

**Committee Date:**  
**09.03.2010**

OTTERHEAD (Upottery)	09/1603/FUL	Target Date: (e.g. 29.12.09)
Applicant:	Mr & Mrs Bartlett	
Location:	Land opposite Pipers Place, Upottery	
Proposal:	Erection of two, three bedroomed detached dwellings with associated access and parking (approval of access, layout and scale)	
OTTERHEAD (Upottery)	09/1604/OUT	Target Date: (e.g. 29.12.09)
Applicant:	Hastoe Housing Association	
Location:	Land opposite Pipers Place, Upottery	
Proposal:	Erection of eight affordable dwellings (approval of layout and scale)	

## **CONSULTATIONS**

### County Highway Authority

#### 09/1603/OUT:

The site is located on the western side of the main village road opposite a local school which has a parking area adjacent to the carriageway.

As part of the application it is proposed that a two metre wide footway is provided fronting the site which will not only provide a useful pedestrian facility but will assist in providing the necessary 2.4 metre by 43 metre sight lines from each of the paired access centre points. The illustrative plan provided in support of the application also shows a tuning facility, enabling cars to enter and leave the site in forward gear from both accesses which would be a preferred facility in this location.

Recommended for approval with conditions

#### 09/1604/OUT:

There has been some preliminary correspondence with the Local Planning Authority and the Highway Authority regarding aspects of the layout and general design for eight dwellings on this site and some advice as to possible car parking proposals, I understand that this correspondence has been relayed to the architect. Suggestions for combined and communal car parking with adequate turning facilities have been proffered by the Highway Authority in an attempt to reduce the number of accesses on to the highway. These suggestions have resulted in the accesses points being reduced to three in number, rather than on the original scheme showing four separate accesses, which although is not ideal, is an improvement over that which was preliminarily proposed.

Locality and sustainability issues for a development of this scale nature in Upottery would not be raised as an objection by the Highway Authority.

For the proposed to work successfully in highway safety terms, the existing 30 mph limit should ideally be extended northwards from the centre of Upottery from its present position by Pipers Place, to a position approximately where the School Warning sign is located, along with the associated 30 mph roundel road marking, this would reduce traffic speeds of vehicles entering and exiting the village at the northern extremities of the site. Associated alterations to Street Lighting will be required as part of this speed limit extension and should be designed in conjunction with and secured by an appropriate agreement with Devon County Council. This speed limit extension would also help with the visibility requirements for the most northerly proposed access to the site. The applicant would be expected to fund the investigation and Traffic Regulation Order process involved in the resiting of the speed limit and, if successful, the relocation of the signs and road markings. The Traffic Order process would be independent of the planning application process and would not prejudice any planning permission granted if the process were to be unsuccessful.

There is currently open channel highway drainage running along the highway frontage to the site; this will require alterations to accommodate the proposed accesses to the development, which will need to be agreed with and secured by an appropriate agreement or licence with Devon County Council.

Visibility splays of 2.4 metres by 43 metres and 600mm in height will need to be demonstrated for all the accesses and must be available over land within the control of the applicant. It would appear that these visibility requirements for the central and southern accesses can be achieved easily either within the existing highway or within the proposed new footway frontage. The northernmost access may require some slight modification in order to provide this visibility.

The footway frontage to the site will require a dropped crossing to enable the safe passage of pedestrians from and to the development and to access the existing footway provision outside Upottery Primary School. To avoid conflict with parked vehicles; the logical place for this will be immediately to the south of the junction to Pipers Place at the narrowest carriageway width. This element of the development will also need to be agreed with and secured by an appropriate agreement or licence with Devon County Council.

The number of car parking spaces proposed (16) are based at the maximum allowable in the Local Plan and would appear to be over and above those reasonably required for this level and type of housing development although they comply with the standard. It may be preferable to substitute this number of spaces for more sustainable forms of transportation, i.e. cycle storage facilities in accordance with the District Council's minimum cycle parking standards.

Recommended for approval with conditions

South West Water

No comments received

## Environment Agency

No comments received

## Blackdown Hills AONB Partnership

Thank you for requesting comments from the Blackdown Hills AONB regarding these two associated applications. I understand that access, layout and scale are aspects for detailed consideration.

Regarding the principle of development, the AONB Partnership supports the provision of affordable housing if a need has been identified in the village, provided that development respects landscape and settlement character. It is also assumed that EDDC are considering the scheme as a whole under the draft Interim Rural Departure Site Policy.

