

Chapter 15 – The Priority Area for Rural Regeneration

Large Villages

Paragraph 15.4

Objection 322/1243/F

Mrs Ruth Moore

Issue:

- Identification of Swimbridge as a large village.

Inspector's Reasoning and Conclusions

- 15.1 Mrs Moore objects to the inclusion of Swimbridge within a group of “large villages” in the Priority Area for Rural Regeneration. The Council defends its allocation by referring to Table 2 in Chapter 3, which indicates the range of services and facilities available. Swimbridge does appear rather light in this respect however.
- 15.2 The Council points to the level of growth for Swimbridge reflecting the availability of a large, previously developed site at The Tannery, and the need to facilitate the provision of public open space through a development package. There is clearly a strong feeling that Swimbridge should be listed as a small village rather than a large one. Unfortunately the Local Plan does not set down clear criteria for distinguishing between small and large.
- 15.3 Simply in terms of area and population, Swimbridge is much smaller than Landkey, and it lacks a general store and children’s play area and playing field. It does however have a significant previously developed site at the Tannery, and there is an opportunity for the provision of a sports field if an adjoining housing development goes ahead. Its designation as a large village is not unreasonable therefore. This brings with it a clearly defined development boundary, beyond which development should not normally go. Its designation as a large village does not therefore necessarily pose any significant threat to the AGLV.

Recommendation 15.1

I recommend no change to this part of the Local Plan

Small Villages and Rural Settlements

Paragraph 15.5

Objection 181/481/FD *Conditionally Withdrawn*

CPRE

Objection 197/741/FD *Conditionally Withdrawn*

Devon County Council

Issues:

- Omission of reference to Goodleigh.

- Clarification of wording.

Inspector's Reasoning and Conclusions

- 15.4 The CPRE objects to the inclusion of Goodleigh in a list of small villages in the Priority Area for Rural Regeneration when it is in fact located in the Area of Strategic Landscape and Development Constraint. The Council's justification is that the size, character and level of facilities justifies allowing some modest development to sustain rural community life. Treating Goodleigh as an ASLDC village would mean defining a development boundary, a less flexible approach that would restrict opportunities for appropriate development.
- 15.5 Planning in Goodleigh is inevitably complicated by the fact that the boundary of the Area of Great Landscape Value runs right through the middle of the village. There is thus greater constraint to development in the northern half of the village, and a policy which allows for some flexibility may be more appropriate than the drawing of a hard and fast line to the settlement edge. Both the PARR and the ASLDC approaches allow for some development provided it does not harm the character and setting of the village. Both also have policies ECN3 and COM4 applying to them, allowing appropriate employment and community facilities development. Whilst it may be rather confusing to include an ASLDC village in a group of PARR villages I would not expect to see any harm resulting in terms of unsuitable development.
- 15.6 An additional sentence has been included in paragraph 15.5 to indicate the exceptional circumstances that apply to Goodleigh. The objection by the CPRE has been conditionally withdrawn. A small addition to the paragraph has been made to meet the objection of Devon County Council, which is also conditionally withdrawn as a result.

Recommendation 15.2

I recommend no change to this part of the Local Plan

Chapter 16: South Molton Action Plan

South Molton Action Plan Footpaths around South Molton

Objection 133/240/FD Caroline Glover

Issue:

- The provision of additional footpaths.

Inspector's Reasoning and Conclusions

16.1 Caroline Glover proposes a green trail around South Molton, including access to a riverside walk. This sounds to be an excellent idea and one which the Council support in principle, but lack the powers to do anything about. It is to be hoped that the County Council as highway authority will be informed of this excellent idea and take appropriate action where possible.

Recommendation 16.1

I recommend no change to this part of the Local Plan

South Molton Action Plan Land at Common Moors: South Molton

Objection 140/265/FD South Molton Town Council

Issue:

- Whether land at Common Moors should be proposed for a touring caravan / camping site.

Inspector's Reasoning and Conclusions

16.2 The Town Council propose a site at Common Moors for a touring caravan and camping site. The site lies about half way between South Molton and the Aller Cross junction with the A361. It is about a kilometre from the town centre and relatively exposed in the landscape. There are also biodiversity objections to the use of this land.

16.3 If a caravan site is needed, and there is no evidence before me of such a need, it would be better to look for a site close to the town, from which visitors could walk into the centre to use its facilities. The Common Moors site would require visitors to use their cars to access the centre, causing unnecessary use of the motor car for local journeys.

Recommendation 16.2

I recommend no change to this part of the Local Plan.

South Molton Action Plan

Healthcare Provision in South Molton

<i>Objection</i>	<i>73/106/FD</i>	<i>Shirley Bray</i>
<i>Objection</i>	<i>69/98/FD</i>	<i>Dr R Westcott</i>
<i>Objection</i>	<i>73/104/FD</i>	<i>Shirley Bray</i>
<i>Objection</i>	<i>69/147/FD</i>	<i>Dr R Westcott</i>
<i>Objection</i>	<i>73/107/FD</i>	<i>Shirley Bray</i>

Issues:

- The need for additional healthcare facilities.
- Whether land adjacent to the community hospital should be proposed for a new medical centre.

Inspector's Reasoning and Conclusions

- 16.4 The objections from Shirley Bray indicate that existing healthcare facilities at East Street are inadequate and new facilities will be required to cope with the proposed population growth in the town. A new paragraph, 16.48, has been added to acknowledge this fact and the objections are conditionally withdrawn. The paragraph acknowledges that a site adjacent to the hospital may be a possibility for a new medical centre. If part of site SMO1d was to be used, part of that site's potential housing capacity would be lost. This may not be insurmountable, given the large amount of housing planned to go to South Molton in any event, but the site would not be as convenient for those travelling on foot as would be a more central location. More work needs to be done on the provision of a medical centre, and it would not be appropriate to allocate a site at this stage.
- 16.5 Dr Westcott calls for developers contributions to be directed towards the provision or upgrading of primary healthcare facilities. The Council recognises that developers are not currently required to contribute towards primary healthcare provision. There is no existing mechanism and no code of practice has been prepared. This may be something to be produced in the future, but for the present, this Local Plan will have to continue to operate without such a code.

Recommendation 16.3

I recommend no change to this part of the Local Plan

South Molton Action Plan
Proposal SMO3 (Pathfields Business Park)
Proposal SMO3A (Livestock Market)
Inset Map 5

<i>Objection</i>	<i>651/2408/R</i>	<i>Pathfields Business Forum</i>
<i>Objection</i>	<i>651/2405/R</i>	<i>Pathfields Business Forum</i>
<i>Objection</i>	<i>644/2334/R</i>	<i>K.A & T.D Williams</i>
<i>Objection</i>	<i>632/2233/R</i>	<i>South Molton Town Council</i>
<i>Objection</i>	<i>407/1505/F</i>	<i>Devon Swedes Ltd</i>
<i>Objection</i>	<i>407/1506/F</i>	<i>Devon Swedes Ltd</i>
<i>Objection</i>	<i>407/2474/R</i>	<i>Devon Swedes Ltd</i>
<i>Objection</i>	<i>407/2473/R</i>	<i>Devon Swedes Ltd</i>
<i>Objection</i>	<i>407/2472/R</i>	<i>Devon Swedes Ltd</i>
<i>Objection</i>	<i>407/2471/R</i>	<i>Devon Swedes Ltd</i>
<i>Objection</i>	<i>389/1432/F</i>	<i>Highways Agency</i>
<i>Objection</i>	<i>276/999/FD</i>	<i>Devon Wildlife Trust</i>
<i>Objection</i>	<i>225/713/FD</i>	<i>Government Office for the South West</i>
<i>Objection</i>	<i>197/809/FD</i>	<i>Devon County Council</i>
<i>Objection</i>	<i>182/433/FD</i>	<i>Farmers for Action</i>
<i>Objection</i>	<i>140/275/FD</i>	<i>South Molton Town Council</i>

Issues:

- Insufficient employment land proposed at Pathfields.
- Proposed siting for new livestock market.
- Proposed employment land for swede business.
- Access arrangements, Transport Assessment and Travel Plan.
- Contributions to open space and community woodland.
- Ecological impact.

Inspector's Reasoning and Conclusions

Employment Land.

- 16.6 The total provision for employment uses at Pathfields Business Park stands at 18.65 hectares, of which 11.93 hectares is already committed. This leaves 6.72 hectares of uncommitted land available to accommodate industries setting up in South Molton, including those wishing to relocate from unsuitable premises in the town. The figures contained in paragraph 10.13 of General Paper 2 were recalculated at Inquiry, with the result that at least 7.2 hectares of land will be required just to accommodate the anticipated 145 new jobs required in South Molton during the Local Plan period.
- 16.7 A recent survey carried out by the Pathfields Business Forum revealed that there are 32 businesses requiring land in the area, a level of demand which could justify an allocation of some 15 hectares. The Council are understandably hesitant about allocating more land, as the present figure is part of the settlement strategy of the Local Plan, which in turn is based upon figures for employment land in the Structure Plan and in RPG10. The Council readily accepted at Inquiry that should the cattle

market relocation not go ahead, the proposed site for it (5ha) would be ideal for an extension to the employment land allocation.

- 16.8 The Council also acknowledged the difficulty of predicting in any accurate way the land requirements of employers because of the variation in land hungriness compared with the number of jobs provided. Given that the uncommitted land is less than the amount required, and given the acknowledged difficulties of estimating requirements, a modest increase in the allocation at Pathfields of 5 hectares seems reasonable. Some increase in the allocation could be achieved by making inroads into the structural planting areas, which appear rather wide for the purpose. Some of the land to the north of the existing scrapyard could also be included to achieve the 5 ha. This land lies within the Phase 2 expansion area considered by Leithgoe Landscape Architects in their visual impact study. Their conclusion was that this area of land would be the least intrusive location if an area west of Hacche Lane is to be developed.

Site for new livestock market

- 16.9 Paragraph 16.29 of the Local Plan recognises the need for the livestock market to move to a more suitable site. Proposal SMO3A allocates a site between Pathfields and the A361. One objector proposed a site to the west of Pathfields Business Park, a site covering 31 hectares including most of the land between the A361 and B3266 to the west of Hacche Lane. Within this larger area of land, a specific site for a livestock market is proposed immediately west of the bus depot and close to the B3226. It is claimed that the site would have less visual impact on the wider landscape than would the Council's proposed site in the Local Plan. It is also claimed that the alternative site would have less potential bio-security issues, being sited some way away from the nearest industrial uses. There would be less conflicting traffic movements on market days, and a detached site would offer more scope for expansion should the need arise.
- 16.10 In visual terms, the objector's site lies within the area of land considered by Leithgoe to be relatively more exposed to the wider landscape, than the Council's proposal north of Pathfields. This conclusion is disputed by the objectors who provide photographs of the views from the vicinity of the service area on the A361. The view from viewpoint 4 (the hill to the north of the roundabout) reveals that the alternative site is exposed in the landscape, and would be seen as a detached extension to the existing Pathfields area. This effect of prominence would be accentuated by the sloping form of the land, sloping towards the viewpoint, which would make the site difficult to screen.
- 16.11 The Council's preferred site is also rather exposed to wider views, but can be screened by planting on the east side of Hacche Lane. Land to the west side of the lane is already reasonably screened from longer views by the lines of hedgerow trees to the north west.
- 16.12 With regard to the non-visual factors of comparison between the two sites, I note that the Meat and Livestock Commission, which considered 6 potential sites for a market, concluded that the Council's site is large enough to accommodate all the livestock facilities with potential for further expansion. It has good access and could form the natural hub of an agri-business complex, sited adjacent to the new premises for Mole Valley Farmers. The MLC report identifies proximity to the industrial estate as a strength rather than a weakness, and bio-security issues were not identified as a potential problem.

Land for a Swede Business

- 16.13 Devon Swedes Ltd objected to the omission of a site for additional employment land. The land would be intended for use for washing, packing and storing swedes. The site proposed in the objection is the same 31 hectare site referred to above. Clearly this site would be too large to contemplate, as it would increase the district employment allocation by 50%. The 5 hectare

addition to Pathfields which I am recommending may be large enough to accommodate Devon Swedes, but if not they will have to proceed with a separate proposal under Policy ECN4 (Agricultural Development and Related Industries).

Access and transport matters

- 16.14 Devon County Council objected to the omission of contributions to improve bus services and safety improvements at the A361 Borners Bridge junction. The Council has made a change to Proposal SMO3 and paragraph 16.27A, to include a requirement for funding to improved bus services to the site. Evidence for the County Council shows that improvements needed to accommodate expected increases in traffic using the junction should be partially paid for by contributions from the sites generating the relevant traffic. The Council accepts the need for contributions to improve this junction to be included in Proposals SMO3 (Pathfields Business Park) and Proposal SMO3A (Livestock market).

Contributions to open space and community woodland

- 16.15 GOSW raise the matter of contributions towards the provision and enhancement of the recreational area and community woodland south of the site. The Council justifies the contributions under Policy REC5, which requires them only from developments that exceed the thresholds set out in paragraph 10.19A. However the need for these would be reassessed at the time of the planning application. Paragraph 16.27 makes it clear that as well as providing recreational opportunities these requirements will help to landscape the development and mitigate any loss of habitat.
- 16.16 Devon Wildlife Trust objects to SMO3 because the site includes a potential county wildlife site with nature conservation interest as a fen meadow. The Trust calls for an ecological assessment to identify areas of significant interest for retention in the final design. The Council's response appears to be that the visual impact study took account of wildlife sites in drawing up its recommendations for the future expansion of Pathfields. They do not say whether the result is that development would take place on the fen meadow. A survey of the site, as suggested by the Trust would establish exactly what is there and whether there is scope for retaining the feature as part of the final design.

Recommendation 16.4

I recommend that the Local Plan is modified by:

- 1) **An additional 5 hectares of employment land is allocated at Pathfields Business Park, on land to the west of Hacche Land and north of the scrapyards:**
- 2) **Proposals SMO3 and SMO3A should both require contributions from developers towards improving the A361 Borners Bridge junction.**
- 3) **SMO3 B) to read: *Extensive structural landscaping including tree planting and habitat protection, as shown on Inset Map 5.***

**South Molton Action Plan
Sport and Recreation
Inset Map 5**

<i>Objection</i>	<i>47/138/FD</i>	<i>Mr and Mrs M Selley and Mr D Verney</i>
<i>Objection</i>	<i>470/1802/FD</i>	<i>Diocese of Exeter</i>
<i>Objection</i>	<i>47/61/FD</i>	<i>Mr and Mrs M Selley and Mr D Verney</i>
<i>Objection</i>	<i>441/1684/FD</i>	<i>Mr D J Long</i>

Issues:

- The location of public open space within Proposal SMO2d.
- Whether land south of Proposal SMO2d should be shown as open space.
- Whether open space between Poltimore Road and East Street should be within the development boundary for South Molton.

Inspector's Reasoning and Conclusions

- 16.17 Mr Long's objection is to paragraph 16.41 stating that green wedges are to be created, apparently without further consultation via development briefs. The Council is happy to acknowledge that further consultation will take place, and has incorporated a sentence which almost says that but not quite. It states that the location and extent of the public open space provision will be set out in a development brief for the site. Such briefs are the subject of public consultation, so the fears of Mr Long may be assuaged.
- 16.18 Inset Map 5 shows an area of open space to the south of Proposal SMO2d, which includes the private garden of the rectory. Whilst the Diocese of Exeter has understandable fears about the designation of its land as public open space, the Council points out that the designation is merely one of open space to which Policy REC6 applies. This policy prevents the loss of open space to development unless equivalent space is provided. The green area in question is an important hillside in South Molton and should be kept open as a contribution to the ambience of the town.
- 16.19 The land between Poltimore Road and East Street is currently undeveloped and is not required for residential development within the Plan period. The Council states that it has generally excluded areas of open space from the development boundary where they lie at the edge of a settlement. That is the case here and the exclusion of the area seems consistent.

Recommendation 16.5

I recommend no change to this part of the Local Plan.

South Molton Green Field Sites

Proposal SMO2c - Land west of Jury Park

<i>Objection</i>	<i>522/2196/RD</i>	<i>David Maclean Homes (South West) Limited</i>
<i>Objection</i>	<i>522/2194/RD</i>	<i>David Maclean Homes (South West) Limited</i>
<i>Objection</i>	<i>522/2216/RD</i>	<i>David Maclean Homes (South West) Limited</i>
<i>Objection</i>	<i>522/2195/RD</i>	<i>David Maclean Homes (South West) Limited</i>
<i>Objection</i>	<i>197/807/FD</i>	<i>Devon County Council</i>
<i>Objection</i>	<i>276/997/FD</i>	<i>Devon Wildlife Trust</i>
<i>Objection</i>	<i>271/964/FD</i>	<i>J W Sharman and Steven Edwards</i>
<i>Objection</i>	<i>446/1693/FD</i>	<i>Messrs Purchase and Kingdon</i>

Issues:

- Potential impact on the biodiversity network.
- The requirement for affordable housing provision.
- The phasing of new development.
- The need for developer contributions for a new infant school.

Inspector's Reasoning and Conclusions

- 16.20 Land west of Jury Park is situated on the west side of South Molton. A dry ditch crosses the western part of the site and continues to form the northern boundary of the eastern part of the site. Much of this ditch forms a key network feature while the southern part of the site forms part of the bio-diversity network. An objection from Devon Wildlife Trust raised concern at the harm to the integrity of the biodiversity network. The Council has made changes to Criterion F) of Proposal SMO2c to clarify that the dry ditch should be retained and enhanced.
- 16.21 David Maclean Homes objected to the amended wording stating that it should be more specific. As there is only one dry ditch / hedgerow crossing the site, the additional wording proposed by them is not necessary in my view.
- 16.22 On the eastern part of the site, 35 dwellings have now been built. These dwellings are all eco-houses, provided by a housing association as affordable dwellings. A change to Inset Map 5 (IM5/9RD) removes this part of the site from Proposal SMO2c. This change is objected to by David Maclean Homes, who propose that the 35 homes should count as part of the overall requirement for affordable housing on the whole site.
- 16.23 With the removal of the eastern part of the site the site area is reduced from 4.8 hectares to 3.6. Despite this reduction, the proposal can still accommodate the 115 dwellings indicated in SMO2c, at a gross density of 32 dwellings to the hectare. As all green field housing allocations in South Molton are required to provide at least 35% affordable dwellings, the requirement for at least 40 additional affordable dwellings is not out of order.
- 16.24 Whilst there should generally be no development of green field sites in the Area Centres before April 2006, in order to give priority to previously developed land, Proposal SMO2c contains an exception in Criterion H) to allow 40 homes to be built prior to that date. This is to acknowledge that the site was included in the adopted Local Plan. The exception is sufficiently flexible to allow construction of the 40 to begin well before the date.
- 16.25 Both the junior school and community college in South Molton have no spare capacity at present.

