

19/00038/MOUT OUTLINE FOR A MIXED USE DEVELOPMENT OF APPROXIMATELY 40 DWELLINGS, 600 SQ. M. OF B1 EMPLOYMENT SPACE, PUBLIC OPEN SPACE, ACCESS, AND ASSOCIATED WORKS, FOLLOWING DEMOLITION OF EXISTING POULTRY SHEDS. LAND AND BUILDINGS AT NGR 314051 113316 (CULMBRIDGE FARM) CULMBRIDGE ROAD HEMYOCK

The parish council formally opposes and objects to this wholly unjustified and unacceptable application in the most vehement terms possible on a green field site, in an AONB village that has already taken more than its fair share of development with an infrastructure that is already at capacity. This view reflects the strength of feeling expressed by the community at an open meeting on 28th February 2019.

1. GROWTH BY STEALTH/CUMULATIVE EFFECT

The parish council understands that MDDC can now demonstrate a 5-year housing supply. Therefore we consider that due weight should be accorded to all policies in the local plan which are consistent with the NPPF 2019. Until the new local plan is adopted, Hemyock is open to speculative applications which by cumulative effect will cause the village to grow to the size of a town causing unacceptable pressure on our inadequate infrastructure and severely affect the visual quality and character of our cherished Blackdown Hills Area of Outstanding Natural Beauty.

The parish council is relying on MDDC Local Planning Authority to appreciate the full gravity of this situation. We require a formal decision that accords with the National Planning Policy Framework and other relevant planning issues listed in this letter of objection which clearly show that planning permission should not be given for this particular application. (Please see The Planning Inspectorate Cumulative Effects Assessment Advice Note December 2015.)

2. LOCAL PLAN POLICIES

2.1 Policy S13: Villages

“The following rural settlements will be designated as villages suitable for limited development: Bampton, Bow, Bradninch, Chawleigh, Cheriton Bishop, Cheriton Fitzpaine, Copplestone, Culmstock, Halberton, Hemyock, Holcombe Rogus, Kentisbeare, Lapford, Morchard Bishop, Newton St Cyres, Sampford Peverell, Sandford, Silverton, Thorverton, Uffculme, Willand and Yeoford. Development will be limited to proposals within their defined settlement limits and to allocations for:

- a) Small scale housing, employment, tourism and leisure;*
- b) Services and facilities serving the locality; and*
- c) Other limited development which enhances community vitality or meets a local social or economic need.” The policy goes on to state that: “Proposals for more than 5 dwellings in villages will be required to provide 30% affordable housing, which will be in the form of off-site contributions for sites of 6-10 dwellings. Exception sites may also come forward outside settlement limits, but these will need to demonstrate a need for affordable housing.”*

Hemyock Parish Council’s Comments

2.1.1 The proposed development is outside of the defined settlement limit

2.1.2 This is not small scale development

- 2.1.3 The proposed development does not provide facilities or services that serve the locality**
- 2.1.4 The proposed development does not enhance the community vitality or meet local social needs, indeed its effects would be detrimental to the existing community.**
- 2.1.5 The identified housing need will be fulfilled with the 22 affordable homes already under construction or having already received planning permission within the village**
- 2.1.6 The proposed development would dramatically alter the traditional settlement pattern of Hemyock, from nucleated to linear in such a manner as would be damaging to the character of the AONB.**

2.2 Policy DM27: Protected Landscapes

Proposals within or affecting the Blackdown Hills Area of Outstanding Natural Beauty, Dartmoor National Park, Exmoor National Park and the North Devon Biosphere Reserve must demonstrate that:

- a) Cultural heritage and the character, appearance, setting and other special qualities of the landscape will be conserved or, where possible, enhanced; and*
- b) Biodiversity will be conserved and enhanced where possible through improved linking of habitats, appropriate landscaping and habitat creation. Major developments within or adjoining the Area of Outstanding Natural Beauty and Dartmoor or Exmoor National Parks will only be permitted in exceptional cases.*

Hemyock Parish Council's Comments

- 2.2.1 This proposal does not satisfy any of the essential criteria in DM27.**
- 2.2.2 The site is agricultural buildings and pasture land. According to DEFRA 10% of agricultural land has been lost to development since 1970 (residential/retail/leisure and infrastructure improvements).**

3. PARISH PLAN "HEMYOCK TOMORROW"

The following policies set out in the parish council's Parish Plan 'Hemyock Tomorrow' should be noted:

The Natural Environment - Statement of Intent

NES11 Strive to retain the character of the country lanes within the parish.

NES13 Conserve hedgerows and encourage wildflower verges.

NES14 Conserve our parish's natural environment for future generations.

Built & Historic Environment - Statement of Intent

BHES11 Work with Mid Devon District Council and applicants to ensure that any new development, alteration or extension is carried out according to the Blackdown Hills AONB design guide for houses.

