from stakeholders.

It is considered that this application is in broad compliance with the vision and requirements of the DPD, which has had meaningful and continued engagement with stakeholders. The suite of submitted plans constitute a landscape and design led masterplan for this part of the allocation. The proposal is considered to be in accordance with criterion (a).
b) **Deliver 10 hectares of land for employment development, for office, general industrial or storage and distribution uses as appropriate to the site and its wider context, ensuring that there is also 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.**

This application proposes 4.4 ha of employment land within Use Class ‘B’ on land to the east of Kingskerswell Road, which is considered to be appropriate, separated from existing and proposed residential development, and in a suitable location closer to the A380. The proposed quantum of development exceeds the pro-rata share of the policy required employment land. A local centre up to 279sqm is also proposed. The proposal is considered to be in accordance with criterion (b).

c) **Deliver at least 1,500 homes with a target of 20% affordable homes.**

The 450 dwelling would exceed the pro-rata share of housing. 20% affordable is proposed.Criterion (c) is therefore satisfied. The ‘Detailed Residential Density Plan’ demonstrates that the residential areas shown on the parameter plans are capable of providing 450 units.

d) **Provide social and community infrastructure including a youth centre, local shops, community facilities and a site of 5 hectares for a 420 place primary school including early years provision and a secondary school or other further education facility.**

The proposal includes a local centre in outline comprising up to 279 sqm (GIA) of retail and/or community floorspace to fall within use classes A1, A2, A3, D1, D2. Although not forming part of the application, land for a primary school will be safeguarded for 210 pupil primary school on the southern side of the link road. The TDC land to the west of Decoy Industrial Estate could potentially be used for a further education use.

The proposed development is considered to be in accordance with criterion (d).

e) **Provide a vehicular route connecting the A380 South Devon Link Road with the A381.**

The quantum of residential development proposed does not by itself require the provision of a link road from the A380 to the A381. An area of blue land under the control of the applicant will provide land, should it be required, to extend the part link road to the western boundary with TDC land and the neighbouring land. The area of land is to be handed over to TDC and its delivery will be secured through the s106 legal agreement.

It is considered that the proposal satisfies criterion (e).

f) **Create a network of green infrastructure that contributes to the overall strategic network.**

The application proposes over 8ha of green infrastructure. Proposals include informal and formal open space including proposed pocket parks, LEAPS/LAPS,
green corridors and the Knoll. The application is therefore considered to accord with requirement (f).

g) **Respect the setting of the parish church of St Mary the Virgin.**

Not relevant to this parcel as there is no intervisibility between the site and the heritage asset. There is no conflict with criterion (g).

h) **Provide a green buffer between development and Decoy woods.**

The submitted parameter plans and illustrative masterplan retains a green buffer between development and Decoy woods, the application is therefore considered in compliance with requirement (h) of Policy NA3.

i) **Protect and enhance the Wolborough Fen Site of Special Scientific Interest and flight routes and foraging areas of greater horseshoe bats; and j) enhance or mitigate any impact on county wildlife sites, cirl bunting territories and barn owl sites; and n) a bespoke Greater Horseshoe Bat mitigation plan for Wolborough 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 and 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.

The application is accompanied by a suite of ecology documents which form part of the supporting Environmental Statement, and cover measures for protection, enhancement and associated mitigation measures. The appropriate assessment concludes that the Council is able to ascertain, subject to securing appropriate mitigation through planning conditions, that the proposal will not result in adverse effects on the integrity of any of the sites that form part of the SAC in combination with other plans or projects.

It is considered that the application satisfies the requirements of (i), (j) and (n).

k) **Maximise opportunities for the generation of on-site renewable energy at a domestic scale and investigate opportunities for community scale renewable energy generation.**

Maximising opportunities for renewable energy would be secured at the reserved matter stage. Notwithstanding this, a Carbon Reduction Plan accompanies the application which outlines a 48% reduction in carbon emissions. To achieve this, renewable methods of energy production may be deployed at the domestic level. The proposal does not therefore conflict with criterion (k).

l) **Create areas for local food production.**

The emerging DPD Infrastructure Delivery Schedule says that allotments will be provided in Neighbourhood areas 1 to 3, and not in area 4 which relates to the application site. The proposal does not therefore conflict with criterion (l).

m) **Provide formal and informal recreation space.**
The application provides over 8ha of green infrastructure including formal and informal recreation space that will be secured by the s106 agreement. The application is therefore considered to comply with requirement (m) of Policy NA3.

**Principle of employment land outside of NA3:**

3.58 The employment land proposed outside of the NA3 allocation is located within the countryside. This is however considered to be acceptable in principle and supported by local plan policy. Policy S22 of the TLP confirms that industry, business and warehousing is acceptable in the open countryside. Policy S3 promotes an improved balance of jobs to working population by positively supporting business, general industrial and storage and distribution development (Use Classes B1, B2 and B8) in sustainable locations. Policy EC3: Rural Employment states that business, general industrial and storage and distribution uses in countryside will be acceptable in principle where a site adjoin a defined settlement. Although the draft DPD currently carries no weight it should be noted that this area of land is identified for employment uses within it.

**Impact on the landscape character and appearance of the area**

3.59 This hybrid application is predominately outline with all matters reserved. However, it is a significant material consideration that the application is assessed having regards to the potential impacts of the development on landscape character and the appearance of the site and its surroundings. Despite the outline nature of the majority of the site, a number of parameter plans have been submitted to guide the future design of the scheme. The site does not form part of a designated landscape but it is good planning to ensure that impacts on the landscape and countryside are minimised and development is located appropriately on the site, having regard to site topography and the character and appearance of the area.

3.60 National guidance within the National Planning Policy Framework (NPPF) confirms that good design and creation of high quality buildings and places is a key aspect of sustainable development, and is fundamental to planning. It goes on to say that planning decisions should ensure that developments will function well, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, are sympathetic to local character and history, including the surrounding built environment and landscape setting. Paragraph 170 of the Framework requires development to contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and respecting the intrinsic value of the countryside.

3.61 Policies EN2A: Landscape Protection and Enhancement of the TLP requires development to be sympathetic to and help to conserve and enhance the natural and cultural landscape and seascape character of Teignbridge. Policy S2 Quality Development requires new development will be of high quality design, which will support the creation of attractive, vibrant places. Designs will be specific to the place, based on a clear process which analyses and responds to the characteristics of the site, its wider context and the surrounding area, creating a place with a distinctive character.
3.62 Abbotskerswell Neighbourhood Plan (ANP) Policy PH2: Minimising the Impact of Local Plan Allocation NA3 Wolborough requires the provision of green Infrastructure, planting and buffer areas to mitigate the impact of the scheme on the landscape setting of the village.

3.63 Newton Abbot Neighbourhood Plan supports delivery of development to a high standard in Policy NANDP 2.

3.64 The site is currently agricultural land and has a rural/edge of settlement character, and does not form part of a designated or valued landscape. A Landscape Visual Impact Assessment (LVIA) has been submitted as part of the Environmental Statement (ES) and considers the effect of the proposed mixed used development on key landscape resources and visual receptors. The LVIA assessment has been undertaken in terms of a ‘worst-case scenario’ based on the parameter plans and recognises that when considering the landscape and visual effects of development it is important to recognise that any change to a greenfield site will result in adverse landscape and visual effects.

3.65 The LVIA judges that the site has a stronger association with the settlement edge adjacent to residential and industrial development, and the A380 and trainline, rather than with the rural hinterland. This is in part due to its settlement edge location but also the character of the landform and existing landscape elements that prevents views of the rural hinterland and offers cross-valley views towards Milber and Aller Park. In this context the LVIA considers the site to be of an ordinary landscape value with a medium landscape sensitivity to change and medium susceptibility to accommodate the proposed development. The magnitude of change to the site’s character is high, considering it is currently greenfield. In terms of visual effect the development’s impact would range from minor to adverse significance given the change from fields to urban development. The LVIA concludes that the development would lead to some adverse visual effects at the outset but that the scale and nature can be successfully accommodated within the local landscape without any unacceptable landscape or visual effects in the longer term.

3.66 The issue of landscape impact was considered by the Local Plan Inspector who concluded (paragraph 75) that: “While appreciating the concerns of nearby residents, the site is not part of any designated landscape area nor is it of such visual value to prevent development”.

3.67 The design approach of the scheme seeks to limit development on the steeper parts of the site, which would be most visually prominent, and to provide the highest and most dense development to areas closer to the existing settlement on lower ground. The LVIA outlines the mitigation measures that have been incorporated within the parameter plans to ensure that adverse landscape and visual effects are either reduced or avoided if possible as a first principle. These include:

- Provision of extensive network of Green Infrastructure across the site, with larger areas set out along the more elevated land to the west and the knoll to the east;
- Where possible existing trees and hedgerows within the site and along its boundaries will be retained within the Green Infrastructure network to ensure that the integrity of the landscape is maintained;
- Buffers of open space along the margins of the site will enable the built form to be more easily ‘absorbed’ into the landscape and will ensure that important landscape
and visual receptors are protected;
• On the lower elevations, where higher built form can be accommodated buildings are limited to four storeys whilst on the more elevated slopes, buildings are limited to one and two storeys. This is to ensure that built form does not unduly protrude above existing elements within the landscape or break the skyline in distant views of the site;
• Similarly, the higher elevations of the eastern and western parcels of land (near Priory Farm and Langford Bridge House) will be largely retained as open space to provide a green backdrop to the views.
• These undeveloped areas on the site will also provide an opportunity for cross-valley views out of the site, which is a key feature of the landscape character area.

3.68 The Landscape Officer is satisfied that the landscape mitigation identified above are an appropriate approach. The Landscape Officer is also satisfied that developing land outside of the allocation will not harm landscape character provided development avoids or responds appropriately to the higher elevations and it produces a character that respects the context of the surrounding area.

3.69 Having regard to the submitted LVIA and parameter plans it is concluded that in terms of landscape impact there would be no likely significant effect on the environment from the proposed development.

3.70 The mitigation and design approach outlined above is considered to be appropriate and would comply with policy S2 & EN2A of the TLP and PH2 of the ANP. The level of change to and the impacts on the landscape is considered to be outweighed by the significant social and economic benefits of the development.

**Detailed design:**

3.71 The only detailed matters to be agreed relate to the proposed access points which are part of the ‘full’ planning aspect of this hybrid application. The Council’s Landscape Officer initially raised concern regarding the treatment of the roundabout and link road due to the difference in levels from the existing highway, which would require steeply batted slopes. This approach is a very standard and generic highway engineer’s approach to the development, and would provide a very poor quality environment. In response, the applicant has submitted indicative cross sections and has committed to a suitable design approach to be secured through a planning condition to provide an appropriate high quality design solution. The link road will be the principal access to NA3 from the east and it is of great importance that it is a positive, high quality entrance. It is envisaged that the difference in levels could be accommodated, for example, by the use of limestone walling and landscaping. The roundabout should also be landscaped in an appropriate way to enhance the gateway into the development.

3.72 The Landscape Officer has raised some concern regarding the LVIA’s assessment of the character and appearance of the built environment in the area. It is considered however that this can be adequately assessed at the reserved matters stage and will be secured through a design coding condition, which will require that the proposed built form responds to the context and character of the site and its surroundings.

3.73 The Police Designing out Crime Officer is broadly supportive of the proposal and
states it is clear that designing out crime principles have been considered and alluded to throughout. The officer makes a number of general comments related to the illustrative plan and parameter plans. These comments are best considered at the reserved matters stage when detailed matters will be assessed. A condition is recommended to secure designing out crime measures with each phase.

Impact on Biodiversity

3.74 Policies NA3 (I), EN8 Biodiversity Protection and Enhancement, EN9 Important Habitats and Features, EN10 European Wildlife Sites & EN11 Legally Protected and Priority Species are the relevant TLP Policies and require that protected species and habitats are protected and enhanced. Paragraph 175 of the NPPF require development proposals minimise harm to biodiversity and provides opportunities for biodiversity enhancement.

3.75 The application is accompanied by a comprehensive suite of ecology documents, which form part of the supporting Environmental Statement. These documents cover in detail the measures for protection, enhancement and associated mitigation measures of protected species and ecological assets. A Defra Biodiversity Metric, which is an accounting tool to measure biodiversity losses and gains, has been submitted with the application.

