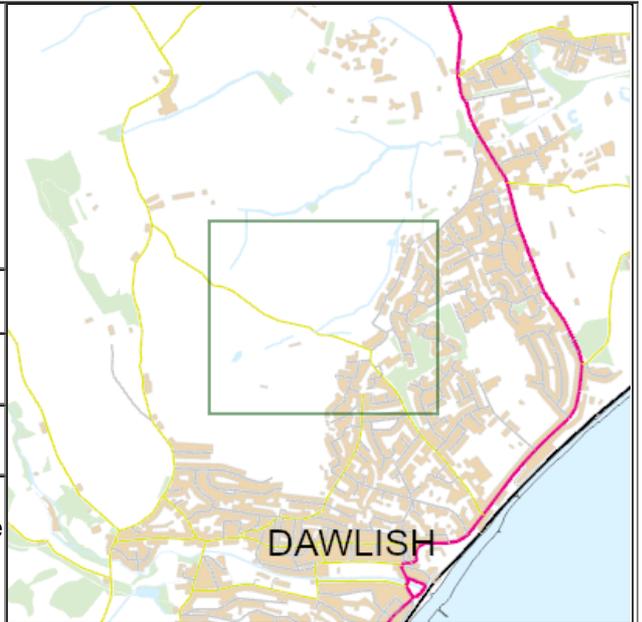


**Planning Committee Report**

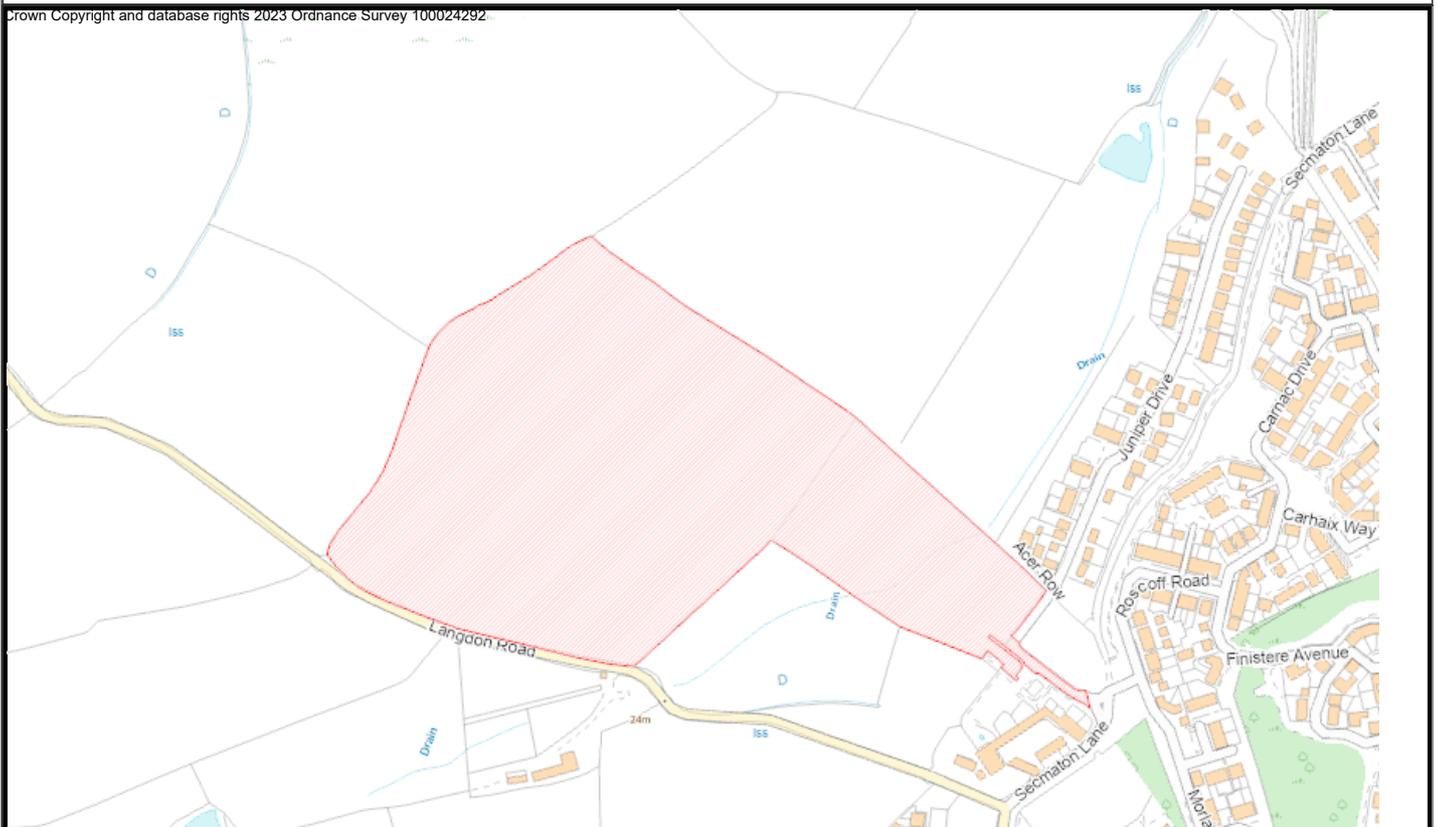
**Chairman: Cllr Colin Parker**

<b>Date</b>	21 November 2023
<b>Case Officer</b>	Cheryl Stansbury
<b>Location</b>	Gatehouse Farm Secmaton Lane Dawlish Devon EX7 0LW
<b>Proposal</b>	Reserved matters application for 205 dwellings, landscape works, public open space, play space and infrastructure pursuant to outline planning permission 15/02468/MAJ (Outline - Residential development providing up to 409 residential units, community based buildings consisting of shop/cafe, employment space, extra care unit, parking area for local school, new vehicular access from Secmaton Lane, public open space, landscaping and infrastructure) (approval sought for access, appearance, landscaping, layout and scale)
<b>Applicant</b>	Mr M Blake
<b>Ward</b>	Dawlish North East
<b>Member(s)</b>	Cllr Linda Goodman-Bradbury, Cllr Rosie Dawson, Cllr Martin Wrigley
<b>Reference</b>	22/01067/MAJ



[Online Details and Documents](#)

**RECOMMENDATION: RESERVED MATTERS APPROVAL**



## **1. REASON FOR REPORT**

1.1 This application has been called to Committee by Dawlish Town Council (July 2022) for the following reasons:

- The site does not conform with the DA2 Supplementary Planning Document in that that the western boundary path appears incomplete
- The proposed link road appears too narrow when connecting with application site 22/ 01042/ MAJ and does not appear to adhere to 'avenue' specifications, and
- Concerns for the ongoing passage of vehicles from application site 22/01042/MAJ onwards.

## **2. RECOMMENDATION**

2.1 RESERVED MATTERS APPROVAL BE GRANTED subject to conditions covering the following matters, the precise number and formation of which to be delegated to the Business Manager Strategic Place, to include:

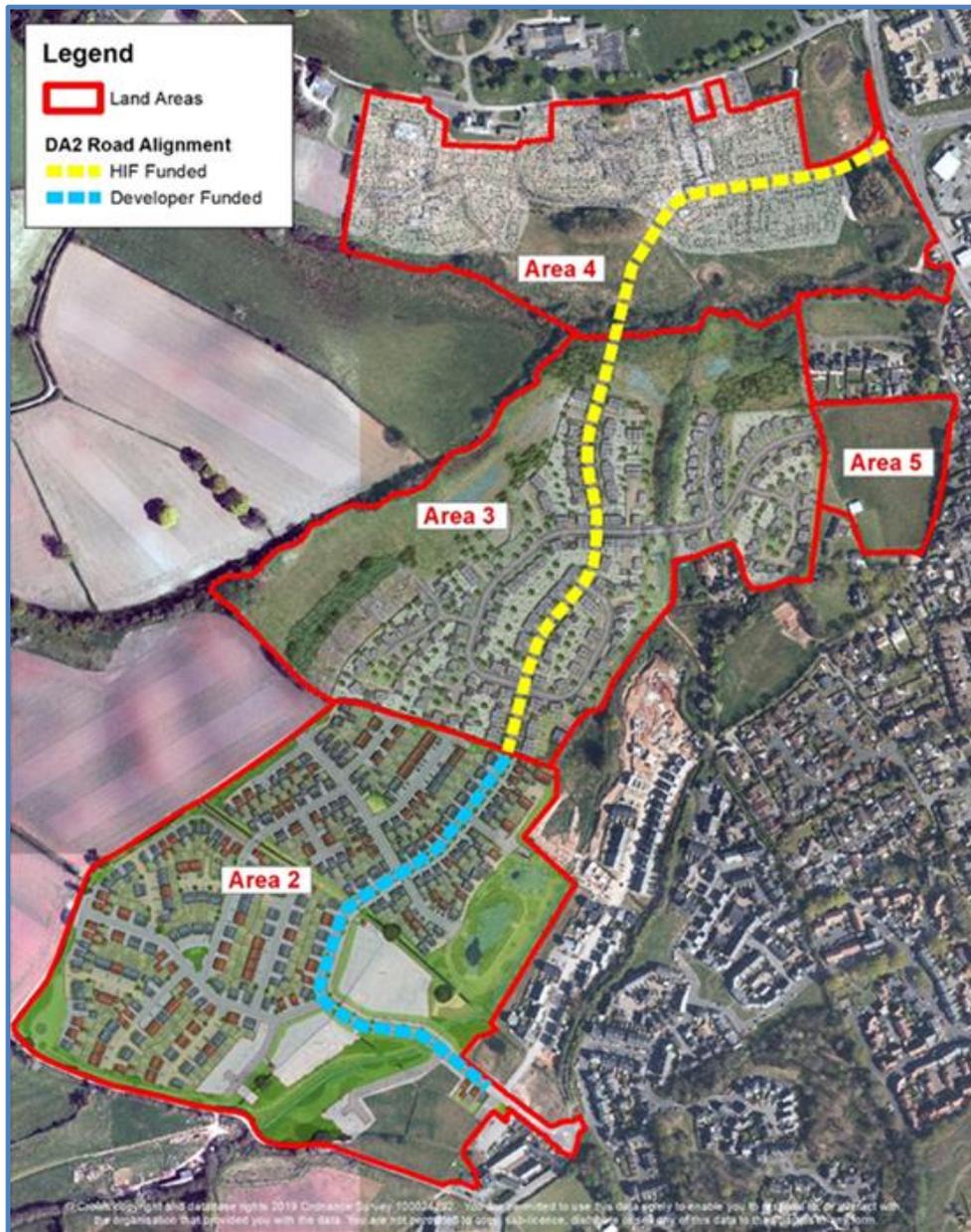
1. Accord with approved plans.
2. Prior to commencement, full details of link road join into Area 3 to include details of cycle paths, pedestrian paths, signage and road markings.
3. Completion in accordance with approved WSI before occupation.
4. Details of tree pits before construction of road (other than the section already with consent) and locations of underground service runs to ensure no conflict with planted trees.
5. Trees to BS 8545:2014 standard; landscaping implementation, maintenance and replanting within 5 years if any die.
6. Sheds/cycle parking details for every dwelling to be submitted. To be provided before occupation of open market dwellings and handover of AH.
7. Bin storage details for all dwellings to be submitted and provided before occupation.
8. Architectural details and materials of dwellings before reaching damp proof course.
9. Details of boundaries, any under build to dwellings and retaining wall details before their construction. Any boundaries directly fronting open space/GI shall be brick walls, not timber fencing.
10. Details of solar panels and installed/operational before occupation before occupation plus compliance with Energy Report.