Criterion I) refers to contributions towards providing additional secondary and junior school places. Devon County Council indicates that education contributions may also be required towards increasing capacity in the new infant school later in the Plan period. Paragraphs 16.24 and 16.46 and Criterion I) have been amended accordingly. The objection is conditionally withdrawn. The additional wording in paragraph 16.24 is objected to by David Maclean Homes, on the grounds that the paragraph now speculates on a future circumstance which is unknown. The level of any education contribution can only be assessed at the time development takes place, and in the light of the current needs. The reference in paragraph 16.24 gives advance warning of this likelihood and is therefore helpful and informative.

Recommendation 16.6

I recommend no change to this part of the Local Plan.

South Molton Action Plan

Introduction

Paragraph 16.1

Objection 652/2488/RD *Tesco Stores Ltd*

Issue

- The status of the Strategic Action Plan.

Inspector's Reasoning and Conclusions

16.26 The additional wording in paragraph 16.1 states that South Molton is part of the Market and Coastal Towns Initiative and will require a strategic action plan to establish the regeneration measures for the town for up to 20 years. Tesco Stores Limited objects to this on the grounds that it is ambiguous and needs to be clarified. They assume that the strategic action plan will have to be adopted before regeneration schemes can come forward. The Council is reassuring on this point, stating that any proposals within the town centre can still come forward as the action plan is developed, provided that the development would comply with the relevant Local Plan policies and would not prejudice the objectives of the strategic action plan at the time of the application. There is no need for further clarification in the text of the Local Plan in my view.

Recommendation 16.7

I recommend no change to this part of the Local Plan

South Molton Action Plan

Sewage Disposal and Water Supply
Paragraph 16.10

- Objection* 446/1697/FD *Messrs Purchase and Kingdon*
Objection 441/1685/FD *Mr D J Long*
Objection 140/269/FD *South Molton Town Council*

Issue:

- The need for developer contributions for sewerage infrastructure.

Inspector's Reasoning and Conclusions

- 16.27 These objections are to the principle of developer contributions. They allege that no further developer contributions should be made since the required monies for upgrading the sewage works have already been collected. South West Water does have a capital commitment to upgrading the water supply infrastructure, and necessary contributions towards these improvements have been required for recent residential development within South Molton. The requirement for contributions towards improved sewerage infrastructure is required for specific purposes rather than a general requirement. The works at Poltimore Road are at capacity, and new residential developments that increase demand on the treatment works will require contributions towards improvements.
- 16.28 New developments in South Molton should continue to contribute to sewerage improvements required as a result of developments in accordance with Circular 1/97 and the best practice note on developer contributions (CD082).

Recommendation 16.8

I recommend no change to this part of the Local Plan.

South Molton Action Plan

Housing

Table 15 - Proposed Residential Sites in South Molton

Paragraph 16.11

- Objection* 324/1482/F *Midas Homes*
Objection 197/2503/R *Devon County Council*
Objection 394/1470/F *Lawrence J Pitt*

Issues:

- Affordable housing targets.
- Clarification of development proposed.
- Alternative sites for housing.

Inspector's Reasoning and Conclusions

Affordable housing

- 16.29 Table 15 identifies the minimum level of affordable housing as a target for each site, but does not split this target into different types of tenure. Mr Pitt objects to Table 15, which he wants to see broken down to differentiate between housing proposed for open market for sale, affordable for sale and affordable for rent.
- 16.30 The justification for Policy HSG7 (paragraph 7.39) includes the statement that the mix of house types, sizes and tenures for any particular proposal will reflect the housing needs of the locality at the time of each planning application. It would be wrong to try to second guess this process by stating a particular tenure ratio now, without the benefit of up-to-date survey information.

Clarification of development proposed

- 16.31 Policy HSG1A of the Local Plan indicates that there is provision for about 570 dwellings to be built in South Molton during the Plan period. The housing figures in Table 15 and Policy STY2 and Policy HSG1A are all consistent, but a more detailed analysis of the housing provision in the Local Plan indicated that a reduced windfall estimate for South Molton should be adopted, 15 dwellings rather than 44 dwellings (after discounting). Consequently the total provision for South Molton was amended to about 540 in both Proposal STY2 and Policy HSG1A.
- 16.32 The planning permission for 58 flats at Moors Yard has now lapsed, and there is no longer any need for these dwellings to be excluded from the potential capacity of previously developed sites to avoid double counting with outstanding planning permissions. Revising the figures to take account of this change gives a new estimated provision of 533 for South Molton. This is considered by the Council to be close enough to the 540 not to require any additional amendment.

Alternative sites

- 16.33 Several alternative sites for residential development in South Molton have been promoted as objections to the Local Plan. The main issues concerning these proposed sites are set out in their individual sections of the report. The level of growth identified for South Molton is in my view consistent with its role as an Area Centre serving a wide rural hinterland, but also meets the objective of promoting its economic and social well-being through the Market and Coastal Towns Initiative.

Recommendation 16.9

I recommend no further change to this part of the Local Plan.

South Molton Action Plan

Proposal SMO1 and SM02 (Residential Development Sites)

- Objection 197/744/FD Devon County Council*
- Objection 333/1283/FD Ms Kate Burns*
- Objection 197/762/FD Devon County Council*
- Objection 167/357/FD Environment Protection Group SW*
- Objection 333/1282/FD Ms Kate Burns*

Issues:

- The level of affordable housing provision.
- Revenue contributions towards public transport.
- Maintenance of sustainable urban drainage systems.

Inspector's Reasoning and Conclusions

- 16.34 Ms Burns objects to these proposals for new housing because the percentage of affordable housing is low. The Council responds by stating that the requirement in South Molton reflects the high level of identified need for affordable housing in South Molton. All identified housing proposals are required to provide a proportion of affordable housing, typically at least 25% on previously developed land and at least 35% on green field sites. All sites identified for housing set a minimum target for the number and proportion of affordable housing, leaving an opportunity for higher levels to be negotiated. The Council is guided in this by the conclusions of the Chesterton Study that the targets set out in the proposals for previously developed sites within the Local Plan will not make their redevelopment unviable. In my judgement this realistic approach to affordable housing provision will help to facilitate the redevelopment of previously developed sites.
- 16.35 Devon County Council points out that contributions may be required to improve public transport services between South Molton and Barnstaple for all residential sites. The Council responds that the need for contributions towards improvements for public transport is already mentioned in the reasoned justification. It is however confusing to have in effect two different lists of what is to be expected from each site. It leaves room for argument about what must be provided, and what is perhaps more negotiable since it only appears in the preceding text. It might be better to put all of the detailed requirements into the text, and refer to them as a whole in the policy. This is a presentational matter which I leave to the Council to sort out.
- 16.36 The requirement for sustainable urban drainage systems (SUDS) to be incorporated within residential developments is in accordance with advice in PPG25. Paragraph 4.26 of the Local Plan indicates that where SUDS are appropriate as part of new developments, a planning condition or obligation will be used to ensure that these systems are managed and maintained properly. The national SUDS working group has produced a model legal agreement and maintenance framework agreement that will be used to promote more effective maintenance.

Recommendation 16.10

I recommend no change to this part of the Local Plan

**South Molton Action Plan
Residential Development on Previously Developed Sites
Proposal SMO1a - Quince Honey Farm, North Road**

- Objection* 239/766/FD *Mrs R Cleevely*
- Objection* 410/2185/RD *Larkbear Consortium*

<i>Objection</i>	<i>128/235/FD</i>	<i>Mr and Mrs P Wallace</i>
<i>Objection</i>	<i>128/2062/RD</i>	<i>Mr and Mrs P Wallace</i>
<i>Objection</i>	<i>197/745/FD</i>	<i>Devon County Council</i>
<i>Objection</i>	<i>128/2061/RD</i>	<i>Mr and Mrs P Wallace</i>
<i>Objection</i>	<i>128/236/FD</i>	<i>Mr and Mrs P Wallace</i>
<i>Objection</i>	<i>239/765/FD</i>	<i>Mrs R Cleevly</i>

Issues:

- The extent of the site.
- The retention of existing listed buildings.
- The proposed levels of housing and affordable housing.
- The need for bus waiting facilities.
- Whether the site should be proposed for a new junior school.

Inspector's Reasoning and Conclusions

- 16.37 Quince Honey Farm is situated west of North Road and immediately to the east of the site of the new infants school. The site is likely to become available for housing development during the Plan period following the relocation of the Honey Farm. With regard to the extent of the site, the Council accepts that the proposal shown on Inset Map 5 does not show its full extent. It has proposed an amendment IM5/1RD to rectify this. However a further amendment is required to include land on the eastern side of Quince Honey Farm where the grass verge does not form part of the adopted highway. The further amendment to IM5/1RD is shown in Appendix 1 to Supplementary Statement SS/SMO1A/438.
- 16.38 Beech House comprises a complex of buildings which are Grade II listed. The list description primarily details the central entrance block. To the rear are extensive ranges forming an E shaped building, all of which were formerly a poor law workhouse. Paragraph 16.14 and Criterion B) of Proposal SMO1a were amended to require the rear ranges of workhouse buildings to be retained and converted. Objections were received to the requirement to retain these buildings. The objectors propose that the retention or otherwise of all or parts of the listed building complex should be the subject of detailed examination by means of a development brief or similar document. The Council accepts that a development brief may be produced for this site, but resists including a commitment to do so in the Local Plan.
- 16.39 Paragraph 3.3 of PPG15 states that there should be a presumption in favour of the preservation of listed buildings, except where a convincing case can be made for alteration or demolition. Given the substantial evidence of doubt concerning the merits of the workhouse buildings, and the appropriateness of retaining them in a future redevelopment, the use of a development brief would seem a reasonable way forward. Detailed work involving English Heritage could establish which of the associated buildings must be retained, and which can be removed to be replaced with new build. The brief would thus establish the total number of dwellings that can be accommodated on the site, and the desirable number of affordable dwellings that should be included, taking account of the costs of listed building protection. Criterion A) should revert to the wording "a minimum of 30 dwellings" as in the First Deposit Plan to reflect the uncertainty that a brief would resolve. Reference to preparation of a development brief could be included in paragraph 16.14.
- 16.40 Joint working on a development brief would enable a more efficient use of the site by increasing the potential number of units, provided the listed building and setting can be preserved. The total of 30 dwellings for the site, and the figure of 7 affordable dwellings as part of that total, already

reflects the likely abnormal costs associated with the listed building restrictions. The requirement for affordable housing provision is consistent with other previously developed sites in the Area Centres, where at least 25% should be affordable. Criterion A) should include reference to the 25% ratio.

- 16.41 Devon County Council objected to Criterion C) because a bus waiting area was not in fact required. To be consistent the second part of the penultimate sentence of paragraph 16.14 should also be deleted.
- 16.42 The site has not been identified by Devon County Council as a site required for a new junior school. It would be inappropriate to identify this site without it being proposed by the LEA, particularly when it would blight the land for residential use and could jeopardise the potential for the listed buildings to be preserved in active use.

Recommendation 16.11

I recommend that the Local Plan is modified by:

- a) **Changing Criterion A of Proposal SMO1a (Quince Honey Farm) to read: “A minimum of 30 dwellings incorporating a mix of accommodation types and sizes and at least 7 affordable homes, or 25% of the total number of dwellings, whichever is the greater”;**
- b) **Adding to the existing sentence in paragraph 16.14, viz: “These requirements will affect the housing capacity that can be achieved on the site, through the preparation of a development brief”;**
- c) **Deleting the phrase “with a bus waiting facility incorporated into the scheme” from paragraph 16.14.**

**South Molton Action Plan
Residential Development on Previously Developed Sites
Proposal SMO1b - Mole Valley Farmers and YMCA, Station Road**

Objection 379/1357/FD Mr P W Williams

Issue:

- Design and amenities of surrounding properties.

Inspector's Reasoning and Conclusions

- 16.43 As a resident of East Street directly backing on and slightly below this proposed housing site, Mr Williams is concerned about the possibility of loss of privacy and an overbearing development on the Mole Valley site. Any design of scheme for the site would have to take into account the existence of surrounding housing, and would be guided by relevant policies in Chapter 4 of the Local Plan such as DVS3 (Amenity Considerations). At the time when any planning application is submitted, there would be the opportunity for local residents such as Mr Williams to object if any

aspect of the scheme appears unacceptable.

Recommendation 16.12

I recommend no change to this part of the Local Plan.

**South Molton Action Plan
Residential Development on Previously Developed Sites
Proposal SMO1c - North Devon Motor Auctions**

Objection 197/756/FD Devon County Council
Objection 389/1430/FD Highways Agency
Objection 271/962/FD J W Sharman and Steven Edwards
Objection 15/21/FD Karin Barton

Issue:

- The planning history of the site.

Inspector's Reasoning and Conclusions

16.44 Planning permission was granted for the erection of 33 dwellings on this site in November 2001 and March 2004. The first part of the development has now been completed. In view of this implemented planning permission, Proposal SMO1c and paragraph 16.16 were deleted from the Revised Deposit Plan. The outstanding objections to this proposal are no longer relevant to the Local Plan Inquiry.

Recommendation 16.13

I recommend that Proposal SMO1c and paragraph 16.16 remain deleted.

**South Molton Action Plan
Residential Development on Previously Developed Sites
Proposal SMO1d - Land between South Street and Raleigh Park**

Objection 197/757/FD Devon County Council
Objection 311/1199/FD Environment Agency
Objection 389/1431/FD Highways Agency
Objection 271/963/FD J W Sharman and Steven Edwards
Objection 58/79/FD Mr H W Crowshaw
Objection 42/55/FD Mr Richard Passmore

Issues:

- Developer contributions, viability and the level of affordable housing provision.
- Access and traffic calming.
- Impact on biodiversity networks.

Inspector's Reasoning and Conclusions

- 16.45 Land between South Street and Raleigh Park is proposed for residential development. The land is surrounded by residential development, the hospital and commercial properties along South Street. J W Sharman and Steven Edwards object to the amount of affordable housing required. They consider it should be reduced, with the precise number assessed at the time of consideration of the other infrastructure requirements. These need to be investigated and costed before the correct proportion of affordable dwellings can be determined.
- 16.46 Proposal SMO1d requires at least 40 affordable homes from about 150 dwellings (27%). The site contains both brown field and green field land, and the percentage of affordable is a balance between the brown field figure of 25% and the green field one of 35%. Given the acute need for affordable housing in South Molton, (260 households in housing need), this percentage is not unreasonable. Other developer contributions are in accordance with adopted codes of practice or with Circular 1/97.
- 16.47 Following objection from Devon County Council, Criterion C) requiring the provision of a bus waiting and turning area was deleted. A new bullet point was added to paragraph 16.19 to require traffic calming measures in Raleigh Park. Criterion B) of Proposal SMO1d was also amended to include a requirement for traffic management. These changes meet the objection of the County Council in my view. While the principal access should be from Raleigh park to the west of the site, the Adaptacar and Southernhay sites may continue to be accessed from Cooks Cross, in which case there will only be pedestrian and cycle routes through the site between Raleigh Park and South Street. This clarification should meet the concerns of Mr Passmore regarding congestion and danger on South Street.
- 16.48 The Highways Agency objects to the scheme on the grounds of its potential impact on the trunk road network. Given that the nearest trunk road is now beyond Tiverton, the likelihood of any significant effect on traffic levels on that road as a result of this proposal is remote.
- 16.49 Much of the undeveloped part of this site is a key network feature, and any development of the site is required to protect and enhance the integrity of the biodiversity network. This duty is already recognised in Criterion E) of the proposal, and as a bullet point in paragraph 16.19. An outline planning permission on this part of the site requires the substantial copse immediately to the south of the hospital to be retained, and a landscape corridor provided to enhance the existing wildlife corridors.

Recommendation 16.14

I recommend no change to this part of the Local Plan.

South Molton Action Plan

Proposal SMO2 (Residential Development on Green Field Sites)

Objection 139/290/FD D E White

Issue:

- Whether land west of the cemetery and south of Alswear New Road should be proposed for residential development.

Inspector's Reasoning and Conclusions

16.50 Mr White proposes land west of the cemetery and South of Alswear New Road for housing. The site is at the edge of the town, is good agricultural land (Grade 3b), and is also open countryside. Development of this site could accommodate between 275 and 365 dwellings, but there is no justification and no need to develop an additional green field site for this amount of housing.

Recommendation 16.15

I recommend no change to this part of the Local Plan.

South Molton Action Plan

Proposal SMO2 (Residential Development on Green Field Sites)

Objection 139/286/FD D E White

Issue:

- Whether land west of Exeter Gate should be proposed for residential development.

Inspector's Reasoning and Conclusions

16.51 This site proposed by Mr White for housing lies on the south western corner of South Molton to the west of existing housing and south of the George Nympton Road. The land was identified as site G28 in the Issues and Options Report (CD085) and could accommodate between 120 and 160 dwellings. The site is open countryside, though not especially prominent. It does however comprise Grade 3a agricultural land, which is protected from development under Policy ENV7.

16.52 The site is a considerable distance from the town centre, and could be regarded as unsustainable on location grounds alone. There is no need for a green field site of this size and in this location to meet the strategic housing needs of South Molton.

Recommendation 16.16

I recommend no change to this part of the Local Plan.

South Molton Action Plan

Proposal SMO2 (Residential Development on Green Field Sites)

Objection 139/288/FD D E White

Objection 139/287/FD D E White

Issue:

- Whether land north or south of East Street should be proposed for residential development.

