

# South Hams Development Management Committee



<b>Title:</b>	<b>Agenda</b>										
<b>Date:</b>	<b>Wednesday, 23rd June, 2021</b>										
<b>Time:</b>	<b>10.00 am</b>										
<b>Venue:</b>	<b>Repton Room - Follaton House</b>										
<b>Full Members:</b>	<p style="text-align: center;"><b>Chairman</b> Cllr Brazil</p> <p style="text-align: center;"><b>Vice Chairman</b> Cllr Foss</p> <p><i>Members:</i></p> <table style="margin-left: auto; margin-right: auto;"> <tr> <td>Cllr Abbott</td> <td>Cllr Pannell</td> </tr> <tr> <td>Cllr Brown</td> <td>Cllr Pringle</td> </tr> <tr> <td>Cllr Hodgson</td> <td>Cllr Reeve</td> </tr> <tr> <td>Cllr O'Callaghan*</td> <td>Cllr Rowe</td> </tr> <tr> <td>Cllr Long</td> <td>Cllr Taylor</td> </tr> </table> <p style="text-align: center;">(* Substituting for Cllr K Kemp)</p>	Cllr Abbott	Cllr Pannell	Cllr Brown	Cllr Pringle	Cllr Hodgson	Cllr Reeve	Cllr O'Callaghan*	Cllr Rowe	Cllr Long	Cllr Taylor
Cllr Abbott	Cllr Pannell										
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Cllr O'Callaghan*	Cllr Rowe										
Cllr Long	Cllr Taylor										
<b>Interests – Declaration and Restriction on Participation:</b>	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.										
<b>Committee administrator:</b>	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 26 May 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) 0900/21/HHO**

**7 - 12**

12 Linhey Close, Kingsbridge  
Householder application for proposed internal and external alterations

**(b) 2334/19/FUL**

**13 - 26**

"Totnes Cross Garage", Halwell  
READVERTISEMENT (revised plans and amended description)  
Conversion and extension of shop and commercial premises to create enlarged retail area. New vehicle repair workshop and MOT bays, associated access and parking

	<b>Page No</b>
<b>(c) 1944/19/FUL</b>	<b>27 - 44</b>
"Land between 19 & 21", Clayman's Pathway, Ivybridge" Construction of new dwelling with associated groundworks and landscaping	
<b>7. Planning Appeals Update</b>	<b>45 - 48</b>
<b>8. Update on Undetermined Major Applications</b>	<b>49 - 54</b>

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**MINUTES OF THE MEETING OF THE DEVELOPMENT MANAGEMENT  
COMMITTEE HELD IN THE REPTON ROOM, FOLLATON HOUSE, TOTNES, ON  
WEDNESDAY,  
26 May 2021**

<b>Members in attendance</b>			
* Denotes attendance			
∅ Denotes apologies			
*	Cllr V Abbott	*	Cllr M Long
*	Cllr J Brazil (Chairman)	∅	Cllr G Pannell
*	Cllr D Brown	*	Cllr K Pringle
*	Cllr R J Foss (Deputy Chair)	*	Cllr H Reeve
*	Cllr J M Hodgson	*	Cllr R Rowe
∅	Cllr K Kemp	*	Cllr B Taylor

**Other Members also in attendance and participating:**

**Officers in attendance and participating:**

Item No:	Application No:	Officers:
All agenda items		Senior Specialist – Development Management; Legal Officer; Planning Specialist; Covid Marshall, IT Specialist, and Democratic Services Officer

DM.01/21

**MINUTES**

The minutes of the meeting of the Committee held on 28<sup>th</sup> April 2021 were confirmed as a correct record by the Chairman subject to inclusion of the three amendments outlined below:

DM71/20, 6a) The Ward Member opposed this application with particular reference to the ecology.

DM71/20, 6b) The Ward Member opposed this application with particular reference to the ecology.

DM71/20, 6c) The house was linked to the Murch family and had a fully hipped roof which was an important contribution to Salcombe’s heritage.

DM.02/21

**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:

Cllr B Taylor declared a personal interest in application 2828/20/FUL (Barby Lodge, Cleveland Drive, Bigbury on Sea, TQ7 4AY) as he was a Member of the South Devon AONB Partnership Committee. The Member remained in the

meeting and took part in the debate and vote thereon;

DM.03/21 **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.04/21 **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) 2828/20/FUL Barby Lodge, Cleveland Drive, Bigbury on Sea, TQ7 4AY**

**Parish: Bigbury**

**Development: READVERTISEMENT Application for replacement dwelling**

Case Officer Update: Following questions raised at the site visit, the Case Officer confirmed the top floor rear windows were not cabriole windows, and that the neighbour's drive would remain after building the new residence. The grass verge around the property was a common feature in the area and would be retained. The ridge height would be increased but it was the officer's view that the size of dwelling had increased without increasing the ridge height significantly.

Following questions raised by Members at the Committee, the Case Officer confirmed that the underground garage had been measured and could accommodate one car, and that the condition on replacing the hedge could be altered to ensure the replacement hedge was of the same size as the current hedge. It was also confirmed that a construction management plan could be requested if Members so wished.

Speakers included: Objector – Mr J Munday; Supporter – Mr J Marshall; Parish Council – Cllr V Scott; Ward Member – Cllr B Taylor;

The Ward Member acknowledged that the bungalow was in need of renovation or rebuild but he felt that the design of this application impacted on the neighbours' amenities and did not sit well within the street scene.

During the debate, one Member felt that many objections were based on the loss of neighbours' views but that this was not a material planning consideration. However, other Members felt that the moving the proposed building back deeper into the site resulted in overdevelopment of the site. They also felt that the proposed building impacted on neighbouring amenities and considerably altered the street scene with the large, raised patio to the front and side.

- Reasons for refusal:
1. The proposal, by virtue of its new position on the site, creates a negative impact on neighbouring properties to the north, west, and east in terms of overlooking and the perception of overlooking; being dominant and overbearing; and causing a loss of outlook contrary to policy DEV1 of the Plymouth and South West Devon Joint Local Plan and policy BP7 of the Bigbury Neighbourhood Plan and para. 127 of the NPPF 2019
  2. The scale and massing of the proposed dwelling would have a negative impact on the street scene and, as such, be out of character with the area contrary to policy DEV20 in the Plymouth and South West Devon Joint Local Plan and policy BP7 of the Bigbury Neighbourhood Plan as well as para. 127 of the NPPF 2019.

**Recommendation:** Conditional approval

**Committee decision:** Refusal – with the wording of the reasons being delegated to the Head of Development Management, in consultation with the Committee Chairman, proposer, seconder and the local Ward Member.

DM.05/21 **PLANNING APPEALS UPDATE**

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

The Senior Specialist – Development Management (DM) provided further details on specific recent appeal decisions.

DM.06/21 **UPDATE ON UNDETERMINED MAJOR APPLICATIONS**

Members noted the list of undetermined major applications.

(Meeting commenced at 10:00 am and concluded at 11:41 am)

Chairman

Draft



Voting Analysis for Planning Applications – DM Committee 26<sup>th</sup> May 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>
2828/20/FUL	Barby Lodge, Cleveland Drive, Bigbury on Sea, TQ7 4AY	Refusal	Cllrs Foss, Hodgson, Long, Reeve, Rowe, Smerdon, Taylor (7)	Cllrs Abbott, Brazil (2)	Cllr Brown (1)	Cllrs Kemp, Pannell (2)

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## PLANNING APPLICATION REPORT

**Case Officer:** Chris Mitchell

**Parish:** Kingsbridge **Ward:** Kingsbridge

**Application No:** 0900/21/HHO

**Agent/Applicant:**

Mr Nigel Dalton - Nigel Dalton  
Architectural Design  
Unit 4h  
South Hams Business Park  
Churchstow, Kingsbridge  
TQ7 1NY

**Applicant:**

Mr & Mrs White  
12 Linhey Close  
Kingsbridge  
Devon  
TQ7 1LL

**Site Address:** 12 Linhey Close, Kingsbridge, TQ7 1LL

**Development:** Householder application for proposed internal and external alterations



**Reason item is being put before Committee**

Applicant is an employee of the South Hams District Council.

**Recommendation:** Conditional Approval

**Conditions**

Standard time limit  
Adherence to plans

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## **Site Description:**

The site is located to the south of the town the centre of Kingsbridge with access taken from Linhey Close. The property is a detached dwelling house built with rendered walls, UPVC windows and concrete roof tiles. The dwelling house is a split-level property with living areas at first floor and garage and three bedrooms below.

## **The Proposal:**

The proposal is for the construction of sunken garden store with extended terrace area above, with steps down into the garden. The terrace is proposed to be built with composite decking, paved steps; the garden room would be faced with composite cladding and a frameless glass balustrade above.

At ground floor on the west elevation the existing patio doors and window shall be rearranged and finished with powder coated aluminium frame. The existing windows at first floor on the west elevation to the kitchen and living room shall be replaced with full height powder coated aluminium patio doors. The existing window at first floor shall be replaced with powder coated aluminium frame.

An additional window shall be installed on the south elevation to form an en-suite though this does not require planning permission as at ground level within the existing dwelling house.

The garage is proposed to be removed with a store area created at the front with retention of garage door and construction of a bathroom behind.

## **Consultations:**

- County Highways Authority      No highway implications
- Town Council                      Recommend refusal on the following grounds: overlooking and loss of privacy for neighbouring residential properties to the detriment of their amenity; over development of the site

## **PUBLIC CONSULTATIONS**

### **Representations from Residents**

None

### **Relevant Planning History**

28/0715/72/4 – Erection of dwelling houses with garage beneath – Conditional Approval

## **Analysis**

### Principle of Development/Sustainability:

The proposed alterations and extensions to this dwelling house are acceptable in principle as the property is located within the town of Kingsbridge.

### Design:

The proposed garden store with extended terrace area above does not result in any adverse visual harm upon the existing dwelling house or harm upon street scene as the works are on the rear elevation.

The installation of additional window on the southern elevation would be permitted development and does not require planning permission. The replacement of existing windows from living room and kitchen with patio doors and replacement of all windows and doors with powder coated aluminium are acceptable and does not harm the character of the property as on the rear elevation.

The proposed terrace extension by its design, scale and massing is not considered to be harmful upon the existing dwelling house or character of the local area and therefore is compliant with Local Plan Policies SPT1 (3v) Delivering sustainable development and DEV20 (2, 3, 4) (Place shaping and the quality of the built environment) and policy DEV20 (Place shaping and the quality of the built environment) of The Plymouth and South West Devon Supplementary Planning Document (SPD) July 2020 and National Planning Policy Framework.

### Landscape:

The site is within the AONB and Heritage Coast policy area. The proposed ground floor extension with terrace above would not significantly increase the height or bulk of the development, or result in any additional lighting. Officers do not consider that the proposal would impact upon the wider AONB setting, or harm the special characteristics of the Heritage Coast, especially given the site location within a residential part of the town. The proposal is therefore acceptable in terms of DEV24 and DEV25 of the Joint Local Plan.

### Neighbour Amenity:

The proposed extension to the existing terraced area would result in the existing patio area within the garden being increasing in height of 1m and reduced in its projection into the garden by some 2m. Whilst this is an increase in height, due to the existing terrace to the property that already overlooks the neighbouring property's garden and the existing patio area within the garden there is already an element of overlooking from this property. The proposed terrace with an increase in height has been located close to the main dwelling house and there is a sufficient distance to the neighbouring boundary of some 7m and as such the level of increased overlooking is minimal. Neighbouring properties already benefit from a raised terrace with glass balustrades and the boundary is part concrete boundary wall and shrubs. There have been no letters of representation received by neighbours to this proposal.

