

Application Report

Strategic Development & Planning

Place Services

North Devon Council

Lynton House, Commercial Road,

Barnstaple, EX31 1DG



Application No:	71532	Application Expiry:	13 August 2020
Application Type:	Reserved matters	Ext Of Time Expiry:	
		Publicity Expiry:	24 February 2021
Parish/Ward:	Ilfracombe/Ilfracombe East		
Location:	Land East of Old Barnstaple Road Ilfracombe Devon		
Proposal:	Reserved matters application for use of land for outdoor sports provision (Use Class D2) (outline planning permission 62544) (amended plans and documents)		
Agent:	PCL Planning Ltd		
Applicant:	Inox Homes (Ilfracombe) Ltd		
Planning Case Officer:	Mr R. Pedlar		
Departure:	N		
EIA Development:		EIA Conclusion:	Development is outside the scope of the Regulations.
Decision Level/Reason for Report to Committee (If Applicable):	This is a 'Major' application associated with a strategic allocation in the Local Plan.		Committee

Site Description

The site is positioned to link in with the application proposals submitted on the wider Southern Extension application site to the north.

The site is located to the south of Ilfracombe on land to the east of Old Barnstaple Road (B3226).

The application site extends to just over 5 hectares and currently comprises agricultural land which is gently sloping and rising land on a ridge between two local high points in the landform (one to the north and one to the south). Due to the topography of surrounding land and existing vegetation (particularly along the boundary of the site with Old Barnstaple Road), the site has limited inter-visibility with land to the south, north and west. The site is the most visible from the east where it is viewed as part of the rising land in this location, which reaches its peak of 233 metres approximately 450 metres to the south of the site.

Recommendation:

Approved

Legal Agreement Required:- No

Planning History

Planning	Decision	Decision Date
71537		
Address: Land East of Old Barnstaple Road, Ilfracombe, Devon		
Proposal: Phase A: Reserved matters application for erection of 347 dwellings and erection of community building together with associated works (outline planning permission 56675 as amended by 70654) (amended plans and documents)		
71582		
Address: Land to the east of Old Barnstaple Road, Ilfracombe, Devon		
Proposal: (Duplicate application to 71537) Reserved matters consent for access, layout, appearance, scale and landscaping for Phase A comprising proposed community use building (Use Class D1), 347 residential dwellings and associated green infrastructure, together with the discharge/partial discharge of outline conditions (outline planning permission 56675)		
71583		
Address: Land to the east of Old Barnstaple Road, Ilfracombe Devon		
Proposal: (Duplicate application to 71532) Reserved matters consent for access, layout, appearance, scale and landscaping of proposed playing pitches, MUGA, car parking and associated landscaping (outline planning permission 62544)		

56675	Outline + S106 Approval	24 May 2017
Address: Land Between A361 & B3230, South of Ilfracombe, Ilfracombe, Devon, EX34 8PQ		
Proposal: Outline application for 750 dwellings together with a mixed use centre (the hub) comprising 250m2 retail (a1); financial services (a2); restaurants, pubs & takeaways (a3, a4, a5); up to 3250m2 of business uses (b1); community uses (including health centre) (d1); a community pavilion (d2); access from Old Barnstaple Road; extra care housing/facility; primary school; green infrastructure including formal & informal open space & amenity space; sustainable drainage systems; infrastructure (including highways & utilities (including gas, electric, water, sewerage & telecommunications); highway, cycle & pedestrian routes; site reclamation (including the demolition & removal of structures (including Channel Farm)); & engineering works (including ground remodelling) (amended documents - location plan, parameters plan, environmental statement addendum, ecological appraisal & flood risk assessment)		
62544	Outline Approval	24 May 2017
Address: Land East Of Old Barnstaple Road, Ilfracombe, Devon EX34 8PQ		
Proposal: Outline application for use of land for outdoor sports provision (use Class D2).		
70654	Approved	18 November 2019
Address: Land between A361 & B3230, South of Ilfracombe Devon		
Proposal: Application for non material amendment to planning permission 56675 in respect of amendments to conditions 6-10		

Constraints/Planning Policy

Constraint / Local Plan Policy

Constraint / Local Plan Policy	Distance (Metres)
Advert Control Area Area of Special Advert Control	Within constraint
Chivenor Safeguard Zone Consultation Any Development	Within constraint
Class III Road	
Critical Drainage Area	Within constraint
Landscape Character is: 5C Downland	Within constraint
Within Adopted Coast and Estuary Zone	Within constraint
Within adopted Development Boundary: Ilfracombe	Within constraint
Development Boundary ST06	
Within Adopted Unesco Biosphere Transition (ST14)	Within constraint
SSSI Impact Risk Consultation Area	Within constraint

DM02 - Environmental Protection
 DM04 - Design Principles
 DM05 - Highways
 DM06 - Parking Provision
 DM07 - Historic Environment
 DM10 - Green Infrastructure Provision
 ILF - Ilfracombe Spatial Vision and Development Strategy
 ILF01 - Ilfracombe Strategic Southern Extension
 ST01 - Principles of Sustainable Development
 ST02 - Mitigating Climate Change
 ST03 - Adapting to Climate Change and Strengthening Resilience
 ST05 - Sustainable Construction and Buildings
 ST07 - Spatial Development Strategy for Northern Devon's Rural Area
 ST10 - Transport Strategy
 ST14 - Enhancing Environmental Assets
 ST15 - Conserving Heritage Assets
 ST22 - Community Services and Facilities

Consultees

Name	Comment
Arboricultural Officer	No response
Arboricultural Officer	
Arboricultural Officer Reply Received 12 January 2021	<p>1) Trees and Hedgerows: The Arboricultural report provided, whilst appropriate as a tree constraints plan (TCP) is not an arboricultural impact assessment (AIA) and associated tree protection plan (TPP) and (AMS) that addresses the specific measures that will be taken to ensure that 'retained' trees and hedges will be adequately protected during the course of construction and demonstrate that the long term retention and management of the trees and hedgerows can be successfully achieved in light of the proposed site layout and design.</p> <p>Of particular importance in the context of the development proposed will be the retention, protection and future management of the existing and 'retained' hedgerows that run North South. This will be of particular significance due to the potential / likely engineering works and terracing that will be required to address site levels. As you are aware this matter was specifically raised and asked to be addressed by the applicant at the design review panel meetings.</p> <p>More detail in respect of the TPP and AMS to address this will be required before we can have any confidence in the successful retention and management of these features in the post</p>

development context.

I would also state that BS5837 – sets out minimum root protection areas and larger buffers should be provided where possible. BS5837 also advises that provision should be made to protect future landscape areas and it would be useful to see this achieved. (i.e. having a clear TPP showing new landscape areas fence off and avoided during the course of construction – although I would accept/expect some of these areas for example the POS to the south of the site to be used during construction for construction compounds ect.

2) Landscape Framework: The submission provides some general detail of the overall indicative framework but significant reliance appear to be given to avenue planting within highway verges – does the applicant have any evidence to demonstrate that the highways authority are happy with the level of tree planting proposed within the highway and will be willing to accept and maintain the long term management of this planting and do we have any detail in respect of the soil volumes that will be necessary to support this tree planting to maturity and how this will be delivered. (I suspect that the soils may be relatively thin above the bedrock at this site and that extensive soil stripping/ engineering works and compaction of soils to enable the construction of the proposed housing will necessitate engineered tree pits and provision of sufficient soil volumes and appropriate soils will be required to enable the successful establishment of the proposed planting.)

3) Biodiversity Management Plan: I'm broadly content with the overall submission but I believe that there are a number of areas where clarification should be sought and where additional information could be provided that would demonstrate policy compliance with the current local plan as opposed to merely addressing the condition requirements of the earlier consent. In particular I would wish to see further detail in relation to;

- a. the % species mix of the proposed new woodland and hedgerows
- b. the proposed planting densities / spacing and varieties of malus species for the proposed new orchard
- c. details in respect of the proposed ecological monitoring and means of reporting to the local authority and means of seeking written agreement to the BMP in order to ensure that its delivers the stated aims and objectives
- d. details in regard to how the proposed works will deliver biodiversity net gain as required through current local plan policies – i.e. use of the DEFRA metric to assess the existing habitat value

	and proposed habitat value in order to demonstrate / quantify the increase in biodiversity value of the existing and post development habitat.
Councillor D Turton	No response
Councillor D Turton	No response
Councillor J Campbell	No response
Councillor J Campbell Reply Received 23 November 2020	22/11/2020 13:43 - The original application showed provision for football pitch / pitches. However, the recent application has done away with these and have only including rugby and cricket pitches. I feel strongly against this as the local rugby club already have a ground and facilities. Whereas, there is no public football pitch in Ilfracombe at this present moment, as the Ilfracombe Town Football Club is privately owned. Therefore, I feel I would have to call this application in, to address this matter.
Councillor P Crabb	No response
Councillor P Crabb	No response
DCC - Development Management Highways	No response
DCC - Development Management Highways Reply Received 22 July 2020	22/07/2020 14:24 - No Objections
DCC - Historic Environment Team	No response
DCC - Historic Environment Team	No response

DCC - Lead Local Flood Authority	
DCC - Lead Local Flood Authority Reply Received 2 July 2020	<p>Recommendation: At this stage, we object to the above planning application because the applicant has not submitted sufficient information in order to demonstrate that all aspects of the surface water drainage management plan have been considered. In order to overcome our objection, the applicant will be required to submit some additional information, as outlined below.</p> <p>Observations: The applicant must submit details to demonstrate how surface water shall be managed for the site (including the community building, car park and MUGA). The applicant must also submit MicroDrainage model outputs to demonstrate that the proposals are designed to the 1 in 100 year (+40% allowance for climate change) rainfall event.</p>
DCC - Lead Local Flood Authority Reply Received 22 December 2020	<p>Recommendation: Although we have no in-principle objection to the above planning application at this stage, the applicant must submit additional information, as outlined below, in order to demonstrate that all aspects of the proposed surface water drainage management system have been considered.</p> <p>Observations: The applicant has not considered surface water drainage for the building for the changing rooms and community hub. This building appears to be included within this planning application, therefore, must be considered.</p>
Designing Out Crime Officer	No response
Designing Out Crime Officer Reply Received 28 May 2020	<p>Police have no objections in principle to the proposal. Multi-use games areas and artificial playing surfaces, usually with lighting for night time use, are expensive facilities that are often targets for intrusion, vandalism and misuse. They need to be carefully planned, managed and protected using all appropriate guidelines and specifications. I can find no details of any proposed boundary treatments for the MUGA, therefore, it is recommended consideration is given to fully enclosing the playing surface with 3m fencing. If flood lighting is to be provided it must be vandal resistant and installed so as not to impact on near-by residents. Any access gates must be installed in such a way that no climbing aid is provided and they can be secured when the facility is not in use. It is recommended any</p>

