

25/01638/MOUT

Proposal: Outline with all matters except access reserved for the erection of up to 170 dwellings, pedestrian and cycle facilities, associated open space and SUD's drainage

Location: Land at NGR 303878 111905 West of The B3181 Uffculme

Parish: Halberton 25

Willand Parish Council discussed this application at its meeting on the 11th of December 2025.

The discussion took place having considered the 47 documents on the MDDC Portal at the time. It was clarified that the whole of the proposed site is in the parish of Halberton. The address in the location is given as Uffculme which is not correct. Most of the narrative in the submitted papers refer to Willand and the facilities within Willand. The site is only just outside of the Willand Parish Boundary and therefore this consultation response is presented as primarily affecting Willand.

The application site was part of a much larger site offered for development when the current local plan was being considered. The site would have run between the B3181 and the M5 towards Junction 27. It was discounted at the time as it was considered to be 'ribbon' development and would not present for obtaining community or social cohesion.

The response is also presented bearing in mind that there is another application being consulted on at present which, if approved, would result in a further 130 dwellings affecting the infrastructure and facilities of Willand. Application **25/01498/MOUT** refers.

The application form describes the proposal as 'Outline with all matters except access reserved for the erection of up to 170 dwellings, pedestrian and cycle facilities, associated open space and SUD's drainage.' It is therefore not clear as to whether or not the 'landscaping and layout' should be the subject of representation at this time as indicative layout and landscaping have relevance to 'access'. It is also not clear as to what amounts to 'associated works.'

The Planning Statement appears to clarify this at 5.3.1 "This outline application seeks approval for the principle of residential development, with all matters reserved except for access. As such, details relating to appearance, landscaping, layout, and scale will be considered at a later stage through a reserved matters application."

There is no mention of a number of the properties being 'self build' on the application but it is felt that there should be some if it is to be approved [S13 – 2.79].

Willand Parish Council is also aware of the position with the requirement for more housing in the District, land supply, the age of the Local Plan and concerns around costs of any appeal process if the application is refused. It was felt that cost should not dictate or circumvent the democratic planning process as further development within, or adjacent to, the village is considered to be significantly harmful, particularly without the provision of additional facilities. This is even more important if approval is given for the 130 houses off Silver Street.

It should be noted that a number of documents refer to the Willand Neighbourhood Plan but the Plan does not cover this site as it is outside of the Willand Parish. Policies in relation to walking and cycling routes to extend beyond the plan area to link in with similar facilities in adjoining areas are however relevant in the wider context of the District.

Willand Parish Council objects to this application/proposal. Matters considered and reasons/concerns are set out in the following paragraphs.

The Local Plan.

The Local Plan Review 2013 to 2033, Policy WI1 refers to land east of the M5, Willand which is allocated for residential development subject to the following:

- a) 42 dwellings with 30% affordable housing;
- b) Provision of buffer zone and appropriate planting to mitigate noise from the adjacent motorway;
- c) Mitigation of any wildlife impact including protection of trees;
- d) Transport assessment of capacity at the junction of Silver Street and Meadow Park; and
- e) Retention and enhancement of the public right of way.

A map of the area is incorporated in the plan which shows the proposed area of Policy WI1 and the settlement area for the Parish was extended to incorporate this new area.

The current application is for a proposed site not allocated in the current Local Plan. The proposed site is in another Parish, outside of the Willand Parish Boundary and Settlement Area boundary and is therefore in open countryside and so Policy S14 should apply.

It should also be noted that under policy S13 Willand [and Halberton] is specifically catered for as a designated village suitable for limited development. That allows for developments being 'limited to proposals within their defined settlement limit and to allocations for a) small scale housing, employment, tourism and leisure.' This application/proposal is not a small scale housing project particularly when linked to the cumulative impact of the growth which has already taken place and with potential further expansion if applications are approved.

The Planning Statement paragraph 1.2 states: "Willand is a thriving community, with a wide range of facilities and amenities (including a school, shops and medical facilities), excellent transport connections and growing employment opportunities." Later it continues: "it is considered a suitable and sustainable location for additional residential development, which would bring further benefits to the village."

The Planning Statement at 5.2.6 states: "Both Willand and the application site are highly sustainable and suitable for development of the scale proposed and as such development of the site should be supported in accordance with the NPPF."

These statements are disputed in that Willand parish is probably geographically one of the smallest, if not the smallest, area in Mid Devon. It does however have the 4th largest population after the three main towns. That does not make it sustainable for further development as explained later. It should be noted that the only medical facilities are the Pharmacy and the transport connections are not excellent when it comes to the bus services.

Consideration has also been given to an appeal decision dated the 21st of January 2025 - **Appeal Ref: APP/Y1138/W/22/3313401 Land at Hartnoll Farm, Tiverton, Devon, EX16 4PZ** – where in paragraph 82 the Inspector stated:

"The proposal would be contrary to the strategy for the location of development in the LP [LOCAL PLAN], read as a whole.

It would not align with the role of Cullompton as central to the delivery of Policy S2 and would be contrary to the provisions of Policy S14 which seeks to locate new development within the

settlement limits, whilst permitting certain development types in the countryside, none of which apply in this case.

