

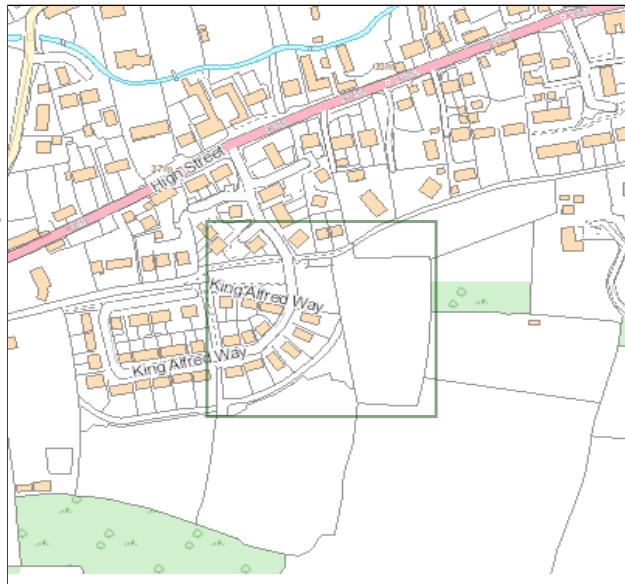
Ward Newton Poppleford And Harpford

Reference 22/1167/RES

Applicant Mr & Mrs Hugo Headon (H H Prestige Homes Ltd)

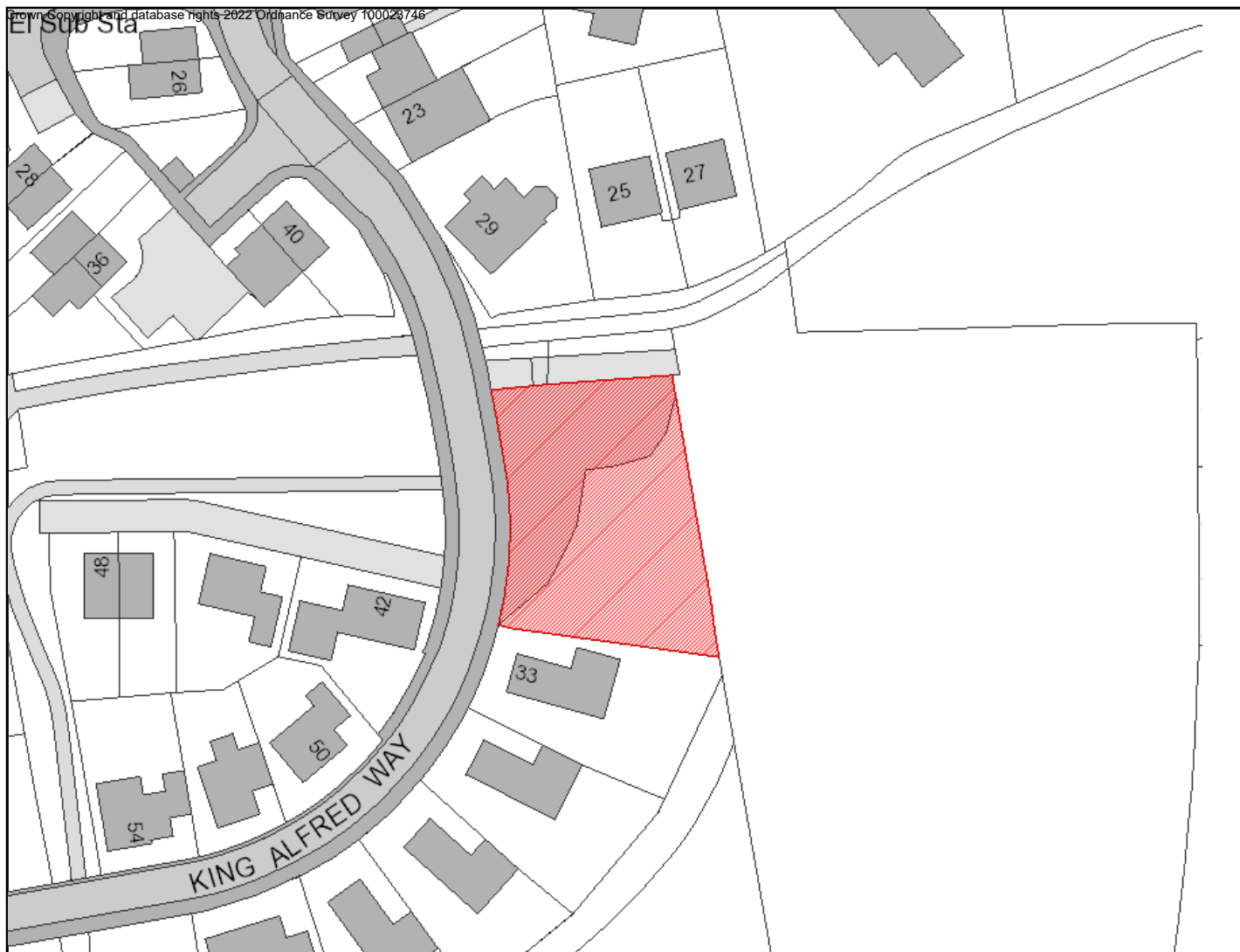
Location Land South Of King Alfred Way Newton Poppleford