South Hams Special Area of Conservation (SAC):

3.76 The application site is located centrally between the 5 SSSI designated sites which are the component sites of South Hams SAC and contain maternity and hibernation colonies of greater horseshoe bats. These bats utilise the wider countryside outside of the SAC, including areas of the application site and its surroundings, as well as the SAC itself. The likely significant effects of the application therefore need to be assessed. The site lies within the ‘Landscape Connectivity Zone’ for the South Hams SAC.

3.77 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. The proposed development site falls within a Landscape Connectivity Zone. The Landscape Connectivity Zone is an area that includes a complex network of commuting routes used by the SAC population of GHBs and providing connectivity between the designated roosts.

3.78 Consideration of the impact of the proposed development on GHBs is relevant because the application site is comprised of habitats that have the potential to support GHB activity, which include cattle grazed pasture, rough and semi-natural grassland, woodland, scrub, watercourses, and a network of hedgerows. 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, and new roads 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. Important commuting routes subject to a pinch point scenario are particularly
susceptible to development pressure. A pinch point is a situation where the greater horseshoe bat commuting network is significantly restricted by limited opportunities to commute due to urban encroachment or other habitat limiting reason.

3.79 The proposal represents a permanent and irreversible change to the functioning of the Landscape Connectivity Zone with the potential to further fragment commuting habitats used by GHBs moving between the South Hams SAC designated roosts, and other supporting roosts. This potential landscape scale impact, alone and in-combination, could affect the favourable conservation status of GHBs and lead to an adverse effect on the site integrity of the SAC.

3.80 The Teignbridge Local Plan Supplementary report on GHBs and the South Hams SAC at an individual site level confirms the need to identify roost foraging areas referencing the Natural England Guidance and the National Bat Survey Guidelines. The Natural England guidance identifies that greater horseshoe bats are susceptible to certain changes in the landscape, including impacts on roosts, removal of linear features used for navigation and commuting; Change in habitat structure and composition, disturbance from new illumination causing bats to change their use of an area, and physical injury by wind turbines.

3.81 The approach to mitigation follows and established hierarchy: Modify the development to avoid bat features (roosts, flyways, foraging areas); replacement of minor roosts under European Protected Species Licence; Careful design of dark corridors along hedgerows and tree lines, providing alternative flyways as part of landscaping and green space, and by enhancing existing routes through additional planting and fencing.

3.82 The precautionary principle is embedded throughout the Habitats Regulations and requires that the conservation objectives for a European site should take precedence where there is uncertainty. If the ‘integrity test’ cannot be satisfied in accordance with the Regulations the competent authority would need to proceed to the provisions of Article 64 of the Regulations.

3.83 These two precise pieces of information are required to give the competent authority the certainty it requires to conclude that the proposal will not adversely affect the South Hams SAC beyond reasonable scientific doubt for the proposed development area in question. Without the necessary information the Council is not able to assess the appropriateness of the proposed mitigation measures, which are relied on to offset any adverse effects on the integrity of the SAC.

3.84 The bat survey work was undertaken between March and October 2018 and included static surveys and transect surveys. The results of the survey work are set out in Technical Appendix 9.1 & 9.2 of the ES with further analysis submitted in Additional information.

3.85 The Bat Survey work within the ES finds that whilst the site is used by commuting GHBs, it is not a key foraging area for this species. As such a Report to Inform has been undertaken within the ES to assess the potential impacts of the proposed development and sets out mitigation. The Report to Inform judges that subject to the following mitigation there will be no adverse effect on the integrity of the SAC:

- protecting the functionality and integrity of the Strategic Flyways around the south of Newton Abbot to maintain landscape linkages;
• optimise existing and provide new foraging and commuting habitat
• to provide connectivity in accordance with the Strategic Flyways;
• provide mitigation for bat road crossings;
• result in no net loss of hedgerows; avoid light spillage into flyways and foraging areas with a lux level of less than 0.5lux;
• allow habitat connectivity for commuting / migrating bats between Decoy Country Park and the Strategic Flyway to the south;
• ensure any footpaths / cycleways through the bat corridors are either unlit or designed with a sensitive lighting regime;
• ensure areas of public open space in / near bat corridors are designed to provide foraging and commuting habitat.
• planting new orchard trees and woodland;
• mitigation for flyways through new hedgerow planting and foraging habitat through provision of pasture;
• create / enhance tree lines and hedgerows;
• provide landscape buffers between foraging areas and the new development;
• create new bespoke bat roosts to improve the distribution of satellite roosts;
• ensure the long-term management of habitats through production of a Landscape and Ecological Management Plan (LEMP);
• Implement the development through a Framework Construction Environmental Management Plan (CEMP); and
• undertake monitoring to establish the effectiveness of the mitigation, and provide remedial action if required.

The Council, as competent authority, has undertaken an appropriate assessment of the proposal in accordance with Regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended).
Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process.

3.86 The appropriate assessment concludes that the Council is able to ascertain, subject to securing appropriate mitigation through planning conditions, that the proposal will not result in adverse effects on the integrity of any of the sites that form part of the SAC in combination with other plans or projects.

3.87 Having considered the assessment Natural England has advised that they agree with the assessment conclusions, providing that all mitigation measures are appropriately secured in any permission given.

**Other protected species and habitats:**

3.88 Several protected and priority species (including other bats species) will or may be impacted by the proposals.
3.89 In total, 12 bat species were found to use the site, of which 6 are species of principal importance listed under Section 41 of the NERC Act 2016 and three species (greater and lesser horseshoe bats and barbastelle) are provided with special provisions under the Conservation of Habitats and Species Regulations 2017. Other notable bat species using the site included Myotis and Noctule bats, with scattered records of long-eared bats and Serotine. The Local Planning Authority is satisfied the proposals comply with provisions of the Habitats Regulations subject to the recommendations of the submitted ecology documents.

3.90 The submitted ecology survey identifies that the existing cob barn at Langford Bridge Farm and a modern farm house north of the farm have a high and low-moderate potential for roosting bats. A number of trees also have bat roost potential. A Barn Owl has been identified in Langford Bridge Farm Cobb Barn. Cirl Bunting nesting areas were identified along Priory Road and to the south (off-site).

3.91 A single Badger latrine was recorded within the south-western corner of field F4 on one occasion. As such, Badger use of the site is evidentially very low and only very occasional. Low populations of common reptile species are recorded within the site: Grass Snake, Slow-worm, and Common Lizard. Small populations of Great Crested Newt are identified in 3 ponds in the Laundry site to the north (off-site). Brown Hare were noted on site and Hedgehog are considered likely present, which are both Priority species.

3.92 The Biodiversity Officer considers that the ES proposes a suitable suite of measures to avoid, mitigate and compensate for these impacts (Appendix 9.1 Biodiversity, especially section 9.5). These measures will be secured by condition. A LEMP condition will also be included in a decision to cover details of protection, enhancement and ongoing management of green spaces and green and blue corridors.

3.93 Two cirl bunting breeding territories will be substantially impacted. Compensation for their loss (2 x £74,193 = £148,386) will be secured through the S106 legal agreement, in line with our adopted guidance.

3.94 There is potential to impact European Protected Species (EPS), i.e. various bats species and great crested newt, for which NE protected species licences are likely to be required. NE requires the Local Planning Authority to apply the following three tests when considering an application that might affect EPS.

1) A licence can be granted for the purposes of preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment.
2) The appropriate authority shall not grant a licence unless they are satisfied “that there is no satisfactory alternative.
3) The appropriate authority shall not grant a licence unless they are satisfied “that the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

3.95 The Biodiversity Officer has concluded that, with the proposed mitigation, the third test will be satisfied. It is considered that the site, which is allocated within the adopted TLP, constitutes an overriding public interest both socially and
economically, and that there are no satisfactory alternatives. The proposed development therefore also satisfies tests 1 & 2.

3.96 The Biodiversity Officer agrees with the applicant’s conclusion that the development will not impact the hydrology of Wolborough Fen SSSI and that the on-site POS provision will attract recreational use away from Decoy LNR and CWS.

3.97 The proposal is considered to be in accordance with Policies NA3 (I), EN8 Biodiversity Protection and Enhancement, EN9 Important Habitats and Features, EN10 European Wildlife Sites & EN11 Legally Protected and Priority Species and paragraph 175 of the NPPF.

**Residential Amenity**

3.98 Policy S1 ‘Sustainable Development Criteria’ requires that the development performs well against 10 criterion. Criterion (e) relates to protecting residential amenity of existing and committed dwellings particularly with regard to privacy, security, outlook and natural light.

3.99 The majority of off-site residential properties are located a significant distance from the proposed areas for built development some 350m to the north, east and west of the site. This separation distance would ensure that there would be no adverse harm to the amenity of these dwellings.

3.101 Langford Bridge Farm (under the control of the applicant) and Langford Bridge House (third party ownership) are the dwellings most likely to be affected by development, located adjacent to Kingskerswell Road to the north of Langford Bridge, outside of but adjacent to proposed residential and employment land.

3.102 Langford Bridge Farm is shown on the parameter plans as being approximately 30m from dwellings up to 3-storeys in height. The separation distance may be appropriate but this will need to be assessed at the reserved matters stage when full details of the dwellings are submitted. Langford Bridge House is however shown with a separation distance of 11.5m from its principal elevation to employment buildings up to 2-storeys and 10m in height. A building in this location, even if only single-storey and 6m in height, has the potential to adversely harm residential amenity. Given these concerns, and for the avoidance of doubt, a condition is recommended in this report to ensure that the location and design of any future reserved matters application pays full regard to the potential impacts on these residential properties.

3.103 The potential impacts on the amenity of future occupiers will be assessed and determined at the reserved matters stage.

**Historic Environment – built environment**

3.104 The ES is accompanied by three reports related to the historic environment including: Heritage & Archaeology Baseline, Heritage & Archaeology Consultation and Heritage & Archaeology Addendum.

3.105 There are a number of heritage assets within 1km of the site many of which would
not be affected by the proposal because of a lack of intervisibility due to topography, landscaping and existing buildings. The proposed development does however have the potential to cause harm to the setting of The Priory, which is a Grade II* Listed building, Milber Down Scheduled Monument and the Grade II Langford Bridge.

3.106 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on local authorities to pay special regard to the desirability of preserving listed buildings, their setting and any features of special architectural or historic interest in which is possesses. Section 72 requires that the character or appearance of Conservation Areas are preserved or enhanced.

3.107 The NPPF recognises the effect of an application on the significance of a heritage asset is a material planning consideration. Paragraph 193 states that there should be great weight given to the conservation of designated heritage assets; the more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset, or development within its setting. Any harm or loss should require clear and convincing justification.

3.108 In accordance with the National Planning Policy Framework, heritage assets are irreplaceable resources and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations (paragraph 184). As the Local Planning Authority, the NPPF states that we should take into account the ability of new development to make a positive contribution to the local character and distinctiveness when determining applications (paragraph 192) and that when considering the impact of a proposed development on the significance of a designated heritage asset, that great weight should be given to the asset's conservation, irrespective of the level of harm (paragraph 193) and any harm to, or loss of, significance of a designated heritage asset should require clear and convincing justification (paragraph 194). Therefore, where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the scheme (paragraph 196). The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset (para. 197).

3.109 Policy EN5: Heritage Assets of the TLP requires that the area’s heritage is protected and enhanced, and that development proposals will take account of the significance, character, setting and local distinctiveness of any affected heritage asset, including Scheduled Monuments, Listed Buildings, Conservation Areas, Historic Parks and Gardens, other archaeological sites and other assets on the Register of Local Assets, particularly those of national importance. Similarly, Policy NANDP11 of the Newton Abbot Neighbourhood plan requires the protection of heritage assets.

3.110 The NPPF defines the setting of a heritage asset as, ‘The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.’
3.111 As originally submitted, Historic England had particular concern regarding the impact of the small Priory Road residential parcel on the setting of The Priory. This element has however been withdrawn and Historic England have removed their objection to this element of the development.

3.112 As regards the impact upon the significance of Milber Scheduled Monument, it is considered that the impact on its setting, having regard to the significant separation distance combined with the extent of existing residential development and urban infrastructure surrounding the site and between the sites, would be neutral. Historic England have also concluded that the existing urban development surrounding the monument has affected the setting of the heritage asset.

