West Devon Development Management and Licensing Committee

West Devon Borough Council

Title:	**Agenda**
Date:	**Tuesday, 27th October, 2020**
Time:	**9.30 am & 1.00pm**
Venue:	**Via Skype**
Full Members:	***Chairman*** Cllr Yelland ***Vice Chairman*** Cllr Pearce *Members:* Cllr Cheadle, Cllr Crozier, Cllr Hipsey, Cllr Mott, Cllr Moyse, Cllr Ratcliffe, Cllr Renders, Cllr Vachon
Interests – Declaration and Restriction on Participation:	Members are reminded of their responsibility to declare any disclosable pecuniary interest not entered in the Authority's register or local non pecuniary interest which they have in any item of business on the agenda (subject to the exception for sensitive information) and to leave the meeting prior to discussion and voting on an item in which they have a disclosable pecuniary interest.
Committee administrator:	Kathy Hoare Senior Case Manager - Democratic Services

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1. Apologies for Absence

2. 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.

[*If Councillors have any questions relating to predetermination, bias or interests in items on this Agenda, then please contact the Monitoring Officer in advance of the meeting]*

3. Items Requiring Urgent Attention

To consider those items which, in the opinion of the Chairman, should be considered by the Meeting as matters of urgency (if any).

4. Confirmation of Minutes **1 - 2**

Meeting held on 29 September 2020

5. Planning Applications **3 - 16**

To see Letters of Representation and further supplementary information relating to any of the planning applications on the agenda, please select the following link and enter the relevant Reference number: http://westdevon.gov.uk/searchlanding

WARD NAME	**Okehampton North**
APPLICATION NUMBER	**1726/20/ARM**
LOCATION	**Land to East of Crediton Road", North of Kellands Lane, Okehampton**
DEVELOPMENT	**READVERTISEMENT (Revised Plans Uploaded) Approval of reserved matters**
	- **To Follow**
WARD NAME	**Hatherleigh**
APPLICATION NUMBER	**0629/20/ARM**
LOCATION	**"Biddicombe", 31 Park Road, Hatherleigh, EX20 3JS**

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	DEVELOPMENT	**Approval of reserved matters following outline approval reference 1635/18/OPA**	
6.	**Planning Performance Indicators**		**17 - 20**
7.	**Planning Appeals Update**		**21 - 24**

<u>To start at 1.00pm</u>

8. Plymouth Road (Planning Application 3614/18/OPA) Report

- To follow

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At a Meeting of the **DEVELOPMENT MANAGEMENT & LICENSING COMMITTEE** held via Skype on **TUESDAY** the **29th** day of **SEPTEMBER 2020** at **9.30am**

Present: Cllr J Yelland – Chairman
Cllr T G Pearce – Vice Chairman

Cllr R Cheadle
Cllr S Hipsey
Cllr D E Moyse
Cllr M Renders
Cllr P Crozier
Cllr C Mott
Cllr B Ratcliffe
Cllr P Vachon

Head of Development Management Practice (PW)
Solicitor (DF)
Gatekeeper (JY)
Democratic Services Manager (DW)
Senior Case Officer, Democratic Services (KH)

Other Members also in attendance:
Cllrs T Southcott and Cllr T Leech

***DM&L 14 DECLARATION OF INTEREST**

Members were invited to declare any interests in the items of business to be considered and the following were made:

Cllr T G Pearce declared a personal interest in all applications by virtue of being a Member of the Devon Building Control Partnership. Cllr Yelland also declared a personal interest on behalf on the Committee due to them all having received an emailed letter from one of the objectors to application number 0626/20/ARM.

***DM&L 15 URGENT BUSINESS**

There was no urgent business.

***DM&L16 CONFIRMATION OF MINUTES**

The Minutes of the Development Management and Licensing Committee Meeting held on 1 September 2020 were confirmed and signed by the Chairman as a correct record.

***DM&L17 PLANNING, LISTED BUILDING, TREE PRESERVATION ORDER AND ENFORCEMENT REPORTS**

The Committee proceeded to consider the applications that had been prepared by the Development Management Specialists and considered also the comments of the Town and Parish Councils together with other representations received, which were listed within the presented agenda report and summarised below, and **RESOLVED** that:

(a) Application No: 0629/20/ARM Ward: Hatherleigh

Site Address: "Biddicombe" 31 Park Road, Hatherleigh, EX20 3JS

Approval of reserved matters following outline approval reference 1635/18/OPA

The Solicitor advised that due to receiving a representation containing a number of serious allegations concerning the planning officer's report to this application; and with the planning officer being engaged in a planning enquiry and not being able to attend this meeting, the application should be deferred until the report and allegations were considered.
The application would then be presented at the next Development Management and Licensing Committee meeting when the planning officer would be available.
The Chairman proposed deferral and was seconded. The Committee proceeded to approve the vote for the deferral.

***DM&L18 Planning Performance Indicators**

The Head of Development Management (DM) took Members through the Performance Indicators. The Head of DM responded to a Member question about the high number of outstanding enforcement cases. He explained that cases received in the quarter from April to May 2020 were higher than any other quarter and yet the outstanding cases were kept at the same level and not seen to spike due to more cases being closed. He also confirmed that enforcement officers were once again, visiting sites, since lockdown.

***DM&L19 Planning Appeals Update**

The Head of DM gave Members an update on the recent appeals.

(The Meeting terminated at 9.55am)

Chairman

PLANNING APPLICATION REPORT

Case Officer: Jacqueline Houslander **Parish:** Hatherleigh **Ward:** Hatherleigh

