

Extraordinary WHPC Meeting 29th June 2023
Agenda Item 23/223

Planning Application

- 23/1143/MFUL
- Erection of 36 dwellings (50% of which will be provided as affordable housing), formation of access, open space and associated infrastructure
- Land to the South of Windmill Lane, West Hill
- Applicant Strongvox

The Chairman of West Hill Parish Council (WHPC) has called an Extraordinary Meeting on **THURSDAY 29th June 2023** to give West Hill residents an opportunity to provide Councillors with their comments with regards this substantial and significant planning application. This will help to inform the Council's response to East Devon District Council (EDDC) on the application. At the regular monthly meeting on Tuesday 4th July 2023 the Parish Council will agree it's response to the application. It should be noted that EDDC are the decision makers on planning matters for East Devon.

Residents are reminded that it is important EDDC are made aware of their views. Comments should be submitted directly to EDDC:

Full details of the planning application are available on the [EDDC planning portal](#) on the East Devon District Council website www.eastdevon.gov.uk

Contact details for EDDC Planning:

- via their website www.eastdevon.gov.uk
- or by email to planningcentral@eastdevon.gov.uk
- or in writing to Planning, Blackdown House, Border Road, Heathpark Industrial Estate, Honiton EX14 1EJ

1. Purpose of this Paper

This paper sets out some of the planning matters for consideration when discussing the Parish Council's consultee response to the application. It is not by any means a comprehensive list.

2. Background

The site is included as a "preferred site (WH04)" in the draft East Devon Local Plan.

- [Emerging Local Plan - East Devon](#)
- [Appendix 2 - Tier 4 sites Amended.pdf](#) (eastdevon.gov.uk)

In 2013 EDDC refused an application for the construction of 2 no. residential dwellings (13/2624/FUL) and the subsequent appeal was dismissed by the Planning Inspector.

3. For consideration

3.1 Planning Policy

"The decision must be taken in accordance with the development plan unless there are material considerations that indicate otherwise" Planning and Compulsory Purchase Act 2004

The development plan is the East Devon Local Plan 2013-31 (EDLP). The emerging Local Plan 2020-40 carries little weight in theory, but the fact that this site has been assessed by Planning Officers and the site is a draft allocation in the emerging plan will carry some weight. **However**, EDDC cannot currently demonstrate a 5-year supply of deliverable housing sites, therefore para 11(d) of the NPPF applies, and there is therefore a presumption in favour of sustainable development unless “*any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole*”. This is called the “tilted balance”. Policies such as the BUAB are also considered to be out-of-date, and the fact that this site is outside the current BUAB, though adjacent to it, will not significantly count against it.

The “planning balance” will be considered – how the advantages of the scheme weigh against the adverse impacts, though the balance is weighted heavily in favour of permission. The offer of 50% affordable housing (which complies with the current EDLP policy) will be considered a **significant advantage**. It will contribute to the overall housing supply in East Devon, but more significantly it will contribute to the affordable housing need – for the whole district, if not for the local needs arising from the West Hill population. The provision of smaller units – 1-2 bedrooms – is also compliant with EDDC policy and also the Neighbourhood Plan Policy NP12: Appropriate Housing Mix.

3.2 Other considerations / adverse impacts

3.2.1 Quantity of housing

West Hill has already provided more dwellings than needed to comply with the EDLP 2013-31, with around 80 dwellings already built or with extant planning permission. In addition to the current proposal for 36 dwellings, there are 2 other significant planning applications in West Hill, as yet undetermined, which could provide a further 54 dwellings. Excessive levels of new house building will put pressure on the infrastructure of the village – notably primary school provision, secondary school provision, health services, and public open space and recreation facilities, and also on community cohesion.

3.2.2 Density of housing

The overall density on the site is around 17 dph. However, as there is a significant 10-12m “Ecology buffer” around the edge of the site, the effective density on the net site is 25 dph. This is higher than usual for West Hill, which is noted for low density development, and would be contrary to NP26 West Hill Design. Though with 8x1-bed apartments and 8x2-bed terraced homes, the overall density would not appear quite so high.

3.2.3 Landscaping / Ecology

The applicant has made efforts to achieve “Biological Net Gain” by providing the ecology buffer areas, significant new tree planting, some boundaries being native hedging, wildflower planting in the public open space, 26 bat bricks, 26 bird bricks and 2 reptile hibernacula. This is welcome, and in favour of the scheme. However, most of the boundaries between dwellings are close-boarded fences, walls, or railings, which is contrary to Neighbourhood Plan Policy NP26: West Hill Design.

The proposed development is on higher ground in the village, and may be visible from the B3180, at least until the ecology buffer planting has grown up. Previous planning applications in this area have been refused, and appeals dismissed, because of adverse landscape impact.

3.2.4 Sustainability – walking distances / car travel

The Transport Statement does accurately assess the walking distances to village facilities – using Windmill Lane, Bendarroch Road, Moorlands and the footpath to Beech Park:

Royal British Legion & Bus stop – 650m

Church – 750m

Post Office / shop – 950m

Village Hall / Primary School / Pre-school - 1.0km

Garage / Hairdresser / dentist – 1.2km

However, they use an unreasonable walking speed to assess the time for an average person to walk to these facilities – e.g. 13 minutes to walk the 1.0km from the site to the pre-school – not realistic with small children.

The pedestrian route is partly along Bendarroch Road, which has no footways or lighting.

In reality, these distances will mean that many residents will use their car to access facilities rather than walking, contrary to Policy TC2 (Accessibility of New Development) of the EDLP.

3.2.5 Infrastructure

It is expected that the developer will need to make financial contributions towards primary school and secondary school provision as both West Hill Primary School and The Kings School are over-subscribed. However, a financial contribution often does not really help – how can the primary school expand when it has 7 classes of 30 pupils, and no space to expand into?

The pressures on health services, especially the Coleridge Medical Centre in Ottery are well-known. The NHS has not been consulted on this application, so it is not likely that the developer will have to do anything to assist provision of health services.

A small amount of public open space has been provided. Whilst a wild-flower meadow would be attractive, it does not provide any useful area for children to play or kick a ball around. At the very least, a small play area should be provided. Co-operation between Strongvox and Blue Cedar at the adjacent site could provide something more meaningful in the way of recreation space.

3.2.6 Drainage

This is a specialist area. The presence of aquifers is well-known, also frequent reports of surface water run-off to Windmill Lane, and to the adjacent Blue Cedar field and Perry's Gardens. The attenuation pond presumably aims to deal with these problems, but the reports / proposals should be scrutinised by someone with the requisite specialist knowledge.

3.2.7 Traffic

The applicant claims that Windmill Lane and the local road network can accommodate the expected increase in traffic from the development. This seems unrealistic, especially now that 36 dwellings are now proposed. Windmill Lane is narrow, and frequently has vehicles parked on the roadway. There would also be very significant disruption during the construction phase.

4. Finally

Councillors need to consider the views of all residents. How do the views that we know of reflect those held by residents across the whole village? How many public comments have been submitted to EDDC and of those, how many are objecting/supporting?

Cllr Alison Carr
23rd June 2023