**MINUTES OF THE REGULAR MEETING OF THE IPPLEPEN PARISH COUNCIL PLANNING COMMITTEE ON WEDNESDAY 16th April 2014 at 19.00hrs**

Present: Councillor C Tompkins

Councillor C Popham

 Councillor R Carnell

 Councillor R.Farrow

 Councillor R.Vallance

 Councillor B.Calland

 The Clerk

 District & County Councillor

1. **Apologies:**

Coun.Smith, Coun.Mrs.Wilson, Coun.Mrs.Northwood, Coun.Mrs.Cleasby

1. **Review of Planning Applications:**

Ref: 14/00592/MAJ Land at NGR 284321 66910 Foredown Road, Ipplepen for 39 dwellings and related infrastructure for Bloor Homes South West.

**Comment: Please refer to Appendix 1 attached.**

Ref: 14/00965/MAJ at Bulleigh Barton Farm, Ipplepen for Messrs.Dennis. Approval of details for two detached buildings for beef rearing (a[pproval sought for access and landscaping)

**Comment: Ipplepen Parish Council have no objection, however, have a preference for timber clad, which would be more aesthetically pleasing in the countryside.**

**APPENDIX 1**

**Response sent to Teignbridge District Council from Ipplepen Parish Council**

**Land off Foredown Road, Ipplepen, NEWTON ABBOT:**

**Ref: 14/00592/MAJ**

**Proposal: 39 Dwellings and Related Infrastructure**

Dear Madam

Thank you for letter dated 10th March 2014 inviting comments from Ipplepen Parish Council (IPC) in respect of the above application. The application was considered at the Planning Sub-Committee of the Parish Council held on 16th April 2014 where it was resolved to **object** to the proposed development. The information set-out below provides the basis for the parish council’s objection:

**Preamble**

The application site is located on land off Foredown Road on the north eastern outskirts of the Village of Ipplepen and extends to some 1.37ha. The site lies on the gateway into the village and consists in part of semi-improved grassland. The site is bounded to the east and west by existing hedgelines and a stone wall fronting Foredown Road forms the southern boundary.

Outline planning permission for the siting and approval sought for access for 34 affordable dwellings (Ref: 09/03064/MAJ) was granted by Teignbridge District Council in January 2010. The application relied solely upon the Exception Site Policy H8 contained in the Teignbridge Local Plan 1989-2001. However, the outline planning permission was never implemented and the consent expired in January 2013.

**Planning Policy and Guidance**

**The Development Plan**

The Teignbridge Local Plan 1989-2001 (TLP) was adopted in October 1996. In 2007, the Secretary of State (SoS) issued a saving direction which prevented most of the policies within the TLP from expiring in accordance with the Planning and \compulsory Purchase Act 2004. Although the period that the saved policies were originally intended to cover has now expired, they will remain an existing component of the Development Plan until they are replaced by the adoption of a new Local Plan.

**The emerging Local Plan**

Teignbridge District Council is in an advanced stage in the preparation of their emerging Local Plan (eLP) to cover the period 2013 to 2033. The document was submitted to the SoS for examination on 20th June 2013. The Examination in Public was held between 5th and 24th September 2013 and following a six week period of consultation the Inspector appointed by the SoS reported, subject to some modifications to make the Plan legally compliant, that the Plan was sound. In the last week the Inspector has issued his final Report on the examination into the Teignbridge District Local Plan (Ref: PINS/P1133/429/9). The new Local Plan is now likely to be adopted within the next six weeks and will become the Development Plan for the District.

The Planning Statement which supports the application at paras 4.3.1 and 5.1.2 cites the eLp as a ‘material consideration’ of ‘moderate weight.’ However, as the Development Plan is at a very advanced stage, it may now be regarded as having significant weight.

**National Planning Guidance**

The National Planning Policy Framework (NPPF) was adopted in March 2012 and replaces all previous Planning Policy Statements and Guidance Notes. It’s provisions constitute material considerations which carry significant weight in the determination of planning applications. The new Teignbridge Local Plan has been modified by the Inspector to ensure consistency with the NPPF.

**Housing Supply**

The Planning Statement which accompanies the application contends that Teignbridge District Council (TDC) are unable to demonstrate a five year housing supply which was endorsed by a recent appeal decision determined by the SoS on 10th September 2013 in respect of outline planning permission for housing (up to 350 dwellings) and associated development at land to the south of Shutterton Lane, Dawlish. The application also cites advice from the NPPF in para 4.1.7 which encourages local planning authorities to identify and update annually deliverable sites sufficient to provide five years’ worth of housing against their housing requirements with an additional 5% buffer. The application goes on to say “where there has been a record of persistent under-delivery of housing, local planning authorities should increase the buffer to 20%. Moreover, the application states at 5.1.4 that, “During more recent pre-application discussions with the Council they have confirmed that they are still not in a position to be able to demonstrate a five year housing land supply.”