Inspector's Reasoning and Conclusions

- 16.53 Two sites are being promoted for housing on the eastern side of South Molton. One site lies outside the development boundary for South Molton and is shown as open space on Inset Map 5. It could accommodate between 60 and 87 dwellings. It forms the eastern end of an important undeveloped green wedge extending towards the town centre, along the watercourse known as Oliver's Gutter. Trees on this site make a distinctive contribution to the landscape and the site provides an important link to the key network features around the sewage disposal works and the River Mole. Development for housing would thus affect the continuity of the biodiversity network.
- 16.54 The field north of East Street also contains a key network feature, which constrains the potential access into the adjoining land. The site lies outside the development boundary and is prominent open countryside. It could accommodate between 100 and 140 dwellings.
- 16.55 Given the availability of previously developed sites in South Molton, there is no need or justification for such extensive green field sites to be developed, particularly sites which are important to the setting of the town or to its open space network.

Recommendation 16.17

I recommend no change to this part of the Local Plan.

South Molton Action Plan

Proposal SMO2 (Residential Development on Green Field Sites)

Objection 139/289/FD D E White

Objection 401/1491/FD Southwold Investments Ltd

Issue:

- Whether land west of Parklands should be proposed for residential development.

Inspector's Reasoning and Conclusions

- 16.56 Two separate representations promote land to the west of parklands for residential development. The smaller site area lies immediately west of Parklands and north of the B 3266. It is 4.2 hectares in area. The larger site, which includes the smaller site within it, runs from Nadder Lane down to

the B3266 and measures 11.8 hectares. The total area could accommodate between 310 and 413 dwellings; the smaller area between 110 and 147 dwellings.

- 16.57 The land in question lies to the west of the present built up area, and if developed would clearly extend the urban area into open countryside. Having said that, the landscape here is not particularly vulnerable, and landscaping could assimilate development to a reasonable degree. The northern part of the site is Grade 3a agricultural land and its development would conflict with Policy ENV7 of the Local Plan. There are key network features across the larger site, and a feature crossing the northern half forms part of the biodiversity network to the west of the town.
- 16.58 Should the land be needed for residential development these constraints could be overcome, and the layout of the development modified appropriately. My conclusion elsewhere in this report however is that there is likely to be a sufficient supply of housing land without the need to resort to significant green field allocations such as this. Whilst it might appear to be a logical urban extension to South Molton, and is within reasonable walking distance of Horsepond Meadow industrial area and the community college, the distance of the site from the town centre makes walking to it unlikely, and an increase in the number of car journeys almost certain. In contrast with other sites in South Molton therefore this site is less sustainable in my view.

Recommendation 16.18

I recommend no change to this part of the Local Plan.

South Molton Action Plan

Proposal SMO2 (Residential Development on Green Field Sites)

Objection 456/1745/FD *Evata*

Issue:

- Whether land north of Gunswell Lane should be identified for residential development.

Inspector's Reasoning and Conclusions

- 16.59 The site promoted for residential development is located to the north of Gunswell Lane, on the north western corner of South Molton. It lies immediately to the west of the new infant school and extends as far west as Frog Lane. The site covers about 2.7 hectares and could accommodate between 70 and 95 dwellings.
- 16.60 The site has been considered for residential development in the past. It appeared in the deposit version of the adopted Local Plan of 1995, but was recommended for deletion by the Inspector to the Local Plan inquiry. This was on the basis that there was an over-provision of housing land within South Molton, in the context of strategic requirements. I have concluded elsewhere in this report that there is no need for significant further green field allocations to meet the strategic housing requirements of the district or of South Molton.
- 16.61 In terms of its location the site is reasonably sustainable, being close to the new school and the

town centre. It is also a site which though classed as open countryside at present, could become part of the town without too much loss of attractive landscape. It is certainly a strong contender for housing should the need for additional green field development be found either later in the Plan period, or through the preparation of the local development document. At present however, it should remain undeveloped in my view.

Recommendation 16.19

I recommend no change to this part of the Local Plan.

South Molton Action Plan

Residential Development on Green Field Sites

Proposal SMO2a - Land between Gunswell Lane and West Street

<i>Objection</i>	<i>238/763/FD</i>	<i>Mr R J Clevely</i>
<i>Objection</i>	<i>360/1333/FD</i>	<i>A Wingrove</i>
<i>Objection</i>	<i>355/1327/FD</i>	<i>Derrica J Hodgson</i>
<i>Objection</i>	<i>373/1346/FD</i>	<i>G Dawe</i>
<i>Objection</i>	<i>363/1336/FD</i>	<i>J and P Stratta</i>
<i>Objection</i>	<i>375/1348/FD</i>	<i>J Matthews</i>
<i>Objection</i>	<i>370/1343/FD</i>	<i>Jean M Stewart</i>
<i>Objection</i>	<i>365/1338/FD</i>	<i>M and D Lake</i>
<i>Objection</i>	<i>369/1342/FD</i>	<i>Mr and Mrs G Pearce</i>
<i>Objection</i>	<i>338/1331/FD</i>	<i>Mr and Mrs L Harmsworth</i>
<i>Objection</i>	<i>368/1341/FD</i>	<i>Mr and Mrs M J Leworthy</i>
<i>Objection</i>	<i>366/1339/FD</i>	<i>Mr and Mrs P J Banham</i>
<i>Objection</i>	<i>357/1329/FD</i>	<i>Mr and Mrs T Kingdon</i>
<i>Objection</i>	<i>376/1349/FD</i>	<i>Mr D Buckingham</i>
<i>Objection</i>	<i>367/1340/FD</i>	<i>Mr J Clark</i>
<i>Objection</i>	<i>372/1345/FD</i>	<i>Mr R A C Lacey</i>
<i>Objection</i>	<i>238/761/FD</i>	<i>Mr R J Clevely</i>
<i>Objection</i>	<i>361/1334/FD</i>	<i>Mrs B Kingdon</i>
<i>Objection</i>	<i>371/1344/FD</i>	<i>Mrs B V Southcombe</i>
<i>Objection</i>	<i>358/1330/FD</i>	<i>Mrs E Chivers</i>
<i>Objection</i>	<i>356/1328/FD</i>	<i>Mrs E M Lake</i>
<i>Objection</i>	<i>362/1335/FD</i>	<i>Mrs E Selley</i>
<i>Objection</i>	<i>374/1347/FD</i>	<i>Mrs P B Franklin</i>
<i>Objection</i>	<i>239/767/FD</i>	<i>Mrs R Clevely</i>

Issues:

- The proposed access to the site.
- The importance of Gunswell Lane to the biodiversity network.
- The provision of parking spaces.

Inspector's Reasoning and Conclusions

Access

16.62 Land between Gunswell Lane and West Street is surrounded by housing. The Plan specifies about 45 dwellings with at least 15 affordable homes. Access to the site was originally stated to be either a new link between North Road and Gunswell Lane or from West Street. There were many objections to any potential vehicular access to Gunswell Lane, even via a direct link to North Road. The Council accepts that any additional traffic should not be taken down Gunswell Lane and has amended the Plan to provide for access only from West Street. This meets the objections in my view. Paragraph 16.20 was amended to indicate that a safe pedestrian and cycle access should be provided between Gunswell Lane and the infant school. No objections were received to this revised wording.

Gunswell Lane biodiversity

16.63 Many objectors called for the biodiversity and historical importance of Gunswell Lane to be protected. The lane is not included in the Report on the Identification of Local Nature Conservation Sites and Biodiversity Networks (CD 072), doubtless because it is a road rather than a piece of countryside. However it has exceptional natural features on its margins and should be retained. Not encouraging more traffic to use the lane should go some way towards achieving this goal.

Car parking

16.64 Mr Cleevely calls for the strategy reducing the amount of off-street parking not to be applied to this site, with each house given space for at least 2 vehicles. There is however nothing in the proposal or its justification that specifies the level of parking to be achieved in this development. The requirements for off-street parking for new residential developments are set out in Policy TRA8. The Council considers, and I agree that Policy TRA8 provides sufficient flexibility to ensure that adequate and appropriate levels of car parking will be provided for this development.

Recommendation 16.20

I recommend no change to this part of the Local Plan.

South Molton Action Plan

Residential Development on Green Field Sites

Proposal SMO2b - Land between West End Terrace and Widgery Drive

Inset Map 5

Objection 58/144/FD Mr H W Crowshaw

Objection 271/965/FD J W Sharman and Steven Edwards

Objection 406/2365/RD Turner Holden

Issues

- The extent of the site.
- Whether land between Hares Green and Moorland Rise should be proposed for residential development.

Inspector's Reasoning and Conclusions

- 16.65 Proposal SMO2b is an L-shaped site situated between Widgery Drive and West End Terrace, just to the west of the town centre in South Molton. Planning permission was granted for 10 dwellings on the eastern part of the site in 2001, and for 6 dwellings on the western part in 2002. The development is now completed, and known as "Moorland Rise". Proposal SMO2b and paragraph 16.21 were deleted from the Revised Deposit Plan and from Inset Map 5 (IM5/8RD).
- 16.66 Immediately to the east of Moorland Rise there is a copse with trees protected by a tree preservation order. A proposed amendment to Inset Map 5 (IM5/4RD) identified this land as open space to be safeguarded from development under Policy REC6. In June 2004 however, outline planning permission was granted for a single dwelling on the site, with planning conditions requiring retention of all existing trees and shrubs on site and along the site boundaries. In view of the extant planning permission, and the restrictions protecting the trees and shrubs, the identification of the site as open space is no longer necessary.

Recommendation 16.21

I recommend the deletion of the proposed open space shown on Inset Map 5 (IM5/4RD)

South Molton Action Plan**Residential Development on Green Field Sites****Proposal SMO2d - Land east of Parsonage Lane****Inset Map 5**

<i>Objection</i>	<i>140/274/FD</i>		<i>South Molton Town Council</i>
<i>Objection</i>	<i>139/2333/R</i>		<i>D E White</i>
<i>Objection</i>	<i>172/2486/R</i>		<i>Pearce Construction (Barnstaple) Ltd and J W Sharman Ltd</i>
<i>Objection</i>	<i>632/2243/R</i>		<i>South Molton Town Council</i>
<i>Objection</i>	<i>35/47/FD</i>		<i>A J Chapman</i>
<i>Objection</i>	<i>139/285/FD</i>		<i>D E White</i>
<i>Objection</i>	<i>300/1137/F</i>		<i>David Speed</i>
<i>Objection</i>	<i>330/1277/F</i>		<i>Devon Conservation Forum</i>
<i>Objection</i>	<i>197/808/FD</i>		<i>Devon County Council</i>
<i>Objection</i>	<i>276/998/FD</i>		<i>Devon Wildlife Trust</i>
<i>Objection</i>	<i>284/1042/F</i>		<i>E H Smallridge</i>
<i>Objection</i>	<i>158/328/FD</i>	<i>Conditionally Withdrawn</i>	<i>E Lewis</i>
<i>Objection</i>	<i>311/1201/F</i>	<i>Conditionally Withdrawn</i>	<i>Environment Agency</i>
<i>Objection</i>	<i>299/1136/F</i>		<i>F R Kellaway</i>
<i>Objection</i>	<i>190/515/FD</i>		<i>G R Kingdon</i>
<i>Objection</i>	<i>198/568/FD</i>	<i>Conditionally Withdrawn</i>	<i>John & Angela Hulme</i>
<i>Objection</i>	<i>263/947/FD</i>		<i>M J Venn</i>

<i>Objection</i>	217/627/FD		<i>Mr A F Gibson</i>
<i>Objection</i>	304/1141/F		<i>Mr and Mrs D Barrett</i>
<i>Objection</i>	441/1679		<i>Mr D J Long</i>
<i>Objection</i>	386/1407/F		<i>Mr and Mrs M Peters</i>
<i>Objection</i>	261/943/FD		<i>Mr and Mrs M Vickery</i>
<i>Objection</i>	261/944/FD		<i>Mr and Mrs M Vickery</i>
<i>Objection</i>	301/1138/F		<i>Mr and Mrs R Lewendon</i>
<i>Objection</i>	432/1657/F	<i>Conditionally Withdrawn</i>	<i>Mr and Mrs R S Algate</i>
<i>Objection</i>	165/345/FD		<i>Mr and Mrs W G Heard</i>
<i>Objection</i>	339/1289/F		<i>Mr D Hopkins</i>
<i>Objection</i>	441/1680/F		<i>Mr D J Long</i>
<i>Objection</i>	232/753/FD		<i>Mr D Plumb</i>
<i>Objection</i>	41/54/FD		<i>Mr John Hoar</i>
<i>Objection</i>	303/1140/F		<i>Mr K Roper</i>
<i>Objection</i>	379/1355/F		<i>Mr P W Williams</i>
<i>Objection</i>	467/1777/F		<i>Mrs A Forrest</i>
<i>Objection</i>	260/942/FD		<i>Mrs H J Warren</i>
<i>Objection</i>	305/1142/F		<i>Mrs J B Westacott</i>
<i>Objection</i>	337/1288/F		<i>Mrs J Hopkins</i>
<i>Objection</i>	307/1144/F		<i>Mrs J Radford</i>
<i>Objection</i>	230/751/FD		<i>Mrs K Richardson</i>
<i>Objection</i>	302/1139/F		<i>Mrs L Roper</i>
<i>Objection</i>	165/345/F		<i>Mrs G L Heard</i>
<i>Objection</i>	239/768/FD		<i>Mrs R Cleevely</i>
<i>Objection</i>	251/913/FD		<i>Mrs R Ellarby</i>
<i>Objection</i>	306/1143/F		<i>Mrs S H Westacott</i>
<i>Objection</i>	172/393/FD		<i>Pearce Construction (Barnstaple) Ltd and J W Sharman Ltd</i>
<i>Objection</i>	172/2485/R		<i>Pearce Construction (Barnstaple) Ltd and J W Sharman Ltd</i>
<i>Objection</i>	489/1855/F		<i>Philip Rycroft</i>
<i>Objection</i>	259/941/FD		<i>R E Warren</i>
<i>Objection</i>	401/1492/F		<i>Southwold Investments Ltd</i>
<i>Objection</i>	191/516/FD		<i>Wanda Purdie Kingdon</i>

Issues:

- Phasing and prioritising previously developed land.
- Alternative settlement strategy for South Molton.
- Landscape impact.
- Impact on the biodiversity network.
- Proposal for a public open space and wildlife park.
- Proposed design, density, mix of uses, layout and extent of the development boundary.
- Extension over Clash Meadow.

- Whether the development boundary should be extended.
- Requirement for affordable housing provision.
- Proposed infrastructure contributions and viability issues.
- Proposed pedestrian and cycle links.
- Alternative accesses and required highway improvements.

Inspector's Reasoning and Conclusions

16.67 Proposal SMO2d is located on the northern edge of South Molton between Station Road to the east and Parsonage Lane to the west. The site size is some 8 hectares, although Criterion C) of Proposal SMO2d requires 3.5 hectares in the eastern part of the site to be provided as open space.

16.68 The site was identified for housing in the deposit version of the adopted Local Plan, but rejected by the Inspector on the basis that there was an over-provision of housing land within South Molton in the context of strategic requirements to 2001. Now restored to the Local Plan as an allocation, the site is the only additional green field site identified for residential development over and above those allocated in the adopted Local Plan.

Phasing and prioritising previously developed land.

16.69 Several objections raise concern that previously developed land and buildings in the town centre should be prioritised for residential re-use or redevelopment before a green field site on the edge of the town. Policy HSG1 requires that no green field sites should be released unless and until they are required to meet strategic requirements. In addition Criterion G) of Proposal SMO2d requires that this site should not be developed before April 2006 at the earliest.

Alternative settlement strategy for South Molton

16.70 Several alternative sites have been promoted for housing in South Molton. They are considered individually in other sections of this chapter of the report. Several objectors proposed splitting up the required number of houses onto a number of smaller sites. Whilst such an approach might reduce the impact that growth would have on the physical form of the town it would be less sustainable in terms of infrastructure provision.

16.71 This site is large enough to enable the provision of physical and social infrastructure to benefit the wider community. This includes a new link road connecting to North Road, which will improve traffic circulation in the area, a significant amount of new public open space in the eastern part of the site, together with contributions to the community woodland and improvements to the pedestrian and cycle network of the town. The site is also close to Pathfields Business Park, the recreation ground, the community woodland and the town centre, all of which are within easy walking distance.

Landscape Impact

16.72 The site occupies an important position in the setting of the town, and the design of any housing scheme will need to take this into account. The development strategies submitted as evidence indicate a type of layout which breaks the development up into manageable chunks and allows the principal landscape features such as the northern ridge and the stream valley to remain free from development. This theme is emphasised by the addition of a bullet point to paragraph 16.25, that housing should be concentrated on the western part of the site and avoid the ridgeline to the north.

Biodiversity

16.73 The site also has some value for nature conservation, with key network features in the low lying areas of the valley. Criterion F) requires measures to achieve retention of the biodiversity network, and paragraph 16.25 has been amended to emphasise the key network features in accordance with

Policy ENV8. These amendments overcome the main concerns of the Environment Agency and the Devon Wildlife Trust in my view.

Public open space and wild life park

- 16.74 Mr and Mrs Vickery have suggested that the site should be retained as open space and a wild life park. Given the general suitability of the site for housing, a proposal for a wild life park is rather unrealistic. Criterion C) requires 3.5 hectares of formal and informal open space to be provided, a generous amount considering the urban character of the surroundings. Some objectors consider that this provision of open space is excessive. The Open Space Strategy for North Devon (CD071) identifies a major shortage of informal open space and equipped facilities for children in South Molton. The recommendations indicate that the town should have a good quality town park and improved linkages between the town and the community woodland. The extra open space proposed for this site will help to meet these deficiencies, and protect and enhance the key network features on the eastern part of the site.

Design, density, mix of uses, and layout.

- 16.75 Greater integration of the housing and open space is sought by one objector. If the 150 dwellings were to be spread over a wider area, and integrated with the open space, the result would be a low net density, contrary to PPG3. As it stands the 150 are to be built on 4.3 hectares at a net density of 35 dwellings to the hectare. This is in accordance with paragraphs 57 and 58 of PPG3. Given that significant areas of the total site are to be preserved as open space, a density of 35 on the remainder is not excessive in my view. Integration of housing and community woodland may be possible along the northern boundary of the site, provided housing is not extended up the hillside to where it would appear on the ridgeline. This is a matter that can be addressed in the preparation of a development brief, as required by Criterion H). This brief can also address the issue of the boundary of the proposed development on the western part of the site, referred to by some objectors. Here there is a need to avoid encroachment of the development on the rural ambience of Parsonage Lane as the link from the town to the community woodland.