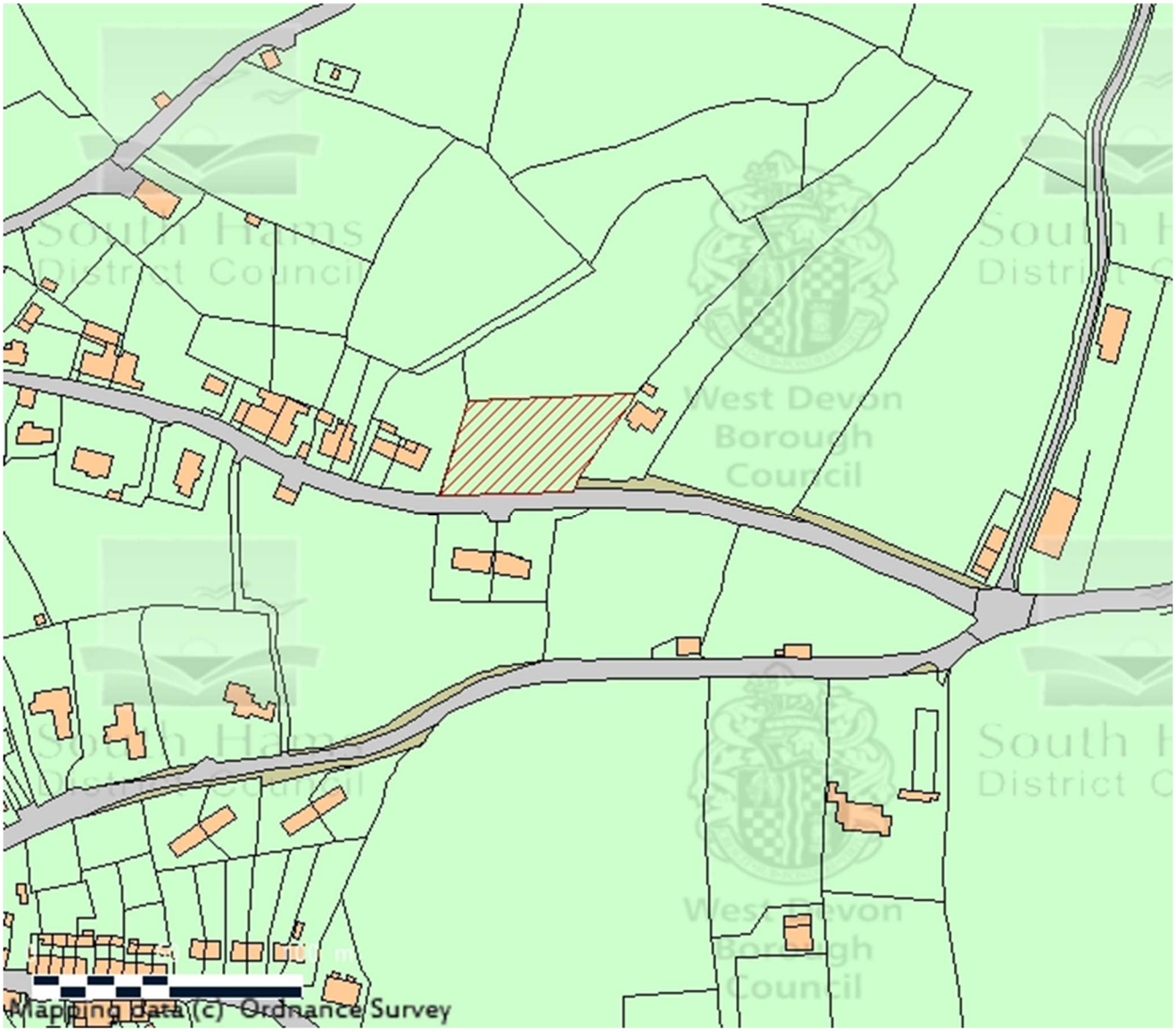
Application No: 0629/20/ARM

Agent/Applicant:
Mr Jamie Tingle - Wireframe Studio
301 Ecclesall Road
Sheffield
S11 8NX

Applicant:
Mr Paul Flowers
Biddicombe
31 Park Road
EX20 3JS

Site Address: Biddicombe, 31 Park Road, Hatherleigh, EX20 3JS

Development: Approval of reserved matters following outline approval reference 1635/18/OPA



Reason application is being put to Planning Committee: The Head of Practice has called the application to Committee because of the controversial nature of the application.

Recommendation: Approval

Conditions (list not in full)

1. Accord with plans
2. Materials to be submitted and approved
3. Permeable paving for access road and driveways to be submitted
4. Detailed design of the visibility splay
5. The cladding to be applied to the dwellings shall be timber only
6. No external lighting
7. Construction management plan
8. Unsuspected contamination
9. Details of proposed hedgerows and protection of planting and gabion baskets and planting proposals for them.

Key issues for consideration: Scale, appearance, landscaping, layout and access.

Site Description: The application site is the southern section of an agricultural field immediately adjacent to the settlement of Hatherleigh. It slopes downwards from north to south where it is separated from the below highway by a significant hedge bank along its southern border. Immediately to the west is the property no.31 Park Road and its curtilage. To the south, on the other side of the road, are two detached two storey properties set into the hillside. To the east is the bungalow dwelling 'Daisies' and its curtilage, and to the north is the remaining part of the field. The site is served by an existing vehicular field access at its bottom west corner.

There is a strong line of residential properties on the north side of Park Road, which has slowly developed eastward from the historic core of the town. Although there are properties on the south side of Park Road it is noticeably less developed.

The site is within designated countryside, but there is built form to the south and the west of the site, which also forms the boundary of the Hatherleigh Conservation Area.

The Proposal:
To consider the detailed plans for the two dwellings.
Plot 1: 3 bedroom dwelling with the first floor in the roof space. Rendered walls with concrete roof tiles and upvc joinery details in anthracite grey. Balcony out of Family room on the rear elevation.

Plot 2: 3 bedroom dwelling with the first floor in the roof space. Rendered walls with concrete roof tiles and upvc joinery details in anthracite grey. Balcony out of Family room on the rear elevation.

The dwellings are almost identical except for some differences in the use of facing materials.

Consultations:

- County Highways Authority: Standing Advice.

  (To ensure visibility and parking are in accordance with standing advice – 2 spaces per dwelling (SPD guidance) Visibility in accordance with agreement made at the outline stage which accepted a 5 metres reduction in the hedgerow to the east of the entrance.)

- Environmental Health Section: No comments received.

- Town/Parish Council: Hatherleigh Town Council do not support this application as it stands for the following reasons:-

  a) No heights are shown on the new plan.
  b) The proposed dwellings are too large and would be overbearing and would not fit into the street scene.
  c) concern over parking issues that could arise with two such large properties and the possible numbers of cars involved.

- Drainage: The outline application had conditions imposed which require additional drainage information to be submitted for surface water and foul drainage systems.

Representations:
Representations from Residents
12 letters of objection have been received. Below is a summary of the concerns raised.

- Concerns about the loss of the ancient hedgerow. The hedgerow is over 500 years old and species rich. I thought this type of hedgerow was supposed to be protected.
- The size of the houses. They are grand and large
- Certainly not bungalows
- No height is specified on the plans
- It is a shame to see these outlying parts of the town disappearing
- There is already enough development in the village
- The permission given indicated that the buildings should be low profile bungalows and they should be set well down in the landscape and not spoil the view from Jubilee footpath.
- The plans submitted are no low profile and would not fit in with the surroundings
- New hedgerow plants will take many years to be anything like the ancient hedgerow.
- There are badger runs in the hedgerows.
- The side hedgerow has always been cut back using a tractor, how will this be possible now? Should there not be an access for the tractor to carry out these works?
- To create a safe access would require 43metrs of hedge to be removed. How is this right?