The objection received by the Kingsbridge Town Council in that the proposed terrace extension would result in overlooking to the neighbouring properties gardens and would be

overdevelopment of the site is noted. As detailed above the increase in height of the existing patio area and the fact that the existing terrace and patio already overlooks the neighbouring property's gardens, officers do not consider that the proposed increased terrace area would result in significant overlooking to warrant refusing the application.

The proposed extension of the terrace area into the garden is not considered to result in overdevelopment of the site as there is more than sufficient amenity space to the dwelling house.

For these reasons, Officers consider the proposed garden room and raised terrace area would not result in detrimental harm upon the amenity of neighbouring properties and is compliant with Local Plan Policy SPT1 Delivering sustainable development, DEV20 (2, 3, 4) (Place shaping and the quality of the built environment) and policies DEV1 Protecting health and amenity, DEV2 Air, water, soil, noise, land and light and DEV20 (Place shaping and the quality of the built environment) of The Plymouth and South West Devon Supplementary Planning Document (SPD) July 2020 and National Planning Policy Framework.

#### Highways/Access:

The proposal would result in the loss of garage to the property, though there is sufficient room on the driveway for the parking of two vehicles off street and therefore the proposal will not result in an increased risk to highways safety once occupied and is acceptable with regard to the provisions of DEV29.

#### Drainage

Any surface water from the terrace will drain into existing drains on the site and within the garden.

#### **Conclusion**

Consequently this proposed development is acceptable and complies with Local Plan Policies SPT1 (3v) Delivering sustainable development and DEV20 (2, 3, 4) (Place shaping and the quality of the built environment) and policies DEV1 Protecting health and amenity, DEV2 Air, water, soil, noise, land and light and DEV20 (Place shaping and the quality of the built environment) of The Plymouth and South West Devon Supplementary Planning Document (SPD) July 2020 and National Planning Policy Framework.

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).

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  
DEV1 Protecting health and amenity  
DEV2 Air, water, soil, noise, land and light  
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  
DEV29 Specific provisions relating to transport

### **Kingsbridge, West Alvington, Churchstow Neighbourhood Plan**

The application is located within the parish of Kingsbridge a joint Neighbourhood Plan is currently at Reg 14 and being prepared for the parish. The Plan has not yet reached a stage where it can be considered material consideration to the decision making process.

Other material considerations include the policies of the National Planning Policy Framework (NPPF) and guidance in Planning Practice Guidance (PPG). Additionally, the following planning documents are also material considerations in the determination of the application:

The Plymouth and South West Devon Supplementary Planning Document (SPD) July 2020 was adopted by Plymouth City Council on 22 June 2020, West Devon Borough Council on 9 June 2020 and South Hams District Council on 16 July 2020.

### **South Devon AONB Management Plan (2019-2024)**

#### **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 Site Location Plan, 1082.20.08 (Proposed Block Plan) and 1082.20.04 (Proposed Site Plan) received by the Local Planning Authority on 12th April 2021 and drawings numbers 1082.20.05 Rev A (Proposed Ground Floor Plans), 1082.20.06 Rev

A (Proposed Plans) and 1082.20.07 Rev A (Proposed Elevations) received by the Local Planning Authority on 7th May 2021.

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.



## PLANNING APPLICATION REPORT

**Case Officer:** Jacqueline Houslander  
Blackawton and Stoke Fleming

**Parish:** Halwell & Moreleigh **Ward:**

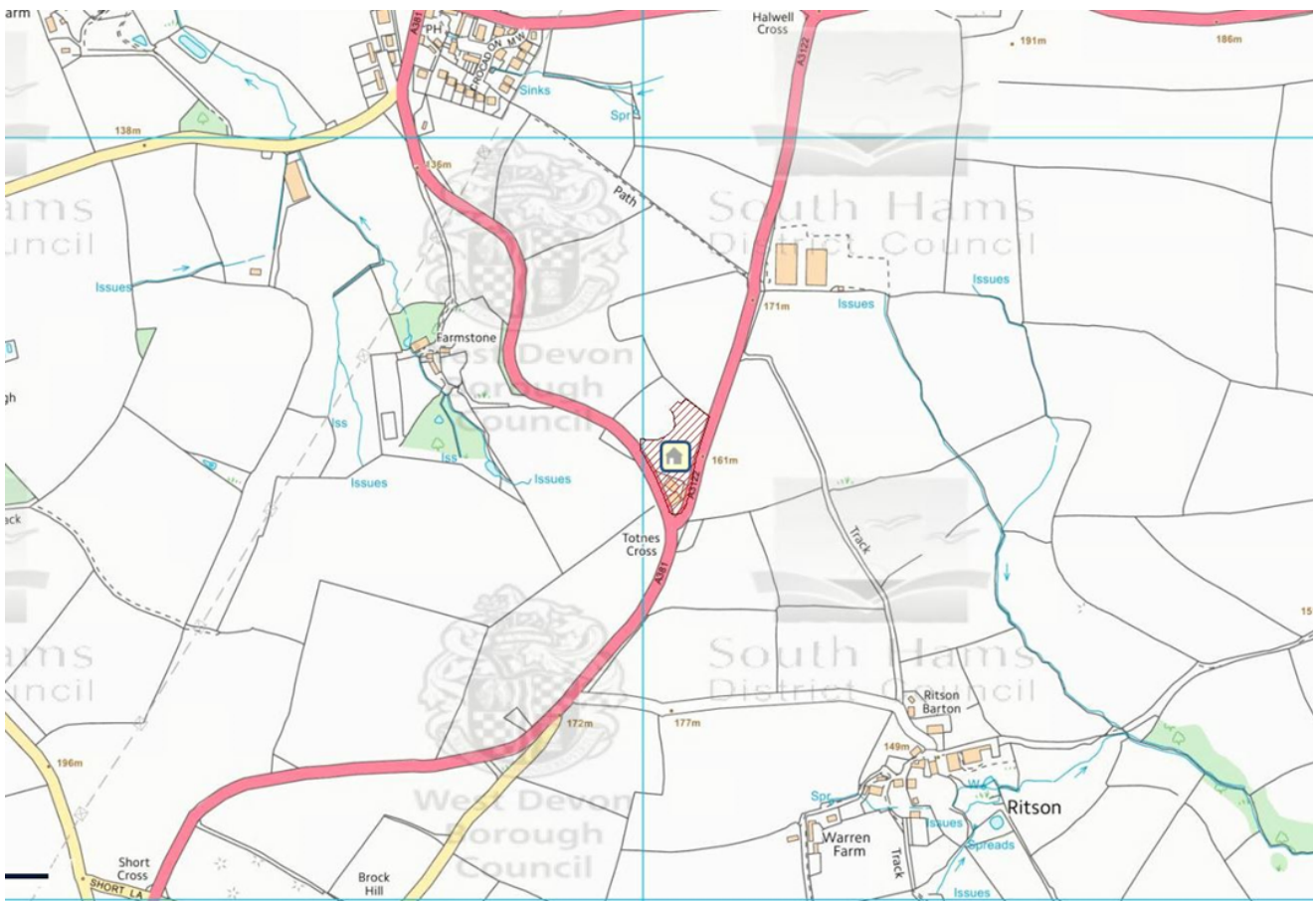
**Application No:** 2334/19/FUL

**Agent/Applicant:**

Mrs Denise Pichler  
Pichler Planning Consultancy  
60 Bowring Close  
Exeter  
EX1 3TU

**Applicant:**

Mr J Holliss  
Totnes Cross Garage  
A3122 Halwell Cross To Totnes Cross  
Halwell  
TQ9 7JG



**Site Address:** Totnes Cross Garage, Halwell, TQ9 7JG

**Development:** READVERTISEMENT (revised plans and amended description)  
Conversion and extension of shop and commercial premises to create enlarged retail area. New vehicle repair workshop and MOT bays, associated access and parking

**Reason item is being put before Committee:** Councillor Reeve asked for the application to be heard by the Planning Committee because this is a local business providing local employment wishing to expand. Its location provides lots of passing and local trade and so its expansion should be supported.

## **Recommendation: Refusal**

### **Reasons for refusal**

1. The proposal for the expansion of this rural business site is located in the open countryside away from any settlements and as such isolated from them. The expansion of the car servicing and retail and the introduction of a café facility in this location, of the scale proposed would lead to additional trips to a facility in an unsustainable and inappropriate location contrary to the strategic aims of the Plymouth and South West Joint Local Plan provided in policies SPT1, SPT2, SPT5, SPT6, and the more specific requirements of policies TTV1 and in addition no sustainable Travel Plan has been provided which is a requirement of Policy DEV15, as well as paragraphs, 7, 8, 11, 12, and 84 of the NPPF 2019.
2. The proposal is to expand built form in the open countryside, where development is restricted to that which is required necessary for agricultural, forestry or occupational need. No such need has been provided for a large MOT workshop; shop and café. As such the proposal fails to meet policy TTV26 in the Plymouth and South West Devon Joint Local Plan or paragraph 79 in the NPPF 2019.
3. The proposed development would introduce significant additional built form into an area which predominantly comprises large agricultural fields, bound by Devon hedges. The industrial style car servicing workshops would introduce an incongruous built form as will the 2-3 fold extension to the shop and a café provision and significant number of parking spaces. The proposal is inappropriate in terms of design to its rural context , contrary to Policy DEV20 in the JLP and would neither conserve nor enhance the current landscape qualities, contrary to policies seeking to protect the landscape, DEV23 and para. 170 of the NPPF 2019.
4. The proposal has failed to provide sufficient information to demonstrate that wildlife will not be harmed by the development, particularly in relation to dormice, contrary to policy TTV26 in the Plymouth and South West Devon Joint Local Plan and para. 175 of the NPPF 2019.
5. The proposal does not provide for any carbon reduction measures, in order to reduce the impact of the development on climate change, contrary to Policy DEV32 in the Plymouth and South West Devon Joint Local Plan and Para's 150 and 153 in the NPPF 2019.

### **Key issues for consideration:**

Location of proposal

Impact on landscape

Sustainability of location

Design

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### **Site Description:**

Totnes Cross garage lies at the cross roads just north of Halwell, on the Kingsbridge road (A381), at the point at which the turning to Dartmouth (A3122) joins the road. The site currently comprises a petrol filling station, with a Spar shop; a small motor repair workshop including tyre fitting service and an MOT bay, with space for approximately 2 cars at any one time; a small amount of car sales and a storage/parking area on the other side of the Kingsbridge Road. There is also a bungalow on the site, which is occupied by the family owners of the garage.

The garage has been established for some time (44 years). The family run business has invested considerably in the business over the years. The applicant's agent states that the shop and repair garage are oversubscribed and there is need for the expansion of the facilities. The business currently employs 10 full time and 5 part time staff, who live in the local area.

It was noted on the site visit that there are vehicles parked in an area of land on the opposite side of the A381. There is no planning history for this use being authorised. There have been a number of temporary consents for the parking of vehicles on the land on the other side of the A3122.

The site lies within flood zone 1, within an SSSI risk zone and the agricultural classification is grade 3, good to moderate quality land.

### **The Proposal:**

This planning application has changed from its original iteration to the scheme now described which has been the subject of a re advertisement.