BHES13 Retain the hamlets' individuality.

BHES14 Encourage growth of native trees, flora and fauna.

Housing & Planning - Statement of Intent

HPSI 1 To support new small scale affordable local housing developments which respect the characteristics and constraints of Hemyock's built and natural environment yet allow continued evolution of the parish in order to maintain a broad social and demographic mix.

HPSI 3 Within the constraints of government policy to discourage any new open market housing development outside the existing built form and boundary of our village. Where new developments do take place, to insist on improvements to the parish infrastructure and to secure tangible and effective contributions to the community from developers.

HPSI 4 To ensure that all new developments enhance the surrounding built environment and are sympathetic to the local architectural vernacular.

HPSI 5 To support development where it re-uses disused sites or uses buildings which meet the criteria of this Plan and would lead to an enhancement of the setting.

HPSI 6 To support schemes which will benefit the parish rural economy and/or community and/or infrastructure and will maintain the sustainability of the parish (providing they are appropriate to the setting and meet the requirements of this Plan).

4. HIGHWAYS

The existing road network, both within and providing access to the village, is unsuitable to cater for additional traffic. Difficulties include:- unclassified lanes, many hazardous pinch points on main routes to Wellington, Chard, Honiton & Taunton, variable carriageway widths, blind bends, 1:6 gradient hill immediately to north of village, poor junctions (e.g. at Culmstock), and lack of pavements and cycleways. Any improvement to the roads would damage the character of the AONB by destroying hedgerows and increasing traffic speed and throughput making them less safe. Already Somerset County Council has withdrawn road salting above 500 feet altitude which affects most routes to Wellington, Chard, and Taunton during the winter, making travel more hazardous.

Local traffic surveys identify that there are in excess of 2,500 vehicle movements through the village each day. A vehicle activated sign located close to the centre of the village shows a daily average of 1,000 vehicles exceeding the prescribed 20mph speed limit. Traffic problems already exist in Hemyock at certain points due to school drop-off and pick-up combined with commuter and commercial through traffic and large agricultural machinery. On-street parking at all times causes some roads within the village to be inaccessible for HGVs and emergency vehicles. The local road network is already at capacity with a high volume of through-route traffic from A303 to M5 that often results in traffic chaos.

There is no continuous pavement system within Hemyock and the suggested pavement from the proposed development into the centre of the village leads directly on to the busy Culmbridge Road. Closer to the village centre, the junction of Culmbridge Road and Station Road is very dangerous for pedestrians due to frequent congestion of short-term parking at the Post Office and where lorries and other large vehicles turn requiring pedestrians to walk in the road.

There is insufficient parking for cars north of the river at Millhayes; when the river is in flood the village is separated into two halves and cars are parked everywhere possible to the north of the river. Further development in the village will only exacerbate the problem.

Due to infrequent public transport and its rural location, most journeys must be made by motor vehicles. Hemyock is difficult to access and is an unsustainable location for further residential development.

5. PRIMARY SCHOOL

During the 2017/2018 academic year the primary school turned away 2 children as the school was oversubscribed. Access to the school is problematic due to its location at the end of a narrow cul-de-sac at the extremity of a housing estate. The general facilities and the school buildings are already over capacity. Further development can only exacerbate these conditions to the detriment of existing and future children. Furthermore, the likelihood of additional children living in Hemyock could mean them having to attend schools further afield requiring additional travel and higher use of local roads at peak times.

6. GP SURGERY

The existing building and car park in the village are within a restricted space and cannot be further expanded. The scale of the proposed development would increase patient numbers, requiring an additional GP session per week, that would pose a difficult recruitment challenge for additional staff and require additional and surgery facilities. Hemyock residents will be forced to travel to other Blackdown Practice surgeries, or even register with surgeries outside the area.

7. HOUSING GROWTH & TARGETS

In recent years the village of Hemyock has grown by over 400 houses. There are a further 86 dwellings currently under construction or with planning consent. Any further development will compound this cumulative effect which the parish council considers to be totally unsustainable and inconsistent with the objectives of the AONB and the guidance of the NPPF 2018.

It is worth noting that the latest ONS (Office for National Statistics) figures September 2018 forecast a housing need of 159,000 new homes per annum **NOT** 300,000 per annum as stated by the Government. The government figure is based on the building industry's perceived ability to build, not genuine, identified demand.