Proposal Application for approval of reserved matters (appearance, scale, layout and landscape) following approval of outline application No. 18/2608/OUT.



RECOMMENDATION:

1. That the Habitat Regulations Appropriate Assessment attached to this Committee Report be adopted;
2. That the application be **APPROVED** subject to conditions.



		Committee Date: 25.10.22
Newton Poppleford And Harpford (Newton Poppleford And Harpford)	22/1167/RES	Target Date: 22.07.2022
Applicant:	Mr & Mrs Hugo Headon (H _ H Prestige Homes Ltd)	
Location:	Land South Of King Alfred Way	
Proposal:	Application for approval of reserved matters (appearance, scale, layout and landscape) following approval of outline application No. 18/2608/OUT.	

RECOMMENDATION:

- 1. That the Habitat Regulations Appropriate Assessment attached to this Committee Report be adopted;**
- 2. That the application be APPROVED subject to conditions.**

EXECUTIVE SUMMARY

This application is before members as the officer recommendation differs from the view of a Local Ward Member.

This application seeks approval of reserved matters relating to appearance, landscaping, layout and scale subsequent to approval of 18/2608/OUT. The outline application was allowed at appeal after the inspector concluded that the original permission for the development of 40 houses did not secure provision of a GP surgery and therefore there was no convincing planning justification to prevent the site from coming forward for additional housing.

Since approval of 18/2608/OUT, the Newton Poppleford Neighbourhood Plan has been made and therefore the policies within are a material consideration in planning decisions.

Initially plans submitted with the application proposed the construction of a pair of two storey dwellings. The plans were opposed by the Parish, a Local Ward Member and a number of third parties due to concerns that the scheme failed to meet a number of policies within the Neighbourhood Plan.

To summarise, concerns expressed by statutory consultees largely revolved around the development's failure to meet the requirements of Policy H1, which are

explicit in that dwellings should be no larger than 93 square metres. Furthermore, Policy HQD1 (Maintain the built character of our parish through High Quality Design) lists a number of requirements for development to meet in order to be considered acceptable. The number of criteria is extensive and whilst including fairly general 'good' design principals, the policy also requires development to demonstrate environmental and ecological benefits. The requirements go beyond current requirements of the Local Plan and guidance within the National Planning Policy Framework.

After concerns from the Parish Council and Local Ward Member were relayed back to the applicant, revised drawings were submitted communicating the provision of two detached bungalows, both with internal floor space of 93m².

Furthermore, the latest set of plans show the provision of solar panels, air source heat pumps and water butts. The dwellings would be constructed to standards set in the latest revisions to Part L (Conservation of Fuel and Power) of Building Regulations to achieve an EPC A rating.

It is now the position of officers that the dwelling's scale, form and bulk would be sympathetic to those that have already been built out along the eastern side of the adjacent road. The development would also reflect the density of existing properties within the King Alfred Way development. The use of render and natural slates would mimic that already used elsewhere within the development which has a clear distinct character of its own.