- Concerned about impact of the works on drainage and subsidence to adjoining property.
- The site is an unspoilt wild flower meadow.
- Over 100 houses are currently being built in Hatherleigh, there is no justification to build here.
- 2 large out of character properties and not bungalows
- The site is unsustainable being not within walking distance of certain facilities in Hatherleigh.
- The buildings are set much higher in the hillside than anticipated by the outline.
- They will totally dominate the view from Jubillee footpath.
- The buildings seem to have been designed and placed so as to avoid excvations.
- The loss of foraging sites for bees and insects should be taken more seriously.
- The plans do not show anywhere near the amount of ancient hedgerow which will be lost to create safe access.
- How is it possible to move an ancient hedgerow?
- It is agricultural land outside the settlement boundary
- The ecology report was paid for and commissioned by the applicant and fails to acknowledge badgers on the site
- The planning officer stated at the Planning meeting that only single storey dwellings would fit into the landscape.
- The hedgerow is a UK BAP Priority site.
- The site is agricultural land and is not essential for agricultural workers, nor does it meet the needs of the town.
- The loss of yet another green space.
- The height for a bungalow is 4.75 metres, for 1.5 storey house 7.4 metres and for a 2 storey house 8metres (according to a construction company). The applicants have submitted plans for what they describe as 1.5 storey houses that are actually only 60 centimetres lower than a standard 2 storey house.
- They are also proposing to set then much higher in the hillside
- The applicants are stating that to use pre-fabricated timber framed houses minimises disruption on site. However the size and siting would result is 2 large houses dominating the landscape.

Comments on revised plans: 11 letters

- The current pans are confusing and misleading
- The Proposed Site Block Plan has the old design of the building on Plot 1
- Totally inaccurate site line for the visibility splay to the west
- Is it normal to show the height of a proposed building to the internal ground floor level?
- The site is in the Hatherleigh Conservation Area and the visibility splay towards the town would impact on Biddicombe frontage

- The site line is totally inaccurate
- The officer at outline said that most likely bungalows would be policy compliant.
- An independent ecology report should be carried out to protect the badgers on the site.
- The revised plans have totally ignored the Parish Councils concerns
- Plot one has now increased in size.
- Parking for the two plots may be an issue
- There are already 100 new homes being built in Hatherleigh, do we need another 2?
- These are very large homes 4-5 bedroom, which are too large for the site and may lead to further parking issues.
- Plot 1 has increased from 1879square ft to 2000 square feet.
- Owning the eastern hedge of the site, a Tractor previously cut the field side of the hedge. shouldn't access be provided to ensure this is continued?
- There are badger setts on the land.
- The houses sit far too high on the hillside
- Two OAP bungalows were described at the outline stage.
- This should nt have been granted outline permission and should only be permitted to procees if it is greatly improved.
- I do not want to see an unspoiled meadow and ancient hedgerow destroyed and replaced by houses and cars.
- The two houses are far too big, where are the two low profile bungalows that were originally discussed.
- They will dominate the Jubilee footpath.

Relevant Planning History
1635/18/OPA
Erection of two dwellings
Biddicombe Park Road, Hatherleigh, EX20 3JS
Approval 13/8/2019

ANALYSIS

Principle of Development/Sustainability: The principle of the development of this site with 2 dwellings has already been established by virtue of the outline consent (1635/18/OPA) granted in 2019. The purpose of this application is to consider the details of the proposal and consider whether these details are consistent with the outline consent and are acceptable in relation to scale, appearance, layout and access and landscaping.

It is necessary to summarise the history of the case ahead of considering the detailed plans.

The outline planning application was approved prior to the adoption of the Plymouth and South West Devon Joint Local Plan and also prior to the Council having a reliable 5 year

hosing land supply. As explained in the officer's report for the outline application, the weight to be attributed to the housing policies in the then Structure and Local Pans was diminished. As a result of the limited weight local policies had at the time, the officer commented that… "the Council must undertake a site specific appraisal of the merits of the scheme against the presumption in favour of sustainable development enshrined within the Framework, and must only refuse consent if the adverse impacts of the development 'significantly and demonstrably' outweigh the benefits."

The policy regime at the time of the outline application was therefore less robust than currently.

In considering this application the Council now has an up to date and relevant development plan. Hatherleigh is identified in the JLP as a Smaller Town and Key Village. The settlement hierarchy in the JLP is found in Policy TTV1, with the main focus of development in the main towns of the TTV Policy Area, followed by the smaller towns and key villages; sustainable villages and finally smaller villages, hamlets and the countryside. The village is therefore a village which is second in the hierarchy for development. Whilst there are sites allocated in Hatherleigh in the JLP, this is not a consideration in this case as the proposal already has in principle permission. The issues to be considered at this stage are therefore the scale, layout, access, landscape and appearance.

Layout

The proposed dwellings are set back from the hedge by approximately 10 metres (plot 1) and 9 metres (Plot 2). Within that space is an access road to each property and an area which is banked up to the access road from the hedge. The site contours are such that the land rises both northwards and eastwards on the site. As such Plot 2 is located on higher land than Plot 1. As a result of the revised plans, both plots have been set very slightly further into the slope that runs northwards and the dwellings have been reduced in height. It must also be acknowledged that the land within the site is at a higher level than the adjacent public road, by approximately 1.6 metres at the western end of the site, 2 metres at the mid-point of the site and 3 metres at the eastern part of the site. They will therefore be higher than the road level as a result.

The proposed dwellings are set into the hillside and as such there are retaining walls around some edges of the footpaths proposed around the dwellings. In the case of Plot 1 the retaining wall to the east is constructed using gabion baskets. Parking for 2 cars is provided for each plot, which is located between the two plots. An access lane to the remainder of the field is provided along the western boundary. The hedgerow along the front boundary of the site is proposed to be retained apart form a small section near to the access which will be partially removed so as to enable better visibility in the eastern direction.

Concern has been expressed by objectors at the height and position of the dwellings in the plot. The applicants have made the decision to incorporate a single access point making use of the existing access to the field as their point of entry and allow for an internal road to access both properties. In doing so maintaining the screening effect of the existing hedge. As a result the dwellings have had to be pushed up the slope to accommodate this. An alternative to this would have been to either create 2 separate access points to each dwelling or (as has been done with the two properties opposite the site) a central access from the road to the 2 properties. As can be seen from the situation opposite, this would have involved a massive amount of hedge removal.

Both properties have been set into the hillside by approximately 1.3 metres (Plot 1) and 1.5 metres (Plot 2), resulting in terraced gardens to the rear.

It is considered that the layout ensures the retention of a significant amount of hedgerow and with the set down into the site is acceptable and appropriate for a sloping site such as this.