	<p>storage for play and sports equipment, should where possible, be provided within the proposed community building. Initial generous storage provision should help to avoid future need for additional outbuildings which are more vulnerable to attack.</p> <p>With regard to the proposed playing field plateau, again if this is to be an artificial surface(s) it must be suitably enclosed with fencing and lockable gates to prevent unwanted intrusion, nuisance and anti-social behaviour.</p> <p>Consideration should be given as to how maintenance and service vehicles and equipment can access the playing fields whilst preventing unwanted vehicular access. Suitable access and turning for emergency vehicles as close to the MUGA/ sports facilities as possible should also be provided. Will any/all sports facilities be covered by any CCTV?</p> <p>Any landscaping should not hinder or impede natural or formal surveillance of the facilities as this is likely to increase the opportunity for nuisance and anti-social behaviour, particularly in and around the MUGA.</p> <p>Should you or the applicant require any clarification in respect of the above comments, please do not hesitate to contact me.</p>
Devon Wildlife Trust	No response
Devon Wildlife Trust	No response
Economic Regeneration Officer	No response
Economic Regeneration Officer	No response
Environment Agency	No response
Environment Agency Reply Received 6 July 2020	We consider that you have consulted us in error on this application and therefore have no comments to make. However, if you have any specific questions please let us know.
Ilfracombe Town Council Reply Received 16 June 2020	Recommendation - Members felt that this application is not what was envisaged in the previous applications. It was noted that key groups had not been consulted on the application and that there was not enough support from Sport England, in that respect and

	<p>with no further comments, this application was moved for REFUSAL, with all members in favour, the motion was carried. Cllrs: P Crabb & G Fowler declared an interest in this application and did not vote.</p>
<p>Ilfracombe Town Council</p> <p>Reply Received 18 December 2020</p>	<p>We are writing to respond to the latest documents filed for applications 71532 and 71537.</p> <p>There is obviously a need for sports pitch provision in Ilfracombe but there appears to have been little or no consultation with either the football or rugby clubs. The proposed provision also falls short of the original intention.</p> <p>The site is very special and is in a sensitive position, being adjacent to AONB land and within sight of the Exmoor dark skies zone. As Local Plan policy ILF01 states the new development must integrate within the existing landscape setting and minimise its impact on these areas.</p> <p>The development does look as if it is being placed onto the landscape rather than integrated: it appears from the plans that some of the buildings may affect the sky line; in their response to questions from the Local Planning Authority on this the developer refers to a photomontage showing that the skyline is not broken by built form. This photomontage is identical to the one produced in July 2014, which was a very different layout, so makes one wonder why it was referenced at all in this plan (the earlier plan had a wide expanse of green space, including the playing fields, in the centre of the site whereas the playing fields in this plan have been moved south and reduced in size with building in the centre).</p> <p>Policy ILF01 looks for a distinctive, safe, sustainable, and high quality development. The development should also reflect and complement the character of Ilfracombe. There is no attempt to reflect the terraces, albeit in a modern vernacular, and the driver for this appears to be accommodating parking at individual properties. Some of the best designs in the country have designed the development for people first, with a more imaginative approach to car parking, e.g. Norwich where the streets are free of parked cars, except for loading and unloading, and cars are parked in purpose-built spaces close by.</p> <p>The buildings themselves lack imagination and could be found in any town anywhere in the country: this is not distinctive nor would it be seen as high quality design.</p> <p>There is no indication in the plans of what measures are being incorporated to reduce energy demand and improve energy efficiency. There are no schemes mentioned to utilise renewable energy, or to take the opportunity to create a district heating scheme.</p> <p>We welcome the approach to landscaping with the stress on planting for wildlife and biodiversity. The sustainable drainage</p>

	<p>strategy looks adequate but does not appear to incorporate additional water storage areas, e.g. soil bunds, ponds, rain gardens as per ILF01 "a sustainable water strategy that reduces water usage, incorporates additional water storage areas compared to normal sustainable drainage systems": these also help to improve biodiversity.</p> <p>What consideration has been given to waste and recycling storage and collection: access for vehicles as well as space in the housing units?</p> <p>In terms of connection with the rest of the town, ILF01 supported by the Ilfracombe Transport Master Plan expects to see a "permeable and connected network of streets, footpaths and cycleways...that connect to and safeguard future linkages to adjoining parts of the town". It is quite important that the development feels connected to the town even though it is outside the current built zone. It is unclear to see if the footpath and cycle path that runs parallel to New Barnstaple Road connects to the roundabout above Tesco. It would also be helpful to have a bus stop located within the development itself rather than just on New Barnstaple Road.</p> <p>The town council is not averse in principle to the development but we remain to be convinced that the current plan meets the expectations outlined in ILF01.</p>
<p>Ilfracombe Town Council</p> <p>Reply Received 16 February 2021</p>	<p>Recommendation - Members felt this application was not in line with the agreed brief regarding the development of sports facilities on site and felt there was a lack of consultation, therefore this application was moved for Refusal and with all members in favour and 1 abstention, the motion was carried.</p>
<p>Natural England</p> <p>Reply Received 4 June 2020</p>	<p>Natural England currently has no comment to make on the approval of reserved matters.</p> <p>Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again. Before sending us any further consultations regarding this development, please assess whether the changes proposed will materially affect any of the advice we have previously offered. If they are unlikely to do so, please do not re-consult us.</p>
<p>Natural England</p> <p>Reply Received 27 November 2020</p>	<p>Thank you for your consultation.</p> <p>Natural England has previously commented on this proposal and made comments to the authority in our letters dated 28th February 2017 and 3rd June 2020.</p> <p>The advice provided in our previous response applies equally to this amendment, although we made no objection to the original proposal.</p> <p>The proposed amendments to the original application are unlikely to have significantly different impacts on the</p>

	<p>natural environment than the original proposal. Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again. Before sending us the amended consultation, please assess whether the changes proposed will materially affect any of the advice we have previously offered. If they are unlikely to do so, please do not re-consult us.</p>
North Devon AONB Service	No response
North Devon AONB Service	The AONB Partnership has decided not to make a representation with regard to these applications.
<p>Open Space Officer</p> <p>Reply Received 29 May 2020</p>	<p>SPORTS PROVISION - 71532</p> <p>North Devon has produced a Playing Pitch Strategy with support of Sport England and sports National Governing bodies which sets out current and future demand for sports pitches in North Devon (and Torridge). The summary identifies the following:</p> <ul style="list-style-type: none"> - Lack of football pitches across North Devon, Ilfracombe is identified as a potential site - New cricket pitches in Ilfracombe at either the Rugby club or Southern Extension - Additional rugby pitches across North Devon <p>The action plan also states Southern extension can accommodate : 'New provision required to meet demand from new housing in Ilfracombe - 2 adult football and 1 grass cricket pitch'. Which is a priority 1 project identified with Sport England.</p> <p>This therefore raises questions about the type of provision to be delivered as formal sports pitches within the southern extension. Further clarifications are therefore sought on discussion and consultation the applicant has undertaken. The S106 refers to delivery of pitch or pitches.</p> <p>Pitch</p> <p>The plans indicate the pitch can accommodate a full size rugby pitch or two junior football pitches. It is important to know who the end user group is likely to be to ensure specification meets the appropriate sporting requirements.</p> <p>Please confirm the exact pitch dimensions with run off and target end user.</p> <p>If use is looking to support both rugby and junior football, without being over played, then we need to understand how the two uses will come together operationally and also secure ownership with shared management for club/community use. Please provide further information.</p> <p>Muga</p>

	<p>I cannot see a plan and specification for the MUGA, dimensions, surfacing, layout for sports, nets, goals, fencing, access paths etc. Please confirm dimensions and specification, surfacing etc. The S106 specifies it should be a minimum of 685sq.m. Who will manage this facility.</p> <p>Community building and changing provision Proposal for 148sqm of changing space. Does this comply with Sport England’s facility requirements? Again, the end user is key as the FA have changing room facility standards which must be met for certain fixtures. Please confirm who are you in dialogue with as this may impact the design and layout. Separate access point for club changing may be required to avoid conflict of use between that and the main community hall. Changing provision is secured through the S106 for sports pitch use.</p> <p>The Planning Statement refers to working towards achieving upgraded facilities such as floodlights and car parking, please can further detail be provided? Car parking should be required at the outset to support away fixtures and allow safe drop of points for those with sports kit. We need details of who and how these facilities will be managed to comply with outline consent. The submission to date says they are in discussion, unfortunately this is not sufficient to approve the RM application.</p> <p>The S106 requires a serviced site of 2000sqm for the community building, with £500 contribution per dwelling (347 x 500 = £173,500) for this phase.</p> <p>Further to my comments above, clarification is also sought on the community hall. Discussions at the time of the outline application recognised the importance for use of indoor tennis. Dimensions required for this to comply would be: 668m2 (36.57 x 18.29m) with 9m height.</p>
<p>Open Space Officer</p> <p>Reply Received 4 December 2020</p>	<p>Please find below the consultation in regards to the POS for application 71532 and 71537 which are intrinsically linked.</p> <p>1) Broadly speaking, the two pitches delivered to the dimensions outlined meet the policy requirements expected for this development. It is our view that these would support youth rugby and youth football, depending on the management model that is decided for the site.</p> <p>2) The applicants drainage engineer has confirmed that the playing fields wouldn’t need any surface water drainage. To support the level of usage expected at this site we and the RFU disagree with this view. Whilst water will eventually percolate, this doesn’t mean it is a suitable solution for a sports pitch.</p>

3) The orientation of the pitches means it is unlikely that both could be used at the same time without installation of a ball net. The run-off between the pitches in this orientation would also need to increase to 6m to accommodate a ball net. Can the pitch orientations be side by side? Or can the applicant include a ball stop net 20ft in height in the scheme and increase the run-off between the two pitches to 6m?

4) We are awaiting details relating to the MUGA, including specification and dimensions.