11. Details of BNG (bat, bird and bee boxes, hedgehog holes) to be submitted and provided before occupation.
12. Timing of works at sunrise/sunset to avoid bat disturbance.
13. No lighting to be installed on site (except for domestic lighting on properties on timers) above that agreed in the approved lighting scheme; further details to be submitted and agreed if this changes. The northern and western dark corridors to be maintained at or below 0.5 lux.
14. Marking out of allocated parking and retention of parking spaces thereafter. Garages to remain as garages and not converted to living accommodation.
15. Works to accord with the Arboricultural Method Statement and Tree Protection Plans.
16. Details of and provision of electric car charging points before occupation.
17. LEAP water safety assessment with safety measures, if necessary, before LEAP is first brought into use.
18. M4(3) dwellings to be provided with showers.
19. GI Transfer Plan prior to occupation to clarify between dwelling responsibilities and management company.
20. Notwithstanding the approved plans, in the relevant phase, unless set out in the marketing details for the commercial area, demonstration that the cycle/pedestrian link will continue from the link road to the LEAP/SuDS area.

### **3. DESCRIPTION**

#### **3.1.1 Application Site**

- 3.1.2 The application relates to roughly half of Development Area 2 of Local Plan allocation DA2 "Northwest Secmaton Lane" in Dawlish. Area 2 is roughly divided into 2 parcels through the central northwest-southeast running hedgerow. It is currently undeveloped but is bordered to the south and east by modern residential development and Gatehouse Primary School. The image below shows its relationship to the other areas. Construction on Area 4 has commenced and many houses are occupied; work has commenced on the linkroad/bridge from Area 4; consent has been granted on Area 3, but has not yet commenced (the image shows the approved layout).



3.1.3 The application site comprises agricultural land with hedges and trees to the external and internal field boundaries; several mature trees exist on site, protected by a blanket Tree Preservation Order. The site is bound to the south by Langdon Lane, a single-track rural lane, to the east by new residential development on Juniper Drive, its northern boundary abuts the Bloor Homes reserved matters site, the other half of Area 2 of DA2, for which application 22/01042/MAJ proposes 149 dwellings and is also under consideration, and to the west is open countryside, with hedgerow boundaries.

3.1.4 The entire allocation is in a Critical Drainage Area, sloping downwards from its highest point in the western tip, to the east, draining into a stream running along the eastern boundary; a small section of highway along the lowest point is in Flood Zone 2 and 3; the current access leading into Area 2 is also partly in those Flood Zones.

3.1.5 Outline planning permission was granted, subject to a S106 agreement, for Area 2 under reference 15/02468/MAJ for residential development providing up to

409 residential units, community-based buildings consisting of shop/cafe, employment space, extra care unit, parking area for local school, new vehicular access from Secmaton Lane, public open space, landscaping and infrastructure. As the principle of development has been confirmed through the Local Plan, Framework and outline permission, this application seeks approval of the Reserved Matters only.

3.1.6 For reference, Policy DA2, which covers all the Areas of land shown in the image above, states-

*A site of approximately 43 hectares is allocated north-west of Secmaton Lane for a mixed use urban extension which 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) create a high quality landmark development for the gateway to the town on the A379 Exeter Road;*

*c) deliver at least 860 homes with a target of 25% affordable homes;*

*d) include a 50 bed extra care housing scheme and/or other appropriate elderly housing provision;*

*e) deliver a multi-purpose building capable of incorporating health and early years children's facilities;*

*f) provide for vehicular access through the development between Elm Grove Road and the A379 Exeter Road, including supported bus service, cycle lanes and footpaths; and*

*g) deliver at least 3 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.*

3.1.7 Also of relevance is Policy DA6 Dawlish Green Infrastructure:

*Approximately 15 hectares of strategic green infrastructure will be delivered in the form of a strategic 'blue and green' route from development proposed in policy DA2 to Dawlish Warren Road, including:*

*a) a pedestrian/cycle route with linear open space along the Shutterton Brook;*

*b) community park and sports pitch and play/informal open space;*

*c) allotments and community orchard for local food production; and*

*d) complementary suitable alternative natural green space.*

3.1.8 The site is also covered by the DA2 and DA6 Development Framework Plan Supplementary Planning Document, available at [Guidance - Teignbridge District Council](#).

## **3.2 Relevant Site History**

### **3.2.1 DA2 Area 1**

11/03265/MAJ: Outline for residential development and a neighbourhood centre – Approved.

13/00584/MAJ: Reserved matters for 96 dwellings pursuant to 11/03265/MAJ - Approved.

### **3.2.2 DA2 Area 2**

15/02468/MAJ: Outline - Residential development providing up to 409 residential units, community-based buildings consisting of shop/cafe, employment space, extra care unit, parking area for local school, new vehicular access from Secmaton Lane, public open space, landscaping and infrastructure (all matters reserved for future consideration) - Approved subject to conditions and a Section 106 agreement.

15/02468/COND1: Discharge of condition 15 (archaeology) on planning permission 15/02468/MAJ for outline – Approved.

15/02468/COND2: Discharge of conditions 5 (phasing), 6 (drainage strategy) & 10 (LEMP) on planning permission 15/02468/MAJ for outline – Approved.

15/02468/COND3: Discharge of conditions 12 (CEMP) & 16 (waste audit statement) on planning permission 15/02468/MAJ for outline – Approved.

22/01042/MAJ: Reserved matters application for 149 dwellings, landscape works, public open space, play space and infrastructure pursuant to outline planning permission 15/02468/MAJ – pending consideration.

22/00148/MAJ: Reserved Matters application for initial infrastructure phase including the main access road to the residential, self-build, mixed use and extra care parcels and the relevant sustainable urban drainage pond and localised landscaping, pursuant to outline planning permission 15/02468/MAJ – Approved.

22/00657/FUL: Embankment to support the main access road to land at Gatehouse Farm – Approved.

### **3.2.3 DA2 Area 3**

21/02674/MAJ: Erection of 201 dwellings, open space, landscaping, allotments and associated infrastructure - Approved.

17/01654/MAJ: Erection of 201 dwellings, open space, landscaping, allotments and associated infrastructure – Refused (lack of affordable housing and custom/self-build plots)

### 3.2.4 DA2 Area 4

19/01767/MAJ: Reserved Matters approval for 190 dwellings and associated works (approval sought for appearance, landscaping, layout and scale) pursuant to Outline Planning Permission 18/02404/MAJ - Approved and under construction.

18/02404/MAJ Variation of Outline application 15/02700/MAJ. Approved.

15/02700/MAJ for phased development of up to 200 dwellings, 3 hectares of employment land, including a 64-bed care home, highway works, demolition works to ancillary healthcare buildings, incidental and equipped open space, internal vehicular, pedestrian and cycle links, drainage attenuation works (approval sought for access). Approved.

### 3.2.5 DA2 road/bridge

21/02872/FUL: Construction of a new section of the Phase one link road in connection with Dawlish DA2 allocation, including 130m of road, highway bridge and associated features, highway embankments, attenuation and landscaping. Approved.

Homes England funding has been granted to enable the first section of this to be delivered; the reserved matters application subject to this report, together with the Bloor Homes section of Area 2, will deliver the southern part of the link road, as shown in the image above at 3.2. Area 3 will deliver the middle section.