The proposal comprises:

- Re-location of the vehicle repair garage, MOT bays and vehicle parts and accessories together with offices into a purpose built unit, with associated staff and customer parking.
- The existing convenience store will be extended. Petrol forecourt will retain the current ten dispensers.
- A new entrance and parking and delivery area will be created off Dartmouth Road to serve the new garage facilities and shop. This will alleviate parking pressure on the small forecourt area.
- Landscaping to mitigate the development changes.

The bungalow and garage forecourt remain as existing on the site, however the shop is extended to the rear by a considerable amount. This extension is the same size on this revised scheme as on the original proposal. The workshop, which is currently at the front and side of the forecourt is relocated to the rear of the site running into the field behind, parallel with the road to Dartmouth (A3122). The new building measures 12 metres wide and 30 metres long and 6 metres high. It contains 5 bays and a parts shop (2 MOT bays; 2 service bays; a tyre bay and reception workshop). There is also an office and staff area on part of the first floor of the building. The walls of the building are proposed to be constructed in steel profiled sheeting in Juniper Green. The roof is also steel profiled sheeting in anthracite grey with some translucent panels on the north and south east, with powder coated steel roller doors and aluminium or Upvc doors and windows in grey.

Parking for 12 cars is proposed immediately to the rear, and parking for 16 cars is proposed along the roadside edge of the site for the workshops. Entrance to the rear part of the site is proposed off the A3122.

### **Consultations:**

- County Highways Authority: The Highway Authority has no objections to the proposals subject to conditions. The applicant has submitted a revised layout drawing 018-06-4-C, which addresses the previous highway authority comments. Cycle Parking (covered) is now shown on the layout drawing.

- Parish Council: Support
  - Landscape Specialist:

**Landscape comments on the current revised proposal removing the dwelling and reducing the size of the workshops and increasing the landscaping at the rear of the workshop element of the proposal.**

The revised scheme still involves encroachment into the field adjoining the existing service station and garage and development will extend along the Dartmouth road. However, the land take appears much reduced from that of the originally submitted scheme but there will still be a resultant permanent change to the site's topography and filed pattern.

It is considered that the proposed new vehicle repair shop is of a scale and height (2 storeys) where it will appear as an 'industrial' feature in the landscape. The submitted revised Landscape Appraisal (12/20) and Planning Statement acknowledge that the proposed development will in appearance terms be comparable to the existing buildings found nearby on the Halwell Business Park.

The Landscape Appraisal still recognises that there is likely to be both a negative cumulative effect on landscape character and visual amenity with the proposed development in place together with the existing Halwell Business Park together with the farm shop building to the north of the site.

Mitigation, in the form of a reduction rather than a removal, of the negative effects of the proposed development is dependent on the successful implementation and establishment of the proposed landscape scheme. The landscape scheme is a considered one and would introduce some positive features into the landscape such as new Devon banks and tree planting. However, these additions could occur independently of the proposals and their value as enhancements is debatable.

The current scheme by virtue of its scale, nature and form would fail the case to accord with DEV23 and TTV26 because it does not conserve and enhance landscape character, and scenic and visual quality, or protect the special characteristics and role of the countryside. In particular, concerns remain as to the scale, height and layout of the new workshop building and its elevated position in the adjacent field together with the extent of car parking. The cumulative impacts of the proposal when considered in the context of the Halwell Business Park to the north, are also of concern, and would not be mitigated sufficiently by the strategic planting.

In consideration of the above, the current proposal cannot be supported.

Recommendation

Objection

Reasons – contrary to JLP Policies DEV23 and TTV26.

- Natural England: The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.
- Strategic Planning: The JLP Team objects to the proposal on the basis of conflict with adopted development plan policy. Details are provided below:  
SPT1 and SPT2 establish an expectation that future growth and development will increase the resilience of our rural communities, that local services and facilities and will

be located within or adjoining existing settlements to reduce the need to travel, and to enable a low carbon future. The expansion of a petrol station, well beyond the rural settlement pattern, to create a destination in its own right, is contrary to the aims of policies SPT1 and SPT2.

TTV1 – directs development towards the hierarchy of sustainable settlements in order to ensure our existing communities have good access to services and amenities that can be safely accessed by a range of transport modes. This is the same for housing, retail, café and employment. The spatial strategy does not advocate introducing new uses where they do not relate well to the existing pattern of development, or where the proposed uses would be better suited to a location within an existing settlement. The site location is in tier 4 of the settlement hierarchy, in the countryside, and is not well related to any sustainable settlement. Halwell is nearby, but is not easily accessed other than by road, which is the main A road providing access between Totnes, Kingsbridge and Dartmouth. Whilst it is accepted that there is already a small amount of retail onsite, the current offer is proportionate to site. At a time when many town and village centres are struggling to remain vital and viable, it is considered contrary to the spatial strategy of the plan to dilute the offer of town centre uses, such as unrestricted A1 retail, into a countryside location. Similarly, whilst there is an existing motor repair garage onsite, any expansion or new facility would be best located within or adjoining an existing settlement that would benefit from the co-location of other services and facilities that can be accessed by garage customers while repairs are being undertaken. This will also allow for access to greater range of public transport options should the vehicle be onsite for a longer period of time.

## **Representations:**

### **Representations from Residents**

38 letters of support have been received. The comments are summarised below but can be read in full via this link,

<http://apps.southhams.gov.uk/PlanningSearchMVC/Home/Details/192334>.

- The location is convenient when travelling to and from Dartmouth, Kingsbridge and Totnes
- The garage is due a modernisation
- It is used by people in the local villages who travel past frequently
- It is a provision for the local communities
- It would bring new jobs to the area
- It supports both local people and tourists
- The shop and filling station have been a lifeline during the Covid pandemic
- Halwell Business Park, is always supported to increase in size.
- The shop supports other businesses locally by selling local produce
- We should be supporting small businesses
- Neither Halwell or Moreleigh have local shops and so Totnes Cross is essential to the community and it is cramped at the moment. It needs to be able to expand to meet these local needs
- Use of the shop saves travel 6 or 7 miles to get to the nearest town.
- The new access provides for much needed parking and is safer.
- It is a business run by a local family which should be supported.
- Without this facility people would have to travel to Dartmouth, Totnes or Kingsbridge.

## **Relevant Planning History**

Relevant Planning History

22/1778/79/3: FUL Rebuilding of existing garage workshop - Conditional approval: 04 Mar 80

22/1588/80/3: FUL - Kitchen extension to owner's accommodation. - Conditional approval: 28 Oct 80  
22/0238/82/3: Resiting of existing pump and provision of two new pumps. Conditional approval: 27 Apr 82  
22/0481/82/5: ADV - Intermittent internally illuminated box pricing sign on post. Conditional approval: 27 May 82  
22/0480/82/5: ADV - Re-siting of existing Esso sign and pricing box. Conditional approval: 27 May 82  
22/1129/82/3: FUL - Demolition of existing shop / office / store and canopy and erection of new shop / office / store and canopy. Conditional approval: 19 Oct 82  
22/0831/85/3: FUL - Retention of existing shop. Conditional approval: 23 Jul 85  
22/0199/87/3: FUL - Car park for occupants of house. Conditional approval: 03 Mar 87

## ANALYSIS

### Principle of Development/Sustainability:

The principle must be considered against the strategic policies SPT1 and SPT2 which encourage development which is sustainable in economic, social and environmental ways and which promotes development in sustainable locations. The sustainability of the location must be justified.

In this case the site is not within or adjacent to a settlement. It is approximately 2/3 km from Halwell; 4.5 km from Harbertonford which has a primary, school petrol filling station and church and is the nearest settlement. There is an industrial estate close by, 0.3 km to the north of the application site. However the site is a long way from any settlement and is therefore in the countryside. The proposal seeks to create a destination in an area where such development would not normally be supported, which is contrary to the aims of SPT1 and SPT2.

Policy TTV1 provides the hierarchy against which development in the Thriving Towns and Villages policy area should be considered. The countryside is the lowest tier (tier 4) of that hierarchy. The area is identified as small hamlets and the countryside. The Policy states for such areas: *"development will be permitted only 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."*

No such demonstration has been provided by the applicant. It is considered that the proposal fails to meet policies SPT1 and SPT2.

Policy TTV26 which is divided into 2 parts. The first part relates to isolated development in the countryside and the second to more general development in the countryside. In terms of isolated, the Braintree definition of isolated which is defined as: *the word "isolated" in the phrase "isolated homes in the countryside" simply connotes a dwelling that is physically separate or remote from a settlement. Whether a proposed new dwelling is, or is not, "isolated" in this sense will be a matter of fact and planning judgment for the decision-maker in the particular circumstances of the case in hand."*

The Judge commented in relation to isolated and the Braintree definition (Braintree District Council v Secretary of State for Communities and Local Government & Ors (2017) EWHC 2743 (Admin) and the subsequent Court of Appeal Judgement), *... the term isolated in relation to paragraph 79 of the Framework, should be given its ordinary objective meaning of "far away from other places, buildings or people".*

A subsequent case – ‘the Bramshall ruling’ has described isolated as “*physically separated or remote from a settlement. Whether a proposed new dwelling is or is not "isolated" in this sense is a matter of fact and planning judgment for the decision-maker in the particular circumstances of the case in hand.*”

The definition of, ‘separate from a settlement’ would suggest anything beyond the built form, whereas ‘remote from a settlement’ suggests locations that are some way from the edge of settlement. This is a critical distinction, and clearly it is illogical to describe any site beyond the edge of a settlement as being isolated.

A logical hierarchy of site characterisation would suggest that beyond the built form is the countryside, and it is the more remote parts of the countryside that may be described as being isolated. This is reflected in policy TTV26, which is made up two parts; the first part applicable to locations considered as isolated, the second part applicable to all proposals beyond the built form of settlements.

In this case the site itself has a number of buildings associated with it currently, the dwelling, the petrol filling station, the workshop and the shop. However there is no other development immediately around the site. It could therefore be identified as isolated using the Braintree definition. In addition it is remote from any settlement so would also fall into the definition described in the Bramshall ruling.

Policy TTV26 states:

*“Isolated development in the countryside will be avoided and only permitted in exceptional circumstances, such as where it would:*

- i. Meet an essential need for a rural worker to live permanently at or near their place of work in the countryside and maintain that role for the development in perpetuity; or*
- ii. Secure the long term future and viable use of a significant heritage asset; or*
- iii. Secure the re-use of redundant or disused buildings and brownfield sites for an appropriate use; or*
- iv. Secure a development of truly outstanding or innovative sustainability and design, which helps to raise standards of design more generally in the rural area, significantly enhances its immediate setting, and is sensitive to the defining characteristics of the local area; or*
- v. Protect or enhance the character of historic assets and their settings.”*

The site itself is already in use but the land to the north where the new workshops and extension to the shop are proposed is a green field, not brownfield land. It is part of an agricultural field. None of the criteria in the first part of the policy can be met and so the development is contrary to part 1 of the policy.

Part 2 of the policy relates to development in the countryside in general

*Development proposals should, where appropriate:*

- i. Protect and improve public rights of way and bridleways.*
- ii. Re-use traditional buildings that are structurally sound enough for renovation without significant enhancement or alteration.*
- iii. Be complementary to and not prejudice any viable agricultural operations on a farm and other existing viable uses.*
- iv. Respond to a proven agricultural, forestry and other occupational need that requires a countryside location.*
- v. Avoid the use of Best and Most Versatile Agricultural Land.*

*vi. Help enhance the immediate setting of the site and include a management plan and exit strategy that demonstrates how long term degradation of the landscape and natural environment will be avoided.*

The proposal does not meet the requirements of part 2 of the policy. It is not improving or protecting public rights of way; it is not required for agricultural purposes; it is not reusing traditional buildings; it is not complementary to viable agricultural operations and it would not enhance the immediate setting or provide a management plan and exit strategy to protect the long term impact on the landscape and natural environment. The proposal is therefore contrary to the whole of Policy TTV26.