While both properties would be clearly visible from public vantage points, the development would be viewed in the context of the existing built form of the village. The scale, form and chosen materials ensure that the design of the units are not only sympathetic to the character of the King Alfred Way development but ensure that the rural context of the area is acknowledged and that local distinctiveness is reinforced. As such, the subsequent wider landscape visual harm is considered low to the point where it is deemed that the proposals would conserve the aesthetic value of the AONB.

The development is also considered to provide an acceptable level of parking and would not cause undue pressure on the provision of on-street parking within the King Alfred estate or wider village. Prospective occupiers would also be located near a range of accessible services for day to day living and public transport links thus reducing dependency on private modes of transport.

As such the application is recommended for approval.

CONSULTATIONS

Local Consultations

Parish/Town Council

At a meeting held on 7th June 2022 the Parish Council resolved to object to this application on the basis that insufficient information has been provided to allow

Councillors to make an informed decision based on the requirements of the Neighbourhood Plan.

Newton Poppleford And Harpford - Cllr V Ranger

I cannot support the application in its current state.

I attended the extraordinary parish council meeting on Tuesday 7th June attended by the applicants. The applicants were directed to the full Neighbourhood Plan document which has now been adopted for around one year and so applicants and their agents should be becoming familiar with the contents and the need to meet these policies in their planning applications.

In the meeting the Chair clarified all areas of concern and also referred to the points made by Gill Cameron-Webb who directed her comments to each policy of the Neighbourhood Plan which the application currently does not meet. I fully endorse these comments and so won't repeat them here. I also attended the district wide Local Planning Needs Assessment on Friday 10th June which again emphasized the number of houses East Devon needs to build, that there is greater demand for smaller properties, for properties that are capable of being adapting to changing needs and the need for more wheel-chair friendly properties (adaptable and accessible).

The existing wider site of King Alfred Way site is dogged with parking issues, the pavements are used as car parking rather than for pedestrians as parking on site is far too limited. At the Neighbourhood Planning Inspectors tour (unannounced and unescorted) of the village to consider if the Neighbourhood Plan was 'safe' in 2021; the Inspector agreed that we should be allowed to indicate we prefer one parking space per bedroom at each property so that we never again allow such a dangerous site to be built. Minimum garden sizes and proximity to neighbouring properties were also indicated.

At a planning meeting on 14th June 2022 a developer proposed that in their new build houses should have air sourced heat pumps and probably solar panels on the roof to reduce the carbon footprint of the housing. These are the areas the parish council and I are keen to see addressed to acknowledge the climate change emergency and these should be attractive to buyers too with energy costs rising and an increasing awareness of the need to care for our wildlife or lose it forever. Such details would be welcomed in this application.

I look forward to seeing amended plans.

Technical Consultations

DCC Highways

The proposed site plan, allows for off-carriageway parking and sufficient space to turn off-carriageway. The border between the two plots maintains the inter-visibility for a safe simultaneous access and egress.

The visibility in both directions into King Alfred Way maintains our current best practice guidance, Manual for Streets 1 and 2. The kerbs will have to be dropped onto King Alfred Way.

Recommendation:

THE HEAD OF PLANNING, TRANSPORTATION AND ENVIRONMENT, ON BEHALF OF DEVON COUNTY COUNCIL, AS LOCAL HIGHWAY AUTHORITY, MAY WISH TO RECOMMEND CONDITIONS ON ANY GRANT OF PLANNING PERMISSION

1. No development shall take place until details of secure cycle/scooter storage facilities have been submitted to and approved in writing by the County Planning Authority. The document shall be implemented in accordance with the approved details.

REASON: To promote sustainable travel in accordance with the East Devon Local Plan 2013-2031, Policy TC7.

Other Representations

Two third party comments received. Both objecting. The following issues were raised;

- Impact of the development by virtue of scale, mass bulk and outlook of windows on the amenity of adjacent properties.
- Loss of light to adjacent properties.
- Loss of privacy to garden.
- Lack of adequate parking.
- Does not meet Policy H1 of the NP.
- Who will maintain Devon Bank.
- No EV points
- Housing does not cater for those with mobility issues.
- Lack of detail regarding materials, rain water capture and carbon reduction measures.
- No enhancement of wildlife features or habitat.
- Overdevelopment of the site.

