

South Hams Development Management Committee



Title:	Agenda										
Date:	Wednesday, 13th April, 2022										
Time:	10.00 am and 2.00 pm										
Venue:	Council Chamber - Follaton House										
Full Members:	<p style="text-align: center;">Chairman Cllr Brazil</p> <p style="text-align: center;">Vice Chairman Cllr Foss</p> <p><i>Members:</i></p> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">Cllr Abbott</td> <td style="width: 33%;">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 Kemp</td> <td>Cllr Rowe</td> </tr> <tr> <td>Cllr Long</td> <td>Cllr Taylor</td> </tr> </table>	Cllr Abbott	Cllr Pannell	Cllr Brown	Cllr Pringle	Cllr Hodgson	Cllr Reeve	Cllr Kemp	Cllr Rowe	Cllr Long	Cllr Taylor
Cllr Abbott	Cllr Pannell										
Cllr Brown	Cllr Pringle										
Cllr Hodgson	Cllr Reeve										
Cllr Kemp	Cllr Rowe										
Cllr Long	Cllr Taylor										
Interests – Declaration and Restriction on Participation:	Members are reminded of their responsibility to declare any disclosable pecuniary interest not entered in the Authority's register or local non pecuniary interest which they have in any item of business on the agenda (subject to the exception for sensitive information) and to leave the meeting prior to discussion and voting on an item in which they have a disclosable pecuniary interest.										
Committee administrator:	Janice Young Specialist- Democratic Services 01803 861105										

- 1. Minutes** **1 - 8**

To approve as a correct record the minutes of the meeting of the Committee held on 16 March 2022;
 - 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**

In accordance with the Code of Conduct, Members are invited to declare any Disclosable Pecuniary Interests, Other Registerable Interests and Non-Registerable 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) 0647/21/FUL** **9 - 18**

Asherne Lodge, Strete
READVERTISEMENT (Additional information submitted and affecting the setting of a Listed building) Construction of a stone finished car park
 - (b) 4713/21/HHO** **19 - 26**

The Willows, Bolberry Road, Hope Cove
Householder application for ancillary annexe
 - (c) 1508/21/FUL** **27 - 34**

"Land at Northlands", Chittleburn Hill, Brixton
READVERTISEMENT (Revised plans received) Application for proposed single storey dwelling with associated access, driveway and private garden

- (d)** 3445/21/FUL 35 - 42
"Sunnyside, The Haybarn", South Allington
Replacement dwelling and associated works

**** PLEASE NOTE THAT THE FOLLOWING APPLICATION WILL NOT BE HEARD BEFORE 2.00 PM ****

- (e)** 4442/21/ARM 43 - 60
"Land at Broom Park", Dartington
Application for reserved matters, seeking approval of appearance, landscaping, layout and scale for 80 dwellings following outline approval 3842/20/OPA

- (f)** 4443/21/ARM 61 - 78
"Land at Sawmills", North of A385, Dartington
Application for reserved matters, seeking approval for appearance, landscaping, layout and scale for 40 dwellings following outline approval 3841/20/OPA

- 7.** Update on Undetermined Major Applications 79 - 86

- 8.** Planning Appeals Update 87 - 88

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MINUTES of the MEETING OF THE DEVELOPMENT MANAGEMENT COMMITTEE held in COUNCIL CHAMBERS, FOLLATON HOUSE, TOTNES, on WEDNESDAY, 16 MARCH 2022

Members in attendance			
* 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:

Cllr D O’Callaghan – via Teams (item 6(c)); Cllr J Pearce – via Teams (item 6(d))

Officers in attendance and participating:

Item No:	Application No:	Officers:
All agenda items		Senior Specialists and Specialists – Development Management; Monitoring Officer; IT Specialists; and Democratic Services Specialist;
Item 6 (c)		Specialist – Place Making and Senior Specialist – Estates

DM.58/21 MINUTES

The minutes of the meeting of the Committee held on 16th February 2022 were confirmed as a correct record by the Committee, save to alter the record of voting on agenda item 6(c): Cllr Kemp was missed from the list of those Councillors who voted yes, and Cllr Pannell was erroneous listed as both voting yes and abstaining: in actuality, Cllr Pannell had abstained from the vote on this application.