The development proposed is the extension and expansion of the existing site, by extending the shop building into the field to the north and increasing the floor area 2-3 fold and the relocation of the existing workshop from the side of the petrol filling station forecourt to the field to the north of the site, together with a considerable amount of car parking.

The result of these changes is that the emphasis of the site changes, from a petrol filling station and small MOT workshop with ancillary shop to a shop and café facility and a large car repair workshop, with the filling station becoming the ancillary part.

Strategic policy SPT5 relates to provision of retail in appropriate locations. The key part of the policy for this application is... *“Proposals which meet compelling 'qualitative' needs for retail development will be considered favourably. In particular these types of need include:*  
*1. In support of the principle of sustainable linked neighbourhoods and sustainable rural communities, allowing for a small scale local convenience shop in locations where there is no other such shop within a reasonable walking distance of a residential area.”*

In considering this, it would be argued that the retail provision at the site provides for small scale local convenience shopping, which is probably used by local people, however it is more likely to occur by passing traffic primarily with possible some use by those who live in nearby villages with no community shop. The key area of concern though is the lack of ability for the shop to be accessed by foot from any nearby residential development. It is too far to walk and there are no pavements. In line with the strategic aims of the JLP, this location would not support those aims.

In addition policy SPT6 seeks to ensure that retail development follows the hierarchy in the policy which, in the TTV area sees the main towns as the primary location, followed by *“retail and community centres of the smaller towns and larger villages - primarily for top-up food shopping and local services.”*

Again this location does not meet the requirements of this policy.

Policy DEV15 is relevant to the consideration of this proposal. The policy is aimed at the rural economy and does allow for the expansion of existing businesses in rural areas. The first part of the policy states:

*“Support will be given 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:*  
*1. 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.”*



The key consideration in this part of the policy are the words 'suitable location', 'appropriate and proportionate expansion'. It can be acknowledged that this is an existing rural business and that the site employs people both in the shop and the workshop. In accepting this, there is an acknowledgement that without the expansion proposed the facilities are used and operate successfully as they are.

In terms of 'suitable location' officers must refer to the spatial strategy of the JLP in policies SPT1 and SPT2. The fundamental principle being towards sustainable development as also encouraged in the NPPF 2019. SPT1 identifies these principles as social, environmental and economic. SPT2 indicates what sustainable settlements and communities look like. This site is not in an existing settlement and is on its own.

Para. 3.16 in the supporting text to SPT2 identifies the characteristics of sustainable settlements. This location has no such characteristics. It is not walkable to; no other people live on or around the site. It is not a settlement and as such it is not in a sustainable location. Fig 3.2 in the Plan indicates distances to local services and facilities. Again the proposal site does not meet these distances.

On the other hand it could be argued that the site located on a key road junction between Dartmouth, Kingsbridge and Totnes is a useful location for passing trade, and local business. The facilities provided are useful for the nearby villages without a local shop for example.

Officers can see the benefits of the location to passing trade and locals, but the policy regime of promoting sustainable development is a national as well as District policy and officers must assess development proposals against these policies (in a Development Plan led system). Para 12 in the NPPF states...."*Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.*"

The location of the development when assessed against these policies is unsustainable.

The expansion must also be considered against 'appropriateness' and 'proportionate'. The scheme has been reduced since the original submission where a large dwelling in the upper part of the field was proposed, which has not been withdrawn from the application and there were many more MOT bays, workshops and car parking proposed.

Is it appropriate to impose a large workshop space plus parking and a large extension to the shop and provision of a new cafe in this location? As discussed above in sustainability terms it is not. The landscape considerations will be reviewed in the following section of the report.

With regard to 'proportionate', the filling station remains the same as existing but the expansion of the workshop at least 3 fold and the shop/café 2 fold, is excessive. The existing facilities are small in scale and whilst have been expanded and improved upon in the recent past, remain limited in scale and proportionate to the landscape within which the development sits. The proposals are of a much larger scale such as to dwarf the existing facilities. It is considered that the expansion is not proportionate and would appear incongruous and out of character with the area. The policies for retail development would also not identify this location as appropriate for an expansion for the sale of convenience goods (SPT6).

A café in this location is also questionable when considering the planning policies. Such facilities on a very small scale can be found at petrol filling stations, particularly with the express coffee machine, but a café with seating and specific parking spaces in terms of the sustainability policies should be located within a town or village which is walkable to and, not in the open countryside. It is therefore considered that the scale of the expansion when taken in combination with the unsustainable location and the visual impact on the landscape it is not a proportionate expansion of the existing facility.

Part 8 of Policy DEV15 needs to be applied to all proposals. In this case an existing and new access would be provided. The Highway authority have raised no concerns with the safety of the access points.

The development would encourage more vehicle movements by the private car. No Sustainable Travel Plan has been submitted in support of the proposal to demonstrate how the traffic impacts of the development have been considered and mitigated. In addition the nature of the proposals are such that it encourages additional vehicular traffic by providing a service and MOT facility and a café and larger shop. This runs completely contrary to the requirement of the policy.

Part 8(iii) seeks a positive relationship with existing buildings. In terms of scale, massing and orientation, the large workshop building is separated from the existing buildings on the site by 13 No. car parking spaces and a recycling area, which creates a gap between the existing and proposed building and as such does not create a positive relationship with the existing buildings. In relation to part (iv) of the policy, the workshop set further up the field does mean that it lies away from the existing cluster of buildings and because of its nature and industrial appearance does appear incongruous.

The proposal does not meet the requirements of Policy DEV15.

#### Design/Landscape:

The original proposal was for a large dwelling and considerably more workshops and parking spaces, utilising a considerable proportion of the field to the rear of the existing filling station. That has since been reduced to exclude the dwelling and reduce the amount of workshops and parking.

However the workshop building is still two storey and industrial in design. Policy DEV20 seeks to ensure that development relates positively to its context. The design of the workshop building would not relate well to the context and so would be contrary to that policy.

It is however still a substantial increase in size. The land rises to the north of the existing site, such that the workshops will be on higher land and as such will be highly visible in the landscape. Whilst the landscape does not have any particular landscape designations, policy DEV23 in the JLP still seeks to ensure that development in the wider landscape conserves and enhances.

The landscape specialist has reviewed the current proposal and whilst acknowledging the additional landscaping and the reduction in size of the proposal still has concerns about the landscape impact of the development, introducing an industrial element into this rural area. It is therefore confirmed that from a landscape perspective,

*“The current scheme by virtue of its scale, nature and form would fail the case to accord with DEV23 and TTV26 because it does not conserve and enhance landscape character, and*

*scenic and visual quality, or protect the special characteristics and role of the countryside. In particular, concerns remain as to the scale, height and layout of the new workshop building and its elevated position in the adjacent field together with the extent of car parking. The cumulative impacts of the proposal when considered in the context of the Halwell Business Park to the north, are also of concern, and would not be mitigated sufficiently by the strategic planting.”*

Neighbour Amenity: There are no immediate residential neighbours to the development and therefore there is no residential amenity impact from the development proposed.

Highways/Access: The proposal introduces an additional access to the site off the highway. The Highway Authority have reviewed the scheme and conclude that..... *“The Highway Authority has no objections to the proposals subject to conditions. The applicant has submitted a revised layout drawing 018-06-4-C, which addresses the previous highway authority comments. Cycle Parking (covered) is now shown on the layout drawing.”*

Drainage: The application site lies within flood zone 1 where the risk of flooding is minimal. A flood risk and drainage assessment was submitted with the application. The proposal indicates that the existing dwelling, wc block and shop retail area is connected to a septic tank. A new soakaway field was proposed for the new hard surfaced areas of the site and would also accommodate the treated water discharge from the proposed package treatment plan. Percolation testing has already been carried out for the soakaway field.

The area for the proposed buildings on the site has reduced considerably since the FRA and drainage assessment was submitted. The site layout plan indicates the treatment plant to be located to the north west of the site near to the field boundary with the A391. The soakaway field is further to the north west.

Storm drains from the hard surfaced areas are located to the west of the hard surfaced areas in the area of the field to be landscaped. Surface water from the MOT and service workshop is proposed to be directed to the soakaway field to the north west. The surface paving for the retail parking is proposed to be SUDs paving (which would be permeable paving).

More details of the proposed drainage for the site will need to be provided via a condition should the application be approved.

Ecology: An ecological appraisal was submitted with the planning application which indicated that:

- The Site would not impact on any statutory or non-statutory site designated for nature conservation.
- The Site consisted of improved grassland bounded by hedgerow and fences. The east boundary hedgerow was classified as being of moderate ecological value and Priority Habitat. The south hedgerow was in poor condition and of low ecological value. The grassland field was of low ecological value.
- No evidence of protected species was found within the Site. The Site habitats were considered capable of supporting dormouse; foraging and commuting bats; nesting birds; and European hedgehog.
- It was concluded, given that access will be required to the east which will need hedgerow habitat removal, that dormouse presence//absence survey should be undertaken.

No dormouse survey has been provided with the application and so as such the impact of the development on the dormouse cannot be fully assessed. As the application is recommended for refusal it is not considered such a survey needs to be carried out, however if it were to be approved then such a survey would need to be carried out prior to any other development taking place on the site.

The site does lie in an SSSI risk zone, however the risk relates to a different form of development and Natural England have also responded to the proposal and have no comments to make about the proposal.

Climate Change: No carbon reduction measures have been proposed for the development. Policy DEV32 in the Joint Local Plan indicates that all development must consider measures to reduce its carbon footprint, the proposal fails to meet this policy. It will therefore be a further reason for refusal due to lack of information.

Also of relevance to the consideration of the proposal is the location in relation to the climate change emergency that the Council has declared. Locating services and facilities in an isolated location away from any settlement, would result in people accessing the services by private car and there would be limited reasons for their car journey. If such facilities were located in a village or town, whilst the car may be the main reason, other reasons such as using the post office, or attending the dentist, doctors, opticians; shopping for goods could also take place. This one car journey accommodates a number of purposes, rather than this location which would be for petrol, an MOT or to purchase a pint of milk or other such supplies.

Conclusion:

The proposal whilst seen as of benefit to passing trade at this junction is located in a location where expansion of such facilities, which could easily be located in a town or village, is discouraged through the JLP policies, relating to sustainable development and expansion of local facilities.

In addition the sit which is highly visible in this countryside location would impose a form and scale of development which would impact negatively on the rural landscape, contrary to policies DEV23 and of the JLP.

The lack of carbon reduction measures is also a concern. As such the proposal is recommended for refusal.

***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

SPT6 Spatial provision of retail and main town centre uses

SPT9 Strategic principles for transport planning and strategy

SPT10 Balanced transport strategy for growth and healthy and sustainable communities

SPT12 Strategic approach to the natural environment

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

TTV26 Development in the Countryside

DEV1 Protecting health and amenity

DEV2 Air, water, soil, noise, land and light

DEV15 Supporting the rural economy

DEV16 Providing retail and town centre uses in appropriate locations

DEV19 Provisions for local employment and skills

DEV20 Place shaping and the quality of the built environment

DEV23 Landscape character

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:** There is no Neighbourhood Plan in this area at present.

Other material considerations include the policies of the National Planning Policy Framework (NPPF) including but not limited to paragraphs 79, 170, 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.