## 3.3 **Proposed Development**

3.3.1 This application seeks reserved matters approval for access, appearance, landscaping, layout and scale for 205 dwellings along with associated infrastructure and landscaping. The areas of land for the non-residential elements of the outline approval are not included under this application and would be subject to their own reserved matters applications.

3.3.2 Revised plans have been submitted to address concerns raised by Officers and consultees, and 2 further rounds of consultation have been carried out. During the revisions, a redraw of the layout resulted in an open market dwelling being lost, taking the proposed number down to 205. Of the 205 dwellings, 165 will be open market homes and 40 will be affordable housing, as shown in the table

Open Market		Affordable Rent		Shared Ownership	
3 bed	121	1 bed flat	5	2 bed	2
4 bed	44	2 bed flat	7	3 bed	10
		2 bed	3		
		3 bed	11		
		4 bed	2		
Total	165		28		12
Overall Total	165		40		

below:

3.3.3 The following parking provision is proposed:

- 1 parking space for 1 and 2 bed flats
- 2 parking spaces for 2-3 bed dwellings
- 3 parking spaces for most 4 bed dwellings in the form of 2 spaces plus a garage (8 out of 46 have 2 spaces)
- 14 unallocated visitor parking spaces.

3.3.4 All garages provide internal space measuring 6 x 3m and cycle parking is proposed to be either located in garages or garden sheds to serve every dwelling; the affordable flats have cycle parking provided undercover, adjacent to the bin storage building.

3.3.5 The site layout broadly follows that shown on the outline Masterplan and detailed in the SPD, with roads realigned to better fit the topography of the land and link into Area 3. The roads have a hierarchy from the primary spine road (the link road) forming the access point from the southeast, which already has planning permission, running through the site, into the adjoining Bloor site and linking up to Area 3, to secondary streets and private driveways; many of these are treelined to accord with the SPD and additional trees have been included in the revised plans.

3.3.6 The roads are a mix of traditional highways with pavements for the primary and secondary streets, shared surfacing to the side roads, with areas of private driveway at the site edges. The primary road leading to the western edge has been designed to be capable of becoming a bus route so as to not prejudice future development. It is proposed to have a 20 MPH limit on all roads. A formal cycle path and pedestrian footway is proposed to run either side of the central hedgerow that divides both parcels of Area 2 as well as adjacent to the link road. A bus stop has been included near to the mixed-use/care home/self-build area.

3.3.7 A comprehensive lighting scheme has been designed with DCC lighting engineers, providing street lighting to all roads, whilst maintaining dark corridors at the edges; the central cycle/pedestrian link is also lit to encourage safe active travel.

3.3.8 The majority of hedgerows are retained, as are the existing trees (short sections of hedgerow are to be removed to enable access as well as 3 category C trees to the northeastern corner of the Bloor parcel of land) with a green corridor around the perimeter of the site providing accessible greenspace and a dark wildlife corridor; tree planting is included here to bolster and screen the corridor from headlights and any streetlight overspill. Green mown and gravel bound paths run through the corridor to provide accessible routes around the perimeter of the site. A significant amount of the landscaping comprises native species, with areas of wildflower meadow, bulb planting, wet grassland and mown amenity grassland.

- 3.3.9 Publicly accessible open space is provided in several areas, with the main area which also contains the SuDS set in the eastern low point. This area also contains a LEAP (Local Equipped Area of Play), roughly in the location shown on the Masterplan. A smaller area with a LAP (Local Area of Play) is located on the western high point, as well as a further LAP almost centrally located. The LAPs and LEAP total approximately 830m<sup>2</sup>; full details are not provided with this application as this is secured by the S106 to be submitted to the Council and agreed before works commence.
- 3.3.10 The supporting documents do acknowledge a deviation from the Masterplan in relation to the north-south central corridor because this does not represent any feature on the ground, and instead the proposal provides a nodal green space with a LAP responding to the block structure and ground levels. As part of the Bloor proposal, additional green corridor is provided inside the northern boundary to also account for this deviation and provide an equivalent amount of green space.
- 3.3.11 Residential blocks are concentrated in the center of the site, again responding to landform and the access roads, with a density average of 42 DPH across the site, in broad accordance with the outline parameter plan; central and eastern areas are 40 DPH, with a lower density and more detached dwellings towards the western rural edge (26 DPH). Most dwellings are 2 storey with some 2 ½ storey on the primary spine road on lower ground, near to the mixed-use/retail area; the affordable flats are 3 storey in height.
- 3.3.12 Materials for elevations comprise brick and muted render shades with some cladding to the rural edge areas; key focal points are finished in render; the revised drawings reduced the amount of brick to be used. Variety is provided by the different render colours and front entrance canopies. Flat slate grey coloured roof tiles will be used across the site, matching that on the Bloor parcel. Garages and substations are finished in brick with the same roofing tiles.
- 3.3.13 Surface water drainage is proposed to be gravity fed into the low point to the east, where it will collect into 3 attenuation basins with controlled discharge into the existing water course; this SuDS area also forms a key part of the open space with mown paths and tree planting creating a naturalized accessible route, linking through to the main road close to the bus stops; this area is common to both applications under consideration.
- 3.3.14 Foul drainage will be gravity fed to a pumping station in the northeast of site and will connect to the existing mains sewer further east under a SWW requisition, also common to both applications.

## **4 PLANNING CONSIDERATIONS**

### **4.1 Principle of the development/sustainability**

- 4.1.2 The application site is located within allocation DA2 Area 2, forming roughly half of this Area. The proposed development has outline planning permission for up to 409 dwellings; this application provides 205 of the 409. Combined with application 22/01042/MAJ, a total of 354 are proposed. When also considering

the 20 self-build plots that are not part of either application under consideration, this gives scope to provide flats above the retail/mixed use area when further reserved matters applications are submitted to reach the maximum number under that permission.

4.1.3 This application seeks approval of all reserved matters, those being access, appearance, landscaping, layout and scale.

4.1.4 The site lies entirely within the application boundary illustrated in the approved outline site location plan. Objector comments regarding the loss of agricultural land are noted. The principle of residential development has already been agreed through the allocation of the site and the outline approval and is therefore acceptable on the site. The consideration of this application relates to compliance with the outline consent, policies in the Local Plan, the SPD and the NPPF.

#### 4.2 Impact upon the character and visual amenity of the area/open countryside

4.2.1 Local Plan Policy EN2A seeks to protect and enhance landscape character, requiring development to be sympathetic to natural landscape and character.

4.2.2 The application site lies on the edge of this built-up area of Dawlish. Development on it would be visible from Juniper Drive and nearby properties/roads to the east, Gatehouse Farm Barns and other dwellings to the south and Langdon Road/Lane, as well as when viewed from the north and west with the backdrop of the residential development recently completed or under construction. Longer range views would generally be glimpses through gaps in hedgerows.

4.2.3 The development seeks to maintain and respect existing built form, taking cues from nearby developments in terms of density, building form and materials, both already constructed, and those not yet constructed on Areas 3 and 4; roof materials have been amended to solely slate grey roof tiles to address recent nearby developments. It also provides for Green Infrastructure throughout the site, including at the highest western point, the retention of mature trees and most hedgerows, and the strengthening of the external boundaries, where as well as additional planting, a 10 m dark corridor is provided.

4.2.4 Whilst it is inevitable on a development of this size that there is a more urban feel and change in the landscape, this change was fully considered as part of the site's allocation and outline approval. It is considered the existing and proposed landscaping across the site will help reduce the visual impacts, particularly once the landscaping matures. The site will not be viewed in isolation given the adjacent housing, and it is considered the proposal complies with ENV2A.

#### 4.3 Landscaping, Green Infrastructure (GI) and Public Open Space (POS)

4.3.1 Local Plan Policy WE11, (Green Infrastructure) requires residential development to provide at least 10m<sup>2</sup> per dwelling of children's and young person's play space and about 100m<sup>2</sup> per dwelling of other forms of Green Infrastructure (GI); this provision is secured in the S106 agreement. Part (f) of

policy WE11 states that public open space (POS) should be designed as part of the overall GI and layout of the site, taking advantage of the potential for multiple benefits including play, wildlife, suDS, tree planting and landscape provision. Also of note is the S106 agreement which requires “...*playspace and active recreation (LEAP) areas within the site in accordance with this agreement and having a minimum area of 600m<sup>2</sup>*”.

