

South Hams Development Management Committee



Title:	Agenda										
Date:	Wednesday, 3rd March, 2021										
Time:	10.00 am and 2.00 pm										
Venue:	Via Teams										
Full Members:	<p style="text-align: center;">Chairman Cllr Brazil</p> <p style="text-align: center;">Vice Chairman Cllr Foss</p> <p><i>Members:</i></p> <table style="margin-left: auto; margin-right: auto;"> <tr> <td>Cllr Abbott</td> <td>Cllr Long</td> </tr> <tr> <td>Cllr Brown</td> <td>Cllr Pannell</td> </tr> <tr> <td>Cllr Hodgson</td> <td>Cllr Pringle</td> </tr> <tr> <td>Cllr Holway</td> <td>Cllr Rowe</td> </tr> <tr> <td>Cllr Kemp</td> <td>Cllr Taylor</td> </tr> </table>	Cllr Abbott	Cllr Long	Cllr Brown	Cllr Pannell	Cllr Hodgson	Cllr Pringle	Cllr Holway	Cllr Rowe	Cllr Kemp	Cllr Taylor
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Cllr Hodgson	Cllr Pringle										
Cllr Holway	Cllr Rowe										
Cllr Kemp	Cllr Taylor										
Interests – Declaration and Restriction on Participation:	Members are reminded of their responsibility to declare any disclosable pecuniary interest not entered in the Authority's register or local non pecuniary interest which they have in any item of business on the agenda (subject to the exception for sensitive information) and to leave the meeting prior to discussion and voting on an item in which they have a disclosable pecuniary interest.										
Committee administrator:	Janice Young Specialist- Democratic Services 01803 861105										

1. Minutes

1 - 6

To approve as a correct record the minutes of the meeting of the Committee held on 3 February 2021;

2. Urgent Business

Brought forward at the discretion of the Chairman;

3. Division of Agenda

to consider whether the discussion of any item of business is likely to lead to the disclosure of exempt information;

4. Declarations of Interest

Members are invited to declare any personal or disclosable pecuniary interests, including the nature and extent of such interests they may have in any items to be considered at this meeting;

5. Public Participation

The Chairman to advise the Committee on any requests received from members of the public to address the meeting;

6. Planning Applications

To see Letters of Representation and further supplementary information relating to any of the Applications on the agenda, please select the following link and enter the relevant Planning Reference number:

<http://apps.southhams.gov.uk/PlanningSearchMVC/>

(a) 0227/20/FUL

7 - 30

"Bantham Estate Yard", Bantham

READVERTISEMENT (Revised plans received) Erection of new Estate & Harbour off; and granting of temporary 18 month consent for continued use of land for siting of portacabins and associated parking of vehicles for use as temporary estate office.

(b) 2873/20/FUL

31 - 42

Item will not commence before 11.00am

"Rainbow View", Parkers Way, Totnes

READVERTISEMENT (Amended development description and additional information) Additional storeys to existing building to create 5 new duplex units with provision for additional parking space.

****Upon the conclusion of the above agenda item, the meeting will be adjourned and reconvened at 2.00pm****

- | | |
|--|----------------|
| (c) 4039/18/FUL | 43 - 52 |
| "Land At Sx776416", Winslade Farm, Frogmore | |
| Change of use of part of field to provide extended external farm manure store, along with associated engineering operations (Resubmission of 0147/18/FUL) | |
| (d) 2274/19/FUL | 53 - 62 |
| Coombe Park, Ashprington, TQ9 7DY | |
| Refurbishments and extension of existing office/studio/workshop building with the construction of new two-storey office/studio/workshop building and associated additional parking and service provision | |
| 7. Planning Appeals Update | 63 - 64 |
| 8. Update on Undetermined Major Applications | 65 - 70 |

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**MINUTES OF THE MEETING OF THE DEVELOPMENT MANAGEMENT
COMMITTEE HELD, via TEAMS, ON WEDNESDAY,
3 FEBRUARY 2021**

Members in attendance * Denotes attendance ∅ Denotes apologies			
*	Cllr V Abbott	*	Cllr K Kemp
*	Cllr J Brazil (Chairman)	*	Cllr M Long
*	Cllr D Brown	∅	Cllr G Pannell
*	Cllr R J Foss (Deputy Chair)	*	Cllr K Pringle
*	Cllr J M Hodgson	*	Cllr R Rowe
*	Cllr T R Holway	*	Cllr B Taylor
*	Cllr D O'Callaghan (substitute for Cllr Pannell)		

Other Members also in attendance and participating:
Cllr J Pearce

Officers in attendance and participating:

Item No:	Application No:	Officers:
All agenda items		Head of Planning; Specialist Place Making; Legal Officer; Democratic Services Manager; and Democratic Services Officers

DM.48/20 MINUTES
The minutes of the meeting of the Committee held on 6th January 2021 were confirmed as a correct record by the Chairman.

DM.49/20 DECLARATIONS OF INTEREST
Members and officers were invited to declare any interests in the items of business to be considered and the following was made:

Cllrs R Rowe and B Taylor both declared a personal interest in application TPO/1018/T1 (Land adjacent to 4 Malborough Park, Malborough) as they were Members of the South Devon AONB Partnership Committee. Both Members remained in the meeting and took part in the debate and vote thereon;

DM.50/20 PUBLIC PARTICIPATION
The Chairman noted the list of members of the public, and town and parish council representatives who had registered their wish to speak at the meeting.

DM.51/20

PLANNING APPLICATIONS

The Committee considered the details of the planning applications prepared by the Planning Case Officers as presented in the agenda papers, and considered also the comments of Town and Parish Councils, together with other representations received, which were listed within the presented agenda reports, and **RESOLVED** that:

6a) TPO/1018/T1 Land adjacent to 4 Malborough Park, Malborough, TQ7 3SR

Parish: Marlborough

Development: Delegated authority request to confirm Tree Preservation Order (TPO: 1018 open space at Malborough Park, Marlborough)

Case Officer Update: Officer confirmed inspections had taken place and that the Council had discharged its duty regarding reasonable removal of cones and dead branches.

Speakers included: Objector – Mrs Hurrell; Parish Council – Cllr Yeoman; Ward Members – Cllr J Pearce and Cllr M Long;

Following a question from a Member, the officer confirmed the tree inspection dates as June 2020 and September 2020, resulting in removal of cones and dead branches.

During the debate, it was clarified that removing the TPO would not result in the felling of the tree but would allow the neighbours to remove any overhanging limbs under common law.

Recommendation: TPO 1018 is confirmed as served.

Committee decision: Refusal

Reasons for Refusal: The Planning Committee determined that the TPO was not to be confirmed as it was considered that a combination of its size, relationship to the property, potential for future claims when balanced against the ability for the tree to potentially be felled and replaced by a smaller native tree and/ or hedge would continue wildlife and visual benefits.

DM.52/20

PLANNING APPEALS UPDATE

Members noted the list of appeals as outlined in the presented agenda report.

The Head of Development Management (DM) provided further details on specific recent appeal decisions.

Following a query from one Member, the Head of DM was to check the Ward listing for appeal reference: 0482/17/FUL.

DM.53/20 PLANNING PERFORMANCE INDICATORS

Members reviewed the performance indicators as outlined in the presented agenda report.

In discussion, particular reference was made to:

- (a) The total number of all applications received into Development Management in 2019 had been 2,518, while the total number received in 2020 had been 2,802; an 11% increase.
- (b) Above target on apps on time, including extensions. Non majors without time extensions illustrated a gradual improvement in numbers completed.
- (c) Fees were significantly down on the previous financial year predominantly due to the reduction in the number of speculative large major apps following the adoption of the Joint Local Plan.
- (d) An increase in the number of pre-applications being received was noted.
- (e) Enforcement case numbers were seen to have increased in Quarter 2 and Quarter 3, but the on hand case load numbers were still gradually reducing.
- (f) Legal would explore the potential use of drones for difficult to access sites in Enforcement cases.

DM.54/20 UPDATE ON UNDETERMINED MAJOR APPLICATIONS

Members noted the list of undetermined major applications.

The Head of DM requested that, if possible, any questions were to be submitted before the meeting.

DM.55/20 KATHY TRANT

The Committee recognised that Kathy Trant had now left the employ of the Council and Members gave their thanks for her contributions and excellent service, and wished her well for the future.

(Meeting commenced at 10:00 am and concluded at 12:23 pm, with a five minute break at 11:40am)

Chairman

Draft

Voting Analysis for Planning Applications – DM Committee 3rd February 2021

<i>Application No:</i>	<i>Site Address</i>	<i>Vote</i>	<i>Councillors who Voted Yes</i>	<i>Councillors who Voted No</i>	<i>Councillors who Voted Abstain</i>	<i>Absent</i>
TPO/1018/T1	Land adjacent to 4 Malborough Park, Malborough, TQ7 3SR	Refusal to confirm TPO	Cllrs Abbott, Brown, Foss, Holway, Long, Pringle, Rowe, Taylor (8)	Cllrs Brazil, Hodgson, Kemp, O'Callaghan (4)	(0)	(0)

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PLANNING APPLICATION REPORT

Case Officer: Cheryl Stansbury

Parish: Thurlestone **Ward:** Salcombe and Thurlestone

Application No: 0227/20/FUL

Agent:

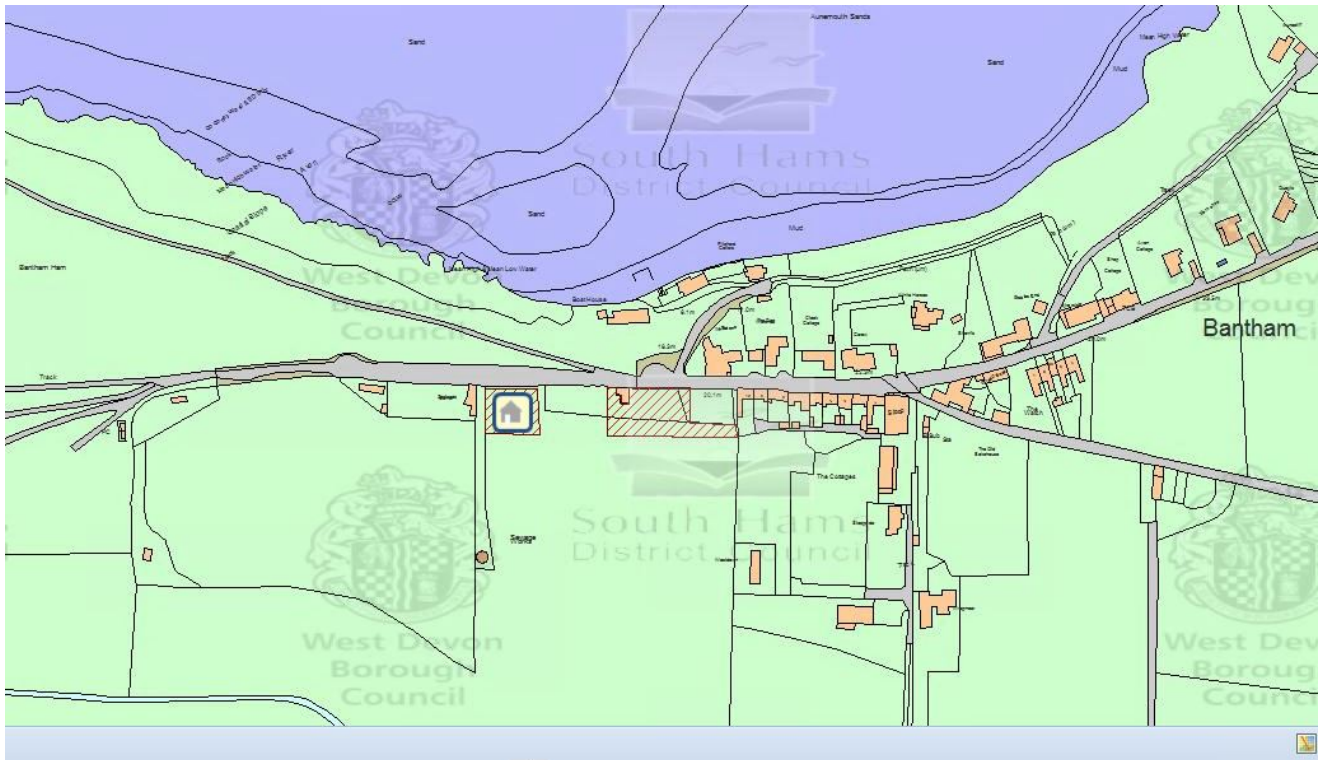
Shelley Coffey - Rural Solutions
Canalside House
Brewery Lane
Skipton
BD23 1DR

Applicant:

The Bantham Estate
C/O Agent

Site Address: Bantham Estate Yard, Bantham

Development: Erection of new Estate & Harbour office; and granting of temporary 18 month consent for continued use of land for siting of portacabins and associated parking of vehicles for use as temporary estate office



Reason item is being put before Committee At the request of the Head of Development Management Practice because the application site is located in a very sensitive area and the proposal has generated significant public interest.

Recommendation: Conditional approval

Conditions

1. Standard three year time limit for commencement of development
2. Temporary permission for portacabins
3. Removal of portacabins
4. Development to be carried out in accordance with approved drawings
5. Office use only

6. Landscape proposals
7. Adherence to biodiversity mitigation and enhancement measures
8. Details of and restriction on external lighting
9. Samples of materials
10. DEV32 compliance
11. EVCP details
12. CMP
13. Construction hours
14. Foul drainage
15. Surface water drainage
16. Trees
17. WSI

Pre-commencement conditions agreed 15th February 2021

Key issues for consideration:

Is the development sustainable and acceptable in principle in the AONB, Heritage Coast and Undeveloped Coast, taking into account the following:

- Major development in the AONB
- Landscape/AONB/Heritage Coast impacts
- Neighbour amenity
- Highways
- Flood risk/drainage
- Biodiversity
- Low carbon development
- Heritage impacts
- Trees

Site Description:

The application site measures approximately 0.3 hectares, and comprises a corner of a field on the western edge of Bantham village, at the start of the private road leading to the beach. The site is currently the estate maintenance yard and workshop, an informal parking area and also houses the temporary construction compound and portacabins referred to in the application description.

The site is within the South Devon Area of Outstanding Natural Beauty (AONB), South Devon Heritage Coast and Undeveloped Coast (HCUC) and is also within the Thurlestone Neighbourhood Plan area.

The site itself is not directly subject to any heritage designations, although a number of the cottages to the east are Grade II listed buildings. Scheduled ancient monuments lie to the west and south.

A windswept copse forms the eastern end of the site, with roadside boundaries comprising of stone walling and vegetation.

The Proposal:

This is a full application for the erection of a building to function as an estate office (estate manager, Harbour Manager, secretary, hot desk for estate employees, meeting area, archive store, plus kitchen/welfare facilities), to allow the site to continue to be used as a construction compound during the office construction period, for parking and for the retention of the existing portacabins until the office can be occupied.

The portacabins are already on site, finished in grey/light green, measuring approximately 7.5m by 2.7m. These are currently in use as offices, drying, staff welfare and storage. There is also a separate WC block located on site, measuring 3m by 2.3m.

The building is in 2 almost square sections (measuring approximately 6m x 8m and 6.5m x 7.7m), linked with a covered staircase; the building has an overall footprint of 116 square metres. It is of part split level form, allowing for accommodation on two floors, without resulting in a full 2 storey height building; the maximum height above ground level is 4.5 metres. The lower roof is pitched, finished in non-reflective powder coated zinc with solar panels on the southern elevation, and the upper roof is flat with an overhanging canopy; the drawings have been amended since submission and the flat roof is now "green". Elevations have also been amended to reduce the extent of glazing and the proposed painted render has been replaced with natural stone and timber cladding. Windows and doors are to be powder coated metal framed.

Access to the site is via the existing entrance, with the current field access and informal parking area unchanged.

New tree and shrub planting, including appropriate species such as Hazel, Blackthorn and Beech is proposed along the southern boundary and existing windswept group of trees is to be retained.

Lighting is proposed, but in the form of low level down-lighting for the parking bays and building entrance.

Supporting justification was provided with the application and updated following receipt of the objections. This can be summarised as follows:

- The proposal has arisen from the need to provide long-term stewardship of the land, estuary and coastline, and to allow the business to be inherently structurally sound and viable. Much has been done to consolidate the business base, to contribute essential revenue, including the beach and car park, the farmland and properties, the moorings and the environmental and conservation administration of the estate.
- Staff numbers have increased and there is an identified shortfall of office space. Until the end of 2018, administration was conducted from a one-person office cubicle within the workshop building at the entrance to the beach. This is inadequate and contravenes health, safety and welfare legislation.
- Temporary office accommodation was established; this now accommodates 3 permanent employees and forms the base for meetings and visitors. Its temporary nature further intensifies the need for a permanent solution.
- A major determinant of the location is the need to gain a clear view of the estuary. The location on rising ground, tucked against a backdrop of a large area of wind-swept bushes to the east, provides the perfect place. The building is sufficiently isolated from the listed cottages, yet from long distant views, will be seen integrated into the village.
- Any new building would need to be very close to the existing workshop hub, as the health and safety base for the beach and harbour activities, where all visitors pass to and from the beach, and where constant presence and attention is needed, with a short link to the beach and Ham. For that reason alone, no other locations on the estate were considered.

Consultations:

- County Highways Authority; Standing advice
- South Devon AONB Unit; An objection was raised but following the revisions to the design the AONB manager concurs with the comments of the Council's Landscape Specialist; reduction in extent of glazing; increased use of natural stone; incorporation of a green roof solution, planting and

landscape scheme; all assist to reduce overall impacts upon the natural beauty of the South Devon AONB at this sensitive location.

- SHDC Landscape; Initially raised an objection. Following revisions to the drawings and further landscape appraisal work, no objection subject to conditions to require approval of:
 - control of light pollution and light spill;
 - paint or stain finish for the larch boarding;
 - appearance / finish of the zinc roof;
 - detailed hard and soft landscape scheme, prepared by a suitably qualified professional, including schedules of materials and plants; planting, establishment and maintenance specifications
 - details of the planting and maintenance of the green roof
- SHDC Biodiversity; No objection subject to conditions securing adherence to mitigation measures and enhancements as detailed in the EclA and as reflected on the Landscape Layout Plan, plus details/specification of any lighting prior to installation
- SHDC Trees; No objection subject to tree report being an approved document
- SHDC Conservation Specialist; No objection on the grounds of listed building setting. Comments made on design and conditions recommended
- Historic England; Initially raised a concern, but revised this stating no comment or objection, provided the Conservation Officer and County Archaeologist are content with the application
- DCC Archaeology; Require submission of WSI either prior to determination, or as a pre-commencement condition of any approval
- SHDC Drainage - No objection, subject to surface water and foul drainage conditions
- Natural England - No objection
- Parish Council - Support-

28th January 2021; Councillors welcomed the measures taken to address concerns raised by the Natural Environment Officer and South Devon AONB Unit.

10th March 2020; The Parish Council supports this application. However, recognises there is strong feeling within the Parish regarding the application and that many objections have been lodged with the planning authority, albeit that the majority of these come from residents outside the parish. We cannot agree with the objections on planning grounds and within the framework of our NP. We did agree we would draw the attention of SHDC to these objections'

26th February 2020; This is the first time that Councillors have seen this proposal. There has been no pre-application meeting with the Parish Council and no community meeting save for an informal meeting with residents held by the applicant and by invite only. The Neighbourhood Plan supports proposals for new business premises provided other policies are met (Policy 8.1). Councillors accept a new office is needed to serve the Estate and that it should be located close to their centre of operations, the beach and the estuary. The existing office is too small and not 'fit for purpose', the nearby Coronation Boathouse was not considered a practical alternative option as the ground floor floods and a new access would be necessary. Under the NPPF and JLP development is permitted adjacent to or beyond existing settlements and within the AONB, Undeveloped Coast and Heritage Coast, if it requires a coastal location and is limited in scale and extent. Councillors consider the proposal would not have an unacceptable impact on the amenity of neighbouring

properties as it is located on the Estate yard presently used for storage, separated from the village by vegetation and set back from the road and bordered by an old stone wall (Policy TP1.1). Although the building could be smaller, measures have been taken to limit scale and massing by creating a split-level design and digging down to create a lower ground level; the zinc roof minimises the height, the local natural stone, render and larch boarding were considered appropriate (Policy TP1.2). In terms of visual impact, this proposal had been subject to detailed assessment and mitigated by new planting and screening by existing shrubbery (Policies TP1.5 and TP22.1). Councillors also support the temporary consent for continued use of land for siting of portacabins, provided a condition is imposed to ensure the land is restored. Conditions are requested to secure (1) a pre-commencement written scheme of investigation due to proximity to the Ancient Monument, (2) retention of the existing stone wall and vegetation (3) to implement planting along the southern boundary and the findings of the Ecology Report, and (4) to address potential for light nuisance due to the sensitive location within the AONB.