Clash Meadow

- 16.76 Objections from the Town Council and Pearce Construction / J W Sharman Ltd both propose inclusion of land known as Clash Meadow. This small area of land to the south of the existing allocation formed part of the proposal in the previous Plan. It has now been included in SMO2d as an amendment to Inset Map 5 (IM5/11RD).

Development Boundary

- 16.77 There are proposals to extend the development boundary in two places: firstly to include Gunsdown Villas at the north east of the allocation site; secondly to embrace the community woodland to the north. Neither of these suggestions is necessary in my view. The purpose of the development boundary is to regulate and control the growth of settlement. Consequently not all dwellings at the edge of a settlement should be included within a development boundary. The community woodland forms part of the countryside setting of the town, and should be excluded from the area considered suitable for development.

Affordable Housing

- 16.78 The need for affordable housing has been queried by some objectors, while the amount proposed is also contested. The requirement for 50 affordable homes from 150 dwellings (33%) is in accordance with the requirement for affordable housing on other green field sites in South Molton, as well as green field sites in Barnstaple and Ilfracombe, where there is a standard requirement for 35% affordable housing. In the absence of evidence of abnormal costs associated with developing this site, I consider the requirement for affordable housing to be reasonable.

Infrastructure Contributions and Viability

- 16.79 Objections concerning the need to make contributions towards educational provision are met by Criterion D), which requires contributions towards secondary, junior and infant school places. The latter addition meets the objection of Devon County Council. Concerns about the sewers being full are addressed by developer contributions towards up-grading of sewage facilities. Objections from the Long family and Southwold Investments Ltd cast doubt on the viability and deliverability of Proposal SMO2d. There is however no evidence of any exceptional costs associated with the development of this land.

Pedestrian and Cycle links

- 16.80 Links for walkers and cyclists to the community woodland are already required in accordance with paragraph 16.25 and Criterion D). These links will form part of a wider network of paths linking the woodland, the town centre, Pathfields Business Park and the recreation ground. They are shown as an amendment to Inset Map 5 (IM5/14RD). Footway and cycleway provision along Station Road is also to be required. This meets the objection of the County Council.

Highway Access and required improvements

- 16.81 Criterion B) envisages that the development will be served by two vehicular accesses. The first of these is to North Road via Mole Ridge Way. A new junction would be necessary at North Road, opposite that serving the new infant school. This could lead to the need for a signal controlled crossing to ensure safety at this junction. An alternative access to the west was suggested by Mrs Cleevely. The proposed alternative route would be between the recreation ground and the Old Rectory. This would be tortuous, and would take vehicular traffic through a part of the site that should be peaceful, as it leads into the community woodland.
- 16.82 The second access will be from Station Road on the eastern side of the site. Some objections claim that any access onto Station Road would be unsafe, with poor visibility. The highway authority has not objected to this aspect of the proposal however. Any junction will need to be designed to meet its safety requirements. There is concern that having two points of access will lead to rat-running through the estate. This is probably unlikely given the existence of east-west routes along North Street and through Pathfields Business Park. However this is a matter that can be addressed in the development brief.
- 16.83 Paragraph 16.25 indicates that this development will need to contribute to junction improvements onto the A361 at Borners Bridge, at the northern end of Station Road. Although not explicit in its reference to contributions, this may well satisfy the County Council's objection. Whilst improvements to Borners Bridge are felt to be necessary to accommodate increased traffic from Pathfields Business Park, the County Council regards the relocation of the cattle market, and housing development off Station Road as also being eligible to make contributions towards Borners Bridge improvements. One objector claims that there is no justification for a full transport assessment. Table 5 of the Local Plan indicates however that transport assessments will be required for major development proposals (over 50 dwellings), likely to generate a significant amount of travel.

Recommendation 16.22

I recommend no change to this part of the Local Plan.

**South Molton Action Plan
Policy SMO4 (Hill Village)**

Objection 197/810/FD Devon County Council

Issues:

- The need for a travel plan.

Inspector's Reasoning and Conclusions

16.84 The chipboard factory at Hill Village is a major source of local employment. The objection by Devon County Council is to the need for a travel plan at Hill Village, in association with any proposals for expansion. The Council accepts that all non-residential developments likely to have significant travel and transport implications are required to submit a travel plan. Hill Village is situated approximately 2 kilometres west of South Molton and is not easily accessible by public transport. Neither is it well connected to the local road network. Additional road improvements may therefore be required should the works expand.

16.85 An amendment to paragraph 16.31 has confirmed this requirement for a travel plan. An amendment to paragraph 16.30 recognises the potential need for a new road link to Hill Village, to improve access to the factory and avoid traffic having to go through the town. These changes meet the objection of the County Council, which is conditionally withdrawn.

Recommendation 16.23

I recommend no change to this part of the Local Plan.

**South Molton Action Plan
Policy SMO5 (The Town Centre)**

Objection 225/714/FD Government Office for the South West

Issues:

- Clarification of policy wording.

Inspector's Reasoning and Conclusions

16.86 The original wording of Policy SMO5 would have allowed some non-shopping uses into the town centre, even if less than 50% of all ground floor units are shops, provide the proposed use (financial and professional services, food and drink, or community and leisure uses) is not already represented in the centre. The Government Office objected on the basis that "proposed use is not already represented in the town centre" does not appear to be a development control matter and is not understood.

16.87 Allowing an exception to the policy for a type of use that is not already represented in a town centre seems to me to be a reasonable thing to want to do and is a development control instrument. The exception is only likely to apply to community and leisure uses, given the usually high representation of food and drink and financial services in any town centre. In any event, the Council has removed the reference from the Revised Deposit, and GOSW have indicated their

support for this move.

Recommendation 16.24

I recommend no change to this part of the Local Plan.

South Molton Action Plan Proposal SMO6 (Town Centre Expansion) Environmental Enhancement and Traffic Management Paragraphs 16.37 and 16.38

<i>Objection</i>	652/2489/R		<i>Tesco Stores Ltd</i>
<i>Objection</i>	250/912/FD		<i>Anna Pawlyn</i>
<i>Objection</i>	197/811/FD	<i>Conditionally Withdrawn</i>	<i>Devon County Council</i>
<i>Objection</i>	407/1503/F		<i>Devon Swedes Ltd</i>
<i>Objection</i>	15/20/FD		<i>Karin Barton</i>
<i>Objection</i>	379/1356/F		<i>Mr P W Williams</i>
<i>Objection</i>	333/1280/F		<i>Ms Kate Burns</i>
<i>Objection</i>	259/940/FD	<i>Conditionally Withdrawn</i>	<i>R E Warren</i>
<i>Objection</i>	66/94/FD	<i>Conditionally Withdrawn</i>	<i>J Westcott</i>
<i>Objection</i>	334/1284/FD	<i>Conditionally Withdrawn</i>	<i>SM & District Community Information Centre</i>

Issues:

- Proposed relocation of the livestock market and existing uses.
- Comprehensive and integrated redevelopment.
- Proposed new foodstore.
- Proposed new community facilities.
- Parking and traffic management issues.
- The need for a site for a new community information centre.

Inspector's Reasoning and Conclusions

16.88 Paragraph 16.29 of the Local Plan indicates that the existing livestock market may need to relocate from its town centre position. A site for a new market is identified at Pathfields by Proposal SMO3A and a proposed amendment to Inset Map 5 (IM5/13RD). Issues relating to this proposal are considered elsewhere in this report (paragraph 16.9). It is anticipated that both the existing lorry park and M Ways premises will be relocated to Pathfields during the Plan period. The text has been amended at paragraph 16.36 of the Plan to clarify this.

16.89 One objector would like the lorry park to stay as it encourages people to shop in the town centre. A second objector fears noise and vibration from additional lorries in the town centre. Removing the cattle market removes one reason for retaining the lorry park in its present position. Clearly the removal of HGVs from an area where pedestrians should have priority would result in a better town

centre environment.

- 16.90 Devon County Council draws attention to the need to include any requirements arising from rationalisation of the cattle market, if retained in its present position, as a consequence of hygiene and other regulations, which may require a changed pattern of use. Whilst the Council resists getting too much into these areas in a land use plan, it accepts that if the livestock market is to be retained in the town centre, then the requirements of hygiene and other regulations will need to be addressed. It has amended paragraph 16.36 to recognise that the existing livestock market would need to be upgraded to meet new regulations. The County's objection is conditionally withdrawn.
- 16.91 Two objectors wish to see recycling facilities retained in the town centre. Whilst recycling is too much a matter of detail to figure in this section, the Council is reassuring in stating that even if the recycling centre is moved out of town, opportunities for recycling will be retained in the town centre in association with the supermarket / car park.
- 16.92 Proposal SMO6 does not refer to a specific site for the relocation of the livestock market, as it is already covered by Proposal SMO3A. The Council's answer to Devon Swedes request for SMO6 to refer to land at Hacche Lane is that the Local Plan should be read as a whole. This is true, but it asks a lot of an interested person to wade through the contents of the entire Local Plan. In this case the relevant proposal is only two pages before and reasonably accessible.
- 16.93 Some objectors wish to see the open character of the town centre retained. The Council notes that much of the open character of the cleared sites does not provide a quality public realm. Redevelopment is intended to show retention of significant areas of landscaped car parking, which could help to retain some of the open character. Areas of open space will be involved, especially in the south eastern part of the site.
- 16.94 Tesco Stores object to the reference to the Strategic Action Plan, claiming that is ambiguous. This reference is a source of some confusion, but refers to the framework for the redevelopment of the town centre under the *South West Regional Development Agency's Market and Coastal Towns Initiative*. The Council proposes to remove some of the confusion by stating that the Strategic Action Plan includes a detailed development brief for the site. Insofar as it goes, this would appear to help clarify things.
- 16.95 Some objectors do not wish to see a new supermarket in the town centre. However the North Devon Retail Study identified a qualitative rather than quantitative need for a modern supermarket of up to 1000 sq metres net floorspace to improve customer choice. Whilst the fear is that a new supermarket would put existing retailers out of business, there is also the counter argument that by improving choice in the town centre, additional shoppers could be attracted into the town, or local people could be saved from having to go to Barnstaple to shop, thus providing opportunities for linked trips to local independent traders as well as the supermarket.
- 16.96 Several objectors raise concern at the potential loss of car parking within the area covered by this proposal. The second bullet point of paragraph 16.36 indicates that a significant amount of car parking is to be retained. The Council accepts that adequate amounts of short and long stay car parking spaces are needed to serve the town centre and adjacent residential properties. However, the Local Plan cannot set pricing arrangements for the supermarket car park, and enforcement of parking restrictions is a matter that is outside the scope of the Plan. Paragraph 16.38 has been amended to recognise that there is a shortage of parking for residential properties in the town centre. This overcomes part of the concerns raised by Mr Westcott.
- 16.97 The South Molton and District Community Information Centre object to the omission of a site for a

new community information centre in South Molton. The CIC states that it has developed its role as a one-stop shop, currently hosting 23 separate organisations, and has outgrown its current premises and needs to re-locate. The new site should be in a central location near car parking and bus stops with full access for disabled people and for children. The Council accepts the need for this facility, and has included a reference to a community and tourist information centre as one of the community uses to be provided in the town centre. The reference is in paragraph 16.36. The objection is conditionally withdrawn.

Recommendation 16.25

I recommend the Local Plan be modified by changing the final sentence of paragraph 16.37 to state that a development brief has now been prepared for the town centre redevelopment site.

South Molton Action Plan

Proposal SMO7 (Community Park and Woodland)

Paragraph 16.44

Objection 632/2241/RD South Molton Town Council
Objection 139/258/FD D E White
Objection 158/329/FD E Lewis
Objection 15/19/FD Karin Barton
Objection 386/1406/FD Mr and Mrs M Peters
Objection 261/945/FD Mr and Mrs M Vickery
Objection 319/1227/FD South West Forest

Issues:

- Proposed integration of woodland with housing.
- The extent of the proposed community woodland.
- Whether biodiversity value would be lost.
- Whether a footpath across the site should form part of a recreation trail.

Inspector's Reasoning and Conclusions

16.98 Community woodlands are areas of new tree planting incorporating informal open spaces that are close to settlements with good public access. Sites identified for potential community woodlands are set out in the settlement chapters and shown on the relevant inset maps. Paragraph 10,10A has been included in the Local Plan to set out the role of community woodlands. South West Forest is generally supportive of the community woodland proposal, but suggests that more could be made of the idea of integrating woodland with housing. As they state, "the integration of woodlands in a peri-urban setting is a specialised practice that requires a significant design input". They suggest having larger areas of woodland and allowing a gradual reduction of housing density to blur the boundary between trees and buildings.

16.99 The Council recognises the potential to integrate community woodlands with residential development at Parsonage Lane / Station Road. It accepts the principle of integration along the

northern boundary of Proposal SMO2d, provided that the area for housing is not extended up the hillside to where it would appear on the skyline. The boundary of the community woodland and the extent of any integrated residential development will be clarified as part of the development brief for the proposal. Although the Local Plan does not give mention to the concept of integration, and it is not referred to in the draft Supplementary Planning Guidance on Community Woodlands (CD091), the notion is clearly something that the Council will be prepared to discuss at the development brief stage.

- 16.100 Mr and Mrs Peters propose an extension to the community woodland across the whole of the Gullacombe Valley. Whilst such a large extension would prevent much of the site being used for housing, and could jeopardise the achievement of the district's strategic housing needs, the idea is perhaps one that could be incorporated into the design strategy of the SMO2d site. There is clearly scope for taking the three major green areas involved, the Gullacombe Valley, the community woodland to the north, and the Rectory open space to the south, and linking them with a woodland / parkland linear open space that could reflect some of the principles of integration expounded by South West Forest. This is a matter that could be examined at the development brief stage.
- 16.101 Some objectors would like to see less rather than more trees, to minimise any loss of views of Exmoor, and to allow for the creation of nature reserves rather than woods. Loss of views is not generally considered to be a planning matter, unless living conditions are threatened. Any important views enjoyed by the community as a whole could be safeguarded as the scheme evolves. The precise extent of the community woodland should be determined by the local community and landowners. Any area of woodland will incorporate open space, where natural flora and fauna will be able to flourish. One of the roles of community woodland is to provide new woodland habitats and to enhance local bio-diversity.
- 16.102 Karin Barton generally supports Proposal SMO7 but would like to see a footpath through the woodland linking to the north of the town, past Pathfields Business Park down to the River Mole. This idea for a circular walk along the eastern side of the town is an excellent one. The Council points out that the first part of the route is shown as a proposed amendment to Inset Map 5 (IM5/14RD). Beyond the business park however, it would be up to the County Council as highway authority to pursue the route. I cannot make a recommendation about this proposal since it does not appear in the Local Plan, and is not the responsibility of North Devon Council. I hope that the objector brings it to the notice of the County Council and succeeds in having it established.

Recommendation 16.26

I recommend no change to this part of the Local Plan.

South Molton Action Plan

Proposal SMO8 (Infant School Site, New Road)

Objection 73/105/FD Shirley Bray

Objection 197/812/FD Devon County Council

Issues:

- The need for a new junior school.

- Proposed use for the infant school site.

Inspector's Reasoning and Conclusions

- 16.103 Shirley Bray objects to the suggestion in paragraph 16.46, that a new junior school will be required and should be located in the south western edge of the town, in view of the planned growth in the vicinity. In her view a junior school in such a position would contribute to additional car travel if parents need to take their children to schools in several different parts of town. As no site has been identified by Devon County Council as LEA, the Council has decided to delete reference to this possible location for the school. This meets the objector's concerns in my view. The objection is conditionally withdrawn.
- 16.104 Proposal SMO8 is to use the site of the previous infant school as a library, information centre or for another community use. Devon County Council object to this as the site is considered to be remote with no car parking and the preferred location for a library is in and around the existing car park. Whilst this may appear to be pandering to the desires of the car-borne reader, the Council has accepted the point and deleted SMO8 from the Plan. It accepts that a new library and information centre are now likely to be provided within the proposed town centre expansion (Proposal SMO6). The former school site could be used for something else, including a windfall residential development. The objection is conditionally withdrawn.

Recommendation 16.27

I recommend no change to this part of the Local Plan.

Chapter 17 – Chulmleigh Action Plan

Chulmleigh Action Plan Sport and Recreation Paragraphs 17.13 and 17.14

Objection 274/968/FD

Chulmleigh Parish Council

Objection 274/969/FD

Chulmleigh Parish Council

Issues:

- The Cricket Ground is privately owned, not public open space.
- Omission of reference to the need for a multi-use games area to be provided at Chulmleigh playing field.

Inspector's Reasoning and Conclusions

17.1 Inset Map 6 shows Chulmleigh cricket ground as open space where Policy REC6 will apply. This policy seeks to prevent the loss of open space, including sports facilities. Paragraph 17.13 refers to land adjoining the cricket ground as other public open space. The Parish Council objects to this as the land is privately owned. North Devon Council accepts that the use of the word public might give the wrong impression, and is happy to see it deleted.

17.2 Paragraph 17.14 listed a multi-use games area as a deficiency within Chulmleigh. The Parish Council objection indicated that an all-weather surface to be provided at Chulmleigh playing field would meet the identified need for a multi-use area. Planning permission for this facility was granted in 2000. Consequently, the reference to the games area was deleted from the Revised Deposit Plan.

Recommendation 17.1

I recommend that the Local Plan be modified by deleting the word “public” from both sentences in paragraph 17.13

Chulmleigh Action Plan Other Community Facilities Paragraph 17.16

Objection 274/970/FD

Chulmleigh Parish Council

Issue:

- Wallingbrook Hall is to be provided as a new medical centre.

Inspector's Reasoning and Conclusions

17.3 Paragraph 17.16 of the First Deposit Plan identified Wallingbrook Hall to be retained for community purposes. The Parish Council objected on the grounds that the hall was in the process of being sold for a new medical centre. This has now been provided and the reference has been deleted from the Plan.

Recommendation 17.2

I recommend no change to this part of the Local Plan.

Chulmleigh Action Plan

Car Parking

Paragraph 17.17

Objection 274/971/FD

Chulmleigh Parish Council

Issue:

- New public car parks are available at the Royal Charter Park Estate in Chulmleigh.