8. MATTERS CONTRARY TO NATIONAL PLANNING POLICY FRAMEWORK (JULY 2018)

2 Achieving sustainable development

Clause (8)(c) environmental objection - "*minimise pollution, mitigate climate change, move to low carbon economy*" – Hemyock is in a remote, rural location, where there are few local jobs, and the proposed development will create a high level of car travel to Exeter, Taunton, Honiton, Tiverton, Chard etc

Clause 10 – "*presumption in favour of sustainable development*" – ***the application fails this requirement, see comments in clause 8(c) above.***

Clause (11)(b) & (11)(d) – (i) "*protect areas of particular importance by restricting scale of development*" and (ii) "*adverse effects would outweigh the benefits*" – ***the application fails both of these requirements.***

8 Promoting healthy and safe communities

Clause 92 – "*ensure an integrated approach when considering the location of housing.....and services*" – ***the application fails this requirement.***

9 Promoting sustainable transport

Clause 104 – "*Planning policies should minimise the number and length of journeys needed for employment, shopping, leisure, education and other activities*" – ***the application fails this requirement.***

9 Considering development proposals

Clause 109 – “*development should only be refused on highway grounds if there would be an unacceptable impact on highway safety or the residential cumulative impacts on the road network would be severe*” – ***the proposed development would impact extremely, severely on the road network.***

15 Conserving and enhancing the natural environment

Clause 170(a) Planning policies should (a) “*protect and enhance valued landscapes....*” and (b) “*recognise the intrinsic character and beauty of the countryside.....and other benefits of the best and most versatile agricultural land, and of trees and woodland*” – this application fails this requirement.

Clause 172 – “*Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty.....The scale and extent of development within these designated areas should be limited. Planning Consent should be refused for major development other than in exceptional circumstances.....*” – major development is defined in Annex 2, Glossary (page 68) as more the 10 homes or a site greater than 0.5 hectares. Although clause 172 is excluded from this definition, it is nevertheless the case that this site which is 2.52 hectares and is for 40 homes is four times in excess of the stated definition for a large development. It is also in plain sight from many other locations, creating a linear pattern of development and would have a significant adverse effect on the landscape. The application therefore must be considered a large development. There are no proven exceptional circumstances cited in the current application which would justify the Local Planning Authority granting permission for development of this size in a remote location and in an Area of Outstanding Natural Beauty.

Clause 180 – Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. ***This application fails these requirements.***

Annex 1 Implementation

“*Existing Local Plan policies should not be considered out of date if adopted before this NPPF document. Due weight should be given to them if consistent with this document*”. ***The parish council understands that MDDC can now demonstrate a 5-year housing supply. Therefore we consider that due weight should be accorded to all policies in the local plan which are consistent with the NPPF 2019. The site of this proposed development is outside the permitted development area for Hemyock as shown in the Local Plan and therefore should not be given consent.***

Annex 2 Previously Developed Land

The National Planning Policy Framework (NPPF 2018) provides the Government definition of Brownfield land (now referred to as ‘Previously developed land’):

Previously developed land: Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.

The planning statement refers to half the site being previously developed land – this is not correct, land occupied by agricultural buildings is excluded from this definition.

9. COMMUNITY RESPONSE

An open meeting was held on 28th February 2019. A summary of the objections made were:-

- The village has grown by over 25% in the last 20 years, more than the national average.
- The village does not have the infrastructure for further development.
- Roads in the village need improving before any further development.
- Vehicles struggle to pass on Station Road and Pencross Hill.
- There are insufficient pavements in the village and therefore pedestrians have to walk in the road. The daily commute to school is becoming dangerous due to the increase in vehicle numbers, their size and speed.
- It is becoming increasingly less safe to access the network of footpaths around the parish due to lack of pavements and increase in traffic on the roads.
- The doctor's and school are at capacity.
- Children in the village have been turned away from the village primary school and are being taken to Culmstock.
- The village is in an AONB and the sensitive environment should be protected.
- It was noted that the NHS has asked for money as a result of the proposed development. It should be noted that many parishioners use Musgrove Park Hospital and so perhaps Somerset NHS may wish to request funds too.
- The current waiting time to see a doctor at the surgery for non- urgent appointments is 4 weeks.
- There is no village health visitor.
- What is the benefit to the village if this development goes ahead?
- The cumulative effect of developments in the village needs to be taken into consideration.
- Public transport only goes to Honiton/Taunton.
- The odour from the poultry farm only occurs infrequently and the prevailing wind takes the odour away from the village.
- The parish would rather endure the odour from chickens than have a development!
- The village does not need employment units. There are already empty units available in Station Road.
- Any open space on the proposed development should be located in the middle of the development. Any open space on the edge could provide access for future development.

10. RESPONSE TO APPLICANT'S DESIGN AND ACCESS STATEMENT

Affordable homes – the applicant's scheme for affordable houses provides a discounted purchase scheme. However the Upper Culm Community Land Trust has identified the local need as being for rental properties. See point 2.1.5.