Representations:

At the time of writing this report, approximately 90 letters of objection have been received following 3 rounds of consultation; these can be seen in full on the Council website. The reasons for objection are similar in many of these letters, and many objectors have submitted more than one letter

The objections are summarised as follows:

- Out of keeping with local architecture and the character of the village
- A new building is not necessary; the estate has plenty of other buildings that could be used
- If this is to serve as Harbour Master's office, it should be based in the Coronation Boathouse where views of the river and ferry can be gained. This location has very limited, if any, views
- Local plan supports reuse of existing buildings rather than the construction of new ones; there are a number of alternative buildings which could be repurposed
- Refurbishing an existing building rather than building new would result in significant carbon savings
- Temporary cabins should not be supported and the land should be restored to its former condition
- Estate traffic should be redirected through the field of the proposed office rather than through the pub car park and village centre
- Overdevelopment for a hamlet the size of Bantham
- Could establish a precedent for other buildings outside of the settlement boundary
- This Estate Office does not require a coastal location
- Additional moorings will mean additional boats and congestion from associated traffic. Local roads are already congested, especially in summer months, and cannot cope with any additional traffic
- No designated parking for boats/towing vehicles
- Increased vehicle and boat movements resulting from proposal would not support rural tourism and leisure (such as the Estate's pheasant shoots)
- Little benefit to local economy as all profits go to the parent company in Oxfordshire. Unclear how this will create additional jobs; staff numbers are not clear. These benefits are unsubstantiated
- Not reusing an existing building and employing non-local consultants weakens the case for economic benefits and green economy
- No commercial need to justify harm to landscape
- Potential for applicant to apply for change of use in the future to use as holiday letting
- Potential impact on wildlife
- Most of the estate staff are not office-based and so a building of this scale is not necessary
- Light pollution from proposed glazing will cause harm to the AONB

- Inaccuracies in the application exaggerate levels of public consultation; lack of public consultation prior to submission
- Proposal will result in 'development creep' along the coast
- Conflicts with AONB Management Plan
- Building would be within a protected view referenced in the neighbourhood plan
- This is major development in an AONB. NPPF 172 is clear this should only be permitted in exceptional circumstances and it is in the public interest
- Applicant relies on it being previously developed land, but the untidy state of land cannot be used as justification for development
- Must exhaust all other possibilities, locations and buildings before new build can be considered
- No justification for this chosen location
- Contrary to neighbourhood plan, the local plan and the NPPF
- Detrimental to AONB, Undeveloped Coast, Heritage Coast, and South Devon Coastal Preservation Area without exceptional circumstances to justify it
- No commercial need to justify harm to landscape
- Design is neither locally distinctive or reflective of the village; completely out of character with surroundings
- Application documents do not address the principle of development, being not within a settlement, in the AONB and Heritage Coast Undeveloped Coast
- Fails to conserve and enhance the AONB, as required by the NPPF
- Contrary to DEV24 and DEV25, as well as the Neighbourhood Plan TP1.2, 1.4, 1.5, 22.1
- If approved, should contain a restrictive covenant to preserve the existing stone wall running up to the ticket booth and prevent car park barriers
- Monitoring could be adequately done by CCTV
- Question why the PC support this, but not the other application
- Even with mitigation planting, the changes made do not address the concerns, the most significant of which is the landscape harm
- No mitigation planting will be successful in this area due to exposure and salt spray
- Disagree that the Avon River justifies such a harbour office
- Note there are no letters of public support, but many objections
- Question the motives behind this and it will essentially be a visitor office for shoots. That does not need this coastal location
- Insufficient time has been given to respond to all the additional documents
- Adjacent to several listed buildings (cottages, Sloop Inn) and within site of Listed Jenkins Quay
- May damage important archaeological remains
- The principle of an Estate building is supported by many, however these comments also state that the design and location are not appropriate in this instance
- Should be dealt with alongside (and by the same officer) as 2786/20/FUL which seeks permission for a storage building
- Objections submitted to 2786/20/FUL are also applicable to 0227/20/FUL; traffic generation, size and landscape impacts, not justified; contrary to Neighbourhood Plan, harmful to AONB. Both applications contain misleading/inaccurate information and photographs
- The one letter of support contains many inaccuracies

Reference is made by some objectors to Save Bantham's petition of over 12,300 people; this is available on the Save Bantham website but refers to much more widescale development and is not a petition specifically made with regard to this particular application.

One letter of support has been received, noting the following:

- Whilst not agreeing with everything the Estate has done, they have invested generously and it is now well run
- A substantial enterprise requires a proper centrally located office in this location
- The location is where the public interact with the Estate and it offers estuary views

- Suggestions to locate it elsewhere are from those who do not recognise how the Estate works or the contours of the land
- It is a brownfield site, used for many years for storage and parking
- The building has a low profile, is well screened and within the village envelope
- The applicant has followed every amendment suggested by the planners

Relevant Planning History

- 1218/18/FUL - Temporary change of use for 1.5 years of farmland to use for the siting of welfare cabins and vehicle parking and plant for contractors working on construction project at Clock Cottage; conditional approval
- 2909/17/FUL - Temporary change of use, for 2 years, of farmland to a use of land for the siting of welfare cabins and parking of vehicles and plant for contractors working on the construction project at Clock Cottage; conditional approval
- 55/0037/06/CU - Change of use of agricultural land for car parking by residential tenants of Evans Estates; conditional approval

ANALYSIS

Principle of Development/Sustainability:

This application essentially comprises two elements, the further retention of the temporary portacabins and compound area, and the construction of a new office building.

The principle of the temporary portacabins and compound were considered acceptable to facilitate works at Clock Cottage, under application 2909/17/FUL, listed above, and approved in October 2017. This was further extended under 1218/18/FUL (above), albeit the cabins increased in number to four, approved in August 2018 for a temporary period of 1 ½ years, after which date the site was to be restored to its former condition. The applicant stated at the time of application 1218/18/FUL, the increased size compound was needed as the main contractor needed more facilities; the position of the W/C was directed by the location of an existing manhole to avoid the need for a sewage pumping truck to empty a chemical facility. The larger site compound area allowed for a material set down and storage area and space for vehicles to manoeuvre within the site.

Since the works to Clock Cottage have finished, the cabins have been used as office accommodation and welfare for estate staff. It is requested a further period of 18 months be granted to facilitate the construction of the estate office building.

The second element of the application concerns the construction of a permanent office building to serve the Bantham Estate.

The site lies outside of the settlement boundary of Bantham village, as defined in the Thurlestone Neighbourhood Plan (TNP) under policy TP2. The adopted Plymouth and South West Devon Joint Local Plan (JLP) does not include any AONB villages within the list of sustainable villages referenced in Policy TTV25 (Development in the Sustainable Villages) as insufficient evidence was made available to the local plan Inspector to demonstrate that the impact on the AONB of development in these villages would be acceptable. However, this, and the site not being with the boundary defined by TP2, does not preclude development in this location; the principle of development in the countryside and adjoining AONB villages needs to be assessed on a case by case basis against relevant planning policies.

Paragraphs 2, 8 and 11 of the NPPF establish that applications will be determined in accordance with the Development Plan unless material considerations indicate otherwise; and that where considered to be sustainable development, permission should be granted. NPPF paragraphs 80 and 83 are of

particular relevance, requiring significant weight to be placed on supporting economic growth, including in rural locations, in well-designed buildings that respect the character of the countryside.

It is significant that the TNP objective (page 42) for the local economy is: 'To support existing businesses and provide new employment opportunities and to promote sustainable growth in the local economy which is appropriate to the parish's location within the South Devon AONB.'

Strategic Objectives SO8 and SO9 of the JLP seek to maintain the vitality and viability of the Smaller Towns and Key Villages, promoting the provision of homes, jobs, services and community infrastructure sufficient to enable the smaller towns and key villages to continue to play their important role as local service centres for their surrounding areas. This will be achieved through measures including enabling local employment opportunities that can support a thriving rural economy; sustaining, and where possible improving, the range of services and amenities available, including sustainable transport links to other settlements.

Strategic Objectives SO10 and SO11 are key considerations. These seek to ensure high quality development and appropriate infrastructure. In this respect development should support, provide for and contribute to:

- healthy communities;
- a diverse and strong economy;
- a positive legacy for future generations;
- benefits both to people and wildlife;
- the infrastructure needs generated by the proposal; and
- respond positively to the challenges of climate change, reducing carbon emissions and creating more resilient communities.

Spatial Policies in the JLP provide a policy steer for decision making in line with the above strategic objectives, to ultimately deliver sustainable development in appropriate locations. Policies SPT1, delivering sustainable development, SPT2, sustainable communities and SPT9/SPT10, transport, are key to every development decision.

Policy TTV1, Prioritising growth through a hierarchy of sustainable settlements, states growth will be distributed in a hierarchy of settlements as follows:

1. The Main Towns
2. Smaller Towns and Key Villages
3. Sustainable Villages
4. Smaller villages, Hamlets and the Countryside.

The application site, whilst adjoining the settlement, is classed as Tier 4 countryside. Development will be permitted if it can be demonstrated to support the principles of sustainable development and sustainable communities (Policies SPT1 and 2) including as provided for in Policies TTV26 and TTV27.

In relation to TTV26, whilst part 1 is not relevant as the site cannot be classed as "isolated", part 2 is of relevance and requires proposals to responded to proven needs that require a countryside location, to not prejudice agricultural activities or affect rights of way, to reuse traditional buildings where this can be done without significant alteration or enhancement, and for the development to enhance the immediate setting.

Furthermore, whilst not a strict tourism or employment proposal, a large element of the purpose behind the development is to support the tourism and economies of the Bantham Estate. Policy DEV15 "Supporting the rural economy" gives support to proposals in suitable locations which seek to improve the balance of jobs within the rural areas and diversify the rural economy. The following provisions apply:

Appropriate and proportionate expansion of existing employment sites in order to enable retention and growth of local employers will be supported, subject to an assessment that demonstrates no adverse residual impacts on neighbouring uses and the environment.

Development proposals should:

- i. Demonstrate safe access to the existing highway network.*
- ii. Avoid a significant increase in the number of trips requiring the private car and facilitate the use of sustainable transport, including walking and cycling, where appropriate. Sustainable Travel Plans will be required to demonstrate how the traffic impacts of the development have been considered and mitigated.*
- iii. Demonstrate how a positive relationship with existing buildings has been achieved, including scale, design, massing and orientation.*
- iv. Avoid incongruous or isolated new buildings. If there are unused existing buildings within the site, applicants are required to demonstrate why these cannot be used for the uses proposed before new buildings will be considered.*

At Officer request, and in response to many objections suggesting the building does not need to be sited within this location, or that accommodation could be provided through alternative existing buildings elsewhere on the estate (the Coronation Boathouse is one such example), additional information has been submitted to justify the chosen location for this development and explain why existing buildings on the Estate have not been utilised.

- As set out within the application, a key function of the proposed building, and the determining factor in relation to the siting and design of the building, is the requirement for the building to provide a clear view of the estuary to allow the Estate to carry out their harbour master and ferry operation functions.
- In addition, the siting at the existing estate entrance to the beach allows effective overseeing and management of people and vehicles entering the beach area. The location and siting of the building are critical to it fulfilling its functional need.
- Quick and easy access to the ferry and harbour is required.
- CCTV is not considered adequate to meet important health and safety requirements.
- Contrary to suggestions, the Coronation Boathouse was unfortunately not suitable for conversion to the proposed office use due to flooding and access issues; it is accessed by a very steep narrow track, not suitable for regular vehicular access.
- Added to this, the Boathouse's location does not allow a clear view of the full Estuary, or the ability to manage activity on the road to the beach. Nor does it have any parking.
- It is essential that the Estate & Harbour Office building is positioned in the selected location so that it can perform the multiple functions required of it.
- The ticket hut does not provide permanent staff presence to manage any parking issues.
- The siting of the proposed office building is also within the existing estate yard, sited adjacent the existing stone workshop building, which will continue to be used for the storage of maintenance and health and safety equipment, and allow all estate management functions to be centralised in a single location.
- Siting the building within the existing yard has avoided the need to develop on a greenfield site and will avoid the requirement for further buildings in the future.
- A building further west was considered, but deemed unsuitable as it is more isolated from the village.
- The Estate has no other office accommodation and the current provision in the portacabins is unsuitable as a long term solution.
- Other sites do not contain suitable buildings to use or convert, and would not meet the functional location requirements.

It is clear from the policy considerations above, that this is a finely balanced case, with the application site sitting in a highly sensitive landscape.

A significant number of objections have been received and to date, no supporting representations. The majority of objectors do not feel the proposal is acceptable in principle, in this sensitive, protected location, that there are other more suitable locations and buildings available for an estate office, and that the portacabins should be removed from the land.

Given the justification provided by the applicant, Officers are content the location is justified. It is accepted that an office to serve the estate could be located anywhere on its land holding, however, this would not enable the building to fully serve all elements of the Estate management, namely, the monitoring of the estuary and access into and out of the beach and its car park. It is therefore considered acceptable for all of these functions to be combined in a single building, which will then enable the portacabins to be removed and that area of the site restored. It is noted the applicant states this will also avoid the need for any additional buildings in the future.

Should the new office building be approved, it is only logical to grant a further temporary consent for the cabins and compound, given there will be construction vehicles attending site, contractors needing to park and an area to store waste and materials. Conditions would be imposed to require the removal of all structures from the land and its restoration after construction.

Subject to compliance with other policies and demonstration that any benefits resulting from the development outweigh any perceived harm, the proposal is considered to be acceptable in principle, in conformity with the aforementioned policies.

Major development in the AONB

Paragraph 172 of the National Planning Policy Framework (NPPF) states that planning permission should be refused for major developments in designated areas (National Parks, the Broads and Areas of Outstanding Natural Beauty) "*...other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:*

- a) The need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;*
- b) The cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and*
- c) Any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated. "*

The NPPF makes it clear that whether a proposal amounts to 'major development' is a matter to be determined by the decision maker, taking into account the nature, scale and setting of the proposal, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined. It is not synonymous with the definition of a 'major planning application', that is in terms of floor/site area of the number of dwellings, but rather whether the development could be construed as major development in the ordinary meaning of the word having regard to the character of the development in its local context.

Objectors have suggested that by the very nature of the development, it is major development in the AONB in the context of paragraph 172, that there are no exceptional circumstances and the application should therefore be refused.

The proposal is for a building measuring 116 square metres and a maximum height of 4.5 metres, along with the temporary use of the land for the siting of portacabins and parking. The building is considered to be small-scale and is wholly contained within the existing site boundaries. Notwithstanding landscape impacts that are discussed in detail later in this report, due to the topography, its impacts can be seen to be relatively well contained within the site itself.

Having regard to the character, nature and scale of the proposed development, and taking the local circumstances and context into account, the Council does not, therefore, consider the proposal to be paragraph 172 major development in the context of the South Devon AONB. Accordingly the need to apply the test of 'exceptional circumstances' does not apply.

In considering this application, the Local Planning Authority notes, however, the overriding statutory duty of regard for the purpose of conserving and enhancing the natural beauty of the AONB (Countryside and Rights of Way Act 2000, s85) and of the policies in the Council's adopted statutory management plan for the South Devon AONB.

Design/Landscape:

The site lies within the South Devon AONB, the South Devon Heritage Coast and Undeveloped Coast (HCUC) and is also within the Thurlestone Neighbourhood Plan (TNP) area. AONBs are considered to have the highest status of protection and the NPPF requires great weight to be given to conserving and enhancing landscape and scenic beauty within, as discussed above. The need to conserve and enhance the AONB is reinforced within JLP policies DEV23 and DEV25 and TNP policy TP1; DEV24 relates to the HCUC areas. The need for high quality design which is appropriate to its context and contributes positively to it is discussed within JLP policies DEV10, DEV20, DEV23 and DEV25 and NP policy TP1.

In addition to the Development Plan, the following legislation, policies and guidance are of relevance; Section 85 of the Countryside and Rights of Way (CRoW) Act; Sections 12 and 15 of the NPPF in particular paragraphs; 127, and 170, 172 & 173; The National Planning Practice Guidance (NPPG) particularly Section 8-036 to 8-043 on Landscape; and The South Devon AONB Management Plan and its Annexes.

JLP policy DEV25 concerns Nationally Protected Landscapes. In assessing the proposal against DEV25, criteria 8i to 8ix are applicable, requiring development proposals located within or within the setting of a protected landscape to:

- i. Conserve and enhance the natural beauty of the protected landscape with particular reference to their special qualities and distinctive characteristics or valued attributes.
- ii. Be designed to prevent the addition of incongruous features, and where appropriate take the opportunity to remove or ameliorate existing incongruous features.
- iii. Be located and designed to respect scenic quality and maintain an area's distinctive sense of place, or reinforce local distinctiveness.
- iv. Be designed to prevent impacts of light pollution from artificial light on intrinsically dark landscapes and nature conservation interests.
- v. Be located and designed to prevent the erosion of relative tranquility and, where possible use opportunities to enhance areas in which tranquility has been eroded.
- vi. Be located and designed to conserve and enhance flora, fauna, geological and physiographical features, in particular those which contribute to the distinctive sense of place, relative wildness or tranquillity, or to other aspects of landscape and scenic quality.
- vii. Retain links, where appropriate, with the distinctive historic and cultural heritage features of the protected landscape.
- viii. Further the delivery of the relevant protected landscape management plan, having regard to its supporting guidance documents.
- ix. Avoid, mitigate, and as a last resort compensate, for any residual adverse effects.

Areas of Outstanding Natural Beauty have a single statutory purpose, the conservation and enhancement of the natural beauty, contained within the CRoW Act 2000. The AONB Management plan for South Devon sets out the policy framework and priorities for action.

Econ/P3 Rural business, states that sustainable rural business initiatives will be supported where they maintain or enhance the special qualities or distinctive landscape character of the AONB and contribute to employment and prosperity.

To make a judgement as to whether the special qualities of the AONB are preserved and enhanced, it is important to note these are:

- Iconic wide, unspoilt and expansive panoramic views
- Fine, undeveloped, wild and rugged coastline
- A landscape with a rich time depth and wealth of historic features and cultural associations; and
- A breadth and depth of significant habitats, species and associated natural events
- Areas of high tranquillity, natural nightscapes distinctive natural soundscapes and visible movement.

JLP strategic policy SPT12 seeks to conserve and enhance protected landscapes, including AONBs and the Heritage Coast. Heritage Coasts are defined by Natural England to conserve, protect and enhance their natural beauty, heritage, flora and fauna, to facilitate their enjoyment and appreciation by the public, with social and economic needs of communities taken account of.

DEV24, relating to designate Heritage and Undeveloped Coasts, does not permit development in these areas unless it has demonstrated:

- A coastal location is required
- It protects, maintains and enhances the landscape
- It is consistent with Heritage coast objectives as set out in the AONB Management Plan.

Finally, policy DEV23 seeks to ensure development conserves and enhances landscape character, requiring proposals to be supported by LVIAs and providing appropriate mitigation.

A contemporary approach to the design of the building has been taken, with a part split level, part flat roofed building. The Council's Heritage Specialist, Landscape Specialist and the AONB Officer have provided input into the design of the building, given the sensitivities of the site. The Heritage Specialist did suggest that the element of roof to be finished in zinc would be preferable to be finished in corrugated iron, and that the building in so far as the powered coated eaves, is more akin to an industrial type building, rather than a building on the AONB.

The Design and access Statement notes that "...any attempt to try to mimic or draw influence from any particular building forms in the village was considered quite wrong." Therefore, it was decided to take a new approach, but to incorporate traditional materials. The colour pallet is respectful of its surroundings, and the natural materials chosen will generally resist weathering in this exposed location; it is worth noting TNP policy TP1 supports the use of natural materials. It is also noted that TNP policy TP1 requires buildings to be locally distinctive, designed to reflect the style and scale, being appropriate to the coastal and rural location. Whilst there are some modern elements in the vicinity, including the recently renovated Clock Cottage, which contains large expanses of glazing, the majority of buildings in the village are traditional, including some thatched cottages. It could therefore be concluded there is an element of conflict with this policy.

A landscape objection was originally raised against this application because it was considered the application had not demonstrated the proposal would conserve and enhance the natural beauty of the AONB, nor ensure the protection of the UCHC; it would therefore have been considered contrary to JLP policies DEV24 and DEV 25.