## PLANNING APPLICATION REPORT

**Case Officer:** Claire Boobier

**Parish:** Ivybridge **Ward:** Ivybridge West

**Application No:** 1944/19/FUL

**Agent:**

Mrs Gill Baker Totnes Planning  
Flat 7 Elwell House  
Plymouth Road  
Totnes  
TQ9 5LH

**Applicant:**

Mr G James  
1 Henry Close  
Plymouth Road  
Lee Mill  
PL21 9EX

**Site Address:** Land between 19 & 21, Clayman's Pathway, Ivybridge, PL21 9UZ



**Development:** Construction of new dwelling with associated groundworks and landscaping

**Reason item is being put before Committee:** Cllr Austen has requested that this application be referred to Planning Committee for determination as he is concerned that the development will have some implications for flooding and it may have an impact on adjoining properties and will result in a loss of an area that is used as a local play area and site for nature.

**Recommendation:** Conditional Approval

**Conditions:**

- Time Limit (3 years);
- Adherence to plans;
- Compliance with Sustainability Statement in Design & Access Statement;
- Vehicle Parking spaces to be provided as shown prior to first occupation of dwelling and retained thereafter;
- Refuse and recycling receptacle provision prior to first occupation of dwelling and retained thereafter;
- Permitted Development Removal for extensions and outbuildings;
- Surface water drainage details;
- On-site flood mitigation features plan for agreement;
- No alteration to garden layout with regard to position and height of dwarf walls and level details acknowledged in the on-site flood mitigation features plan to be submitted;
- No extensions or outbuildings to be erected within 2m of the DCC Flood Mitigation Wall shown on the onsite flood mitigation plan that shall be submitted;
- Prior to occupation, an 'as constructed survey' is to be submitted to ensure that the finished floor level and dwarf walls have been constructed in the correct position, level and at the gradients identified in the onsite flood mitigation plan;

**Informative:**

-This consent is subject to Unilateral Undertaking agreement for recreational impacts on Marine Site

**Key issues for consideration:**

- Principle of Development
- Impact on residential amenity
- Design and Landscape
- Highways/Access and Parking Considerations
- Flood Risk and Drainage Considerations
- DEV32 Compliance

**Site Description:**

The site is located at the end of Clayman's Pathway, a cul-de-sac which is part of the 'Woodlands' housing estate.

It is a 478 sqm piece of land on a mound, believed to be created as a result of builder's spoil. It is located between Nos 19 and 21 Claymans Pathway, both detached dwellings. The front boundary is the pavement and road, whilst the rear boundary follows the verge to an unmetalled track providing access to Stibb Farm.

The site is not located within a Conservation Area and there are no listed buildings within the vicinity of the application site that would be impacted by the proposed development

**The Proposal:**

Planning permission is sought for a two storey detached dwelling with associated groundworks and landscaping.



The proposed dwelling is a three bedroom property comprising kitchen, living room/dining room, study, ground floor wc, three bedrooms, two with en-suite facilities, bathroom and robe room. Two on-site parking spaces are provided.

**Consultations:**

- County Highways Authority Standing advice
- Ivybridge Town Council Support for revised proposals

Town Council comments:

In October 2020 the Planning Committee objected to the application due to flooding concerns, and made a recommendation to defer for 6 months until after the winter months to enable the new drainage scheme to be tested and proven. At their meeting in November 2020 they resolved to SUPPORT the re-advertised application, but approval was only given following verbal assurances at the meeting by the applicant that all the engineering work and tests have been undertaken to ensure there will be no flooding, and that these had proven to be successful.

- Environment Agency No objections

Environment Agency Comments

The Flood Map for Planning shows that parts of this site lie within Flood Zones 2 and 3, defined as having a medium to high probability of flooding. There is also a long history of flooding in this location. The source of this flooding is from surface water. Devon County Council are planning to build a flood defence scheme here in Autumn 2019.

Technically, as the mapping shows that the site is located in Flood Zones 2 and 3, the applicant should submit a Flood Risk Assessment (FRA) to support this development. The mitigation which we would expect in this location is finished floor levels raised about surrounding site levels. Such mitigation appears to be proposed in this instance. Therefore, we are satisfied from the information submitted, that the development will be safe from flooding and not increase flood risk elsewhere. However, we wish to point out that this proposal does not provide any betterment over the current situation.\*

Case Officer note: \* Since this comment was received the FRA sought has been received.

### Drainage Specialist Comments

Based on the information provided we have a neutral stance on the proposed development. We understand that the ground floor level of the dwelling has been lowered to overcome other planning concerns and whilst the FRA has shown that the dwelling is safe for most storm events it is now fully reliant on the DCC flood alleviation scheme and secondary flood defences. Therefore the LPA will need to consider this in their decision, to balance flood risk and planning needs.

The new DCC flood alleviation scheme does protect the site but it can't be relied upon as it is not a flood defence and as a worst case it could fail.

As drainage consultee we have worked extremely hard with the applicant over the last year to ensure that the FRA acknowledges the flooding risks and includes modelling information to demonstrate that the existing flood alleviation wall does not overtop. Therefore based upon the information provided there is little more consultation that can be undertaken. As has been detailed throughout this advice the scheme is reliant upon the presence of the wall which it will be up to Devon County Council to maintain accordingly.

Given the importance of the wall, and secondary defences, in terms of flood mitigation we strongly recommend that if permission is granted then suitable conditions are included to ensure that they are all fully designed, installed and maintained for the life time of the development.

#### Suggested conditions –

1. Notwithstanding the submitted details, prior to the installation of any part of the surface water management scheme or before development continues above slab level, whichever is the sooner, full details of the attenuated drainage scheme shall be submitted to and approved in writing by the Local Planning Authority (LPA). Design steps as below:

- a. SuDS to be designed for a 1:100 year event plus 40% for climate change.
- b. The site is within a Critical Drainage Area which means that any surface water leaving the site must be limited to the 1:10 year green field runoff rate.
- c. The FRA acknowledges the possibility of groundwater flooding so the drainage features should be designed to ensure they can resist a high water table and uplift pressure.
- d. If the Local Planning Authority concludes that the method of drainage approved as part of this permission is undermined by the high water table, a mitigating drainage alternative shall be agreed with the Local Planning Authority
- e. Once approved 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: 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.

2. Prior to commencement of development and notwithstanding the submitted details within the drainage report, full details of the specific onsite flood mitigation features shall

be submitted and approved by the LPA. Plan to be titled "Onsite flood mitigation plan" and minimum details to include:

- a. Label the features that form the flood mitigation
- b. Design levels and location
- c. Gradients of exceedance routes.

Reason: The FRA acknowledges that the DCC defence wall could over top so the secondary mitigation is required to protect the property in such an event

3. The garden layout with regard to the position and height of dwarf walls and level details acknowledged in the onsite flood mitigation plan submitted to satisfy condition 2 above shall not be altered.

Reason: parts of the garden form the secondary flood mitigation and must not be altered or removed without written consent from the LPA

4. No extensions or outbuildings to be erected within 2m of the DCC flood mitigation wall, shown on the Onsite Flood Mitigation Plan submitted to satisfy condition 2 above.

Reason: To ensure there is always an Exceedance route for flood water in the event that the DCC flood defence wall is over topped.

5. Prior to occupation, an as constructed survey is to be submitted to the LPA to ensure that the FFL and dwarf walls have been constructed in the correct position, level and at the gradients identified on the Onsite flood mitigation plan

Reason: The design levels and mitigation are fundamental in protecting the building from an extreme flood event and is essential that these have been installed and constructed as per the design.

## **Representations:**

The application has attracted 37 objections and 1 letter of support from the applicant's partner which sets out how it is considered the proposal addresses the previous outline refusal reasons and highlights that it is not considered the proposal will create overlooking concerns.

It should however, be noted that the application has been subject to two consultations meaning some are from the same householders.

In summary the objections raise the following concerns –

- The development will exacerbate flood risk beyond the site;
- Report works have started and query whether consent granted;
- The development is a two-storey dwelling which is higher than and dominates adjoining dwellings including single-storey properties
- Overlooking/loss of privacy due to height of new dwelling
- Overbearing impact on adjoining properties
- Loss of play area

The issues raised are considered below.

### **Relevant Planning History**

0843/16/OPA	Outline application for a new dwelling	Refused	17/03/2016
271783/15	Outline application for a new dwelling	Withdrawn	02/10/2015

### **ANALYSIS**

#### **Principle of Development/Sustainability:**

The application site is located within the built up residential area of Ivybridge. As the site is within the Main Town of Ivybridge it is considered that the principle of development is acceptable and in accordance with policies SPT1, SPT2, TTV1 and TTV2 of the Joint Local Plan.

The proposed dwelling would be read as a continuation of the street scene. Similar materials, form and fenestration would allow the development to blend in with the neighbouring properties.

However, the site is within a known flood risk area and, whilst the principle is acceptable and did not feature as a reason for refusal in the case of application reference: 0843/16/OPA (an outline application for a dwelling at this site), this is considered to be a key determining issue, as well as other detailed matters considered below:

#### **Neighbour Amenity:**

Although the proposal would create a two-storey dwelling, due to orientation, it is considered that the proposed dwelling would not result in any material overlooking of Nos 19 and 21 the nearest neighbours. No. 19 and no. 21 are both detached properties. Having considered the relationship between the proposed dwelling and the nearest neighbouring properties it is concluded that no material loss of daylight or sunlight would result or any overbearing impact. The area is mixed in character and two storey dwellings are not out of character with the area.

No neighbouring amenity concerns are raised.

#### **Design/Landscape:**

The site is not within the South Devon AONB national landscape designation or the local landscape designations of Undeveloped Coast or Heritage Coast set out in the Joint Local Plan. The proposal is not therefore within a designated landscape.

Furthermore, the proposal is not located within a Conservation Area nor are there any listed buildings within the vicinity of the site that would be impacted by the development.

The proposal would provide an additional dwelling within an established housing estate at the end of a cul-de-sac.

Unlike the previously refused application (0843/16/OPA), this application is in the form of a full submission and therefore officers have the benefit of seeing the full details of the scheme compared with that previously submitted. Furthermore, it is worth noting that at the time of the

previous refusal Devon County Council (DCC) were looking at providing a Flood alleviation scheme so the refusal allowed for the proposed development to be reconsidered if and when the DCC flood alleviation scheme was installed.

It is considered that the site is of sufficient size and regularity of shape to accommodate the proposed dwelling once levelled and cleared. The site is comparable in size to neighbouring curtilages.

The design has been revised during the consideration of this application to remove the previously proposed cladding to all elevations which was considered out of keeping with the material palette of the area replaced with a render finish. The revisions also removed all balconies including Juliet balconies from the proposal which again were not considered compatible with the surrounding area and during the course of the application the ridge height has been reduced by 750mm from the original submission so that the ridge height is more comparable to neighbours and the roof form has been simplified.

With these revisions made, officers conclude that, on balance, the design is acceptable in design terms and that the material palette proposed would be compatible with the surrounding area. The proposal is not considered to adversely impact the visual amenity of the area.

Given that the proposal would complete an existing residential cul-de-sac the proposal does not raise any landscape impact concerns given that it will be read in the context of the existing residential housing estate.

In terms of landscaping of the site, it is proposed that permeable pavements would be used for the parking area, paths around the property and a patio area and that the rest of the site would consist of a grass lawn. A timber fence and gate would be provided between the parking area and garden and the existing boundary treatment would be retained along site boundaries. It is concluded that sufficient detail is submitted with the application to not need to condition for landscape details to be agreed and the intended landscaping is compatible with that found for the residential curtilage of neighbouring properties.