5) We are awaiting information on access paths to link the community building/changing rooms and the Sports pitches and MUGA.

6) In regards the community building, there is a lack of storage to serve the pitch uses. This should be accessible from outside.

7) The Play Area (LEAP) meets the minimum requirements, but it should be noted the play value of the climbing net, bridge and the stand alone slide are very low and could be improved upon, especially for a development of this size. For instance a multi-functional module combining climbing, balance and slide could be provided instead of three independent pieces. A roundabout and/or twin swing incorporating infant seat and flat seat could then be provided within the space vacated. However as stated the design does meet minimum standards.

8) Do the footpaths for the wider informal open space come with lighting? Given the size and succession of paths, we are not convinced street lighting would be sufficient to light these areas, which is a safety consideration. Are footpaths hogging paths, which is required as a minimum for people with mobility issues?

9) We cannot see an updated plan showing the breakdown of quantum's for each element of POS to confirm the elements are the sizes previously agreed upon (MUGA 685sqm; LEAP 400sqm; Allotment 0.25 Hectares; Orchard Quantum; Informal Open Space Quantum).

10) If we are to assume this will be a hub site for youth football and rugby then there could be upward of 66 young people using this site for rugby at any one time. The current changing provision is not adequate as it would accommodate less than half that number. Ideally there

	<p>should be 2 sets of changing rooms and referees facilities in case there are two sports/teams/genders using the facilities at the same time. At the very minimum the changing rooms need to meet the requirements for rugby which has a higher space requirement than football, accommodating a minimum of 18 people; and large independent (lockable) kit storage space needs to be provided so that the changing rooms can be shared on a staggered use and kit left in another space once changing rooms have been vacated. Football spec would not be sufficient. Please see https://www.englandrugby.com/dxdam/36/36c4fada-1bd1-4ee0-b533-2058919eef4f/RFUDesignGuidetoChangingRoomsClubhouses.pdf 11)It appears the requirement for indoor tennis in the building has been ignored. Why has this been omitted?</p>
<p>Open Space Officer Reply Received 18 February 2021</p>	<p>Having reviewed the updated documentation for application 71532 and 71537, which are intrinsically linked, I have the following comments:</p> <ol style="list-style-type: none"> 1) We believe the developer has addressed our concerns regarding the equipped play area and we believe this to be acceptable. 2) We recognise the change in pitch orientation to allow both to run side by side. We believe this to be acceptable. 3) The applicant is suggesting that the sports pitch will not need a formal drainage system. Considering the cross sections provided which show steep banking that will in effect cause water to move toward the pitch we believe the pitch should have a primary and secondary drainage as part of the design in-line with Sport England's guidance of natural turf pitches. 4) The inclusion of two storage containers at the pitch site is a positive step. May we suggest this be increased to three so that one each can be provided for the school, rugby club and football club. 5) We recognise that the changing rooms have been increased in size to cater for rugby and we believe this to now be acceptable. However with only one set of changing rooms provided and two pitches to serve we recommend the community building/changing rooms have the addition of bag storage space that can be accessed from outside so that changing rooms can be used on a staggered arrangement and left clear for

	<p>the next users. In effect the bag storage will need to be big enough to be divided into 4 lockable areas, each area big enough for approximately 20 bags.</p> <p>6) In regards to the official changing room in the community building. This should be accessible from outside. Could the location of the officials room be swapped with the first aid office and an external door added?</p>
<p>Planning Policy Unit</p>	<p>Thank you for consulting the Planning Policy team concerning the above reserved matters applications for the erection of 347 dwellings, associated infrastructure and outdoor sports provision (71532). From a policy perspective, apart from this first phase of development requiring to be in accordance with the adopted Local Plan in terms of the proposed layout and design, it must also adhere to condition 9 of outline planning permission 56675 and 62544.</p> <p>As you are aware, policy officers have contributed extensively to the progression of this site and I would wish to ensure this response is considered alongside other previous responses as the content of which is still considered relevant to the determination of these applications.</p> <p>Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that if regard is to be had to the development plan in the determination of a planning application then the determination must be made in accordance with the development plan unless material considerations indicate otherwise. As you are aware, the Council have a recently adopted Local Plan (October 2018) which was considered by the Inspector to be 'Sound' and in general conformity with the NPPF; therefore, policies in the Local Plan are up to date. The NPPF is a material consideration in planning decisions.</p> <p>This greenfield site is within the defined development boundary for Ilfracombe where the principle of development is acceptable in accordance with Policies ST06, ILF and ILF01 of the adopted Local Plan.</p> <p>Firstly, I welcome that the developer has now submitted a BfL12 assessment which I note has been considered as achieving 12 'greens' which would be accredited as being 'Outstanding'. For information, I understand BfL12 has been re-launched as 'Building for a Healthy Life' (BHL), although the principle remains that its aim is to improve the design of new and growing neighbourhoods. Whilst this initial score is clearly welcomed and supported from a policy perspective, I would wish to ensure the report and analysis is critically examined and challenged where considered appropriate in order to achieve the policy objectives. To support you in this</p>

validation, you may wish to seek an independent analysis of the BfL12 assessment by the South West Design Review Panel similar to that carried out on other housing developments in North Devon.

From a policy perspective, there was concern with the lack of information/detail presented by the developer to the Design Review Panel in February 2020. The proposed layout needs to take on board the issues raised as part of the Design Review Panel's initial feedback. I understand there is some local concern regarding the layout and design of Phase I (Channel Farm) as currently proposed. In my opinion, this concern is based on the community being offered a very different proposal for the southern extension to Ilfracombe and in particular at Channel Farm, albeit this only considered to be indicative and submitted from a different agent/developer which as far as I am aware was not conditioned as part of the outline permission 56675. However, the community were actively involved in the site's transition at the pre-application stage through extensive public engagement and generally supportive of the development proposed so I can fully understand the concerns that are now being expressed. It is vitally important that the delivery of Phase I is successful in terms of its overall design, layout and how it integrates with the existing town because if this development gets it wrong then it will potentially have adverse implications for the delivery of critical infrastructure for the town and subsequent phases to the west (approximately 400 dwellings). Phase I and subsequent phases need to be creating a new neighbourhood within the town, not just a residential extension bolted on to the southern edge. There is some concern with the development of four storey (including roof) apartment blocks on a relatively prominent part of the site especially when viewed from Old Barnstaple Road and would question whether this is an appropriate design solution for this part of the site? Therefore, may I encourage you to suggest the site is re-considered by the DRP with this additional information (layout, design, landscaping etc.) either as a full meeting or as a desktop report although there would not be an in principle objection if you do not consider this to be necessary or appropriate.

The design and layout of the development should be considered against Policies ST02, ST03, ST04, ST05(1), ILF, ILF01, DM01, DM04 of the local plan, the National Design Guide as well as the recommendations set out by the South West Design Review Panel (Creating Excellence) in their report dated 6th April 2020.

In terms of the proposed use of land south of the new housing for outdoor sports provision (Use Class D2), I make the following comments. You will recall I mentioned in previous responses that 'you must ensure the proposal delivers green infrastructure in accordance with Policies ILF01 and DM10 and the standards as set out in Table 13.1 together with guidance from the consultation

response of Lucinda Wheeler'. I note further detail has been submitted with the planning application 71532 around the proposed uses for the sports provision which includes a MUGA and two junior rugby pitches.

The following table sets out the open space requirements for the proposed development of up to 750 homes, assuming an average of 2.2 persons per dwelling.

Housing Development of 750 Dwellings :- 750 x 2.2 persons per household = 1,650 persons / 1,000 (= 1.65)

Typology	Requirement from New Development ha/1000 population	Total for Open Space Requirement (ha)
Allotments	1.65 x 0.15 ha	0.24 ha
Amenity / Natural Green Space	1.65 x 2.0 ha	3.3 ha
Play Space (Children)	1.65 x 0.05 ha	0.08 ha
Play Space (Youth)	1.65 x 0.02 ha	0.03 ha
Parks, Sport & Recreation	1.65 x 1.3 ha	2.14 ha

Paragraph 10.339 of the Local Plan recognises that Ilfracombe has a substantial deficiency of existing sports facilities within the town. Therefore, land at Channel Farm which forms part of the strategic southern extension has been recognised as the most suitable area to deliver a sports hub for the new neighbourhood as it offers the only relatively flat area. Whilst there is no policy objection in principle to this proposed provision, I am concerned the development is only delivering two junior rugby pitches and a MUGA. I am also concerned that part of this flat land is being safeguarded for future changing facilities and a car park. As flat land in the town is very limited to provide additional sports pitches for the local community, I would suggest any new car park/changing facilities should be developed in association with the new community building and not on land that should be developing sports pitches. In my opinion, it cannot be argued Phase I should only be providing a proportion of the total requirement for the sport and recreation provision as this flat land needs to deliver the sports provision for the whole strategic site allocation (ILF01), as well as open space in associated with the new school. Some of the other open space requirements from the development as a whole could be accommodated on other (sloping) parts of this wider site allocation. The policy is clear in that the sports provision should be delivered at Channel Farm as set out above and it is important for all the different types to be provided, with appropriate accessibility for the proposed residents. It would appear the proposed sports pitch provision is approximately 1ha (pitch space only - excluding run-off areas & pitch separation) across a proposed site area of approximately 5 hectares. The breakdown from pitch provision alone is as follows - MUGA: 685m²; Rugby Pitch 1: 7,000m²;

Rugby Pitch 2: 2,580m². Clearly, the focus on formal sports and recreation provision to serve the development, wider Ilfracombe and surrounding rural catchment is on the delivery of rugby pitches only.