In relation to the design of the proposed building, there were three main areas of concern:

- the incongruous flat-roofed element of the building, along with zinc for the roofing material
- the extensive glazing
- the orientation of the building's footprint.

During the course of a number of discussions between the applicant's design team and SHDC Officers, and in consultation with the South Devon AONB Unit, amendments to the scheme have been proposed which have ultimately resulted in a more acceptable and appropriate scheme. Whilst individually, the design changes that have been made are small, in combination they have resulted in a building which Officers are now able to support.

To address some of the concerns about the roof design, the flat roofed element of the scheme now has a green roof system, replacing the zinc finish. The DAS confirms the intention to use locally appropriate, coastal heath /maritime plant species, which is welcomed. This will also provide some biodiversity enhancements. In addition, an appropriately specified green roof planting scheme will provide a degree of visual mitigation, through a palette of colour and textures appropriate within the context of the surrounding landscape.

The roof of the building has been designed to keep it as low as possible, avoiding large massing, without compromising on internal space. Were it to have taken a more traditional 2 storey slated form, its ridge would be significantly higher, making the building much more prominent; the pitch, as proposed, is too shallow for this section to be slated. The building stands a maximum of 4.5 m above ground level, considerably lower than the listed cottages to the east and the element of green roof will assist in assimilating the building into the landscape when viewed from a distance.

The greatest concern during the course of discussions was centred on the extent of proposed glazing, particularly for the upper level of the building. The drawings now indicate the following:

- The expanse of glazing is much reduced on the key north west elevation
- The wide, full height windows on the south east side will look directly into the existing windblown copse, which is to be retained, and do not therefore have no impacts on the wider landscape
- The full height windows on the south west and north east sides of the upper floor are relatively narrow and not in the most prominent positions, so they are considered acceptable
- The additional areas of solid facing materials will be a continuation of the natural stone, which is welcomed

In relation to the wider application site, the Landscape Layout Plan (drawing 435 100 P2, Rural Solutions) includes information for reinstatement the existing compound area; this is welcomed and will be secured by condition. Additional tree and hedgerow planting is also included. If successfully implemented and established, the proposals will achieve two key outcomes:

- They will help to screen the development from some viewpoints, which will reduce the visual effects of the incongruous flat roof, and the orientation of the building.
- The new planting and landscape scheme will also enhance the surroundings of the proposed building, and reflect local character. This will help to assimilate the scheme into the wider landscape.

All of this will help to mitigate some of the detrimental effects of the development on the sensitive location within the AONB, on landscape character, and on views.

At the request of the South Devon AONB Unit and SHDC Officers, the applicant provided a revised Landscape and Visual Impact Assessment (LVIA), which has included additional viewpoints and visualisations. These have been prepared following clearly described methodology, giving confidence in their accuracy.

It is considered the photomontages are helpful in providing a realistic understanding of how the proposals will appear in the selected views. Views from footpaths indicate that the proposed landscaping will help to assimilate the temporary compound (once restored) and the proposed building, into the landscape. The LVIA notes the removal of the portacabins and equipment from the

compound will be of substantial benefit, although it is noted this could happen regardless of the outcome of this application. However, as discussed earlier in this report, the Council accepts there is an operational need for this development in this location.

Through the revised design, securing the landscaping proposals and tree protection (discussed later in this report) by condition, it is considered the proposed development has adequately addressed the concerns raised by the Specialist Officers.

Comments have been received stating that the design of the building is not appropriate for this location, is not the local vernacular, and that the TNP TP1 requires locally distinctive design, of an appropriate scale.

It is also accepted that there will be some adverse night time effects, but through conditions controlling the level of lighting and hours of operation, it can be ensured that lighting levels are appropriate, noting there will already be some visible light from nearby residential properties, over which the Council has no control.

Taking the above into consideration, it is considered the development will not result in harm to the character or landscape of the AONB and HCUC area. There is no conflict with the statutory purpose, to conserve and enhance the natural beauty set out in the CRoW Act 2000, or the South Devon AONB Management Plan. The proposal is therefore considered to be in accordance with these, along with JLP policies including SPT12, DEV10, DEV20, DEV23, DEV24 and DEV25, and TNP policy TP1.

Neighbour Amenity:

JLP policy DEV1 requires proposals to safeguard the health and the amenity of local communities, through ensuring that new development provides for satisfactory daylight, sunlight, outlook, privacy and the protection from noise disturbance for both new and existing residents, workers and visitors. Unacceptable impacts will be judged against the level of amenity generally in the locality.

There is a good separation distance between the application site and the neighbouring properties, the nearest of which lies approximately 18m to the north east on the opposite side of the highway and further properties approximately 26m to the east; there is a copse immediately to the east of the site, and the proposed building has been designed to sit against this so it provides screening; the copse is to be retained and strengthened.

The office building will not result in a loss of light and it will not generate any overlooking to nearby properties; no objections in this respect have been received. Officers are satisfied that the proposal will not cause any harm to the amenity of neighbouring residents. However, it is considered prudent to impose a condition restricting working hours to ensure construction does not happen at unsociable hours and become unneighbourly.

The development complies with JLP policy DEV1, and TNP policies TP1 and TP22.

Highways/Access:

It is proposed to utilise the existing vehicular access and parking, together with an additional 2 disabled parking bays provided close to the building itself.

The Highway Authority has offered no objections to the proposed development on highway safety grounds.

Many of the objectors refer to the already congested local highways and that this proposal will increase traffic to the area, thereby creating additional congestion and hazards. The application does

not seek to add new or additional uses to this location as the office/meeting facilities already occur from the site, in the portacabins.

Whilst there can be no control over how many visitors frequent the building, it is not anticipated the proposal will result in a significant level of additional vehicle movements that would be detrimental to highway safety. Any vehicles travelling along the access road, or entering/exiting the site would be at slow speed. There is also adequate room on site to enable turning so all vehicles can enter and exit in forward gear. It could also be argued that by having this presence permanently in this location will help alleviate any traffic or parking problems in the immediate area.

In so far as potential impacts from construction traffic, the details of this such as frequency of vehicles and timing of deliveries would be controlled as part of a Construction Management Plan condition. For any development it is inevitable there will be some traffic, but that alone is not a reason to refuse permission.

The objectors' concerns are noted, but in the absence of any objection from the Local Highways Authority, it is not considered a refusal based on traffic generation would be sustainable; there are no highway safety concerns that cannot be addressed by condition.

The application is therefore seen to comply with JLP policy DEV29 and TNP policy TP1.

Biodiversity

Development plan policies require development to support the protection, conservation, enhancement and restoration of biodiversity and geodiversity. The application is supported by an Ecological Impact Assessment (EclA) from Green Ecology, dated January 2020. This concludes the site is of relatively low ecological value, with the development not predicted to have impacts on nesting birds, bats, reptiles or dormice, providing works are tied to be outside of bird breeding season. Any vegetation clearance should also be supervised by an ecologist.

The EclA is considered, by the Council's Biodiversity Specialist, to make a sound assessment of the site, the potential impacts of the proposal and necessary mitigation; the impacts are not considered to be significant. Enhancement measures including planting with native species, the green roof and the installation of bat/bird boxes on the building are proposed and it is considered these could reasonably deliver a net gain for biodiversity at the site.

The proposal includes wall lighting on the low stone dry wall and this is discussed in the EclA as being short timer, PIR lighting. The type of lighting and levels, as well as it being down-lighting only need careful consideration and full specification of this lighting will be required; a condition is proposed for this.

Subject to a further condition securing works in accordance with the measures and mitigation set out in the EclA, which are reflected on the landscaping drawings, the proposal is considered to accord with the relevant policies including JLP policies SPT12 and DEV26 and TNP policy TP22.

Flood Risk and Drainage:

The application is accompanied by a detailed Flood Risk Assessment and Drainage strategy. This confirms the site is located in Flood Zone 1, an area of low flood risk. The report notes a stream, Buckland Stream, is located approximately 200m to the south, flowing in an easterly direction and discharging onto Bantham Beach; given this sits approximately 10m lower than the site, it is not considered to pose any flood risk to the development.

In terms of surface water drainage, the report notes there will be an increase in 568 square metres of additional impermeable area from the office, access and car park. Soil infiltration testing has taken place, and confirms discharge via infiltration is acceptable for this site. An indicative scheme has been proposed with an infiltration based Sustainable urban Drainage System (SuDS) in the parking and access area.

The Council's Drainage Specialist has assessed the drainage proposals, noting that the drainage details for the temporary contractor's compound were agreed as part of the previous applications and there is no objection to the continued use of this area for a further 18 months.

However, the SuDS for the proposed office building is located too close to the buildings and highway therefore cannot be supported. Sufficient information has been provided to demonstrate a workable scheme can be achieved on site, and it is requested conditions be imposed on any permission to secure the final drainage scheme.

There are no public sewers in the vicinity of the site. It is served by a private sewer network, which connects to a private package treatment plan located approximately 70 m to the south; this is owned by the applicant. It is proposed to connect into this system and this is considered to be an acceptable solution, however, no details have been provided to confirm its capacity and that it is in good serviceable condition. A condition is also proposed to secure this information.

On the basis the site has adequate land in which to accommodate drainage, Officers are satisfied there is a workable solution, subject to final details being secured by condition which will need to be agreed prior to works commencing given these are integral to the building design and site layout, in accordance with JLP policy DEV35.

Low Carbon Development:

As set out in JLP Policy DEV32, the delivery of a low carbon future for Plymouth and South West Devon is required; consideration must be given to this in the design and implementation of all developments, in support of a Plan Area target to halve 2005 levels of carbon emissions by 2034 and to increase the use and production of decentralised energy.

Developments should minimise the use of natural resources over its lifetime, by reuse or recycling of materials in construction, and by making best use of existing buildings and infrastructure; major development should the aim to mitigate effects of changing climate. Layout and orientation should maximise natural heating, cooling and lighting.

The policy stipulates, amongst other criteria:

Development proposals will be considered in relation to the 'energy hierarchy' set out below:

- Reducing the energy load of the development
- Maximising the energy efficiency of fabric
- Delivering on-site low carbon or renewable energy systems
- Delivering carbon reductions through off-site measures.

DEV32 also requires all development to minimise its use of natural resources over its lifetime, such as water, minerals and consumable products, by reuse or recycling of materials in construction.

The proposal is not classed as major development and therefore does not need to meet any set reduction in carbon emissions.

The application documents confirm carbon reduction will be sought in several ways, through sustainable construction techniques, the use of natural materials, designing for passive solar gain as

far as possible given the design constraints, including a green (planted) roof, solar panels to the southern side of the sloping roof and LED lighting.

Consideration is being given to utilising an Air Source Heat Pump (ASHP), although the application does not propose any firm measures. To fit an ASHP would not be permitted development on a non-domestic property, requiring a planning application, so this cannot be conditioned. In any event, the other measures put forward are considered more than acceptable in addressing DEV32, subject to a condition securing final details and for Electric Vehicle Charging Points (EVCP) to be provided.

Trees:

Policy DEV28 of the JLP precludes development that would result in the loss or deterioration of the quality of trees and woodland, requiring development to be designed so as to avoid the loss or deterioration of woodlands, trees or hedgerows.

The application is supported by an Arboricultural Report. The proposal does necessitate the removal of some existing trees on the site, however, the majority are retained and a comprehensive site-wide landscape strategy is proposed.

Whilst any tree loss is regrettable, the Council's Tree Specialist has offered no objections on arboricultural merits, subject to a condition ensuring that the tree protection measures and other recommendations contained within the arboricultural report are carried out is recommended. With the proposed condition, Officers are satisfied the proposal accords with the relevant policies including JLP policy DEV28 and TNP policy TP1.

Historic Environment:

The application has been accompanied by a Heritage Assessment. The terrace of dwellings to the east are Grade II listed, as are other buildings in the village, including the Sloop Inn and Jenkins' Quay boathouse. The village does not have Conservation Area status.

Approximately 200m to the west of the site there is an area designated as Scheduled Ancient Monument (SAM) which covers Bantham Ham, the site of Roman and post-Roman settlement. A further SAM in the form of bowl barrows, is located to the south, in excess of 500m from the site.

The Heritage Assessment notes that the proposed site is not visible from the listed buildings adjacent to it, due to the intervening vegetation; this is to be retained so will provide screening and separation between the site and the dwellings. There will also be no impacts upon the SAMs due to their distances from the site.

It is noted the site hosts buildings that act as a gateway to the beach, that the building has a lower roofline than the listed cottages, is set back from the existing street scape and will be screened by existing vegetation. There is also a small benefit noted in that the current area used for parking and where the portacabins are sited will be rationalised, and that the existing "gatehouse" is to remain. The report concludes "...there will be no impact from this proposal on any of the heritage in the wider context...no harm to the significance of any of the designated/non-designated heritage assets of Bantham."

The Council's Heritage Specialist concurs there would not be harm to the setting of the listed buildings that would warrant refusal in principle, based on the distance from the heritage assets and also the existence of screening, subject to this being enhanced and secured by condition.

Any views of the proposed building in connection with the listed cottages when exiting the car park will be quite incidental and it is considered the new building will read as an honest, modern addition to the

locality. From distant views on higher ground to the south and from the coast path, it will read as an addition to the edge of the village.

It is concluded the effects are neutral and have no reason to object on the grounds of LB setting.

In terms of the SAMs and archaeological impacts, the closest of the SAMs lies 200 m to the west. The area is of known high archaeological potential. The County Archaeologist considers there is potential for the construction process to expose and damage archaeological and artefactual deposits. An objection has not been raised, but a condition is required to secure a Written Scheme of Investigation prior to commencement of works to ensure any finds are recorded and analysed; this condition is imposed.

Historic England initially raised a concern, but revised this in light of the response from the County Archaeologist.

It is therefore considered the proposal complies with JLP policy DEV21 and TNP policy TP21.

Other Matters:

Several objections have raised matters which are not material planning considerations. These include:

- The motives of the Parish Council in supporting the application
- The motives of the Estate and that the building is to be used for other purposes, or will be converted to holiday use in the future
- That all Estate applications should be dealt with together, by the same Planning Officer
- The use of non-local consultants to submit the application
- The claim that any profits generated by the Estate end up in Oxfordshire, with no benefit to the Bantham/local area.

In so far as references to other applications submitted by the Bantham Estate, each application must be considered on its own merits. Similarly, speculation about other uses for the building in the future cannot be taken into account, only what is currently proposed, although it is appropriate to impose a condition limiting the use of the building as an office to prevent changes being made under potential increases to permitted development. At the time of writing this report, no decision has been made on the other application.

Should the applicant seek to change the use of the building, a further planning application would be required and would be assessed against the policies in place at that time.

There is a wish for the original ticket booth building and the site boundary walls to be retained. The Council has no control over this and it would not pass the tests for imposing conditions to ensure these are retained, in that it is not necessary or reasonable, nor directly related to the development proposed. The applicant has stated there is no intention to remove this building and Officers would point out it would be impractical for the office building to replace the ticket booth given that vehicles would need to park up and occupants walk to the office to pay for parking.

It has also been suggested that insufficient time has been given to allow for representations to be made following the submission of additional documents. Officers consider that as the revised LVIA was received in October 2020 and the most recent revised drawings were received in January 2021, there has been sufficient time for interested parties to assess these. There has also been three rounds of public consultation.

The condition of the land and its use as a construction compound is not being used to justify the development, and whilst benefits from being able to restore it and remove the portacabins are noted, these do not weigh into the planning balance in a significant way.

Allowing this development will not set a precedent for further “development creep” towards the coast. Any subsequent applications would be assessed on their own merits, in accordance with the policies in place at that time.

Finally, in terms of there being no significant public benefits, as the development is not classed as major development in the AONB under paragraph 172 of the NPPF, there is no requirement for this to be demonstrated.

Planning Balance:

As with any development, it is inevitable there will be a degree of harm, however, it is considered the benefits of this proposal to the management of the Bantham Estate outweigh any limited harm or change to the landscape that might occur.

The proposal will enable Estate management from a well-designed, purpose-built office building, which will also function for estuary/harbour supervision as well as managing vehicular and visitor access to the beach.

The proposed development is sympathetically designed, representing a modern addition to the village, such that it is complementary to the mixed local character and will conserve and enhance the AONB and UCHC. Elements of the buildings will be visible from public vantage points, but will be largely screened by vegetation and viewed against the backdrop of other built form in the immediate area.

The scale, siting, massing and design will not adversely impact on neighbouring amenity, given the topography, chosen positioning of the units, intervening buildings and planting, and separation distances.

Adequate parking and turning is provided within the site to prevent any significant increase in danger or inconvenience to users of the highway.

Energy efficiency is captured through a “fabric first” approach and the use of renewable technologies.

Whilst noting a slight conflict with TNP Policy TP1, and the significant number of objections received have been taken into consideration, on balance, the proposed development, in all other aspects, represents sustainable development which accord with local and national policy. As such it is recommended that conditional approval permission be granted.

This application has been considered in accordance with Section 38 of the Planning & Compulsory Purchase Act 2004

Planning Policy

Section 70 of the 1990 Town and Country Planning Act requires that regard be had to the development plan, any local finance and any other material considerations. Section 38(6) of the 2004 Planning and Compensation Act requires that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise. For the purposes of decision making, as of March 26th 2019, the development plan for Plymouth City Council, South Hams District Council and West Devon Borough Council (other than parts of South Hams and West Devon within Dartmoor National Park) comprises the Plymouth & South West Devon Joint Local Plan 2014 - 2034.

The relevant development plan policies are set out below:

The Plymouth & South West Devon Joint Local Plan was adopted by South Hams District Council on March 21st 2019 and West Devon Borough Council on March 26th 2019.

SPT1 Delivering sustainable development
SPT2 Sustainable linked neighbourhoods and sustainable rural communities
TTV1 Prioritising growth through a hierarchy of sustainable settlements
TTV2 Delivering sustainable development in the Thriving Towns and Villages Policy Area
TTV26 Development in the Countryside
DEV1 Protecting health and amenity
DEV2 Air, water, soil, noise, land and light
DEV15 Supporting the rural economy
DEV20 Place shaping and the quality of the built environment
DEV21 Development affecting the historic environment
DEV23 Landscape character
DEV24 Undeveloped coast and Heritage Coast
DEV25 Nationally protected landscapes
DEV26 Protecting and enhancing biodiversity and geological conservation
DEV28 Trees, woodlands and hedgerows
DEV29 Specific provisions relating to transport
DEV32 Delivering low carbon development
DEV35 Managing flood risk and water quality Impacts

Neighbourhood Plan

The site is within the Thurlestone Neighbourhood Plan area. This plan has been made and therefore forms part of the development plan.

TP1 General Development Principles
TP2 Settlement Boundaries
TP8 New Economic Proposals
TP21 Heritage Assets
TP22 Natural Environment

Other material considerations include the policies of the National Planning Policy Framework (NPPF) and guidance in Planning Practice Guidance (PPG).

Considerations under Human Rights Act 1998 and Equalities Act 2010

The provisions of the Human Rights Act 1998 and Equalities Act 2010 have been taken into account in reaching the recommendation contained in this report.

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason: To comply with Section 91 of the Town and Country Planning Act, 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. In relation to the “compound” and all structures and fixings within (portacabins, WC, fencing, geotextile membrane, hard-core and building materials), this permission is for a temporary period of 18 months from the date of this decision notice, after which the compound shall be cleared.

Reason: Permission is only granted having regard to the special circumstances of the case and in the interests of amenity.

3. The removal of the portacabins, W/C unit, fencing and geotextile membrane and hard-core as required by condition 2, and the land restoration shall accord with the details shown on drawing 435 100 Rev P2, and timescales in condition 6, unless otherwise agreed in writing.

Reason: In the interests of visual amenity of this sensitive site in the AONB.

4. The development hereby approved shall in all respects accord strictly with the following drawings:

Received 24th January 2020; Location Plan 435 101 Rev 01
Received 23rd October 2020; Landscape Layout 435 100 Rev P2
Received 5th January 2021; 1805 PL01 Rev C
1805 PL02 Rev C
1805 PL03 Rev B
1805 PL04 Rev B
1805 PL05 Rev B

Reason: To ensure that the proposed development is carried out in accordance with the drawings forming part of the application to which this approval relates.

5. The building hereby approved shall only be used for office, staff welfare and meeting purposes in association with the Bantham Estate and for no other purpose under the Town and Country Planning (Use Classes) (Amendment) (England) Order 2015 or in any provision equivalent in any statutory instrument revoking and re-enacting that Order.

Reason: In light of the justification for allowing this building in the sensitive AONB location, where other uses would be contrary to policy.