The proposed layout and access arrangements appear to provide an acceptable approach to integrating the development into the village street scene. The AONB Partnership would however have concerns if the new footpath and driveway junctions appear over-engineered. Requirements for kerbs, visibility splays, etc should be commensurate to the rural location in an AONB. The land also rises westwards, and so the detailed site layout and design should address the prominence of the site in the wider landscape and views into the village.

## **TOWN/PARISH COUNCIL**

09/1603/OUT:

The Parish Council support the erection of two detached dwellings but is concerned about the access that will be created. The visibility appears compromised by existing hedges and the councillors would like to see the 30mph and school warning sign moved to include these dwellings to ensure the safety of school children.

09/1604/OUT:

The Parish Council support the erection of eight affordable dwellings but are concerned with the excessive number of access roads to be created. They feel that the 30mph and school warning sign should be moved to include these buildings so to ensure the safety of the school children. They are also concerned about the visibility from these accesses to the road as from the plans this appears to be compromised by hedges etc.

## **WARD MEMBER(S)**

The initial comments of the Ward Member Cllr D Key are -

09/1603/OUT:

"Support - this application leads to the application of affordable houses adjoining."

09/1604/OUT:

"Supports the application for desperately needed affordable houses in the village."

In the event that this application comes to Committee I would reserve my position until I am in full possession of all the relevant facts and arguments for and against.

## **REPRESENTATIONS FOR BOTH APPLICATIONS**

### **Objections**

Representations from 7 properties raising the following points:

- Local councillors supporting the application do not live near site
- Site opposite a primary school
- Traffic impact of development together with existing traffic levels
- On road parking at high level
- Insufficient parking within scheme
- Unsafe access arrangement
- Narrow road
- One access should be provided with mini roundabout
- Development restricting visibility
- Principle of development not acceptable as outside village envelope
- Loss of agricultural land and open countryside
- Lack of facilities for families
- Other sites more suitable
- Visual/AONB impact of 2 storey development
- Out of scale with village
- Out of character with area
- Water run off from site onto neighbouring properties and road
- Loss of light
- Overbearing impact
- Impact of construction work/traffic
- Adequacy of sewers

Non planning issue

- Devaluing of property infringes human rights

### **Support**

Representations from 1 property have been received raising the following points:

- Need for affordable housing
- Highways objections can be overcome
- Not significant increase to parking problem

## **RELEVANT PLANNING HISTORY**

No planning history

## **PLANNING POLICIES**

### **Government Guidance**

PPS 1 - Delivering Sustainable Development

PPS3 - Housing

PPS 7 - Sustainable Development in Rural Areas

## Devon Country Structure Plan (2001-2016)

Policy ST5 - Development Priority 2001 - 2016

Policy ST18 - Affordable Housing

Policy ST18a – Mix and Type of Housing

Policy CO3 - Area of Outstanding Natural Beauty

Policy CO6 - Quality of New Development

Policy TR4 - Parking Strategy, Standards and Proposals

Policy TR10 – Strategic Road Network and Roadside Service Areas

## East Devon Local Plan (1995-2011)

Policy S5 – Countryside Protection

Policy D1 - Design and Local Distinctiveness

Policy EN1 - Developments Affecting Areas of Outstanding Natural Beauty

Policy RE3 - Open Space Provision in New Housing Developments

Policy TA7 - Adequacy of Road Network and Site Access

Policy TA9 - Parking Provision in New Development

## Other Guidance

EDDC Interim Mixed Affordable and Market Housing Position Statement

## **SITE LOCATION AND DESCRIPTION**

The two sites are to the north of Upton outside of but abutting the Built up Area Boundary. The site lies on the west side of the street immediately opposite Upton County Primary School and Pipers Place. To the south of the site is a ribbon of post-war bungalows known as Danes Close.

The sites form part of a larger agricultural field with a frontage to the street.

The sites and wider area falls within the designated Area of Outstanding Natural Beauty.

The field is significantly higher (2.5m approximately beyond the rear of the plots) than the street level and is screened by a native hedge and bank.

## **PROPOSED DEVELOPMENT**

The two applications together propose the construction of 8 affordable units (4 no. three bed and 4 no. two bed) and 2 open market units.

The applications were submitted in outline with appearance and landscaping reserved leaving access, layout and scale to be considered at this outline stage.