In order to ensure that an adequate curtilage is retained to serve the dwelling given its fairly limited size a condition is recommended to be applied to remove permitted development rights for extensions to the property and for erection of outbuildings without separate planning consent being granted to retain control over the size of the curtilage of the dwelling in order to ensure that adequate outdoor amenity space is retained to serve the development.

#### **Refuse and Recycling Storage:**

The plans submitted do not detail the location for refuse and recycling receptacles however there is considered to be adequate space on site for their storage without them needing to be left on the highway for collection. It is not therefore considered necessary to secure details of the receptacles themselves however a condition is recommended to be applied to ensure the provision of refuse and recycling receptacles prior to first occupation of the dwelling to ensure that adequate facilities are available for future occupiers prior to their occupation of the dwelling.

#### **DEV32 Compliance:**

The Design and Access statement in section 3.6 sets out the intentions of the applicant to comply with the sustainability requirements of building regulations in order to comply with policy DEV32 of the Joint Local Plan.

A condition is recommended to be applied to ensure that the development is built in accordance with the sustainability requirements of building regulations as indicated.

### **Highways/Access:**

Access to the site would be off Clayman Pathway turning head which already serves as the access to residential properties and two parking spaces are proposed to be able to be accommodated on-site vehicle parking to serve the development.

Devon County Council Highways have been consulted however have chosen not to specifically comment on this application but have referred the Council to consider the Highways Standing Advice issued by them.

The amount of parking proposed accords with the requirements of DEV29 for a dwelling of this size and it is recommended that this parking be secured by condition to be provided prior to first occupation of the dwelling and retained thereafter to ensure adequate parking provision is available to serve the dwelling from the outset and for the life of the development.

The test to be considered in the NPPF in relation to highway safety is whether or not the proposal would result in 'severe' harm to the highway. In this case it is considered that the use of the cul-de-sac to serve as the access to one additional dwelling would have a negligible impact on the local road network.

Whilst, the access would come off the turning head there is adequate visibility on access/egress and by its very nature the turning head should be left free of obstruction to allow vehicles to turn at the end of the cul-de-sac which would ensure accessibility to the proposed parking spaces on the application site. It is concluded that there is adequate on-site parking provision being provided to prevent vehicles from the proposed development using the turning head of the cul-de-sac for parking.

No highway safety concerns are raised with regard to the proposed development.

### **Flood Risk and Drainage:**

The site lies within a Critical Drainage area and has a history of surface water flooding. The previous outline application at this site, 0843/16/OPA was refused on grounds that it would result in displacement of water into the surrounding estate and exacerbate existing flood risk issues.

The Environment Agency has advised that the Local Planning Authority needs to be satisfied that the flood risk Sequential Test has been met. The Sequential Test aims to steer new development to areas with the lowest probability of flooding (NPPF para.101). Residential development is classified as a 'More Vulnerable' use within the National Planning Practice Guidance (NPPG). Table 3 of the NPPG states that the Exception Test is applicable as the site is within Flood Zones 2 and 3 described as having a medium to high probability of flooding.

According to the Environment Agency flood maps the extremities of the site and the access road Clayman Pathway which also serves other residential properties is in part in Flood Zone

2/3. During the course of the application the ground floor level has been raised from that considered under the previous application but is still lower than the perceived original ground level due to the need to have a level site to achieve a ridge line comparable with neighbouring properties. This, the Council Drainage Specialist advises puts more of the site in Flood Zone 2/3.

The site of the dwelling itself had it not been for the floor level required to achieve an appropriate ridge height would not have been in the higher risk flood zones and it would have only been the access that would have been within the higher risk flood zones.

Taking this into account and that the source of flooding is from surface water and that the new Devon County Council (DCC) Flood Alleviation scheme whilst not classed as a flood defence does protect the site from surface water flooding. On balance, the scheme is considered acceptable in terms of flood risk. However, it is noted that the scheme is reliant upon the presence of the wall and Devon County Council's maintenance of it to protect the property and therefore given the importance of the wall, and secondary defences given in the Flood Risk Assessment in terms of flood mitigation it is advised that suitable conditions are included in any decision to ensure that they are all fully designed, installed and maintained for the life time of the development and that the FRA is complied with. These conditions are set out in the Council drainage consultation response above. Subject to these mitigation measures being adequately installed and maintained it is concluded that the development would be safe from surface water flooding and that the proposal would not increase flood risk elsewhere.

The Environment Agency have not objected to the application. On balance, given the circumstances of the site, the proposal is considered acceptable in flood control terms.

### **Open Space:**

One of the reasons for refusal of the previous outline application for a dwelling on this site (application reference: 0843/16/OPA) was on the grounds of loss of open space without a compensatory contribution towards provision of off-site open space. This was refused against the Development Plan documents at that time (Core Strategy and DPD Document) which had this requirement. These have since been replaced by the current Development Plan (Joint Local Plan) and this application needs to be assessed against the current local plan policies which do not have the same requirement for compensatory open space provision for a development of this scale.

The site sits between two detached residential dwellings and their gardens at the end of Clayman's Pathway, the last cul-de-sac on a branch of the larger housing estate known as 'Woodlands'.

Whilst, some concerns have been raised in representations received with regard to loss of play space and amenity space. The site has not been made in to a play space since the construction of the dwellings forming the cul-de-sac known as 'Clayman's Pathway' over 25 years ago.

It was intended in the original planning application for the Clayman's Pathway dwellings that the small parcels of land, left between some of the dwellings would become play space for children. The application site was one such site, however the play space provision was never provided and no funding for the provision of Open Space, play provision or ongoing maintenance was secured by legal agreement. As a result there has been no play space provision made on the site since the housing estate was built and it became overgrown and unkempt.

Furthermore, the South Hams District Council mapping identifies the public space type for this land as amenity greenspace rather than play space.

Planning policy DEV27 of the Joint Local Plan sets out that existing neighbourhood green spaces, *“should not be built on unless it can be demonstrated that the open space is surplus to requirements; or the loss will be replaced by equivalent or better provision in a suitable location; or the development is for alternative sports and recreation provision, the needs for which clearly outweigh the loss. In making this judgement regard will be had to evidence of the identified value of the green space’s attributes as set out in relevant open space assessments and account will be taken of the plan’s green space and play accessibility standards. Development will be resisted on sites where the functions and characteristics of the greenspace will be lost and mitigation is not possible.”*

In support of the application an open space, sport and recreation (OSSR) statement is provided setting out justification for developing the site.

The statement sets out that the site is currently an area of uneven raised ground located at the end of a residential cul-de-sac and is the last plot in the Woodlands housing estate before the developed land becomes farmland.

The statement submitted refers to the planning history of the site that when the road and houses forming Clayman’s Pathway were constructed over 25 years ago as part of the Woodland housing development scheme the site was set aside along with two others to be turned into play areas. However, this use of the site was not tied to a Section 106 Agreement and subsequently was never used as a play area with no funds allocated to play equipment and no ongoing maintenance undertaken at the site resulting in it becoming overgrown and not used for the purposes for which the land was set aside.

Referring to the SHDC OSSR Supplementary Planning Document the land is too small to be the smallest of the play facility types defined as ‘casual play area’ after the 5m required boundary strips to the dwellings either side have been applied and the land take for a suitable ramped access installed. The guidance also sets out that play areas should be sited where they are subject to view and a degree of overlooking. This site at the end of the cul-de-sac has limited footfall and therefore is not overlooked as the guidance recommends. This results in the space only being able to be considered as amenity greenspace which is how it is defined on the planning mapping layers for public open spaces.

The South Hams District Council Open Space, Sport and Recreation (OSSR) Study 2017 (an evidence based document for the Joint Local Plan, describes Amenity Greenspace as:

*“Amenity Greenspace provides opportunities for informal activities close to home or work and enhances the appearance of the area. Typically these are relatively small areas of mixed vegetation, but largely grassed, scattered through the towns or villages, and often used by children for informal play. These areas often provide open space within residential areas but frequently lack a clear use and are often used for informal recreational activities e.g. kick around areas.”*

Considering this definition of amenity greenspace, against the site characteristics of the application site, due to the topography of the site comprising several steep banks and a small uneven plateau it would be unsuitable to be used for the kick around informal recreational activities given as an example due to the uneven terrain for health and safety reasons.



Furthermore, as part of Devon County Council's Flood Risk Management Plan for Ivybridge a surface water drainage culvert is now located on it with a large grate to protect the inlet. This being part of an informal public open space would also raise health and safety issues were children to use the area for informal play. In addition, given that no funding was secured as part of the original development for the ongoing upgrade and maintenance of the site to comply with OSSR use standards in its present condition and without means to secure its improvement the quality of the surface would not meet OSSR requirements.

Furthermore, taking into account the two other amenity greenspaces in the housing estate and that the development consists of detached properties with their own gardens it is considered that this site can be considered as surplus to requirements and its loss therefore would not be resisted by policy DEV27. The lack of justified need for this site is also apparent in that the site has not been developed as an informal play space since the dwellings were erected over 25 years ago which suggested that there was not a need for this provision on the site. There are also several equipped large parks in and around Ivybridge which comply with OSSR standards and are better placed to cater for the need for play space in the area.

In addition, the only types of green space that were identified as lacking in the South Hams South Hams District Council Open Space, Sport and Recreation (OSSR) Study 2017 were Outdoor Sports Facilities & Allotments as such the strategy did not identify amenity greenspaces as being an area of concern in terms of public open space provision and the loss of this amenity greenspace would not result in a lack of this type of provision.

The Strategy also set out that "where existing amenity greenspace is of low public benefit alternative uses may be sought" and in relation to quality "Amenity Greenspaces should serve a positive function and contribute to the quality of the public realm – not merely be left over spaces and a drain on maintenance".

Looking at the characteristics of this site it is concluded that the amenity greenspace offered by this site is of low public benefit and does not serve a positive function nor does it without adequate funding and maintenance having been secured contribute to the quality of the public realm it merely represents left over space which the Strategy would now seek to avoid.

Based on current policy given that the existing amenity space is of low public benefit and there is no funding for its improvement or ongoing maintenance and given the Devon County Council flood management scheme on part of the site which would make it unsuitable to provide informal play space it is considered appropriate to consider an alternative use for the site. The consideration of an alternative use of the site would not conflict with policy DEV27 of the Joint Local Plan for the reasons set out above as it is assessed that the site does not meet current green space and play accessibility standards and is surplus to requirements.

### **Ecology:**

The site falls within the Zone of Influence for new residents having a recreational impact on the Tamar European Marine Site (comprising the Plymouth Sound and Estuaries SAC and Tamar Estuaries Complex SPA). This Zone of Influence has recently been updated as part of the evidence base gathering and Duty to Cooperate relating to the Joint Local Plan. A scheme to secure mitigation of the additional recreational pressures upon the Tamar European Marine Site can be secured via a financial contribution towards mitigating the recreational impacts of development on the Marine Site through a Unilateral Undertaking, and this approach has been agreed by Natural England.

The applicant has committed to providing a financial contribution for the recreational impact on the Tamar European Marine Site through a Unilateral Undertaking having been secured for the required financial contribution to mitigate the impacts of the development. With, this contribution secured it is concluded that adequate mitigation has been provided to mitigate against the impacts of the development on the Marine Site to make this development acceptable in terms of its impact on the Marine Site.