I accept that Policy ILF01 does not specify a particular form of sport for those 2.14 hectares of formal and informal sport and recreation facilities and there is a clear recognition in the town that Ilfracombe is substantially deficient in all existing sports facilities. However, the 'Northern Devon Playing Pitch Strategy (PPS) – Executive Summary August 2017' recognises a particular concern to meet the future demand for football in northern Devon which can only be met through new provision, either grass and/or artificial grass pitches, including Ilfracombe. Paragraph 5.11 of the NDPPS states: 'the total number of additional football teams expected in 2031 in the Ilfracombe sub area, taking into account aspirations, latent demand and trends in participation is: 1.9 senior teams, 0.1 women's teams, 2.2 junior boys' teams, 0.7 girls' teams and 2.2 mini teams. There is no spare capacity at peak time in Ilfracombe itself; existing pitches are being overplayed and there is no room to accommodate growth. There is a junior pitch on school land which is currently not being used'. The report concluded that there would be a need for 'a minimum of one adult pitch, one junior and one mini pitch will be required in Ilfracombe to meet demand generated by the proposed new housing within the Southern Extension. I note these concerns have also been expressed by Sport England and Lucinda Wheeler. The response from Sport England of the 11th June sets out 'the Football Foundation (FF) on behalf of the FA and Devon FA advise that the North Devon Playing Pitch Strategy (PPS) confirms that there is no spare grass pitch capacity in Ilfracombe and that existing pitches are being overplayed and there is currently no room to accommodate growth. The Playing Pitch Strategy also suggests that a need of 1x11v11 adult pitch, 1x11v11 junior pitch and 1x mini pitch would support future demand in the area'. The PPS also recognised that another cricket pitch was required in the town as a shared facility with football pitches. In terms of rugby, the PPS recommended 'building in capacity to Ilfracombe RFC at Brimlands, to ensure that rugby will be able to expand as juniors develop up through the age bands. This includes safeguarding land alongside the main pitch'.

In recognition of this evidence, I am therefore very surprised the principal focus for the provision of formal sport and recreation facilities at the proposed new sports hub is for rugby only. Based on the published evidence, I would suggest the principal focus should be on additional pitch provision for football and not rugby. However if it was felt appropriate, a mix of formal sports pitches could be provided to serve the development, wider Ilfracombe and surrounding rural catchment. It does not appear from the submitted plans that the MUGA or formal sports and recreation provision is

proposing floodlighting. If such provision is required then any floodlighting will need to be designed to minimise light pollution and any harm to the amenities of proposed residential properties in accordance with Policy DM01 and protecting the dark night skies over Exmoor and the AONB.

I welcome the increased landscaping and planting on the southern and eastern boundary but again, I would wish to ensure it complements and also enhances existing woodland at Warmcombe Woods and the TPO at Chambercombe Manor. Appropriate connections should be made between existing and proposed planting in order to provide suitable networks and habitats for wildlife to move through the site and provide the necessary net gain in biodiversity. I would also wish to ensure that such provision is provided along the entire western boundary to ensure integration with the remaining part of the allocation. Also, in accordance with paragraph 10.316 of the Local Plan you must ensure the development is designed to complement its sensitive landscape setting and that it will provide a transitional boundary between the development and adjacent countryside that reflects the local landscape character (ILF01(2c)). All issues around ecology and landscaping should be considered against ST14, ILF01 and DM08 including the response from Mark Saunders.

I would appreciate evidence from the developer as to when housing will be delivered in order for that information to inform the Council's housing trajectory.

Phase I of this strategic urban extension to Ilfracombe is welcomed and there is no policy objection in principle to the submitted proposals subject to the above policy considerations being adequately addressed. However as I have set out previously, policy would not wish to support a solely housing focussed development on the southern edge of Ilfracombe, which in my opinion would not deliver a sustainable form of development and would not achieve the vision and spatial strategy for Ilfracombe. Policy must again question how and when the mixed-use hub will be delivered which I assume will also include the 50-bed extra care housing scheme although I accept that this, as well as delivery of the new primary school may be issues for DCC to confirm. I must also question whether the amount and type of land proposed for formal sport and recreation is policy compliant in terms of Policy ILF01 and DM10 of the Local Plan. Also, you may wish to question whether the proposed layout and design of development is the most appropriate for this site having due regard to its landscape setting and visual prominence in the wider landscape including the AONB.

I trust the above comments are of assistance to you but should you wish to discuss the matter further then please do not hesitate to

	contact me.
Planning Policy Unit Reply Received 3 June 2020	<p>Thank you for consulting the Planning Policy team concerning the above reserved matters applications for the erection of 347 dwellings, associated infrastructure and outdoor sports provision. From a policy perspective, apart from this first phase of development requiring to be in accordance with the adopted Local Plan in terms of the proposed layout and design, it must also adhere to condition 9 of outline planning permission 56675. As you are aware, policy officers have contributed extensively to the progression of this site and I would wish to ensure that this response is considered alongside other previous responses. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that if regard is to be had to the development plan in the determination of a planning application then the determination must be made in accordance with the development plan unless material considerations indicate otherwise. As you are aware, the Council have a recently adopted Local Plan (October 2018) which was considered by the Inspector to be 'Sound' and in general conformity with the NPPF; therefore, policies in the Local Plan are up to date. The NPPF is a material consideration in planning decisions.</p> <p>However, following the Burwood appeal decision in Torridge, the Councils recognise that they are currently unable to demonstrate a five year supply of deliverable housing land sufficient to meet their housing requirements; with the appeal determining there to be a 4.23 year supply as of 1st April 2019, based on the application of a 20% buffer and the use of the 'Liverpool' method to distribute any backlog of under-delivery since the beginning of the plan period in 2011, over the remainder of the plan period up to 2031. Therefore, National planning policy (Footnote 7, National Planning Policy Framework (NPPF)) establishes that when a local planning authority is unable to demonstrate a five year supply of deliverable housing sites, for the purposes of triggering the presumption in favour of sustainable development, it should consider the policies which are most important for determining the application to be out-of-date. Accordingly, the presumption in favour of sustainable development (paragraph 11(d), NPPF as a material consideration), should be applied for decision-taking involving applications for housing.</p> <p>Whilst this current application, which as you are aware is on an allocated housing site within the Local Plan and therefore not considered to be a challenge against the Council's 5 year supply of deliverable housing sites, I would wish to fully understand how this development will contribute to the Council's housing trajectory.</p>

Firstly, I welcome the fact that this project may be finally moving forward and the community's vision within Policy ILF01 can start to be realised and delivered over the coming years. However, I would caution that this development must deliver a high quality mixed-use development, including the necessary infrastructure that integrates within the existing landscape setting and contributes to the town's economic regeneration. Policy would not wish to support a solely housing focussed development on the southern edge of Ilfracombe, which in my opinion would not deliver a sustainable form of development and would not achieve the vision and spatial strategy for Ilfracombe. Policy must therefore question how and when the mixed-use hub will be delivered which I assume will also include the 50-bed extra care housing scheme although I accept that this, as well as delivery of the new primary school may be issues for DCC to confirm.

Phase A (Channel Farm) was considered by a DRP meeting and site visit in February 2020 and subsequent panel recommendations dated April 2020. Paragraph 129 of the NPPF (February 2019) makes it clear that all necessary tools and processes should be used in order to improve the design of development including having regard to any recommendations made by the design review panel. The DRP also recommends that due regard is afforded to the 'National Design Guide' on character, climate, connectivity and community even though it was published post 2017 but should be a material consideration for the Reserved Matters. As you are aware, the panel welcomed the overall design principles for site delivery and these should be at the forefront of delivering a sustainable new community for Ilfracombe :-

- A new gateway to the town, giving a positive impression;
- A sustainable mixed-use neighbourhood;
- A well connected network of transport modes;
- A diverse framework of landscape and open space; and
- Designing for Ilfracombe in terms of its character and distinctiveness

As I set out previously, there were concerns as to how the proposed layout has evolved following the DRP recommendations so I welcome the developers commentary to the panel's comments. From a policy perspective, there was some concern with the lack of information / detail presented to the DRP so may I suggest that a further presentation is made to the panel either as a full meeting or as a desktop report although there would not be an in principle objection if you do not consider this to be necessary. However, this greenfield site is within the defined development boundary for Ilfracombe where the principle of housing is acceptable in accordance with Policy ST06 of the Local

Plan. As an allocated housing site, Policy ILF01 has a clear vision for the Ilfracombe Strategic Southern Extension as to how it should be delivered and how it should contribute to Ilfracombe's economic regeneration. In total, the site seeks to deliver approximately 750 dwellings subject to the delivery of specific development principles as set out in Policy ILF01.

As Phase I of development, I note the developer is proposing 347 homes which equates to approximately 35 dph (19.5ha x 50% gross to net site size ratio within a critical drainage area = 347/9.79) across the whole site, a density that is not considered unreasonable for a strategic urban extension as guided by the SHLAA Methodology although it is accepted the assumptions applied to individual sites will be subject to a flexible application, to take account of any specific local circumstances. I also note that a slightly lower density is proposed for the area to the north 'High Villas' which is up to 33 dph although I do not fully understand the statement within the 'Design Principles Document' as to how the density has decreased along the eastern edges in order to transition with the green infrastructure, in my opinion the site layout still proposes mainly semi-detached homes of a similar density to that proposed further west. However, there is no policy objection in principle to the density proposed so long as it works in planning and highway terms.

Policy ST18(1a) of the Local Plan will expect housing developments over the threshold to provide on-site delivery of affordable housing equal to 30% of the total number of dwellings (gross) although I do accept that outline planning permission 56675 only managed to secure 11% affordable housing due to concerns around viability subject to a viability review. I accept the agreed s106 seeks a viability review prior to the occupation of the 150th dwelling although I would question whether such a review mechanism could be re-considered in recognition that Phase A has the benefit of substantial up-front Government funding to help deliver some of the critical infrastructure and in recognition that Ilfracombe has a relatively high need for affordable housing.

In this instance there should be an on-site requirement of at least 38 affordable dwellings with the .17 of a dwelling being collected through a financial contribution of broadly equivalent value to that which would have been required on site (ST18, criterion 3). Also, you must be assured that the proposed housing mix will meet the identified housing need in accordance with Policies ST17 and ILF01. I do accept that the affordable housing mix proposed does reflect the percentages required within the s106 agreement attached to application 56675.

Policy ILF01 seeks to deliver approximately 750 dwellings on land at Channel, Winsham and Bowden Farms over a number of phases with an emphasis on providing a mix of house types, tenures and sizes to reflect local need. It would appear from the proposed site layout that the developers are seeking to deliver the following:

- 1 bed – 6 units (2% of total)
- 2 bed – 158 units (46% of total)
- 3 bed – 149 units (43% of total)
- 4 bed – 34 units (10% of total)

Clearly there is a potential imbalance here with an obvious emphasis on delivering 2 and 3 bed units on this site. Clause (1) of policy ST17 provides a mechanism to influence the mix of housing on proposals. The HEDNA can be used for evidence of need - including house sizes. More localised evidence, such as housing needs surveys, can be used if they are available and up-to-date. The policy is intended to influence both market and affordable tenures. On smaller schemes, the mix should generally be taking account of local character and context, on larger schemes such as this however, a more 'proportionate mix' should generally be the starting point. Page 180 of the HEDNA (CE21) provides guidance on the mix of bed sizes by tenure that would be appropriate to help meet identified housing needs. I have provided an extract from the HEDNA (Table 114: Recommended Housing Mix – page 214) which identifies the recommended housing mix across the Plan area.