Inspector's Reasoning and Conclusions

17.4 Paragraph 17.17 of the First Deposit Plan identified parking adjacent to the parish church as the only public car park in Chulmleigh. The Parish Council objected, pointing out that with the new development on the Charter Park Estate, two new car parks are in existence. Reference to these new car parks is now included in the Plan.

Recommendation 17.3

I recommend no change to this part of the Local Plan.

Chapter 18 – Witheridge Action Plan

Witheridge Action Plan Additional Housing Proposal Inset Map 7 - Witheridge

Objection 72/103/FD

Mr and Mrs J Malseed

Objection 131/239/FD

Mr and Mrs G Easton

Issues:

- Whether there are sufficient infill sites within the existing development boundary and whether the development boundary should be extended around land south of Rackenford Road.
- The land south of Rackenford Road proposed for residential development.

Inspector's Reasoning and Conclusions

18.1 Witheridge is a local centre as defined in Policy STY3. It acts as a focal point for the surrounding rural area and provides a range of local services and facilities. As a local centre, Witheridge is expected to accommodate a moderate level of new development. Chapter 18 of the Local Plan identifies two sites for residential development (Proposal WIT1) which have a combined capacity for 50 dwellings. In addition the Council expects 15 to 20 windfall sites to come forward over the period to 2011. This level of development, 65 to 70 dwellings is considered to be appropriate for Witheridge as a local centre.

18.2 The site proposed for development is a triangular site excluded from the development boundary, although it has existing low density housing along two of its sides. To include it within the boundary, and allocate it for housing would potentially increase the total housing count for the village by 28 dwellings. An additional site on green field land of this size would be out of scale with the function of the village as a local centre. The site may however be suitable for a smaller, affordable housing scheme, which could take place outside the development boundary as an exception scheme.

Recommendation 18.1

I recommend no change to this part of the Local Plan.

Witheridge Action Plan Consultation on the Local Plan

Objection 178/398/FD

Mr and Mrs H F Richardson

Issue:

- The Local Plan has been put together without reference to the inhabitants of Witheridge.

Inspector's Reasoning and Conclusions

18.3 Mr and Mrs Richardson are unhappy about the amount of consultation on the Local Plan. The Council has supplied me with a copy of its Public Consultation Statement, from which I note that a public exhibition about the Local Plan was held at Witheridge parish hall on Friday 9 November 2001, and was attended by 100 people. Every household in the district was sent a summary leaflet about the Local Plan. The Issues and Options Report provided an opportunity for the public to comment on the ideas behind the Local Plan at an early stage. It seems to me that the Council has done all that it could within reason to ensure that the public were aware of the Local Plan and its various stages.

Recommendation 18.2

I recommend no change to this part of the Local Plan.

Witheridge Action Plan
Sport and Recreation
Proposal WIT2B (Camping Area)

<i>Objection</i>	<i>187/506/FD</i>		<i>Mr V Barnes</i>
<i>Objection</i>	<i>187/511/FD</i>	<i>Conditionally Withdrawn</i>	<i>Mr V Barnes</i>
<i>Objection</i>	<i>187/510/FD</i>	<i>Conditionally Withdrawn</i>	<i>Mr V Barnes</i>
<i>Objection</i>	<i>279/2007/R</i>		<i>Witheridge Parish Council</i>
<i>Objection</i>	<i>279/2012/R</i>		<i>Witheridge Parish Council</i>

Issues:

- The siting of the Two Moors Way.
- Enhancement of Wiriga Way for pedestrians.
- The provision of a site for a camping area in Witheridge.

Inspector's Reasoning and Conclusions

18.4 The Two Moors Way passes through Witheridge and crosses the site of the mixed-use proposal WIT1a. The Parish Council pointed out that the Way will not cross the site in future as amendments to the proposal have reduced the site area. Paragraph 18.11 has been amended to recognise that the Way will now pass to the south of the site.

18.5 Mr Barnes objects to the omission of a statement on pavements in Witheridge, and is concerned specifically about the lack of pavements in Wiriga Way, Joan Spry Close and Benson Close. The Council points out that the lack of pedestrian pavements is not a Local Plan matter, but is one for

the highway authority. The matter has been passed to the County Environment Director.

- 18.6 Two sites are proposed for a new camp site in Witheridge. The Parish Council propose a site adjacent to the parish hall, and to the north of Rackenford Road. Another site lies to the north of the parish hall, but was subject to three alternative proposals for open space. The Rackenford Road site is proposed in the Revised Deposit Plan as Proposal WIT2b (IM7/2RD). Witheridge Parish Council wishes to be clear that the site is for camping and walkers and not a touring or static caravan site. Since the site is intended to develop and promote tourism in the village, it may be unwise to rule out touring caravans completely, since the amount of business related to walkers looking for somewhere to camp could be rather limited. The ability of the site to accommodate tourers may be limited by the access however. The Local Plan does not specify whether caravans would be acceptable or not, so the flexibility remains.

Recommendation 18.3

I recommend no change to this part of the Local Plan.

Witheridge Action Plan Land at the Parish Hall, Witheridge

<i>Objection</i>	<i>14/17/FD</i>	<i>Conditionally Withdrawn</i>	<i>Mr and Mrs J Bryant</i>
<i>Objection</i>	<i>16/25/FD</i>		<i>Mr John Usmar</i>
<i>Objection</i>	<i>279/1012/R</i>		<i>Witheridge Parish Council</i>

Issue:

- Proposed open space provision north of the parish hall.

Inspector's Reasoning and Conclusions

- 18.7 Three separate representations promote land north of the parish hall for the provision of public open space. The site proposed by the Parish Council covers 2.84 hectares. The land proposed by the other two objectors covers twice the area (5.6 hectares). The Open Space Strategy for North Devon (CD 071) indicates that Witheridge is fairly well catered for with existing open space and sports provision. The main deficiencies identified in this strategy relate to a multi-use games area and informal open space. The Council considers, and I agree that the smaller site proposed by the Parish Council would be sufficient to meet these identified needs for sports facilities and open space, and that a location adjacent to the parish hall would be most accessible to the residents of Witheridge.
- 18.8 Proposal WIT2A and the amendment to Inset Map 7 (IM7/1RD) identify the southern part of the promoted site as proposed public open space, with an area of approximately 1.77 hectares. This is the flattest land and is most accessible to the parish hall and close to the Two Moors Way, which follows the eastern boundary to the site.

Recommendation 18.4

I recommend no change to this part of the Local Plan.

Witheridge Action Plan

Proposal WIT2 (Witheridge Industrial Estate)

Objection 20/127/FD

Ms J V Cushing

Objection 279/2009/R

Witheridge Parish Council

Issues:

- Need for commercial vehicle / lorry parking and additional employment land.
- Impact on the amenities of surrounding properties.

Inspector's Reasoning and Conclusions

- 18.9 The Old Marketfield industrial estate is situated on the north western edge of Witheridge, and Proposal WIT2 identifies this land for employment purposes. An objection by Witheridge Parish Council to the First Deposit Plan questioned the omission of land for a dedicated commercial vehicle / lorry park. The site proposed by the Parish Council is at the front of the industrial estate, fronting Church Street. Proposal WIT2 and paragraph 18.14 were amended to indicate that part of the industrial estate is proposed for a dedicated parking area.
- 18.10 A further objection by the Parish Council to the Revised Deposit Plan indicates that there is still a need for a lorry park on the basis that all sites on the industrial estate have been committed. The land originally identified for this purpose however has had no subsequent planning permission, since the original outline permission for the estate, which was granted in 1988 and renewed in 1994. The site is still therefore available for a lorry park.
- 18.11 As a result of two objections concerned with the need for screening and landscaping of the industrial estate to protect the amenities of surrounding properties, paragraph 18.14 was amended to highlight that the site should be landscaped. Condition 9 of the Planning permission required landscaping to be carried out, and this has been done.

Recommendation 18.5

I recommend no change to this part of the Local Plan.

Witheridge Action Plan
Residential Development
Proposal WIT1b (Land West of Apple Tree Close)

Objection 252/914/FD

Mr and Mrs Maryan-Farmer

Objection 16/22/FD

Mr John Usmar

Issues:

- Highway safety issues.
- Impact on amenities of surrounding properties.
- Upgrading the sewers.

Inspector's Reasoning and Conclusions

- 18.12 Land west of Apple Tree Close is currently a paddock surrounded by housing. It is proposed for about 10 dwellings with at least 5 affordable homes. Mr Usmar is generally in favour of the proposal but asks for highway safety measures at the junction of North Street and Rackenford Road. The junction in question is some way from the development site, which is expected to utilise the existing "safeguarded entrance" off Apple Tree Close. The junction of Apple Tree Close and North Street will experience additional traffic as a result, but the highway authority has raised no objection to the proposal. If additional traffic measures are needed, they will be considered in accordance with Policy TRA6.
- 18.13 The objection by Mr and Mrs Maryan-Farmer refers to the increase in traffic being a danger to elderly folk and children who currently cross the dormant junction on Apple Tree Close. Any development that uses this access point will have to provide a safe access to the site, in accordance with Policy TRA6.
- 18.14 The proposed site is within a residential area, but the surrounding properties are not so close as to prevent the principle of new development on this site. Any development will need to be designed and sited so as to safeguard the amenities of surrounding properties. Any scheme would be assessed against policies DVS1, DVS2 and DVS3 within Chapter 4 of the Local Plan.
- 18.15 Objection is also made to the reference to contributions being sought towards upgrading the sewers. Circular 1/97 requires developments to provide or contribute towards any physical infrastructure which is fairly and reasonably related to the proposal in scale and kind. The foul sewerage system in Witheridge is overloaded and it is appropriate for any further residential development to provide new or improved sewerage to enable the development to proceed. Contributions will be required from all residential developments towards upgrading the sewers.

Recommendation 18.6

I recommend no change to this part of the Local Plan.

**Witheridge Action Plan
Shopping Area**

Objection 85/157/FD

Mr Collembeck

Issue:

- The need for a defined shopping area.

Inspector's Reasoning and Conclusions

18.16 Mr Collembeck's objection is to the lack of a shopping area in Witheridge. In general, local centres do not have defined shopping areas. Woolacombe is the exception. It has a defined village centre to which Policy COM1 will apply, because it has a relatively large concentration of shops to serve its tourist resort function.

18.17 The existing shops in Witheridge are regarded by the Council as being important to Witheridge as a local centre acting as a focus for the rural community. They will be protected by Policy COM3 from change of use, but as they are not in a concentrated area, the definition of a shopping area within which only retail uses would be permitted is not appropriate.

Recommendation 18.7

I recommend no change to this part of the Local Plan.

**Witheridge Action Plan
Proposal WIT1 (Residential Development)**

Objection 20/30/FD

Ms J V Cushing

Objection 279/1008/F

Witheridge Parish Council

Objection 178/399/FD

Mr and Mrs H F Richardson

Objection 187/505/FD

Mr V Barnes

Issues:

- The development strategy for Witheridge.
- Requirement for affordable housing.
- Density of development.

Inspector's Reasoning and Conclusions

18.18 Witheridge is identified as a local centre, providing services and facilities for the village and surrounding rural community. It lies halfway between South Molton and Tiverton, on the edge of the North Devon Local Plan area. Part of its catchment area falls within Mid Devon, and it looks

towards both Tiverton and South Molton for higher level services. The development strategy for Witheridge is one which is appropriate to its status as a local centre, providing a focus for the surrounding rural area. The number of dwellings proposed, some 65 up to the year 2011 is appropriate for this function, and should not cause the change in village character feared by the objectors, provided the new housing is assimilated properly into the village. Any new development must respect the character and appearance of the village, and its design would be influenced by the standards set out in Policies DVS 1 to 3.

- 18.19 The Witheridge Parish Council ask for more affordable housing, including a wide range of house types incorporating terraced and single bed units. The housing register at 2004 revealed 82 households in housing need within the parish of Witheridge. The proposals under WIT1 would provide 20 affordable houses against a total new housing provision of 50 dwellings. In addition there is scope for some windfall housing sites to be developed, and for exception sites outside the development boundary, which could be pursued by a registered social landlord or other affordable housing provider. There is therefore scope for a significant provision of affordable dwellings in Witheridge.
- 18.20 Mr Barnes would like to see allotments provided as part of any scheme for new, low-cost housing. He also wants to see a mixture of 1, 2 and 3 bedroomed properties to accommodate single people and couples without children. Proposal WIT1a and paragraph 18.9 already require a mix of accommodation types and sizes in accordance with Policy HSG6. It contains no requirement for allotments, but allotments could be considered as part of the open space requirements for the development. As the need is uncertain, a reference to allotments in the text would not be appropriate.

Recommendation 18.8

I recommend no change to this part of the Local Plan.

Witheridge Action Plan Healthcare Provision Paragraphs 18.19 and 18.20

<i>Objection</i>	<i>279/2013/R</i>		<i>Witheridge Parish Council</i>
<i>Objection</i>	<i>72/149/FD</i>		<i>Mr and Mrs J Malseed</i>
<i>Objection</i>	<i>59/82/FD</i>	<i>Conditionally Withdrawn</i>	<i>Mrs E Dewey</i>

Issue:

- The need for a new medical centre.

Inspector's Reasoning and Conclusions

- 18.21 The Plan originally stated that the village has no medical centre. Objections were received to paragraph 18.20, indicating that a health centre existed in the former infants' school on Fore Street. Consequently paragraph 18.20 was deleted, and paragraph 18.19 amended to recognise existing provision, which also needs to be acknowledged in Table 2 of the Local Plan.

18.22 Witheridge Parish Council objected to the Revised Deposit Plan on the grounds that they are not aware of the need for new healthcare facilities. However correspondence from Mid Devon Medical Practice establishes the need for a new, larger medical centre within Witheridge. A potential site has been identified as part of the Broomhouse Park development (Proposal WIT1a).

Recommendation 18.9

I recommend the Local Plan is modified by adding a tick for Witheridge under “Surgery/GP” in Table 2.

Witheridge Action Plan Residential Development Proposal WIT1a (Land off Broomhouse Park)

<i>Objection</i>	279/2006/R		<i>Witheridge Parish Council</i>
<i>Objection</i>	197/813/FD	<i>Conditionally Withdrawn</i>	<i>Devon County Council</i>
<i>Objection</i>	410/2186/R		<i>Larkbear Consortium</i>
<i>Objection</i>	14/18/FD	<i>Conditionally Withdrawn</i>	<i>Mr and Mrs J Bryant</i>
<i>Objection</i>	72/102/FD		<i>Mr and Mrs J Malseed</i>
<i>Objection</i>	175/396/FD		<i>Mr and Mrs P J Chiverton</i>
<i>Objection</i>	85/156/FD		<i>Mr Collembeck</i>
<i>Objection</i>	245/803/FD		<i>Mr E Fyson MCFA</i>
<i>Objection</i>	192/517/FD		<i>Mr J Knight</i>
<i>Objection</i>	16/23/FD		<i>Mr John Usmar</i>
<i>Objection</i>	187/507/FD	<i>Conditionally Withdrawn</i>	<i>Mr V Barnes</i>
<i>Objection</i>	187/508/FD		<i>Mr V Barnes</i>
<i>Objection</i>	187/509/FD		<i>Mr V Barnes</i>
<i>Objection</i>	43/56/FD		<i>Mrs Denise Wreford</i>
<i>Objection</i>	86/158/FD	<i>Partially Withdrawn</i>	<i>Mrs E Cerie</i>
<i>Objection</i>	59/81/FD	<i>Conditionally Withdrawn</i>	<i>Mrs E Dewey</i>
<i>Objection</i>	234/755/FD		<i>Mrs W A Fyson</i>
<i>Objection</i>	465/1773/F		<i>Ms C Palmer</i>
<i>Objection</i>	279/2008/R		<i>Witheridge Parish Council</i>

Issues:

- The proposed scale, mix and type of dwellings proposed.
- The proposed site access and traffic management.
- Contributions towards public transport.

- The need for a new community centre and medical centre.
- The need for public open space provision.
- Amenities of surrounding properties.

Inspector's Reasoning and Conclusions

The scale, mix and type of development

- 18.23 Witheridge is defined as a local centre, being the focus for the surrounding rural area. It is appropriate that the village should grow by a reasonable amount to help the viability of local services, including schools, shops and public houses. The level of development proposed for Witheridge is for 65 dwellings up to the year 2011, including about 50 dwellings on allocated sites, of which this site accounts for 40. I consider this scale of development to be appropriate for the function of the settlement. It is not excessive, as one objector asserts.
- 18.24 Given the housing problems prevalent in North Devon, and particularly the acute rural housing needs, the provision of some 15 affordable dwellings out of the 40 is reasonable. The mix of types and sizes of dwellings required as part of the development will be considered in detail at the time a planning application is submitted. Putting into the Plan details to specify a particular mix of types and sizes of affordable dwellings, could lead to an inflexible proposal which would become outdated quickly. Proposal WIT1a does not specify whether the dwellings should be houses or bungalows. The fact that an adjoining development is of bungalows ought not to constrain the design of this estate. Variety is as important a component of the village scene as the need to have respect for neighbouring types and scale of development.

The site access and traffic management

- 18.25 Access to the site is shown to come from Brooke Road, and several objections raise concern at any additional traffic passing through the surrounding estate. The County Council is the highway authority, and calls for a requirement that traffic management measures will be required on the roads leading to the proposed site from the village. An additional sentence has been added to paragraph 18.10 and to Criterion C) of WIT1a to require traffic management measures. This meets the objections in my view.
- 18.26 Two alternative accesses are proposed. Both Drayford Lane and the lane passing Merryside Villas are narrow and unsuitable for the level of traffic likely to be generated.

Contributions towards public transport

- 18.27 Devon County Council objected because there was no mention of revenue contributions towards public transport. This has now been rectified, with an addition to paragraph 18.10 and an additional bullet point in WIT1a. The requirement in 18.10 refers to the frequency and quality of bus services within the village rather than to this site in particular, as interpreted by the Parish Council.

The need for a new community centre and medical centre

- 18.28 The Council accepts that Witheridge already has a parish hall located close to the village centre. The proposal for a new multi-purpose community centre has been deleted. The amended wording of WIT1a requires a new medical centre rather than a community centre. Correspondence from Mid Devon Medical Practice confirms the need for this new, larger medical centre in Witheridge.