PLANNING HISTORY

Reference	Description	Decision	Date
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13/0316/MOUT	Outline application for the development of up to 40 houses, doctors' surgery and associated infrastructure, open space and landscaping (all matters except access reserved)	Approval with conditions	16.05.2014
15/0642/MRES	Construction of 40 dwellings (including 16 affordable), doctors' surgery and associated works (approval of details reserved by outline planning permission 13/0316/MOUT).	Refusal	13.08.2015
15/2172/MRES	Construction of 40 dwellings (including 16 affordable), doctor's surgery and associated infrastructure, open space and landscaping (approval of details of appearance, landscaping, layout and scale reserved by outline planning permission 13/0316/MOUT)	Refusal	13.05.2016
18/2608/OUT	Construction of up to two dwellings (with all matters other than access reserved)	Non-determination on appeal lodged	18.06.2019

POLICIES

Adopted East Devon Local Plan 2013-2031 Policies

Strategy 6 (Development within Built-up Area Boundaries)

Strategy 46 (Landscape Conservation and Enhancement and AONBs)

D1 (Design and Local Distinctiveness)

EN5 (Wildlife Habitats and Features)

EN7 (Proposals Affecting Sites which may potentially be of Archaeological Importance)

EN22 (Surface Run-Off Implications of New Development)

TC2 (Accessibility of New Development)

TC8 (Safeguarding of Land required for Highway and Access Improvements)

TC9 (Parking Provision in New Development)
D2 (Landscape Requirements)

Newton Poppleford Neighbourhood Plan

T1 – Adequate Parking

T3 – Rights of Way

EP1 – Conservation and Enhancement of the East Devon AONB and Natural Environment

EP6 – Local Amenity

H1 – Meeting Demand for Smaller Dwellings

HQD1 – Maintain the Built Character of our Parish through High Quality Design

Site Location and Description

The application site is located to the south of King Alfred Way and lies within the built-up area of the village of Newton Poppleford. King Alfred Way itself is a residential cul-de-sac and extends to the northern boundary of the site. The application site forms part of a larger housing development for 40 dwellings. The housing scheme approved at appeal under ref 15/2172/MRES has been largely implemented. The land rises from the existing built up area to the south and east. The application site and the rest of Newton Poppleford is located within the designated East Devon Area of Outstanding Natural Beauty. It is also located just over half a kilometre away from the Harpford Common, part of the Pebblebed Heaths, which is designated as a Special Area of Conservation (SAC) and Special Protection Area (SPA).

The application site had been originally allocated for the construction of a GP Surgery, however, appeal No. APP/U1105/W/19/3231349 confirmed that provision of the surgery was not a requirement of the original permission and therefore its delivery could not, and was not, secured. This was because the provision of the surgery was not necessary to make the development acceptable.

Matters for Consideration

The reserved matters for consideration include the following;

- Appearance
- Landscaping
- Layout
- Scale

The material planning issues for consideration include; the impact of the development on the character and appearance of the area and, in particular the East Devon AONB; impact on the amenity of adjoining neighbours; and parking provision.

Additionally, since approval of 18/2608/OUT for the construction of two dwellings, the Newton Poppleford Neighbourhood Plan has been made and therefore carries weight in planning decisions. The Parish Council and Local Ward Member have expressed concerns that the proposed development does not meet a number of policies within the NP. These various policies will be discussed in further detail below.

Impact of the Development on Character and Appearance of the Area and East Devon AONB

Strategy 46 - Landscape Conservation and Enhancement of AONBs states that development must be undertaken in a manner that is sympathetic to and helps conserve and enhance the quality and local distinctiveness of the natural and historic character of East Devon, in particular Areas of Outstanding Natural Beauty.

Development will only be permitted where it:

1. Conserves and enhances the natural landscape
2. Does not undermine landscape quality
3. Is appropriate to the economic, social and wellbeing of the area.

Additionally, paragraph 172 of the National Planning Policy Guidance (NPPF) states that great weight is given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues.