6. PRE-COMMENCEMENT. Prior to the commencement of development, full details of a hard and soft landscape scheme shall have been submitted to, and approved in writing by the Local Planning Authority. The scheme shall be prepared by an appropriately qualified professional and shall include:

- existing features for retention and means of protection during the course of development;
- materials, heights, levels and extent of hard landscape treatment, including access and hardstanding areas;
- details, including design and materials, of any ancillary structures such as bin stores and signage;
- materials, heights and details of new fencing, gates and other boundary treatments, including hedgebanks;
- details of the proposed green roof including the supplier, construction detail, proposed planting medium and plants, and a maintenance schedule;
- the location, number, species, density, form and size of proposed tree/hedge/shrub planting;
- the location and species mix of grassland and meadow areas;
- the method of planting, establishment and protection of tree/hedge/shrub planting and of grassland and meadow areas.

All elements of the landscaping scheme shall be implemented and maintained in accordance with the approved plans, unless otherwise agreed in writing by the Local Planning Authority.

All works shall be completed before the end of the current or first available planting season following practical completion of the development hereby permitted.

Any trees or plants that, within an establishment period of five years after planting, are removed, die or become seriously damaged or defective, shall be replaced as soon as is reasonable/practicable with other of species, size and number as originally approved, unless the Local Planning Authority gives its written consent to any variation.

Reason: In the interest of public amenity and the conservation and enhancement of the local landscape character and the natural beauty of the AONB, taking account of the particular landscape characteristics of the site and its setting, in accordance with Development Plan Policies.

This is a pre-commencement condition because the landscaping on the site is integral to the acceptability of the development.

7. Works shall proceed in strict adherence to the recommendations and mitigation proposed in the Ecological Impact Assessment by Green Ecology dated January 2020.

Reason: In the interests of biodiversity net gain and preventing harm to protected species.

8. Prior to its installation, full details/specification of any lighting shall be submitted to and agreed in writing by the Local Planning Authority. Lighting shall be installed and maintained and per the agreed details, and no additional lighting installed without prior written agreement. The lighting shall only be operational during the working hours of the office building.

Reason: In the interests of avoiding light pollution.

9. Prior to their installation, details of the following materials shall be submitted to and agreed in writing by the Local Planning Authority:

- the finish for the larch boarding
- the colour/finish of the zinc roof
- the natural stone to be used for the external elevations of the building, a sample panel of which should be made available for inspection
- colour and finish of guttering, downpipes, windows, doors and railings.

The materials shall be implemented as agreed, and retained/maintained as such throughout the lifetime of the development.

Reason: To ensure the final appearance is appropriate for this sensitive location.

10. Development shall occur in line with the submitted DEV32 checklist, received on 5th January 2021, unless otherwise agreed in writing.

Reason: To ensure that the units are built in a way to minimise energy consumption and harmful emissions.

Note: The installation of an Air Source Heat Pump is not currently permitted development and will require an application for planning permission.

11. Prior to construction above slab level, full details of proposed electric vehicle charging points to be provided, shall be submitted to and agreed in writing by the Local Planning Authority. This shall accord with good practice guidance on mitigating air quality impacts from developments produced by the Institute of Air Quality Management.

This agreed scheme shall be implemented as agreed and available for use prior to first occupation of any building approved by this permission, and retained as such.

Reason: In the interests of air quality and the environment.

12. PRE-COMMENCEMENT. Prior to commencement of any part of the site the Local Planning Authority shall have received and approved a Construction Management Plan (CMP) including:

- (a) the timetable of the works;
- (b) daily hours of construction;

- (c) any road closure;
- (d) hours during which delivery and construction traffic will travel to and from the site, with such vehicular movements being restricted to outside 8:30am - 9:30am Monday - Friday, and no such vehicular movements taking place on Sundays and Bank/Public Holidays unless agreed by the planning Authority in advance;
- (e) the number and sizes of vehicles visiting the site in connection with the development and the frequency of their visits;
- (f) the compound/location where all building materials, finished or unfinished products, parts, crates, packing materials and waste will be stored during the demolition and construction phases;
- (g) areas on-site where delivery vehicles and construction traffic will load/unload building materials, with confirmation that no construction traffic or delivery vehicles will park on any County highway for loading/unloading purposes, unless prior written agreement has been given by the Local Planning Authority;
- (h) the means of enclosure of the site during construction works;
- (i) details of wheel washing facilities and obligations and measures to reduce dust
- (j) the proposed route of all construction traffic exceeding 7.5 tonnes.
- (k) details of the amount and location of construction worker parking.

Reason: this is a pre-commencement condition to ensure works are carried out in an appropriate manner, in such a way as to not cause harm to the amenities of neighbouring properties or at a risk to highway safety.

13. No construction, demolition or engineering works (including preparation, remediation or investigation) shall take place on any Saturday, Sunday and Bank/Public Holiday. Such works shall only take place between the hours of 8.00am and 6.00pm Mondays to Fridays inc. unless otherwise previously approved in writing by the Local Planning Authority. No plant, machinery or equipment associated with such works shall be started up or be operational on the application site outside of these permitted hours.

Reason: To safeguard the residential amenities of the locality.

14. PRE-COMMENCEMENT. Notwithstanding the submitted details, prior to the commencement of the development hereby approved, full details, to demonstrate condition and capacity of the existing foul water system, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be connected to this system prior to the first use of the building, and retained thereafter.

Reason: This is a pre-commencement condition to ensure works are carried out in an appropriate manner, in the interests of the prevention of pollution.

15. PRE-COMMENCEMENT. Notwithstanding the submitted details, prior to the commencement of the development hereby approved, full details of the surface water drainage system (SuDS) shall be submitted to and approved in writing by the Local Planning Authority. Design steps as below:

1. Soakaway testing to DG 365 to confirm the use of soakaways or to support an alternative option. Three full tests must be carried out and the depth must be representative of the proposed soakaway. Test results and the infiltration rate to be included in the report.
2. If infiltration is suitable then the soakaway should be designed for a 1:100 year return period plus an allowance for Climate change (currently 40%).
3. If infiltration is not suitable then an offsite discharge can be considered. Attenuation should be designed for a 1:100 year return period plus an allowance for Climate change (currently 40%). Please note a pumping system for surface water drainage cannot be accepted, therefore the scheme should rely solely on gravity.
4. The offsite discharge will need to be limited to the Greenfield runoff rate. This must be calculated in accordance with CIRIA C753. The discharge must meet each of the critical return periods. Full details of the flow control device will be required.

5. The drainage details of the car park and access will be required. If it is proposed to be permeable then it should be designed in accordance with CIRIA C753. Full design details and sectional drawing showing the specification and make up will be required.

6. A scaled plan showing full drainage scheme, including design dimensions and invert/cover levels of the soakaways/attenuation features, within the private ownership. The soakaways should be sited 5m away from all buildings and highways to accord with Building Regulations and 2.5m from all other site boundaries for best practice.

The drainage scheme shall be installed in strict accordance with the approved plans, maintained and retained in accordance with the agreed details for the life of the development.

Reason: Reason: This is a pre-commencement condition to ensure works are carried out in an appropriate manner, to ensure surface water runoff does not increase to the detriment of the public highway or other local properties as a result of the development.

16. Development shall be carried out in accordance with the following document:

- An Arboriculture Report on Trees at or adjacent site for new office by Rupert Baker, dated June/July 2020.

Reason: To ensure the protection of the trees/hedges before any activity commences on site, in the interests of visual amenity.

17. PRE-COMMENCEMENT. No development shall take place until the developer has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out at all times in accordance with the approved scheme, or such other details as may be subsequently agreed in writing by the Local Planning Authority.

Reason: This is a pre-commencement condition to ensure an appropriate record is made of archaeological evidence that may be affected by the development.

PLANNING APPLICATION REPORT

Case Officer: Jacqueline Houslander

Parish: Totnes **Ward:** Totnes

Application No: 2873/20/FUL

Agent/Applicant:

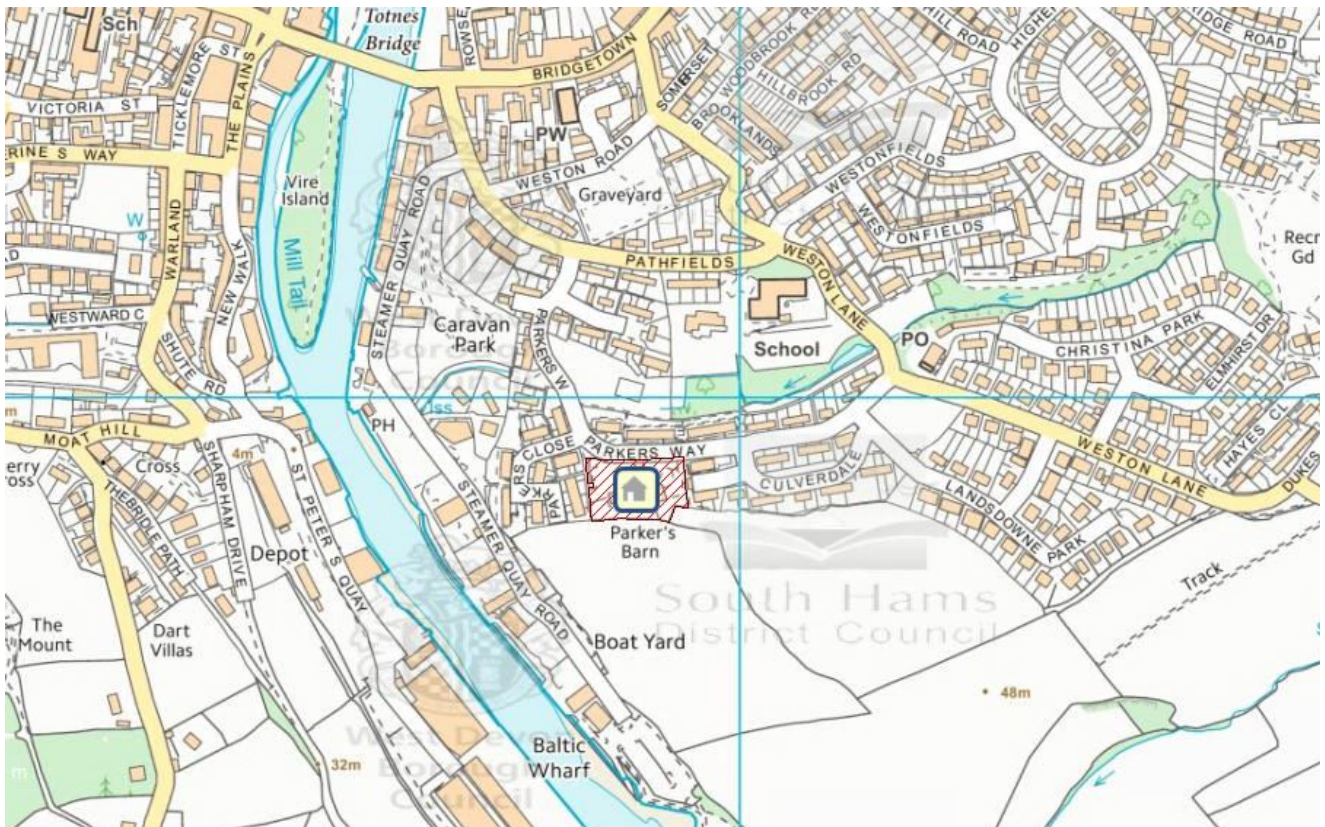
David Kemp DRK Planning Ltd
215 Alfred Court
53 Fortune Green Road
West Hampstead
NW6 1DF

Applicant:

Totnes Property 1 Ltd
C/O Agent
215 Alfred Court
53 Fortune Green Road
London
NW6 1DF

Site Address: Rainbow View, Parkers Way, Totnes, TQ9 5UF

Development: Additional storeys to existing building to create 5 new duplex units



Reason the application is to be heard at Committee:

Councillor Birch requested that the application be heard by Committee because of the number of objections to the scheme and indicates the concerns are based around the Town Councils proposed reasons for refusal.

Recommendation: Approval, subject to the submission of a detailed plan indicating the position of the photovoltaic panels.

Conditions (list not in full)

1. Time limit
2. Accord with plans
3. Samples of materials
4. Biodiversity enhancements
5. Adherence to ecology report
6. Unexpected contamination
7. No external lighting
8. Protection of trees along northern boundary.
9. Enhanced landscaping along rear boundary hedge
10. The EV charging points identified on plan shall be installed and made available for use prior to the occupation.

Key issues for consideration: Location of development; design of development; parking and highway considerations; impact on residential amenity.

Site Description: The site is located on the southern side of Parkers Way in Totnes and comprises a former Devon County Council Children & Young People Services office building, of partially two and three stories.

The overall site area is 0.46 ha. To the south of the site is the Steamer Quay mixed use development site with some residential dwellings completed. Other surrounding land use is primarily residential.

The site is in Flood Zone 1 and is in a Critical Drainage Area.

A previously approved scheme to add 2 floors to the other part of this building is currently under construction.

Prior approval was granted in 2017 for the change of use of the existing building to form either 26 or 30 apartments, although work has already started on site to implement the 26 apartment scheme. Consent was also granted for related external changes including the introduction of balconies and enhanced façade detailing.

The Proposal: This proposal seeks to add 2 further floors to the building running east west on the site. The two floors would seek to provide 5 x 2 bedroom maisonettes. Two bedrooms and a bathroom on the first floor (4th storey) and an open plan living, kitchen and dining area on the ground floor (3rd floor). The design of the proposal is very similar to that approved for the other building on the site under application Number, 1683/19/FUL.

Elevations will be render, with grey windows and cladding as well as some timber cladding between window openings.

Consultations:

- County Highways Authority: No comments received
- Environmental Health Section: No comments received.
- Town/Parish Council: Object. The Committee has concerns about this application and would request that it is considered by the South Hams District Council Development

Management Committee and not given delegated approval. The Committee's concerns about the application are as follows:

- Insufficient parking for the number of dwellings (20 spaces for 26 or 31 flats) which will impact on the neighbouring roads, particularly Parkers Way, that are already overcrowded with vehicle parking.
 - Increased level of vehicle movements in the area and so close to St John's School.
 - The height created by the additional floors is overbearing and unneighbourly for neighbouring properties.
 - The adequacy of the number of fire escapes for the number of properties to be created and lack of information on fire prevention measures that will be installed, for example internal provision of sprinkler systems.
 - Overdevelopment of the site.
- Drainage: No comments received
 - Ecology: the lighting plan does not provide for the lux levels required for areas where bats are present. A condition will be required to ensure a suitable lighting plan is submitted.

Representations:

Representations from Residents

22 Letters have been received objecting to the development.

- Traffic generation. The roads area already struggling with the traffic.
- Overshadowing and ;loss of light
- Over dominance and over development of the site
- Highway safety
- It will ruin the skyline. It will be above the tree line.
- It will be out of proportion with the other buildings in the area
- It is marketed as second homes
- Bridgetown has endured an excess of building over the last 10 years and could do without a high rise monstrosity.
- Design is ugly
- Density of development is too much for this residential area
- Impact on school children
- Light pollution and additional noise
- Not in keeping with the area
- We do not need high rise buildings
- Blocking of views over Bridgetown from Camomile Lawn
- Its scale is out of place in this area
- Light pollution in an area designated as a bat run
- Existing infrastructure cannot cope
- Wildlife will suffer – bats owls
- The quayside project already impacts on our parking, the road is full of cars every day from the care staff.
- Developers are trying to make money at the expense of local residents.
- Local drainage - I understand that there is not enough drainage to cope with the new residential areas of Camomile Lawn and the Bridgetown area.

Relevant Planning History

1683/19/FUL Application for two additional storeys to existing 2-storey East- West wing of the building, car parking for 20no. cars including 6no. ECV points, cycle parking for 36no. bicycles and associated landscaping, access, and waste and recycling storage.

Conditional approval

1891/18/FUL, External alterations to existing building including new cladding, window and doors, new stairwell extension to the rear, new walkways and balconies – conditional approval 2/4/2020.

2802/18/ARC, application for approval of details reserved by conditions 2 and 3 of planning consent

3895/17/POD, change of use of building from office use (B1a) to 30 flats (c3), prior approval given

1483/17/POD, Prior approval notification for proposed change of use of building from Office (B1a) to residential (C3) comprising 26 no. flats, Parkers Barn, Parkers Way, Totnes – prior approval given

56/0136/06/CM - Conversion of ground floor to provide training room conversion of part of first floor to provide office accommodation erection of single storey extension installation of new windows and doors and associated works and provision of additional parking.
Conditional approval: 24 Feb 06

56/0644/90/3 - Change of use from residential home to offices/ community resource day centre and construction of car parking area. Conditional approval: 15 May 1990

56/2811/88/3 - Permanent enclosure of external fire escape stairway. APPROVE 08 Feb 89
56/0863/99/CM - Replacement of window units to part of ground and first floor and provision of pitched slated roofs to existing balconies. Approval: 12 Jul 99

56/1714/92/3 - Addition of room to existing day centre. Conditional approval: 20 Jan 93

56/1847/79/3 - External fire escape. Conditional approval: 23 Apr 8

ANALYSIS

Principle of Development/Sustainability: The principle of converting the existing, redundant employment building and site into residential to provide up to 30 dwellings was established through the GPDO prior approval process. This prior approval remains extant, with 3895/17/POD, which permits 26-30 units or residential accommodation. The previous application on the site converting the block which runs north south on the site does not increase the number of units beyond the 26.

The current proposal however seeks a further 5 maisonette flats over two stories on top of the existing east – west block, which would make 31 units on this site. One more unit of accommodation than met the prior approval criteria.

Whilst the prior approval allowed for between 26 and 30 units, the introduction through this application of one more, will be considered in terms of design, highways, neighbour impact alongside the 4 which already have in principle permission.

In the context of the extant prior approvals which allow the whole of the building to be converted it would not be appropriate to require evidence that the site can no longer be used for employment in accordance with DEV14.

The site lies within Totnes which is identified in the JLP as a main town where the principle of sustainable development is supported by policies SPT1, SPT2 and TTV1. The application site is within a residential area of the town and is close to a primary school. There are buses which provide public transport to the town centre for this residential area and the town is also walkable. The application site is therefore sustainable.

Policy DEV 10 in the JLP seeks to ensure that new residential development meets national space standards. In this case the units comply with the National Space Standards.

Policy DEV8 seeks to ensure that the mix of housing for an area is broad and meets locally identified housing needs. The proposals in this application are for 5 x 2 bed flats. When the ONS data is assessed for the town of Totnes, the need is for 4 bedroom detached houses and in fact 2 bed flats 2 bed housing is oversupplied. This proposal does not therefore meet the housing needs identified. In relation to policy DEV8 itself, it does indicate that certain groups of people are generally in need in the Thriving Towns and Villages Policy Area. These include,

“i Homes that redress an imbalance within the existing housing stock.

ii. Housing suitable for households with specific need.

iii. Dwellings most suited to younger people, working families and older people who wish to retain a sense of self-sufficiency.”

So whilst this proposal does not redress the imbalance, the 5 units could provide accommodation for younger people; working families and older people who want a sense of self sufficiency. In addition because of the configuration of the existing building and therefore the proposed extension already approved, it would not be possible to incorporate 4 bedroom flats into the proposed scheme. It is therefore considered that as there are only a small number of units in this case and the configuration of the building itself will limit the ability to provide larger units of accommodation, the proposal does meet the overall principle of policy DEV8, but not the specific needs identified in the ONS data for the town.

Bearing in mind the extant prior approvals, the principle of the development is acceptable.

Design: The design of the proposed two extra floors mirrors that of the previous application on the north / south building on the site (1683/19/FUL). The site is sloping so the east west element of the building is at a higher ground floor level than the north south part of the building. The proposal sees the 3rd floor being on the same footprint as the existing floors below and the 4th floor is set back from the building frontage in order to accommodate a small terrace in front of the building line at that height. This set back helps to reduce the mass of the building facing south also.

The height of the building has raised some concerns by both the Town Council and the local residents.

The fact that the building is set higher than the adjoining road leads to the height being perceived as much higher than the existing approved building. However the number of floors is the same as already accepted on the north south building. Whilst these concerns are understood, the fact that the building is set in its own grounds, set well back from the road and with reasonable distances from the surrounding development, means that the height increase can be accommodated on the site. The new element to the building will be seen

from the development behind, but there is a hedge with substantial trees within it at the rear of the site which will mask and screen the development from that view. Bearing in mind the Extra Care building behind the site and the other apartment building along Parkers Way, which are of a similar scale to this proposal, it is considered that the scale of the development is in line with these recent approved schemes.