DM.59/21 DECLARATIONS OF INTEREST

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

Cllr B Taylor declared an Other Registerable Interest in applications 0591/21/FUL; 2876/21/FUL; 4024/21/FUL (Minutes DM.60/21 (a), (c), and (d) below refer), 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.60/21 PUBLIC PARTICIPATION

The Chairman noted the list of members of the public, Town and Parish Council representatives, and Ward Members who had registered their wish to speak at the meeting.

DM.61/21

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) 0591/21/FUL Pool Farm, Frogmore
Parish: Frogmore & Sherford Parish Council**

Development: Erection of a single storey rural worker's dwelling

Case Officer Update: Following a question at the site visit, the Case Officer clarified that the permitted path, which crossed the field to the pontoon, was not a right of way but was a permitted path granted by the landowner, who had it within their power to move the footpath should they so wish. It was confirmed that the site was within the Undeveloped Coast area, the South Hams AONB (Area of Outstanding Natural Beauty), and an SSSI (Site of Special Scientific Interest). The Case Officer outlined that it was also deemed a countryside location with no agricultural, forestry, nor occupational need; exceptions to Planning Policy TV26 were allowed on the edge of a settlement, but there needed to be affordable dwellings, which this one was not.

The Case Officer updated the Committee on the material planning history on the site: previous approval had been granted for one of the barns to have change of use to boat storage, then approval was given for an occupational dwelling linked to the boat store. Footings for this dwelling had been put in which meant the approval was extant. At the site visit, questions had been asked about the chalet and mobile home on site, and the Case Officer confirmed that a certificate of lawfulness had been received by the Council in 2013, and confirmed that planning permission was not required. The Case Officer outlined the other recommended reason for refusal in that it was a highly sensitive landscape and part of a green finger of land within the undeveloped part of estuary coastline and was an important contribution to the river landscape, therefore the dwelling and domestication would have a negative impact on the

AONB landscape which would not enhance, conserve, nor protect as was required by Policies DEV24 and DEV25 of the Joint Local Plan.

The Ward Member stated that the proposed dwelling was heavily supported locally and, whilst he concurred with the case officer regarding the location, the family were four generations in the village and could no longer afford to buy to remain. The Ward Member also clarified that the only location for the building was on the green area as the area where the current mobile home was had been forbidden to them. It was stated that the previous extant planning approval could not be built out as the applicant was unable to get a mortgage on the plot, due to conditions placed on the previous application.

During the debate many Members stated that this was a very finely balanced decision as they had a duty to protect the integrity of the AONB but equally had sympathy with the family's personal situation.

Speakers included: Supporter – Mrs T Oakley; Parish Council – Cllr P Hadley; Ward Member – Cllr R Foss

Recommendation: Refusal

Committee decision: Conditional Approval delegated to the Head of Development Management (DM), in consultation with the Chairman of the DM Committee, and the Proposer and Secunder.

Conditions

Outline conditions to include landscape as outline in landscape report, in-perpetuity dwelling as part of agricultural and/or boatyard, external lighting, drainage, time, etc, to remove PD rights (harm caused if not, and proposal acceptable in planning terms) – full conditions delegated to Head of Planning, Proposer, Secunder, and Chairman. To ensure Dev 32 to be met with. Dwelling to have local connection.

**6b) 3048/21/FUL Montgo, Maudlin Road, Totnes, TQ9 5TG
Town: Totnes Town Council**

Development: Provision of single dwelling house (resubmission of 1668/20/FUL).

It was noted that this application was deferred to a later Committee meeting.

**6c) 2876/21/FUL Development Site, Tumbly Hill, Kingsbridge
Town: Kingsbridge Town Council**

Development: Construction of three townhouses

Case Officer Update: Following questions at the site visit, the Case Officer clarified the outline of the application and explained the key issues. The Assets Officer gave an update on the land swap which was being proposed and clarified issues around the proposed build, including the loss of four parking spaces during construction, and that delivery lorries would be limited in size and hours, and would require bank men, which were all conditioned on the previously approved application. The Tree Officer updated the Committee on the situation of the surrounding trees and was requested to add a Tree Preservation Order to the large, unprotected Beech tree in the car park which was on a foreshore map dating to 1888.

Speakers included: Supporter – Mr Dan Lethbridge; Town Council: Presentation read; Ward Member – Cllr D O’Callaghan;

The Ward Member stated her agreement with Kingsbridge Town Council. Concerns regarding the temporary diversion of the footpath and avoiding construction access during the Kingsbridge Fair Week were noted.