The need for public open space

- 18.29 Two objectors indicate there is no need for another play area, as the village already has two equipped play areas. The Council accepts that Witheridge already has sufficient equipped facilities for children and young people, in accordance with the local standards of open space provision set out in Table 10 of the Local Plan. The requirements for additional open space in Criterion B) of

Proposal WIT1a, and paragraph 18.9, do not indicate the type of open space required. There is a shortage of informal open space in Witheridge, and provision of this type of open space would be appropriate.

The amenities of surrounding properties

- 18.30 Several objectors have raised concerns that the proposed development would harm the amenities of surrounding properties, by virtue of disturbance and overlooking of properties in Drayford Lane, which are at a lower level. Other objectors are concerned that the new houses would block light or views from new properties on lower land at Broomhouse Park. These are matters that can be addressed at the development control stage and preferably well before a planning application is submitted. Design considerations will be guided by the relevant policies in Chapter 4 of the Local Plan. Impact on the surrounding countryside may be mitigated through the use of landscaping. However the site has been considerably reduced in area to reflect the completion of development at Broomhouse Park and the deletion of the south eastern part of the original allocation.

Recommendation 18.10

I recommend no change to this part of the Local Plan.

Chapter 19 - Bishops Nympton Action Plan

Bishops Nympton Action Plan

Proposal BNY1 (Residential Development at Joey's Field)

<i>Objection</i>	<i>225/716/FD</i>	<i>Government Office for the South West</i>
<i>Objection</i>	<i>351/1315/F</i>	<i>Mr L J Gunn</i>
<i>Objection</i>	<i>351/1316/F</i>	<i>Mr L J Gunn</i>
<i>Objection</i>	<i>473/1816/F</i>	<i>J Bowden</i>

Issues:

- The garden of a new dwelling is included within Proposal BNY1 on Inset Map 8.
- The requirement for affordable housing provision in Proposal BNY1.
- The density of development in Proposal BNY1.
- The land adjoining 7 Joey's Field should be proposed for residential development.

Inspector's Reasoning and Conclusions

- 19.1 Bishops Nympton is a village situated to the south of the North Devon Link Road, some 5 kilometres south east of South Molton. The village has a range of local facilities including a village shop, post office, public house, a primary school and village hall as well as regular bus services. The village is considered suitable for some additional development provided that the landscape setting of the village and its character and appearance are not harmed.
- 19.2 A new dwelling north of Parsonage Hill was completed in 2001, but its siting was not available on the map base used for the First Deposit inset maps. Part of the garden of this property was included within Proposal BNY1 on Inset Map 8. Following an objection, the extent of the proposal was amended (IM8/2RD) to exclude this garden.
- 19.3 The Government Office for the South West objects to the affordable housing requirement which it says appears to conflict with the thresholds in Circular 6/98. Paragraph 10 of 6/98 states that in settlements in rural areas with a population of 3,000 or fewer, the local planning authority should adopt appropriate thresholds. These should be based on assessments which include local needs and the available supply of land for housing, and should be adopted only through the local plan process.
- 19.4 The severity of the affordable housing need in North Devon has been considered and justified elsewhere in this report (Chapter 7). In Bishops Nympton, there are no large previously developed sites within the village, and Joey's Field is the only allocated site for new housing. The housing register revealed 53 households in need, in the parish of Bishops Nympton at March 2004. Some 40 of these are seeking 1 and 2 bedroomed properties for up to 4 people. This indicates the wide gulf between the assessed needs and the practical opportunity to provide affordable dwellings. Provision of 2 affordable homes in a small development of only 5 dwellings in total will not solve the problem, but the figures support the Council's position that the extent of the need justifies the adoption of lower thresholds.
- 19.5 An objection from a local resident calls for the land to be developed at a density in keeping with the

existing Joey's Field housing. This the Council computes to be 15 dwellings to the hectare. If Proposal BNY1 was amended to achieve a similar density, it would only provide 3 dwellings. A density of 15 dwellings to the hectare is half the minimum required by PPG3, and represents poor value considering the lack of available land in this village. Whilst there is scope for some reduction in density when the character of an area is noticeably based on low density development, the juxtaposition of low and medium density schemes is traditional in English villages. In view of the density requirements of PPG3, it is not considered appropriate to lower the site capacity below 5 dwellings.

- 19.6 A piece of land adjacent to 7 Joey's Field is a green field site being used as an extension to the garden. Although within the development boundary, the site is too small to accommodate even a single dwelling. To incorporate the site within Proposal BNY1 would require the removal of a part of a substantial hedgebank. This hedgebank should be retained to protect the amenities of No 7 and to safeguard biodiversity value.

Recommendation 19.1

I recommend no change to this part of the Local Plan.

Bishops Nympton Action Plan Proposal BNY3 (Community Facilities) Inset Map 8

<i>Objection</i>	<i>203/581/FD</i>	<i>Conditionally Withdrawn</i>	<i>Sally Cotton</i>
<i>Objection</i>	<i>278/1006/F</i>		<i>Bishops Nympton Parish Council</i>
<i>Objection</i>	<i>235/759/FD</i>		<i>Mr and Mrs Horsnell</i>
<i>Objection</i>	<i>420/1611/F</i>	<i>Conditionally Withdrawn</i>	<i>Mr T Saunders</i>

Issues:

- The site has planning permission already.
- The site identified on Inset Map 8 includes the gardens of adjoining properties.

Inspector's Reasoning and Conclusions

- 19.7 Proposal BNY3 identifies land for a range of community uses, including affordable housing, public open space and a replacement playground for the primary school. There have been a series of planning permissions granted for this land including residential development, conversion of the school playground into a village car park and provision of a new school playground. All three of the approved dwellings are completed and in view of the planning history of the site, Proposal BNY3 and paragraph 19.15 were deleted from the Revised Deposit Plan.
- 19.8 Although the western part of the proposal includes land within the curtilage of adjoining properties, its deletion from the Local Plan removes any issue over this.

Recommendation 19.2

I recommend no change to this part of the Local Plan.

Bishops Nympton Action Plan

The Glebefield

<i>Objection</i>	<i>430/1655/F</i>		<i>Diocese of Exeter</i>
<i>Objection</i>	<i>430/1653/F</i>	<i>Partially Withdrawn</i>	<i>Diocese of Exeter</i>
<i>Objection</i>	<i>430/1654/F</i>		<i>Diocese of Exeter</i>

Issues:

- The Glebefield is not public open space.
- Disposal of surplus land should the vicarage use cease.
- The vicarage is a Grade II listed building.

Inspector's Reasoning and Conclusions

19.9 The Diocese of Exeter made three objections to the First Deposit Plan: to Inset Map 8, to paragraph 19.10 and paragraph 19.11. All objections concerned the inclusion of the Glebefield at Bishops Nympton as an area of open space on the inset map, since the land is not used by the public nor linked to the other types of open space protected by Policy REC6. The latter policy and the inset map notation refer to open space rather than public open space, and visually important open space will be protected under this policy, irrespective of ownership and whether or not there is any public access. The Glebefield is an important open space within the village, protecting the setting of the vicarage, a Grade II listed building, and contributing to the character of the conservation area. It is correct therefore to show it on the inset map as an important open space.

19.10 The Local Plan does not propose that the land should be used as public open space. It does however encourage the thought by stating that support will be given to the use of the Glebefield as a public open space. The Council makes it clear in its statement that it regards the Glebefield as one of three sites that would be suitable for future public open space provision should it become available in the future. Should the use of the vicarage cease, the importance of the Glebefield as an open space would remain. Any future proposals for the land would need to be considered against a range of Local Plan policies, including ENV16 (Development in Conservation Areas) and ENV17 (Listed Buildings), as well as REC6 for loss of open space.

Recommendation 19.3

I recommend no change to this part of the Local Plan.

Bishops Nympton Action Plan
Land at Meadow View
Inset Map 8

Objection 600/2104/R

A & P Builders (North Devon) Limited

Issue:

- Whether land at Meadow View should be shown as open space on Inset Map 19.

Inspector's Reasoning and Conclusions

- 19.11 Meadow View is situated in the centre of Bishops Nympton and immediately to the south of the Glebefield. Planning permission was granted in 1991 for 10 dwellings, and the approved landscaping scheme indicates that the land the subject of this objection would be land set out as fenced public open space to be adopted and maintained by the district council. That adoption has never taken place however, and the land has remained as open space maintained by the developer at his own expense. The Council has indicated that it would adopt the land given the opportunity. The land is shown as an amendment to the inset map on IM8/3RD. The objection states that the land is an undeveloped plot where two new houses would be appropriate. It is not suitable as public open space due to its topography and the proximity of houses.
- 19.12 An application for two detached dwellings on the site was refused by the Council in January 2004. An appeal against this refusal was subsequently dismissed, on the grounds of highway safety and effect on neighbour's outlook and daylight. The Inspector also commented on the contribution made by the site to the character and setting of the village. His conclusion was that it did not make enough of a contribution to warrant protection as an area of open space. Given this recent appeal conclusion, I consider that the site should no longer be protected under Policy REC6 in the Local Plan.

Recommendation 19.4

I recommend the Local Plan is modified by no longer showing land at Meadow View as open space.

Chapter 20 - Bishops Tawton Action Plan

Bishops Tawton Action Plan

Inset Map 9

Objection 410/2189/R

Larkbear Consortium

Objection 428/1647/F

Mr H Thomas

Issues:

- The exclusion of part of the Conservation Area from the development boundary.
- The extension to the development boundary.

Inspector's Reasoning and Conclusions

- 20.1 Mr Thomas' objection is to the lack of conformity between the conservation area boundary and the development boundary for the village. Although most of the conservation area lies within the development boundary, there are some small areas of land and buildings which lie outside of it. The two boundaries have completely different functions however, one being to define an area the character of which should be preserved, the other defining an area in which development of the village can take place. There is no logical reason why the two should equate.
- 20.2 The Larkbear Consortium object to the development boundary being extended, as it invites further development and will dilute the strategy focusing on Barnstaple. The extension in question is the inclusion of Bishops Tawton Garage at the southern end of the village. This site is capable of accommodating 8 terraced dwellings. This is a minor addition to the boundary and will have no significant effect upon the strategy focusing on Barnstaple.

Recommendation 20.1

I recommend no change to this part of the Local Plan

Bishops Tawton Action Plan

Inset Map 9

Objection 443/1686/F

The Smith Trust

Issues:

- The land north of River Bend should not be shown as open space

Inspector's Reasoning and Conclusions

- 20.3 The Smiths Trust objects to the inclusion of land north of River Bend being shown on the inset map as open space where Policy REC6 will apply. The land was considered by the Council to be

allotments and was shown as open space to be safeguarded. The objection indicated that the use is as a cultivated garden rather than allotments, and the open space notation was therefore removed at the Revised Deposit stage (IM9/2RD). This meets the objection, as evidenced by a representation of support.

Recommendation 20.2

I recommend no change to this part of the Local Plan.

Bishops Tawton Action Plan

Flood Risk

Paragraph 20.7A

Objection 428/2412/R

Mr H Thomas

Issues:

- The need for drainage improvements.

Inspector's Reasoning and Conclusions

20.4 This objection is to the inclusion of paragraph 20.7A, which was included in the Revised Deposit Plan to recognise that drainage improvements are required to mitigate localised flooding problems within the centre of Bishops Tawton. These improvements are needed now, irrespective of future development, but any future development that exacerbates the existing problem would be expected to contribute towards the cost of drainage improvements, in accordance with Circular 1/97.

20.5 The Council is clear that if a development is proposed that is shown not to increase run-off, and improvements are not required as a result of the development, then contributions would not be required. This point could be explained in the final sentence of the paragraph. The Council has clarified which type of flooding it is referring to. It is the frequent localised flooding associated with the Venn Stream caused by surface water flowing off the hills and roads. This water affects a number of dwellings adjoining the Venn Stream several times a year, before it can enter Venn Stream itself.

20.6 The catchment area for this flooding is local, and it would be inappropriate to require contributions for these improvements from developments in Landkey and outside the immediate catchment area.

Recommendation 20.3

I recommend the Local Plan is modified by amending the final sentence of paragraph 20.7A to read:

“Consequently, any new development permitted on either side of the valley, which would increase the risk of flooding in Bishops Tawton, will be required to contribute towards the cost of these improvements”.

Bishops Tawton Action Plan Employment

<i>Objection</i>	<i>428/1642/F</i>	<i>Mr H Thomas</i>
<i>Objection</i>	<i>428/1648/F</i>	<i>Conditionally Withdrawn</i>
		<i>Mr H Thomas</i>

Issues:

- Safeguarding employment land.
- Land west of Village Street should be proposed for residential development.

Inspector's Reasoning and Conclusions

20.7 Existing workshops to the west of Village Street are shown as employment land on Inset Map 9 of the First Deposit Plan, where Policy ECN2 will apply. These workshops are the only major employment opportunity within the village. Mr Thomas proposed deletion of the notation on the inset map as the previous engineering uses had ceased as a result of complaints from surrounding properties, poor vehicular access and a steep site not readily suitable for commercial development. The Council deleted paragraph 20.11 and the notation on the map in the Revised Deposit Plan (IM9/1RD). Whilst it is a shame to see the demise of one of the few industrial sites in a village where workplaces and residences have traditionally existed cheek by jowl, the fact that there may be better sites for industry in the village is perhaps justification.

20.8 The site could be suitable for housing, being able to accommodate up to 10 dwellings. The Council considers that it should not be allocated however, but kept in reserve as a potential windfall site, should it become available for redevelopment.

Recommendation 20.4

I recommend no change to this part of the Local Plan.

Bishops Tawton Action Plan Sport and Recreation Proposal BIT1 (Public Open Space)

<i>Objection</i>	<i>197/814/FD</i>	<i>Devon County Council</i>
<i>Objection</i>	<i>225/717/FD</i>	<i>Government Office for the South West</i>
<i>Objection</i>	<i>410/2187/R</i>	<i>Larkbear Consortium</i>
<i>Objection</i>	<i>476/1819/F</i>	<i>Morris and Sonia Midgley</i>
<i>Objection</i>	<i>478/1829/F</i>	<i>Mr A Brocklehurst</i>
<i>Objection</i>	<i>475/1818/F</i>	<i>Mr and Mrs J P Taylor</i>
<i>Objection</i>	<i>475/2064/R</i>	<i>Mr and Mrs J P Taylor</i>
<i>Objection</i>	<i>568/2060/R</i>	<i>Mr B Brookes</i>
<i>Objection</i>	<i>428/1649/F</i>	<i>Mr H Thomas</i>

Objection 474/1817/F
Objection 569/2063/R
Objection 443/1688/F

Mrs G Abel and Mrs P Wakerley
Mrs L Cole
The Smith Trust

Issues:

- The need for public open space.
- Site location and topography.
- Approach roads, access and traffic generation.
- Number and siting of proposed dwellings.
- Lack of notification.
- Facilitating development.

Inspector's Reasoning and Conclusions

- 20.9 The Open Space Strategy for North Devon (CD071) indicates that Bishops Tawton has serious deficiencies in informal open space, equipped childrens play areas and multi-use games areas. The topography of the village makes it difficult to find suitable land for this purpose. The Council believes it has found a suitable site, reasonably close to the village centre, and accessible from the Tarka Trail. To facilitate a conversion scheme, from former allotments to playing fields, a small development of up to 5 houses is proposed on part of the site.
- 20.10 The approach road to the site along the western part of Sentry Lane is fairly narrow but is not heavily trafficked. The Tarka Trail shares use of the road surface of Sentry Lane, and whilst this is not an ideal arrangement, the fact that traffic is light means that segregation of walkers and cyclists from other vehicles is probably not justified. The question of designating Easter Street as a pedestrian and cycle priority, restricting the bridge with bollards to discourage through traffic is one for the highway authority to consider in the first instance.
- 20.11 Lack of car parking space at the recreation ground could be a problem however. Whilst the Council is confident that many of the potential users will travel on foot or bike, and that those who do not will be content to park on the proposed public car park in the village centre (BIT2), it may prove necessary to provide some parking space on the site. This could be done informally, and in an unobtrusive way.
- 20.12 Some objections concern the increase of numbers of houses from 3 to 5. This increase has been made to make the scheme more viable, and is realistic, particularly in view of the need for contributions towards flood control in the Venn catchment. This is the only site identified for residential development within Bishops Tawton and the provision of a mere 5 dwellings cannot be regarded as excessive. With regard to the propriety of the scheme in relation to Circular 1/97, the Council puts forward the notion that as this is a mixed-use scheme (recreation and housing) the requirements of Circular 1/97 are not appropriate. This is a novel argument that deserves to carry the day in my view, since the proposal is clearly in the public interest even though the relationship between the housing development and the recreational space is rather tenuous.
- 20.13 On the matter of notification, it is my understanding that the North Devon Local Plan has been prepared fully in accordance with the Development Plan Regulations. There is no requirement to notify every household living close to every proposal. Every household was notified of the process of preparing the Plan however, and was sent a summary leaflet during the issues and options stage in early 2000.

Recommendation 20.5

I recommend no change to this part of the Local Plan.

**Bishops Tawton Action Plan
Proposal BIT2 (Village Car Park)**

Objection 428/1650/F

Mr H Thomas

Issues:

- Need for the car park.
- Availability and suitability of the site.

Inspector's Reasoning and Conclusions

- 20.14 There is no existing public car park in Bishops Tawton and on-street parking leads to local congestion, especially on narrow roads in the village centre. Proposal BIT2 was put forward for a car park in the adopted Local Plan and nothing came of it. The proposal has been objected to on the grounds that it is unlikely to be developed in the Plan period, is poorly located and physically unsuitable.
- 20.15 The Council states that the proposal is not exclusively for a car park, a mixed use proposal such as a residential development to facilitate provision of a car park may be an acceptable alternative. The site could also come forward as part of a package involving redevelopment of industrial units west of Village Street, since that site is in the same ownership.
- 20.16 The site is centrally located and would be convenient for a range of local services including the parish church and village hall. Given the Council's flexibility over the type of scheme that might be allowed, keeping the proposal in the Local Plan seems reasonable.

Recommendation 20.6

I recommend no change to this part of the Local Plan.

**Bishops Tawton Action Plan
Land west of Hammetts Lane**

Objection 443/1687/F

The Smith Trust

Issue:

- Whether land west of Hammetts Lane should be identified for residential development.