Following the comments of the Highway Authority with respect to the alignment of the northernmost access for the 8 affordable units the agents have confirmed that they do not have the requisite topographical data at this stage for this to be properly marked out and therefore the agent has requested that access also be reserved at this time in respect of this application.

Access remains to be considered on the application for the 2 market houses.

The plans show a layout of two storey properties fronting the road in line with the adjacent properties of Danes Close. The market units are proposed as detached dwellings with the affordable units proposed as semi detached dwellings. The scheme shows an access road running to the front of the dwellings with a single access to the market units and three access points to the affordable units (although this is now only indicative). The market units have a front and rear garden commensurate in size with the Danes Close properties while the affordable units have a slightly smaller rear garden area.

The illustrative elevations show a scheme of simple traditional dwellings although again this is only indicative at this stage.

## **CONSIDERATIONS AND ASSESSMENT**

### Principle of Development

The site is outside of the Built up Area Boundary but a concession is made in the local plan for affordable schemes under the exceptions sites policy. This scheme however proposes an element of market housing as the catalyst to bring the affordable units forward and therefore the proposals fall to be considered under the Interim Mixed Affordable and Market Housing Position Statement. This is not an adopted policy but does set out the circumstances under which mixed schemes outside of the boundary will be considered.

The position statement sets (see attachment to this report) a number of criteria the most pertinent of which are as follows:

- The new development should integrate the open market and affordable housing making the best use of land and should be well related to and complement and be compatible with the built form of the settlement
- The scheme is at/near a village or settlement with a Built Up Area Boundary and/or with a state school
- A local housing needs assessment shows a need for affordable housing and the market housing will be of a type or size that is justified by the needs assessment and is similar in size/character to the affordable units
- At least 66% of all the dwellings will be affordable

The other criteria relate to securing the affordability of the units and linking the occupation of the market houses to the occupation of the affordable units.

The scheme for the 8 affordable units is accompanied by a Housing Needs Report dated April 2007 and a Comparable Market Assessment Report dated August 2009. The Housing Needs Report identifies a need for 10 affordable properties within the next three years (to 2010) with an overwhelming need for social rented accommodation. The largest groups requiring properties are families and single people.

The Housing Strategy Officer has welcomed the application in looking to address the identified need in the Parish. On the basis of the need being established the Housing Strategy Officer confirms that the scheme must deliver the following:

- all nominations to come from EDDC and
- the homes held in perpetuity for local people who meet the local connection criteria

- all affordable housing to be constructed in line with the Housing Corporation standards in terms of affordability and design

The affordable element of the scheme is therefore justified by the identified need in terms of numbers and meets the need for family sized accommodation. The composition and mix of the affordable units meets the brief from Hastoe Housing Association and therefore it is implicit that there is a demand for units of this size because a housing association will only look to build properties which meet a current need. As a reflection of the current market the affordable housing will be transferred to and managed by Hastoe as social rented accommodation.

The market units are of a comparable footprint and would provide 3 bedrooms and therefore it is considered that they also comply with the identified need. The schemes are proposed as distinct sites with separate access points but it is considered the sites are sufficiently integrated in line with the position statement. The only disparity between the market and affordable units is the overall plot size whereby the market houses are proposed with a much more generous plot, particular in terms of the rear garden, than the affordable units (28m deep compared to 13m depth). A key element of the Interim Position Statement is that the two types of units are comparable and therefore it would be preferable for the plots sizes to be the same. However the plots for the market houses are commensurate with the plots sizes of the Danes Close properties and the difference between the respective plots of the market and affordable units are not so significant as to render the scheme unacceptable. Certainly, the affordable housing garden sizes are comparable to those found in Pipers Place opposite the site.

In settlement pattern terms the site is considered to relate well to the village in that it is in line with existing development located on either side of the street and follows the general pattern established by the Danes Close properties. The site will not read as an isolated group of properties nor will it extend the built form of the village significantly beyond the existing pattern of development. It will in effect represent a rounding off the existing built pattern bringing development in line with the existing Pipers Place properties.

A number of objections relate to the use of land outside of the boundary but this scheme is being considered as an exception to the normal principle of countryside protection. Given the established need for affordable housing in the parish and the lack of other sites coming forward it is considered that the normal principle of restricting development outside of the boundary can be set aside in this case. Similarly objections about the scale of the development are acknowledged as this does represent a large scheme for a small village but it goes a good way to meeting the identified housing need and therefore is considered to be acceptable.