An Appeal Decision (Ref: APP/P1133/A/13/2209715), however, dated 6th March 2014 relating to proposed development of up to 25 dwellings at Lemonford Caravan Park, Bickington, Newton Abbot refutes the allegation made that TDC cannot demonstrate a five year housing supply. The Planning Inspector acknowledges that “not only can the Council identify the necessary five year land supply, but it can also cater for the 20% buffer . . . “ The Inspector’s Report goes onto to say that because relevant policies contained in the eLP “notably in respect of housing land supply, are no longer out of date” . . . . . that the eLP “may in that respect now be accorded very significant weight.”

Furthermore, para.37 of the Planning Inspector’s Report to Teignbridge District Council states; “On all the evidence put forward to the examination, I consider the housing targets put forward in the Local Plan can be delivered and a five year supply of housing will be available.”

This evidence is contrary to the assertions made in the supporting Planning Statement where para 4.2.1 alludes to the Council relying upon an out-of–date Development Plan and paras 5.1.5 & 6.1.3 citing that recent appeal decisions has confirmed that the Council are unable to demonstrate a five year housing land supply which is now not the case.

**Planning Policy Considerations**

The proposal is in clear conflict with the Development Plan. Ipplepen is clearly a village cited in the adopted and submitted local plans as a defined settlement within the wider countryside. The emphasis of policy H7 (Residential Development in the Countryside) and policy ENV4 (Development within the Countryside) of the adopted local plan is on prevention of development in the countryside outside the defined settlement limits. The proposed development site off Foredown Road is the gateway into the village and the open feel is of over-riding importance to the unique character and environmental quality of the local landscape and settlement to which it is related.

Policy S21 (Villages) of the eLP states that the defined villages will be appropriate locations for limited development which meets their social and economic needs, protects their rural character and is consistent with the need to minimise travel. It is clear that the intention to do so encompasses the intention that such limited development will be largely confined within the settlement limits. The proposed development at issue would be at odds with that intention as well as the restrictions imposed by policy H7 of the adopted local plan. As regards the overall settlement pattern, the underlying philosophy of the emerging plan as a whole is made abundantly clear in the explanation to policy S21. This says… “The plan focuses development on the urban areas as the most sustainable locations for new residents and workers. Therefore there are no specific proposals in this plan for the villages. Instead, subject to retaining local services, small scale proposals which meet local needs and conform with the policy should continue to come forward. The policies map defines settlement limits…….”

Moreover, the Council clearly sets out in policy S4 (Land for New Homes) of the eLP the intended distribution of new housing, approximately 90% of which is to be distributed amongst the named towns, leaving the remaining 10% to be distributed between some 19 settlements classified for policy purposes as villages (two of which, Exminster and Starcross, would have amended settlement limits) and, subject to the constraints of policy S22, the wider countryside.

**Affordable Housing**

It is also clear that the proposal is contrary to policy WE5 Rural Exceptions (previously Exceptions Policy) where development of a site for 100% affordable housing outside of a settlement boundary will be permitted subject to criteria contained in the policy. The proposed development of 39 dwellings seeks to provide 12 affordable units which equates to 30%, as required the application maintains to comply with policy WE2 Affordable Housing Site Targets. However, this policy relates to open market housing sites and will apply only upon the introduction of the Community Infrastructure Levi, as explained in the eLP supporting text.

The Parish Council supports, in principle, the concept of new open market as well as affordable housing within sustainable locations in the parish. A small amount of housing may come forward outside the main defined village settlement boundary through infill proposals or through neighbourhood planning to meet local needs in accordance with Policies S23 (Neighbourhood Plans) and WE5.

**Biodiversity**

The Ecological Impact Assessment in support of the proposed development concludes that “the proposed works will result in ecological enhancements across the site including the creation of species rich hedgerows, landscape planting and enhancement of the marsh. The Parish Council does not find the applicant’s reasoning persuasive on this matter given that the proposed development is a permanent sterilisation of land that would result in a demonstrable affect to the existing ecological assets at the site. Moreover, there are no off-site mitigation proposals to compensate for the ecological impact which would result from the proposed development

**Traffic and Transportation**

Please refer to comments provided at Appendix 1 attached.

In view of the above, Ipplepen Parish Council are of the opinion that in planning terms the basis upon which this planning application relies is flawed as the proposed development would be contrary to planning policy and therefore, recommend that planning permission should be refused.