Scale: The outline planning consent did not provide any conditions which limit the scale of the dwellings which were approved. The officer's report to committee did however state on a number of occasions that the dwellings should be low profile and bungalows.

The outline application included schematic drawings which indicated 1 ½ storey dwellings, with the first floor in the roof space. The schematic drawings were not approved at the outline planning application stage, but were used for illustrative purposes in considering the outline planning application.

The current proposal is for 1 ½ storey dwellings (as indicated on the schematic drawings) albeit a different design. There has been some negotiation over the scale of the proposals as there have been objections locally to the scale and concerns about the proposed height of the dwellings bearing in mind they are I ½ storey dwellings. In response the applicant has agreed to reduce the height and also to sit the dwellings further into the slope of the site, in order to reduce the visual impact from the public road. Amended plans were received which indicated the reduction in height to the dwelligs, but very little if any further setting into the site. Those plans have been re-advertised and consultees re-consulted.

The result is that the dwellings have a ridge height of: Plot 1: 49.81 metres and Plot 2: 52.61 metres. The plots either side of the proposed dwellings have a ridge height of 44.92 metres (on the lower side and 55.89 metres on the upper side). The applicants have provided a section through the 4 properties to indicate that the proposed dwellings are a natural progression up the slope between the two existing properties.

The height of the properties themselves are 6.9 metres from ground to ridge height. The illustrative scheme provided at the outline application had a ground to ridge height of 6.3 metres. The proposed dwellings are therefore approximately 600mm higher than the illustrative building shown at the outline stage. Given that the plan at outline was illustrative and surveys and ground levels have now been fully investigated for the reserved matters application, the alteration in the height is not considered significant.

In terms of scale, whilst the officer report at outline did indicate that the proposal should be low profile this was in the knowledge that the illustrative plan indicated a 1 and 1/2 storey dwelling. In addition, what needs to be considered in terms of scale is what harm would there be in relation to the height of the buildings? The dwellings to the east of the site are two storey dwellings as are the two properties opposite the site. The property to the west is a single storey dwelling, but generally the prevailing dwelling type in the locality is for 2 storey dwellings.

A proposal for 1 ½ storey dwellings is therefore considered an acceptable response to the site constraints and is ppropriate in relation to the surrounding development. The outline application clearly acknowledged the sensitivity of the site to new development, with the reference to a low profile development. The field within which the proposed dwellings are located is a green field and the land is higher than the adjoining road and it rises in a northerly and easterly direction, from the road. It should also be noted that the land in the field is on average some 2 metres higher than the road on the other side of the Devon hedge.

It is therefore important that any development on the site sits into the slope rather than on top of it. The applicant has set the dwellings into the slope.

Some concerns have been raised about the size of the proposed dwellings and the fact that they are 4/5 bedroom dwellings. The floor plans in fact indicate a 3 bedroom dwelling, however there is a family room on the first floor which could potentially become a bedroom and a study on the ground floor. At the moment the family room looks out over the field at the back of the house and could well be used as a second lounge area as equally as a fourth bedroom.

The JLP policy DEV10 seeks to ensure that housing complies with the National Space Standards, which seek to ensure that bedroom sizes are of sufficient size, that there is sufficient storage space and that overall house sizes meet the standards. In reviewing the proposal against those standards the dwelling complies fully with those standards.

The policy also makes reference to garden/amenity space and the newly adopted Plymouth and South West Devon Joint Local Plan Supplementary Planning Document provides a table indicating the minimum sizes for gardens. For detached houses the minimum size is 100 metres squares. The garden areas for these properties more than provide 100 square metres of amenity space. The proposals therefore meet policy DEV10.

Appearance: The proposed dwellings are I ½ storey with the rooms on the first floor in the roof space. There is a front facing gable in the elevation facing the road. There are high level windows in the upper part of the front gable, together with 2 roof lights. On the ground floor there are 2 floor to ceiling windows, the front door and another window. There are slight differences between the two dwellings in terms of the use of materials and the location of those materials however the material palette is for a through colour render on the walls and grey timber cladding. Upvc windows and doors and timber fascia's painted an anthracite colour, concrete roof tiles. The other properties in this area of Hatherleigh have a range of materials including a predominance of render on both the traditional and more modern houses. A combination of natural slate and concrete roof tiles and a few properties (including those opposite the site have a brick element).

The majority of the proposed dwellings are render with a few feature panels of brick cladding.

It is considered that in terms of appearance the proposed dwellings are relevant to the context and so are considered acceptable and in compliance with policy DEV20 of the Plymouth and South West Devon Joint Local Plan.

Landscaping: The landscaping proposals comprise the retention of the Devon hedge along the road boundary, new hedge planting along the rear of the properties with the field and grassed areas within the proposed gardens. The driveways are proposed to use permeable materials and the access road and turning area are proposed as permeable tarmac. These materials will need to be subject to condition so that the final finish can be agreed. A full landscaping scheme needs to be submitted as part of the discharge of condition 9 of the outline consent. It is considered as this site is on the rural edge of the village, that a condition to restrict additional outside lighting should be imposed to retain control over the amount of outside lighting on the buildings.

Access: The proposed access indicates the removal of a small section of the existing hedgerow around the existing access point to the site (approximately 5 metres), with the access to both properties being off the same access point. This was also what was indicated

at the outline stage. At the outline stage the Highway Authority originally required a visibility splay of 43 metres in both directions, however negotiations at that stage and the submission of a plan which indicated the visibility splay to the mid-point of the road, resulted in the now proposed reduced visibility splay resulting in only a small 5 metre section of the hedge being removed. This solution negotiated at outline also included moving the 30 mph speed limit to beyond the site entrance which was part of the Section 106 Agreement which still applies to the site.

The Highway Authority were consulted for this application and offered a response of standing advice and "*(To ensure visibility and parking are in accordance with standing advice – 2 spaces per dwelling (SPD guidance) Visibility in accordance with agreement made at the outline stage which accepted a 5 metres reduction in the hedgerow to the east of the entrance.)"*

The outline application however did not refer to the acceptance that an alternative visibility splay to the centre of the road may be acceptable, which indicated a reduced splay to the east.

Condition 5 on the outline consent did however require the submission of further details of the visibility splay to be submitted. This condition has not been discharged yet.

In relation to this application, the visibility splay has been shown on the plans as reflecting the loss of 5 metres of hedge rather than the 43 metres as initially reflected in the Highway comments to the outline application. In making a balanced judgement on the visibility splay versus the retention of the ancient hedge, officers' consider that the retention of the ancient hedgerow in this case outweighs the need for the loss of much more of the hedge to create the 43 metre visibility. The 5 metres loss to create the visibility splay to the east is therefore considered acceptable by officers in this case.