- 4.3.2 Residential development is concentrated in the centre of the site and offset from the retained field boundaries, maintaining green corridors to the perimeter; new tree planting to green corridors is proposed to bolster green corridors. The majority of the existing trees are category B with one category A English Elm at the southernmost tip of the site. The intention is to retain existing hedges and trees as far as possible (3 small category C existing trees are to be removed on the Bloor parcel, in the northeastern corner) with small sections of existing hedgerows removed to facilitate proposed roads and access points; a larger section of hedgerow will be lost in the self-build area, but this is not part of this application. The species chosen across the site are predominantly native to the UK and have been chosen for biodiversity value, suitability to the surroundings and for aesthetic quality. Blocks of native scrub and woodland planting will provide structure and habitat opportunities, linked together through hedgerow planting and scattered trees. A matrix of wildflower meadow, bulb planting, wet grassland and close mown amenity grassland will provide seasonal interest and opportunities for recreation and leisure.
- 4.3.3 The site has several areas of GI and POS, the largest being to the eastern edge, where it utilises the low-lying areas adjacent to the existing stream and eastern boundary for landscaped POS, including landscaped drainage attenuation features and the Local Equipped Area of Play (LEAP); the LEAP is located outside of any Flood Zone. This provides the multi-functional benefits set out in WE11 and is shared with the adjoining Bloor Homes site. As noted by DCCLFA, the SuDS area is somewhat tight, with most of it taken up by the attenuation basin, however, a balance needs to be taken between providing the necessary infrastructure, GI and meeting the housing numbers set at outline stage; it is considered this is achieved and the area, once the landscaping matures, will become a pleasant “green lung” between this site and the developments to the east.
- 4.3.4 The proposal provides, in combination with the Bloor Homes site, a green walking route around the perimeter. Some additional tree planting has been added along this route and the secondary road to link into the SuDS area, to try to maintain a green connection. A central Local Area of Play (LAPs) is located roughly in the area where a green corridor was shown on the approved parameter plans running centrally from north to south; instead, an equivalent area is provided along the north of the Bloor Homes parcel. A further LAP is shown in the southwestern corner, in conformity to the parameter plans.
- 4.3.5 There is some further deviation from the parameter plans, largely due to the topography of the land in that the GI and POS is set out differently. Of note is the NEAP (Neighbourhood Equipped Area of Play) referred to in the outline scheme. This application does not include a NEAP, instead, it has a LEAP (Local Equipped Area of Play) provided in the north-eastern area, between the primary access road and the SuDS area. The S106 only secures a LEAP and therefore the Council is unable to insist the developer provides a NEAP; it is worth noting that Area 3 must provide a combined LEAP/NEAP, so this need is

catered for on the DA2 wider allocation. The proposed LEAP does, however, measure in excess of 600m<sup>2</sup>, at 630m<sup>2</sup>, meeting Fields in Trust guidelines.

- 4.3.6 In terms of the overall provision meeting the requirements of Policy WE11, given a significant amount of the GI is shared between both sites (and the wider DA2 allocation area), a calculation has been carried out across both. There should be 10m<sup>2</sup> of play space per dwelling (3540m<sup>2</sup>) and 100m<sup>2</sup> of other green provision (35400m<sup>2</sup>), giving a total of 38940m<sup>2</sup>. The overall GI and play provision does fall below that set out in WE11; across both sites the total play provision is under 1000m<sup>2</sup>; the total of other forms of GI provision should be 100m<sup>2</sup> per dwelling (35400m<sup>2</sup>). An approximate measurement for these areas across both sites, including the entire SuDS area, a significant part of which is not usable and is in Flood Zones 2 and 3, is just under 30,000m<sup>2</sup>.
- 4.3.7 There is, therefore, a shortfall in the provision of GI/Play Space across both sites which must be weighed into the planning balance. Of note is that there is other provision across the wider DA2 allocation, as well as existing play provision to the south, and that Policy DA6 has secured GI, including allotments, to the western edge of Area 3, all within a short distance of Area 2.
- 4.3.8 Revised drawings have included additional street trees, informed by the need to comply with NHBC offsetting distances to foundations and on-plot trees, many of which are in rear gardens and whilst it is recognised there can be no control over their retention, they will help break up the expanse of timber fencing and increase privacy for residents; all street trees will be covered by the site wide maintenance programme. At the developer's suggestion a condition is included for a Green Infrastructure Transfer plan to be agreed, demonstrating which areas will be under the management company and which will be the responsibility of individual plot owners.
- 4.3.9 At Officer request, a revised Tree Report and Arboricultural Method Statement (AMS) has been submitted, accompanied by several Tree Protection Plans, outlining the methodology by which construction will be undertaken in order to safeguard trees during the construction period. This includes supervision of any excavation in Root Protection Areas and using no-dig construction methods for paths in these areas, using "cell web" grids. A condition is imposed for works to be carried out in accordance with the AMS. A further condition is imposed to ensure that tree pits are of adequate size to secure long term retention of the trees and for details of underground service infrastructure to ensure there are no conflicts.
- 4.3.10 The Council's Play Area Project Officer is not supportive of the proposal and considers that despite the revisions made to the scheme, it will not deliver a high quality mix of green infrastructure as required by Policy WE11. The following shortcomings are identified:

GI: There is minimal GI proposed, a redesign is needed, particularly in relation to the central corridor. Green corridors need widening, the density of housing, parking and gardens leaves insufficient room good quality GI delivery. The SuDS completely dominates the larger area of GI and the plans lack detail in relation to maintenance, gradients and so on.

LEAP: The SPD specifies a combined LEAP/NEAP, in a slightly different location. The proposed LEAP is a back site, lacking in surveillance, restricted by a tree, is not large enough to provide sufficient play

equipment (such as areas for wheeled and ball sports), the plans fail to demonstrate how it will cater for older children and there is the added risk of it being located next to the SuDS water hazards; it is noted the developer's safety report recommends a separate risk assessment is carried out and that additional safety measures might be required. A 30 metre buffer is required between it and nearby housing. It also lacks good connectivity. The approved parameter plans show the NEAP area, which is much better than the current proposed LEAP in terms of the above concerns.

LAP: The LAP has not been designed in accordance with guidelines given to the developer.

Drawings: There are discrepancies across various drawings, some of which do not show planting, and some do not show all of the proposed LAPS. All LAPs and the LEAP should be clearly labelled with the type of play proposed.

Connectivity: The additional planting near plots 123-124, the road connecting into the drainage area and pumping station, does not provide a satisfactory figure-of-eight which was discussed in several meetings with the developers. The walking routes along the perimeter contain many pinch points, often obstructed by trees, and are largely left over misshapen areas of land. The central corridor is impeded by a protected tree, limiting the scope of this movement corridor. A well designed central green corridor should be provided, linking into the LEAP, as shown on the approved parameter plans. The plans fail to show good quality active travel links along the main link road.

Trees: It is also not acceptable to have gardens with tree root protection areas (RPA). The LEAP is severely restricted by being under a large tree and within its RPA. Concern the tree will drop branches or children will climb it and there is a risk they will fall onto play equipment underneath it.

4.3.11 It is correct that the SPD and parameter plans do show a NEAP, to be provided slightly further north of the proposed LEAP. However, the S106 agreement did not secure a NEAP; it secured a LEAP. Officers therefore cannot insist a NEAP be provided. Discussions have taken place, the developer is aware of the need to provide equipment to cater for all and the Council has control over this as part of the details that will be agreed under the S106, before works can commence. In relation to the proximity to the SuDS, this was also the case with the parameter plans and the SPD notes that SuDS should be designed "...to be usable green space when they are dry, and safe when they are in flood...contribute towards...natural open spaces provision, supporting wildlife and recreation". As with the majority of attenuation basins, it will remain dry for most of the year. Landscaping has been added across this area, as well as mown walking routes. To address the concerns raised, a condition is imposed for a safety audit to be carried out and for any necessary safety measures to be incorporated.

4.3.12 The LEAP will be overlooked, to a degree, from the proposed housing on the Bloor Homes parcel, albeit restricted by the retained tree, but also from recently constructed dwellings to the east; the land here is relatively level giving good views across the site from those dwellings. There is also opportunity to gain surveillance from the mixed use area and this will form part of the consideration

of the reserved matters for that area when it is submitted. Additional surveillance will be provided from the nearby link road/pavements, close to where the bus stop will be located. It is considered that sufficient surveillance will be provided.

4.3.13 In relation to the size of the play areas and buffers zones, all comply with Fields in Trust guidelines as shown in the table below taken from “Guidance for Outdoor Sport and Play” [Available at this link - fieldsintrust.org](http://fieldsintrust.org) A 30 metre buffer would only be required if there was a NEAP.

<b>LAP</b>	<b>0.01ha</b>	<b>10 x 10 metres</b> <i>(minimum activity zone of 100sqm)</i>	<b>5m</b> min separation between activity zone and nearest property containing a dwelling
<b>LEAP</b>	<b>0.04ha</b>	<b>20 x 20 metres</b> <i>(minimum activity zone of 400sqm)</i>	<b>20m</b> min separation between activity zone and the habitable room façade of dwelling
<b>NEAP</b>	<b>0.1ha</b>	<b>31.6 x 31.6 metres</b> <i>(minimum activity zone of 1,000sqm comprising an area for play equipment and structures &amp; a hard surfaced area of at least 465sqm (the minimum needed to play five-a-side football))</i>	<b>30m</b> min separation between activity zone and the boundary of the nearest property containing a dwelling

4.3.14 Connectivity has been improved through the revised plans with the northern green corridor added, albeit this is on the Bloor homes parcel, and additional tree planting across the site. Officers recognise the desire for the central shared cycle/pedestrian link into the LEAP/SuDS area, however, acknowledge it is somewhat restricted by a mature protected tree. Nonetheless, it is considered that a path here is feasible, but the applicant has proposed that it would likely be on land that is not part of this, or the Bloor Homes proposal, instead that it would be part of the commercial area. It is not clear from the first draft of the marketing material that this is the case, nor does the land in question appear to be included in the commercial land being offered for sale, so a condition is proposed for this to be clarified either through the marketing material (which has to be agreed to accord with the S106 before works commence) or by the submission of revised plans. An internal note for officers will also be attached to the Outline planning permission file to take this into account in due course.

4.3.15 In relation to trees, a balance has to be made between retaining as many trees as possible and meeting the allocation objectives. Some gardens do fall within RPAs but these are minimal and is not uncommon; all buildings and walls have been sited outwith. It is also not uncommon to have play areas sited close to trees. The Arboricultural Method Statement indicates the LEAP equipment can be accommodated outside the RPA of the retained oak tree. Where paths are located in RPAs, a no-dig construction method will be used using “cell web” grids to create the hard surfacing. Concerns are noted in relation to potential future tree felling, however, save for where required to implement planning permission, separate consent would be need for any works to protected trees.