This application seeks to repeat the contemporary design and height increase, reusing this employment building and extending it to provide new homes. It is considered that in design terms, the site can accommodate the extra height over a small part of the building as proposed.

Policy DEV 20 seeks to ensure that design matters are acceptable. With the previous part of the building already having been approved in design terms, the proposal reflects that same approach. Context is a key consideration as outlined in Policy DEV 20 and it must be acknowledged that the surrounding development is predominantly 2 storey. However slightly taller more contemporary buildings are also now located within the vicinity of the site. The other wing of the building has been increased in height and has been designed in a more contemporary manner. The increase in height is not so out of character with the context to warrant refusing the development.

Neighbour Amenity: Concerns have been raised by a number of local residents about the impact of the proposed extension of the residential amenity of the other properties in Parkers Way opposite the building and also those within the development behind in Sparkhays Drive and Home Reach Avenue.

The development will be higher by approximately 5 metres. The distance front wall to front wall between the building and the other properties is approximately 40 metres to the closest dwelling. The properties at the rear are separated from the application site by a mature hedge and tree line and the application site is set at a lower level than the dwellings on Sparkhays Drive. There is an Extra Care facility on the development to the south and the distance wall to wall to that is 52 metres and to the nearest gable end of the dwellings in Sparkhays Drive is 49 metres. More than double what is recommended in the SPD.

Highways/Access: The Highway Authority have not made any comments on this proposal, however a number of letters of representation have raised concern about the parking in the general area and that the proposal should not exacerbate an already challenging parking scenario. The applicant was asked to amend this proposal to ensure there were two spaces provided per 2 bed apartment as required by the Plymouth and South West Devon Joint Local Plan Supplementary Planning Document (SPD). This has been achieved and there are now a total of 40 spaces for the residential units across the whole site together with 4 visitor spaces, 6 of which will have EV charging points.

1 cycle space per bedroom is proposed in purpose built cycle storage areas. This meets the SPD requirement.

Two access points are proposed, in line with the permitted Prior Approval. The Transport Statement indicates that the proposed use results in a reduction of traffic movements compared to the previous office use on the site, (*a reduction of 106 total person trips across the duration of a day*).

Drainage: The drainage proposed indicates that foul and surface water drainage will be sent to the mains sewer. A Flood Risk Assessment was submitted in support of the application

which indicates that the development will not increase surface water runoff from the site, as the runoff already occurs from the existing building and as the development is on top of the existing building the extent of building has not increased in terms of surface water runoff. In addition the report confirms that the runoff will not increase flood risk elsewhere.

Ecology: A preliminary Ecological Assessment was provided which indicates that a survey was carried out in September 2020 and concluded that the building as existing has negligible suitability for bats due to the lack of suitable roost features. There are no impacts predicted to bats or bat roosts or nesting birds as a result of the proposed works. It is recommended in the survey that cautionary approach should be taken during construction because if the potential for bats to arrive at any time, even during construction and in terms of actions, the report recommends: *“that enhancements for crevice dwelling bats and nesting birds are included in the design of the planned extension. These should take the form of bat and bird boxes.”*

A condition is proposed on the consent to ensure that the actions are implemented

Climate change: The Design and Access statement provides a sustainability section, which states that converting the existing building (instead of demolishing and re building) ensures that embodied energy in the existing building is retained on site; prevents construction waste being sent to landfill , which reduces impact on the environment. It also states:

“The additional 2 storeys will exceed thermal building regulations requirements through the use of a lightweight structure which can be packed with insulation and provide an airtight structural envelope. The apartments will have a Mechanical Ventilation with Heat Recovery (MVHR) system installed. Double glazed aluminium windows; the existing building will be externally insulated to achieve an average u value of 0.24 W/m²K; the concrete ground floor will be upgraded to achieve an average 0.17W/m²K.”

In addition the flat roof allows for the installation of PV arrays.

Policy DEV32 requires that all development must seek to reduce its carbon footprint. In this case that is being proposed through the above measures. The retention and conversion of buildings and the embodied energy it holds is an exceptionally beneficial means of reducing the carbon footprint of a development. The additional measures in terms of extra insulation both in the existing and new parts of the building and the insertion of Photovoltaic panels on the roof mean that the proposal is in compliance with the policy. It is however proposed that a detailed drawing of the location and angle of the proposed photovoltaics is required prior to any planning permission being granted. The recommendation for this application is therefore to approve subject to the receipt of such plans.

Objections to the development:

There has been a lot of development in this area of Totnes over recent years and the impact that has had on car parking in the area is a general concern from the objectors to the development. The site has a car parking area however which has been designed to accommodate all of the parking for this development on site as well as 4 visitor car parking spaces. The development should therefore not add to the parking issues experienced on Parkers way. The location of the development in the middle of Totnes, with local bus routes available and the town centre only 10 – 15 minute walk away should ensure that walking is the preferred transport certainly for local goods and services.

Increased traffic movement has also been raised as a concern by the Town Council. It is acknowledged that the increase in apartments will increase the number of car movements to and from the site. However the transport assessment indicates that the number of cars using the site when it was being used for employment purposes was more than is currently proposed and so in fact the traffic movement will be less than when it was occupied as an employment site. As no comments have been received from the Highway Authority it would be difficult to substantiate a reason for refusal.

Another objection is that the design of the building is ugly. The proposal is designed to mirror the design on the other part of the building and it would be inappropriate to insist on a different design for the same building. It is therefore considered that the design is acceptable as was agreed on the previous consent (1683/19/FUL).

The potential impact on wildlife has also been raised. As stated above the ecological survey has identified no roost locations or nesting sites, and recommended a precautionary approach to construction works as well as the imposition of bird and bat boxes on the building. In terms of bat use of the area, particularly the rear tree line, whilst an external lighting plan was submitted for this application, the lights proposed are not suitable for areas where bats are located and so it is proposed to place a condition on the consent to prevent external lighting. This would mean that any external lighting would be the subject of further consideration by the ecologist, via a planning condition.

The Town Council have also raised concern with regard to the position and number of fire escapes provided for the building. This is not a planning issue and will be considered by Building Regulations in relation to the fire safety of the building.

Officers consider that whilst the objections are of great concern to both the residents and the Town Council, the scheme does provide for sufficient parking on site; the lighting proposals are to be subject of a planning condition; Building Regulations will deal with the technical requirements for fire safety and so will ensure that enough fire escapes are provided. It has also been indicated in the Transport Statement that traffic movements to and from the site are likely to be less than when the building was previously used as an employment site. Officers are therefore content that the scheme will not lead to further parking and traffic concerns.

Conclusion:

The proposal is policy compliant and meets the required parking standards as set out in the SPD. Whilst the height has been a concern, officers consider that the site and its layout and distance from surrounding development can take the addition, without it causing harm to residential amenity or be inappropriate in design terms.

The application is therefore recommended for approval subject to conditions as outlined.

This application has been considered in accordance with Section 38 of the Planning & Compulsory Purchase Act 2004.

Planning Policy

Relevant policy framework

Section 70 of the 1990 Town and Country Planning Act requires that regard be had to the development plan, any local finance and any other material considerations. Section 38(6) of the 2004 Planning and Compensation Act requires that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise.

For the purposes of decision making, as of March 26th 2019, the Plymouth & South West Devon Joint Local Plan 2014 - 2034 is now part of the development plan for Plymouth City Council, South Hams District Council and West Devon Borough Council (other than parts of South Hams and West Devon within Dartmoor National Park).

On 26 March 2019 of the Plymouth & South West Devon Joint Local Plan was adopted by all three of the component authorities. Following adoption, the three authorities jointly notified the Ministry of Housing, Communities and Local Government (MHCLG) of their choice to monitor at the whole plan level. This is for the purposes of the Housing Delivery Test (HDT) and the 5 Year Housing Land Supply assessment. A letter from MHCLG to the Authorities was received on 13 May 2019. This confirmed the Plymouth, South Hams and West Devon's revised joint Housing Delivery Test Measurement as 163% and that the consequences are "None". It confirmed that the revised HDT measurement will take effect upon receipt of the letter, as will any consequences that will apply as a result of the measurement. It also confirmed that that the letter supersedes the HDT measurements for each of the 3 local authority areas (Plymouth City, South Hams District and West Devon Borough) which Government published on 19 February 2019. On 13th February 2020 MHCLG published the HDT 2019 measurement. This confirmed the Plymouth, South Hams and West Devon's joint HDT measurement as 139% and the consequences are "None".

Therefore a 5% buffer is applied for the purposes of calculating a 5 year land supply at a whole plan level. When applying the 5% buffer, the combined authorities can demonstrate a 5-year land supply of 6.1 years at end March 2020 (the 2020 Monitoring Point). This is set out in the Plymouth, South Hams & West Devon Local Planning Authorities' Housing Position Statement 2020 (published 22 December 2020).

The relevant development plan policies are set out below:

The Plymouth & South West Devon Joint Local Plan was adopted by South Hams District Council on March 21st 2019 and West Devon Borough Council on March 26th 2019.

SPT1 Delivering sustainable development
SPT2 Sustainable linked neighbourhoods and sustainable rural communities
SPT3 Provision for new homes
SPT14 European Protected Sites – mitigation of recreational impacts from development
TTV1 Prioritising growth through a hierarchy of sustainable settlements
TTV2 Delivering sustainable development in the Thriving Towns and Villages Policy Area
DEV1 Protecting health and amenity
DEV2 Air, water, soil, noise, land and light
DEV8 Meeting local housing need in the Thriving Towns and Villages Policy Area
DEV9 Meeting local housing need in the Plan Area
DEV10 Delivering high quality housing
DEV14 Maintaining a flexible mix of employment sites
DEV20 Place shaping and the quality of the built environment
DEV21 Development affecting the historic environment
DEV26 Protecting and enhancing biodiversity and geological conservation
DEV28 Trees, woodlands and hedgerows
DEV29 Specific provisions relating to transport
DEV30 Meeting the community infrastructure needs of new homes
DEV31 Waste management
DEV32 Delivering low carbon development

Neighbourhood Plan: Totnes Neighbourhood Plan is at Regulation 15 stage, whereby the Draft Plan has been submitted to South Hams District Council for comment and public consultation. In terms of weight to be given to a plan at this stage in the production of a Neighbourhood Plan, it is very limited weight. Whilst the policies have been considered they have not been included in the analysis for that reason.

The draft policies in place, which would be relevant, but carry limited weight, are:

Policy V1 – local identity

Policy En1: sustainable development and the settlement boundary

Policy En2: development and design

Policy En6: enhancing local environmental capacity

Policy En7: renewable energy generation

Policy E7: sustainable transport

Policy E8 Walking and Cycling

Policy C4 Housing

Other material considerations include the policies of the National Planning Policy Framework (NPPF) including but not limited to paragraphs 2, 11, 47, 68, 105, 109, 124, 127, 154, 163, 175 and guidance in Planning Practice Guidance (PPG).

Considerations under Human Rights Act 1998 and Equalities Act 2010

The provisions of the Human Rights Act 1998 and Equalities Act 2010 have been taken into account in reaching the recommendation contained in this report.

Proposed conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason: To comply with Section 91 of the Town and Country Planning Act, 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall in all respects accord strictly with drawing numbers:

1093/001 Rev B Site Location Plan;

1039/004 Rev H Proposed site Plan;

1093/015 Rev H Second floor Plan;

1093/016 Rev H Third floor Plan;

1093/041/Rev E proposed NS Elevations,

2019-072 Rev 1 Proposed drainage layout, received by the Local Planning Authority on 2/10/2020.

2042 SK(0) 04 site layout for parking purposes, received by the Local Planning Authority on 15/12/2020.

Reason: To ensure that the proposed development is carried out in accordance with the drawings forming part of the application to which this approval relates.

3. Prior to their installation, details / samples of facing materials, and of roofing materials to be used in the construction of the proposed development shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with those samples as approved and retained and maintained thereafter..

Reason: In the interests of visual amenity.

4. The recommendations, mitigation and enhancement measures of the Ecological Report, by Orbis Ecology on 29/9/2020, shall be fully implemented prior to the commencement of the use hereby approved and adhered to at all times. In the event that it is not possible to do so all work shall immediately cease and not recommence until such time as an alternative strategy has been agreed in writing with the local planning authority.

Reason: To safeguard the interests of protected species.

5. The biodiversity enhancements indicated in the Ecological Appraisal shall be implemented on the site prior to the occupation of any of the units hereby permitted.

Reason: to ensure there is a biodiversity net gain from the development of this site.

6. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an investigation and risk assessment and, where necessary, a remediation strategy and verification plan detailing how this unsuspected contamination shall be dealt with.

Following completion of measures identified in the approved remediation strategy and verification plan and prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority.

Reason: No site investigation can completely characterise a site. This condition is required to ensure that any unexpected contamination that is uncovered during remediation or other site works is dealt with appropriately.

7. Notwithstanding the details provided, the detailed lighting proposals shall be submitted to and approved by the Local Planning Authority prior to installation. The lighting proposals must take account of the wildlife species on and around the site as identified in the ecology survey by Orbis, dated 29/9/2020.

Reason: To protect wildlife from light spill, which arises as a result of the development.

8. The hedgerow and trees along the northern boundary of the site shall be retained and protected during development in accordance with a programme for the protection of the vegetation and trees along that boundary, to be submitted to and agreed by the Local Planning Authority. The works shall be carried out in accordance with the agreed protection regime.

Reason: To ensure the well-established vegetation is protected in the interests of wider visual amenity.

9. Prior to the occupation of the flats hereby approved, a landscaping scheme to enhance the rear boundary of the site shall be submitted to and approved by the Local Planning Authority. The scheme submitted shall be fully implemented in the planting season following the completion of the development and the plants shall be protected, maintained and replaced as

necessary for a minimum period of five years following the date of the completion of the planting.

Reason: In the interest of visual amenity in order to protect and enhance the amenities of the site and locality.

10. The EV charging points identified on plan no: SK(0) 04 shall be installed and made available for use prior to the occupation of the development hereby approved.

Reason: To ensure the charging points are available for the occupiers of the flats hereby approved.

PLANNING APPLICATION REPORT

Case Officer: Gemma Bristow
Strete

Parish: Frogmore & Sherford **Ward:** Allington and

Application No: 4039/18/FUL

Agent/Applicant:
Perraton Partners
Winslade Farm
Frogmore
TQ7 2PA

Applicant:
Perraton Partners
Winslade Farm
Frogmore
TQ7 2PA

Site Address: Land At Sx776416, Winslade Farm, Frogmore

Development: Change of use of part of field to provide extended external farm manure store, along with associated engineering operations (Resubmission of 0147/18/FUL)



Reason item is being put before Committee

Cllr Brazil has called this application to committee on account concerns about contamination of private water supplies have not been fully investigated.

Recommendation:

Conditional approval

Conditions

1. Time
2. In accordance with plans
3. Details of perimeter fencing
4. EA notification
5. Odour management plan

6. Landscaping

Key issues for consideration:

Principle, landscape, pollution

Site Description:

The proposed site is located directly to the south of Frogmore, on the west side of the road leading to Lee Lane End, and to the south of Winslade Farm itself.

- Within South Devon Area of Outstanding Natural Beauty
- Within Undeveloped Coast

The Proposal:

Change of use of part of field to provide extended external farm slurry store 50m by 60m with a 18,000 cub. capacity, along with associated engineering operations including battered grassed banks up to 7.7m around the perimeter.

Consultations:

- Environment Agency No objection
The store should be sized to provide 5 months storage as required by NVZ regulation. The store must conform to The Water Resources (Control of Pollution) (Silage, Slurry and Agricultural Fuel Oil) (England) (SSAFO) Regulations 2010 and as amended 2013. The applicant must notify the EA 14 before works commence, this must include type of structure, proposed design and construction.

The impact of the proposal on the private water supply is a matter for the applicant to demonstrate to the satisfaction of the Local Planning Authority that no adverse impact will occur in accordance with policy.

- Natural England No objection
Confirms that based on the results from the SCAIL modelling provided and our national guidance, the proposal is low risk with respect to air quality risks to designated sites and therefore Natural England has no further comments to make.

The SCAIL assessment predicts that the Process Contribution for all sites apart from Salcombe to Kingsbridge Estuary SSSI is below the 1% significance threshold. For Salcombe to Kingsbridge Estuary SSSI, although the NH3 PC is 9%, well above the 1% significance threshold, the total Predicted Environmental Concentration (PEC) is less than 100% of the ammonia critical level so there would be no threshold exceedance overall for that designated site.

- Environmental Health Section No objection, subject to condition
When considering the application I have considered relevant guidance produced by CIRIA in their guidance note C759b which describes typical and good practice design of manure and silage storage. The Environmental Health officer confirms they do not require any further information from the applicant to consider the application
Odour
Existing slurry pit on site with no odour complaints on record. Slurry pits are not particularly odorous unless muck spreading, and odour then short lived and generally tolerated as agricultural. No automatic requirement for odour management plan, but in light of the concerns in this case one is recommended prior to use, in accordance with the EA H2 guidance.
Air Quality
DEFRA recognise that storage of animal waste can lead to ammonia, but there is no objective limit under the E Ambient Air Quality Directive, and so no national limit for LPA's to ensure compliance with. The only control is ensuring it does not pose a risk to human health –given

consultation/user_uploads/clean-air-strategy-2018-consultation.pdf holds agriculture responsible for 88% of UK emissions of ammonia, with dairy farming the largest single contributor, and recommended that slurry stores were covered, as they were by law in the Netherlands and Denmark, where ammonia emissions had been halved since legislation was introduced.

Run-off management. No detail was given on what measures would be put in place to prevent run-off/overlapping of the slurry pit in the flood conditions experienced ever more frequently in these parts.

Safety and security. Such a large uncovered expanse of slurry at a depth of 2 metres presented a major safety risk, yet there was no mention of any form of barrier or security fencing to prevent accidental entry.

Previously raised concerns. Stokenham Parish Council would be grateful for clarification on the additional points raised by Frogmore and Sherford Parish Council in their response.

- Specialist drainage officers No comments
Outside the remit of internal drainage officers
- Specialist Ecology officer No objection
The ecology officer confirmed a Preliminary Ecology Assessment is not required, as on the Wildlife Trigger table where only 1a is ticked (meaning the site is over 0.1ha) then the LPA has discretion to decide that a PEA is not required if they deem there will be no impact on protected or priority habitats and species. In this case given Natural England have confirmed no concerns it is considered a PEA is not required.
- Specialist Landscape officer No objection, subject to condition
Located above the Kingsbridge and Salcombe estuary system on rising land above the Frogmore creek, it is set within a strongly rural, agricultural landscape. It will have a negligible visual impact given its form and type, or harm the recognised special qualities of the protected landscape or its valued attributes. Additional low planting can be secured to further mitigate the proposal, enhancing the landscape character and providing successful assimilation with the surrounding countryside.
- Drinking Water Inspectorate General comments
Local authorities are the regulators for private water supplies (where it is used for domestic purposes) and responsibility for ensuring water supplied from private supplies is wholesome (a regulatory term which means that it must meet the standards of the regs) and safe to consume rests with them. The Council has a duty to investigate where they suspect the water is unwholesome. If the lagoon is approved Environmental health officers need to conduct a risk assessment. If the lagoon is put in place, third parties are likely to need additional treatment and may need to put in place other protective measures to the supply. If the Local Authority determines there is a danger to human health, they are required to enforce, which means people with private water supply at risk will be compelled to complete the mitigating actions.

Representations:

18 letters of objection on the following grounds:

- Prominent site and so impact on AONB
- Impact on air quality from ammonia
- Impact on SSSI
- No odour management plan
- Inadequate information
- Potential noise from the operation of the store
- The application does not include any perimeter fencing for safety
- The intensive dairy operation is not sustainable development

- Store would be located above aquifer that supplies 12 houses in North Pool, and extracted less than 300m from the store
 - Proximity to residential dwellings
 - High energy needed to pump slurry to this position
 - Additional traffic on road from muck spreading
 - No hydrological study submitted
 - Applicant should have submitted evidence to satisfy the LPA that it would not harm safe water supply
- South Hams Society Objection
 - Lack of information with the application
 - No planning history detailed for the application
 - Increased traffic from shorter window for slurry spreading
 - Impact on air quality from ammonia
 - Safety concerns on access to the pit and gases
 - Increase of greenhouse gases
 - Impact on AONB
 - The grassed banks will look markedly different to surrounding land when it is ploughed
 - The store will need to be fenced which would add to its visibility
 - Should be considered major development in the AONB

Relevant Planning History

4039/18/FUL. Change of use of part of field to provide extended external farm manure store, along with associated engineering. Withdrawn.