In terms of parking spaces the recently adopted SPD identifies that 2 parking spaces are required for a 3 bedroom property (Table 30). This has been provided by the applicant.

Objections to the development. When the application was originally submitted there were a number of objections to the development, some of which were in relation to the principle of the development on this site. Unfortunately those objections have to be given little weight because the outline consent has already established that 2 dwellings can be located on this site. Of the other objections, the primary concerns were the loss of ancient hedgerow to provide adequate visibility; the size of the houses being too big and the outline had specified single storey dwellings; the buildings were set higher in the hillside and that no height had been indicated on the plans as well as concern about badgers on the site.

As a result of these objections negotiations took place with the applicants' agent to reduce the height of the dwellings. The agent responded by physically reducing the height of the buildings. The revised plans were then submitted and re advertised.

The objections to the revised plans are similar to the original objections. Some of the objections again are with regard to the principal of the development, which are not relevant to the reserved matters application.
Concern has been expressed that the revised plans show an increase in the size of Plot 1. The original iteration of the plans indicated a different design for the two plots, the revised plan shows the design mirrored on both plots. The increase in the size of Plot 1 does not result in the garden area not complying with planning policy and neither does it result in

landscape harm. Officers are therefore satisfied that the increased size des not result in a reason to refuse the proposal.

The Parish Council's concerns relate to: dwellings being too large; and impact of that on the street scene; concerns over the visibility splay and how much hedge would be lost and concern over parking. These issues have been dealt with in the rest of the report, but in essence, the dwellings are appropriate to the size of the plots, there is sufficient space around them to meet the SPD guidance on garden sizes and the footprint is similar to other properties in the vicinity; the visibility splay with the loss of only 5 metres of hedgerow meaning the street scene will remain with the hedgerow being the dominant element is considered by officers to be preferable to a visibility splay which extends to 43 metres and results in the significant loss of an ancient hedgerow. The nature of Park Road, being narrow and single width in places is such that all cars exiting onto it would need to do so with caution in any case.
In terms of parking the proposal provides that which is considered appropriate as defined in the Plymouth and South West Devon Supplementary Planning Document. The SPD indicates that for 3 bedroom dwellings 2 spaces are required. If as has been suggested the dwellings become 4 bedroom dwellings, the requirement is for 3 spaces per unit. The proposal indicates that two spaces could comfortably be accommodated on each plot. A third and possibly 4th space would also be potentially available on the driveway which extends to approximately 12 metres in length. A standard parking space measures 4.8m by 2.5 metres. There is therefore adequate space on each plot to accommodate more parking spaces should they be required.

Conservation Area Boundary: The Hatherleigh Conservation Area boundary lies to the south and east of the application site. This matter was considered at the outline stage and the officer report concluded that "*Within this context, modern properties within the application site will read as a continuation of the historic growth and progression of the settlement eastwards along Park Road. For this reason, officers consider that the scheme will preserve the setting, character and appearance of the Hatherleigh Conservation Area*."

The reserved matters application deals with the more detailed considerations of the application. The proposed dwellings are a modern design and do not attempt to be a pastiche of the more traditional properties further along Park Road. The proposal does use render as its primary wall finish, which is in line with the rest of Park Road and much of Hatherleigh conservation area, but in a contemporary fashion instead. The scale of the dwellings works with the surrounding development. The properties opposite the site are more modern in design and are located within the conservation area. The proposed dwellings are outside of the conservation area but have respected this by keeping the scale down and reflecting the materials used elsewhere along Park Road. It is considered that the proposed dwellings preserve the setting, character and appearance of the conservation area, in line with policy DEV21 in the JLP.

Ecology: This is not a matter which is covered by reserved matters applications. The Council's ecologist did not object to the development at the outline stage. There is clearly some concern amongst local people about the potential for badger setts on the land within the application site. Ecology was considered at outline stage and a Landscape and Ecological Impact Assessment was required to be submitted (condition No. 9), which will be an appropriate vehicle to ensure both landscaping and ecology are appropriately considered. This condition has yet to be discharged.

Drainage: This is also a matter which was considered at outline stage. There are conditions on the outline planning permission which require the submission of additional drainage information for foul and surface water.

Conclusion
The proposal is considered to comply with the current development plan policies. There is clearly some local concern at the development of these two dwellings in principle, which has been expressed for this reserved matters application, such that any proposal on this site, which does have particular constraints would have been difficult to accept. However the proposal has been modified in its life and is now a proposal which officers consider can be supported. The application is therefore recommended for approval.

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

Planning Policy

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

Following adoption of the Plymouth & South West Devon Joint Local Plan by all three of the component authorities, monitoring will be undertaken at a whole plan level. At the whole plan level, the combined authorities have a Housing Delivery Test percentage of 166%. This requires a 5% buffer to be 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 6.5 years at the point of adoption.

Adopted policy names and numbers may have changed since the publication of the Main Modifications version of the JLP.

The relevant development plan policies are set out below:

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

SPT1 Delivering sustainable development
SPT2 Sustainable linked neighbourhoods and sustainable rural communities
TTV1 Prioritising growth through a hierarchy of sustainable settlements
TTV2 Delivering sustainable development in the Thriving Towns and Villages Policy Area
DEV1 Protecting health and amenity
DEV2 Air, water, soil, noise, land and light
DEV10 Delivering high quality housing
DEV20 Place shaping and the quality of the built environment
DEV21 Development affecting the historic environment

DEV28 Trees, woodlands and hedgerows
DEV29 Specific provisions relating to transport
DEV35 Managing flood risk and Water Quality Impacts

Other material considerations include the policies of the National Planning Policy Framework (NPPF) including but not limited to paragraphs 2, 11, 47, 108, 124, 127, 163, and guidance in Planning Practice Guidance (PPG).

Neighbourhood Plan: There is currently no Neighbourhood Plan in place for Hatherleigh.

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

Proposed planning Conditions:

1. The development to which this permission relates must be begun not later than whichever is the later of the following dates (i) the expiration of three years from the date of the grant of outline planning permission or (ii) the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

   Reason: To comply with Section 92 of the Town and Country Planning Act, 1990 (as amended.

2. The development hereby approved shall in all respects accord strictly with drawing number(s)Site Location Plan, received on 2/3/2020;

   1763 03 Rev P4 Proposed site block Plan; 1763 04 Rev 6 Proposed site plan; 1763/03 Rev P3 Proposed site elevation; 1763 96 Rev P5 Proposed Plot 1 details; 1763 07 Rev P4 Proposed Plot 2 details; 1763 09 Rev P3 Proposed site section through Plot 2 Section B-B; 1763 10 Rev P3 Proposed site section through Plot 1 Section C-C 1763/11/Rev P2 Proposed dwelling section and 2 storey Comparison, received by the Local Planning Authority on 3/07/2020.
   Reason: To ensure that the proposed development is carried out in accordance with the drawings forming part of the application to which this approval relates.