### Visual/AONB Impact

The development will clearly have a visual impact but as set out above the development will be well related to the existing built form of the village and subject to an appropriate design, the use of quality materials and good landscaping, particularly to the site boundaries, it is considered the resulting visual impact would be acceptable. It is noted that there is a change in levels from the site to the road and this will need to be carefully considered as part of the detailed design stage at the reserved matters application. The proposed site does not make full use of the existing natural field boundary and would leave a small strip of land to the north of the site. This has been queried with the agents who confirm that this is the land that the landowner has made available and therefore this is what must be considered. While it would have been preferable for the site to better

reflect the natural boundary of the field provided the site boundary is formed with a native hedge/hedgebank there will not be any adverse visual/character impact.

Again objections are raised concerning the visual/AONB impact of the development but it is not considered that the site is so elevated or prominent that its development will have an adverse impact. As set out above the site will not appear isolated nor does it project significantly into the open countryside beyond the village envelope and therefore it will not have a significant landscape impact.

It is noted that the Danes Close properties are bungalows and therefore there will be a contrast with the proposed dwellings but the properties at Pipers Place are two storey and therefore there is a mix of property types which allows for the proposed scheme to be of a different form. The proposals for two storey development relate back to the identified housing need and it is not considered that the transition from the single storey bungalows to two storey dwellings will be adverse in terms of the character and appearance of the street scene.

One area raised by the Blackdown Hills AONB Partnership is that the proposed road and footway should not be too engineered to reflect the semi rural setting and character of the village. While access and parking are now reserved on the application for the affordable units it does remain to be considered at this stage for the market houses and the submitted drawings show the provision of a 2m wide footway. Detailed drawings of the layout and treatment of this are not provided but it is considered that this can be conditioned.

### Amenity Impact

While we do not have detailed elevations before us at this time we do have a layout which shows a distance of approximately 30 metres to 1 Pipers Place and a distance of approximately 12 metres to the end elevation of 6 Danes Close which are the two closest properties.

It is not considered the proposed units will have an adverse impact on 1 Pipers Place as the separation distance will mitigate any overlooking/overbearing impact.

The relationship with 6 Danes Close is much closer but it is still considered that there is a sufficient distance that the new dwelling will not be overbearing or result in unacceptable levels of overshadowing of the existing property. The provision of another dwelling in this position in relation to the existing property will not in itself be adverse as it reflects the normal relationship between properties in a linear layout. The change in ground levels between the site and the road is noted and this could, if the levels are not adequately addressed, increase the impact on 6 Danes Close but again this falls to be properly assessed as part of the detailed design stage. It is however considered that the site can be developed in a way which will not harm the amenity of the existing property. The positioning of side openings in the new unit would need to be carefully considered as there are existing side openings in 6 Danes Close but again this falls to be considered at the detailed reserved matters stage.

Objections have also been raised concerning surface water run off from the existing land onto 6 Danes Close and the highway and clearly any development of the field could exacerbate this problem. Details of surface water disposal will therefore be required to ensure that this is adequately addressed within the site.

## Highway Issues

The site is on a slight bend with access proposed to be taken off what is a reasonable narrow road with at times a large amount of on road traffic and parking in association with the school. However the Highway Authority has not objected to the principle of taking access along this road to serve the proposed number of dwellings.

In respect of the two market units access is shown from a central point with a 2 m wide footway proposed across the front of the site. The scheme provides for 2 parking spaces per dwelling which complies with Local Plan parking standards. Visibility of 2.4m by 43m would need to be provided and it is considered this can be adequately provided over land in the applicants control taking into account the proposed footway. The site is of a sufficient size to allow a turning facility to be provided.

In respect of the eight affordable units detailed comments were provided by the Highways Authority although access has subsequently been reserved for future consideration. The required visibility of 2.4m by 43m can be achieved on the southern and central access point but the northern access may require modification to accommodate this level of visibility. The agent was requested to submit these revised details but has indicated that detailed topographical data is not currently available and they have asked for access to be reserved. It is considered that adequate visibility can be achieved but this may require the access point to be moved within the site frontage and the details of this can be dealt with at the reserved matters stage. Dedicated cycle parking should be provided but this is something that the Housing Association will also require and so it is not considered that this needs to be conditioned at this time.