ANALYSIS

Principle of Development/Sustainability:

The site is located in the open countryside and currently in agricultural use, with part of the site in use as a slurry store already. The applicant states the larger store is necessary due to the farm needing to comply with the new and more stringent Nitrate Vulnerable Zones now in place. In terms of policy TTV26 the proposal is supported in principle as it would be complementary to the viable agricultural operations on Winslade farm. It would also be supported by Frogmore and Sherford Neighbourhood Plan policy FSNP 5 as it would require a countryside location.

In respect of the principle policy tests in the NPPF, this application is not considered to constitute “major development” in the context of paragraph 172. The proposal is not considered major development given its scale and appropriate agricultural use within a countryside setting.

Design/Landscape:

It is noted the site is located above the Kingsbridge and Salcombe estuary system on rising land above the Frogmore creek and it is set within a strongly rural, agricultural landscape. This is within South Devon Area of Outstanding Natural Beauty and defined Undeveloped Coast and so is afforded the highest level of protection. Policy DEV25 which applies to proposals within the AONB specifically states proposals must ‘conserve and enhance the natural beauty of the protected landscape’ as well as maintaining ‘an area’s distinctive sense of place, or reinforce local distinctiveness’. In addition to Neighbourhood plan policies FSNP1 and FSNP 2 on preserving the landscape and specifically Frogmore Creek.

Policy DEV24 relates to the Undeveloped Coast and states that development which would have a detrimental effect on the undeveloped and unspoilt character, appearance or tranquillity of the Undeveloped Coast, estuaries, and the Heritage Coast will not be permitted except under exceptional

circumstances. However for agriculture related development it is considered acceptable provided it meets the following tests: it requires a coastal location, cannot be located outside the Undeveloped Coast, protects and enhances the landscape and is consistent with the AONB management plan on the heritage coast. While it is noted the applicant's agricultural holding consists of land outside the Undeveloped Coast, this land is closer to other residential properties and, in the case of the previous location of the slurry store, would have impacted on the setting of the Grade II listed Molescombe House. It is also noted the current site already holds a slurry store 60m by 17m with surrounding banks 2.4m high on the south-west elevation and is connected to the main farm buildings by an existing series of above ground pumps and pipework. In light of the constraints of the agricultural holding the proposed location of the slurry store is considered acceptable in terms of point 2 of DEV24, as it cannot reasonably be located outside the Undeveloped Coast.

The site is within Devon Landscape Character Area *Salcombe to Kingsbridge Estuary* which is recognised as a '*...waterside landscape where open water is juxtaposed with steep wooded valley sides that rise to rounded ridges between valleys and creeks. The creeks branch off the main waterway to form intricate tidal waterways which are best explored by boat and have a quiet and secretive character. The farmland on the rounded ridges above is divided by hedge banks that emphasise the convex slopes of the land.*

Specialist landscape officers have considered the application and concluded the proposed development of a scale and form that will not adversely impact on the wider landscape character. It does not conflict with the current use in that part of the site has previously been used to store farm waste but will see part of the arable field use changed to include a larger new store. The storage of farm slurry within the agricultural holding is necessary where farms are within a nitrate vulnerable zones (NVZ). It will have a negligible visual impact given its form and type, nor harm the recognised special qualities of the protected landscape or its valued attributes. Additional planting can be secured to further mitigate the proposal, enhancing the landscape character and providing successful assimilation with the surrounding countryside. It is noted this planting would need to be outside the application red line, however it would still fall within the applicant's ownership so can reasonably be controlled.

Neighbour Amenity and pollution

Policy DEV2 looks to protect air, water, soil, noise, land and light of new development, and this is also covered in Neighbourhood plan policy FSNP 6 and this section will be broken down to assess each relevant area. Nevertheless, it should be noted that para 183 of the National Planning Policy Framework states,

'The focus of planning policies and decisions should be on whether proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes). Planning decisions should assume that these regimes will operate effectively. Equally, where a planning decision has been made on a particular development, the planning issues should not be revisited through the permitting regimes operated by pollution control authorities'

In the case of a slurry store such as is proposed, The Water Resources (Control of Pollution) (Silage, Slurry and Agricultural Fuel Oil) (England) Regulations 20100 (SSAFO), is the document that sets the regulations to ensure slurry store protects land and water supplies. While the applicant is required to notify the Environment Agency at least 14 days before works are to commence, the EA does not issue permits. Nevertheless, the guidelines state that the tank should have a lifespan of at least 20 years and must be sited no closer than 10 metres from an inland or coastal waters or further from a water supply intake. The guidelines for distance of the installation to an inland watercourse are satisfied and there are no distance requirements to groundwater. The Councils role is limited to ensuring the existing private water supply is adequately protected from contamination by the owner.

Odour:

The concerns of surrounding residents from odour issues arising from the enlarged slurry store are noted, and it is acknowledged that the storage of animal waste can lead to the production of ammonia as a by-product of the decomposition processes.

In terms of odour, Environmental Health (EH) officers have stated there are no records of odour complaints from the existing slurry store in this location. In addition, experience shows that slurry pits are not particularly odorous for the majority of the time, however when the slurry is disturbed during spreading times of the year there can be a strong smell, that is typical of an agricultural type odour.

EH officers have commented that the spreading of the muck itself can also be quite odorous, however generally people are tolerant of agricultural odours in an agricultural setting such as this, especially as the duration of the odour is so short-lived. There is no automatic requirement for an odour management plan to be produced, other than in intensive farming situations which covers pig and poultry farming situations where there are 40,000 chickens, 2,000 production pigs or 750 sows. Nevertheless, given the high level of concern from surrounding residents it is considered reasonable in this case to condition an odour management plan. The management plan should be produced in accordance with the Environment Agency H2 guidance, and prior to commencement of storage.

Air Quality

DEFRA do acknowledge the impact of agriculture on air quality in the Air Quality Expert Group Air Pollution From Agriculture. However EH officers state there is no relevant national objective limit for ammonia under the E Ambient Air Quality Directive, and as such there is no national limit that local authorities must ensure compliance with. As such there is no remit within the planning regime to control ammonia and its potential impact on wider air quality and greenhouse gasses.

EH officers state the only control in regards to the production of ammonia is ensuring that the level of ammonia produced does not pose a risk to human health. There is guidance from the Health and Safety Executive for people working on slurry stores to ensure that they follow appropriate steps when working on the tank, this includes ensuring that there is adequate ventilation. As the pit is an open pit, this should not be a problem, furthermore the nearest residential premises are approximately 300m from the proposed pit, this should provide sufficient dilution to prevent ammonia being at such a level as to be hazardous to health.

Water supplies

The Environment Agency are the principle enforcing agency for ensuring that an activity does not pollute a controlled water such as a stream, coastal water or ground water. It should be noted that the EA have not objected to this application, but advised the applicant to notify them 14 days prior to works commencing.

EH officers have stated that to protect water supplies the slurry store must be constructed in accordance with the SSAFO regulations in an impermeable manner, therefore the underlying aquifer should be protected from contamination due to the method of construction. The only restriction on siting a slurry store to protect controlled waters is that it must not be sited within 10m of an inland watercourse which includes a stream, ditch or land drain, even if they only run for part of the year. This does not mention groundwater impacts as it is assumed that if built in accordance with the regulations there will be no impact on ground waters. There is however general guidance about the protection of private water supplies from contamination by slurry spreading which states that it should not occur within 50m of a supply. EH officers have stated they are not aware of any water supplies within 10m or 50m of the site. To note the nearest dwellings lie on lower ground over 350m to the south-west of the site. It is noted that the Parish state the dwellings are within 200m, but this is not the case.

Comments were also received from the Drinking Water Inspectorate reminding that the Council has a duty to ensure water from private supplies are safe to consume. EH officers have stated when carrying out risk assessment for private water supplies the Council utilises the risk assessment tool

produced by the Drinking Water Inspectorate. EH officers state having reviewed the aquifer vulnerability map, the distance to the proposed lagoon and the controls that are required by the Environment Agency they are satisfied that the risk posed by the proposed lagoon is minimal. EH officers have stated it is the responsibility for the owner of the supply to ensure that the supply is adequately protected and/or treated to ensure that the water is fit to drink, in accordance with the owners own risk assessment.

Noise

Policy DEV1 of the JLP looks to protect health and amenity including noise. In addition, Neighbourhood plan policy FSNP 4 is also relevant in terms of maintaining tranquillity by restricting noisy development. Concerns were also expressed from third parties on the operational noise of the slurry store, however given its distance from neighbours (350m) this is not considered a significant issue.

Land

In terms of protection of the land Natural England have not raised any concerns. They have in fact stated that the increased storage capacity may actually improve run-off as it would avoid spreading in wet winter conditions. There are huge amounts of ammonia from tidal inundation that Kingsbridge Estuary experiences twice daily, and so the relatively very small inputs of ammonia from the slurry store would be far offset by the reduced run-off.

Highways/Access:

The highways authority have not expressed any concerns over additional traffic caused by the increased size in slurry store. It is also noted that while the shorter window for muck spreading might result in an intensity of use over this period, the resultant agricultural vehicle movements are not considered to be significant.

Other Matters:

Concerns have been raised over the safety and security of the store given the proposal has not included any perimeter boundary to protect it. In the interests of safety a further condition will be added to request details of a boundary to the store, which should be tied in with the landscaping to ensure the proposal results in an enhancement to the landscape character.

Conclusion

The proposed slurry store would be located over part of the same footprint of an existing store within an existing agricultural field and so is acceptable in principle as an agricultural use in the countryside. This is also considered acceptable in terms of its location with the Undeveloped Coast given the constraints of the agricultural holding and impact on landscape. No objections have been received from Environment Agency, Natural England, landscape officers or Environmental Health officers in terms of any harmful environmental impacts or landscape impact. It is acknowledged that the application has generated a substantial amount of concern in the local community and expressed from the Parish and surrounding Parish councils, particularly but not limited to concerns over pollution of water supplies. However, within the remit of this application, having regard to para 183 of the National Planning Policy Framework and so setting aside the control of processes or emissions subject to separate pollution control regimes, the proposal is considered acceptable.

This application has been considered in accordance with Section 38 of the Planning & Compulsory Purchase Act 2004.

Planning Policy

Relevant policy framework

Section 70 of the 1990 Town and Country Planning Act requires that regard be had to the development plan, any local finance and any other material considerations. Section 38(6) of the 2004 Planning and Compensation Act requires that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise. For the purposes of decision

making, as of March 26th 2019, the Plymouth & South West Devon Joint Local Plan 2014 - 2034 is now part of the development plan for Plymouth City Council, South Hams District Council and West Devon Borough Council (other than parts of South Hams and West Devon within Dartmoor National Park).

On 26 March 2019 of the Plymouth & South West Devon Joint Local Plan was adopted by all three of the component authorities. Following adoption, the three authorities jointly notified the Ministry of Housing, Communities and Local Government (MHCLG) of their choice to monitor at the whole plan level. This is for the purposes of the Housing Delivery Test (HDT) and the 5 Year Housing Land Supply assessment. A letter from MHCLG to the Authorities was received on 13 May 2019. This confirmed the Plymouth, South Hams and West Devon's revised joint Housing Delivery Test Measurement as 163% and that the consequences are "None". It confirmed that the revised HDT measurement will take effect upon receipt of the letter, as will any consequences that will apply as a result of the measurement. It also confirmed that that the letter supersedes the HDT measurements for each of the 3 local authority areas (Plymouth City, South Hams District and West Devon Borough) which Government published on 19 February 2019. On 13th February 2020 MHCLG published the HDT 2019 measurement. This confirmed the Plymouth, South Hams and West Devon's joint HDT measurement as 139% and the consequences are "None".

Therefore a 5% buffer is applied for the purposes of calculating a 5 year land supply at a whole plan level. When applying the 5% buffer, the combined authorities can demonstrate a 5-year land supply of 6.1 years at end March 2020 (the 2020 Monitoring Point). This is set out in the Plymouth, South Hams & West Devon Local Planning Authorities' Housing Position Statement 2020 (published 22 December 2020).

The Plymouth & South West Devon Joint Local Plan was adopted by South Hams District Council on March 21st 2019 and West Devon Borough Council on March 26th 2019.

SPT1 Delivering sustainable development
SPT2 Sustainable linked neighbourhoods and sustainable rural communities
TTV26 Development in the Countryside
DEV1 Protecting health and amenity
DEV2 Air, water, soil, noise, land and light
DEV15 Supporting the rural economy
DEV23 Landscape character
DEV24 Undeveloped coast and Heritage Coast
DEV25 Nationally protected landscapes
DEV26 Protecting and enhancing biodiversity and geological conservation
DEV28 Trees, woodlands and hedgerows
DEV29 Specific provisions relating to transport
DEV32 Delivering low carbon development
DEV35 Managing flood risk and Water Quality Impacts

Frogmore and Sherford Neighbourhood Plan – Regulation 14 completed (Pre submission consultation and publicity) and so some weight is afforded

FSNP 1: The landscape
FSNP 2: Frogmore Creek
FSNP 4: Tranquillity and dark skies
FSNP 5: Settlement boundary
FSNP 6: Design and construction

Considerations under Human Rights Act 1998 and Equalities Act 2010

The provisions of the Human Rights Act 1998 and Equalities Act 2010 have been taken into account in reaching the recommendation contained in this report.

Conditions –

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason: To comply with Section 91 of the Town and Country Planning Act, 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall in all respects accord strictly with drawing numbers 11.C and 13.B received by the Local Planning Authority on 28/01/2019 and 13/12/2018.

Reason: To ensure that the proposed development is carried out in accordance with the drawings forming part of the application to which this approval relates.

3. Prior to the use of the slurry store, details of a perimeter fence and associated mitigation landscaping shall be submitted to and approved by the Local Planning Authority. The perimeter fencing shall be installed prior to the use of the store and permanently retained while the store is in use.

Reason: For health and safety of people walking in the countryside.

4. 14 days prior to works commencing the applicant must notify the Environment Agency and this must include the type of structure, proposed design and construction.

Reason: To safeguard ground water and it needs to be pre-commencement in accordance with the Environment Agency regulations.

5. Prior to the commencement of storage, an odour management plan shall be submitted to and approved by the Local Planning Authority, this plan shall be produced in accordance with the Environment Agency H2 guidance. The hereby approved slurry store shall be constructed and managed in accordance with the agreed odour management plan in perpetuity.

Reason: to safeguard the amenity of members of public

6. The above ground works shall not be implemented until a landscaping scheme has been submitted to and approved by the Local Planning Authority.

The scheme submitted shall be fully implemented in the planting season following the completion of the development and the plants shall be protected, maintained and replaced as necessary for a minimum period of five years following the date of the completion of the planting.

Reason: In the interest of visual amenity in order to protect and enhance the amenities of the site and locality within the AONB and Undeveloped Coast.

PLANNING APPLICATION REPORT

Case Officer: Gemma Bristow

Parish: Ashprington **Ward:** West Dart

Application No: 2274/19/FUL

Agent/Applicant:

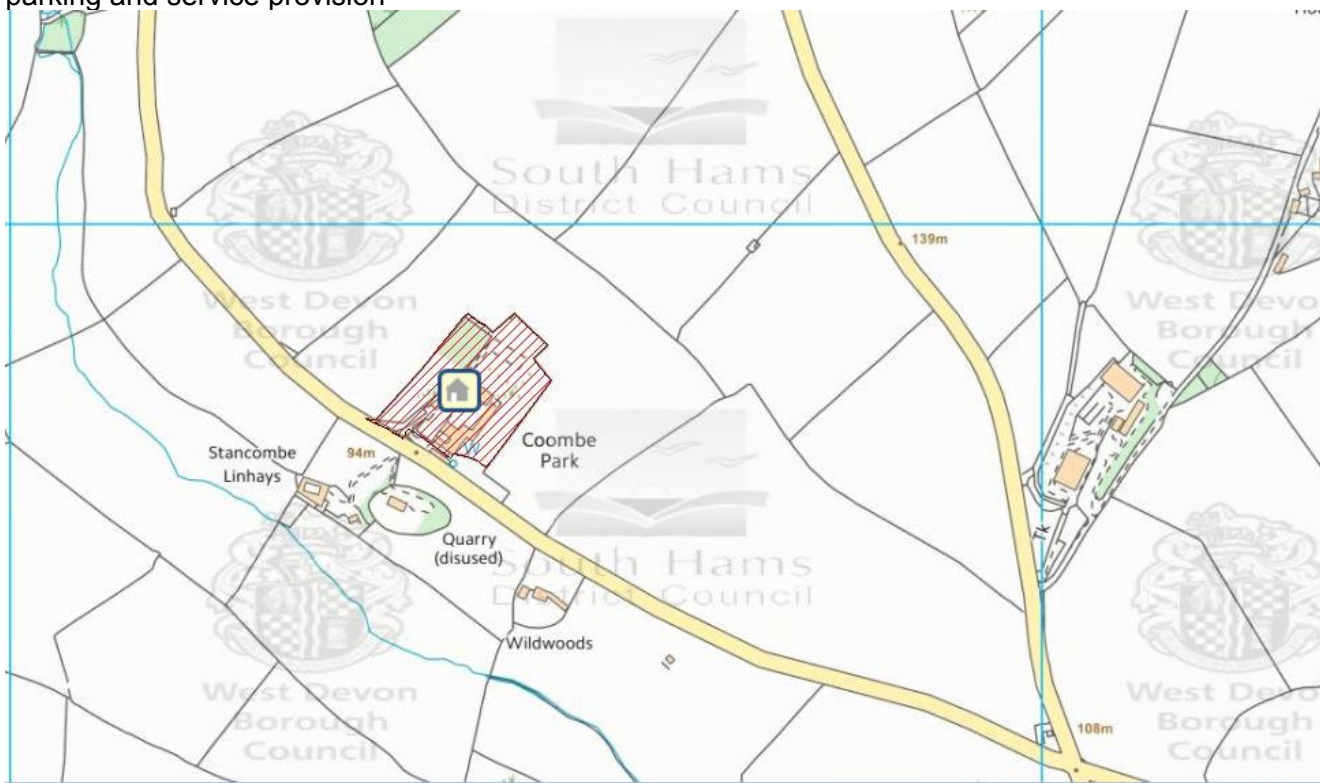
Mr Phillip Yunnie Gillespie Yunnie Architects
The Lower Tweed Mill
Shinners Bridge
Dartington, Totnes
TQ9 6JB

Applicant:

Mr J English Coombe Park RBC Ltd
Coombe Park Rural Business Centre
Ashprington
Totnes
TQ9 7DY

Site Address: Coombe Park, Ashprington, TQ9 7DY

Development: Refurbishments and extension of existing office/studio/workshop building with the construction of new two-storey office/studio/workshop building and associated additional parking and service provision



Reason item is being put before Committee

Cllr Mckay has called this application to Committee as he considers the proposal provides for a real need that is not properly addressed in the Joint Local Plan.

Recommendation:

Refuse

Reasons for refusal:

1. The proposed additional floorspace of this business park would result in unsustainable development by virtue of a resultant increase in private motor vehicle journeys, and without overriding justification to support the proposal in light of the current level of supply of employment land in the Plan Area contrary to policies SO1, SPT1, SPT2, SPT4, TTV1,

Key issues for consideration:

Principle, design, landscape, highways, low carbon, drainage

Site Description:

Industrial park located between the A381 on the outskirts of Totnes and Ashprington Cross. The site is bounded by open countryside on north, east and west and to the south of the adjoining road is Listed Stancombe Linhays.

The Proposal:

Erection of new two-storey block of units (Block 2), comprising four units on the ground floor and four further units at first floor, 816sq.m of new floorspace. Each 100 sq.m with separate toilet within each unit. 30.1m wide by 14.7m deep and 8.4m high to ridge.

The existing units to the east of the site (Block 1) shall be refurbished and extended by creating a new first floor, providing 498sq.m of new floorspace. The remodelled ground floor would have three units and the extended first floor five smaller units, each with separate toilet facilities. 8.3m to ridge to butterfly roofs (2.8m above existing roof height).

Existing floorspace:	1,250sq.m
Additional floorspace proposed	1,314sq.m
Total floorspace	2,564sq.m

Creation of additional parking for 29 vehicles, including two disabled spaces.

Felling of a row of Ash trees (20 stems) on bank behind Block 1 and felling of a further three trees to rear of proposed Block 2.

The application is supported by the following documents:

Travel Statement prepared by Bellamy Transport Consultancy.

The report concludes the additional traffic generated by the development would be low (1 vehicle every 6 mins during peak hours) and the existing road network is considered to have capacity. Site access is considered acceptable.