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

   4. Prior to the laying of the access route and driveways, details of the permeable paving shall be submitted to and agreed by the Local Plannig Authority. The paving shall then be laid in accordance with those agreed details.
   Reason: To ensure the paving is permeable and in the interests of visual amenity.

   5. Prior to the works to create the visibility splay taking place detailed technical drawings of the proposed visibility splay including sections shall be submitted to and agreed by the Local Planning Authority. The splay shall then be constructed in accordance with the agreed drawings.
   Reason: To ensure the visibility splay is carried out in accordance with detailed plans and to ensure highway safety.

   6. The cladding to be applied to the dwellings hereby approved shall be made of timber only and a sample of that timber shall be submitted to and agreed under condition No. 3 above.

Reason: To ensure the materials used are appropriate to this rural location.

7. Notwithstanding the details provided, there shall be no external lighting unless otherwise agreed in writing by the Local Planning Authority.
Reason: To protect the countryside from intrusive development.

8. Prior to commencement of any part of the site the Local Planning Authority shall have received and approved a Construction Management Plan (CMP) including
(a) the timetable of the works
(b) daily hours of construction
(c) any road closure
(d) hours during which delivery and construction traffic will travel to and from the site, with such vehicular movements being restricted to between 8.00 a.m. and 6.00 p.m. Mondays to Fridays inc. 9.00a.m. to 1.00 p.m. Saturdays and no such movements taking place on Sundays or Bank holidays unless agrees by The local Planning Authority in advance.
(e) the number and sizes of vehicles visiting the site in connection with the development and the frequency of their visits
(f) the compound/location where all building materials, finished or unfinished products, parts, crates, packing materials and waste will be stored during the demolition and construction phases
(g) areas on site where delivery vehicles and construction traffic will load or unload building materials, finished or unfinished products, parts, crates, packing materials and waste with confirmation that no construction traffic or delivery vehicles will park on the County Highway for loading or unloading purposes unless prior written agreement has been given by the Local Planning Authority;
(h) hours during which no construction traffic will be present on the site;
(i) the means of enclosure of the site during construction works;
(j) the details to promote car sharing amongst construction staff in order to limit construction staff vehicles parking off site;
(k) details of wheel washing facilities and obligations;
(l) the proposed route of all construction traffic exceeding 7.5 tonnes;
(m) details of the amount and location of construction worker parking; (n) photographic evidence of the condition of adjacent public highway prior to commencement of any work.
Reason: In the interests of Highway Safety.

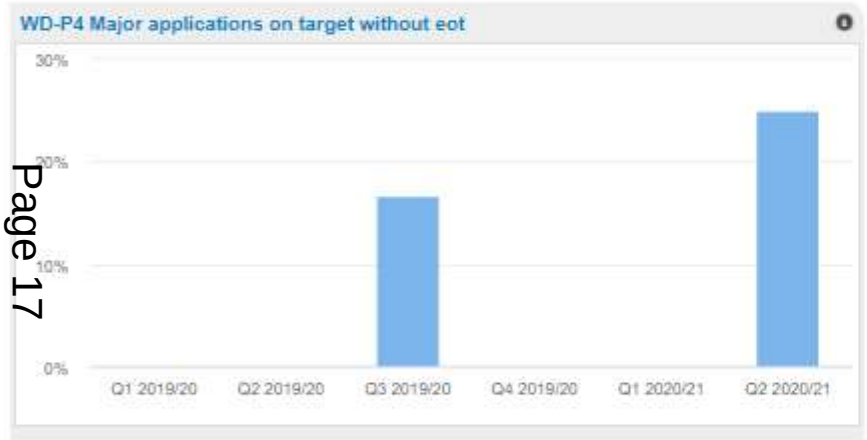
9, If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local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

Following completion of measures identified in the approved remediation strategy and verification plan and prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority.
Reason: No site investigation can completely characterise a site. This condition is required to ensure that any unexpected contamination that is uncovered during remediation or other site works is dealt with appropriately.

10. Prior to development above slab level, details of the new hedgerows to be planted around the site shall be submitted to and approved by the Local Planning Authority. The hedgerows shall be fully implemented in the planting season following the completion of the development and the plants shall be protected, maintained and replaced as necessary for a minimum period of five years following the date of the completion of the planting.
Reason: To ensure the planting is appropriate and is properly established on the site.


WD-P1 Major Apps on target
100.00%
75.00%
50.00%
25.00%
0.00%
Q1 2019/20
Q2 2019/20
Q3 2019/20
Q4 2019/20
Q1 2020/21
Q2 2020/21
Quarterly Values
Quarterly Target


WD-P2 Non-Major apps on target
100%
75%
50%
25%
0%
Q1 2019/20
Q2 2019/20
Q3 2019/20
Q4 2019/20
Q1 2020/21
Q2 2020/21
Quarterly Values
Quarterly Target

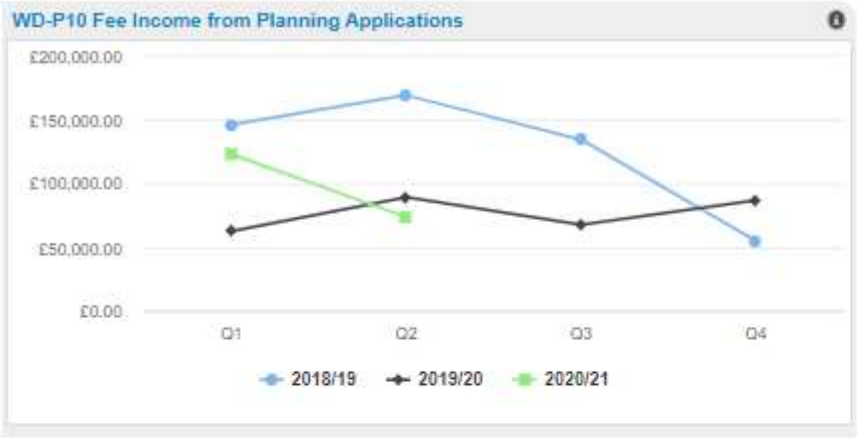

WD-P4 Major applications on target without eot
30%
20%
10%
0%
Q1 2019/20
Q2 2019/20
Q3 2019/20
Q4 2019/20
Q1 2020/21
Q2 2020/21


WD-P5 Non-Major apps on target without eot
80%
60%
40%
20%
0%
Q1 2019/20
Q2 2019/20
Q3 2019/20
Q4 2019/20
Q1 2020/21
Q2 2020/21