3.113 There would be a neutral impact on the setting of the Langford Bridge given it is largely obscured by the metalled road surface and thick tree/hedge cover along the adjacent watercourse.

3.114 Historic England and the Council’s Conservation Officer have no objection to the proposed development with regards to the impact on the setting of The Priory, Milber SM or Langford Bridge.

3.115 The significant separation distances, intervening topography, landscape and buildings from the proposed development to the nearest conservation areas (Abbotskerswell, Wolborough Hill and Forde Park) will ensure that there would be no harm to the settings of these heritage assets.

3.116 The cob barn at Langford Bridge Farm is considered to be a non-designated heritage asset of local interest and as such it should be retained and converted in any future development. In line with para 197 of the NPPF, as part of any future development, the significance of the barn will need to be fully understood and a balanced judgement will be required having regard to the scale of any harm or loss.

3.117 The development is considered to accord with policy EN5 of the TLP, Policy NANDP11 and the NPPF.

Archaeology

3.118 Paragraphs 194 & 197 (mentioned above) of the NPPF are the pertinent policy background with regard to archaeology.

3.119 The proposed development site lies in an area of archaeological potential to the north of an Iron Age and Romano-British enclosure at Aller Cross, while the road that crosses the site north-south may have its origins in the Roman period.

3.120 Historic England have raised concern regarding the siting of the link road and the potential impact on archaeology. However, a geophysical survey has already been undertaken of this area and in the light of the results of the survey the County Historic Environment Team (CHET) did not consider that any further work is required to inform the production of the Environmental Statement.

3.121 The CHET consider that the construction of the proposed development has the potential to expose and destroy archaeological and artefactual deposits associated with the known prehistoric and Romano-British activity in the wider landscape. The impact of development upon the archaeological resource here should be mitigated
by a programme of archaeological work that should investigate, record and analyse the archaeological evidence that will otherwise be destroyed by the proposed development. As such the Historic Environment Team recommends a planning condition to secure the implementation of a programme of archaeological work in accordance with a written scheme of investigation (WSI).

3.122 The proposal is considered to be in compliance with paragraphs 194 & 197 of the NPPF.

Highway safety and sustainable transport measures

3.123 Policy S1 of the TLP requires development to be accessible by walking, cycling and public transport, particularly work, shopping, leisure and education and to not harm highway safety or create unacceptable levels of congestion. Policy S9 seeks to encourage sustainable transport choices through an integrated approach to transport. Policy S14 (Newton Abbot) promotes growth of Newton Abbot and provision of the commensurate infrastructure. Policy NANDP 4 promotes provision of cycle/walkways in new residential, industrial and commercial development.

3.124 In line with paragraph 111 of the NPPF, a Transport Assessment (TA) has been prepared in support of this application.

3.125 The County Highway Team have assessed the TA and the submitted part link road and access plans and have concluded that the required standards have been satisfied and that there would therefore be no harm to highway safety.

3.126 County Highways have confirmed that the traffic generated by the proposed development would be to an acceptable level and would not unduly affect the existing road network. They have re-iterated that the NA3 allocation in its entirety can be implemented without the need to upgrade Langford Bridge or provide a new two-way crossing. The applicant notes that an upgrade may be a future aspiration and has therefore provided an area of safeguarded land within the applicant’s ownership to the east of Langford Bridge, to be secured by s106 legal agreement.

The Link Road:

3.127 A key requirement of Policy NA3 is the provision of a “vehicular route connecting the A380 South Devon Link Road with the A381”. The provision of this link at an early stage in the development of the allocation is considered to be vital for a number of reasons including mitigating the impact of traffic across the wider local area, managing air quality, place-making and access to public transport, community facilities and services.

3.128 The location of the link road and roundabout has been robustly assessed by TDC in conjunction with their planning/highway consultants (White Young Green), in consultation with Devon County Highways, the landowners and the applicant (CEG).

3.129 It is acknowledged that the route in its entirety cannot be delivered by the proposed development given the extent of the site area and due to land ownership issues. However, without a route connecting the A380 and the A381 at an early stage in the
wider development, the proposed development is considered to be unacceptable on balance for reasons relating to traffic impact, air quality, place-making, access to public transport and pedestrians and cyclists.

3.130 It is recommended by Devon County Council that no more than 500 dwellings on the western side of the allocation and no more than 500 dwellings on the eastern side of the allocation should be occupied before the through route is completed connecting the A380 and A381. It is considered that the traffic analysis provided in the Transport Assessment, Transport Technical Response and Environmental Statement Addendum, alongside the outstanding issues with the analysis undertaken, as outlined above, support the conclusion that the through route is required before NA3 as a whole is completed.

3.131 This application is for up to 450 dwellings only, and would provide the first section of the link road, therefore the proposed quantum of development is acceptable on highway grounds and would not be affected or limited by highway infrastructure provision.

3.132 An area of safeguarded link road land, owned by the applicant but outside of the application site, will be secured by the s106. The area of land runs westwards from the proposed link road to the boundary with TDC land and the adjacent landowner. This provision will help to unlock the wider site.

**Sustainable transport measures:**

3.133 As an urban extension to Newton Abbot the site is well placed to provide sustainable transport measures, given its physical connectivity to the settlement and existing footpath and footway/cycleway. At this predominately outline stage there are limited provisions provided but there is an illustrative masterplan and parameter plans identifying sustainable transport solutions. The application submission includes a ‘movement’ parameter plan which indicates the way that vehicles, pedestrians and cyclist would cross the site and link to surrounding land and to the existing highway.

3.134 The majority of the site is located some considerable distance from existing bus services with the existing stops close to the site being served by services at relatively low frequency and operated by small vehicles. Devon County Council have therefore stated that the new development will require servicing by a new circular bus route operating in a loop from Newton Abbot via the Railway Station, Penn Inn Roundabout, Wolborough, Ogwell Cross and back to Newton Abbot. To achieve a suitable level of service whilst balancing the need for delivery of critical infrastructure at the site, the provision of 2 buses will be required. Bus Contributions the County Highway Authority. A contribution of £73,170 per year for 3 years (totalling £219,510) is sought from this application. The first payment is requested on completion of the 200th dwelling at this site, which will be secured by the s106 legal agreement.

3.135 As regards walking and cycling, the site currently has no public access onto or across it. Newton Abbot Public Footpath no.1 is located adjacent to the northern boundary. There is a shared pedestrian/cycle route running along the boundary of Kingskerswell Road and the eastern side of the site. The route of the cycle path will be predominately left unaltered but would be rerouted along the link road to a
controlled Toucan crossing point. The current segregated cycle/footpath terminates at the southern corner with Decoy Ind. Est. where cycles must rejoin the highway. There is however scope to either extend the cycle path along the side of the industrial estate northwards by using the existing verge or to provide a new segregated path from the link road across the TDC owned land, to the west of Decoy Industrial Estate, to link with footpath no.1. DCC have requested a £200,000 contribution to create the new shared pedestrian and cycle link northwards towards the town centre. This will be secured by the s106 legal agreement.

3.136 The Design & Heritage Team have requested that, in line with the Draft DPD, that the segregated cycle & pedestrian path is 3.5m in width. However, as mentioned above, the DPD currently has no weight. A 3m width is recognised as an acceptable standard for segregated cycle/footpaths, and it should be noted that DCC Highways have no objection to the proposed width.

3.137 The Illustrative Masterplan also identifies a number of indicative pedestrian and/or cycle paths crossing the site. On the western side of the site this is shown crossing the area of open space from the south-west corner and splitting to lead to residential development to the north. On the eastern side a path is shown through the employment site providing two linkages to the eastern boundary which could link and provide access to the nascent Aller Brook Country Park.

3.138 The site is in a sustainable location within walking or cycling distance of shops, amenities and opportunities for recreation in the locality. The proposal would provide opportunities for education (should they be required), access to a community building with a potential mix of uses and up to 22,000sqm of employment land; all of which could reduce the need to travel. The application also proposes shared electric charging points both within the residential and employment sites, and it is proposed to secure the provision of charging points within individual properties by condition.

3.139 It is considered that the proposal has identified suitable sustainable transport measures and opportunities and therefore accords with Policies S2 & S9 of the TLP and Policy NANDP 4.

**Green Infrastructure (GI) & Public Open Space (POS)**

3.140 Policy WE11: Green Infrastructure of the TLP requires the provision of at least 10 square metres of children’s play space and 100 square metres of other forms of green infrastructure per dwelling. This equates to 4500 square metres of children play space and 4.5ha of other green infrastructure for this proposal. This is based on the Teignbridge Open Space Survey and subsequent standards that provide a ‘needs assessment’ for Teignbridge and guidance on a suitable mix of green spaces.

Table 1 below summarises the amount of different typologies of public open space required from this part of NA3 to meet the above policy. These are standalone figures and do not have regard to the wider NA3 allocation or the draft DPD.
3.141 The proposals include significant POS as detailed within the Design and Access Statement (DAS), the illustrative plans and parameter plans. Indicative drawing no. SK017 illustrates the extent of POS and where it is envisaged formal play space facilities would be provided. The drawing indicatively shows the provision of:

- 8.7ha of Green Infrastructure across the site (including blue infrastructure given the site will also incorporate various SUDs features subject to detailed design);

- One Local Equipped Area of Play (LEAP) located in an attractive green setting towards the southern part of the site which covers all residential areas within the 400m walking distance isoline shown on the plan;

- Two Local Areas of Play (LAPs) shown positioned close to residential areas in the north and south of the site respectively which cover the majority of housing within the 200m walking distance isoline; and

- A nature play area located in the south-west corner of the site in the large area of green space to encourage unstructured play in addition to the formal play areas.

3.142 The Council’s POS Officer has raised concerns regarding the amount, shape and location of the proposed children’s play and the connectivity of the open space as a whole.

3.143 As noted above, the amount of GI across this site is significant and it appears that there is ample space to provide the necessary amount of POS including children’s play. It is also envisaged that the western NA3 parcel adjoining the application site will contain a Neighbourhood Equipped Area of Play (NEAP) which would fulfil part
of the requirement for the application site. If there were to be a shortfall in provision an offsite contribution towards POS could be secured.

3.144 The POS Officer’s comments came at a late stage in the consultation process therefore the applicant has not had the opportunity to address the points raised. Additional comments will therefore be provided on the late sheet as required.

3.145 At this outline stage with all matter reserved, the proposals for much of the POS is indicative and will be subject to future reserved matters applications. To enable proactive discussions at the beginning of the reserved matters stage, a planning condition is recommended that will require the submission of an access, circulation and green space strategy for the whole site that shall be agreed prior to the submission of the first reserved matter application. The POS will be secured through the s106 Legal Agreement and will be delivered at the reserved matters stage, at an appropriate timescale. The full details of the open space provision will be provided at each individual reserved matters stage having regard to the approved strategy.

3.146 The provision of allotments is not required on this site as this will be located on the western side of NA3, which is subject of other applications. Should the western part of NA3 not be brought forward then allotments will either need to be provided on the site or a contribution will need to be provided, which will be secured within the s106 agreement.

3.147 Due to the topography of the site there are limited opportunities to provide a suitable area for pitches. The draft DPD indicates that the provision of pitches would be provided elsewhere on NA3. As there is currently some uncertainty regarding the western part of NA3, an off-site playing pitch contribution of £291,474 is sought, plus a future maintenance contribution over 20 years along with a Sinking Fund, to be secured through the s106 agreement.

**Education**

3.148 Policy NA3 identifies the need for new primary and secondary provision within the allocation.

3.149 This was initially identified as a single site to allow for an all-through school or the sharing of facilities between the primary and secondary elements and making the most efficient use of land and funding. Through the extensive masterplanning and pre-application engagement that has taken place regarding the allocation, it has become evident that, due to the topography of the site, it would be difficult to identify a site of suitable size to accommodate a single facility.

3.150 The application identifies an area for a 1FE 210 pupil primary school should this not be brought forward as identified on the western part of NA3. Secondary education provision does not form part of this application but a facility could potentially be brought forward on the TDC land to the west of Decoy Industrial Estate. Access to the site would be available from the link road to the south of the land.