### **Neighbourhood Plan:**

Having considered the relevant policies of the Ivybridge Neighbourhood Plan which this site lies within the designated area for it is concluded that granting consent for this development would not undermine the aims and objectives of the relevant policies of the Neighbourhood Plan. The addition of one additional dwelling is not considered to exacerbate traffic movement issues in the Town as sought by Neighbourhood Plan policy INP7 and the proposal would also not have an adverse impact on the historic environment given that it is not in the vicinity of listed buildings and not in a conservation area nor would it have an adverse impact on the natural environment given that it will be read against the established built form in this residential location as such the proposal would not undermine the aims of policy INP8 of the Neighbourhood Plan. Furthermore, the proposal is not considered to conflict with policy INP6 of the Neighbourhood Plan.

### **Conclusion:**

On balance, for the reasons given above conditional approval is recommended.

**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 13<sup>th</sup> 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<sup>nd</sup> 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  
SPT12 Strategic approach to the natural environment  
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  
DEV10 Delivering high quality housing  
DEV20 Place shaping and the quality of the built environment  
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  
DEV32 Delivering low carbon development  
DEV35 Managing flood risk and Water Quality Impacts  
DEL1 Approach to development delivery and viability, planning obligations and the Community Infrastructure Levy

**Ivybridge Neighbourhood Plan (December 2017)**

The application site lies within the designated area for the Ivybridge Neighbourhood Plan the relevant policies of the Neighbourhood Plan to this proposal are:

Policy INP6: Housing and Employment  
Policy INP7: Traffic and Movement  
Policy INP8: Historic and Natural Environment

Other material considerations include the policies of the National Planning Policy Framework (NPPF) and guidance in Planning Practice Guidance (PPG). Additionally, the following planning documents are also material considerations in the determination of the application:

**The Plymouth and South West Devon Supplementary Planning Document (SPD) July 2020 was adopted by Plymouth City Council on 22 June 2020, West Devon Borough Council on 9 June 2020 and South Hams District Council on 16 July 2020.**

## **SHDC OSSR Supplementary Planning Document**

### **South Hams Public Space Strategy**

#### **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 the documents/drawings received by the Local Planning Authority on:

#### 11 July 2019:

Location Plan Drawing no. 15-JAM-LP01-P1

Design & Access Statement Document Reference 19-JAM-DOC1 (approved in respect of section 3.6)

#### 7 September 2020:

Proposed site cross sections Drawing no. 20/JAM/GA20-P5 Rev P5 FIN Sept 20

Proposed Block & Location Plan Drawing no. 20/JAM/GA12-P9 Rev P9 FIN Sept 20

#### 11 November 2020:

Proposed street cross sections Drawing no. 20/JAM/GA21-P2 Rev P2

Flood Zone & Site Plan Drawing no. 19/JAM/GA17-P12 Rev P12 FIN Nov 20

Proposed elevations Drawing no. 19/JAM-GA15-P12 Rev P12 FIN Nov 20

Proposed Floor Plans Drawing no. 20/JAM/GA14-P12 Rev P12 FIN Nov 20

#### 11 January 2021:

Proposed site drainage layout Drawing no. 20/JAM/GA19-P7 Rev P7 FIN Dec 20

#### 17 January 2021:

Flood Risk Assessment and Hydraulic Model Report prepared by Ambiental Environmental dated 7 January 2021

2 February 2021:

Site Specific Flood Risk Assessment (JAM-D0C02-P7) dated 27th Jan 2020

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

3. The construction of the hereby approved dwelling shall be carried out in accordance with the sustainability details contained in section 3.6 of the submitted design and access statement.

Reason: To ensure that the development contributes towards delivering a low carbon future and supports the Plan Area target to halve 2005 levels of carbon emissions by 2034 and to contribute towards the use and production of decentralised energy.

4. Vehicle parking spaces shall be provided as shown on the submitted drawings prior to first occupation of the dwelling and retained thereafter for the life of the development.

Reason: To ensure adequate parking facilities are provided and retained to serve the development.

5. Refuse and recycling receptacle provision shall be made available prior to first occupation of the dwelling and retained thereafter for the lifetime of the development.

Reason: To ensure adequate facilities are available and retained for refuse/recycling provision to serve the development.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) no extensions to the property or outbuildings as listed in Schedule 2, Class A, B, C, D or E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) shall be constructed (other than those expressly authorised by this permission).

Reason: To ensure that the character and appearance of the locality are protected and to avoid overdevelopment in the interests of local amenity.

7. Notwithstanding the submitted details, prior to the installation of any part of the surface water management scheme or before development continues above slab level, whichever is the sooner, full details of the attenuated drainage scheme shall be submitted to and approved in writing by the Local Planning Authority (LPA). Design steps as below:

a. SuDS to be designed for a 1:100 year event plus 40% for climate change.

b. The site is within a Critical Drainage Area which means that any surface water leaving the site must be limited to the 1:10 year green field runoff rate.

c. The FRA acknowledges the possibility of groundwater flooding so the drainage features should be designed to ensure they can resist a high water table and uplift pressure.

d. If the Local Planning Authority concludes that the method of drainage approved as part of this permission is undermined by the high water table, a mitigating drainage alternative shall be agreed with the Local Planning Authority

e. Once approved 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: 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.

8. Prior to commencement of development and notwithstanding the submitted details within the drainage report, full details of the specific onsite flood mitigation features shall be submitted and approved by the Local Planning Authority. Plan to be titled "Onsite flood mitigation plan" and minimum details to include:

a. Label the features that form the flood mitigation

b. Design levels and location

c. Gradients of exceedance routes.

Reason: The Flood Risk Assessment acknowledges that the Devon County Council defence wall could over top so the secondary mitigation is required to protect the property in such an event.

9. The garden layout with regard to the position and height of dwarf walls and level details acknowledged in the onsite flood mitigation plan submitted to satisfy condition 7 above shall not be altered.

Reason: parts of the garden form the secondary flood mitigation and must not be altered or removed without written consent from the Local Planning Authority.

10. No extensions or outbuildings shall be erected within 2 metres of the DCC flood mitigation wall, shown on the Onsite Flood Mitigation Plan submitted to satisfy condition 7 above.

Reason: To ensure there is always an Exceedance route for flood water in the event that the DCC flood defence wall is over topped.

11. Prior to occupation, an 'as constructed' survey is to be submitted to and approved in writing by the Local Planning Authority to ensure that the finished floor level and dwarf walls have been constructed in the correct position, level and at the gradients identified on the Onsite flood mitigation plan

Reason: The design levels and mitigation are fundamental in protecting the building from an extreme flood event and is essential that these have been installed and constructed as per the design.

## **INFORMATIVES**

1. This authority has a pro-active approach to the delivery of development. Early pre-application engagement is always encouraged. In accordance with Article 35(2) of the Town and Country Planning Development Management Procedure (England) Order 2015 (as amended) in determining this application, the Local Planning Authority has endeavoured to work proactively and positively with the applicant, in line with National Planning Policy Framework, to ensure that all relevant planning considerations have been appropriately addressed.

2. The responsibility for ensuring compliance with the terms of the approval rests with the person(s) responsible for carrying out the development. The Local Planning Authority uses various means to monitor implementation to ensure that the scheme is built or carried out in strict accordance with the terms of the permission. Failure to adhere to the approved details can render the development unauthorised and vulnerable to enforcement action.
3. This consent is subject to a Unilateral Undertaking agreement to mitigate the recreational impacts of the development on the Tamar European Marine Site.

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# South Hams District Council Agenda Item 7

## DEVELOPMENT MANAGEMENT COMMITTEE 23-Jun-21

Appeals Update from 15-May-21 to 10-Jun-21

### Ward Dartington and Staverton

APPLICATION NUMBER: **3303/20/HHO** APP/K1128/D/21/3267913  
APPELLANT NAME: Ms Michaela O'Sullivan  
PROPOSAL: Householder application for proposed garage conversion and new detached garage (resubmission of 4234/18/HHO)  
LOCATION: 60 Copland Meadows Totnes TQ9 6ES **Officer delegated**  
APPEAL STATUS: Appeal decided  
APPEAL START DATE: 13-April-2021  
APPEAL DECISION: Upheld  
APPEAL DECISION DATE: 21-May-2021

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### Ward Dartmouth and East Dart

APPLICATION NUMBER: **3199/20/FUL** APP/K1128/W/21/3267850  
APPELLANT NAME: Mr & Mrs S Miller  
PROPOSAL: Replacement dwelling  
LOCATION: White Gates Hoodown Lane Kingswear TQ6 0AZ **Officer member delegated**  
APPEAL STATUS: Appeal decided  
APPEAL START DATE: 23-February-2021  
APPEAL DECISION: Upheld  
APPEAL DECISION DATE: 28-May-2021

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### 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 **Officer member delegated**  
APPEAL STATUS: Appeal Lodged  
APPEAL START DATE: 21-January-2021  
APPEAL DECISION: Declined to determine  
APPEAL DECISION DATE: 19-May-2021

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### Ward Marldon and Littlehempston

APPLICATION NUMBER: **4148/20/FUL** APP/K1128/W/21/3272800  
APPELLANT NAME: Mr Aaron Doonan  
PROPOSAL: Construction of self build detached dwelling and associated landscaping  
LOCATION: Land Adjacent To Lower Westerland Farm Totnes Road To Westerland Lane Marldon TQ3 1RU **Officer delegated**  
APPEAL STATUS: Appeal Lodged  
APPEAL START DATE: 25-May-2021  
APPEAL DECISION:  
APPEAL DECISION DATE:

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### Ward Newton and Yealmpton

APPLICATION NUMBER: **0693/20/FUL** APP/K1128/W/21/3269242  
APPELLANT NAME: Mr J Steven  
PROPOSAL: Construction of six accessible holiday lodges and associated landscaping and biodiversity enhancements  
LOCATION: Alston Hall Holbeton PL8 1HN **Officer member delegated**  
APPEAL STATUS: Appeal Lodged  
APPEAL START DATE: 26-May-2021  
APPEAL DECISION:  
APPEAL DECISION DATE:

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### Ward Salcombe and Thurlestone

APPLICATION NUMBER: **3553/20/PAT** APP/K1128/W/21/3272459

APPELLANT NAME: EE Ltd  
PROPOSAL: Application to determine if prior approval is required for proposed  
11m telecommunications pole and associated development  
LOCATION: Agricultural Land at SX 690 407 North Of Galmpton **Officer delegated**  
Galmpton TQ7 3EL  
APPEAL STATUS: Appeal Lodged  
APPEAL START DATE: 25-May-2021  
APPEAL DECISION:  
APPEAL DECISION DATE:

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**Ward Wembury and Brixton**

APPLICATION NUMBER: **1231/20/FUL** APP/K1128/W/21/3267903  
APPELLANT NAME: Lesley Ellis  
PROPOSAL: Erection of dwelling (resubmission of 2350/19/FUL)  
LOCATION: 3 Court Barton Close Renney Road Down Thomas PL9 **Officer member delegated**  
0BG  
APPEAL STATUS: Appeal decided  
APPEAL START DATE: 23-February-2021  
APPEAL DECISION: Dismissed (Refusal)  
APPEAL DECISION DATE: 24-May-2021

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APPLICATION NUMBER: **3673/20/HHO** APP/K1128/D/21/3271471  
APPELLANT NAME: Mr Fred Tribe  
PROPOSAL: Householder application for alterations to roof including loft  
conversion (Resubmission of 3846/19/HHO)  
LOCATION: The Villa Cliff Road Wembury PL9 0HN **Officer member delegated**  
APPEAL STATUS: Appeal Lodged  
APPEAL START DATE: 25-May-2021  
APPEAL DECISION:  
APPEAL DECISION DATE:

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# Agenda Item 8

## Development Management Committee 24 June 2021 Undetermined Major applications as at 10-June-21

	Valid Date	Target Date	EoT Date
<b>0612/16/OPA</b> 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
<b>3704/16/FUL</b> Charlotte Howrihane	22-Nov-16	21-Feb-17	<b>1-Aug-21</b>
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
<b>3749/16/VAR</b> Charlotte Howrihane	23-Nov-16	22-Feb-17	<b>1-Aug-21</b>
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
<b>3628/17/FUL</b> Patrick Whymer	20-Nov-17	19-Feb-18	<b>28-Feb-21</b>
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
<b>3445/18/FUL</b> Elizabeth Arnold	29-Nov-18	28-Feb-19	<b>4-Jan-21</b>
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
<b>0936/19/ARM</b> Bryn Kitching	15-Mar-19	14-Jun-19	<b>30-Jun-21</b>
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
<b>2133/19/VAR</b> Cheryl Stansbury	12-Jul-19	11-Oct-19	<b>30-Apr-21</b>
Cottage Hotel Hope Cove TQ7 3HJ		READVERTISEMENT (Revised Plans Received) Application for variation of condition 2 of planning consent 46/2401/14/F	

Comment: Application to be presented to DM Committee meeting.