4.3.16 In summary, it is evident that there are limitations to the GI provision on site (and in combination with the Bloor Homes proposal) and deviation from the parameter plans. Balanced against this is the need to comply with the S106 and the dark corridor that now extends the perimeter of the site (when the Bloor scheme is taken into consideration) and this would be easily accessible from the whole development. It is considered that the proposed provision strikes an acceptable balance between meeting the identified housing target (409 across

Area 2) and providing the required infrastructure, and is in general accordance with Policy WE11, the parameter plans and the SPD.

### 4.3 Impact on residential amenity

4.4.1 Local Plan Policy S1(e), Sustainable Development, seeks to ensure development proposals perform well against the criteria of impact on the residential amenity of existing dwellings particularly privacy, security, outlook and natural light. Policy S2, Quality Development, requires high quality design with inclusive, permeable layouts, and attractive and safe public and private spaces, amongst other criteria.

4.4.2 In terms of existing/committed neighbouring properties, the nearest occupied properties are those to the east in Juniper Drive (separated by the SuDS/POS and an area of GI as part of that development) and Gatehouse Barns (orientation and separation distances ensure no direct impacts). Under construction are a small group of dwellings opposite Gatehouse Barns, but separation distances and orientation also ensure they will not be unduly impacted. Area 1 of the DA2 allocation sits behind Gatehouse Barns, but no development is proposed in that area under this application.

4.4.3 It is inevitable the construction process will cause some disturbance, however, the outline application contains condition 12 which secures a CEMP (Construction Environment Management Plan) and this will manage these concerns.

4.4.4 In so far as the relationship to the Bloor development, both schemes have been worked up and submitted together, ensuring that along the central hedgerow, with the hedgerow remaining, there is adequate separation and privacy. In relation to the properties within the scheme itself, separation distances are provided at around 20 meters back to back, which is considered to be acceptable; there are some instances where views might be gained into gardens, but this is somewhat inevitable and buyers of all properties would be aware of the relationship when they purchase.

4.4.5 All dwellings are provided with adequate private amenity spaces. It is unfortunate that none is allocated for the block of apartments, although this, in itself, and given the flats directly adjoin the central cycle/pedestrian link and the areas of GI/POS on site, would not be grounds to refuse the application, and is consistent with other recently approved developments, including that currently under construction to the southeast of the access point.

4.4.6 It is therefore considered the scheme is acceptable in regard to residential amenity.

### 4.5 Delivery of Affordable Housing

4.5.1 Local Plan Policy WE2 sets out a target for affordable housing provision across development sites, with (ii.) setting 25% for Dawlish. Policy WE3 sets out the requirements for securing affordable housing in a planning obligation. Policy WE4, Inclusive Design and Layout, requires affordable dwellings to be indistinguishable from open market dwellings, and to be intermixed across the site. This was considered at the outline planning permission stage and, following viability assessment, the permission was granted subject to affordable

housing being provided at 17.5% - subject to viability review 3 years after commencement..

- 4.5.2 The application proposes 40 affordable dwellings, 12 of which are 1 and 2 bed flats. The dwellings cover a range of forms and sizes from detached, semi-detached and terraces, to flats; whilst the Council has not adopted Nationally Designated Space Standards (NDSS) the majority exceed this. Each flat is allocated 1 parking space and each dwelling has 2.
- 4.5.3 As noted by the Council's Housing Enabler, the affordable housing provision achieves the 70/30 affordable rent/shared ownership ratio in accordance with the S106 agreement, and exceeds the agreed 17.5%, at just over 19.5%.
- 4.5.4 Two of the 1 bed affordable flats are M4(3) wheelchair accessible, meeting the S106 requirements for the whole of Area 2, however, a condition has been imposed to ensure they are provided as such because the floor plans currently show baths, whereas M4(3) requires wheelchair accessible showers. The 5% M4(2) accessible adaptable standards will be met by Bloor Homes on the other parcel of land. In line with Policy WE4, the affordable dwellings are "pepper potted" through the site, in 4 clusters. Design and material finishes would be identical to the open market dwellings, making them indistinguishable. None of the affordable dwellings have garages, although it is worth noting that a significant number of open market dwellings also do not have garages; in any event, Registered Providers tend to not want garages on their properties.
- 4.5.5 The allocation, future occupancy and delivery of the affordable units alongside the open market dwellings is secured under the outline permission's S106 agreement.
- 4.5.6 The proposed development is therefore considered consistent with Policies WE2 and WE4.

#### 4.6 Design/Appearance and Layout

- 4.6.1 As well as the design requirements of Local Plan Policy DA2, Policy S2, Quality Development, is also of relevance and requires new development to be of high-quality design, which will support the creation of attractive, vibrant places. There are a number of objectives that new development is expected to consider, including; integrating with and enhancing the character of the adjoining built and natural environment; making the most effective use of the site; distinguishable, well defined public and private spaces that are attractive, accessible and safe; allow for permeability and ease of movement, placing the needs of pedestrians, cyclists and public transport above those of motorists; buildings exhibiting design quality using materials appropriate to the area; an appropriate range of dwelling types; incorporation of public art; protect and incorporate key environmental assets including trees, hedgerows and wildlife habitats; location and scale of SuDS.
- 4.6.2 The density and building heights make efficient use of the site, complying broadly with the outline parameter plans, with minor adjustments made due to the topography of the land. The density parameter plan requires a density of 40-50 DPH across most of the site and a density of 10-20 DPH toward the west of the site. The application proposes more detached dwellings along the northwestern

edge, adjoining the open countryside, giving a density of 26 DPH, with 40 DPH across the rest of the site; together with the Bloor parcel, an average of 37.5 DPH is achieved. The density is slightly higher in some areas than the parameter plans but is considered an acceptable compromise in order to achieve the housing figure secured at outline stage and is not considered harmful to the wider landscape.

- 4.6.3 The proposed development consists of dwellings which are 2 and 2.5 storey in height, together with a 3-storey block of apartments; most dwellings are 2 storey. No bungalows are proposed in Area 2, but the other Areas have these, meaning the allocation, as a whole, has a wide range of appropriate dwelling types, especially when reserved matters are submitted for the extra care facility (and a new privately delivered care home is being provided in Area 4). The 2.5 storey dwellings are located on the lower part of the site, within the area on the parameter plan where greater than 2 storey is identified.
- 4.6.4 The site takes its access from the existing roundabout on Secmaton Lane, which is in accordance with the approved parameter plans; this is the southernmost end of the link road. The primary road broadly follows that shown although there is some deviation in the secondary roads, namely to avoid the lower area of the site where the SuDs is now located, and to address the topography of the site.
- 4.6.5 Footpaths and cycle paths generally follow the parameter plans, although it is noted the paths from the west do not link through the centre of the site connecting to the LEAP, instead, stopping at the link road. This is discussed above in the Green Infrastructure and Public Open Spaces section earlier in this report. Movement throughout the site is considered to be generally adequately planned, and improved through the amended plans which added a route around the perimeter of the site, with good provision for cyclists and pedestrians.
- 4.6.6 The proposals seek to create an identity for the development appropriate to its settlement edge location. Materials and architectural style pay regard to the other Areas of the allocation, as well as nearby recently constructed dwellings. The primary street is dominated by render, with secondary streets using the same materials but brick is more dominant, and render used sparingly only to create accents in the streetscape. At the rural edge, where density is lower, half height cladding is added. Variety in the street scenes is achieved through the use of the different facing materials, entrance canopy styles and dwelling forms, some with front facing gables and gable projections.
- 4.6.7 Public art is secured in the S106 agreement and is not part of this application; the applicant has indicated a willingness for there to be community involvement in its design.
- 4.6.8 In relation to waste management, each dwelling is capable of having sufficient waste storage in its rear amenity area. No details have been provided so a condition is imposed to secure details of this, and provision required before each dwelling is occupied. The Council's Waste Officer, following the submission of further drawings clarifying bin collection distances, is satisfied that the proposal makes adequate provision for waste storage and collection. The outline consent also carries a condition for full details of waste management, which will include the construction phases, to be agreed before commencement.

4.6.9 The proposed design and layout is considered to be acceptable with regards to the parameters set out in the outline permission, the SPD and in accordance with Policy S2.

#### 4.7 Access and Highways Matters, including Delivery of the Link Road

4.7.1 Local Plan Policy S9 requires development to promote public transport, cycling and walking to minimise dependence on cars, provide improved GI networks, appropriate parking, and infrastructure for electric vehicle charging, with an aim of reducing the need to travel.

4.7.2 The provision of a continuous link between the Sainsbury's roundabout on the A379 Exeter Road, through the DA2 allocation forms part of Policy DA2 and the Development Framework for the delivery of DA2 and DA6. This link road is already under construction through Area 4 with HIF funding secured to support its delivery and Shutterton Brook Bridge to connect Areas 3 and 4. The Bridge has received planning permission and will be constructed by the highway authority. The local highway authority is also intending to construct the carriageway to base course level through Development Area 3 between the Bridge and the connection with Development Area 2, which would enable construction traffic to access Area 2 from the north.