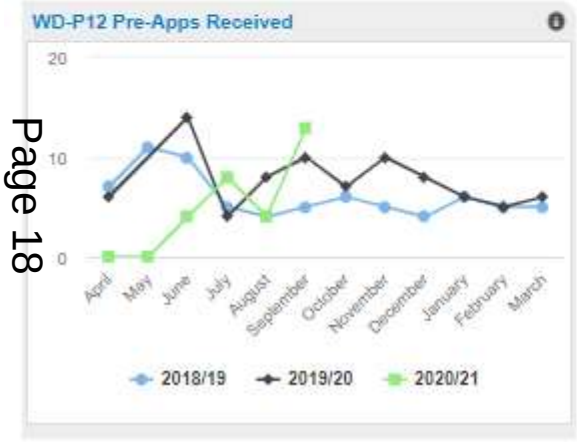

WD-P7 No of planning applications registered
100
75
50
25
April
May
June
July
August
September
October
November
December
January
February
March
2018/19
2019/20
2020/21


WD-P8 Planning Workload
300
250
200
150
April
May
June
July
August
September
October
November
December
January
February
March
2018/19
2019/20
2020/21


WD-P9 Applications determined
100
75
50
25
April
May
June
July
August
September
October
November
December
January
February
March
2018/19
2019/20
2020/21

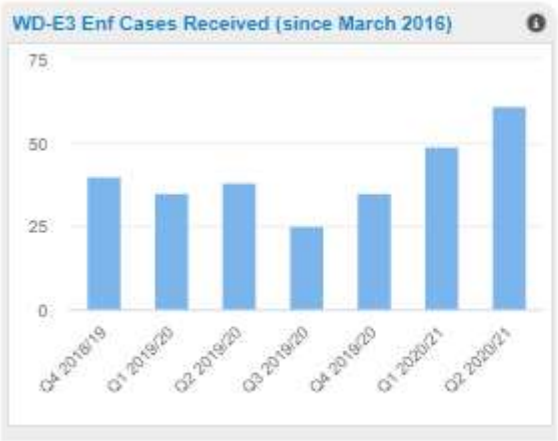

WD-P10 Fee Income from Planning Applications
£200,000.00
£150,000.00
£100,000.00
£50,000.00
£0.00
Q1
Q2
Q3
Q4
2018/19
2019/20
2020/21


WD-P11 Fee Income from Pre-Apps
£10,000.00
£7,500.00
£5,000.00
£2,500.00
£0.00
Q1
Q2
Q3
Q4
2018/19
2019/20
2020/21

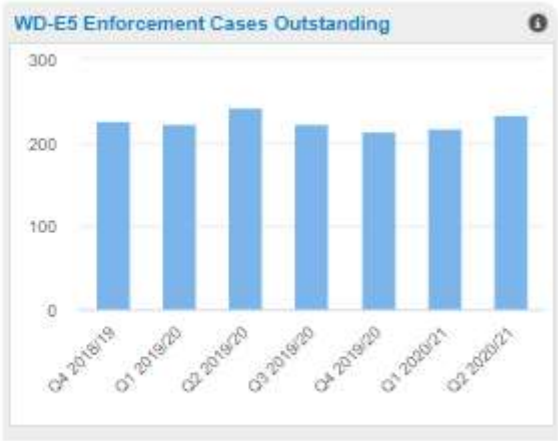

WD-P12 Pre-Apps Received
20
10
0
April
May
June
July
August
September
October
November
December
January
February
March
2018/19
2019/20
2020/21


WD-P13 Pre-Application workload
100
75
50
25
April
May
June
July
August
September
October
November
December
January
February
March
2018/19
2019/20
2020/21


WD-P14 Pre-Apps closed
30
20
10
0
April
May
June
July
August
September
October
November
December
January
February
March
2018/19
2019/20
2020/21


WD-E3 Enf Cases Received (since March 2016)
75
50
25
0
Q4 2018/19
Q1 2019/20
Q2 2019/20
Q3 2019/20
Q4 2019/20
Q1 2020/21
Q2 2020/21


WD-E4 Enf Cases Closed (since March 2016)
60
40
20
0
Q4 2018/19
Q1 2019/20
Q2 2019/20
Q3 2019/20
Q4 2019/20
Q1 2020/21
Q2 2020/21


WD-E5 Enforcement Cases Outstanding
300
200
100
0
Q4 2018/19
Q1 2019/20
Q2 2019/20
Q3 2019/20
Q4 2019/20
Q1 2020/21
Q2 2020/21

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PLANNING AND LICENSING COMMITTEE 27-Oct-20

Appeals Update from 10-Sep-20 to 15-Oct-20

Ward **Bere Ferrers**

APPLICATION NUMBER :	**3154/19/HHO**	APP/Q1153/D/19/3243333
APPELLANT NAME:	Mr Oliver Richards and Miss Janice Scott	
PROPOSAL :	Householder application for proposed 2 storey rear extension and replacement detached garage (Resubmission of 2537/19/HHO)	
LOCATION :	1 Morwellham Tavistock PL19 8JL	
APPEAL STATUS :	Appeal decided	
APPEAL START DATE:	04-May-2020	
APPEAL DECISION:	Upheld	
APPEAL DECISION DATE:	15-September-2020	

Ward **Buckland Monachorum**

APPLICATION NUMBER :	**0346/20/FUL**	APP/Q1153/W/20/3252734
APPELLANT NAME:	Charles Gray Limited	
PROPOSAL :	Application for development of 3no. four bedroom dwellings, new accessroad and external works	
LOCATION :	Challoch Bungalow The Crescent Crapstone PL20 7PS	
APPEAL STATUS :	Appeal decided	
APPEAL START DATE:	14-July-2020	
APPEAL DECISION:	Dismissed (Refusal)	
APPEAL DECISION DATE:	12-October-2020	

Ward **Exbourne**

APPLICATION NUMBER :	**3691/19/FUL**	APP/Q1153/W/20/3253602
APPELLANT NAME:	Mr Christian Martin	
PROPOSAL :	Change of use from A1 to C3 and works to dwelling.	
LOCATION :	6 The Square North Tawton EX20 2ER	
APPEAL STATUS :	Appeal decided	
APPEAL START DATE:	03-July-2020	
APPEAL DECISION:	Dismissed (Refusal)	
APPEAL DECISION DATE:	14-September-2020	
APPLICATION NUMBER :	**4058/19/FUL**	APP/Q1153/W/20/3250638
APPELLANT NAME:	Mr & Mrs Jones	
PROPOSAL :	Erection of two stables, one hay store, one tackroom/feed room, doublefield shelter. Creation of hardstanding, erection of gates and post and rail fencing	
LOCATION :	Land at SX 631 095 Near Apple Cottage Okehampton EX20 1SG	
APPEAL STATUS :	Appeal decided	
APPEAL START DATE:	22-June-2020	
APPEAL DECISION:	Upheld	
APPEAL DECISION DATE:	28-September-2020	