1.3 Business Barn – Plans for the Old Station Yard site included industrial units at the western end but there has been little interest and no take up for these. There is currently a planning application being considered by MDDC on the site for housing only. There are currently vacant industrial units available on the Station Road industrial estate.

1.3 Open Space – the green open space only provides for the proposed development and does not benefit the wider community.

Pedestrian connection – this only serves the proposed development as there are few dwellings beyond the proposed site. The proposed pavement is built into the highway restricting a narrow road down to 3.7m, close to a blind bend. Culmbridge Road is frequently used by agricultural vehicles and heavy goods vehicles accessing Brookridge Timber and Jewells Bio-Mass Energy Farm. Decreasing the width of the road will only exacerbate these difficulties and Devon County Council Highways prefer a minimum width of 5.2m.

1.3 & 2.4 - Visual Aspect

The photos submitted with the application were taken in the summer so the full visual impact of the development is not represented. Whatever the height of any dwelling, it will have a considerable impact on the visual appearance of the landscape.

The proposal is to re-level the site which would raise the level of the eastern part of the site thus making any building more visible.

2.5 - Poplar trees – proposed felling

These trees are mature trees and currently enhance the landscape.

3.1 Background

This statement does not recognise the pressure on the local infrastructure (roads, school surgery etc.) in any way whatsoever.

4 - Proposals

Housing design – the design does not reflect the local vernacular. There is no rough cast, too much timber cladding and no natural flint walls.

11. RESPONSE TO APPLICANT'S PLANNING STATEMENT

See Section 4 – Planning Policy Assessment

Policy COR1 states that growth will be managed so that development meets sustainability objectives, brings positive benefits, supports the diverse needs of communities and provides vibrant, safe, healthy and inclusive places where existing and future residents want to live and work – ***the application fails this requirement, there are no positive benefits to the community from this speculative application.***

Policy COR2 states that development will sustain the distinctive quality, character and diversity of Mid Devon's environmental assets through high quality sustainable design which reinforces the character and legibility of Mid Devon's built environment and creates attractive places, and through the preservation and enhancement of Mid Devon's cultural and historic environment - ***the application fails this requirement – it does not preserve or enhance the cultural and historic environment.***

Policy COR3 states that the diverse housing needs of the community will be met through the provision of approximately 6800 dwellings between 1st April 2006 and 31st March 2026, phased at 290 dwellings per year between 2016 – 2026 - ***the diverse housing needs have already been met in this community.***

Policy COR 7 The applicant refers to previously developed land on part of the site where there are currently agricultural buildings – this definition is incorrect (see our paragraph referring to NPPF 2018 Annex 2)

Policy COR17 identifies Hemyock as a ‘village’ where development commensurate to its role and function will be acceptable within the defined settlement limits - ***the application fails this requirement, the proposed development is outside the settlement limit and existing developments have already fulfilled Hemyock’s role and function as a ‘village’ and further growth would bestow no additional benefit to the village.***

Emerging Policy DM27 applies to development proposals situated within protected landscapes (i.e. Areas of Outstanding Natural Beauty). Within such areas, proposals are expected to demonstrate that the character, appearance, setting and other special qualities of the landscape will be conserved, or where possible, enhanced - ***the application fails this requirement it does not conserve or enhance the qualities of the landscape.***

See Section 6 The tilted balance engaged

6.11 The applicant states that in March 2017, the Council resolved to grant permission for up to 40 dwellings within the AONB on Culmstock Road, Hemyock (LPA ref: 16/01772). The Council did not consider the proposed development to be of too large a scale for the purposes of national AONB policy. ***This statement is incorrect. The parish council and planning authority considered that this development was a large development but that it offered a significant benefit to the community in the form of 7 acres of land gifted to the parish council for the benefit of the community. This provides the opportunity to fulfil aspirations desired by the community for several decades.***

12. RESPONSE TO APPLICANT’S TRANSPORT STATEMENT

Table 6.1 traffic movements are disputed. Local information from the vehicle activated sign and community speed watch sessions indicates much higher figures.

13. CONCLUSION

The parish council vehemently objects to this development for the above planning policy and material planning consideration reasons. This objection is reflected in the strength of local community opinion and therefore the parish council strongly recommends that this planning application is refused. In the event that either Officers or Elected Members of the Local Planning Authority are minded to consider recommending and/or granting permission for the current proposal, the parish council formally requests a site visit be undertaken by all the Members of the Planning Committee before a decision is taken so they might consider the likely impacts at first hand. If there is further clarification or information which the parish council can provide in support of this objection the parish council would be happy to do so upon request.

Culmbridge Farm – illustrative layout mapped to landscape
 See Response to design and access statement
 Photo taken from Public Way at ST141144



Farm vehicle travelling west along Culmbridge Road 13th March 2019
See response to design and access statement re. Culmbridge Road