	1 – bed	2 – bed	3 – bed	4 – bed
Market	5-10%	30-35%	40-45%	15-20%
Affordable	30-35%	35-40%	20-25%	5-10%
All Dwellings	15%	35%	35%	15%

Whilst the evidence is clear, the latent demand for 2 and 3 bed units is relatively high (35% of all dwellings) although it is accepted that this figure could increase or decrease accordingly based on the specific settlement need. Whilst the provision of 2 and 3 bed units is higher than the perceived local need, I am slightly concerned with the current mix although there is no fundamental policy objection in principle to a slightly higher number of 2 and 3 bed units being proposed in Ilfracombe albeit you may wish to seek a balance that is more in line with the evidence. You must be assured that this proposed housing mix will meet the numbers, type, size and tenure to meet the identified local housing needs in accordance with Policies ST17 and ILF01(2g). Although not specifically set out within Policy ILF01 and therefore not a requirement, the Government are committed to increase the supply of housing whereby local authorities are required to keep a register of those seeking to acquire serviced plots in the area for their own self-build and custom house building. This approach is also

recognised at paragraph 7.19 of the Local Plan which states 'the Government is seeking to increase the supply of housing through self-build schemes (including individually built properties, custom built developer schemes and the provision of self-build housing through co-operatives and community land trusts). The Councils will support construction of self-build schemes where they accord with the wider spatial strategy and will keep under review how to provide appropriate support for such development'. If such an opportunity would exist on part of this site then, during the decision making process could this be explored with the developer. Although evidence from the North Devon register would suggest that demand is relatively low, there is some demand for self/custom housebuilding in this area and if opportunities were to exist for part of this site to be safeguarded for an element of self-build then this would be fully supported by policy. The design and layout of the development should be considered against Policies ST02, ST03, ST04, ST05(1), ILF, ILF01, DM01, DM04 of the local plan and the National Design Guide. It is also worth noting that criterion 2 of DM04 will expect all major residential proposals such as this, to be supported by a Building for Life 12 assessment where the developer must minimise 'amber' scores and avoid 'red' scores. It would appear the developer has not submitted a BfL12 assessment therefore, for this current layout and design to be acceptable in policy terms the reserved matters application must be accompanied by an appropriate BfL12 assessment. From a policy perspective, it would have been encouraging to see the 'Design and Access' Statement having a specific section as to how the development is dealing with issues around sustainability and climate change although I do accept that passing references have been made throughout the document. Once a BfL12 assessments has been submitted, you must ensure the report and analysis is critically examined in order to achieve the policy objectives. As set out previously, critical to the success of achieving a high quality design on this particular part of the site is ensuring it integrates within the existing landscape setting of the town whilst minimising impact on the adjoining AONB and dark night skies over Exmoor National Park (ILF01(2b)). This concern was also picked up at the DRP where it was recognised that this part of the town is set apart from the town and runs the risk of becoming isolated and could effectively be a 'hilltop community' and it was therefore essential that homes were built 'in the landscape' as opposed to 'on the landscape'. Consequently a landscape-led approach to development is required. The DRP felt that such an approach to design and layout will assist with

mitigating the wider visual impact of the scheme from many sensitive viewpoints around the site. It should also be noted that the site is within the Coastal and Estuarine Zone where Policy ST09 will apply although paragraph 4.39 makes it clear that this site forms part of the developed coast as it is within the defined settlement of Ilfracombe. From a policy perspective, I am not convinced that this is a landscape-led approach to developing this site but rather a housing-led approach in terms of delivering numbers. Therefore, you must ensure that the current proposal achieves the objectives as set out within policy as well as the recommendations of the DRP.

As set out in paragraph 6.5 of the Local Plan, 'all development will be expected to provide a net gain in biodiversity where feasible. Where biodiversity assets cannot be retained or enhanced on site, the Councils will support 'biodiversity offsetting' to deliver a net gain in bio-diversity off-site'. If there is some loss of existing habitat then this should be mitigated against by providing additional planting on or off site. The Defra metric should be used to ensure there is an overall net gain in biodiversity. I welcome the increased landscaping and planting on the eastern boundary that should complement and also enhance existing woodland at Warmcombe Woods and the TPO at Chambercombe Manor but I would wish to ensure that appropriate connections are made between existing and proposed planting in order to provide suitable networks and habitats for wildlife to move through the site and provide the necessary net gain in biodiversity. I would also wish to ensure that such provision is provided along the western boundary to ensure integration with the remaining part of the allocation. Also, in accordance with paragraph 10.316 of the Local Plan you must ensure the development is designed to complement its sensitive landscape setting and that it will provide a transitional boundary between the development and adjacent countryside that reflects the local landscape character (ILF01(2c)). All issues around ecology should be considered against ST14, ILF01 and DM08 including the response from Mark Saunders / Andrew Jones.

Paragraph 13.68 of the adopted Local Plan clearly sets out that new development will be required to make provision for public open space, recreation, sports facilities and green infrastructure and where possible, such facilities should be provided on site as an integral part of the development. Policy ILF01(1d) requires the development to deliver formal and informal open spaces together with recreational facilities. Again, I welcome the proposed green space (LEAP) on the site's plateau but would question whether the size and type of space is sufficient to meet the needs of

the development proposed and the DRP response for 'an opportunity for a flexible village green like open space on the plateau' as well as the sports provision to the south. I also welcome the inclusion of allotments as part of the green infrastructure on the eastern side of the development. I would however provide comment on the triangular piece of land to the SE of the proposed sports pitches adjacent the proposed landscape bund/tree planting. I note the land is outside of the red line but within the land ownership of the developer and therefore I would question whether there was an opportunity in this area to provide additional sports provision or tree planting for example rather than the inclusion of a new boundary. I would also request further details of any lighting scheme proposed for the development including the sports pitches in order to help safeguard the dark night skies as required by policy. You must ensure the proposal delivers green infrastructure in accordance with Policies ILF01 and DM10 and the standards as set out in Table 13.1 together with guidance from the consultation response of Lucinda Wheeler.

I also welcome the network of footpaths/cycleways within the site and I note how these will connect to the wider site allocation to the west as well as achieving connections to the existing network of footpaths/cycleways adjoining the site boundaries as required by criterion (3a) of Policy ILF01. The DRP correctly pointed out that Tesco will be used extensively by the new community. Therefore, I would just question whether there is a more direct route through the site in to Tesco at the NW corner which is safeguarded for the mixed-use hub. In my opinion good footpath and cycle links are essential from this site to avoid unnecessary car journeys whilst accepting that such links are challenging. It needs to be clear as to how people will move within and through all parts of the site (Phase A) as well as out of the site in to the adjoining development to the west, the town and surrounding countryside.

Policy DM06 does not specify particular parking standards but provides a flexible criteria based approach to parking provision that enables development proposals to respond to local circumstances. It will however require development proposals to provide an appropriate scale and range of parking provision to meet anticipated needs having regard to accessibility and sustainability of the site; availability to public transport; and provision of safe walking and cycling routes. Paragraph 13.51 recognises that in order to transition to a low carbon economy and a move to lower emission transport, regard should be given, as part of the provision of an appropriate range of parking, to providing electric vehicle charging infrastructure. You should ensure the development includes adequate

	<p>provision for electric vehicle charging infrastructure.</p> <p>From a policy perspective, the site is on the southern edge of the town where opportunities for safe cycling and walking exist, albeit severely limited by topography, linkages to the west not being available and distance to the town centre. The site is served by a frequent public transport route between Ilfracombe and Barnstaple but may require further enhancement as I understand the route does not operate during the evening. I note there is no vehicular access to the sports pitches to the south which is generally supported in principle. I also note that the proposed community building and associated car parking is intended to provide the necessary changing and parking facilities for those who wish to have use of the new sports provision, again this multi-functional use is welcomed. I would also wish to ensure there is appropriate pedestrian and cycle access in to the new primary school, community building and sports facilities for all users. You must therefore be satisfied that the level of proposed off-street car parking, including cycle parking to serve the development will meet the needs of the intended occupants.</p> <p>All highway matters should be considered against Policies ST10, ILF(l), ILF01(3), DM05 and DM06 together with the response of the local highway authority.</p> <p>Ilfracombe is within a 'critical drainage area' where you must ensure that development incorporates additional water storage areas compared to normal urban drainage systems in accordance with Policies ST03, ILF(n) and ILF01(2h) of the adopted Local Plan.</p> <p>On balance, the principle of housing on this site is acceptable subject to the above policy considerations being satisfactorily addressed, including those recommendations set out by the DRP. I trust the above policy advice is of assistance to you but should you wish to discuss the matter further then please do not hesitate to contact me.</p> <p>Should you wish to discuss the matter further then please do not hesitate to contact myself or another member of the Planning Policy team further.</p>
<p>Sport England Reply Received 21 May 2020</p>	<p>Thank you for consulting Sport England on the above application. I can confirm that the consultation has been received and was accepted on 21/05/2020.</p> <p>In accordance with Paragraph 011 of NPPG (Article 22 of the Development Management Procedure (England) Order 2015), Sport England will respond to this consultation within 21 days of the date of acceptance.</p> <p>However, if insufficient information is received in order to allow us to make a substantive response to the consultation, Sport England will</p>

	<p>contact you to request further information. The 21 day deadline will not commence until receipt of the additional information.</p> <p>As a public body, Sport England is subject to the terms of the Freedom of Information Act 2000, which gives members of the public the right to access the information we hold. In the event of a request being received, we will be obliged to release information relating to the application and our response unless an exemption in the Act applies. You should therefore inform us if you believe any elements of your submission to be confidential or commercially sensitive so that we can take your concerns into account.</p>
<p>Sport England</p> <p>Reply Received 27 November 2020</p>	<p>Many thanks for sending Sport England additional information to consider. Our position in the summer was to raise issues/concerns with the design leading to a Sport England comment of not being able to support the application as shown.</p> <p>It doesn't appear that the applicant has worked up many more details regarding our comments and seems to have turned this much needed football facility into a rugby facility? Which is also much needed. See below.</p> <p>Summary</p> <p>Again, in summary the new sporting provision is welcomed but does it meet the needs of the community and will it be designed to be fit for purpose? Managed and maintained?</p> <p>More information is needed before this application is approved. The Council Playing Pitch Strategy highlights that both sports (football and rugby) need secured sites with facilities. Could the site should be available to both sports – football and rugby? And designed and managed to make it a successful project.</p> <p>It is important to have representation from both sports on any committee managing the site.</p> <p>The applicants drainage engineer has confirmed that the playing fields wouldn't need any surface water drainage. To support the level of usage expected at this site we would query this assumption. What we need is a detailed assessment of ground conditions (including drainage and topography) of the land proposed for the playing field which identifies constraints which could adversely affect playing field quality; and Where the results of the assessment to be carried out pursuant to the above identify constraints which could adversely affect playing field quality, a detailed scheme to address any such constraints. The scheme shall include a written specification of the</p>

proposed soils structure, proposed drainage, cultivation and other operations associated with grass and sports turf establishment and a programme of implementation. The approved scheme shall be carried out in full and in accordance with the approved programme of implementation [or other specified time frame]. The land shall thereafter be maintained in accordance with the scheme and made available for playing field use in accordance with the scheme.