4.7.3 Consent has already been granted for the southernmost section of the link road through the application site, as well as the roundabout and section of road now in use to the southeast (15/02003/FUL). The delivery of the DA2 link road forms an important element of the DA2 allocation and significant weight must therefore be given to its early delivery. Revised plans have been received demonstrating how the road in Area 2 at the northern boundary of the Bloor Homes parcel will link into Area 3, which has conditions attached to its approval for full details to be submitted and approved, to include the provision of the cycle path along the length of the link road; a similar condition is imposed on this permission, given the plans do not show high level detail. Condition 2 attached to the outline planning permission for Area 2 requires that no more than 50 dwellings shall be occupied across the entire development until the road linking with Area 3, has been provided to an acceptable standard.

4.7.5 Notwithstanding the concerns raised by the Council's GI officers, it is considered adequate cycle routes are also provided throughout the development in the form of segregated cycle routes and shared footway/cycleways through the site and along the link road, meeting the requirements of the Section 106 Agreement and the earlier permission for the link road. No objection has been received from the Highways Officer. Travel vouchers have been secured under the S106 to assist in reducing reliance on the use of cars.

4.7.6 The Highways Authority has raised no objections subject to the necessary technical approvals being obtained. There is a concern raised by the County Lighting Engineer in relation to street lighting in that some lighting was removed to enable light levels at the dark corridors to remain under 0.5 lux, however this can be addressed by condition. The consultations did confirm that a bus stop needs to be provided within Area 2 in order to meet the SPD requirements and foster good public transport opportunities, because the distances between

current bus stop provision and that approved under Area 3 was too great. The revised drawings have included a bus stop close to the site access, near to the mixed use and care home elements of the proposal.

4.7.7 The number of parking spaces and dimensions are in broadly in accordance with requisite expectations; all 3 bedroom dwellings have 2 parking spaces, all but 8 of the 4 bedroom dwellings have 3 parking spaces and there are 10 unallocated visitor spaces. Garages have been designed to be 3m x 6m internally which is large enough to accommodate modern cars and cycle parking. The scheme has been future proofed for charging electric vehicles and it is noted this is now a requirement under Building Regulations. A condition is imposed for all parking spaces to be provided before the dwelling to which it relates is occupied, and for it to be retained as such thereafter to ensure there is no loss in the number of spaces through either non-vehicle storage or by converting garages to additional living accommodation. Allocated spaces are also to be clearly marked to avoid potential conflict, as requested by the Police Design Officer.

4.7.8 Cycle parking is required for every dwelling, however, with the exception of the affordable flats which have their own dedicated undercover storage, none is shown on the drawings. It has been stated that where there are no garages, cycle parking will be within garden sheds; a condition is imposed to secure details of these at an early stage, and for the sheds to be provided before first occupation of the dwellings.

4.7.9 Subject to the aforementioned conditions, the proposed highway elements of the proposal are deemed acceptable and significant weight should be given to the delivery of this section of the DA2 link road.

#### 4.8 Land Drainage/Flood Risk

4.8.1. Local Plan Policy EN4 requires a sequential approach to development, guiding it to lower flood risk areas. Development must also ensure drainage, both surface water and foul, is adequate, using Sustainable Urban Drainage Systems (SuDS) wherever feasible.

4.8.2. The site is located in Flood Zone 1, although part of the lower eastern edge and a small area of the site access fall in Flood Zones 2 and 3; this is the section of road already agreed under application 22/00148/MAJ (reserved matters for infrastructure), and whilst the EA comments around emergency access are noted, it is not appropriate to revisit this at this stage. All of the proposed dwellings and the LEAP are located in Flood Zone 1, at low risk of flooding.

4.8.3 With regards surface water, the strategy has been designed in accordance with the Flood Risk Assessment approved at outline stage and designed for the full complement of dwellings as well as commercial areas. The outline S106 also secured contributions towards Shutterton Brook flood risk mitigation. The applicant has liaised directly with the Lead Local Flood Authority (LLFA) to address their initial objection and they have provided additional technical information on the surface water drainage regime. The LLFA have now confirmed that they have no objections to the proposed drainage, although have noted the SuDS basins are tight and it would be preferable if some dwellings were removed to allow more room in this area.

4.8.4 The foul water flows generated by the development will drain via gravity to a pump station located in the northeast of the site. The rising main will then be routed through the adjacent development to the East and discharge to a gravity sewer in Secmaton Lane which will be requisitioned by South West Water (SWW).

4.8.5 Comments raised in representations are noted, but given this is a reserved matters application, the principle has already been established, and therefore matters such as water provision and sewerage capacity are not up for reconsideration. Nonetheless, the applicant has provided confirmation from SWW that clean water can be supplied to the dwellings. Foul drainage was noted to be an issue at outline stage due to the lack of capacity and it should be noted the outline consent carries a condition preventing any dwellings from being occupied until foul drainage is connected, with details to first be submitted and agreed by the Council.

4.8.6 The proposal is considered compliant with Local Plan Policy ENV4.

#### 4.9 Biodiversity

4.9.1 Local Plan Policies EN8 – Biodiversity Protection and Enhancement, EN9 – Important Habitats and Features, EN10 – European Wildlife Sites and EN11 – Legally Protected and Priority Species, all seek to protect and enhance protected species and habitats, requiring appropriate management measures to be put in place for all developments.

4.9.2 The developer has discussed the ecological impacts of the proposal with the Council's Biodiversity Officer at length, given objections were originally made based on insufficient provision for bats along the northern and western corridors of the site in terms of the lack of a consistent dark 10m corridor and light spill. Following the submission of amended plans which showed an increase in the corridor width together with details of lighting, and assurances that the addition of walking routes through the dark corridor will not be illuminated, the objections have been withdrawn subject to the imposition of conditions as set out above to prevent the installation of additional lighting and for details of bat/bird/bee boxes and hedgehog holes in fencing to be agreed.

4.9.3 In relation to European sites, the application site is within 10km of the Exe Estuary SPA and Dawlish Warren SAC and is therefore subject to the requirements of the Conservation of Habitat and Species Regulations 2017. An Appropriate Assessment of the impacts was undertaken at outline application stage, concluding there will not be an adverse effect on the integrity of those sites; given this proposal follows that outline consent, there is no requirement to re-visit that Assessment. The required financial contributions were secured in the S106, along with money towards Cirl Bunting mitigation. This application (and that on the adjacent land) has been re-screened for likely Significant Effect on the South Hams SAC for Greater Horseshoe Bats, including potential in-combination impacts. As the proposal includes measures to protect bats, it has been concluded that Significant Effects are unlikely for this proposal and therefore an Appropriate Assessment of the proposal with regards to the South Hams SAC is not necessary. Therefore, the LPA, as Competent Authority, is able to conclude that there will be no effect on

the integrity of the European sites; Natural England has concurred with this conclusion.

4.9.4 Objector comments are noted, but largely relate to the principle of development upon this site, which has already been agreed through the site allocation and at outline stage. Measures are in place under the S106, including the Biodiversity Offsetting Scheme which secured an area of land to the northeast, and contributions towards European Site recreational mitigation, and it is therefore concluded the proposal will not result in harm to biodiversity.

#### 4.10 Carbon Reduction

4.10.1 Local Plan Policy S7 - Carbon Emission Targets, seeks a reduction in carbon emissions per person in Teignbridge of 48% by 2030. Policy EN3 - Carbon Reduction Plans, requires major developments to indicate how the carbon reduction will be achieved, including consideration of materials, design, energy, water, waste, travel and so on.

4.10.2 The outline planning permission is subject to conditions 14 (Carbon Reduction Plan) and 16 (Waste Audit Statement). An Energy and Sustainability Statement (ESS) has been submitted with this application; condition 16 was discharged under 15/02468/COND3. The strategy in the ESS sets out a 'fabric first' approach with construction specification exceeding the minimum requirements of Building Regulations Approved Document Part L by almost 9%, with insulation standards, thermal bridging and air leakage all improved beyond the minimum compliance levels. Renewable energy has been considered, with Solar PV the preferred option. Air Source Heat Pumps are feasible but have been discounted for reasons stated to be the potential increase in running costs compared to a gas boiler and solar PV approach. This is disappointing, especially given Area 3 proposed to incorporate these, but under current Policy, they cannot be insisted upon. A plan showing indicative PV panels on every dwelling, and the flats, has been submitted and a condition imposed for final details to be provided and to ensure these are fitted and commissioned before occupation.

4.10.3 In relation to overheating, as noted by the Climate Officer, the layout has been designed to maximise solar gain. The detailed design, window openings, glazing values and the like will be addressed at Building Regulations approval under Approved Document Part O. The Climate Officer has requested further details be secured by condition in relation to overheating, SAP calculations and operation of heat emitters and pipework, however, these would be covered by Building Regulations and are beyond the remit of what can be secured under current Local Plan Policies. A condition is imposed to ensure compliance with the Energy Statement and demonstrate the carbon saving has been achieved. The request for bus travel vouchers is secured by the outline S106 agreement. A condition is imposed to secure the Electric Car Charging Points at a minimum specification of Mode 3 Type 2 32A.

4.10.4 Concerns raised in representations are noted, in that this proposal will not help TDC meet its carbon reduction targets, however, it must be remembered this is an allocated site and Officers cannot secure any further carbon reduction measures above current Local Plan requirements, until such time the new

Local Plan carries weight/is adopted. Building Regulations do now require significant energy and carbon saving measures.

4.10.5 Subject to compliance with conditions, it is considered the application meets Policies S7 and EN3.

#### 4.11 Historic Environment/Impact upon setting of listed buildings

4.11.1 The outline approval was subject to condition 15, which required the submission of a Written Scheme of Investigation (WSI) to investigate potential underground features and secure mitigation, if necessary. The content of the WSI was agreed under 15/02468/COND1, and it was noted initial investigations uncovered evidence of a Romano-British settlement site, probably a farmstead, comprising a rectangular enclosure surrounded by several ditches, likely to represent outlying agricultural enclosures.