3.151 DCC (Education) has indicated that the use of the TDC land for a secondary or higher education use is acceptable and deliverable provided that there are appropriate triggers for securing the land for school land. They will also require
construction and serviced access to the site in order to make the application acceptable and to ensure the impact of the development can be mitigated. Access to the boundary and transfer of the serviced school site would be required prior to the first occupation of the first dwelling to ensure that secondary provision can be secured in a timely manner. This would be funded through CIL.

3.152 DCC has requested school place contributions based on DFE calculations of to be collected through CIL:

- Special Education provision £24,261 per SEN pupil - £65,504
- Secondary provision - £1,457,746;
- Primary provision - £1,774,905;
- Early years - £112,500.

**Healthcare**

3.153 A contribution towards increased staffing and other costs (The contribution confirms the request is not for infrastructure) has been requested by that part of the NHS responsible for care at Torbay Hospital. The requested contribution is just under £1,000 per dwelling. In relation to previous applications within the NA3 site, the Council’s position, as advised by Counsel, has been that these contributions should not be sought through the planning process. A note was submitted to the Planning Inspectorate addressing this point. This can be found on the Appeal file reference 18/00035/NONDET [https://www.teignbridge.gov.uk/planning/forms/planning-application-details/?Type=Appeal&Refval=18/00035/NONDET](https://www.teignbridge.gov.uk/planning/forms/planning-application-details/?Type=Appeal&Refval=18/00035/NONDET) entitled “Inquiry Document 27 - LAND AT WOLBOROUGH BARTON- TDC- health care note 31-5-19”. It notes that are sympathetic to the principle of supporting the provision of appropriate health care services to meet the needs of existing and new communities within our area. However, it is our view that contributions for that purpose from new developments should only be required where they are justified, having regard to land use planning considerations and the requirements set out in national policy and guidance in relation to planning obligations. It specifically highlights three concerns, summarised below (but with more background and detail in the note submitted to the Appeal):

I. The Trust does not suggest that there is a lack of premises or facilities to provide healthcare services and highlights the mandatory nature of its obligation to provide those services. How the Trust is funded is not a land use matter and given the mandatory obligations that the NHS Trust accepts it is required to discharge, it has not been demonstrated that the necessary health care services will not be provided; they should not therefore be funded by the proposed development.

II. The development in question is not unplanned development but is development on an allocated site as set out in the adopted local plan. The NHS was consulted when the local plan was in preparation and had the opportunity to seek any additional requirements for health care provision arising from the growth proposed in the local plan as part of that process. No request was made at that stage for any policy mechanism to be included in the local plan to allow the NHS to recover from the proposed developments any costs arising by reason of a “funding gap” in relation to the delivery of health care to new residents of those developments.

III. Both the NHS funding formula and housing numbers in the Local Plan are informed by the ONS Sub-National Population Projections (SNPP). Where planned housing
provision is in line with SNPP forecasts, there would be no reason for any additional funding to be needed. Housing delivery in recent years has been above that implied by the SNPP and an element of the population occupying that housing could be said to be not envisaged by the SNPP forecasts. At the time the note was produced, that constituted 19.44% of the total housing growth. This would suggest that, if the Council’s first and second concerns are set to one side, the NHS Trust’s funding request should by reduced to that element.

3.154 This remains the Council’s position. We note that to date there has been no objection to the contribution from the Applicant. At this time, we do not consider that the requested contribution would comply with policy, guidance and regulations relating to the circumstances in which contributions may be sought to support development. Therefore, no contribution in this regard is included in the recommendation above.

**Affordable Housing and Custom Build**

3.155 Policy NA3 requires that the site provides 20% affordable housing with the Strategic Housing Assessment (SHMA) stipulating a 70:30 split rented: intermediate affordable tenures.

3.156 The NPFF requires the Local Planning Authority to ensure that the housing needs of different sections of the community are addressed. Newton Abbot has an ageing population and there is a need for market homes that are adaptable to meet the changing needs of people as they age. The Affordable Housing Team therefore require a commitment to 5% of affordable housing being wheelchair accessible designed to meet 2010 Building regulations M4 (2): Category 2 – Accessible and adaptable dwellings (equivalent to Lifetime Homes standard) so that they can be adapted easily in future

3.157 The mix of the Affordable dwellings within each phase should be broadly in line with the mix of market housing in that phase, but this may be varied across phases in order to ensure the dwelling mix also meets identified local housing need. The affordable dwellings should be designed to be integrated within and visually indistinguishable from the market units. They should be spread throughout the site and not concentrated in one area or predominantly of one type of dwelling or design. The detail of the dwelling mix for the affordable dwellings in each phase must be approved by the Council as set out in the S106.

3.158 The applicant has agreed to these requirements which will be secured through s106 Legal Agreement.

3.159 Policy WE7 requires 5% of the total number of dwellings to be provided as serviced plots for self or custom build. The applicant has agreed to this requirement which will also be secured through the s106 Legal Agreement. Policy PH3: Custom Build Dwellings of the Abbotskerswell Neighbourhood Plan strongly encourages custom build and will be considered favourably where they meet certain criteria including high quality design, amenity and biodiversity considerations. These matters will be assessed at the reserved matters stage.

**Carbon emissions and Carbon Reduction Plan**

3.160 Policies S7 and EN3 of the Teignbridge Local Plan (2014) set out requirements for
new development to reduce carbon emissions and provide a carbon reduction plan to indicate how this could be achieved. Policy S7 states the Council seeks to achieve a reduction in carbon emissions by 42% by 2030, which amounts to a target of 2.86 tonnes per person.

3.161 Teignbridge District Council declared a climate emergency aiming to be carbon neutral by 2025.

3.162 A Council report, ‘Existing Future planning policies to meet the challenge of climate change’, which acknowledges the advancement of the national government’s carbon reduction targets and adopts a commensurate adjustment in the Council’s target timeframe for reducing carbon has been passed. Whilst the Local Plan seeks a 42% reduction in carbon emissions, the current target has been amended to 48% (2017-2033) - a target of 2.58 tonnes per person.

3.163 An updated Carbon reduction plan (CRP) was submitted in October 2019.

3.164 The CRP aims to deliver, with regard to the market homes and employment buildings, a 10% reduction in carbon emissions above Part L 2013 of the Building Regulations to contribute to the mitigation of climate change in accordance with Policy EN3 of the Local Plan. This could be achieved by the following measures:

• Enhanced fabric specification with low u-values; and windows with low u-values and balanced g-value to maximise thermal efficiency and solar gain;
• Energy efficient systems can further reduce energy consumption and emissions, potential systems include: High efficiency gas boilers with smart control systems; Energy efficient LED lighting; Flue Gas Heat Recovery (FGHR) systems capture heat from the flue gas from the boiler and use it to preheat incoming cold water for heating and hot water; and Waste Water Heat Recovery (WWHR) systems capture waste heat from hot water systems and use it in preheating hot water systems reducing energy requirements and carbon emissions;
• Suitable renewable energy systems include Solar PV, solar thermal and heat pumps (air or ground)

3.165 The CRP proposes that the custom-build homes (23 in total) will be delivered as zero carbon homes.

3.166 In addition to the measures set out above and in line with the Council’s Carbon Calculator, the residential element of the development would also include:
- Segregated access to Newton Abbot and local services and amenities;
- Access to local bus and rail services;
- Two shared EV charging spaces;
- The provision of EV charging in the proposed self-build homes;
- Installation of smart energy meters in all homes;
- Provision of cycle storage in all homes; and
- Design to include home office spaces in larger homes.

3.167 The CRP has been assessed by an independent third party (Exeter University) who have confirmed that the plan would reduce the amount of carbon emissions over and above the 48% target for emissions reduction.

3.168 The proposals comply with TDC policy. Planning conditions will ensure these provisions are embedded in the scheme and Reserved Matters approvals in due
Trees

3.169 TDP Policy EN12: Woodlands, Trees and Hedgerows states that the loss of woodland, healthy trees and hedgerows with visual, historic or wildlife importance will be resisted.

3.170 An Arboricultural assessment was undertaken by Treework Environmental Practice in 2018 to assess existing trees and hedgerow conditions, categories and root protection zones. The survey has identified that no Category A trees will be to be removed as part of the proposals. Four trees and one tree group has been assessed as Category U which should be removed for reasons of sound Arboricultural management.

3.171 The Council’s Tree Officer considers that no trees or hedges of significance would be lost as a result of the development and therefore has no objection. The proposal is considered to be in accordance with policy EN12.

Flood risk and surface water drainage

3.172 The ES includes a number of reports relating to hydrology and flooding. Policy S6: Resilience requires development to take account of likely climate change impacts in assessing the flood risk of developments.

3.173 A Flood Risk Assessment has been submitted with the application which considers the implications of the development on water management for the site and proposes recommendations for a drainage strategy.

3.174 The majority of the site is located in Flood Zone 1, which has a low risk of flooding. The fields directly east of the site boundary are located in Flood Zone 3 with a small portion of the south east corner of the site also located in Flood Zone 3.

3.175 There is a water course that runs across the land and it is proposed to culvert this under the link road and on to SUDS ponds on the eastern side of Kingskerswell Road.

3.176 The surface water drainage design will include infiltration which is designed to replicate greenfield runoff and to protect the water course from receiving runoff that would have previously been lost to infiltration. Sustainable drainage techniques such as permeable paving, swales and attenuation basins are proposed to manage the movement and storage of surface water within the site.

3.177 A detailed SUDS scheme will be developed prior to the reserved matters stage to inform the site and individual phases.

3.178 The Environment Agency (EA) has confirmed that they have no objection subject to two conditions related to contaminated land and a construction environmental plan (CEMP). The Lead Flood Authority (LFA) currently object to the application and have raised concerns regarding the detailed design. These are technical matters which the applicant is actively seeking to resolve with the LFA. This matter will be updated on the Late Sheet.
Noise, air, light, vibration and land pollution

3.179 The ES is accompanied by a number of reports to assess environmental health concerns. Including Appendix 7.1 - Air Quality Assessment, 8.1 - Noise & Vibration Assessment, 12.2 - Operational Lighting Parameters, 12.3 - Illumination Impact Profile, 13.6 - Sensitivity (Value) Criteria for Receptors, 13.7 - Potential Receptors and Value Assignment, 13.8 - Construction Impacts Assessment Table & 13.9 - Operational Impacts Assessment Table, 14.1 - Phase 1 Land Quality Desk Study & 14.2 - Phase 2 Site Investigation.

3.180 Policy S11 sets out criteria to reduce, where possible, noise, air, water, light and other forms of pollution through planning and other legislation and through joint work with relevant agencies. 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.

Air quality:

3.181 An air quality assessment forms part of the ES which finds that the air quality impact of the development is ‘not significant’. The site is near an Air Quality Management Area (AQMA) that Teignbridge District Council has been legally required to designate for action, as the levels of nitrogen dioxide, a pollutant associated with vehicle exhaust emissions, exceed the national air quality objectives at some residential receptors close to busy roads.

3.182 A practical approach for mitigating the cumulative impacts of transport emissions from development, as detailed in the Department for Environment, Food and Rural Affairs ‘Low Emission Strategies: Using the Planning System to Reduce Transport Emissions’ good practice guidance January 2010, is to require “standardised contributions” from all developments over a certain threshold. This requirement of “standardised contributions” is the approach supported by the Council and the resulting fund is to assist with implementation of the Council’s Air Quality Action Plan, which is a statutory requirement where local authorities have designated an A.Q.M.A.

3.183 In order to offset the impact of this development on the Kingskerswell Air Quality Management Area and compensate for the cumulative impact, the applicant would be required to make a contribution towards improvement measures set out in the Council’s Air Quality Action Plan. A contribution of £100 per dwelling is therefore required towards air quality mitigation, improvement and monitoring in and around the Kingskerswell Air Quality Management Area. This will be secured through the s106 agreement, subject to the agreement of a project or projects on which it can be spent.