	Valid Date	Target Date	EoT Date
<b>2334/19/FUL</b> Jacqueline Houslander	18-Jul-19	17-Oct-19	<b>30-Jan-21</b>
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: Application to be determined at this committee meeting.

	Valid Date	Target Date	EoT Date
<b>3197/19/OPA</b> Cheryl Stansbury	2-Oct-19	1-Jan-20	<b>29-Jan-21</b>
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 with the applicant and likely to be completed soon.

	Valid Date	Target Date	EoT Date
<b>3886/19/VAR</b> Tom French	28-Nov-19	27-Feb-20	<b>31-Mar-21</b>
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
<b>4181/19/OPA</b> Ian Lloyd	9-Jan-20	9-Apr-20	<b>18-Dec-20</b>
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
<b>4185/19/OPA</b> Ian Lloyd	9-Jan-20	9-Apr-20	<b>18-Dec-20</b>
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
<b>4158/19/FUL</b> Cheryl Stansbury	17-Jan-20	17-Apr-20	<b>6-Feb-21</b>
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
<b>3752/19/OPA</b> Jacqueline Houslander	11-Feb-20	12-May-20	<b>6-Apr-21</b>
Former School Playing Ground Elmwood Park Loddiswell TQ7 SA		Outline application with some matters reserved for residential development of 20-25 dwellings	

Comment – Under consideration by officer

	Valid Date	Target Date	EoT Date
<b>0761/20/OPA</b> Jacqueline Houslander	5-Mar-20	4-Jun-20	<b>22-Jan-21</b>
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: Applicant seeking to resolve as many issues as possible

	Valid Date	Target Date	EoT Date
<b>0995/20/VAR</b> Anna Henderson-Smith	1-Apr-20	1-Jul-20	<b>19-Feb-21</b>
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
<b>3623/19/FUL</b> Cheryl Stansbury	14-Apr-20	14-Jul-20	<b>5-Jul-21</b>
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
<b>0868/20/ARM</b> Jacqueline Houslander	29-Apr-20	29-Jul-20	<b>28-May-21</b>
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: Revised plans received and out to consultation.

	Valid Date	Target Date	EoT Date
<b>1419/20/FUL</b> Jacqueline Houslander	2-Jun-20	1-Sep-20	<b>15-Jan-21</b>
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: Consultation responses received. Review and report being written.

	<b>Valid Date</b>	<b>Target Date</b>	<b>EoT Date</b>
<b>1585/20/FUL</b> Jacqueline Houslander	3-Jun-20	2-Sep-20	<b>20-Jan-21</b>
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: Section 106 imminent. Decision can then be issued.

	<b>Valid Date</b>	<b>Target Date</b>	<b>EoT Date</b>
<b>2508/20/OPA</b> Anna Henderson-Smith	12-Aug-20	11-Nov-20	<b>6-Jan-21</b>
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: An Extension of time has been sought to allow applicant to alter the application to the correct form which is a Full application, not an outline, and to remove the new leisure complex from the proposed scheme. As such the scheme is being re-advertised as a full application for the change of use of land for the siting of lodges only. The previous application has had the appeal dismissed.

	<b>Valid Date</b>	<b>Target Date</b>	<b>EoT Date</b>
<b>3841/20/OPA</b> Bryn Kitching	3-Dec-20	4-Mar-21	<b>11-June-21</b>
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 – Application approved by committee subject to a S106

	<b>Valid Date</b>	<b>Target Date</b>	<b>EoT Date</b>
<b>3842/20/OPA</b> Bryn Kitching	3-Dec-20	4-Mar-21	<b>11-June-21</b>
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 – Application approved by committee subject to a S106

<b>Valid Date</b>	<b>Target Date</b>	<b>EoT Date</b>
<b>4254/20/FUL</b> 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 – Under consideration by officer

	<b>Valid Date</b>	<b>Target Date</b>	<b>EoT Date</b>
<b>0100/21/FUL</b> 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)	

Comment - Recently submitted application within consultation period

<b>Valid Date</b>	<b>Target Date</b>	<b>EoT Date</b>
<b>0642/21/VAR</b> Jacqueline Houslander	22-Feb-21	24-May-21
Lower Coombe Royal Stentiford Hill To Sorley Cross Kingsbridge TQ7 4AD		Application for variation of condition 13 of planning permission 4182/18/FUL

Comment: Awaiting consultation replies.



	<b>Valid Date</b>	<b>Target Date</b>	<b>EoT Date</b>
<b>0636/21/VAR</b> Tom French	5-Mar-21	4-Jun-21	
Phase 1a (Linden) Sherford Housing Development Site Application for variation of conditions 1, 2 & 4 of planning permission 0489/19/ARM			

Comment - Recently submitted application within consultation period

	<b>Valid Date</b>	<b>Target Date</b>	<b>EoT Date</b>
<b>1118/21/ARM</b> Ian Sosnowski	23-Mar-21	22-Jun-21	
Sherford Housing Development Site East Sherford Cross To Wollaton Cross Zc4 Brixton Application for approval of Reserved Matters for strategic infrastructure including strategic drainage, highways, landscaping, Phase 2 of the Community Park and open space/play as part of Phase 2D of the Sherford New Community pursuant to approval 0825/18/VAR (which was an EIA development and an Environmental Statement was submitted)			

Comment – Revised plans expected in due course to address comments raised by consultees and officers. Officers are in discussions with applicant concerning suitable extension of time period.

	<b>Valid Date</b>	<b>Target Date</b>	<b>EoT Date</b>
<b>0544/21/FUL</b> Jacqueline Houslander	29-Mar-21	28-Jun-21	17 June 2021
Land at Stowford Mills Station Road Ivybridge PL21 0AW Construction of 16 dwellings with associated access and landscaping			

Comment – Under consideration by Officer

<b>Valid Date</b>	<b>Target Date</b>	<b>EoT Date</b>	
<b>1431/21/ARM</b> Ian Sosnowski	15-Apr-21	15-Jul-21	
Sherford New Community Land South of Main Street Elburton Plymouth PL8 2DP Application for approval of Reserved Matters for 259no. dwellings on parcels 12, 13, 14, 15, 16, 17, 18, 19, 20, 23, 24, including affordable housing and associated parking along with all necessary parcel infrastructure including drainage and landscaping as part of Phase 2D of the Sherford New Community, pursuant to approval 0825/18/VAR (which was EIA development and an Environmental Statement was submitted)			

Comment - Recently submitted application within consultation period

	<b>Valid Date</b>	<b>Target Date</b>	<b>EoT Date</b>
<b>1490/21/ARM</b> Tom French	20-Apr-21	20-Jul-21	
Sherford New Community Commercial Area North of Main Street Elburton Plymouth Application for approval of reserved matters for commercial area containing B1, B2, B8, D2 leisure, Sui generis uses as well as 2 drivethrough restaurants and a hotel, including strategic drainage, highways and landscaping as part of the Sherford New Community pursuant to Outline approval 0825/18/VAR (which was an EIA development and an Environmental Statement was submitted)			

Comment - Recently submitted application within consultation period

	<b>Valid Date</b>	<b>Target Date</b>	<b>EoT Date</b>
<b>1491/21/ARM</b> Tom French	20-Apr-21	20-Jul-21	
Sherford New Community Green Infrastructure Areas 6 and 18 North of Main Street Elburton Plymouth PL8 2DP Application for approval of reserved matters for Green Infrastructure areas 6 and 18 including details of surface water drainage infrastructure, all planting and landscaping as part of the Sherford New Community pursuant to Outline approval 0825/18/VAR (which was EIA development and an Environmental Statement was submitted)			

Comment - Recently submitted application within consultation period

	<b>Valid Date</b>	<b>Target Date</b>	<b>EoT Date</b>
<b>1582/21/ARM</b> Tom French	27-Apr-21	27-Jul-21	
Sherford New Community Land East of Orion Way Elburton Plymouth PL8 2DP			Application for approval of reserved matters for 116 residential dwellings, on parcels 1B-E, 1B-F, 1B-G and 1B-J including affordable housing and associated parking along with all necessary parcel infrastructure including drainage and landscaping as part of Phase 1b of the Sherford New Community pursuant to approval under 0825/18/VAR (which was an EIA development and an Environmental Statement was submitted)

Comment - Recently submitted application within consultation period

	<b>Valid Date</b>	<b>Target Date</b>	<b>EoT Date</b>
<b>1159/21/FUL</b> Cheryl Stansbury	23-Apr-21	23-Jul-21	
Land at West End Garage Main Road Salcombe TQ8 8NA			Erection of 22 residential dwellings (including 30% affordable homes) with associated amenities and infrastructure (Resubmission of 3320/20/FUL)

Comment - Recently submitted application within consultation period

	<b>Valid Date</b>	<b>Target Date</b>	<b>EoT Date</b>
<b>1826/21/ARM</b> Ian Sosnowski	14-May-21	13-Aug-21	
Sherford New Community Plymouth			Application for approval of reserved matters for 207 no. dwellings on parcels 1, 2, 4, 5, 6, 7, 8, 9 and 11, including affordable housing and associated parking along with all necessary parcel infrastructure including drainage and landscaping, as part of Phase 2D of the Sherford New Community, pursuant to approval 0825/18/VAR (which was EIA development and an Environmental Statement was submitted)

Comment - Recently submitted application within consultation period

	<b>Valid Date</b>	<b>Target Date</b>	<b>EoT Date</b>
<b>1827/21/ARM</b> Ian Sosnowski	14-May-21	13-Aug-21	
Sherford New Community Plymouth			Application for approval of reserved matters for 163 no. dwellings on parcels 21, 22, 25, 29, 30, 31 and 32, including affordable housing and associated parking along with all necessary parcel infrastructure including drainage and landscaping, as part of Phase 2D of the Sherford new Community, pursuant to approval 0825/18/VAR (which was an EIA development and an Environmental Statement was submitted)

Comment - Recently submitted application within consultation period

	<b>Valid Date</b>	<b>Target Date</b>	<b>EoT Date</b>
<b>1503/21/FUL</b> Elizabeth Arnold	19-May-21	18-Aug-21	
Development Site At Sx859483 School Road Stoke Fleming			Erection of 20 dwellings (incorporating 6 affordable homes) with access, landscaping, parking, public open space and associated works

Comment - Recently submitted application within consultation period