4.11.2 It is clear that development here will have an impact upon the archaeological deposits associated with the historic activity within the application area and the Historic Environment team at Devon County Council have therefore requested that a condition be included to secure the excavation and recording specified in the WSI. This condition is imposed.

#### 4.12 Other matters

4.12.1 Concerns raised over the lack of infrastructure improvements are noted. The SPD set out the contributions that would be required and these were secured in the outline S106 which contains several clauses to secure contributions toward health provision at Dawlish Barton Surgery, extra care facilities, public art, Dawlish library and the Red Rock community centre; these will be met by the developer at the applicable stage in the construction process. Some infrastructure is provided as part of Area 3, including allotments and a community orchard. This development will also help secure the final piece of the DA2 link road.

4.12.2 Once the non-residential elements of Area 2 are developed, they will meet some of the immediate infrastructure/facility needs of residents, both on Area 2 and the other Areas under DA2 as well as existing nearby residents; the details relating to these are not part of this application and will be subject to their own reserved matters. The developer has already commenced on the marketing strategies as required under the outline S106.

4.12.3 Education land was also secured in the S106 but is on land outside of the red line boundary for this application. Other wider infrastructure needs will be met through CIL contributions.

1.12.5 Some concerns were raised by objectors over the robustness of the technical reports and that they have been written for the developer. It must be remembered that such reports are written by persons who are qualified in their relevant subjects and are generally governed by their own Technical "Bodies" and standards. Officers have no reason to doubt any of these reports, especially as they have been scrutinised by relevant consultees.

#### 4.13 Conclusion

- 4.13.1 Whilst there is some minor deviation from the parameter plans and SPD, these have been fully explained and justified by the applicant. The SPD does allow for changes at paragraph 1.5, where it states these can be permitted based on detailed evidence, providing that the key principles and location of infrastructure are adhered to and where it does not require the document to be revised. These deviations are considered acceptable in order to balance the need to make the most efficient use of the land and achieving the outline applicant housing figures, given the topography of the land, and delivering the DA2 link road.
- 4.13.2 Third party objections and concerns have been noted and considered throughout the determination of this application and where material, are either adequately addressed by the proposal, through the submission of amended drawings and reports, or conditioned where necessary.
- 4.13.3 A planning balance must be taken. The site is part of the wider DA2 allocation, and significant weight must be given to the delivery of housing, both open market and affordable, especially where, in this case, the affordable provision exceeds the requirements of the S106. Significant weight should also be given to the delivery of this section of the DA2 link road. These benefits are considered to outweigh the areas, namely GI and play provision, where there is some conflict with policy, the approved parameter plans or the SPD.
- 4.13.4 Therefore, subject to the conditions set out above, this residential phase of the development granted outline planning permission under reference 15/02468/MAJ is considered acceptable and it is recommended that reserved matters approval be granted.

#### **4 POLICY DOCUMENTS**

##### Teignbridge Local Plan 2013-2033

S1A Presumption in favour of Sustainable Development

S1 Sustainable Development Criteria

S2 Quality Development

S3 Land for Business, General Industry and Storage and Distribution

S4 Land for New Homes

S5 Infrastructure

S6 Resilience

S7 Carbon Emission Targets

S9 Sustainable Transport

S10 Transport Networks

S11 Pollution

S17 Dawlish

S21A Settlement Limits

EC1 Business Development

WE1 Housing Plan, Monitor and Manage

WE2 Affordable Housing Site Targets

WE7 Custom Build Dwellings

WE11 Green Infrastructure

EN2A Landscape Protection and Enhancement

EN3 Carbon Reduction Plans

EN4 Flood Risk

EN7 Contaminated Land

EN8 Biodiversity Protection and Enhancement

EN9 Important Habitats and Features

EN10 European Wildlife Sites

EN11 Legally Protected and Priority Species

EN12 Woodlands, Trees and Hedgerows

DA2 North West Secmaton Lane

DA6 Dawlish Green Infrastructure

DA2 and DA6 Development Framework Plan Supplementary Planning Document

Devon Waste Plan

National Planning Policy Framework

National Planning Practice Guidance

Natural Environment and Rural Communities Act 2006

The Conservation of Habitats and Species Regulations 2017

**5 CONSULTTEES (Full comments are available in the online case file)**

**Environment Agency**

25<sup>th</sup> Sept 2023

The information submitted does not alter our previous position.

21st July 2022

No objection. The site plan indicates that all built development, including the SuDS pond, will be located outside of the floodplain. However a small section of the access/egress route could be affected by flooding. Recommend you consult with your Emergency Planners for advice.

We refer the applicant to the advice in Pollution Prevention Guidelines PPG5 – Works and maintenance in or near water and PPG6 – Working at construction and demolition sites. <https://www.gov.uk/government/collections/pollution-prevention-guidance-ppg>

Run off from exposed ground/soils can pose a significant risk of pollution to nearby watercourses. A Construction Environment Management Plan (CEMP) should be prepared for each phase of the development to address how such run-off can be minimised, controlled and treated. The applicant should ensure that this is considered well in advance because some treatment methods can require an Environmental Permit to be obtained.

### **DCC Lead Local Flood Authority**

7<sup>th</sup> November 2023

No objections to the updated proposals for surface water management. I won't provide comments on the landscaping of the 3 basins. They look to be squeezed in, ideally, if 4 or 5 dwellings could be removed and the road moved a bit, this might give more space for the basins to be designed within.

24th March 2023

The applicant has provided additional information. Our objection is withdrawn, and we have no in-principle objections to the above planning application at this stage.

31<sup>st</sup> October 2022

Object. The applicant has not submitted sufficient information in demonstrate all aspects of the surface water drainage management plan have been considered.

### **DCC Historic Environment**

29th June 2022

Outline consent 15/02468/MAJ is conditional upon a program of archaeological works being undertaken - Condition 15. This has yet to be formally submitted to your Authority. Please make the applicant aware of the requirement to undertake the archaeological mitigation in advance of any work.

Request the following condition is applied to ensure that the required post-excavation works are undertaken and completed to an agreed timeframe:

'No part of this phase of the development shall be occupied until (i) the post investigation assessment has been completed in accordance with the approved Written Scheme of Investigation submitted to with regard to condition 15 on the outline consent granted for application 15/02468/MAJ and (ii) that the provision made for analysis, publication and dissemination of results, and archive deposition, has been confirmed in writing to, and approved by, the Local Planning Authority.'

## **TDC Housing**

19th July 2022

No objection. The proposals are for 206 dwellings in total, of those 166 are to be open market and 40 are to be affordable.

The proportion of affordable dwellings exceeds the 17.5% required by the S106 as it seeks to enable the early delivery of affordable housing for the full Outline Site. The tenure mix achieves an Affordable Rent/Shared Ownership ratio of 70/30 in accordance with the S106.

The 2 units of wheelchair accessible M4(3) standard satisfies the S106 requirement for 3% of all affordable dwellings to be wheelchair accessible. By agreement with Bloor Homes the S106 requirement for the full Outline Site for 5% of all affordable dwellings to be Accessible Adaptable Standards is to be met by application 22/01042/MAJ.

Subject to the provision of the 5% Accessible Adaptable Standard units as mentioned above, the requirements of the S106 will be met. We are satisfied with the mix, on-site location and design of the Affordable Units. We also note that they largely meet NDSS albeit at the smaller end of the scale, i.e. 3Bed/4 person.

## **South West Water**

No comments received.

6<sup>th</sup> November 2023

Verbal response. Generally satisfied with the proposal. Final highway details, link road join and lighting can be addressed at S38 highways approval stage, for which the developer has commenced discussions.

2<sup>nd</sup> August 2023

Bus stops are needed on the entire length of the road linking through to Sainsburys, aiming for 500 metres apart. There are bus stops on the A379 Exeter Road, then none through Area 4 (Langdon). One has been approved as part of application 21/02674/MAJ (Area 3) that is approx. 500m from Exeter Road. There is then a gap between here and Secmaton Lane of approx. 1km, so Area 2 would need to have at least one bus stop. By the substation on the spine road would seem a good location as this would not interfere with the driveways.

4th July 2022

Other than a general layout there are no highway drawings to comment on at this stage.

## **TDC Biodiversity**

25 Sept 2023

Welcome the improvements for biodiversity, including the partial widening, scattered native tree planting and Devon hedgebank planting to the western and southern dark corridors; agreement with DCC of the lighting strategy to maintain light levels in the dark corridors at or below 0.5lux.

I am happy with the inclusion of walking routes through the dark corridors, provided no lighting is installed in, or illuminating, the dark corridors in association with the paths. The surface width of the paths should ideally be 1.5m or less, except at occasional passing places for buggies/prams.

I have re-screened this application and the adjacent reserved matters proposal for Likely Significant Effect on the South Hams SAC, the conclusion is Significant Effects are Unlikely. Therefore, no Appropriate Assessment is required, and it is not necessary to consult Natural England.

As there is now to be one less dwelling, an improvement in on-site Public Open Space, through additional walking routes and, I believe, no change to the proposed Habitat Regulations/CIL financial contributions, I consider it is not necessary to re-visit the Appropriate Assessment for the Exe Estuary and Dawlish Warren.

30th March 2023

The amended plans overcome the original objections subject to the imposition of conditions for a detailed Landscape and Ecological Management Plan (LEMP) and lighting strategy, both prior to commencement.