Energy Statement prepared by Delta Green Environmental Design.

States the development would provide a 48% reduction in carbon emissions, via heating the units by air source heat pumps, although noting that ASHP are not shown on the plans. It is noted that solar PV is not proposed to mitigate the energy demands of the ASHP as the carbon reduction target has already been exceeded.

Ecological Impact Assessment, prepared by Orbis Ecology

The report concludes the application would result in a loss of a total of approx 0.1ha of semi-improved grassland. Impacts to bats, reptiles and nesting birds will require mitigation, in the form of a lighting strategy. No other significant impacts identified. Compensation for lost habitat will be from the restoration of the grassland to species rich meadow and a pond created for wildlife resulting in a net gain of 2.67 biodiversity of units (30.65%).

Noise Impact Assessment, prepared by ACT Acoustics.

The report concluded that if the noise from each of the new units is limited to 84 dBL, noise at Coombe farmhouse should be at or below background noise. Noise levels from the existing furniture

manufacturer within Block 1 not audible at boundary of Coombe farmhouse if doors to Block 1 are closed.

Statement from Rendalls Surveyors

Experience of demand for workspace in the area and the pandemic has not diminished this demand. States limited supply of E(g) (formerly B1 B2 and B8), but particularly general industrial. Undertook a review of space available to south-east of A38 for units under 275sq.m, Exeter and Plymouth were excluded from survey. Survey found 980sq.m of general industrial floorspace, with 214sq.m under offer. A greater supply of office space available (E(g)) amounting to 3,000sq.m. In immediate area around Totnes there is no availability of B2 and approx. 465sq.m of E (g). No evidence of development under construction or approved to change this supply

Consultations:

- County Highways Authority No objection
The Highway Authority has read the accompanying Transport Statement and has no objection to the proposals.

- Environmental Health Section No objection, subject to conditions
We have considered the noise report carried out by Mike Wood. He has looked at existing and potential future noise from each block separately and the possibility that process noise could affect the nearest residents at Coombe Park Farm which is about 100m away. He has concluded by calculation that an internal noise level not exceeding 84dB in the new building (block 2), and 73dB in the existing building (block 1) would ensure that noise is barely audible at that nearest residence. The measured background noise levels are low in this area (25dB daytime and 18dB at night) and therefore this calculation is very important. We therefore recommend that the following condition is included in any approval:

"Cumulative internal noise levels within the units comprising blocks 1 and 2 shall be controlled in order to ensure that the amenity of local residents is not unreasonably affected. The internal noise level shall not exceed 73dB in Block 1 and 84dB in Block 2, measured as 1 hour Leq, at any time. Reason: to protect the amenity of local residents.

- DCC Drainage No objection
Following an initial objection on insufficient sufficient information in relation to the disposal of surface water from the site the applicant provide further information. The information was considered acceptable and DCC have recommended conditions if permission was forthcoming.

- Town/Parish Council Support
The nature of the new business should be specified to avoid conflict with neighbours.

- SHWD Waste No objection
Waste Management Strategy for site is sufficient. Capacity for site will need to be considered but due to nature of proposed tenants it cannot be done at this time. The central refuse storage could be closer to the site entrance to reduce unnecessary vehicle movements on site. However, turning circle near block 2 would be sufficient for 26T collection vehicle.

- SHWD Trees No objection
 1. The submitted information has been principally reviewed in accordance with the Plymouth & South West Devon Joint Local Plan 2014-2034, BS5837:2012 Trees in relation to Design, Demolition & Construction & further additional industry best practise guidance, policies and legislation as required.
 2. Review of the submitted information has been undertaken and it is considered that accurate description of the site and level of constraint posed by the trees is made. The supporting tree protection methodologies have been prepared to most recent industry best practise and if

undertaken in their entirety will appropriately preserve and/ or enhance the constraining arboricultural features present

- SHWD Ecologist No objection
Concurs with conclusions of Ecology report that development would result in biodiversity gains. The level of biodiversity gain of course being dependant on implementation, and in that respect we would need a LEMP to be conditioned, and securing adherence to a LEMP secured via a s106. In terms of quantum then it is far exceeding the policy requirement so no concern there (30% instead of 10%).

Other than that conditioning of a lighting strategy reflecting recommendations and specifications of 5.3.3.3 as well as adherence to the various other mitigation measures as a general condition (which cover things like timing for vegetation removal).

- SHWD Strategic Planning Objection
The JLP will meet the identified need for B-use employment space through commitments and allocated sites. Figure 3.5 of the JLP shows how there is already existing supply tied up within extant consents and allocations to meet the requirements identified in policy SPT4. Until such time as the annual monitoring figures suggest that these permissions/sites are not coming forward, we should not be granting speculative windfall development.

Notwithstanding the broad support for expanding rural businesses in policy DEV15, this proposal would clearly be contrary to policy DEV15.8(ii), due to the fact that it is remote from nearby settlements and would require anyone working there to travel by private car. The spatial strategy of the JLP is to direct development towards the more sustainable settlements within the plan area. Within the local area are named settlement such as Totnes, Dartington and Harbertonford, all of which benefit from existing services and facilities and benefit from good levels of public transport. These are the type of locations that businesses should be seeking to utilise to ensure that they can support sustainable travel patterns and also benefit from enhanced connectivity for suppliers, distribution or buyers. The location of this proposal would lead to a conflict with policy SPT2.6, in that the site is not well served by public transport, or cycling or walking infrastructure.

The creation of the second unit would constitute development in the countryside, and I do not consider that the proposed uses would meet the policy provisions of TTV26.2(iv) in that they can be considered to require a countryside location. The existing uses in this location should not be misconstrued as providing justification for further development of this site.

Representations:

6 letters of objection on the following grounds:

- The commercial units will dominate the small hamlet
- The existing units are often not all let, so increasing the capacity by 50% may lead to more inappropriate uses on this site
- The maintenance of the site has deteriorated recently
- Increase traffic
- Local flooding
- Damage to adjoining stone walls from larger vehicle's accessing the site
- Poor access visibility
- Noise disturbance
- Overlooking from Block 2, and Block 1 because of becoming two-storeys
- Screening and natural environment
- Security
- Overshadowing

Relevant Planning History

- 3694/18/FUL. Erection of a ground mounted solar array. Jan 2019

- 1378/17/PRE. Pre application enquiry for proposed improvements and extension. Aug 17
- 0827/16/OPA. Outline application with some matters reserved for a new timber workshop unit with ancillary accommodation. Approved Aug 16
- 01/0722/02/RM. Replacement of workshop facilities. Approved Jun 02
- 01/1764/97/1. Outline application for replacement of poor quality workshops with new workshop facilities. Approved Dec 97

ANALYSIS

Principle of Development/Sustainability:

Policies SPT1 and SPT2 set the policy framework for supporting sustainable development. Policy SPT2 has a specific focus on reducing the need to travel, and promoting walking, cycling and public transport to support sustainable development and this is reinforced by para 103 of the National Planning Policy Framework. The Joint Local Plan (JLP) will meet the identified need for Use Class Order B-use/E(g) employment space through commitments and allocated sites in line with those objectives. Figure 3.5 (below) of the JLP shows how there is already existing supply tied up within extant consents and allocations to meet the requirements identified in policy SPT4, although it is noted that SPT4 established a minimum figure. SPT4 states within Thiving Towns and Villages policy area provision will be made for at least:

- 28,900sq.m B1a offices
- 21,700 sq.m B1/B2 Industrial
- 33,100 sq.m B8 Storage and distribution

	Plymouth Policy Area			Thriving Towns and Villages			Plan Area
	B1a office	B1/B2	B8	B1a office	B1/B2	B8	
Completions 2014-17	5,587	4,130	15,728	1,351	6,479	4,443	29,728
Outstanding Permissions Apr 2017	35,249	82,957	26,355	2,302	12,715	4,730	164,308
Allocated Sites	96,366	38,160	9,540	28,910	64,630	56,310	293,916
Total supply	137,473	116,987	51,623	32,563	83,824	65,482	487,953

Figure 3.5 Employment Land Supply, from the Joint Local Plan.

Policy DEV14 gives support for maintaining flexible mixed use employment sites by supporting investment and expansion of existing businesses as well as for the inward investment of high-value businesses. Paragraphs 83 and 84 of the NPPF give support for the 'sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings'. Para 84 acknowledges that in rural areas sites may have to be found outside settlements and in locations not well served by public transport. Policy DEV15 gives further support to 'appropriate and proportionate expansion of existing employment sites in order to enable retention and growth of local employers'. Nevertheless, part 8 (ii) of this policy states proposals should 'avoid a significant increase in the number of trips requiring the private car and facilitate the use of sustainable transport, including walking and cycling, where appropriate.'

Policy TTV26 relates to development in the countryside and part 2 is relevant in the context of proposed Block 2 which is situated to the rear of the existing buildings on this site. Block 2 would be situated beyond the existing buildings, closest to the ownership boundary with surrounding fields, and therefore it is felt is closer in association to countryside than part of the established use. However, this section of land is not in agricultural use and currently used as additional parking for the business park and landscaped area around.

The Coombe Business Park is located approximately 2.5 miles outside of Totnes, which is defined as a key town under policy TTV1. The Business Park currently has 13 single-storey units and a further unit with a mezzanine level, with a gross floorspace of 1,250sq.m. The creation of first floor over Block 1 would create 498sq.m of additional floorspace and proposed Block 2 would create 816sq.m, which would over double the existing floorspace on site. The applicant states Coombe Park caters for a range of businesses who require small amounts of space, the largest occupies 170sq.m but most are under 100 sq.m. The businesses are varied but can be broadly categorised into art and artisan activity, emergent technology activity and computer/internet based activity. The applicant has provided evidence of a waiting list of 26 new tenants looking for between 25 – 140sq.m size units, and it is stated the existing and prospective tenants would not wish to commute to units within main towns.

The applicant states the specific businesses located at Coombe Park are drawn to its rural location as they do not want to be located within locations with high industrial presence, particularly of motor traders and noisy or heavily trafficked users. It is officer view that there is no land-use planning reason why creative industries need to be co-located, or why creative or tech industries cannot be located within a wider mixed-use employment area. The level of interest generated in the expansion is noted, and although an expression of interest is not the same as a commitment, it is evident that some businesses view the proposal favourably. It is also noted that about half of the applicants are from beyond what is considered to be the Totnes hinterland. No doubt the interest is stimulated by the prospect of working in a new building that is well-equipped and in a pleasant rural location – but there is a difference between employment need and the preference of an individual business owner. Of course most people would want to work in a tranquil rural location, but with no sustainable transport options available to provide alternative access to the site, decisions need to be made that reflect the intention of the JLP to transition to the a more sustainable future.

The applicant contends the development would not generate significant increase in private vehicle journeys as the majority of employees live in areas not served by public transport and so already use their vehicles to commute to work. Firstly, there is no means for the Local Planning Authority (LPA) to control where any of the occupants of the employment units come from. Secondly, by co-locating employment uses within or adjoining existing sustainable settlements the LPA can avoid additional and separate journeys to access the services and facilities that are found within these settlements. The fact that people will be working in Coombe Park will generate additional single-purpose journeys, whereas more journeys into existing centres will meet a much wider range of needs. The number of single-purpose journeys will be reduced if more workplaces exist within existing service centres.

The LPA agrees with the applicant that the JLP does not make provision for employment units at a small scale. That is because the JLP is a strategic plan that allocates provision of certain land uses to meet identified needs. This approach is consistent with the purpose of a strategic plan, and the spatial strategy that underpins it. If you look at table 5.1 (below) you will see that the JLP does not envisage, or rely upon, any employment floorspace being delivered below the top two tiers of the settlement hierarchy. That does not prevent smaller scale rural employment sites to come forward through neighbourhood plans, and is consistent with policy TTV25.

Settlement Type	New Homes 2014 - 2034	New Employment Space 2014 - 2034
Main Towns	4,417	103,070 sq m
Smaller Towns and Key Villages	911	46,780 sq m
Sustainable Villages	550	0
<p><i>Note: This table refers only to sites allocated by the Joint Local Plan policies plus the allowance for potential supply at Sustainable Villages - see paragraph 5.12. Completions 2014 to 2016 and commitments (permissions) as at March 2016 are additional to the allowance for the potential supply at Sustainable Villages.</i></p>		

Figure 5.1 Site Allocation totals by settlement from the Joint Local Plan.

In relation to the applicants analysis of the existing employment consent it is noted these all predate the adoption of the JLP. While permissions have been granted previously in rural locations, these reflect a previously adopted policy framework and many of the location sites of these permissions would also be considered unsuitable when assessed against the adopted spatial strategy of the JLP.

It is noted that while there is support for allowing the expansion of such employment sites, this sits under the overarching policy framework of only supporting sustainable development. Therefore, given the substantial increase in floorspace and the absence of public transport to this location, together with the fact the JLP has allocated enough land for employment the principle of expanding this site to such a degree is not supported in principle.

Design/Landscape:

In terms of design, the proposed extension to block 1 is considered acceptable as it would maintain the commercial appearance of the building within the rural landscape. Block 2 mirrors the design of block 1 with its butterfly roof formation and projecting first floor shared terrace. While Block 2 would be positioned on higher ground level and have a height of approx. 8.5m, it would be set well back within the site and so have limited visibility from the adjoining lane or surrounding landscape.

If permission were recommended then a landscape scheme would be conditioned in accordance with the outline scheme detailed within the ecology report. This scheme should also compensate for the trees that would need to be felled to enable this development.

Neighbour Amenity:

In terms of neighbour amenity, it is noted that the existing units have a close relationship to Coombe Park farmhouse located immediately to the south-west of the business park. In terms of the increase in massing of block 1, it is noted that is set 60m to the north of the rear elevation of the adjoining dwelling and so is not considered to result in loss of outlook or form an overbearing mass. There would be one window within the south-west elevation facing towards the dwelling, but given the separation this is not considered to result in significant overlooking and could be further mitigated by obscure glazing.

In terms of the impact on the adjoining dwelling of the proposed uses, the applicant has provided evidence that the existing uses have permission for B2 general industrial. Nevertheless, the new units are requested to be office, studio, workshop, as currently exist on the site, given the substantial increase in floorspace it is considered the intensification of the site may result in conflict due to the proximity of the adjoining residential neighbour. In response to this the applicant prepared a noise

assessment which has been reviewed by Environmental Health officers. The assessment concluded that if the internal noise level does not exceed 84dB in the new building (block 2), and 73dB in the existing building (block 1) this would ensure that noise is barely audible at Coombe Farmhouse. Due to the very low background noise levels in the area, it is recommended that noise levels are conditioned if permission were recommended. Subject to conditions, the proposal is considered in compliance with policy DEV1.

Highways/Access:

The applicant's Transport Statement (TS) has summarised that the development would generate one additional vehicle movement every six minutes (during AM/PM peak times). The Highways Authority have reviewed the TS and not raised any objections. The access, parking level and capacity on the local road network is therefore considered acceptable.

Nevertheless, policy DEV29 seeks to promote sustainable transport choices and facilitate sustainable growth by limiting parking at employment sites, providing convenient facilities for walking, cycling, public transport and zero emission vehicles. The rural location of the business park that has no provision of public transport and is distant from sustainable settlements is considered to result in an increase in private vehicle movements contrary to policy DEV29.

Drainage:

Devon County drainage engineers initially objected to the application on the absence of information, but following additional information submitted by the applicant this objection was removed and conditions recommended.

Ecology:

Policy DEV26 seeks to support the protection, conservation, enhancement and restoration of biodiversity and geodiversity across the Plan Area. Point 5 specifically states 'net gains in biodiversity will be sought from all major development proposals through the promotion, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of legally protected and priority species populations'.

Following officer comments the applicant commissioned a further Ecology report which identified that the development would result in approx 0.1 semi improved grassland, which is unmanaged and tussocky. In terms of mitigation, the scheme would require a lighting strategy to ensure there are no detrimental increases of light across the site that could impact bats. Vegetation and scrub removal should take place over winter to reduce impact on reptiles and works to the rear of Units 1-3 should be undertaken outside of the hibernation period (November – March). To protect nesting birds scrub removal should be outside of nesting (1st March to 31 August), unless it can be managed by a competent ecologist. Compensation for the loss of habitat will be partially addressed through the restoration of the grassland to species rich meadow and a pond created for wildlife. These measures will be included in the submitted landscape plan for the development. These measures will ensure that the development will result in a net gain of 2.67 biodiversity of units (30.65%),

Low Carbon:

Policy DEV32 looks to help half carbon emissions by 2034 and to increase the use and production of decentralised energy. This policy requires developments to identify opportunities to minimise the use of natural resources in the development over its lifetime, and be considered in relation to the energy hierarchy. In addition, major developments (such as this application) should take account of projected changes in temperature, rainfall, wind and sea level in its design with the aim of mitigating and remaining resilient to the effects of changing climate. All developments should reduce the energy load of the development by good layout, orientation and design to maximise natural heating, cooling and lighting, and reduce the heat loss area. For major developments, a solar master plan should show how access to natural light has been optimised in the development, aiming to achieve a minimum daylight standard of 27 per cent Vertical Sky Component and 10 per cent Winter Probable Sunlight Hours. Finally and of reliance to this scheme, all major developments should incorporate low carbon

or renewable energy generation to achieve regulated carbon emissions levels of 20 per cent less than that required to comply with Building Regulations Part L.

In terms of reducing the energy load the applicant states the proposal includes insulation of the existing buildings and good insulation new buildings that would result in 25.4% savings. Air source heat pumps have been recommended as the most viable renewable technology which have been calculated to result in a 48% carbon reduction. It is disappointing that no solar PV is proposed to address the energy demands of the ASHP, however as the carbon reduction target it exceeded this cannot be required of the developer.

In terms of point 4 of policy DEV32, the applicant commissioned a daylight and sunlight report which illustrates the majority of block 2 and first floor of block 1 would achieve 27% vertical sky compliance. In terms of winter probable sunlight, it is noted all bar unit 4 (first floor of block 1) would achieve 10%.

Policy DEV15 8(i) requires a sustainable travel plan to demonstrate how the traffic impacts of the development have been considered and mitigated. It is again disappointing that a travel plan has not been submitted with the application, particularly given its rural location, however the applicant has committed to this being conditioned if permission were recommended.

While the report details the use of ASHP resulting in a much higher carbon reduction, the heat pumps were not shown the plans and as they would require permission in their own right they cannot be conditioned. If the applicant is minded to bring forward a scheme with heat pumps this would require a variation application to include these, which the LPA would like to see supported by Solar PV. Nevertheless, in terms of compliance with policy DEV32, subject to condition on the travel plan, the proposal would achieve a 25.4% carbon saving which exceeds the 20% required by policy.

Planning Balance

The proposed additional floorspace of this business park would result in unsustainable development by virtue of a resultant increase in private motor vehicle journeys, and without overriding justification to support the proposal in light of the current level of supply (consents and allocations) of employment land in the Plan Area. In addition, it is noted that while the scheme would achieve over 20% carbon savings, it does not include any low carbon or renewable technology that can be conditioned as part of this application.

This application has been considered in accordance with Section 38 of the Planning & Compulsory Purchase Act 2004 and, with Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Planning Policy

Relevant policy framework

Section 70 of the 1990 Town and Country Planning Act requires that regard be had to the development plan, any local finance and any other material considerations. Section 38(6) of the 2004 Planning and Compensation Act requires that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise. For the purposes of decision making, as of March 26th 2019, the Plymouth & South West Devon Joint Local Plan 2014 - 2034 is now part of the development plan for Plymouth City Council, South Hams District Council and West Devon Borough Council (other than parts of South Hams and West Devon within Dartmoor National Park).

On 26 March 2019 of the Plymouth & South West Devon Joint Local Plan was adopted by all three of the component authorities. Following adoption, the three authorities jointly notified the Ministry of Housing, Communities and Local Government (MHCLG) of their choice to monitor at the whole plan level. This is for the purposes of the Housing Delivery Test (HDT) and the 5 Year Housing Land Supply assessment. A letter from MHCLG to the Authorities was received on 13 May 2019. This confirmed the Plymouth, South Hams and West Devon's revised joint Housing Delivery Test

Measurement as 163% and that the consequences are “None”. It confirmed that the revised HDT measurement will take effect upon receipt of the letter, as will any consequences that will apply as a result of the measurement. It also confirmed that that the letter supersedes the HDT measurements for each of the 3 local authority areas (Plymouth City, South Hams District and West Devon Borough) which Government published on 19 February 2019. On 13th February 2020 MHCLG published the HDT 2019 measurement. This confirmed the Plymouth, South Hams and West Devon’s joint HDT measurement as 139% and the consequences are “None”.