Inspector's Reasoning and Conclusions

- 20.17 The proposal site west of Hammets Lane is situated on steeply sloping land to the east of Bishops Tawton. The site lies behind houses along Bishops Tawton Road and rises up to Hammets Lane on the east side of the Taw Valley. Development of this site, which covers some 4.22 hectares of agricultural land, would cause a major impact on the landscape. The hill is mostly undeveloped except for two detached houses on Hammets Lane. Despite some suburbanisation, the village still exhibits signs of natural growth along the A377. Adding a major block of new development would have the effect of extending the suburban form of the Mount Pleasant area around the hill, to the detriment of the landscape and setting of the village.
- 20.18 A site of 4.22 hectares could accommodate between 110 to 148 dwellings. I have concluded elsewhere in my report that there is no need to identify a large green field site of this size to meet strategic housing requirements for the district. The growth strategy of Bishops Tawton as set out in the Local Plan is geared to meeting the needs of the local community. A development of the scale proposed would inevitably lead to significant work, education, shopping and leisure journeys back into Barnstaple, predominantly by car, adding to journey miles and congestion on the road network.

Recommendation 20.7

I recommend no change to this part of the Local Plan.

Bishops Tawton Action Plan
Land west of Old Exeter Road

Objection 443/1709/F

The Smith Trust

Issue:

- Whether land west of Old Exeter Road should be identified for residential or mixed use development.

Inspector's Reasoning and Conclusions

- 20.19 The proposal site is situated on the western side of Bishops Tawton between the A377 and the Barnstaple to Exeter railway line. The southern part of the site is flat land and is in the indicative flood plain shown on Inset Map 9. The Environment Agency has stated that part of the site is located within High Risk Flood Zone 3. A flood risk assessment would be required to determine the extent of the flood risk on the site and those areas outside of the flood risk area which may be suitable for development.
- 20.20 The promoted site covers some 2.87 hectares which could accommodate about 100 dwellings. The land outside the flood plain is 1.4 hectares which could accept about 50 dwellings. I have concluded elsewhere in my report that there is no need to identify a green field site of this scale to meet strategic housing requirements for the district. The growth strategy of Bishops Tawton as set out in the Local Plan is geared to meeting the needs of the local community. A development of the scale proposed would inevitably lead to significant work, education, shopping and leisure journeys back into Barnstaple, predominantly by car, adding to journey miles and congestion on the roads.

Recommendation 20.8

I recommend no change to this part of the Local Plan.

**Bishops Tawton Action Plan
Land adjoining Bellaire**

Objection 223/635/FD Mr and Mrs Draper

Issue:

- Whether land adjoining Bellaire should be proposed for residential development.

Inspector's Reasoning and Conclusions

- 20.21 The proposal site lies immediately to the rear of residential properties along Bishops Tawton Road, and between them and the railway. The site is flat but overgrown. It has well established boundaries and development would not be visually prominent in the wider landscape.
- 20.22 The site covers 0.27 hectares, and could accommodate 9 dwellings. Whilst this level of growth would fit in with the strategy for growth in Bishops Tawton, one of catering for the needs of the local community, and would not seriously affect the settlement strategy of the Local Plan, the site itself is a green field site and has serious access limitations. A previous application for planning permission for one dwelling was dismissed at appeal on access and amenity grounds.
- 20.23 I have concluded elsewhere in this report that there is no need for significant releases of green field land at this stage in the progress of the Local Plan. As a green field site, albeit a small one, this proposal must be seen in the light of that conclusion. Nine new houses on the site could result in significant extra journeys to and from Barnstaple for work, leisure, shopping and education purposes.
- 20.24 In terms of access, the site is seriously deficient. The vehicular access to the main road is steep and narrow and unsuitable to serve a small estate. Traffic using it would affect the residential amenities of the properties either side of the junction with the main road. Should it be possible to find a better access to the site, it could be considered as an exception site for the provision of affordable dwellings, for which the need in this area is acute. There would be no need to alter the Local Plan for such an exception to be agreed.

Recommendation 20.9

I recommend no change to this part of the Local Plan.

Chapter 21 – Burrington Action Plan

Burrington Action Plan

Proposal BUR1 (Residential Development at Balls Corner)

<i>Objection</i>	<i>110/203/FD</i>	<i>Burrington Parish Council</i>
<i>Objection</i>	<i>197/815/FD</i>	<i>Conditionally Withdrawn</i>
<i>Objection</i>	<i>225/718/FD</i>	<i>Government Office for the South West</i>

Issues:

- The lack of housing provision in Burrington.
- Requirement for affordable housing provision.

Inspector's Reasoning and Conclusions

- 21.1 Burrington is defined as a “large village” within the Priority Area for Rural Regeneration, where the emphasis in the Local Plan is to maintain rates of development in order to help sustain the viability of the community and to promote greater self-sufficiency. The Plan states that a moderate level of growth may prevent local services such as schools and shops from becoming unviable.
- 21.2 Evidence from the Parish Council shows that there are 84 full time people employed in businesses in Burrington, plus 40 in farming and forestry. 19 people who travel to work in the village would prefer to live there, many of whom would need to find affordable housing. Together with young people living with families, and those renting who wish to buy their homes, the Parish Council estimate a need for 25 houses, whether affordable or more expensive. Allocation BUR1 is for a small infill development alongside the road to Balls Corner. It would accommodate only 5 dwellings, of which 2 should be affordable.
- 21.3 The Council accepts that the allocation is not enough to sustain the village, and has stated that additional sites for housing could be identified and allocated once the supply of previously developed land has been exhausted. There are however no previously developed sites within the village. Site BUR1 is an infill development that would effectively complete a ribbon of housing stretching eastwards from the village towards Balls Corner. There are other opportunities somewhat closer to the heart of the village and its facilities, such as school, shop and sports areas. Land behind the Parsonage House would be suitable for a mixed scheme for 20 or so dwellings, including 10 affordable houses, provided the amenities of the existing houses are protected. The development boundary could be extended to embrace this site, as far north as the track opposite Cross Park Cottage. Other sites suggested by the Parish Council are less suitable in my view, either interfering with existing vistas of the church, or reinforcing the ribbon development to the south.
- 21.4 The objection from Devon County Council concerned lack of footway provision along the road to Balls Corner. The Council made a change to cover this matter and the objection is conditionally withdrawn. The objection from GOSW is to the affordable housing provision appearing to conflict with the thresholds in Circular 6/98. The Council justifies its stance by referring to Circular 6/98 allowing lower thresholds where circumstances are justified. This issue is dealt with in Chapter 7: Housing.

Recommendation 21.1

I recommend the Local Plan is modified by adding a new proposal to the Plan (Proposal BUR 1A) for housing on land behind The Parsonage House. The allocation should be for about 20 dwellings with at least 10 affordable homes.

Chapter 22 – Landkey Action Plan

Landkey Action Plan

Inset Map 11

<i>Objection</i>	<i>410/2191/R</i>	<i>Larkbear Consortium</i>
<i>Objection</i>	<i>586/2080/R</i>	<i>Mr and Mrs D Heaton</i>
<i>Objection</i>	<i>433/1659/F</i>	<i>Mrs S D Heaton</i>
<i>Objection</i>	<i>433/2402/R</i>	<i>Mrs S D Heaton</i>

Issues:

- A logical location for the development boundary around The Grove.
- Whether the development boundary should be extended around Glencreggan and Hillside Industrial Units.
- The setting of a listed building and the Tarka Trail.
- Countryside Stewardship.
- Impact on the development strategy for Barnstaple.

Inspector's Reasoning and Conclusions

- 22.1 The development boundary at the south west corner of Landkey was proposed to be realigned at Revised Deposit stage to include within it two recently constructed dwellings. Following that proposal, a further dwelling was approved in 2003 in a position just outside the realigned boundary. The Council now proposes a further change to include this latest building within the boundary. The boundary would exclude the adjoining gardens at risk of flooding.
- 22.2 Mr and Mrs Heaton propose that the boundary be further extended, to enclose an adjoining field as far as the line of the Tarka Trail. Another objection suggested an extension to include Glencreggan and the Hillside Industrial Estate.
- 22.3 As it is now proposed, the development boundary is drawn tightly around the older dwellings that cluster near St Paul's Church, but including the recent development south of The Grove. Were it to be extended towards or even past Glencreggan, there would be pressure for more housing development in the very sensitive area to the south west of the church, a Grade 1 listed building. The setting of any listed building is protected. In addition the Tarka Trail follows a course across the fields and emerges just above the church. The last 100 yards or so of the Tarka Trail affords excellent views of the fine church tower. Any new development in the field immediately adjoining The Grove would seriously interfere with these views and the setting of the listed church.
- 22.4 Whilst it is suggested that extending the development boundary would complement the countryside stewardship scheme on adjoining land, this would not, on its own justify moving the boundary, which is primarily a device for controlling and channelling built development. The proposed change to the boundary is reflecting development that has taken place rather than opening up any opportunities for further growth. The effect on the overall development strategy for Barnstaple is nil.

Recommendation 22.1

I recommend that the Local Plan be modified by amending the development boundary at Landkey, to include the three dwellings south of Manor Road, but excluding land at risk of flooding.

**Landkey Action Plan
Inset Map 11 - Landkey**

Objection 62/89/FD

C J Passmore

Issue:

- Amendment to Conservation Area boundary.

Inspector's Reasoning and Conclusions

22.5 The Landkey and Swimbridge Newland Conservation Area was designated in September 1987. Mr Passmore calls for the part of the conservation area to the east of the development boundary up to Newland House to be deleted, as this agricultural land has no chance of being developed in the foreseeable future.

22.6 The part of the conservation area referred to is agricultural land on the side of the valley. It is questionable whether it adds anything useful to the conservation area, except perhaps the setting of Newlands. The Council has indicated that it will look again at the boundary of the conservation area, but this should be done separately from the review of the Local Plan.

Recommendation 22.2

I recommend no change to this part of the Local Plan.

**Landkey Action Plan
New Community Facilities**

Objection 283/1032/F

Councillor David Butt

Objection 147/298/FD *Conditionally Withdrawn*

Landkey Parish Council

Issues:

- New community facilities on the edge of the village.
- Proposed site for new village hall.

Inspector's Reasoning and Conclusions

- 22.7 The Parish Council objects to the omission of a statement that new community facilities would be considered on land outside the development boundary. Policy COM4 in Chapter 9 of the Local Plan indicates when new community facilities will be permitted within or adjoining the built up area of a settlement. Paragraph 22.21 was amended to cross-refer to Policy COM4 to clarify that new facilities would be permitted in Landkey on the edge of the village subject to Policy COM4. The objection is conditionally withdrawn.
- 22.8 The site proposed for a new village hall is located north of the Millennium Green. It is outside the development boundary and is occupied by a number of agricultural buildings, although these are not considered suitable for conversion to a village hall.
- 22.9 The site has poor access from the village and the highway authority has indicated that the site frontage onto Acland Road has insufficient width for adequate visibility to be provided, and that a footpath link would need to be provided from the village. The need for a new, larger village hall is not disputed by the Council, which believes that better alternative sites in locations more central to the village are available. A new paragraph 22.19A has been included in the Plan to clarify that potential sites will be considered against Policy COM4. This deals adequately with this objection in my view.

Recommendation 22.3

I recommend no change to this part of the Local Plan.

Landkey Action Plan**Flood Risk****Proposal LAN1 (Residential Development) and Paragraph 22.11**

<i>Objection</i>	<i>167/358/FD</i>	<i>Environment Protection Group SW</i>
<i>Objection</i>	<i>167/359/FD</i>	<i>Environment Protection Group SW</i>

Issues:

- Maintenance of sustainable urban drainage systems (SUDS).
- Cost effectiveness of flood protection.

Inspector's Reasoning and Conclusions

- 22.10 Paragraph 22.11 of the Plan states that all surface water run off from Landkey enters the Venn Stream, which flows towards Bishops Tawton where localised flooding occurs. To prevent further risk of flooding in either Bishops Tawton or Landkey, any new developments in Landkey should incorporate sustainable urban drainage systems. Environment Protection Group SW objects to this statement on the grounds that SUDS are difficult to maintain.
- 22.11 Policy DVS7 reflects Government and Environment Agency advice, which encourages the use of

SUDS. The Local Plan also recognises at paragraph 4.26 that SUDS require proper maintenance and management. Any new planning permission will require a condition or obligation to ensure that SUDS are effectively managed and maintained.

- 22.12 The requirement for SUDS in accordance with Policy DVS7 will mitigate any additional flood risk as a result of new development by reducing the rate and volume of run-off from new developments. These requirements are part of the physical infrastructure required to enable new development to proceed, and costs should be borne by the developments in accordance with Circular 1/97. The objection that flood schemes can never be viable or cost effective so no dwellings should be built at all in Landkey is unreasonable and contrary to the guidance in PPG25 and Circular 1/97.

Recommendation 22.4

I recommend no change to this part of the Local Plan.

Landkey Action Plan

Proposal LAN1 (Residential Development)

Objection 225/719/FD

Government Office for the South West

Issue:

- Requirement for affordable housing provision.

Inspector's Reasoning and Conclusions

22.13 The Government Office for the South West objects to the affordable housing requirement, which it says appears to conflict with the thresholds in Circular 6/98. Paragraph 10 of 6/98 states that in settlements in rural areas with a population of 3,000 or fewer, the local planning authority should adopt appropriate thresholds. These should be based on assessments which include local needs and the available supply of land for housing, and should be adopted only through the Local Plan process. The severity of the affordable housing need in North Devon has been considered and justified elsewhere in this report (Chapter 7).

22.14 In Landkey, the only specific data indicating a level of need in the village is available from the housing register. As at March 2004, the register revealed 351 households in need within the parish of Landkey, of which 287 households are seeking 1 and 2 bedroom properties for up to 4 people. This indicates the wide gulf between the assessed needs and the practical opportunity to provide affordable dwellings. Landkey is a village with very limited development opportunities. Provision of 2 affordable homes in a small development of only 6 dwellings in total will not solve the problem, but the figures support the Council's position that the extent of the need justifies the adoption of lower thresholds.

Recommendation 22.5

I recommend no change to this part of the Local Plan.

Landkey Action Plan
Land South of Birch Road, Landkey

Objection 273/967/FD

Mr and Mrs Robins and Mr and Mrs Murphy

Issue:

- Whether land south of Birch Road should be proposed for residential development.

Inspector's Reasoning and Conclusions

22.15 The promoted site lies just to the north of the village, and consists of three fields screened by mature trees. It covers 2.5 hectares and could accommodate about 88 dwellings. It is a green field site outside but adjacent to the development boundary. If it was deemed necessary to find a site of this size to accommodate extra housing in Landkey, the site in question would be a good candidate. It would however marginally erode the strategic gap between Landkey and Barnstaple, and development on the higher ground could be visible from the Link Road.

22.16 There is no justification however for development in Landkey on this scale. The village has experienced considerable growth in recent years, and further significant growth would serve only to increase commuting and other journeys back into Barnstaple. It would also conflict with the settlement strategy of the Local Plan, which seeks to locate the bulk of new development in Barnstaple, with other significant growth directed towards the area centres of South Molton and Ilfracombe.

22.17 Paragraph 3.20 of the Revised Deposit Plan indicates the Local Plan strategy for the large villages. Whilst some growth to support services is acceptable, any development should be appropriate to the needs of the community and character of the settlement and surrounding area. Table 10 of General Paper 2 indicates that total housing provision for Landkey will still be approximately 80 dwellings up to 2011, in view of the historic level of unimplemented planning permissions and dwellings under construction.

Recommendation 22.6

I recommend no change to this part of the Local Plan.

Landkey Action Plan

Proposal LAN1b – Watts' Depot: Manor Road

<i>Objection</i>	283/1035/F	<i>Conditionally Withdrawn</i>	<i>Councillor David Butt</i>
<i>Objection</i>	197/816/FD		<i>Devon County Council</i>
<i>Objection</i>	147/294/FD	<i>Conditionally Withdrawn</i>	<i>Landkey Parish Council</i>
<i>Objection</i>	410/2190/R		<i>Larkbear Consortium</i>

Issues:

- Comprehensive development of Watts' Depot and adjoining land.
- Need for additional open space.
- Public safety adjoining Mill Leat.
- Access constraints.
- Impact on the development strategy for Barnstaple.

Inspector's Reasoning and Conclusions

- 22.18 Watts' Depot (Proposal LAN1b) is situated to the south of Manor Road. Immediately to the south of this site, land is identified for the provision of public open space (Proposal LAN2). The only access to the proposed open space would be through the Watts' Depot site, and to ensure a unified development the Council has put the two proposals together into one. These amendments meet some of the points raised by Councillor Butt.
- 22.19 Some objectors suggest that instead of making provision for open space on-site, other off-site provision or enhancement of existing open spaces should be undertaken. The Open Space Strategy for North Devon (CD071) indicates that Landkey has deficiencies in the provision of facilities for young people. Paragraph 22.18 of the Local Plan recognises this deficiency and proposes an additional site for public open space on land south of Manor Road, now part of Proposal LAN1b. The Code of Practice on open space contributions (CD085) indicates that wherever possible, the open space requirement from new development should be provided on site. Given the known deficiency in Landkey, requiring open space provision as part of this proposal seems justified.
- 22.20 Concerns about the safety of children as a consequence of the open space being situated next to a stream, the Mill Leat, can be addressed within the scope of a comprehensive scheme, which should allow the open space to be sited away from the stream.
- 22.21 Concerns by Devon County Council over the lack of pedestrian footways along Manor Road are accepted by the Council. Paragraph 22.15 has been amended to indicate that pedestrian access to the site should be improved as part of the redevelopment, together with traffic management measures along Manor Road. These additions to the text meet the objection in my view.
- 22.22 The Larkbear Consortium objects to the increase in the number of dwellings on the site from 5 to 10, on the grounds that this will dilute the strategy focusing development on Barnstaple. There are only two sites proposed for housing in Landkey: Mazzard Close with 6 dwellings and Manor Road with 10. This is modest provision by any standards and not likely to affect the strategy in any way.

Recommendation 22.6

I recommend no change to this part of the Local Plan.