Recommendation: Conditional Approval

Committee decision: Conditional Approval

Conditions

Most of the recommended conditions to remain as per the published report. However, some revisions were sought by Members regarding landscaping and the construction management plan. This has been granted delegated authority.

**6d) 4024/21/FUL Sunny Ridge, Herbert Road, Salcombe
Town: Salcombe Town Council**

Development: Replacement Dwelling.

Case Officer Update: The Case Officer updated that Salcombe Town Council felt the new application was unacceptable in terms of bulk and massing, particularly for Strathmore (the neighbouring property). It was outlined that the applicant had removed some of the glazing to the rear in the revised plans. Following questions raised at the site visit, the Case Officer outlined the distances and heights of terrace and balcony. The criteria for Policy DEV 32 was outlined and an energy statement submitted which explained the methodology, using best of sun path, heat pump, solar, heat recovery, fabric and air tight measures.

Speakers included: Supporter – Mr P Lawrence; Town Council – Cllr M Fice; Ward Members – Cllrs Pearce and Long;

The Ward Members felt the design was too overbearing. Currently the ridge height was noted as a point but would now be a continuous line across the whole plot. Both Ward Members felt there would be undue impact from moving the living spaces to the upper floor, although it was noted that there were kitchen facilities on both floors so if approval was to be given, both local Ward Members asked for a condition to be included that made the dwelling a single dwelling in perpetuity.

During the debate, Members commented that the size and massing would have a detrimental impact on the street scene. A Member commented that the lack of objection from the most affected neighbours somewhat undermined the objections received from the Council. Again Members were of the opinion that this decision was finely balanced.

Recommendation: Conditional Approval

Committee decision: Refusal

Following the application being refused, the Members agreed the reasons for refusal as being:–

1. By way of the increase in the massing, scale and built form of the proposed dwelling house, the proposal is not considered to be commensurate in size to the site. The increase in scale and massing of the proposed dwelling results in a disproportionate dwelling, which does not correspond well to the local vernacular, street scene, nor important characteristics of the setting of the dwelling, including the open spaces between residential properties, and the suburban character of Herbert Road. The proposal is not considered to comply with Policy Dev 20 and Dev 23 of the Plymouth and South Devon Joint Local Plan.
2. When considered in the context of the reverse living layout, the proposal is likely to result in an intensification of use of the first floor, with an associated increase in overlooking of neighbouring gardens, increased noise and disturbance at height, and is also likely to have an overbearing impact on neighbouring occupants when viewed from ground level within neighbouring gardens. In addition, the increase in the terraced area and the resultant increase in height of floor level of the terrace area, to the rear of the property, will allow for an increase in overlooking of neighbouring properties, contrary to the provisions of Dev 1 and Dev 2.

DM.62/21 **PLANNING APPEALS UPDATE**

Members noted the list of appeals as outlined in the presented agenda report. Design and particularly weather-boarding require policies within joint local plan to

be developed to cover these.

DM.63/21 PLANNING PERFORMANCE INDICATORS

Due to the absence of the Head of Planning it was proposed, seconded, and when put to the vote, agreed to defer this agenda item until the next meeting.

DM.64/21 UPDATE ON UNDETERMINED MAJOR APPLICATIONS

The list of undetermined major applications was noted. The Ward Member requested that the undetermined major from Dartington Parish Council be now closed. Members reiterated their wish to arrange a tour of various previous decisions to see what has been built out: the Clerk to email out for suggestions from all Members and then to put together a sequence, in consultation with the Chair and Head of Planning.

(Meeting commenced at 10:00 am and concluded at 3:50 pm, with a 10 minute break at 11:20 am and lunch at 12:45 pm.)

Chairman

Voting Analysis for Planning Applications – DM Committee 16th March 2022

<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>
0591/21/FUL	Pool Farm, Frogmore, TQ7 2NU	Approval	Cllrs Abbott, Brazil, Brown, Foss, Hodgson, Long, Reeve, Rowe, Taylor (9)	Cllr Pannell (1)		Cllrs Kemp, Pringle (2)
3048/21/FUL	Montgo, Maudlin Road, Totnes, TQ9 5TG	DEFERRED				
2876/21/FUL	Development Site, Tumbly Hill, Kingsbridge	Approval	Cllrs Abbott, Brazil, Brown, Foss, Hodgson, Long, Pannell, Reeve, Rowe, Taylor (10)			Cllrs Kemp, Pringle (2)
4024/21/FUL	Sunny Ridge, Herbert Road, Salcombe, TQ8 8HN	Refusal	Cllrs Brazil, Brown, Foss, Hodgson, Long, Pannell, Reeve, Rowe, Taylor (9)	Cllr Abbott (1)		Cllrs Kemp, Pringle (2)