We are still awaiting details of the sports pavilion/changing rooms. Ensure enough storage to serve the pitch uses for both football and rugby. This should be accessible from outside.

Football

2

As per last comments The Football Foundation (FF) on behalf of the FA and Devon FA advise that the North Devon Playing Pitch Strategy (PPS) confirms that there is no spare grass pitch capacity in Ilfracombe and that existing pitches are being overplayed and there is currently no room to accommodate growth. The Playing Pitch Strategy also suggests that a need of 1x11v11 adult pitch, 1x11v11 junior pitch and 1x mini pitch would support future demand in the area.

The original pitch configuration suggested that a football pitch would be marked on site, which we were very encouraged by. Though the latest pitch configuration suggests that this is now a rugby pitch, is this correct? If so, why has this changed? And has the local football club (Ilfracombe Youth Football Club) been consulted?

We (football) would welcome the opportunity to discuss this further.

Rugby

In alignment with the adopted North Devon PPS the updated location plan now provides the correct dimensions, including run offs, for 1 x youth rugby pitch and 1 x rugby mini pitch. The RFU would like to understand if Sports Lighting is to be included in the scheme as this would enhance the opportunity for midweek training and matches onsite and drive participation.

Drainage – ‘The applicant’s drainage engineer has confirmed that the playing fields wouldn’t need any surface water drainage. Ground conditions are such that even with an artificial surface, rainwater would percolate through the underlying ground.’

The RFU retains its original position on drainage. The RFU note

the latest response above, however would be interested to see the formal report from the Drainage Engineer outlining the findings for the site. This could then be shared with an independent agronomy consultant for review.

To ensure the provision is fit for purpose and is fully utilised through the winter months, the review on pitch drainage is essential. Reiterating the point, the RFU would expect a new playing field to have Type 4 Drainage as per the Sport England Design Guidance Note 'Natural Turf for Sport'.

As this is a community site, both pitches and built facility, has the management and governance of the site be agreed or proposed? Will there be a formal Community Use Agreement in place, protecting the Rugby Clubs interests in the site?

Changing Rooms – 'The changing rooms would meet Sport England's design guidance for football.' Within the proposal it clearly indicates rugby will be the 'main user' on the site, therefore it's imperative that the built facilities meet the needs of the users.

The RFU challenges the size of the size of the changing rooms, and recommends that 18 person changing rooms are developed in accordance to the RFU Guidance note on Clubhouses and Changing Rooms.

[https://www.englandrugby.com//dxdam/36/36c4fada-1bd1-4ee0-b533-](https://www.englandrugby.com//dxdam/36/36c4fada-1bd1-4ee0-b533-2058919eef4f/RFUDesignGuidetoChangingRoomsClubhouses.pdf)

[2058919eef4f/RFUDesignGuidetoChangingRoomsClubhouses.pdf](https://www.englandrugby.com//dxdam/36/36c4fada-1bd1-4ee0-b533-2058919eef4f/RFUDesignGuidetoChangingRoomsClubhouses.pdf)
Community Building

We are aware that the Council had expressed an interest in seeing a proposed sports hall at this

site big enough to have one indoor tennis court as there is a shortfall of indoor facilities in

Ilfracombe. The agent may wish to review the design of the community building to include indoor tennis.

The design will also need to reflect the provision of sport at the site and incorporate the right

dimensions for rugby and football. If 2 winter pitches are provided to meet the needs then ideally changing rooms are provided for each pitch (home, away and officials).

3

MUGA

The location is a little odd. This land could be used to meet the pitch sport needs and be closer to the changing. Can the MUGA be moved? What is the design of the MUGA? Who will manage and

	<p>maintain? Is there a 'sinking fund'?</p> <p>Management of the Site</p> <p>It is not clear who will manage and operate the site to meet community sport needs? Can the applicant give the necessary detail?</p> <p>Conclusion</p> <p>In light of the above, Sport England is still unable to support this application. More information is needed before this application is approved.</p>
Sustainability Officer	No response
<p>Sustainability Officer</p> <p>Reply Received 1 July 2020</p>	<p>I discussed this pair of applications with Andy Jones some time ago and it was decided that he would handle all elements of the response given his existing involvement with the site.</p> <p>Please let me know if you discussions with Andy leave any further work that I can be of assistance with.</p>

Neighbours

Comments	No Objection	Object	Petition	No. Signatures
<u>4</u>	<u>2</u>	<u>13</u>	<u>0.00</u>	<u>0.00</u>

Objection: Landscape impact; Impact on ecology; Overlooking (of 4 Kneller Close); Noise; Traffic generation; Light pollution; Loss of greenfield site; Facilities downgraded; Lack of indoor tennis; Football pitches should be provided in accordance with Playing Field Strategy; Ilfracombe has unused sports fields;

Comment: Interest from Ilfracombe Town Youth Football Club; Control of work traffic required; lack of football pitch; sport facilities should be built after 30 houses; Develop in accordance with ILF1; Interest from Ilfracombe Rugby Club, who could help manage; All services must be installed before sports fields are laid out;

Considerations

Proposal Description

This application seeks approval of reserved matters, in respect of consent for access, layout, appearance, scale and landscaping for proposed playing pitches, MUGA, car parking and associated landscaping on land to the east of Old Barnstaple Road, south of Ilfracombe.

The reserved matters application is submitted pursuant to condition 3 of outline planning permission ref. 62544, issued on 24th May 2017. That planning permission established the principle of the development and this application deals with the detail of the scheme only.

Information is also submitted to discharge/partially discharge various conditions attached to the outline planning permission. These are conditions 11, 13, 14, 15, 17, 24, 25, 28, 34 and 37. Other conditions will be submitted at a later date. A copy of the outline planning permission 62544 is attached to this report for reference at **Appendix B**.

Whilst a number of objectors raise issues relating to the principle of this development, the reserved matters application now for consideration seeks approval of details of access, layout, scale, appearance and landscaping only and is not intended to revisit the principle.

Following discussions with the applicant, a series of amended plans have been submitted for consideration since the application was first submitted in May 2020.

A related, but separate application (71537) has been submitted which seeks approval of reserved matters in respect of access, layout, appearance, scale and landscaping for phase A, comprising community building and residential development of 347 units and associated green infrastructure on a site immediately to the north.

In December 2019 North Devon Council entered into a funding agreement with Homes England to forward fund roads, drainage, a community building, a Mixed Use Games Area (MUGA), and a serviced primary school site. The HIF funding loan commitment amounts to £6.5 million and is in two tranches. The first £619,242 was for planning and design related fees and has been drawn down already by Inox (the applicant). The second tranche of monies will be used to deliver the infrastructure listed above. This includes the MUGA which is part of this application and the changing facilities serving this site, included in associated application 71537.

The Funding agreement with Homes England is dependent upon a number of milestones and failure to adhere to these milestones can be treated as an 'Event of Default' to the contract. The first milestone is securing reserved matters approval for the scheme. Homes England have already entered into a variation to the agreement to extend this milestone to the 31st March 2021.

It should be noted that a duplicate application 71583 has also been received.

Planning Considerations Summary

- Reserved Matters (Condition 3)
- Discharge/Partial Discharge of Conditions

Planning Considerations

In the determination of a planning application Section 38 of the Planning & Compulsory Purchase Act 2004 is relevant. It states that for the purpose of any determination to be made under the planning Acts, the determination is to be made in accordance with the development plan unless material considerations indicate otherwise. The development plan for this area includes the Devon Waste Plan and North Devon and Torridge Local Plan. The relevant Policies are detailed above.

The National Planning Policy Framework (NPPF) is a material consideration.

In terms of planning policy, the officer comments *'I accept that Policy ILF01 does not specify a particular form of sport for those 2.14 hectares of formal and informal sport and recreation facilities and there is a clear recognition in the town that Ilfracombe is substantially deficient in all existing sports facilities. However, the 'Northern Devon*

Playing Pitch Strategy (PPS) – Executive Summary August 2017’ recognises a particular concern to meet the future demand for football in northern Devon which can only be met through new provision, either grass and/or artificial grass pitches, including Ilfracombe. Paragraph 5.11 of the NDPSS states: ‘the total number of additional football teams expected in 2031 in the Ilfracombe sub area, taking into account aspirations, latent demand and trends in participation is: 1.9 senior teams, 0.1 women’s teams, 2.2 junior boys’ teams, 0.7 girls’ teams and 2.2 mini teams. There is no spare capacity at peak time in Ilfracombe itself; existing pitches are being overplayed and there is no room to accommodate growth. There is a junior pitch on school land which is currently not being used’. The report concluded that there would be a need for ‘a minimum of one adult pitch, one junior and one mini pitch will be required in Ilfracombe to meet demand generated by the proposed new housing within the Southern Extension. I note these concerns have also been expressed by Sport England and Lucinda Wheeler. The response from Sport England of the 11th June sets out ‘the Football Foundation (FF) on behalf of the FA and Devon FA advise that the North Devon Playing Pitch Strategy (PPS) confirms that there is no spare grass pitch capacity in Ilfracombe and that existing pitches are being overplayed and there is currently no room to accommodate growth. The Playing Pitch Strategy also suggests that a need of 1x11v11 adult pitch, 1x11v11 junior pitch and 1x mini pitch would support future demand in the area’. The PPS also recognised that another cricket pitch was required in the town as a shared facility with football pitches. In terms of rugby, the PPS recommended ‘building in capacity to Ilfracombe RFC at Brimlands, to ensure that rugby will be able to expand as juniors develop up through the age bands. This includes safeguarding land alongside the main pitch’.