Pollution and construction:

3.184 As regards pollution and construction, The Environmental Health Officer (EHO) has no objection subject to recommending a Construction Environmental Management Plan (CEMP) condition which should note the anticipated sources of noise, vibration and dust and the respective control measures that will be implemented to minimise
any impact on nearby residents. The construction phase the hours of operation should be strictly limited to: 8am-18:00pm Monday to Friday, 8am to 13:00 Saturday. At no time on Sundays and Bank Holidays

**Light pollution:**

3.185 As the proposal is for a mixed use development, it will result in the provision of new lighting which could affect existing and proposed residential amenity. The EHO therefore recommends that future reserved matters applications are accompanied by a lighting report and impact strategy.

3.186 Buckland Athletic FC has playing pitch floodlights which were approved by planning application 07/04937/VAR in 2008. The permission restricts the hours of operation between 19.00-22.00 on weekdays and 14.30-17.30 on Saturdays. The EHO has confirmed that they have no objection and considers that the type of floodlight in use and the hours of use restriction will not cause a statutory nuisance for future residents.

**Land contamination:**

3.187 A Phase 1 Land Quality Desk Study and Phase 2 Site Investigation are included within the ES. The EHO has no objection subject to conditions requiring a remediation scheme to be submitted an implemented and verification report provided. A condition is also required for unexpected contamination.

**Noise vibration and odour affecting existing occupiers:**

3.188 The EHO requests that any future reserved matter application is accompanied by a report that clearly demonstrate methods to be employed to stop noise, vibration and odour problems at the neighbouring properties from the use of any mechanical systems and energy centres (kitchen extraction, boilers, air / ground source heat pumps / biomass boilers / HVAC systems).

**Noise and future occupiers:**

3.189 The EHO has confirmed that the noise survey which forms part of the ES demonstrates that the noise from Buckland FC would not constitute a statutory nuisance to future residents.

**Minerals and Waste**

3.190 The site is underlain by Bovey Formation which is predominately cohesive (Ball Clay) and therefore not conducive to infiltration drainage.

3.191 A south quarry landfill site is present beneath the current football ground which may still be gassing and producing leachate. This extends into the site slightly however, no significant contamination was recorded in the area and it is considered suitable for residential development subject to suitable risk management measures being
implemented.

3.192 The area west of Kingskerswell Road is within a Mineral Consultation Area. DCC have stated that the NA3 allocation amounts to an ‘overriding strategic need’. A small area of the site to the east of Kingskerswell Road is not allocated in the Local Plan and falls within the Mineral Consultation Area. However, it is considered that development of this land would not constrain potential mineral extraction and, as a result, it can be concluded that the development is consistent with Policy M2.

3.193 The application is supported by a Waste Audit Statement which deals thoroughly with construction and operation waste and is in compliance with Policy W4 of the Devon Waste Plan. DCC Minerals & Waste have no objection to the proposal.

Other matters

3.194 South West Water have confirmed that they are able to provide the site with mains (potable) water and mains sewerage.

Conclusion

3.195 The site forms part of TLP allocation NA3. The TLP was adopted following the prescribed plan preparation process and was found to be sound. For the reasons outlined above subject to a satisfactory conclusion with regard to surface water drainage matters and POS, the outlined conditions and s106 legal agreement, the application is considered to be in accordance with the criteria set out within Policy NA3. This weighs heavily in favour of the application in the planning balance. The proposed scheme would provide significant economic and social benefits.

3.196 The Wolborough DPD is at the preparation stage and has not been published for public consultation. The DPD cannot therefore be afforded any weight. The work on that document will continue to feed into submissions for the site as reserved matters submissions are submitted. The comments regarding prematurity of the application in relation to the nascent DPD are therefore irrelevant. Similarly, the emerging Teignbridge Local Plan 2020-2040 can be given no material weight in decision making given its early stage of preparation.

3.197 Delivery of our allocated sites is a high priority in maintaining housing delivery and a suitable level of housing land supply. Failure to maintain adequate land puts the Council at risk of sites being allowed, potentially on appeal, where we might otherwise rather not see development.

3.198 The applicant has worked pro-actively with the Council to produce a scheme which meets the various competing demands of the Local Plan policy.

4. POLICY DOCUMENTS

Teignbridge Local Plan

NA3 Wolborough
S1A Presumption in favour of Sustainable Development
S1 Sustainable Development Criteria
S2 Quality Development
S3 Land for Business, General Industry and Storage and Distribution
S5 Infrastructure
S6 Resilience
S7 Carbon Reduction Plans
S9 Sustainable Transport
S10 Transport Networks
S14 Newton Abbot
EC1 Business Development
WE2 Affordable Housing Site Targets
WE3 Retention of Affordable Housing
WE4 Inclusive Design and Layout
WE7 Custom Build Dwellings
WE11 Green Infrastructure
EN1 Strategic Open Breaks
EN2A Landscape Protection and Enhancement
EN5 Heritage Assets
EN6 Air Quality
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
HT1 Heart of Teignbridge Movement
HT2 Heart of Teignbridge Education
HT3 Heart of Teignbridge Green Infrastructure

Devon Minerals Plan
M2 Mineral Safeguarding Areas
M3 Prior Extraction of Minerals

Devon Waste Plan
W4 Waste Prevention

Neighbourhood Development Plans
-Newton Abbot

Policy NANDP2 – Quality of design
Policy NANDP3 - Enrichment of the local environment.
Policy NANDP4 – Provision of Cycle/Walkways
Policy NANDP5 – Provision of Community Facilities
Policy NANDP7 – Masterplanning
Policy NANDP11 – Protection of Heritage Assets.

-Abbotskerswell
PH1: Local Needs Housing/affordable housing
PH2: Minimising the Impact of Local Plan Allocation NA3 Wolborough
PH3: Custom Build dwellings
NE2: Devon Banks / Hedgerows

Development Plan Documents
Emerging draft Wolborough DPD – This is currently at an early draft stage and cannot be afforded any material weight

**National Planning Policy Framework (2019)**

**National Planning Practice Guidance**

5. **CONSULTEES**

**Historic England - 05.12.2019**

In respect of the newly submitted information, Historic England has had the opportunity to review the revised Master-plan for the site. We welcome the removal of the development parcel accessed from Priory Road and adjacent to the grade II* listed St Augustinian Priory.

**Recommendation**

Historic England has no objection to the application on heritage grounds. These comments are to be read in conjunction with the previous correspondence which amongst others raised concern regarding the siting of the link road and the potential impact on archaeology.

**Historic England - 25.10.2019**

In terms of Milber Down Camp, we are not wholly convinced by the conclusion drawn on the contribution made by the setting to the scheduled monument’s significance as set out in Chapter 11 of the EIA. However, due to the extensive development that has already occurred on the slopes below the monument, the lower levels of the Langford Bridge site will sit behind and form part of the existing suburban context when experienced from the monument.

In respect of the Augustinian Priory, further assessment has been provided, which sets out greater clarity of the kinetic experience of the Augustinian Priory, especially along Priory Lane, which forms part of the experience and subsequent significance of the site as an isolated structure. The assessment also identifies that in views from Milber Down Camp, the development will be seen in conjunction with the tower of the Priory, and this will consequently, result in the isolated nature of the Priory being further eroded by the development.

The Council should be confident that the quantum of development does not exceed the policy requirements in order to minimise undue pressure on the site as a whole. This information is required to ensure that any harm is rigorously assessed and justified (Para 194, NPPF). It is only once the harm has been justified that the council should move to the planning balance, to consider the identified harm against the public benefits offered by the scheme, ensuring that it outweighs the harm identified (Para 196, NPPF).

In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.

**Devon County Council joint comments**
Recommendation
The County Council does not object to the principle of the application, but considers that further information regarding certainty of education provision, drainage issues, and energy and climate change is required in accordance with policies S1, EN3 and EN4 of the Teignbridge Local Plan before the application can be determined. In the event that the District Council is minded to grant permission, the County Council will require contributions towards education and bus provision to mitigate the impact of development.

Local transport provision - bus provision
Development at Wolborough will require servicing by a new circular route operating in a loop from Newton Abbot via the Railway Station, Penn Inn Roundabout, Wolborough, Ogwell Cross and back to Newton Abbot. Therefore, a proportionate contribution of £73,170 per year for 3 years (totalling £219,510) is sought from this application. The first payment is requested on completion of the 200th dwelling at this site.

Education land
Policy NA3 identifies the need for new primary and secondary provision within the allocation. This was initially identified as a single site to allow for an all-through school or the sharing of facilities between the primary and secondary elements and making the most efficient use of land and funding. Through the extensive masterplanning and pre-application engagement that has taken place regarding the allocation, it has become evident that, due to the topography of the site, it would be difficult to identify a site of suitable size to accommodate a single facility.

The application identifies an area for secondary education provision, although this is excluded from the application and is outside of the control of the applicant. Whilst it is beneficial that the proposed land is almost wholly within the control of the District Council, the County Council requires certainty that this land will be available towards the delivery of secondary provision to enable the impact of the allocation upon secondary education to be mitigated. As the land identified is outside of the red line boundary of the site, there will need to be appropriate triggers for securing the school land as well as construction and serviced access to the site in order to make the application acceptable and to ensure the impact of the development can be mitigated. The County Council requires the delivery of access to the boundary and transfer of the serviced school site prior to the first occupation of the first dwelling to ensure that secondary provision can be secured in a timely manner. Education is listed on the District Council’s CIL Regulation 123 list and therefore provision of the site will need to be funded through CIL.

School place contributions based on DFE calculations of to be collected through CIL:
Special Education provision £24,261 per SEN pupil - £65,504
Secondary provision - £1,457,746;
Primary provision - £1,774,905;
Early years - £112,500.

Waste planning
The application is supported by a Waste Audit Statement which deals thoroughly with construction and operation waste and is in compliance with Policy W4 of the Devon Waste Plan.

Minerals planning
The County Council, in its role as Mineral Planning Authority, has no objection to the proposed development.

Surface water flooding:
The County Council, in its role as Lead Local Flood Authority, currently objects to the application as further information is required to demonstrate that a suitable surface water drainage system is achievable within the site layout.

Youth Services
Criterion (d) of policy NA3 includes reference to the provision of a youth centre within the allocation. Due to a review regarding the way in which youth services are delivered within the County, Devon County Council no longer requires any bespoke youth centre provision here. However, it would be appropriate for the community building to allow youth services to be provided from here if required in future.

Energy and climate change
There are a number of queries in relation to the content of the Environmental Statement. These cover the following areas:
☐ Insufficient information within the EIA regarding a full greenhouse gas assessment;
☐ Construction carbon emissions – Carbon reductions appear to be overestimated and there is a lack of clarity over the way in which emissions have been assessed;
☐ Cumulative assessment in the EIA; and
☐ Measures within the Sustainability and Carbon Reduction Strategy.

DCC Highways 07.01.2020

No objection to the development subject to the delivery of the link road to the boundary and secured through an appropriate s106 agreement, and a 200k contribution towards a shared cycle and pedestrian route towards the town centre.

DCC Archaeology

No objection a condition to condition secure the implementation of a programme of archaeological work in accordance with a written scheme of investigation.

Natural England (NE) – 17/12/19
We consider that without appropriate mitigation the application would:
- have an adverse effect on the integrity of South Hams Special Area of Conservation https://designatedsites.naturalengland.org.uk/.
- damage or destroy the interest features for which Wolborough Fen Site of Special Scientific Interest has been notified.
South Hams SAC
Natural England notes that your authority, as competent authority, has undertaken an appropriate assessment of the proposal in accordance with Regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process.
Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions, providing that all mitigation measures are appropriately secured in any permission given.

Wolborough Fen SSSI
As agreed with Ecology Solutions3, access to the SSSI will require a proper assessment at Reserved Matters to understand nutrient enrichment impacts upon the SSSI from dog waste associated with increased recreation. This detailed assessment should include an assessment of current recreational usage of the SSSI and predicted usage, and evidence to support the effectiveness of mitigation measures put forward. A planning condition will need to be applied to secure this aspect and resolution at Reserved Matters.

Network Rail
Network Rail has no objection in principle to the above proposal but due to the proposal being next to Network Rail land and our infrastructure and to ensure that no part of the development adversely impacts the safety, operation and integrity of the operational railway we have included asset protection comments which the applicant is strongly recommended to action should the proposal be granted planning permission. The local authority should include these requirements as planning conditions if these matters have not been addressed in the supporting documentation submitted with this application.