The King Alfred Way Development, while physically adjacent to the village of Newton Poppleford, is physically separated by Farthings Lane and the Newton Poppleford and Harpford footpath. Despite access being provided through the 'older' King Alfred Way estate, the more recent development clearly has its own character and sense of place. Upon entering the site the narrow footprint of the builds to the south east of the highway that curve round the boundary of the development provide a strong sense of rhythm and utilise distinctive dark timber boarding at first floor.

The submitted plans detail the construction of two bungalows within fairly generous sized plots. The units would be much smaller in scale and bulk compared to the two storey dwellings that have been constructed along the eastern side of the adjacent road. The development would also reflect the density of existing properties within the immediate area and those within King Alfred Way. The chosen palette of materials, in particular the dark timber boarding and ivory render, would mimic that already used within the development.

Drawing 22.01.SP 06 details the provision of dry stone walling to enclose the properties to the front. Both rear gardens would have small patio areas albeit the gardens would be mostly left as lawn with a number of oak trees planted. The land gradually rises to the east and therefore some excavation would be required to make both rear garden areas flat.

While both properties would be clearly visible from public vantage points, the development would be viewed in the context of the existing built form of the village. The scale, form and chosen materials ensure that the design of the units are not only sympathetic to the character of the King Alfred Way development but ensure that the rural context of the area is acknowledged and that local distinctiveness, with regards to the dark timber boarding and landscaping, is reinforced.

As such the subsequent landscape visual harm is low to the point where it is considered that the proposals would conserve the aesthetic value of the AONB.

Additionally it is felt that the proposals are sympathetic to the character and appearance of the area.

Amenity for Prospective Occupiers and Impact on Neighbours

Both units would have dedicated rear gardens with sufficient outlook and light to primary living areas. The level of amenity anticipated for the prospective occupiers is acceptable.

However a third party has expressed concerns over the development's impact on the amenity at their property No.33, immediately to the south of House 2. Since these objections were lodged, revised drawings have replaced the two storey dwellings with single storey bungalows. It is considered that these amendments overcome the previously raised concerns.

Subject to the provision of hard and soft landscaping as detailed within the submitted landscaping scheme, the development provides adequate amenity to prospective occupiers of the proposed units whilst preventing harm to adjacent neighbours.

Policy H1 – Meeting Demand for Smaller Dwellings

Concerns have been raised by the Local Ward Member and a third party with the size of the dwellings failing to meet the provisions of Policy H1 of the Neighbourhood Plan. Policy H1 seeks to ensure that residential development, within the Built-Up Area Boundary, is limited to providing units of no greater than 93sqm of floorspace and provide no more than three bedrooms.

Revised drawings, dated 20.09.22, have been received showing two dwellings with an overall floorspace of 93m². A pair of semi-detached garages are also proposed to serve either dwelling, however, this would not be habitable space and therefore would not be included within the floorspace calculations regarding Policy H1.

Policy HQD1 – Maintain the built character of our parish through High Quality Design

Policy HQD1 states various criteria that need to be met in order for development to be supported. This policy is fairly prescriptive and includes a wide range of design features to be incorporated into development in order to reduce their carbon footprint, be sympathetic to the character of the local area, replace wildlife habitats and retain the amenity of adjacent neighbours.

A number of these requirements have already been addressed within former paragraphs. However, initial comments from the Parish Council and the Local Ward Member have expressed concerns over the development's alleged failure to meet parts of HQD1 that have yet to be addressed. Again, amendments have been made to the scheme in an attempt to address these concerns. These are discussed in turn below:

b) they mitigate fuel poverty
&

w) sustainable measures such as rain water capture and carbon reduction measures (e.g. solar panels or water heating panels) have been incorporated but should be sited discreetly

The application site is within the Built-Up Area boundary of Newton Poppleford at a location considered appropriate for further residential growth owing to its proximity to existing essential services and facilities therefore reducing the dependency of prospective occupants on private modes of transport. Furthermore the principle of residential development in this location has already been settled through approval of outline consent.

The submitted drawings detail the provision of solar panels, air source heat pumps and water butts to recycle rain water.