In recognition of this evidence, I am therefore very surprised the principal focus for the provision of formal sport and recreation facilities at the proposed new sports hub is for rugby only. Based on the published evidence, I would suggest the principal focus should be on additional pitch provision for football and not rugby. However if it was felt appropriate, a mix of formal sports pitches could be provided to serve the development, wider Ilfracombe and surrounding rural catchment. It does not appear from the submitted plans that the MUGA or formal sports and recreation provision is proposing floodlighting. If such provision is required then any floodlighting will need to be designed to minimise light pollution and any harm to the amenities of proposed residential properties in accordance with Policy DM01 and protecting the dark night skies over Exmoor and the AONB’.

Condition 3 Reserved Matters

Dealing with each reserved matter in turn:

Access - this covers accessibility to and within the site for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network.

Pedestrian access to the sports pitch site is provided from two points on the northern boundary, one from the Community Building/Changing Rooms and associated car park and the other from the end of the access road linking to the main spine road.

This is shown on drawing 9344-L-05 C Site Layout Plan and is considered acceptable.

Layout - the way in which buildings, routes and open spaces are provided within the development and their relationship to buildings and spaces outside the development.

The initial round of consultation responses highlighted a number of issues: Sport England in terms of requirement, drainage, pitch construction, size of pitches, run-off areas, MUGA details required and management. Project, Procurement & Open Space Officer in terms of: compliance with Playing Pitch Strategy and the type of provision proposed; clarification of the pitch dimension, linked to an end user; requirement for detailed specifications of the MUGA and management; comments on the form of community building/changing facilities (now part of application 71537); and, details of car parking and floodlights as part of achieving upgraded facilities.

Comments on the type of provision have also been received from Ilfracombe Town Council and Planning Policy.

Expressions of interest in the sports pitches have been received from both local football and rugby clubs.

A number of amendments/clarifications and consultation replies followed, culminating in the most recent set of amended plans/drawings.

In discussion with the Parks, Leisure and Culture Officer (PLCO) it was confirmed that the preference is for provision for both sports, rugby and football and this should be a mixed use site. The greatest need is for junior pitches (given the location of the proposed school). Proposed pitch sizes are acceptable, but should be re-orientated. Drainage is required. The detail of the Management Company is key and should have representatives of each sport.

The applicant commented *'We have reviewed the comments from the POS officer/ Sports England re: orientation of pitches, location and detail of the MUGA and changing room provision and will respond on these shortly. We will clarify the surfacing of the MUGA and changing room provision'*.

Subsequently, amended plans/drawings were submitted at the beginning of February showing a Sports pitch plateau to accommodate:

- 1x rugby field to support rugby at ages under 13s to under 16s (100m x 70m) & 1x rugby field to support rugby at ages under 12s down to under 9s (60m x 43m) together with 20m separation between rugby fields, and 3m run-off around the perimeter.
- The sports pitch plateau is sized to accommodate 1x senior football pitch or a number of smaller pitches instead in the future if required.
- The sports pitch land accommodates a Multi-Use Games Area (MUGA), which has been located adjacent to the Community Building and Primary School, to form part of a central hub to the development.
- 2x 2.4x6m storage units for use by the sports teams along the desire line between changing rooms and pitches, together with suitable landscape treatment to screen and soften them visually.

- Potential future location for sports pitch / changing facilities car park.

The PLCO has commented 'Having reviewed the updated documentation for application 71532 and 71537, which are intrinsically linked, I have the following comments (*comments relating to associated application 71537 are in italics*):

- 1) *We believe the developer has addressed our concerns regarding the equipped play area and we believe this to be acceptable.*
- 2) We recognise the change in pitch orientation to allow both to run side by side. We believe this to be acceptable.
- 3) The applicant is suggesting that the sports pitch will not need a formal drainage system. Considering the cross sections provided which show steep banking that will in effect cause water to move toward the pitch we believe the pitch should have a primary and secondary drainage as part of the design in-line with Sport England's guidance of natural turf pitches.
- 4) The inclusion of two storage containers at the pitch site is a positive step. May we suggest this be increased to three so that one each can be provided for the school, rugby club and football club.
- 5) *We recognise that the changing rooms have been increased in size to cater for rugby and we believe this to now be acceptable. However with only one set of changing rooms provided and two pitches to serve we recommend the community building/changing rooms have the addition of bag storage space that can be accessed from outside so that changing rooms can be used on a staggered arrangement and left clear for the next users. In effect the bag storage will need to be big enough to be divided into 4 lockable areas, each area big enough for approximately 20 bags.*
- 6) *In regards to the official changing room in the community building. This should be accessible from outside. Could the location of the officials room be swapped with the first aid office and an external door added?'*

With regard to this specific application, amended plans were requested in respect of 4) the storage containers and have now been received.

It should be noted that in terms of the related application for the changing facilities/community building, recently the applicant has commented '*On another matter, I have now written to the Football Club and Rugby Club to discuss future use of the community building. Obviously we have focused on complying with consultee feedback so far, but I am happy to take a lead on involving both clubs in the future running of the facility. You'll be aware the S106 obligation on the developer is to provide a serviced site for the community facility, but with the addition of HiF funding being secured by NDDC, the building is now to be provided also. The S106 requires the developer to transfer the site to NDDC/DCC and talks between the parties continue and will do post RM. I am also in talks with a nursery school provider and I will invite them to the future meeting with the sports clubs, to see if there is any synergy with the three parties working together. Obviously the final building usage decision will be between NDDC/DCC*'.

Whilst there remains some debate about what sports should be catered for, it should further be noted that condition 9 of outline planning permission 62544 states:

'Prior to the bringing into use of the sports provision, a Management and Maintenance Scheme for the facility including management responsibilities, a maintenance schedule and a mechanism for review shall be submitted to and approved in writing by the Local Planning Authority. (The approved Management and Maintenance scheme shall include measures to ensure the replacement of the artificial surface within a specified period). The measures set out in the approved scheme shall be complied with in full, with effect from commencement of use of the development hereby permitted.

Reason:

To ensure that the new facility is capable of being managed and maintained to deliver a facility which is fit for purpose, sustainable and to ensure sufficient benefit of the development to sport (National Planning Policy Framework (NPPF) para 74)'.

Discharge of this condition is not part of the current application, providing the opportunity for further discussion on management issues before development takes place.

One point that requires resolution relates to the need for drainage or otherwise.

The PLCO has asked 'Will this be provided with a drainage system?' This point was also made by Sport England.

The response was that *'the applicant's drainage engineer has confirmed that the playing fields wouldn't need any surface water drainage. Ground conditions are such that even with an artificial surface, rainwater would percolate through the underlying ground'*.

DCC as LLFA recommended in December 2020 'Although we have no in-principle objection to the above planning application at this stage, the applicant must submit additional information, as outlined below, in order to demonstrate that all aspects of the proposed surface water drainage management system have been considered.

Observations:

The applicant has not considered surface water drainage for the building for the changing rooms and community hub. This building appears to be included within this planning application, therefore, must be considered'.

Further to this, a Surface Water Drainage Plan for the community building and sports pitches (including plan ref. 0488-104 A) has been submitted for consideration.

A consultation response from the LLFA is awaited at the time of writing the report.

Subject to a satisfactory response to this issue, layout is considered acceptable.

Scale - the height, width and length of each building proposed in relation to its surroundings.

Buildings and structures on this site are limited in number.

The MUGA is to be a 'Proludic Sport walls /Ball court' including boundary fence / means of enclosure. Measuring 28m x 15m, fencing is to be 3m in height. Surfacing to be tarmacadam with white lining.

Three storage containers each measuring 6m x 2m and 2.4m tall are proposed close to the northern boundary of the site, screened on three sides by an existing hedge and new planting.

Subject to a condition controlling the colour of the containers, this provision is considered acceptable.

Appearance - the aspects of a building or place which determine the visual impression it makes, excluding the external built form of the development.

The provision of the sports pitches and MUGA on a plateau providing level ground surfaces requires an element of cut and fill. The 'batter' required is indicated on the submitted plans involving a maximum change of 6m at the northern end on the north-south axis across the largest pitch. Native woodland planting will screen the site on three sides.

The MUGA is to be a 'Proludic Sport walls /Ball court' which includes a boundary fence/means of enclosure made up of painted aluminium panels between galvanised steel posts. Surfacing is to be tarmacadam with white lining.

In response, the applicant has increased the storage containers to three as requested and this is shown on the updated Site Layout Plan enclosed (ref. 9344-L-100 Rev E). A drawing of the storage containers is also provided.

Tarmac footpaths will run from the access points on the northern boundary to the MUGA and sports pitches.

Landscaping - this is the treatment of private and public space to enhance or protect the site's amenity through hard and soft measures, for example, through planting of trees or hedges or screening by fences or walls.

The applicant describes the overall Landscape Framework as a 'ground-up' approach will be adopted, where existing features of note are retained as a basis for a landscape framework into which built development will be sensitively integrated.

This landscape framework will be linked through the site to the landscape beyond to maximise habitat, biodiversity, and amenity connectivity, as well as assimilating the development proposals into the landscape.

The proposals seek to provide long term environmental enhancements and, in particular, maximise site wide biodiversity and recreational benefits.

The application is accompanied by detailed landscape planting plans, planting details, a tree schedule, external works plan and illustrative long site section & retaining structure evolution drawing.

The Arboriculturalist initially commented in respect of both applications:

'1) Trees and Hedgerows: The Arboricultural report provided, whilst appropriate as a tree constraints plan (TCP) is not an arboricultural impact assessment (AIA) and associated tree protection plan (TPP) and (AMS) that addresses the specific measures

that will be taken to ensure that 'retained' trees and hedges will be adequately protected during the course of construction and demonstrate that the long term retention and management of the trees and hedgerows can be successfully achieved in light of the proposed site layout and design.