However for the proposal to work in highway safety terms the Highway Authority have confirmed that the existing 30 mph speed limit sign should be relocated northwards and this will require the applicants to fund an investigation and Traffic Regulation Order into the extension of the 30 mph speed limit and the associated repositioning of speed limit signs and alterations to street lighting. Other off site works required are alterations to the existing highway drainage channel and the provision of a dropped crossing. These works will need to be secured through a Section 106 legal agreement to which the applicant has agreed. The works to the resiting of the speed limits will also meet the concerns of the Parish Council.

Therefore although the objections relating to highway safety, the proposed access arrangement and parking provision have been noted and considered, in the absence of objections from the Highway Authority refusal on these grounds would not be justified. Subject to the accesses being properly set out and the required off site works/investigations taking place it is considered that the proposal can be satisfactorily accommodated. The Highway Authority consider that the site can be developed safely. It is not imperative that the full details are agreed at this stage.

## Conditions

Conditions covering the submission of the reserved matters and the time limit for commencement will need to be imposed. Under the Interim Position Statement the reserved matters application will need to be submitted this year and the development must be implemented within 1 year of the grant of permission. This is to reflect the interim nature of the policy.

Conditions will also be required restricting permitted development rights for extensions/alterations to ensure the dwellings remain of size to meet the identified need. This will also ensure that potential overlooking can be controlled.

Given the change in levels between the road and the site full levels details will be required as well as the required highway conditions and details of surface water disposal.

## **CONCLUSIONS**

The applications are considered to comply with the requirements of the Interim Position Statement such that the development of housing, including the element of market housing, outside of the Built up Area Boundary is acceptable in this instance. There is an identified need for the number and type of units proposed and the development is well related to the existing pattern of the village and will not have an adverse visual/AONB impact. However, Members will need to appreciate that this proposal is a Departure from the adopted Development Plan: The Interim Mixed Affordable and Market Housing Position statement did attract objections from Devon County Council and qualified concerns from GOSW.

The objections to the application have been fully considered but it is not felt that the issues raised justify a refusal of permission at this time. On the basis of the details submitted it is considered the site can be developed in a satisfactory way in terms of its relationship with the character of this part to the village and the impact on neighbouring amenity. The detailed design stage will be crucial to the success of the scheme in integrating with the surrounding properties but this can be adequately addressed through the reserved matters application.

## **RECOMMENDATION**

### **09/1603/OUT - 2 open market units**

APPROVE application subject to the applicant entering into an agreement under Section 106 of the Town and Country Planning Act 1990 to secure:

- The phasing of the first occupation of the market housing - this needs to be linked to the first occupation of 4 out of the 8 affordable units as per the Interim Affordable Housing Policy
- Open space contributions of £7,395.73 for the two market houses
- Alterations to the existing highway drainage channel

and the following planning conditions:

1. Application for approval of the reserved matters shall be made to the Local Planning Authority on or before 31 December 2010 and the development shall be implemented before the expiration of one year from the date of approval of the last of the reserved matters to be approved.  
(Reason - In accordance with the requirements of the East Devon Interim Mixed Affordable and Market Housing Position Statement and Section 92 of the Town & Country Planning Act 1990.)

2. Approval of the details of appearance and landscaping (including detailed plans of the proposed Devon Bank and planting) (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.  
(Reason - The application is in outline with one or more matters reserved.)
3. Before any other operations are commenced the proposed vehicular accesses to the road shall be designed/constructed and provided with visibility zones of 2.4 metres by 43 metres and a 2 metre wide footway along the site frontage in accordance with a scheme, which shall include details of surfacing, to be submitted to and approved in writing by the Local Planning Authority, all to be permanently maintained to a specification to be agreed in writing with the Local Planning Authority and the visibility zones shall be kept permanently clear of any obstruction.  
(Reason - To provide a satisfactory access to the site with adequate facilities for short term parking and to provide adequate visibility from and of emerging vehicles)
4. None of the units hereby approved shall be occupied until space has been laid out within the site in accordance with a scheme, to include details of surfacing, to be submitted to and approved in writing by the Local Planning Authority for maximum of 4 cars to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. The parking/turning area shall be used and retained exclusively for its designated purpose.  
(Reason - To ensure the provision of adequate facilities within the site for the traffic generated by the development)
5. No development shall take place until detailed drawings, including cross sections through the existing and proposed buildings, indicating existing and proposed ground, floor and ridge levels to a common datum, has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.  
(Reason - To ensure that adequate details of levels are available in the interest of the character and appearance of the locality and the amenity of neighbouring properties.)
6. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.  
(Reason - To ensure that the materials are sympathetic to the character and appearance of the area.)
7. No development shall take place until details of the means of disposal of surface water so that none drains onto adjoining land not in the applicant's ownership or the highway has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.  
(Reason - To ensure that surface water run off is adequately dealt within in the site)
8. The foul drainage shall be connected to the public sewer and shall be kept separate from clean surface and roof water.