This conflict is of sufficient importance and weight that the proposal is contrary to the development plan, taken as a whole. In the circumstances of this appeal, my conclusion is that the material considerations do not outweigh the conflict with the development plan.”

The Inspector dismissed the appeal. Willand Parish Council consider that this current application for 170 houses closely mirrors the appeal site circumstances and if approved will have a far greater adverse effect on Willand than the appeal site would have had on Tiverton. Added to this must be the possibility of another application for 130 dwellings being approved

Current Housing Provision.

Willand has already had more than the 42 policy dwellings provided for under Policy WI1

7 Dwellings were built on the Eastern edge of the site for Social Housing;

28 Dwellings have been built at Rowan Lea as an exception site, outside of the Local Plan and the Parish Settlement Area;

125 Dwellings are currently being built at Foxmill Gardens under Decision Notice 21/01754/MARM which uses part of Policy WI1 site and the rest of the site is not included in the Local Plan and is outside of the Parish Settlement Area. This was approved, on appeal, having been rejected by the District Council.

7 Dwellings at Somerlea, Willand as a windfall site for social rented housing within the Settlement Area.

There are other small windfall developments which have planning approval but have not been built as yet.

Willand Parish has currently been approved to have 125 [298%] more houses imposed on the facilities and infrastructure over and above those planned for in the Current Local Plan. To approve this further 170 dwelling, would therefore mean that Willand has had at least 295 [702%] extra dwellings provided/approved over and above the number planned. If the 130 dwellings are also approved that will mean that Willand will be subjected to 425 [1,012%] more dwellings than allocated to it under the current Local Plan.

Documents submitted by the applicant refer to addressing the local housing needs in the locality. Nowhere has it been shown that Willand needs 170 more houses in addition to those already provided let alone for the potential of a further 130 dwellings on another site. There may be a need for more housing for social rent but certainly not more market housing on the evidence of slow sales on the latest site being developed.

No mention is made of Policy S2 – Amount and distribution of development - where it states that ‘Development will be concentrated at Tiverton, Cullompton and Crediton, to a scale and mix appropriate to their individual infrastructures, economies, characters and constraints. Other settlements will have more limited development which meets local needs and promotes vibrant rural communities.” The total of 22 rural areas were planned to take 10% [786] of the total housing need for Mid Devon. Willand has already taken more than 21% of the rural allocation within its own very small geographical area.

There are also many generalised references to housing need in the Planning Statement which are not identified with the needs of Willand and what has already been provided with little improvement in services or infrastructure.

Sustainability

Policy S1 – Sustainable development priorities - helps with strategic priorities that will need to be achieved to deliver and address key issues. The following are considered relevant to this application and Willand.

- a) 'Limited level of development in identified villages.' It has already been shown that it is considered that Willand has already provided space for more than enough houses.
- d) 'Retention and development of local services and community facilities in villages.' Although expanding in population the village has lost its Dentist and Doctors Surgery in recent years. The primary school is near to capacity; the Preschool and Nursery are at capacity and turning people away; the village hall is at capacity and unable to accommodate all applications at certain times; the youth club is unable to reach its full potential through lack of funding. There is a proven 60% shortage of green open space within the village for the population need. The population has considerably increased since that report was commissioned.
- e) 'Promoting sustainable transport by delivering appropriate infrastructure, reducing the need to travel by car, integrating public transport and other forms of sustainable travel such as walking and cycling'. The bus services have been reduced and there are many instances of cancellations; walking and cycling are difficult in some areas as there are no footpaths and others are partially overgrown by hedges and/or there is an issue of poor maintenance of the surfaces. Many are not serviceable for push chairs & invalid buggies.
- g) 'Delivering a wide choice of diverse housing mix and by meeting the housing needs of all sectors of the community including the provision of accessible housing for the elderly and disabled'. Although this may be argued to be dealt with under reserved matters there is no indication of the provision of bungalows to reflect the fact that Willand has a high proportion of elderly residents.
- i) 'Promoting healthy communities ETC'. Although there is indicated a provision for small play areas and some green open space there is no indication of access to high quality open space, public rights of way, recreational trails and opportunities for sport and recreation and the designation of Local Green Space. Local dog owners regularly seek areas to safely exercise with their dogs. Policy S5 sets out requirements for Public Open Space and it cannot be seen that these requirements for high quality open space are to be met. It is appreciated that some can be provided 'offsite' through S106 agreement. The question is not answered as to where these 'offsite' spaces are to be found in Willand. There is no suitable available space and therefore it would mean these facilities would have to be provided outside of the village which would mean travel. Policy S5 does permit this but as will be seen it is not of use to the Willand Community.

It should also be noted that there was an earlier dismissed appeal in relation to a larger scheme of 259 dwellings on land which incorporated both the application site for 130 dwellings and the land now known as 'Fox Mill Gardens' (appeal ref: APP/Y1138/W/17/3172380). In that decision, the Inspector expressed concerns that the scale of development would unbalance the settlement and result in harm to social cohesion within the village. This application of 170 dwellings plus the 125 dwellings at Foxmill Gardens is 36 dwellings more than those in the appeal decision. There has been no change in the facilities within the village since that time and therefore it is still considered that additional 170 dwellings will result in harm to social cohesion within the village.