The submitted information is sufficient to enable us to remove our objection to this proposal provided that a condition is included within any permission granted to ensure agreement of the following matters:

- The location of the surface water attenuation basins in the detailed design – any loss of flood storage must be justified and appropriately compensated for.
- A strategy to deal with the risks associated with contamination of the site, including any unsuspected contamination.
- A Construction Environment Management Plan (CEMP).

NHS (Torbay and South Devon)
The contribution required for this proposed development of 450 dwellings is £398,089.00. This contribution will be used directly to provide additional health care services to meet patient demand.

Corporate & Casework Team Support Officer, Planning Casework Unit
No comment.

South West Water

No development will be permitted within 3.5 metres of the water main. The water main must also be located within a public open space and ground cover should not be substantially altered. Should the development encroach on the 3.5 metre easement, the water main will need to be diverted.

South West Water is able to provide clean potable water services from the existing public water main for the above proposal. The practical point of connection will be determined by the diameter of the connecting pipework being no larger than the diameter of the company’s existing network. South West Water is able to provide foul sewerage services from the existing public foul or combined sewer in the vicinity of the site. The practical point of connection will be determined by the diameter of the connecting pipework being no larger than the diameter of the company’s existing network.

The applicant should demonstrate to your LPA that its prospective surface run-off will discharge as high up the hierarchy of drainage options as is reasonably practicable (with evidence that the Run-off Destination Hierarchy has been addressed, and reasoning as to why any preferred disposal route is not reasonably practicable):

1. Discharge into the ground (infiltration); or where not reasonably practicable,
2. Discharge to a surface waterbody; or where not reasonably practicable,
3. Discharge to a surface water sewer, highway drain, or another drainage system; or where not reasonably practicable,
4. Discharge to a combined sewer (subject to Sewerage Undertaker carrying out capacity evaluation)

Having reviewed the applicant’s current information as to proposed surface water disposal for its development, please note that method proposed to discharge into the ground (infiltration) is acceptable and meets with the Run-off Destination Hierarchy.

Newton Abbot Civic Society – 23.10.19

Objection on the basis that there have been more than sufficient permissions given within the current Local Plan to meet the requirement for new housing in the area, whereby we believe any further large-scale development of this sort is premature; also that the site would generate substantial additional traffic over Langford Bridge for which that structure is inadequate, whereby we believe widening of that bridge or preferably an additional bridge is required before the application site is developed for housing. We are also concerned at the potential for increase in traffic on Priory Lane, which that route is clearly inadequate to take

TDC Biodiversity Officer

The EIA proposes a suitable suite of measures to avoid/ mitigate/ compensate impacts on sites and habitats (see Appendix 9.1 Biodiversity, especially section 9.5). These measures should be secured by condition. Please require the
submission of a LEMP including details of protection, enhancement and ongoing management of green spaces and green and blue corridors.

Two cirl bunting breeding territories will be substantially impacted. Compensation for their loss (2 x £74,193 = £148,386) should be secured via S106 Condition.

There is potential to impact European Protected Species (EPS), i.e. various bats species and great crested newt, for which NE protected species licences are likely to be required. NE requires the Local Planning Authority to apply the following three tests when considering an application that might affect EPS. I am satisfied that, with the proposed mitigation, the third test will be satisfied. It is for the planning case officer to consider tests 1 and 2.

TDC Biodiversity Officer (HRA Appropriate Assessment)

Sufficient mitigation information has been submitted to ascertain beyond reasonable scientific doubt that a decision to approve the application will not adversely affect the ‘integrity’ of South Hams SAC subject to securing appropriate mitigation.

TDC Environmental Health – Lighting and noise

No objection subject to conditions: Construction Environmental Management Plan (CEMP) and light strategy. As part of future applications a report should be provided clearly demonstrating the methods to be employed to stop noise, vibration and odour problems at the neighbouring properties from the use of any mechanical systems and energy centres (kitchen extraction, boilers, air / ground source heat pumps / biomass boilers / HVAC systems).

TDC Environmental Health – Air

No objection subject to a £100 per dwelling contribution towards the AQMA.

TDC Environmental Health – contamination

No objection subject to conditions.

TDC Waste

At present there is insufficient detail to allow me to provide a full consultation response. I have however provided detail that needs to be considered when the plans are being prepared for the residential areas of the site in order for the waste and recycling collections to be able to be carried out efficiently.

TDC Custom Build Housing Officer

Local Plan Policy WE7 requires at least 5% of dwellings on sites of 20 units or more to be secured as serviced plots for purchase by self or custom builders. This 5% requirement is additional to any % required for Affordable Housing through Local Plan policy.

Detailed guidance can be found within the council’s adopted Supplementary Planning Document ‘Custom & Self Build Housing’, which sets out the council’s objectives and expectations for delivering Custom and Self Build housing.
Section 106
For standard s106 clauses relating to Custom or Self Build Housing, Officers should refer to ‘Examples of standard clauses to be included in Section 106 Agreements for Custom or Self Build dwellings delivered via Local Plan policy WE7’, held by the council’s Legal Department (at 26th March 2019 this was V4 dated 12.03.19).

Summary
On the basis the above comments are taken into consideration in determining this application, the Self Build Officer holds no objection.

TDC Drainage Officer

Agree with DCC Lead Flood Authority comments.

TDC Housing Enabling Comments
Overall 450 dwellings generates a requirement for 90 affordable dwellings @ 20%. At the Local Plan policy 70:30 tenure split this would be 63 @ rented and 27 @ intermediate (including shared ownership - type of intermediate will be local affordability and needs assessed). Min 5% of the affordable housing should be wheelchair user and some also to step free (accessible/adaptable) specification to be negotiated. 20% of the Affordable housing would be required to be delivered to step free (accessible/adaptable Part M4 L2) specification. Dwelling should be tenure blind and spread throughout the development.

TDC – Tree Officer

There are no arboricultural objections to the proposal, as the full planning permission for part link road and vehicular access point to the site from Kingskerswell road and Priory road will not result in the loss of a significant number of high quality trees.

TDC Public Open Space Officer -19.12.2019

Concerns regarding the amount, shape and location of the proposed children’s play and the connectivity of the open space as a whole.

Recommended an off-site contribution is sought for active recreation/pitch improvements to support any of the following:

- Any associated active recreation works at Buckland Athletic - should the shared community or school be secured.
- Playing Pitch projects identified in the Teignbridge Playing Pitch Strategy 2018 and associated Action Plan located in the immediate vicinity that would increase playing pitch capacity and benefit the development’s residents:-
  - Coach Road 3G and parking
  - Coach Road Playing Fields ancillary facilities
  - Decoy Playing Fields drainage improvements

To ensure we take a consistent approach with applications with NA3, we recommend the sum of £647.72 per dwelling is sought for capital works to go towards pitch improvements.
Based on 450 dwellings x £647.72 = a capital contribution of £291,474.

Recommend the provision of allotments are provided for on-site to ensure the open space requirements for the site area are appropriately met. Based on the delivery of 450 dwellings there is an onsite requirement of 2700m² for Allotments. Unless otherwise agreed or evidence is provided which clearly shows the required play distribution can be met on adjoining site/sites.

**TDC Landscape Officer**

No objection to the outline part of the application and parameter plans subject to a design coding condition and an appropriate condition to deliver a high quality public realm (footpath/cycle way, soft landscaping etc.) for the link road, associated land and roundabout.

No objections on landscape grounds. The LVIA has helpfully identified the more sensitive parts of the site and given direction to a masterplan that restricts development from the most sensitive parts of the landscape. It has also helpfully given direction to a landscape strategy that mitigates the landscape harm.

**TDC- Green Infrastructure Officer**

A high-quality cycle route should be provided alongside the link road. This was outlined as a 3.5m minimum path for cyclists and pedestrians on one side of the link road and a footpath on the other. Providing a 1m green buffer with tree planting between the highway and the cycle and pedestrian path would improve the experience of the link road for users travelling on foot or bicycle, delivering a more appealing setting and wellbeing benefits for residents.

All crossings along the new link road should be for pedestrian and cyclist use.

Side junctions that intersect the cycle route must be treated appropriately to prevent detracting from the use of the route. Cyclists would ideally be prioritised at side-junctions (subject to Highways approval) and a hump provided to facilitate cyclists crossing and to slow motor traffic.

- A cyclist & pedestrian crossing will be necessary towards the eastern end of the new link road, to the west of the new roundabout junction with Kingskerswell Road.

- The new roundabout at the new link road and Kingskerswell Road junction would benefit from green planting centrally to soften it and add appeal to what could otherwise be a severe setting.

- The off-road cycle route that runs along the western side of Kingskerswell Road from Priory Road junction to the Buckland Football Club entrance, should be extended northwards to Decoy Park. A contribution to Devon County Council is likely to be required to cover the cost of this measure, and to allow safe connectivity to the town centre, rail station and into the wider cycle network, supporting quality sustainable travel.

- A cyclist & pedestrian crossing will be required to facilitate safe crossing of the Kingskerswell Road to provide safe access from the western side of the road.
(where the existing cycle path is in place) to access the employment land on the eastern side of the road.

- Space for a community e-car and row of e-bikes should be provided and ducting delivered for charging. Ducting for e-car charging on all new driveways and at employment car parks should be provided.

6. REPRESENTATIONS

48 representations have been received either as a result of the site notice or neighbour letters raising the following planning matters:

- The Application is premature. Development Plan Document (DPD) process not completed. Teignbridge have already built more than the required amount of homes; Land supply is considerably above the Government’s minimum five-year land supply target does not reflect recent demographic and economic changes – no new housing therefore required; NA3 (western side) still at appeal;
- Application should not proceed until there is consensus on access to this site, agreement, on the routing of a link road across the entire NA3 allocation, if that is to remain an ambition, and that all necessary new infrastructure is in place from the outset;
- water and sewerage infrastructure;
- Wider studies required on the impacts of traffic and air quality around Newton Abbot are better understood and effectively mitigated; - issues regarding biodiversity, air quality and environmental impact which will be covered in separate submissions. - The development proposals for NA3 as a whole do not respect the setting of Grade 1 listed St Mary’s Church
- Loss of greenfield land and valuable countryside;
- Ecological/biodiversity threats, loss of habitats; threats to SSSI, Cirl Buntings, Bats, Newts, Rare plant/insect species; link road in particular and the layout of the housing sites across the NA3 allocation will impair; Harm to Wolborough Fen SSSI, free movement of species, fragment habitat and alter their feeding and breeding patterns;
- insufficient evidence to ensure “beyond reasonable scientific doubt” that the integrity of the South Hams Special Area of Conservation can be protected and maintained nor that development will not adversely affect the Wolborough Fen Site of Special Scientific Interest
- Harm to GHB by loss of hedgerows and other landscape features; The development area impacts negatively on a strategic flyway for the South Hams SAC, on foraging area and on satellite roosts for Greater Horseshoe Bats such as Conitor
- This development is on green field land; needs to be ore green space and woodland for biodiversity;
- Insufficient local infrastructure in place in the area to support such a large development. Hospitals, schools, doctor’s surgeries etc. are unable to cope with the increased demand put upon them in this area.
- Not enough jobs in the area for the amount of housing proposed;
- Highway safety; Congestion; Local roads unable to cope with increased traffic. Langford Bridge is one way, operated by traffic lights and if more traffic enters Priory road there will be excessive congestion and jams;
- The houses are not for local people due to their cost;
- Flood risk;
- Proximity to train line;
- Harm to residential amenity;
- Harm to integrity of built environment;
- Air, noise and light pollution;
- Viability, including deliverability doubts, time frame, cost of infrastructure;
- No local need for non-affordable homes;
- More affordable housing required;
- Increased footfall will destroy the amenity value of Decoy Country Park;
- TA should include other surrounding developments;
- The relevant Authorities should be confident that they have been provided with comprehensive and robust evidence on the transport implications of development in the area;
- Planning conditions could be used to limit the number of dwellings before improvements to the river and rail bridge were provided;
- Proposed link road is in the wrong place;
- The proposed route of the link road will see the destruction of 2.2 hectares of woodland and give potential for further damage to surrounding trees from emissions;
- Insufficient detail on how existing public footpaths will be maintained and enhanced;
- There is no rigorous oversight of viable alternatives to the use of the private car;
- Roads already flood and will be made worse;
- Increase in population will put pressure on biodiversity;
- Will not provide a “viable alternative to the private car”;
- Priory Road to narrow to accept any additional traffic.