Recent revisions to Part L of Building Regulations came into force on the 15/06/2022 and require all new homes to produce 31% less carbon (compared to L standards in 2013). New homes will now be assessed under a new Standard Assessment Procedure (SAP) calculation called SAP10. Formerly calculated using SAP 2012, SAP10 is an update on this methodology, setting greater insulation requirements.

The agent has also sought to highlight that the build would utilise SAP 10. The Standard Assessment Procedure (SAP) is the methodology used by the government to assess and compare the energy and environmental performance of dwellings. Its purpose is to provide accurate and reliable assessments of dwelling energy performances that are needed to underpin energy and environmental policy initiatives.

h) they maximise opportunities to protect and enhance existing wildlife and habitats replacing lost habitats where this is not possible:

&

i) an average rate of one integral swift brick (Guidance Note 4) per unit/residential dwelling, more for larger buildings

The development would be carried out in accordance with the recommendations within the Ecological Appraisal carried out by ead Ecology that was submitted at outline stage. The appraisal describes the land as 'poor semi-improved grassland with low species diversity'. The report identifies that a single swift box would be installed on each property.

The landscaping scheme also details the planting of three oak tree which, once established, would provide some further ecological benefit.

Parking

The two units would be served with generous driveways and garaging. Parking for at least three cars for each dwelling would be possible on the respective driveways with an additional space and cycle storage within the garaging. As such the level of parking provided exceeds the requirements of Policy TC2 (Parking in New Development) of the East Devon Local Plan.

However, Policy T1 (Adequate Parking) of the Neighbourhood Plan goes further than Policy TC9 and requires that one parking space should be required for each bedroom. Therefore, the development would be short of a parking space for each dwelling in order to meet this policy. This has prompted concerns from the the Local Ward Member.

The underlying objective of the policy (T1) is to reduce the pressure on current on-street parking throughout the village. Many properties have no private parking space especially the older properties which means the number of cars parking on the roads is an increasing problem, particularly on the A3052. The NP also states that there is a 'dangerous' lack of parking near the school. Upon site visit it was noted that a number of cars were parked straddling pavements within the King Alfred Way development.

The revised drawings show two bedroom bungalows with parking for at least 3 vehicles, therefore the scheme now provides a level of parking that exceeds the requirements of Policies T1 (NP) and TC9 (LP).

Other Matters

The County Highway Authority have commented on the application. The development is considered to provide sufficient visibility for prospective occupiers to access and exit in a forward gear. A condition was suggested to secure bike storage provision, however, later amendments by the applicant have indicated that this would be provided within the garages.

Conclusion

The submitted drawings show the construction of two dwellings that are sympathetic to the character and appearance of the area, incorporate features distinctive to the King Alfred Way development and protect the amenity of adjacent neighbours.

In this case the character and appearance of the area, in particular the aesthetic qualities of the AONB, and the requirements of the Neighbourhood Plan are a primary consideration.

Subsequent to the applicant redesigning the scheme to meet the requirements of the Neighbourhood Plan, it is now the position of officers that the dwelling's scale, form and bulk would be sympathetic to those that have already been built out along the eastern side of the adjacent road. The development would also reflect the density of existing properties within the King Alfred Way development. The use of render and natural slates would mimic that already used elsewhere within the development which has a clear distinct character of its own.

The inclusion of solar panels, water butts and air source heat pumps ensures the recycling of water and provides renewable sources of energy and heating which is considered to increase the green credentials of the scheme in accordance with Policy HQD1. This is further reinforced by the recent introduction of the revisions to Part L of building regulations that, in addition to those already listed, would require the installation of LED lighting and EV charging points.

The development is also considered to provide an acceptable level of parking and would not cause undue pressure on the provision of on-street parking elsewhere in the village. Prospective occupiers would be located near a range of accessible services for day to day living and public transport links.

In light of a lack of harm the application is recommended for approval subject to a number of conditions listed below.

RECOMMENDATION

APPROVE subject to the following conditions:

1. East Devon District Council as Local Planning Authority HEREBY APPROVE THE FOLLOWING RESERVED MATTERS of the above described development proposed in the application numbered as shown above and in the plans and drawings attached thereto:-
 - (a) Appearance
 - (b) Landscaping
 - (c) Layout
 - (d) Scale

This Reserved Matters application numbered as shown above is made pursuant to the Outline Planning Permission 18/2608/OUT granted on 20.12.2020.