In the later appeal (Ref: APP/Y1138/W/18/3214685), which allowed the smaller development of Foxmill Gardens the Inspector noted the village of Willand benefits from a range of services and facilities, including the Co-op store and the Mid Devon Business Park. Although there are shops

there has been no increase in facilities for the health and wellbeing of existing or additional residents other than the provision of enhanced play and fitness equipment on existing sites which would have difficulty in accommodating and benefiting the additional residents culminating from this current proposal.

Access

The Planning Statement, paragraph 2.2.4 states: 'A single point of access is proposed served off the B2181 on the eastern boundary of the site, approximately 450m north of the Willand Road roundabout.'

Paragraph 2.4.7 states: 'One highway access is proposed for the development site, located from the B3181, in the approximate location of the current agricultural access. This will take the form of a priority junction with a right turn and ghost island arrangement. The site access road will have a width of 5.5m with 2m footways on both sides.'

Paragraph 2.4.8 states: 'A pedestrian and cycle connection is to be provided to Muxbeare Lane, to allow access to the existing cycle route to Tiverton Parkway Station. This will also afford a more direct pedestrian route to the Willand Industrial Estate. A new footway is to be provided along the western side of the B3181 from the new site access. This is to connect to the existing footway to the south of The Halfway House pub.'

The narrative and detail of paragraph 5.3.3 states: 'The Access Parameter Plan sets out the proposed access strategy, identifying a clear hierarchy of movement including:

A primary street running through the site, forming the main spine route;

A secondary street and private drives providing localised access;

Pedestrian and cycle connections, both within the site and linking to the existing pedestrian and cycle network, including a route to Tiverton Parkway Station via Muxbeare Lane and the National Cycle Network;

Primary access points and movement corridors for vehicles, pedestrians, and cyclists.

Having taken note of these four paragraphs it is considered that one vehicular access from a main road for 170 dwelling is insufficient and potentially dangerous in the event of a serious incident such as a fire. No mention is made of reducing the speed limit from 50mph. Regardless of what is said in paragraph 5.3.3. about a primary street, secondary street and primary access points and movement corridors what is being presented is a cul-de-sac containing 170 dwellings – One vehicular entrance and one additional cycle entrance – everything else is internal to the site. The pedestrian and cycle connections to Muxbeare Lane is a positive provision.

Much play is being made of this being an access to the Willand Industrial Estate and also the footpath along the main road to the Halfway House BUT a footpath along the main road needs to also be made to the north east towards the A38 as Hitchcock Business Park is a much greater employment site for Willand Residents and badly needs pedestrian and cycle provision to it from the village. If this application is to be approved the provision of this footpath should also be a requirement.

Many of these comments and concerns are relevant to narrative in the Transport Assessment and the Framework Travel Plan. It should be noted that the bus service does not go past the site and so bus stops are quite a way from the site. The bus service has been reduced to the village and evening service is poor.

Paragraph 4.40 of the Transport Assessment records: 'There have been no collisions on B3181 within the vicinity of proposed site access or at the four cross ways roundabout within Willand (south of the site) within the previous 5-year period. This gives a very restricted and false view. There have been accidents at the Four Cross Way roundabout including a vehicle mounting the roundabout. There have also been a number of accidents between the proposed site and Waterloo Cross. Local people's knowledge appears to be far more reliable than Highway records.

It is noted that in Table 5.1 reference is made to certain facilities. Honeybees Day Nursery and Pre-school is just outside of the Parish, there is no footpath or lighting for part of the way with the 60mph national speed limit and can only safely be accessed by car. Similar comments are applicable to the Uffculme surgery.

Summary

Willand Parish Council's objection to this application are summarised as follows, with relevant policies shown as appropriate:

- The current application is for a proposed site not allocated in the current Local Plan.
- The Proposed site is outside of the Parish Settlement Limit and is in open countryside. Policy S14a) should therefore apply – Affordable and low cost housing to meet local needs.
- Willand is a named rural settlement and designated as a village suitable for limited development . Policy S13a) should therefore apply – Small scale housing.
- Policy S1 Sustainable development *priorities - are not met or breached* as detailed earlier in this response.
- Policy S2 Amount and distribution of development – as shown earlier in the response Willand has more that exceeded expectations for one of the 22 Rural Areas.
- Policy S8 Infrastructure – It is argued that this proposal does not take account of the need for community facilities and any infrastructure deficiencies.
- Policy DM6 Rural Exception sites - cannot be considered relevant as the proposal does not provide a site for predominantly affordable or low cost housing to meet a proven local need.
- Policy DM26 Green Infrastructure in major development – it is considered that what is proposed on the site does not meet the requirement and spirit of this policy.
- The site will be a 'dormitory' housing estate with no real community facilities and somewhat separated from the community of Willand.

Willand Parish Council recommend that this application be refused.