Landkey Action Plan
Sport and Recreation
Proposal LAN2 (Public Open Space Provision)

<i>Objection</i>	<i>283/1036/F</i>	<i>Conditionally Withdrawn</i>	<i>Councillor David Butt</i>
<i>Objection</i>	<i>283/1033/F</i>		<i>Councillor David Butt</i>
<i>Objection</i>	<i>283/1034/F</i>		<i>Councillor David Butt</i>
<i>Objection</i>	<i>147/293/FD</i>	<i>Conditionally Withdrawn</i>	<i>Landkey Parish Council</i>
<i>Objection</i>	<i>147/295/FD</i>	<i>Conditionally Withdrawn</i>	<i>Landkey Parish Council</i>
<i>Objection</i>	<i>147/296/FD</i>		<i>Landkey Parish Council</i>
<i>Objection</i>	<i>147/297/FD</i>		<i>Landkey Parish Council</i>

Issues:

- Provision of open space for the primary school.
- Proposed open space provision north of Vicarage Road.
- Proposed open space provision south of Mill Leat Gardens.

Inspector's Reasoning and Conclusions

- 22.23 The need for additional open space/recreational facilities in Landkey is identified in the Open Space Strategy for North Devon. The Council accepts the need for play areas to be used in connection with Landkey Primary School. Several sites have been proposed by objectors and the Council has not identified a preferred site. It has however added a sentence to paragraph 22.18 indicating that a need has been identified at the western end of the village and any suitable sites being proposed will be considered against Policy REC2.
- 22.24 The Parish Council propose land to the north of Vicarage Road for use as open space for recreation and for allotments. A smaller site is also proposed for open space for the school by Councillor Butt. These sites are outside the development boundary of the village, but the Council indicated at Inquiry that there would be no objection in principle to their use as open space, orchard or allotments, and that such uses could go ahead without the need to move the development boundary.
- 22.25 Another site is proposed to the south of Mill Leat Gardens. Although only 50 metres or so from the school, the site is partially within the indicative flood plain and therefore unsuitable for use by schoolchildren.
- 22.26 Whilst it might have been preferable for the Plan to make a specific allocation of a recreational ground for use by the school and the wider community, the additional sentence and cross reference to REC2 is a positive step towards provision being made.

Recommendation 22.7

I recommend no change to this part of the Local Plan.

Land at Plyms Farm, Landkey

Objection 450/1711/F

Mrs J Westcott

Issue:

- Proposed residential development at Plyms Farm

Inspector's Reasoning and Conclusions

22.27 The proposal site covers 24 hectares on the western side of Landkey. Whereas the village is relatively compact and focused along the north bank of the Venn, this site would drastically change its shape and character, being on the side of a ridge to the north-west of the village. If fully developed, it would increase the size of the village by about 60%.

22.28 There is no justification however for development in Landkey on this scale. The village has experienced considerable growth in recent years, and further significant growth would serve only to increase commuting and other journeys back into Barnstaple. It would also conflict with the settlement strategy of the Local Plan, which seeks to locate the bulk of new development in Barnstaple, with other significant growth directed towards the area centres of South Molton and Ilfracombe. A development on the scale proposed would substantially fill the existing gap between Barnstaple and Landkey, contrary to the principle set out in paragraph 12.3 of the Local Plan.

22.29 Paragraph 3.20 of the Plan indicates the strategy for the large villages. Whilst some growth to support services is acceptable, any development should be appropriate to the needs of the community, and the character of the settlement and surrounding area. Table 10 of General Paper 2 shows that total housing provision for Landkey will still be approximately 80 dwellings up to 2011, in view of the historic level of unimplemented planning permissions and dwellings under construction.

Recommendation 22.8

I recommend no change to this part of the Local Plan.

Landkey Action Plan

Land off Mill Road

Objection 456/1748/F

Evata

Issue:

- Whether land off Mill Road should be proposed for residential development.

Inspector's Reasoning and Conclusions

22.30 The proposal site is situated on the southern side of Mill Leat, and to the north west of Mill Road. It covers 0.28 hectares and lies outside the development boundary for Landkey. It is proposed as an exception site for affordable housing. The site could accommodate 10 dwellings, but it is wholly

within the indicative flood plain.

- 22.31 The Environment Agency advises that the site lies within high risk flood zone 3. Consequently, residential development on this site would be contrary to the risk-based approach and sequential test for development on flood risk areas as set out in PPG25. The consultation response from the Environment Agency also requires a 7m buffer zone alongside the watercourse. Though 40 m or so wide at its widest, the site tapers at either end to 15-20m. Taking off 7m would thus seriously reduce the available development area.
- 22.32 If the site had not been so close to the stream, it might have been feasible to consider it as an exception site. The need for affordable dwellings is acute enough in Landkey for such a site to be considered without affecting the settlement strategy.

Recommendation 22.9

I recommend no change to this part of the Local Plan.

Chapter 23 – Swimbridge Action Plan

Swimbridge Action Plan

Proposal SWM1a - The Tannery Site

Inset Map 12

<i>Objection</i>	<i>196/566/FD</i>		<i>Mr & Mrs Iles</i>
<i>Objection</i>	<i>196/2081/R</i>		<i>Mr & Mrs Iles</i>
<i>Objection</i>	<i>210/616/FD</i>	<i>Conditionally Withdrawn</i>	<i>Miss J Wade</i>
<i>Objection</i>	<i>207/601/FD</i>		<i>Jeffrey Patton</i>
<i>Objection</i>	<i>210/615/FD</i>	<i>Partially Withdrawn</i>	<i>Miss J Wade</i>
<i>Objection</i>	<i>197/817/FD</i>	<i>Conditionally Withdrawn</i>	<i>Devon County Council</i>
<i>Objection</i>	<i>389/1433/F</i>		<i>Highways Agency</i>
<i>Objection</i>	<i>196/565/FD</i>		<i>Mr & Mrs Iles</i>
<i>Objection</i>	<i>555/2046/R</i>		<i>Swimbridge Needs a Park</i>

Issues:

- Site area of Proposal SWM1a.
- The need for affordable housing provision in Proposal SWM1a.
- Any impact on Swimbridge Conservation Area.
- Access to the site.
- Revenue contributions towards public transport.
- Impact upon the trunk road network.
- Flood risk considerations.
- Improvements to the sewerage system.

Inspector's Reasoning and Conclusions

Site Area

- 23.1 The Tannery Site is the only large, previously developed site in the village. It is proposed for residential development to include at least 35% affordable housing. The existing stone buildings contribute to the character and appearance of the Swimbridge Conservation Area.
- 23.2 An alteration to the inset map (IM12/3RD) shows proposed changes to the area of Proposal SWM1a. One of these is the deletion of land immediately to the west of Tannery House, in order to protect the the setting of the listed building. This change is objected to by Mr and Mrs Iles. Tannery House is a Grade II listed building, whose setting must be protected by law. Historically however, the setting of the building has been one of being surrounded by buildings, including some that appear from an old photograph to butt up to the gable end. Given this historical context, there would appear to be little justification for keeping new development 15 metres away from the building, as the Revised Deposit Plan shows.
- 23.3 The redevelopment of SWM1a provides an opportunity to design a housing scheme that can reflect something of the character of the Old Tannery whilst complementing the present character of

Tannery House. There would be more opportunity to design a sympathetic scheme without the cordon-sanitaire which the proposed change seeks to establish. In my view the boundary of the development site should be restored to its First Deposit position in the corner immediately to the west of Tannery House.

Affordable Housing

23.4 Paragraph 10 of Circular 6/98 states that in settlements in rural areas with a population of 3,000 or fewer, the local planning authority should adopt appropriate thresholds for affordable housing. These should be based on assessments which include local needs and the available supply of land for housing, and should be adopted only through the Local Plan process. The severity of the affordable housing need in North Devon has been considered and justified elsewhere in this report (Chapter 7).

23.5 The site area in the Deposit Plan is just over half a hectare, with site capacity estimated at 15 to 20 dwellings. Given the housing problems prevalent in North Devon, including 114 households in housing need in Swimbridge parish, I consider the requirement to provide at least 5 affordable homes is justified.

Swimbridge Conservation Area

23.6 The whole of the site is within the conservation area, and particular care will be needed to design a scheme which protects or enhances its character. The inclusion of affordable houses should not prejudice this objective, and the constraints of the conservation area should not be used to prevent the inclusion of affordable dwellings in the scheme.

Site Access

23.7 Hannaford Lane is narrow and is not considered suitable to take the extra traffic that the scheme will produce. A new access is needed across land to the north. A stone wall along the northern boundary of Proposal SWM1a should be protected as part of the listed building curtilage. The access should go around the end of the wall rather than through it, and cross the leat on a bridge designed to minimise impact on nature conservation interests. These points are now included in paragraph 23.8 and Criterion C) and meet the relevant parts of Miss Wade's objection.

Revenue Contributions to Public Transport

23.8 Paragraph 23.8 has been amended to include a requirement for revenue contributions towards improving bus services to Swimbridge. This meets the objection of Devon County Council.

Trunk Road Network

23.9 The Highways Agency is concerned about the effects of the development on traffic movements, specifically from commuting to Barnstaple and South Molton along the A361. The level of development proposed for Swimbridge is however consistent with it being identified as a large village within the Priority Area for Rural Regeneration. Limited growth to help sustain local services is appropriate and any consequent impact on roads must be regarded as a necessary evil.

Flood Risk Considerations

23.10 One objector asks whether the requirements of PPG25 are being considered. Most of the site lies within the indicative flood plain, but protected by a flood defence scheme. Paragraph 69 of PPG25 indicates that development behind river flood defences should consider the need for risks to be minimised by incorporation of appropriate flood protection measures in the design and construction of buildings. The requirement for flood alleviation measures is included in Criterion D) of SWM1a.

Improvements to the Sewerage System

23.11 Mr and Mrs Iles point out that the development should only contribute to upgrading of the sewage

pumping station where attributable to this development. The Council accepts that contributions to upgrading the sewage pumping station should only be as a direct result of the development, and fairly related to it in scale and in kind, in accordance with Circular 1/97. The requirements for developer contributions are set out in the Local Plan at paragraphs 3.46 to 3.48, and in more detail in the Best Practice Note on Developer Contributions which has been produced as supplementary Planning guidance (CD082).

Recommendation 23.1

I recommend the Local Plan be modified by restoring the boundary of the development site (Proposal SWM1a - The Tannery Site) to its position in the First Deposit Plan, in the corner immediately to the west of Tannery House.

**Swimbridge Action Plan
Proposal SWM1b - Land Adjacent to the Jubilee Hall**

<i>Objection</i>	554/2043/R		<i>Mr D de Rusett</i>
<i>Objection</i>	197/818/FD	<i>Conditionally Withdrawn</i>	<i>Devon County Council</i>
<i>Objection</i>	389/1434/F		<i>Highways Agency</i>
<i>Objection</i>	207/602/FD		<i>Jeffrey Patton</i>
<i>Objection</i>	207/603/FD		<i>Jeffrey Patton</i>
<i>Objection</i>	557/2049/R		<i>Mr & Mrs Bartlett</i>
<i>Objection</i>	554/2042/R		<i>Mr D de Rusett</i>
<i>Objection</i>	556/2047/R		<i>Mr J Groombridge</i>
<i>Objection</i>	558/2050/R	<i>Moved Away</i>	<i>Pat Chappell</i>
<i>Objection</i>	559/2051/R		<i>R T Smith & S A Smith</i>
<i>Objection</i>	555/2044/R		<i>Swimbridge Needs a Park</i>
<i>Objection</i>	642/2327/R		<i>Swimbridge Parish Council</i>

Issues:

- Revenue contributions to public transport.
- Impact upon the Trunk Road Network.
- Proposed inclusion of Jubilee Hall.
- Proposed extension of site for Proposal SWM1b.

Inspector's Reasoning and Conclusions

23.12 This site is proposed for housing to include about 50% affordable. Development of this site should provide or safeguard a route through to the Tannery site, as well as providing pedestrian and cycle access to the proposed recreation ground at the Glebefield to the west.

Revenue contributions to public transport

23.13 The objection by Devon County Council was to lack of reference to improving public transport.

This has now been covered by the inclusion of a sentence in paragraph 23.10.

Impact upon the trunk road network

- 23.14 As with the previous proposal, the Highways Agency is concerned about the effects of the development on traffic movements, especially from commuting to Barnstaple and South Molton along the A361. The level of development proposed for Swimbridge is however consistent with it being identified as a large village within the Priority Area for Rural Regeneration. Limited growth to help sustain local services is appropriate and any consequent impact on roads must be regarded as a necessary evil. There are already good bus services between Swimbridge and both South Molton and Barnstaple, and any development proposals will need to provide sustainable transport measures in accordance with Policy TRA1A.

Proposed inclusion of Jubilee Hall

- 23.15 The Jubilee Hall is situated immediately to the east of Proposal SWM1b. The Council has indicated that the principle of redeveloping the Jubilee Hall site for housing would be acceptable, provided a replacement hall has been provided in accordance with Policy COM4. It could be regarded as a windfall site, effectively enlarging the area of Proposal SWM1b. There is no current scheme to replace the hall however, nor site identified for a new hall. As there is uncertainty about the potential availability of the hall site during the Plan period to 2011, it would not be appropriate to include the extra land in the allocated site.

Extension of site

- 23.16 A proposed extension to the area of Proposal SWM1b has been made by the Diocese of Exeter, who own land adjacent to the Jubilee Hall and the Glebefield. Extending the area for development would allow additional affordable homes to be erected, increasing the number from 5 to 8. Provision of additional land for housing would also help to facilitate the development of recreational facilities to be provided on the Glebefield. Some objectors however are concerned about the loss of land for the playing fields. Planning permission exists for use of the Glebefield as playing fields. This permission covered the whole of the Glebefield as shown on Inset Map 12 in the First Deposit Local Plan.
- 23.17 The Council states that the amended site area for the Glebefield, shown on IM12/2RD, is still large enough to accommodate a football pitch outside the area of the indicative flood plain shown on Inset Map 12. However the proposed siting for the cricket pitch, car parking and children's play area may need to be amended. Whilst the car parking and children's play area can be relocated without very much difficulty, the cricket ground is more or less fixed in its position in relation to the bends in the Venn Stream which borders its southern edge. The necessary 53 metre radius is already compromised by the stream at two points.
- 23.18 The proposed extension of the development area would eat into the cricket ground by some 15 metres or so, further reducing its ability to stage proper games of cricket. Whilst many rural cricket teams up and down the country put up with substandard grounds with short boundaries, it seems a shame to create a new cricket ground that is already compromised in this way. In my view the ability to build an additional 3 affordable dwellings on the adjacent site would not justify creating a sub-standard cricket field. As it stands the proposed extension is about 35 metres in length. If this was reduced to 20 metres, the cricket ground could remain intact, and the housing area would be at least significantly larger. There is no such proposal before me however, and I leave it to the Council to consider this possibility when it discusses the proposed development with the applicants.

Recommendation 23.2

I recommend that the Local Plan be modified by deleting the proposed change to Inset Map 12 (IM12/4RD). This should be replaced with one showing a smaller extension of 20 metres to the housing area SWM1b. There should also be a compensating alteration to Inset Map proposed change IM12/2RD, increasing the area of open space by 15 metres.

Swimbridge Action Plan

Flood Risk

Paragraph 23.5

Objection 167/360/FD

Environment Protection Group SW

Issues:

- Maintenance of sustainable urban drainage systems (SUDS).
- Cost effectiveness of flood protection.

Inspector's Reasoning and Conclusions

- 23.19 Paragraph 23.5 states that to prevent the risk of flooding all new developments in Swimbridge will be assessed against Policy DVS6, and must incorporate sustainable urban drainage systems in accordance with Policy DVS7. Environment Protection Group SW objects to this statement on the grounds that SUDS are difficult to maintain.
- 23.20 Policy DVS7 reflects Government and Environment Agency advice which encourages the use of SUDS. The Local Plan also recognises at paragraph 4.26 that SUDS require proper maintenance and management. Any new planning permission will require a condition or obligation to ensure that SUDS are effectively managed and maintained. The National SUDS Working Group published a "Framework for Sustainable Drainage Systems in England and Wales" (CD114), which identifies a set of core standards and agreements between public organisations with statutory or regulatory responsibilities relating to SUDS.
- 23.21 The requirement for SUDS in accordance with Policy DVS7 will mitigate any additional flood risk as a result of new development by reducing the rate and volume of run-off from new developments. These requirements are part of the physical infrastructure required to enable new development to proceed and costs should be borne by the developments in accordance with Circular 1/97. The objection that flood schemes can never be viable or cost effective so no dwellings should be built at all in Swimbridge is unreasonable and contrary to the guidance in PPG25 and Circular 1/97.

Recommendation 23.3

I recommend no change to this part of the Local Plan.

**Swimbridge Action Plan
Land Opposite Parochial School**

Objection 470/1806/F Conditionally Withdrawn Diocese of Exeter

Issue:

- Whether land opposite the Parochial School should be proposed for residential development.

Inspector's Reasoning and Conclusions

23.22 The land opposite Swimbridge School is a steeply sloping, green field site overlooking the Glebefield. If there was a need to identify additional land for housing in Swimbridge, this site might well be a suitable candidate, although it is a little steep. Its position at the entrance to the village and opposite the listed school makes it a good site on which to envisage a “gateway” development that could enhance the setting of the school and the Glebefield below.

23.23 The site is used as an informal car park for the school, and its loss for this function would cause some concern, but could be addressed through a traffic management scheme. A new car park is proposed on the northern part of the Glebefield site to serve the playing fields, and could also serve the school. As there is no over-riding need for extra housing in Swimbridge however an allocation would not be appropriate.

Recommendation 23.4

I recommend no change to this part of the Local Plan.

**Swimbridge Action Plan
Education Provision
Paragraph 23.18**

Objection 556/2048/R

Mr J Groombridge

Objection 559/2053/R

R T Smith & S A Smith

Objection 555/2045/R

Swimbridge Needs a Park

Objection 642/2322/R

Swimbridge Parish Council

Issues:

- Encroachment onto proposed open space.

Inspector's Reasoning and Conclusions

23.24 Paragraph 23.18 of the Plan refers to the possible need for a replacement primary school. The four

objectors listed above generally support the paragraph, but would wish to ensure that any new school would not encroach into the area designated as public open space.

- 23.25 There is no formal proposal for a new school site, and if one was to be put forward by the local education authority it would be considered against Policies COM4 for new community facilities, and REC6 should there be any effect on the proposed open space. The matter is conjecture at present however, and cannot justify any amendments to paragraph 23.18.

Recommendation 23.5

I recommend no change to this part of the Local Plan.