Ward **Milton Ford**

APPLICATION NUMBER :	**2291/19/FUL**	APP/Q1153/W/20/3253445
APPELLANT NAME:	Mr M Bassett	
PROPOSAL :	Erection of farm building and part-retrospective creation of track	
LOCATION :	Land At Sx 448 766 East of Summer Green Road Lamerton	
APPEAL STATUS :	Appeal decided	
APPEAL START DATE:	03-July-2020	
APPEAL DECISION:	Dismissed (Refusal)	
APPEAL DECISION DATE:	22-September-2020	

Ward **Okehampton North**

APPLICATION NUMBER :	**0155/20/FUL**	APP/Q1153/W/20/3257061
APPELLANT NAME:	Mr and Mrs Simon and Joan Essex, Mr Simon Essex	
PROPOSAL :	Application for proposed 16 holiday lodges	
LOCATION :	Ashbury Hotel & Golf Club Southcott Okehampton EX20 4NL	
APPEAL STATUS :	Appeal Lodged	
APPEAL START DATE:	05-October-2020	
APPEAL DECISION:		
APPEAL DECISION DATE:		

APPLICATION NUMBER : **0307/20/VAR** APP/Q1153/W/20/3257031
APPELLANT NAME: Mr and Mrs Simon and Joan Essex, Mr Simon Essex
PROPOSAL : Variation of condition 4 (Holiday Restriction) of planning consent 2247/19/FUL
LOCATION : Ashbury Hotel & Golf Club Southcott Okehampton EX20 4ND
APPEAL STATUS : Appeal Lodged
APPEAL START DATE: 05-October-2020
APPEAL DECISION:
APPEAL DECISION DATE:

APPLICATION NUMBER : **0352/20/VAR** APP/Q1153/W/20/3256993,
APPELLANT NAME: Mr and Mrs Simon and Joan Essex, Mr Simon Essex
PROPOSAL : Variation of condition 5 (Holiday Restriction) of planning consent 0483/19/FUL (Proposed Twelve Golf Lodges)
LOCATION : Ashbury Hotel & Golf Club Southcott Okehampton EX20 4NL
APPEAL STATUS : Appeal Lodged
APPEAL START DATE: 05-October-2020
APPEAL DECISION:
APPEAL DECISION DATE:

Ward **Tavistock North**

APPLICATION NUMBER : **3694/19/VAR** APP/Q1153/W/20/3255052
APPELLANT NAME: Ms I Chambers
PROPOSAL : Application for variation of condition 3 of planning permission 2206/18/FUL (and appeal decision APP/Q1153/W/19/3223930)
LOCATION : The Milking Parlour Higher Wilminstone Wilminstone PL19 0JT
APPEAL STATUS : Appeal decided
APPEAL START DATE: 12-August-2020
APPEAL DECISION: Upheld
APPEAL DECISION DATE: 13-October-2020

Ward **Tavistock South East**

APPLICATION NUMBER : **0255/20/TPO** APP/TPO/Q1153/7868
APPELLANT NAME: Various
PROPOSAL : T1 and T11: Oak - Crown lift to 5m from top of Devon bank, Crown thin by 30%, Lateral reduction by 2.5m on North and South sides. To reduce risk of damage and shading to properties, trees are top heavy.
LOCATION : St Davids House Green Lane Tavistock PL19 9AN
APPEAL STATUS : Appeal Lodged
APPEAL START DATE: 30-September-2020
APPEAL DECISION:
APPEAL DECISION DATE:

APPLICATION NUMBER : **0257/20/TPO** APP/TPO/Q1153/7868
APPELLANT NAME: Various
PROPOSAL : T2: Oak - Crown lift to 5m from top of Devon bank, Crown thin by 30%, Lateral reduction by 2.5m on North and South sides. To reduce risk of damage and shading to properties, tree is top heavy.
LOCATION : St Davids House Green Lane Tavistock PL19 9AN
APPEAL STATUS : Appeal Lodged
APPEAL START DATE: 30-September-2020
APPEAL DECISION:
APPEAL DECISION DATE:

APPLICATION NUMBER : **0260/20/TPO** APP/TPO/Q1153/7868
APPELLANT NAME: Various
PROPOSAL : T3: Oak - Remove - tree is failing to thrive. T4-T9: Oak - Crown lift to 5m from top of Devon bank, Crown thin by 30%, Lateral reduction by 2.5m to North and South sides. To reduce risk of damage and shading toproperties, trees are top heavy.
LOCATION : St Davids House Green Lane Tavistock PL19 9AN
APPEAL STATUS : Appeal Lodged
APPEAL START DATE: 30-September-2020
APPEAL DECISION:
APPEAL DECISION DATE:

APPLICATION NUMBER : **0296/20/TPO** APP/TPO/Q1153/7868
APPELLANT NAME: Various
PROPOSAL : T12: Oak - Crown lift to 5m from top of Devon bank, Crown thin by 30%, Lateral reduction by 2.5m on North and South sides. To reduce risk of damage and shading to properties, trees are top heavy.

LOCATION :	Tramonto Green Lane Tavistock PL19 9AN
APPEAL STATUS :	Appeal Lodged
APPEAL START DATE:	30-September-2020
APPEAL DECISION:	
APPEAL DECISION DATE:	

APPLICATION NUMBER :	**0298/20/TPO** APP/TPO/Q1153/7868
APPELLANT NAME:	Various
PROPOSAL :	T13: Oak - Crown lift to 5m from top of Devon bank, Crown thin by 30%, Lateral reduction by 2.5m on North and South sides. T14: Copper Beech- Crown lift to 5m from ground, Crown thin by 30%, Lateralreduction by 2.5m on East side. To reduce risk of damage and shading to properties, trees are top heavy. To also prevent Copper Beech from pushing against adjacent trees and hedges and distorting their growth.
LOCATION :	Green Lane House Green Lane Tavistock PL19 9AN
APPEAL STATUS :	Appeal Lodged
APPEAL START DATE:	30-September-2020
APPEAL DECISION:	
APPEAL DECISION DATE:	

Ward **Tavistock South West**

APPLICATION NUMBER :	**1460/20/HHO** APP/Q1153/D/20/3257991
APPELLANT NAME:	Mr Antony Stead
PROPOSAL :	Householder application for proposed side extension and new entrance porch to dwelling
LOCATION :	8 Grenville Drive Tavistock PL19 8DP
APPEAL STATUS :	Appeal Lodged
APPEAL START DATE:	22-September-2020
APPEAL DECISION:	
APPEAL DECISION DATE:	

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