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PLANNING APPLICATION REPORT

Case Officer: Darren Henry

Parish: Strete **Ward:** Allington and Strete

Application No: 0647/21/FUL

Agent:

Mr Mark Ledgard - Savills (UK) Ltd
Sterling Court
17 Dix's Field
Exeter
EX1 1QA

Applicant:

Mr & Mrs R Newman
C/O Agent

Site Address: Asherne Lodge, Strete, TQ6 0RW

Development: Construction of a stone finished car park



Recommendation: Refusal

Reason item is being put before Committee:

Cllr Foss has requested that this case be referred to Committee for the following reasons:

- To consider the suitability and location of the proposed access and impact for users of the public highway having regard to road conditions and existing speed restrictions
- To review the visual amenity and ability to protect the trees by the proposed development

Reasons for refusal

1. The increased use of the access onto the Public Highway resulting from the proposed development would, by reason of the limited visibility from and of vehicles, be likely to result in additional dangers to all users of the Public Highway contrary to paragraph 110

Key issues for consideration:

- Principle of Development
 - Highway safety
 - Design/landscape and arboricultural impact considerations
 - Drainage
 - Ecology
 - Proximity to Heritage Asset
-

Site Description:

The proposed car park is within an area of land immediately to the south of the residential properties of Asherne Lodge and approximately 200m to the west of Asherne House. Within the site. The area of proposed parking is accessed via a private track from the A379 where there is a 20 MPH restriction in place on this section of the highway.

The development site is also in view of Asherne Grade II Listed Building and represents a mid 19th century small country house situated in an impressive setting.

Although the applicant property itself is located within the Strete Conservation Area, the area of land that is proposed to be used for parking is outside the Conservation Area.

The site and the surrounding area is within the South Devon AONB, the JLP Undeveloped Coast designation and is in the 1B Open coastal plateaux landscape character type.

The Proposal:

Planning consent is sought for the construction of a stone finished car park to the south east of the property known as Asherne Lodge, including a new entrance, fence and hedge planting.

The proposal shows the laying of a hedge of native species on the line of the existing hedge extended along the same line in a southerly direction down to the existing fence on the north side of the drive to Asherne to assist with screening.

The proposal includes a fence to match the existing along the north edge of the road and incorporates a 4 m wide timber gate.

The finish of the car park would be rolled stone. A channel will be cast in concrete, 500mm in width, across the opening and directed to a local soakaway to prevent rainwater draining into the drive. The stone finish would be informally edged without any kerb stones and the parking spaces would not be marked. The ground to the perimeter of the stone surface would be maintained as grass.

The application seeks to provide an off-road parking area for the occupiers of the Lodge and two cottages on the opposite side of the road to use who are reported in the submitted statement to currently use the roadside grass verge for parking.

Consultations:

- County Highways Authority – Objection due to limited visibility.
- Landscape specialist - No objection subject to conditions relating to the root protection area and additional tree planting.
- Tree specialist - the tree report and its methodologies therein provide sufficient detail to ensure the longevity of the trees during and after the build if approved.
- Strete Parish Council – Support—22/06/2021
- Strete Parish Council – Support—17/02/2022
The Parish Council is of the opinion that the new arrangements for car parking would see no more cars involved than at present. This application is designed to take cars off the highway and into a dedicated car parking area. The Parish Council wishes to state our strong support for the application.

Representations

No representations received from neighbouring properties

Relevant Planning History

No relevant planning history

ANALYSIS

Principle of development/sustainability

The principle of this development falls to be considered against the spatial strategy and detailed policies in the Plymouth and South West Devon Joint Local Plan (JLP). The relevant strategic policies are: SPT1, which encourages sustainable development, SPT2, which indicates how sustainable development should be delivered in the JLP area. The strategic policies underpin the other policies in the Plan.

SPT2 sets out the principles of sustainable neighbourhoods and sustainable rural communities to guide how development and growth take place in the Plan Area. For the purposes of SPT2 the application site would not be classed as a sustainable location due to it not being well placed for access to community facilities, such as shops, health services, daily needs and due to the likely reliance on a car, which is why the village is not a named settlement within the JLP.