5th December 2022

Objection. Dark Corridors need screening from headlights, new hedges should be planted atop Devon banks, lighting must be carefully designed to not exceed 0.5 lux; a Lighting strategy should be conditioned.

Biodiversity net gain should be delivered through dark corridors and other green corridors/boundaries and provision of bat, bird and bee boxes and hedgehog holes

Request submission of revised layout and landscape plans showing dark corridors along the western boundary and in association with the southeastern most turning head, with retained existing hedges, 10m wide grassy corridors and new hedgebanks on the development side.

## **TDC Waste**

9th November 2023

Issues have been resolved.

25<sup>th</sup> Sept 2023

The swept path analysis indicates our vehicles can safely access the site. Concerns raised in relation to the distance of collection points for properties located in the “private drive” sections; distances were previously acceptable but now appear to be more than 10m from the adopted highway. Request this is reviewed.

The apartment bin store needs to accommodate the following, with doors large enough to remove the bins and should be accessible to residents at all times without needing to move bins to access others:

2 x 1100L wheeled bins for general waste; 6 x 240L wheeled bins for dry recycling; 12 x 23 L food waste caddies.

July 2022

No objections. All considerations have been made in relation to waste and recycling collections.

### **Police Designing Out Crime Officer**

28<sup>th</sup> Sept 2023

Repeats previous response.

21st June 2022

No objections subject to comments/recommendations.

External communal doors to the apartments should not include a trades button. Trade buttons increase the potential for anti-social behaviour, casual intrusion, and unlawful access.

A ‘through-the-wall’ mail delivery into secure internal letterboxes, or external letterboxes (certificated to TS009) should be considered. If utility readings cannot be carried out remotely it would be preferable that they were located externally near the main entrance.

Gates that provide access to the rear gardens should be capable of being locked (operable by key from both sides of the gate).

Where the ownership of allocated parking spaces is not obvious, ensure that they are clearly marked in order to reduce the likelihood of conflict and disputes.

The site should be lit in accordance with relevant British standards (BS 5489:2020), including effective lighting of pathways, gates and parking areas, in particular the parking court servicing the apartment block.

### **Green Infrastructure/Play Officer (joint responses for both applications)**

2<sup>nd</sup> November 2023

On the whole there are still a number of concerns which have still not been addressed in the latest submission. Safety concerns in relation to LEAP not addressed. LEAP is located in a tree root protection area, reducing the area available and the design will be compromised. Access for all is not evidenced. Risk of limbs falling from the tree. Also a concern it is located next to water hazards; the safety report does not address these concerns. The approved parameter plan shows a different location for a NEAP.

Note additional tree planting but does not satisfactorily provide the requested figure of eight green connections.

The POS is not fit for purpose with irregular green areas, and poorly designed miss-shaped areas of left over land around north, east and western boundaries, obstructed in places with trees.

Consider the central cycle/pedestrian route is poorly designed, failing to connect to the large area of open space. This link should be delivered now and not left to the adjacent site.

#### 10<sup>th</sup> October 2023

Objection maintained. Concerns that the LEAP is on a back site, at a lower level, not overlooked. Tree branches will need trimming and it is not likely to be overlooked when the mixed-use area is developed.

Green corridors and pedestrian connectivity is inadequate.

Tree protection information is needed.

Plans are difficult to read and show different provision, a LAP is missing from some plans, footpaths are shown misaligned.

#### 28th October 2022

The aspects that I would predominantly comment on are the active travel links for walking and cycling, and the quantum and quality of green infrastructure. I can't see any plan showing the active travel routes, either in these or the outline application. These need to be suitable, appealing and linking effectively into the surrounding existing and upcoming provision. Has this been achieved, and is this shown on a plan? I also couldn't find a plan and details showing the quantum of the GI provision, how good quality will be achieved, or arrangements for it's maintenance.

### **Natural England**

#### 20<sup>th</sup> October 2023

Natural England notes that your authority, as competent authority under the provisions of the Habitats Regulations, has screened the proposal to check for the likelihood of significant effects.

Your assessment concludes that the proposal can be screened out from further stages of assessment because significant effects are unlikely to occur,

either alone or in combination. On the basis of the information provided, Natural England concurs with this view.

31st October 2022

The HRA concludes no likely significant effects. No in-combination effects have been identified. Mitigation is required with respect to the EXE Estuary SPA and Dawlish Warren SAC recreational impacts and was secured via a S106 on the outline consent.

23 August 2022

We concur with the AA conclusion for the Exe Estuary and Dawlish Warren.

27 July 2022

More information is needed.

### **TDC Environmental Health (Contaminated Land)**

No objection.

### **TDC Climate Change Officer**

Policy S6a & S6b requires consideration of climate change. The sustainability statement identifies the development will comply with Building Regulations Part O, however, this doesn't consider the future effects of climate change. If approved, condition a CIBSE TM59 overheating risk assessment.

Policy S6c: use or contamination of energy, water, soil and materials should be minimised.

Operational Energy: Part L is used to determine whether proposals achieve a fabric first approach; there is uncertainty whether the external wall specification will meet this. A condition is recommended to require the applicant to provide a representative sample of SAP calculations to confirm the U-value.

Air source heat pumps are technically viable but discounted in favour of gas boilers on the suggestion that heat pumps have higher running costs. Developer should reconsider the use of heat pumps, which can achieve cost-parity when installed in dwellings constructed to thermal fabric standards described above.

Policy S7 requires a 48% reduction in operational carbon emissions. On the assumption that the proposed development will be constructed to Part L1 2021, it is likely that the application will be compliant with S7.

Policy S9a promotes public transport, cycling and walking, minimising dependence on cars. Bus travel vouchers should be secured by condition.

Policy S9e supports infrastructure for electric vehicles. A condition should be imposed to ensure the installation of EV charging infrastructure for every dwelling with a minimum specification of a Mode 3 Type 2 32A EV Charger.

**RSPB**

No comments received.

## **7 REPRESENTATIONS**

7.1.1 The application was advertised by way of press advert and site notice. Three letters of objection and one comment have been received, summarised as follows (see case file for full comments):

- Loss of productive agricultural land which only adds to the climate emergency. In light of Covid19, self-sufficiency and food production are important considerations. Increases food miles.
- What grade farmland is this?
- The environmental reports are not a fair representation of the actual position or neutral balanced.
- Urban Heat Island effect needs consideration.
- Increased provision of services particularly the NHS.
- Increased carbon emissions making it harder for Teignbridge to meet its targets.
- Increased light and noise pollution.
- Development will continue to destroy the countryside and wildlife. Loss of habitat, impacts on protected species and wilding.
- Will the houses utilise grey water recycling. Are the dwellings triple glazed? More pressure on reservoirs and waste disposal.
- Additional traffic in area where the same Council is trying to reduce traffic movements.
- Houses will be homogenous, poorly designed and poor build quality which will not enhance the character of the surrounding area. More urban sprawl.
- How will the site be accessed? Via the yet to be built Gatehouse Farm/Sainsbury's roundabout link road or elsewhere via existing roads in residential areas with play parks located on them?
- Will there be schools, play areas and sporting facilities provided prior to the housing?
- The rate of change is staggering, urbanisation of a rural county. Residents appreciate the need for housing, but this is too much. Is there an end goal when we say enough building?

### **7.1.2 DAWLISH TOWN COUNCIL**

6<sup>th</sup> October 2023

Recommend Refusal on the grounds that;

- Concerns over no correspondence from South West Water regarding the capacity for fresh water supply and sewage processing by South West Water and Timaru Gardens processing plant.
- The layout creates a lack of green areas on the estate.
- There is no mention of a post box and there is an obligation to put a post box within 1 miles of a house.
- There are concerns over ground water as reflected in correspondence from the Environment Agency.
- There are concerns over emergency access and only 1 fire station with retained staff.
- This Council have no objection to the houses being built providing the infrastructure, plans and treatment plants are put in place first.

21st July 2022

Recommend refusal on the grounds that: -

- The site does not confirm with the DA2 Supplementary Planning Document in that the western boundary path appears incomplete.
- The proposed link road appears too narrow when connecting with application site 22/01042/MAJ and does not appear to adhere to 'avenue' specifications; and
- Concerns for the ongoing passage of vehicles from application site 22/01042/MAJ onwards.
- Should the Planning Officer be minded to approve the application, we request that the application is called-in to the Planning Committee for determination.

The following further comments were made:

- Garages should be wide enough to accommodate modern vehicles,
- Driveways should be constructed using permeable materials; and
- Fences should have hedgehog access.

The Committee was pleased to note the inclusion of a solar gain plan with the application.

## **8 COMMUNITY INFRASTRUCTURE LEVY**

*The proposal is CIL liable. The CIL liability for the development is being calculated but each m2 of open market housing will be liable for CIL at a rate of*

*at least £126.26 (includes an adjustment for inflation in line with the BCIS since the introduction of CIL). This will likely generate liability in excess of £2m of CIL.*

## **9 ENVIRONMENTAL IMPACT ASSESSMENT**

In determining the “host” outline planning application considered under reference 15/02468/MAJ, the Local Planning Authority took 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.

The current application, which seeks reserved matters approval, is considered in compliance with the outline planning permission for the purposes of EIA.

The need for a further EIA has therefore been “screened out” for this application as the proposals, with the mitigation secured by the Conditions and s106 Obligations as detailed within the outline planning permission and the conditions imposed, will not give rise to any significant environmental effects within the meaning of the Environmental Impact Assessment Regulations 2017.

## **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**