Of particular importance in the context of the development proposed will be the retention, protection and future management of the existing and 'retained' hedgerows that run North South. This will be of particular significance due to the potential / likely engineering works and terracing that will be required to address site levels. As you are aware this matter was specifically raised and asked to be addressed by the applicant at the design review panel meetings.

More detail in respect of the TPP and AMS to address this will be required before we can have any confidence in the successful retention and management of these features in the post development context.

I would also state that BS5837 – sets out minimum root protection areas and larger buffers should be provided where possible. BS5837 also advises that provision should be made to protect future landscape areas and it would be useful to see this achieved. (i.e. having a clear TPP showing new landscape areas fence off and avoided during the course of construction – although I would accept/expect some of these areas for example the POS to the south of the site to be used during construction for construction compounds etc.

2) Landscape Framework: The submission provides some general detail of the overall indicative framework but significant reliance appear to be given to avenue planting within highway verges – does the applicant have any evidence to demonstrate that the highways authority are happy with the level of tree planting proposed within the highway and will be willing to accept and maintain the long term management of this planting and do we have any detail in respect of the soil volumes that will be necessary to support this tree planting to maturity and how this will be delivered. (I suspect that the soils may be relatively thin above the bedrock at this site and that extensive soil stripping/ engineering works and compaction of soils to enable the construction of the proposed housing will necessitate engineered tree pits and provision of sufficient soil volumes and appropriate soils will be required to enable the successful establishment of the proposed planting)'.
'

The applicant has submitted a response to these comments, an Arboricultural Assessment & Method Statement and amended landscaping plans.

In terms of this specific site, the proposal includes retention of existing perimeter hedgebanks on all sides and native woodland planting on the south, east and west sides of the site. Additional tree planting is proposed to the south-east and south-west corners of the site. Screening is proposed for the storage units.

A further response from the Arboriculturalist is awaited, but subject to no adverse comments, the landscaping is considered acceptable.

The following information is submitted to discharge/ partially discharge conditions attached to the outline planning permission:

Condition 11 (Details of design and layout of changing facilities)

This detail is submitted as part of associated application 71537.

Condition 13 (Details of walls/ fences/ means of enclosure)

See comments in respect of Condition 3.

Condition 14 (Scaled drawings, cross and long sections showing existing levels and finished ground levels)

Associated levels plan/cross sections in relation to the revised sports pitch plans have been submitted as 0488.600 Rev B - Proposed Levels for Playing Field and 0488.601 rev B - Cross Section for Playing Field.

See comments in respect of Condition 3.

Condition 15 (Lighting scheme)

The applicant has confirmed that no lighting is proposed for the site. A revised condition will be attached to control any future lighting proposals.

Condition 17 (Details of car parking)

Car parking to serve the site it to be provided as part of the community building/changing facilities site which is part of the main site to the north.

No car parking is proposed at the present time on this site, although the amended plans indicate an area to the east as 'Potential future location for sports pitch/changing facilities car park'. This would require a separate application if proceeded with in the future.

Condition 24 (Details of cycle parking)

As with car parking, this is to be provided as part of the community building/changing facilities site which is part of the main site to the north.

Condition 25 (Landscaping details)

Discussed under Condition 3 above. See Site Layout Plan and Landscape Details

Condition 28 (Biodiversity Management Plan)

A Biodiversity Management Plan has been submitted.

In response the Arboriculturalist comments 'I'm broadly content with the overall submission but I believe that there are a number of areas where clarification should be sought and where additional information could be provided that would demonstrate policy compliance with the current local plan as opposed to merely addressing the condition requirements of the earlier consent. In particular I would wish to see further detail in relation to;

- a. the % species mix of the proposed new woodland and hedgerows
- b. the proposed planting densities / spacing and varieties of malus species for the proposed new orchard
- c. details in respect of the proposed ecological monitoring and means of reporting to the local authority and means of seeking written agreement to the BMP in order to ensure that its delivers the stated aims and objectives

d. details in regard to how the proposed works will deliver biodiversity net gain as required through current local plan policies – i.e. use of the DEFRA metric to assess the existing habitat value and proposed habitat value in order to demonstrate / quantify the increase in biodiversity value of the existing and post development habitat.

As referred to above at Condition 3, the applicant has submitted a 'Response to Arboricultural Officer', along with Assessment & Method Statement and amended landscaping plans.

A further response from the Arboriculturalist is awaited.

A consultation response from Natural England states 'Natural England has previously commented on this proposal and made comments to the authority in our letters dated 28th February 2017 and 3rd June 2020. The advice provided in our previous response applies equally to this amendment, although we made no objection to the original proposal. The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal'.

Condition 34 (Details and design of changing facilities and Community Building)

This facility is now part of planning application 71537.

Condition 37 (Details of refuse and recycling)

There are no specific proposals for this site.

Conclusion

This Reserved Matters application is submitted in compliance with condition 3 of the outline permission, along with information to discharge/partially discharge various conditions. Other conditions remain to be discharged, some pre-commencement.

The submission shows a development that is of an appropriate layout, scale and appearance for the site's context and the character of Ilfracombe and provides suitable access and landscaping.

The application is considered to accord with the adopted development plan. Approval of the application is therefore recommended subject to the imposition of planning conditions.

It is recommended that the application be approved, subject to:

- The further comments of DCC as Lead Local Flood Authority.
- A further response from the Arboriculturalist.

HUMAN RIGHTS ACT 1998

The provisions of the Human Rights Act and principles contained in the Convention on Human Rights have been taken into account in reaching the recommendation contained in this report. The articles/protocols identified below were considered of particular relevance:

Article 8 – Right to Respect for Private and Family Life
THE FIRST PROTOCOL – Article 1: Protection of Property

Recommendation

Delegate to the Chief Executive to approve, subject to no adverse outstanding consultation responses and the following conditions:

Conditions

1. The development to which this permission relates must be begun not later than whichever is the later of the following dates :
 - (i) the expiration of three years from the date on which the outline permission was granted : or
 - (ii) the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason :

The time limit condition is imposed in order to comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following approved plans/details:
 - 9344-L-02C Location Plan received on the 14/05/20
 - 9344-L-28 Landscape Details received on the 14/05/20
 - 9344-L 100D Site Layout and Landscaping Plan received on the 04/02/21
 - 0488.600B Levels - Playing Field received on the 04/02/21
 - 0488.601B Cross Sections - Playing Field received on the 04/02/21
 - 0488.104 Surface Water Drainage Strategy Community Building and Sports Pitches received on the 04/02/21
 - 9344-L-04B Development Framework Plan received on the 09/02/21
 - 9344-L-05C Site Layout Plan received on the 09/02/21
 - 9344-L-13 C Landscape Framework Plan received on the 09/02/21
 - 9344-L-32C Phasing Plan received on the 09/02/21
 - 9344-L-07 C External Works Plan received on the 09/02/21
 - FCPR-VM-04 Arboricultural Assessment & Method Statement February 2021 received on the 09/02/21
 - SWE211 Version 1 Biodiversity Management Plan SWe211 v1 received on the 13/05/20(‘the approved plans’).

Reason:

To ensure the development is carried out in accordance with the approved plans in the interests of proper planning.

3. There shall be no external lighting within the application site, unless a detailed lighting scheme for the site to include all proposed works and operating times

shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with those approved details prior to first use of the site hereby permitted unless minor variations are otherwise subsequently agreed in writing by the Local Planning Authority.

Reason:

To protect the character and appearance of the locality, dark night skies and impact on the AONB.

4. No car parking shall be provided on the site unless details of the design, layout, drainage, materials of construction and external appearance of car parking provision has been first submitted to and approved in writing by the Local Planning Authority. Vehicle parking will be maintained thereafter unless otherwise agreed in writing with the Local Planning Authority

Reason:

To ensure the provision of adequate parking off the highway

5. No cycle parking shall be provided on the site unless details of the design, layout, drainage, materials of construction and external appearance of cycle parking provision has been first submitted to and approved in writing by the Local Planning Authority. These approved facilities shall be retained and maintained for that purpose only thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To consider details and achieve modal shift from private car to other forms of transport in accordance with Policy TRA1A.

6. Any proposal for the provision of refuse storage, shall be the subject of detailed plans showing provision for refuse and recycling storage facilities including parking/dropping off areas, which shall prior to installation be submitted to and agreed in writing by the Local Planning Authority. Such provision is to be implemented and thereafter retained in accordance with the approved plans, unless subsequently otherwise agreed in writing by the Local Planning Authority.

Reason:

To ensure this amenity is satisfactorily integrated into the design of the development.

7. Having now considered the submitted details 9344-L-02C Location Plan received on the 14/05/20
9344-L-28 Landscape Details received on the 14/05/20
9344-L 100D Site Layout and Landscaping Plan received on the 04/02/21
0488.600B Levels - Playing Field received on the 04/02/21
0488.601B Cross Sections - Playing Field received on the 04/02/21
0488.104 Surface Water Drainage Strategy Community Building and Sports Pitches received on the 04/02/21
9344-L-04B Development Framework Plan received on the 09/02/21
9344-L-05C Site Layout Plan received on the 09/02/21
9344-L-13 C Landscape Framework Plan received on the 09/02/21
9344-L-32C Phasing Plan received on the 09/02/21
9344-L-07 C External Works Plan received on the 09/02/21

FCPR-VM-04 Arboricultural Assessment & Method Statement February 2021
received on the 09/02/21
SWE211 Version 1 Biodiversity Management Plan SWe211 v1 received on the
13/05/20
for conditions 11, 13, 14, 15, 17, 24, 25, 28, 34 and 37 the Local Planning
Authority have determined that these are acceptable.

The requirement to provide acceptable details of these conditions is therefore
discharged.

The works are now required to be carried out in accordance with these details.

8. The storage containers shall be coloured dark green or such other colour as
may otherwise be agreed in writing by the Local Planning Authority.

Reason:

In the interests of the appearance of the development and locality in
accordance with Policy DM04 of the North Devon and Torridge Local Plan.

Informatives

1. The applicant is reminded of the planning conditions that were imposed on the
Outline Permission and still relevant to this application.
2. Statement of Engagement
In accordance with paragraph 38 of the National Planning Policy Framework the
Council has worked in a positive and pro-active way with the Applicant and has
negotiated amendments to the application to enable the grant of planning
permission. This has included consideration of the reserved matters and
conditions.

Appendices

Appendix A – Location Plan

Appendix B - Decision Notice 62544