7. **TOWN / PARISH COUNCIL’S COMMENTS**

**Newton Abbot Town council – 15.10.2019**

The committee raised no objection in principle and noted that the land to the south west of the development site had been designated for future use as a second carriage for the road bridge which is considered essential for preventing future traffic congestion through the decoy area.

**Newton Abbot Town Council - 19.03.2019**

The committee voted unanimously to recommend refusal on the basis of the following:

a) there were still a number of important questions relating to the sustainability of the development which remained unanswered;

b) the committee was concerned with the impact of the outstanding appeal in relation to the larger part of na3 development – without knowing the outcome of the appeal it may have implications on this application;

c) the adverse affect on the residential area of decoy due to increased construction and delivery traffic;

d) there being no legal agreement on the internal link road across the site; and

e) the lack of a construction management plan.

**Abbotskerswell Parish Council and Wolborough Residents’ Association – 04.11.2019**

Abbotskerswell Parish Council (APC) and Wolborough Residents’ Association (WRA), together representing over 1800 residents, submitted a detailed objection to
the above application on the 12th April this year. We have had the opportunity to review the additional documents submitted by the Applicant which endeavour to address concerns and issues raised by Statutory Consultees and the District Council.

Whilst appreciating the efforts made by the Applicant, we continue to strongly object to the proposal 19/00238/MAJ for the reasons set out in this document. Enclosed with this objection is our letter dated 12th April 2019 in which we cover the background to our objection followed by detailed concerns. We would ask you to take this into consideration along with this letter.

It appears that the current proposals include the provision of a vehicular access onto Priory Road from the south west corner of the application boundary. Priory Road is a narrow country lane, unsuitable for providing access to a new housing estate. It would appear that this is a device used to develop an otherwise “remote” corner of the allocation which, apart from the access issue, would result in a discreet, unconnected settlement cut off from community facilities and local services.

Since April external factors have come into play which suggest that determination of this application should be delayed until the Greater Exeter Strategic Plan and the Teignbridge Local Plan Five-year Review are completed and adopted.

The District has the benefit of having in excess of a five-year land supply, even at the higher annual housing need figure, with sufficient headroom to allow these crucial, informative exercises to be completed.

Furthermore, earlier this year the Full Council agreed, approved and funded the production of a masterplan for the whole of NA3, in the form of a Development Plan Document (DPD). The newly appointed DPD lead manager, Rachel Tuckett, announced a significant programme with a timetable which envisaged completion of the exercise and adoption of the DPD in December 2020. For whatever reason this timetable has slipped so that adoption is now estimated to be by April 2021.

These three crucial projects must be an essential determinate of major developments within the District, in particular this applies to Newton Abbot which has nearly half the planned building within the District. It is of considerable concern that the Government’s methodology for establishing housing need has increased the annual target from 560 to 720 dwellings per annum. This centrally imposed blunt instrument takes no account of local factors; the one-size fits all model severely disadvantages districts like Teignbridge.

Because some 41% of the District’s landmass lies within the Dartmoor National Park boundary which is thus subject to significant restrictions on development, a disproportionate and unfair burden falls on the Heart of Teignbridge.

We maintain that many of our initial grounds for objection remain valid.

Specifically, we believe that:

1. **The Application is Untimely**
   - This application has been submitted before the Teignbridge Development Plan Document covering the entire NA3 allocation has been adopted. Any decision concerning this application should be deferred until after the public examination and adoption of the NA3 Development Plan Document. Further, as the Development
Plan Document is informed by and inter-related to the Five-year Review of the Teignbridge Local Plan 2013 – 2033 and the Greater Exeter Strategic Plan, all three exercises be completed to avoid compromising their validity.

- Because of the sensitivity of parts of the NA3 allocation and the potential in-combination effects of this development, it is essential that a comprehensive masterplan is developed and agreed that takes into account the wider impact of development particularly in relation to the South Hams SAC, Wolborough Fen SSSI (through the routing of the link road as the Langford Bridge farm does not impact the Fen or its catchment). Considerable further work is required to find solutions to the increased traffic and air pollution in and around Newton Abbot. The declaration by Teignbridge of a “Climate Change Emergency” reinforces the absolute necessity of addressing these issues before adding to them.

2. Infrastructure – Link Road
- With substantial housing development proposed within the NA3 allocation plus the substantial developments built or proposed at Houghton Barton, Whitehill, Penns Mount and Buckland, the infrastructure within and around Newton Abbot has to be significantly improved.
- It is understandable why a link road between the A380 and A381 is desirable and urgently needed, but its routing is critical if real benefits are to be gained. We consider the proposed routing across NA3 is unsustainable for a variety of reasons which have been identified in previous submissions.
- The current proposals will do little to reduce traffic in the town, indeed, if highway signage directs traffic bound for say, Plymouth, is installed in the absence of an onward connection accessing the A382 and A383 then traffic from the A380 heading in that direction will still have to travel via Wolborough Street (already suffering unacceptable air quality) or use unsuitable narrow lanes through Ogwell.
- Development of NA3 will put additional and unsustainable strain on Coach Road, Priory Road, Stoneman’s Hill and Totnes Road particularly during the early stages of development before the link road is complete. The traffic chaos that has dogged Newton Abbot in the last few years demonstrates how important putting in the infrastructure first has become.

3. Access
- We are concerned that access to the site, and thus to any link road, remains between the single lane railway bridge to the north past Sainsburys and over the single-track, traffic light-controlled Langford Bridge to the south. Such an alignment would render the prospect of a useable and effective link road a false hope. This reinforces our view that the proposed link road is in the wrong place.

4. Traffic
- The traffic assessment needs to include the in-combination impact from the other major developments in and around Newton Abbot. It appears that along with new homes at Kingsteignton, over 8,000 properties will be added to local housing stock within the currency of the Local Plan bringing with them an average two additional motor vehicles per household plus service vehicles. The infrastructure within the Town and for east/west commuting is simply inadequate now let alone with such a substantial extra volume of vehicles.
- Action on climate change demands that travel to work is limited as far as possible which, with much of the employment in the County being in and around Exeter, suggests developments south of Newton Abbot are less than optimal.

5. Air Quality
Air quality is high up the national agenda with its damaging consequences on human health. Much of the centre of Newton Abbot is an Air Quality Management Area with Wolborough Street the most serious air quality area with double the legal limit of pollutants.

- The link road will funnel even more traffic (heading for the A382/A383) through Wolborough Street further exacerbating the air quality problem.
- We are of the view that if NA3 is developed air quality within the Wolborough/Decoy area will be detrimentally impacted increasing public health concerns.

6. Water Services & Sewerage, Power Supply
- The capacity of existing sewerage facilities, both transmission and treatment, are close to capacity and are unlikely to be able to cope with the additional load from NA3 not to mention all the other developments around Newton Abbot and at the Willows.

7. Environment & Biodiversity
- The development area impacts negatively on a strategic flyway for the South Hams SAC, on foraging areas and on accessibility of satellite roosts for Greater Horseshoe Bats such as at Conitor.
- The link road in particular and the layout of the housing sites across the NA3 allocation will impair free movement of species, fragment their habitat and alter their feeding and breeding patterns.
- Development of NA3 will result in the loss of a dark skies area and further impact on free movement of nocturnal species. Domestic lighting and vehicle headlights will negatively impact light-sensitive nocturnal animals.
- To provide adequate recreational areas for existing and new residents, any development of NA3 must be accompanied by a major increase in area of Decoy Country Park. The Park must be held in public ownership for the perpetual benefit of the population of Newton Abbot and visitors to the Town.

8. Arboricultural Impact Assessment
- The proposed route of the link road will see the destruction of 2.2 hectares of woodland and give potential for further damage to surrounding trees from emissions. This loss of woodland is hardly consistent with action on climate change.
- Removal of such an area of woodland will create increased risk of flooding around Decoy and reduce carbon capture.

9. Footpaths/Pedestrian Access/Cycle Routes
- There remains insufficient detail on how existing public footpaths and cycleways will be maintained and enhanced. Sections of the footpath along the Kingskerswell Road suffer from overgrown hedges. More generally, there are not consistent or adequate footpaths linking settlements enabling, for example, pedestrians to access Coffinswell and Kingskerswell.

The details provided above set out the grounds why 19/00238/MAJ must be refused.

Conservation First (accompanying Abbotskerswell PC comments)

Throughout the planning documents for both the NA3 Wolborough and Langford bridge developments, there is a distinct lack of detail and certainty in respect of the impacts on bats and the effectiveness of the proposed mitigation. The importance of
the South Hams SAC Strategic Flyway is repeatedly dismissed based on the ‘low number’ of greater horseshoe bats recorded.

However, the constraints of surveying this species are not acknowledged, and conclusions made throughout appear to be based on unsupported opinion with little discussion of the available evidence or the rarity and specific ecology of greater horseshoe bats. The importance of satellite roosts is not considered, even though greater horseshoe bats belonging to the South Hams SAC population are likely to be using mating sites within the vicinity of the development. Several impacts have not been given sufficient consideration such as the link and access roads (which will sever multiple bat flight paths/corridors and create a collision mortality risk), expected levels of light pollution, noise pollution and increased human disturbance, the impacts on local colonies of other bat species, and the in-combination effects of over 20 proposed or recently consented developments in the area. The mitigation proposals are brief and vague, and do not meet the criteria of a bespoke mitigation plan (as described by Oxford 2017b). The lack of detail makes it impossible to assess whether some of the proposed mitigation will be sufficient. Some of the measures have not been proven to be effective, and monitoring is either not mentioned or inadequate.

Given the rarity and ecology of greater horseshoe bats, and the fact that they were recorded consistently across both development sites (NA3 Wolborough and Langford Bridge), we conclude that these developments, with the proposed mitigation, have the potential to have a significant impact on the integrity of the South Hams SAC. In combination, the developments will create considerable disturbance and changes to habitats within the strategic flyway and result in a long and narrow ‘pinch point’ in an area already under considerable pressure from urban development. The developments also have the potential to have significant impacts on local colonies of other bat species, including lesser horseshoe bats and barbastelle.

Abbotskerswell Parish Council and Wolborough Residents’ Association – 12.04.2019

A. HISTORICAL CONTEXT
It is fact that APC/WRA has consistently opposed the inclusion of NA3 in Teignbridge District Council’s (TDC) Local Plan as far back as the preferred options consultation stage. At that stage, dated 18th December 2012, APC/WRA raised grounds for concern against NA3 stating the major issues:

- Viability, including deliverability doubts, time frame, cost of infrastructure (road construction and increased urban services), vehicular congestion;
- Environmental challenges, including retaining the integrity of the existing built environment, air quality impact, noise pollution issues, artificial light pollution issues, ground water pollution and diversion issues;

Ecological/biodiversity threats, including threats to SSSI, Cirl Buntings, Bats, Newts, Rare plant/insect species;
- Community and amenity damage, including a threat to the setting of St Mary’s Church (Grade 1 listed) and an increased footfall will destroy the amenity value of Decoy Country Park;
• Overprovisioning of dwellings through using out of date population projections, unknown modelling algorithms and lack of diligence in reflecting recent demographic and economic changes.

A.1 We are 7 years on, so what has been resolved: nothing. The 19/00238/MAJ applicant has not satisfactorily addressed the NA3 issues outlined above, first raised in 2012 (7 years ago) and held on record in TDC. These are significant issues and must not be dealt with as reserved matters or by conditions. Until such time as the applicant can demonstrate meaningful collaboration between all the designated landowners across NA3, this application, 19/00238/MAJ, must be refused.

B. MASTERPLAN CONTEXT

There has been a disjointed and dysfunctional approach to masterplanning across the NA3 allocation by the two major landowners, each presenting their own disparate approach to their masterplans. This is not acceptable without an overarching masterplan for the whole of NA3. On 12th February 2019, TDC held a meeting between strategic planners, District Councillors, including members of TDC Executive, Town and Parish Councillors and other stakeholders, including Wolborough Residents’ Association.