The following reserved matters have yet to be approved:

None

The following Conditions attached to the Outline Planning Permission referred to above remain to be complied with in so far as they relate to the site covered by application 18/2608/OUT:

4

The following additional conditions are attached to this reserved matters approval:

2. The development hereby permitted shall be carried out in accordance with the approved plans listed at the end of this decision notice.
(Reason - For the avoidance of doubt.)
3. Prior to their installation, samples of the external materials to be used on the exterior of the building and dry stone wall, indicating the colour, texture and finish shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the

approved details. (Reason - To ensure that the appearance of the development conserve and enhanced the Area of Outstanding Natural Beauty (AONB), in accordance with policies D1 - Design and Local Distinctiveness and strategy 46 Strategy 46 - Landscape Conservation and Enhancement and AONBs of the East Devon Local Plan).

4. The development hereby permitted shall be carried out in accordance with the details shown on drawing no 22.01 SP 06. The landscaping scheme shall be carried out in the first planting season after commencement of the development unless any alternative phasing of the landscaping is agreed in writing by the Local Planning Authority and the landscaping shall be maintained for a period of 5 years. Any trees or other plants which die during this period shall be replaced during the next planting season with specimens of the same size and species unless otherwise agreed in writing by the Local Planning Authority.

(Reason - In the interests of amenity and to preserve and enhance the character and appearance of the area in accordance with Policies D1 - Design and Local Distinctiveness and D2 - Landscape Requirements of the Adopted East Devon Local Plan 2013-2031.)

5. Details of the three oak trees to be planted, as detailed on Plan 22.01.SP 06, shall be submitted to and approved in writing by the Local Planning Authority. The trees shall be planted prior to occupation of the two dwellings hereby approved. The development shall be carried out in accordance with the approved details. The two trees shall be maintained for a period of 5 years, such maintenance to include the replacement of the trees should they die.

(Reason: In the interests of the character and appearance of the area and to ensure development enriches biodiversity in accordance with Policy TH1 - Trees and Hedgerows and Policy HQD1 - Maintain the built character of our parish through High Quality Design of the Newton Poppleford Neighbourhood Plan).

6. Prior to occupation of the two dwellings hereby approved, details of the air source heat pumps solar panels, including location, manufacture details and number shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and the solar panels and air source heat pumps shall be installed prior to occupation of the dwellings.

(Reason: to minimise the use of non-renewable energy resources in accordance with Policy HQD1 - Maintain the built character of our parish through High Quality Design of the Newton Poppleford Neighbourhood Plan 2020 – 2031).

7. Prior to occupation of the dwellings hereby approved, a Predicted Energy Assessment (PEA) shall be submitted to and approved in writing by the Local Planning Authority. The PEA shall demonstrate that the construction methods utilised and energy efficiency of the two dwellings meets the requirements of Part L – Conservation of fuel and power 2022 of the Building Regulations.

(Reason: To ensure the development utilises sustainable construction methods and minimises the use of non-renewable resources in accordance with Policy

HQD1 - Maintain the built character of our parish through High Quality Design of the Newton Poppleford Neighbourhood Plan 2020 – 2031).

NOTE FOR APPLICANT

Informative:

In accordance with the requirements of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 in determining this application, East Devon District Council has worked positively with the applicant to ensure that all relevant planning concerns have been appropriately resolved.

Plans relating to this application:

22.01 SP 05	Proposed Site Plan	20.09.22
22.01 P 12	Proposed Combined Plans (Garages)	23.09.22
22.01 P 10	Proposed Floor Plan	20.09.22
22.01 P 11	Proposed Elevations	20.09.22
22.01 SP 06	Proposed Landscaping	20.09.22

List of Background Papers

Application file, consultations and policy documents referred to in the report.

Newton Poppleford Neighbourhood Plan

East Devon Local Plan

National Planning Policy Framework

Approved Document L – Conservation of Fuel and Power (Volume 1 Dwellings)