(Reason - To avoid pollution of the environment.)

9. All landscaping agreed under any future reserved matters application shall be carried out in the first planting season after commencement of the development unless otherwise agreed in writing by the Local Planning Authority and 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 within the designated Area of Outstanding Natural Beauty.)

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no works within Schedule 2 Part 1 Classes A or B for the enlargement, improvement or other alterations to the dwellings hereby permitted, other than works that do not materially affect the external appearance of the buildings, shall be undertaken.

(Reason - To retain control over the future enlargement of the dwellings to ensure the dwellings continue to meet the identified housing need and in the interests of the amenities of adjoining occupiers.)

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no fences, gates or walls shall be erected within the curtilage of any dwellinghouse forward of any wall of that dwellinghouse which fronts onto a road.

(Reason - To retain the open character of the landscaped frontage.)

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no windows, doors, rooflights or other openings other than those permitted under any future reserved matters application shall be formed in the side elevation] of the dwellings hereby permitted.

(Reason - To protect the privacy of adjoining occupiers.)

### Reasons for approval

1. The proposal complies with the following Devon Structure Plan 2001-2016 Policies: ST5 - Development Priority 2001 - 2016, Policy ST18a – Mix and Type of Housing, Policy CO3 - Area of Outstanding Natural Beauty, Policy CO6 - Quality of New Development, Policy TR4 - Parking Strategy, Standards and Proposals & Policy TR10 – Strategic Road Network and Roadside Service Areas
2. The proposal complies with the following adopted East Devon Local Plan 1995-2011 Policies: S5 – Countryside Protection, D1 - Design and Local Distinctiveness, EN1 - Developments Affecting Areas of Outstanding Natural Beauty, RE3 - Open Space Provision in New Housing Developments, TA7 - Adequacy of Road Network and Site Access, TA9 - Parking Provision in New Development & the Interim Mixed Affordable and Market Housing Position Statement

3. The proposal does not adversely affect the privacy or amenity of neighbouring properties.
4. The design and external appearance of the proposal does not harm the visual amenity of the site and surrounding area.
5. The proposal does not harm the natural beauty of the landscape designated as an Area of Outstanding Natural Beauty.
6. The access to serve the proposal does not prejudice highway safety.

#### Informative

1. The reserved matters details relating to landscaping should include details of all proposed boundary treatments and provide full details of all proposed new planting (species, sizes, planting densities).
2. The Council will expect to see proposed dwellings commensurate in size to the adjoining affordable housing with no more than 3 bedrooms per property.

#### Approved plans

2773A-P-1 Location Plan

2773A-P-2 Layout Plan

#### **09/1604/OUT - 8 affordable units**

APPROVE application subject to the applicant entering into an appropriate legal agreement(s) to secure:

- The tenure split and perpetuity of the affordable units - the Interim Affordable Housing Policy requires that at least 66% of the dwellings must be affordable in perpetuity with at least half being available as social rented properties.
- Funding of investigation and Traffic Regulation Order into extension of 30 mph speed limit and associated repositioning of speed limit signs and alterations to street lighting
- Alterations to existing highway drainage channel
- Provision of a dropped crossing

and the following planning conditions:

1. Application for approval of the reserved matters shall be made to the Local Planning Authority on or before 31 December 2010 and the development shall be implemented before the expiration of one year from the date of approval of the last of the reserved matters to be approved.  
(Reason - In accordance with the requirements of the East Devon Interim Mixed Affordable and Market Housing Position Statement and Section 92 of the Town & Country Planning Act 1990.)
2. Approval of the details of access, appearance and landscaping (including detailed plans of the proposed Devon Bank, frontage hedgerows and planting) (hereinafter

called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

(Reason - The application is in outline with one or more matters reserved.)