As a consequence, TDC Full Council agreed, approved and funded the production of a masterplan for the whole of NA3, in the form of a Development Plan Document (DPD). As recently as 2nd April 2019, the newly appointed DPD lead manager, Rachel Tuckett, announced a significant programme with a timetable:
• Spring/Summer ’19 Evidence Gathering
• July/Aug ’19 Reg 18 Consultation (Draft Plan)
• Jan/Feb ’20 Reg 19 Consultation (Proposed Submission Version)
• May ’20 Submission
• Aug ’20 Examination (estimated)
• Dec ’20 Adoption (estimated)

B.1 APC and WRA fully support this programme and see it as a prerequisite before making any decisions on NA3 Wolborough, so this programme must be completed. Given the timescale given for evidence gathering and consultations, see above, this application, 19/00238/MAJ, must be refused.

C. IN-COMBINATION CONTEXT

NA3 Wolborough is unlike other major allocations in the LOCAL PLAN, e.g. NA1, NA2, as it is much closer to the densely populated centre of Newton Abbot. The NA3 developments cannot be considered in isolation from each other, NA1, NA2, or other Local Plan sites affecting Newton Abbot. This application has not addressed any such in-combination effects either with these other allocations or on the wider aspects of Newton Abbot and its necessary infrastructures.

In-combination proposals for the town and its surrounds must include (see A above): Viability, Environmental challenges, Ecological/biodiversity threats; Community and amenity damage, and Overprovisioning of dwellings across Newton Abbot. Without assessing the in-combination effects, residents’ health and wellbeing will be significantly at risk.

Even more pertinent, there are two related applications for developing 80% of NA3, i.e. the remainder of NA3 Wolborough not owned by the landowner of this application, 19/00238/MAJ.
The two related applications are:

Reference: 18/00035/NONDET
Address: Land at Wolborough Barton, Coach Road, Newton Abbot, Devon, TQ12 1EJ
Description: Appeal against Non-determination of planning application 17/01542/MAJ - Mixed use (hybrid application) proposal involving: Outline - Mixed use development comprising up to 1,210 dwellings (C3), a prima...

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18/00035/NONDET is an appeal for non-determination of 17/01542/MAJ and is ongoing but will not be resolved until late 2019/early 2020. Undoubtedly the findings of the Appeal will have ramifications for this Application 19/00238/MAJ. **Given the timescale for the appeal hearing to complete and its findings to be presented to the Secretary of State, as a precautionary principal this application, 19/00238/MAJ, must be refused.**

**D. NA3 IN-COMBINATION CONTEXT**

The landowner who submitted 17/01542/MAJ also submitted a near duplicate application: 18/01276/NA3. This latter Application was heard at a TDC Planning Committee meeting on the 19th February 2019 and was refused on the grounds of insufficient information to base a decision on, particularly in relation to Section 106 obligations, the Appropriate Assessment, and mitigation measures for the South Hams Special Area of Conservation, bats and biodiversity. These should all be addressed before a decision can be legitimately made on this new application, 19/00238/MAJ

The above decision has direct relevance to this Langford Bridge application, 19/00238/MAJ, as there is little evidence of NA3’s two landowners working together on in-combination matters.

18/01276/NA3 was unanimously refused by the Committee and will now have to address its failings:

1. There is insufficient information available at present to conclude beyond reasonable scientific doubt that the proposals will not have an adverse effect on the integrity of the South Hams Special Area of Conservation as required under the 2017 Conservation of Habitats and Species Regulations. The proposals are therefore contrary to Policies NA3(Wolborough), EN9 (Important Habitats and Features) and EN10 (European Wildlife Sites) of the Teignbridge Local Plan 2013-2033, the National Planning Policy Framework (NPPF) and the National Planning Policy Guidelines (NPPG);

2. The proposals, as submitted, do not provide for delivery of a road that connects the site from east to west at a point in time that allows for a sustainable community to be established. The provision of this link at an early stage in the development of the allocation is considered to be vital for mitigating the impact of traffic across the wider local area, managing air quality, place-making and access to public transport, community facilities and services. The proposals are therefore contrary to Policies NA3 (Wolborough) and S5 (Infrastructure) of the Teignbridge Local Plan 2013-2033, the NPPF and the NPPG;
3. No adequate mechanism for securing necessary Section 106 Obligations has been made, contrary to Policies NA3 (Wolborough) and S5 (Infrastructure) of the Teignbridge Local Plan 2013-2033 the NPPF and the NPPG; and,

4. Insufficient detail relating to the monitoring of impacts on the Wolborough Fen SSSI has been provided to ensure that unacceptable harm would not occur the proposals are therefore contrary to Policies NA3 (Wolborough) and EN9 (Important habitats and Features) of the Teignbridge Local Plan 2013-2033, the NPPF and the NPPG.

These four grounds for refusal equally apply to 19/00238/MAJ (NA3 East) for the Langford Bridge development which will not be viable or sustainable unless Wolborough Barton (NA3 West) receives planning approval, which is now questionable. Given the timescale for gathering evidence for the DPD and subsequent consultations; a lack of meaningful collaboration between all the designated landowners across NA3, and the timescale given for the aforementioned appeal hearing to complete and the findings to be presented to the Secretary of State for determination, this application, 19/00238/MAJ must be refused.

E. SUSTAINABILITY AND AFFORDABILITY

Given the issues raised above, this application does not demonstrate the necessary standard of environmental evidence that is “beyond reasonable scientific doubt” (per Underhill LJ), which provides a clear demonstration of sustainability and affordability as required by the NPPF and the Policies contained in the 2014 Local Plan, therefore 19/00238/MAJ must be refused.

F. PRINCIPAL GROUNDS FOR OBJECTION

We identify below more detailed grounds for objection to this development and elaborate on what has been outlined previously above.

1. The Application is premature;
2. The Application must not proceed until there is consensus on access to this site, agreement on the routing of a link road across the entire NA3 allocation, if that is to remain an ambition, and that all necessary new infrastructure is in place from the outset;
3. The Application must not proceed until water and sewerage infrastructure are in place;
4. The Application should not proceed until wider studies on the impacts of traffic and air quality around Newton Abbot are better understood and effectively mitigated.
5. Miscellaneous issues that apply equally to both NA3 landownership must be addressed.
6. There are continuing issues regarding biodiversity, air quality and environmental impact which will be covered in separate submissions.
7. The development proposals for NA3 as a whole do not respect the setting of Grade1 listed St Mary’s Church, Wolborough.

The Application is Premature

• This application has been submitted before the Teignbridge Development Framework Plan covering the entire NA3 allocation has been translated into a Development Plan Document. Our understanding is that this work commences with
evidence gathering after the May local elections; consultation and examination in public follows with a target date for adoption of December 2020. Any decision concerning this application should be deferred until public consultation and adoption of the NA3 Development Plan Document is in place, the Five-year Review is complete and the Greater Exeter Strategic Plan is agreed and published.

• Because of the sensitivity of parts of the NA3 allocation and the potential in-combination effects of this development, it is essential that a comprehensive masterplan is developed and agreed that takes into account the wider impact of development particularly in relation to the South Hams SAC, Wolborough Fen SSSI, increased traffic and air pollution.

Infrastructure – Link Road
• With substantial housing development proposed within the NA3 allocation plus the substantial developments built or proposed at Houghton Barton, Whitehills, Penns Mount and Buckland, the infrastructure within and around Newton Abbot has to be significantly improved.

• It is understandable why a link road between the A380 and A381 is desirable and urgently needed, but its routing is critical if real benefits are to be gained. We consider the proposed routing across NA3 is unsustainable for a variety of reasons which have been identified in previous submissions.
• The current proposals will do little to reduce traffic in the Town in the absence of an onward connection accessing the A382 and A383. Traffic from the A380 heading to Ashburton/Plymouth and Bovey Tracey will still have to travel via Wolborough Street (already suffering unacceptable air quality) or use unsuitable narrow lanes through Ogwell.
• Development of NA3 will put additional and unsustainable strain on Coach Road, Priory Road, Stoneman’s Hill and Totnes Road.

Access
• We are concerned that access to the site, and thus to any link road, is between the single lane railway bridge to the north past Sainsburys and over the single-track, traffic light-controlled Langford Bridge to the south. Such an alignment would render the prospect of a useable and effective link road a false hope. This reinforces our view that the proposed link road is in the wrong place.

Traffic
• The traffic assessment needs to include the in-combination impact from the other major developments in and around Newton Abbot. It appears that along with new homes at Kingsteignton, over 8,000 properties will be added to local housing stock within the currency of the Local Plan bringing with them an average two additional motor vehicles plus service vehicles. The infrastructure within the Town and for east/west commuting is simply inadequate now let alone with such a substantial extra volume of vehicles.

Air Quality
• Air quality is high up the national agenda with its damaging consequences on human health. Much of the centre of Newton Abbot is an Air Quality Management Area with Wolborough Street the most serious air quality area with double the legal limit of pollutants.
• We are of the view that if NA3 is developed air quality within the Wolborough/Decoy area will be detrimentally impacted further exacerbating public health concerns. We reserve the right to make further submissions on this subject.
Water Services & Sewerage, Power Supply
• The capacity of existing sewerage facilities, both transmission and treatment, are close to capacity and are unlikely to be able to cope with the additional load from NA3 not to mention all the other developments around Newton Abbot and at the Willows.

Environment & Biodiversity
• The development area impacts negatively on a strategic flyway for the South Hams SAC, on foraging area and on satellite roosts for Greater Horseshoe Bats such as Conitor.
• The link road in particular and the layout of the housing sites across the NA3 allocation will impair free movement of species, fragment habitat and alter their feeding and breeding patterns.
• The proposed routing of the link road will undermine the hydrogeology and groundwater feeds essential to maintaining the integrity of the SSSI Wolborough Fen.
• Development of NA3 will result in loss of a dark skies area and further impact on free movement of nocturnal species.
• Any development of NA3 must be accompanied by a major increase in area of Decoy Country Park. The park must be held in public ownership for the perpetual benefit of the population of Newton Abbot.

Arboricultural Impact Assessment
• The proposed route of the link road will see the destruction of 2.2 hectares of woodland and give potential for further damage to surrounding trees from emissions.
• Removal of such an area of woodland will create increased risk of flooding around Decoy and reduce carbon capture.

Local Education & Health Provision
• Given the resulting increase in population there must be certainty about the provision of schools in a timely manner and in the right location. The proposed site for a Primary School and the land notionally earmarked for a Secondary School would be better co-located to make use of shared facilities.
• When designing new infrastructure and layouts of new developments, the principle of reducing the need for private car use should be paramount. This does not appear to be the case here.
• The UK average number of GPs per 1000 of population is .58 requiring two full time Doctors for NA3. We consider that if this development is to proceed, a Doctor’s Surgery must be allocated within the site. Further, funding must be secured for an extension of acute and critical care facilities for the increased population.

Footpaths/Pedestrian Access/Cycle Routes
• There is insufficient detail on how existing public footpaths will be maintained and enhanced. Sections of the footpath along the Kingskerswell Road suffer from overgrown hedges; there is not a consistent footpath enabling pedestrians to access Coffinswell and Kingskerswell.
  • There is no rigorous oversight of viable alternatives to the use of the private car.

Housing Supply
• With the ongoing developments at Penns Mount, Whitehills and Houghton Barton, Buckland plus smaller sites at Brunel Lodge and the former Bishop Dunstan School along with windfalls, there is over nine years housing supply, which begs the question whether a further 450 homes is appropriate at this time.
• Land Supply is considerably above the Government’s minimum five-year land supply target. The pace of Heart of Teignbridge new allocations should be conservative, cautious and further developments deferred until the 5-year review of the Local Plan is published for public consultation, debated and adopted by Members.
• Further, the Greater Exeter Strategic Plan is due to be published within a similar timeframe. This will provide a much-needed and long overdue strategic overview taking proper account of all factors impinging on the wider community, not just the Heart of Teignbridge or the District.

The details provided above set out the grounds why 19/00238/MAJ must be refused.

Yours sincerely,
Secretary, Wolborough Residents’ Association
Abbotskerswell Parish Council

8. COMMUNITY INFRASTRUCTURE LEVY

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

9. ENVIRONMENTAL IMPACT ASSESSMENT

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, in accordance with Regulation 3 (4) of The Town and Country Planning (Environmental Impact Assessment) Regulations 2011.

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