Therefore a 5% buffer is applied for the purposes of calculating a 5 year land supply at a whole plan level. When applying the 5% buffer, the combined authorities can demonstrate a 5-year land supply of 6.1 years at end March 2020 (the 2020 Monitoring Point). This is set out in the Plymouth, South Hams & West Devon Local Planning Authorities’ Housing Position Statement 2020 (published 22 December 2020).

The Plymouth & South West Devon Joint Local Plan was adopted by South Hams District Council on March 21st 2019 and West Devon Borough Council on March 26th 2019.

SPT1 Delivering sustainable development
SPT2 Sustainable linked neighbourhoods and sustainable rural communities
SPT4 Provision for employment floorspace
TTV1 Prioritising growth through a hierarchy of sustainable settlements
TTV2 Delivering sustainable development in the Thriving Towns and Villages Policy Area
TTV26 Development in the Countryside
DEV1 Protecting health and amenity
DEV2 Air, water, soil, noise, land and light
DEV14 Maintaining a flexible mix of employment sites
DEV15 Supporting the rural economy
DEV23 Landscape character
DEV26 Protecting and enhancing biodiversity and geological conservation
DEV27 Green and play spaces
DEV28 Trees, woodlands and hedgerows
DEV29 Specific provisions relating to transport
DEV30 Meeting the community infrastructure needs of new homes
DEV31 Waste management
DEV32 Delivering low carbon development
DEV33 Renewable and low carbon energy (including heat)
DEV34 Community energy
DEV35 Managing flood risk and Water Quality Impacts
DEL1 Approach to development delivery and viability, planning obligations and the Community Infrastructure Levy

Considerations under Human Rights Act 1998 and Equalities Act 2010

The provisions of the Human Rights Act 1998 and Equalities Act 2010 have been taken into account in reaching the recommendation contained in this report.

South Hams District Council Agenda Item 7

DEVELOPMENT MANAGEMENT COMMITTEE 3-Mar-21

Appeals Update from 21-Jan-21 to 17-Feb-21

Ward Allington and Strete

APPLICATION NUMBER : **1115/20/FUL** APP/K1128/W/20/3256923
APPELLANT NAME: Mr C Grigg
PROPOSAL : Associated operational development to allow for conversion of stone barn to flexible use (cafe) as consented under prior approval 0189/19/PAU, including change of use of land to provide extended curtilage and associated access, parking, turning and landscaping (resubmission of 0869/19/FUL)
LOCATION : Old Stone Barn at SX 778 426 Frogmore
APPEAL STATUS : Appeal Lodged
APPEAL START DATE: 23-September-2020
APPEAL DECISION: Dismissed (Refusal)
APPEAL DECISION DATE: 01-February-2021

Ward Bickleigh & Cornwood

APPLICATION NUMBER : **0379/19/FUL** APP/K1128/W/20/3253743
APPELLANT NAME: Mr and Mrs R Hill
PROPOSAL : Erection of new dwelling, landscape enhancements and associated works
LOCATION : bickleigh
APPEAL STATUS : Appeal Lodged
APPEAL START DATE: 28-January-2021
APPEAL DECISION:
APPEAL DECISION DATE:

Ward Dartmouth and East Dart

APPLICATION NUMBER : **3387/19/PIP** APP/K1128/W/20/3251330
APPELLANT NAME: Jawbones Hill Ltd
PROPOSAL : Application for Permission in Principle for the erection of one dwelling
LOCATION : Land At Sx 875 511 Jawbones Hill Dartmouth
APPEAL STATUS : Appeal Lodged
APPEAL START DATE: 26-January-2021
APPEAL DECISION:
APPEAL DECISION DATE:

Ward Ivybridge East

APPLICATION NUMBER : **0560/20/TPO** APP/TPO/D1780/8084
APPELLANT NAME: Mr & Mrs Rowlands
PROPOSAL : T1: Chestnut - Crown thin by 10% on SW side. Lateral reduction by 1m on SW side, due to proximity to houses.
LOCATION : 52 Rue St Pierre Ivybridge PL21 0HZ
APPEAL STATUS : Appeal Withdrawn
APPEAL START DATE: 22-January-2021
APPEAL DECISION: Withdrawn
APPEAL DECISION DATE:

Ward Kingsbridge

APPLICATION NUMBER : **2083/20/TPO** APP/TPO/K1128/8058
APPELLANT NAME: Peter James
PROPOSAL : T1: Robinia Pseudoacacia - Fell and remove. Tree is of low amenity value and growing in close proximity to neighbouring property.
LOCATION : 10 Wallingford Road Kingsbridge TQ7 1NA
APPEAL STATUS : Appeal Lodged
APPEAL START DATE: 21-January-2021
APPEAL DECISION:
APPEAL DECISION DATE:

Ward Salcombe and Thurlestone

APPLICATION NUMBER : **3654/20/FUL** APP/K1128/W/21/3267064
APPELLANT NAME: Mr Mark Greatorex
PROPOSAL : Erection of animal shelter/fodder store and store
LOCATION : Land at SX 708 394 Shute and Wallingford
APPEAL STATUS : Appeal Lodged

APPEAL START DATE: 09-February-2021

APPEAL DECISION:

APPEAL DECISION DATE:

APPLICATION NUMBER :

4175/19/PIP

APP/K1128/W/20/3264409

APPELLANT NAME:

P Hibbert & Tenby London Ltd

PROPOSAL :

Permission in principle application for new 2 bedroom dwelling

LOCATION :

Land adjacent to 40 Weymouth Park & rear of Lothlorien Hope Cove Kingsbridge TQ7 3HD

APPEAL STATUS :

Appeal Lodged

APPEAL START DATE:

25-January-2021

APPEAL DECISION:

APPEAL DECISION DATE:

Ward Stokenham

APPLICATION NUMBER :

3785/19/FUL

APP/K1128/W/20/3257265

APPELLANT NAME:

Start Bay Development Company

PROPOSAL :

Conversion into 2no. 3 bedroomed dwellings including partial change of use

LOCATION :

Start Bay Stores And Gifts Torcross TQ7 2TG

APPEAL STATUS :

Appeal decided

APPEAL START DATE:

19-October-2020

APPEAL DECISION:

Dismissed (Refusal)

APPEAL DECISION DATE:

08-February-2021

Ward Totnes

APPLICATION NUMBER :

4198/19/FUL

APP/K1128/W/20/3255832

APPELLANT NAME:

Churchill Retirement Living Ltd

PROPOSAL :

Demolition of existing building and redevelopment of the site to form 2no retail units, public car park and 41 retirement apartments including communal facilities, access, car parking and landscaping.

LOCATION :

Former Budgens Store Fore Street Totnes TQ9 5RW

APPEAL STATUS :

Appeal Lodged

APPEAL START DATE:

08-February-2021

APPEAL DECISION:

APPEAL DECISION DATE:

Agenda Item 8

Development Management Committee 3 Mar 2021

Undetermined Major applications as at 17-Feb-20

	Valid Date	Target Date	EoT Date
0612/16/OPA Patrick Whymer	8-Aug-16	7-Nov-16	
Brimhay Bungalows Road Past Forder Lane House Dartington Devon TQ9 6HQ		Outline planning application with all matters reserved for redevelopment of Brimhay Bungalows. Demolition of 18 Bungalows to construct 12 Apartments, 8 units of specialist housing for Robert Owens Community Clients and up to 10 open market homes.	

Comment: This Application was approved by Committee subject to a Section 106 Agreement. The Section 106 Agreement has not progressed.

	Valid Date	Target Date	EoT Date
3704/16/FUL Charlotte Howrihane	22-Nov-16	21-Feb-17	1-Apr-21
Creek Close Frogmore Kingsbridge TQ7 2FG		Retrospective application to alter boundary and new site layout (following planning approval 43/2855/14/F)	

Comment: Section 106 is with applicant to sign. They are waiting for the S38 agreement to be completed with Highways before signing the S106.

	Valid Date	Target Date	EoT Date
3749/16/VAR Charlotte Howrihane	23-Nov-16	22-Feb-17	1-Apr-21
Development Site Of Sx 7752 4240 Creek Close Frogmore Kingsbridge TQ7 2FG		Variation of condition 2 (revised site layout plan) following grant of planning permission 43/2855/14/F	

Comment: see above for 3704/16/FUL. Agent has confirmed that this application will be withdrawn once the full application has been determined,

	Valid Date	Target Date	EoT Date
3628/17/FUL Patrick Whymer	20-Nov-17	19-Feb-18	28-Feb-21
Oak Tree Field at SX 778 588 Tristford Road Harberton Devon		Erection of 12 dwellings, workshop/office, associated landscaping and site development works	

Comment: Application approved by committee subject to conditions and S106. The S106 has been agreed by the applicant but are awaiting the land purchase to complete before completing the S106.

	Valid Date	Target Date	EoT Date
1288/18/OPA Cheryl Stansbury	16-Apr-18	16-Jul-18	26-Feb-21
Former National Shire Horse Centre Dunstone Yealmpton PL8 2EL		READVERTISEMENT (Revised Site Boundary Plan) Outline application with some matters reserved to re-develop former Shire Horse Centre with 25no. new dwellings with associated landscaping and parking	

Comment: Agent has asked for time to consider the feedback given by officers on the acceptability of the scheme.

	Valid Date	Target Date	EoT Date
3445/18/FUL Gemma Bristow	29-Nov-18	28-Feb-19	4-Jan-21
Land at SX 580 576 Adjoining Seaton Orchard Sparkwell PL7 5HX		Construction of new housing development comprising 20 dwellings.	

Comment: Application approved subject to a S106 which is anticipated to be completed soon.

	Valid Date	Target Date	EoT Date
4180/18/FUL Jacqueline Houslander	20-Dec-18	21-Mar-19	14-Jan-21
Land at SX718512 East of B3196 Loddiswell TQ7 4DU		Creation of an equestrian livery facility including erection of barn, menage, associated works and change of use of land for the grazing and exercising of horses	

Comment: Application has been held in abeyance following a formal complaint. There are ongoing discussions that may lead to this application being withdrawn and a new application submitted.

	Valid Date	Target Date	EoT Date
0936/19/ARM Bryn Kitching	15-Mar-19	14-Jun-19	30-Jun-21
Land at SX 857 508 adjacent to Townstal Road West of Dartmouth		Application for approval of reserved matter following outline approval 15_51/1710/14/O (Appeal APP/K1128/W/15/3039104) for layout, scale, appearance and landscaping for 240 dwellings, public open space, highways, landscaping and associated works and approval of details reserved by conditions 6, 7, 8, 9 & 12 of planning consent 15_51/1710/14/O (Appeal APP/K1128/W/15/3039104)	

Comment: Application on hold while layout designs are finalised and submitted for adjoining site and remainder of the allocation. This will allow for comprehensive consideration of reserved matters for the whole of the local plan allocation. As reserved matters consent was granted in February 2020 for 116 dwellings on part of the same site, this application will be amended to the balance of residential which can then be considered alongside the forthcoming reserved matters applications.

	Valid Date	Target Date	EoT Date
2133/19/VAR Cheryl Stansbury	12-Jul-19	11-Oct-19	31-Jan-21
Cottage Hotel Hope Cove TQ7 3HJ		READVERTISEMENT (Revised Plans Received) Application for variation of condition 2 of planning consent 46/2401/14/F	

Comment: In discussion with applicant/agent to provide plans showing all levels.

	Valid Date	Target Date	EoT Date
2274/19/FUL Gemma Bristow	15-Jul-19	14-Oct-19	1-Jan-21
Coombe Park Ashprington TQ9 7DY		Refurbishments and extension of existing office/studio/workshop building with the construction of new two-storey office/studio/workshop building and associated additional parking and service provision	

Comment: Applicant is to be considered at this committee meeting.

	Valid Date	Target Date	EoT Date
2334/19/FUL Jacqueline Houslander	18-Jul-19	17-Oct-19	30-Jan-21
Totnes Cross Garage Halwell TQ9 7JG		Conversion and extension of shop and commercial premises to create enlarged retail area and cafe. New vehicle repair workshop and MOT bays. Replacement house, associated access and parking.	

Comment: Applicant is wanting to substantially reduce the proposal considerably and we are awaiting revised plans.

	Valid Date	Target Date	EoT Date
3197/19/OPA Cheryl Stansbury	2-Oct-19	1-Jan-20	29-Jan-21
Land adjacent to New Park Road Lee Mill Nr Ivybridge		Outline application with some matters reserved for residential development of up to 25 residential units including vehicular access, estate roads, landscaping, open space, drainage, infrastructure and all associated development (resubmission of 1303/18/OPA)	

Comment: Section 106 is progressing and likely to be completed soon.

	Valid Date	Target Date	EoT Date
3886/19/VAR Tom French	28-Nov-19	27-Feb-20	31-Mar-21
Sherford New Community Land South and South West of A38 Deep Lane junction and East of Hays Road Elburton Plymouth			
Application for variation of conditions 1, 2, and 4 of planning permission 0490/19/ARM			

Comment

	Valid Date	Target Date	EoT Date
4181/19/OPA Ian Lloyd	9-Jan-20	9-Apr-20	18-Dec-20
Land off Towerfield Drive Woolwell Part of the Land at Woolwell JLP Allocation (Policy PLY44)			
Outline application for up to 360 dwellings and associated landscaping, new access points from Towerfield Drive and Pick Pie Drive and site infrastructure. All matters reserved except for access.			

Comment: Along with 4185/19/OPA a year-long PPA was agreed until end of December 2020. Both parties agree more time is required to resolve transport/delivery/other matters and for a period of re-consultation and a revised programme is under discussion – likely September 2021.

	Valid Date	Target Date	EoT Date
4185/19/OPA Ian Lloyd	9-Jan-20	9-Apr-20	18-Dec-20
Land at Woolwell Part of the Land at Woolwell JLP Allocation (Policy PLY44)			
Outline application for provision of up to 1,640 new dwellings; up to 1,200 sqm of commercial, retail and community floorspace (A1-A5, D1 and D2 uses); a new primary school; areas of public open space including a community park; new sport and playing facilities; new access points and vehicular, cycle and pedestrian links; strategic landscaping and attenuation basins; a primary substation and other associated site infrastructure. All matters reserved except for access.			

Comment: Along with 4181/19/OPA a year-long PPA was agreed until end of December 2020. Both parties agree more time is required to resolve transport/delivery/other matters and for a period of re-consultation and a revised programme is under discussion – likely September 2021

	Valid Date	Target Date	EoT Date
4158/19/FUL Cheryl Stansbury	17-Jan-20	17-Apr-20	6-Feb-21
Development Site At Sx 734 439, Land to Northwest of junction between Ropewalk and Kingsway Park Ropewalk Kingsbridge Devon			
READVERTISEMENT (Revised Plans Received) Residential development comprising of 15 modular built dwellings with associated access, car parking and landscaping			

Comment: Applicant is reviewing the proposal.

	Valid Date	Target Date	EoT Date
3752/19/OPA Jacqueline Houslander	11-Feb-20	12-May-20	10-Jan-21
Former School Playing Ground Elmwood Park Loddiswell TQ7 SA			
Outline application with some matters reserved for residential development of 20-25 dwellings			

Comment – awaiting a discussion with the applicants.

	Valid Date	Target Date	EoT Date
0761/20/OPA Jacqueline Houslander	5-Mar-20	4-Jun-20	22-Jan-21
Vicarage Park Land North of Westentown Kingston TQ7 4LU			
Outline application with some matters reserved for 12 new houses. Alterations to existing access and construction of access road. Realignment and creation of new public rights of way, provision of public open space and strategic landscaping (Resubmission of 4068/17/OPA)			

Comment: Under consideration by officer

	Valid Date	Target Date	EoT Date
0995/20/VAR Jacqueline Houslander	1-Apr-20	1-Jul-20	19-Feb-21
Hartford Mews Phase 2 Cornwood Road Ivybridge		Variation of conditions 4 (LEMP) and 13 (Tree Protective Fencing) of planning consent 3954/17/FUL	

Comment:

	Valid Date	Target Date	EoT Date
3623/19/FUL Cheryl Stansbury	14-Apr-20	14-Jul-20	5-Mar-21
Land off Godwell Lane Ivybridge		Full planning application for the development of 111 residential dwellings with associated access, parking, landscaping, locally equipped play area and infrastructure	

Comment: On-going discussions with applicant

	Valid Date	Target Date	EoT Date
0868/20/ARM Jacqueline Houslander	29-Apr-20	29-Jul-20	28-Feb-21
Development Site at SX 612 502 North Of Church Hill Holbeton		Application for approval of reserved matters following outline approval 25/1720/15/O for the construction of 14no.dwellings, provision of community car park, allotment gardens, access and associated works including access, layout, scale appearance and landscaping (Resubmission of 0127/19/ARM)	

Comment: Negotiations ongoing with applicants.

	Valid Date	Target Date	EoT Date
1266/20/ARM Jacqueline Houslander	30-Apr-20	30-Jul-20	19-Feb-21
Land At Ngr Sx513609 Pinewood Drive Woolwell		READVERTISEMENT (Revised Plans Received) Application for approval of reserved matters following outline approval 1954/18/OPA	

Comment: Application re advertised and comments sent to agents. Awaiting amended plans and response.

	Valid Date	Target Date	EoT Date
1419/20/FUL Jacqueline Houslander	2-Jun-20	1-Sep-20	15-Jan-21
Land West of Beara Farm Woolston Green Landscope		READVERTISEMENT (revised plans received) Demolition of existing concrete barn and construction of fourteen dwellings including five for shared ownership/affordable rent (resubmission of 2176/18/FUL)	

Comment: Amended plans have been received and re-advertised.

	Valid Date	Target Date	EoT Date
1585/20/FUL Jacqueline Houslander	3-Jun-20	2-Sep-20	20-Jan-21
Land adjacent to Dartmouth Park and Ride site Wessex Way Dartmouth		READVERTISEMENT (Revised Plans Received) Construction of new two storey Health and Well-being Centre and associated external works	

Comment: Application approved at Committee subject to S106.

	Valid Date	Target Date	EoT Date
2508/20/OPA Anna Henderson-Smith	12-Aug-20	11-Nov-20	6-Jan-21
Moor View Touring Park Modbury PL21 0SG		Outline application with some matters reserved for proposed development of holiday lodges, leisure facilities and associated works(resubmission of 0482/17/FUL)	

Comment: Extension of time granted until 6/1/2020 to address Ecology issues. The previous application is at appeal on-going discussion on the type of application submitted.

			Valid Date	Target Date	EoT Date
3347/20/VAR	Jacqueline Houslander	20-Oct-20	19-Jan-21		
Land adjacent to Siding Cross Wrangaton			Variation of condition 1 (approved plans) following grant of Planning consent 3717/19/ARM		

Comment: Under consideration by officer

			Valid Date	Target Date	EoT Date
3841/20/OPA	Bryn Kitching	3-Dec-20	4-Mar-21		
Land At Sawmills North of A385 Dartington			Outline application with all matters reserved, except for access, for up to 40no. residential units and associated public open space and infrastructure		

Comment – Further information required following consultation responses. EoT to be agreed once submission timescales are known.

			Valid Date	Target Date	EoT Date
3842/20/OPA	Bryn Kitching	3-Dec-20	4-Mar-21		
Land At SX 783 624 Broom Park Dartington			Outline application with all matters reserved, except for access, for up to 80no. residential units and associated public open space and infrastructure		

Comment – Further information required following consultation responses. EoT to be agreed once submission timescales are known.

			Valid Date	Target Date	EoT Date
3814/20/VAR	Jacqueline Houslander	7-Dec-20	8-Mar-21		
Fort Bovisand Bovisand PL9 0AB			Application for variation of condition 2 regarding Drawings of Planning application 2821/17/FUL		

Comment – Recently submitted application within consultation period.

			Valid Date	Target Date	EoT Date
4254/20/FUL	Anna Henderson-Smith	23-Dec-20	24-Mar-21		
Springfield Filham PL21 0DN			Proposed development of redundant nursery to provide 30 new dwellings for affordable and social rent, a new community hub building, conversion of existing barns to provide ancillary spaces and landscaping works providing communal areas and playgrounds		

Comment - Recently submitted application within consultation period

			Valid Date	Target Date	EoT Date
0100/21/FUL	Tom French	13-Jan-21	14-Apr-21		
Land at SX 5688 5556, South of Langage Business Park Plympton Devon PL7 5HQ			Construction of 1no 15000ftsq business unit and 2no 10000ftsq business units (Class uses B1(a)(b)(c), B2 & B8) in place of previously planning approved site layout (reference 1878/19/FUL)		

Coimment - Recently submitted application within consultation period

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