3. Before any other operations are commenced the proposed vehicular accesses shall be designed/constructed and provided with visibility zones of 2.4 metres by 43 metres in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority, all to be permanently maintained to a specification to be agreed in writing with the Local Planning Authority and the visibility zones shall be kept permanently clear of any obstruction specify height if appropriate.

(Reason - To provide a satisfactory access to the site with adequate facilities for short term parking and to provide adequate visibility from and of emerging vehicles.)

4. No new development shall be occupied until space has been laid out within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority for maximum of 16 cars and for vehicles to turn so that they may enter and leave the site in forward gear. The parking/turning area shall be used and retained exclusively for its designated purpose

(Reason: To ensure the provision of adequate facilities within the site for the traffic generated by the development)

5. No development shall start until a Method of Construction Statement, to include details of:

- (a) parking for vehicles of site personnel, operatives and visitors
- (b) loading and unloading of plant and materials
- (c) storage of plant and materials
- (d) programme of works (including measures for traffic management)

has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction period.

(Reason: To ensure that adequate facilities are available for the traffic attracted to the site)

6. No development shall take place until detailed drawings, including cross sections through the existing and proposed buildings, indicating existing and proposed ground, floor and ridge levels to a common datum, has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

(Reason - To ensure that adequate details of levels are available in the interest of the character and appearance of the locality and the amenity of neighbouring properties.)

7. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the Local Planning Authority.

Development shall be carried out in accordance with the approved details.

(Reason - To ensure that the materials are sympathetic to the character and appearance of the area.)

8. No development shall take place until details of the means of disposal of surface water so that none drains onto adjoining land not in the applicants ownership or onto the highway have been submitted to and approved in writing by the Local

Planning Authority. Development shall be carried out in accordance with the approved details.

(Reason - To ensure that surface water run off is adequately dealt within in the site)

9. The foul drainage shall be connected to the public sewer and shall be kept separate from clean surface and roof water.  
(Reason - To avoid pollution of the environment.)
10. All landscaping, including new hedgebanks along the road frontage, agreed under any future reserved matters application shall be carried out in the first planting season after commencement of the development unless otherwise agreed in writing by the Local Planning Authority and 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 within the designated Area of Outstanding Natural Beauty.)
11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no works within Schedule 2 Part 1 Classes A or B for the enlargement, improvement or other alterations to the dwellings hereby permitted, other than works that do not materially affect the external appearance of the buildings, shall be undertaken.  
(Reason - To retain control over the future enlargement of the dwellings to ensure the dwellings continue to meet the identified housing need and in the interests of the amenities of adjoining occupiers.)
12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no fences, gates or walls shall be erected within the curtilage of any dwellinghouse forward of any wall of that dwellinghouse which fronts onto a road.  
(Reason - To retain the open character of the landscaped frontage.)
13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no windows, doors, rooflights or other openings other than those permitted under any future reserved matters application shall be formed in the side elevation] of the dwellings hereby permitted.  
(Reason - To protect the privacy of adjoining occupiers.)

#### Reasons for approval

1. The proposal complies with the following Devon Structure Plan 2001-2016 Policies: ST5 - Development Priority 2001 - 2016, ST18 - Affordable Housing, ST18a – Mix and Type of Housing, CO3 - Area of Outstanding Natural Beauty, CO6 - Quality of New Development, TR4 - Parking Strategy, Standards and Proposals & TR10 – Strategic Road Network and Roadside Service Areas

2. The proposal complies with the following adopted East Devon Local Plan 1995-2011 Policies: S5 – Countryside Protection, D1 - Design and Local Distinctiveness, EN1 - Developments Affecting Areas of Outstanding Natural Beauty, TA7 - Adequacy of Road Network and Site Access, Policy TA9 - Parking Provision in New Development & the Interim Mixed Affordable and Market Housing Position Statement
3. The proposal does not adversely affect the privacy or amenity of neighbouring properties.
4. The design and external appearance of the proposal does not harm the visual amenity of the site and surrounding area.
5. The proposal does not harm the natural beauty of the landscape designated as an Area of Outstanding Natural Beauty.

#### Informative

The reserved matters details relating to landscaping should include details of all proposed boundary treatments and provide full details of all proposed new planting (species, sizes, planting densities).

#### Approved plans

2773-P-1 Location Plan  
2773-P-2 Layout Plan

#### List of Background Papers

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