In addition, TTV1 is relevant as it deals with how development will be dealt with in the Thriving Towns and Villages Policy Area, within which the application site is located. In relation to SPT1 it promotes sustainable development and sets out the environmental economic and social aspects of sustainable development.

TTV1 sets out the development strategy across the Thriving Towns and Villages Policy Area, describing how the settlement hierarchy of (1) Main Towns, (2) Smaller Towns and Key Villages, (3) Sustainable Villages and (4) Smaller Villages, Hamlets and the Countryside, will be used to inform whether a development proposal can be considered sustainable or not.

Strete is not identified in the JLP as a main town, smaller town, key village or sustainable village and would therefore fall into the last category, Tier 4, in the sustainable hierarchy set out above.

Paragraph 5.5 of the JLP explains that policy TTV26, "Development in the Countryside2, will be applied 'outside built up areas'. Policy TTV26 relates to development in the countryside. The aim of the policy, as articulated in the first line, is to protect the role and character of the countryside.

TTV26 states that 'development in the countryside will be avoided and only permitted in exceptional circumstances' and should 'be complimentary to and not prejudice any viable agricultural operations on a farm and other existing viable uses'. The proposed parking area would serve existing residential properties in the vicinity of the site on an underutilised parcel of land which is not currently used as part of an agricultural operation, consisting of bare ground/poor quality grassland. The redevelopment of this site would therefore not prejudice any viable agricultural operation on a farm or any other existing viable uses and there is no in principle objection to the proposal in this location subject to consideration of impact of the proposal on landscape character.

The site is also located within the Undeveloped Coast and South Devon AONB. Policies DEV24 and DEV25 of the JLP are therefore relevant to the consideration of this application.

Policy DEV24 (Undeveloped Coast - UC) states that development which would have a detrimental effect on the undeveloped and unspoilt character, appearance or tranquillity of the UC not be permitted, except under exceptional circumstances. Development will only be permitted in the UC where the development can demonstrate that it requires a coastal location and it cannot reasonably be located outside the UC. Development needs to protect, maintain and enhance the unique landscape and seascape character and special qualities of the area and be consistent with the relevant AONB Management Plan.

In this case, it is accepted by Officers that given the location of the dwellings that the parking area is designed to serve, there is no other land outside the UC which could be utilised to provide parking within a reasonable walking distance from the properties. In principle, therefore, it is concluded that the parking area cannot reasonably be located outside the UC.

The principle of the proposed development in this location is accepted, subject to consideration of whether the proposal would protect, maintain and enhance the unique landscape and seascape character and special qualities of the area.

Policy DEV25 (Nationally Protected Landscapes) states that in considering development proposals, the LPA should give great weight to conserving landscape and scenic beauty in the protected landscapes. However, the policy does not prevent development in principle in the AONB subject to the impact on the protected landscape being acceptable. The ability of the proposal to conserve the South Devon AONB it lies within will be considered in the 'Design/Landscape' section of this report below.

Highways/Access:

The agent states that occupiers of the Lodge and two cottages on the north-east side of the A379 currently use the verges of the access track for parking. The proposals are intended to formalise parking for these homes which currently use the private access track from the A379 by providing an area of off-street parking.

With regard to these three properties using the proposed parking area, the County Highway Authority has visited the site and has concerns that the proposals will increase the use of a substandard access and consequently create further/additional danger for A379 users.

The Highways Officer reports that the current access serving the application site would not provide adequate visibility splays for the intended parking area and that the proposed plans submitted do not demonstrate that adequate visibility splays would be provided to make the development acceptable. The Highways Officer therefore advises that as a safe level of visibility cannot be achieved, the increased use of the access onto the public highway resulting from the proposed development would likely result in additional dangers to all users of the road contrary to paragraph 111 of the National Planning Policy Framework and DEV29 of the JLP.

The Highway Officer notes the agent's claim that the access is already used by cottages to the north-east of the A379. However, in the absence of any evidence to support the historical use of the access by these homes, is unable to support the application.

Design, landscape and arboricultural Impact considerations:

JLP Policy DEV23 (Landscape Character), DEV24 (Undeveloped Coast), DEV25 (Nationally Protected Landscapes) and DEV28 (Trees, woodlands and hedgerows) are relevant to the consideration of this application. Policy SNP1 (Protecting the Landscape) of the Strete Neighbourhood Plan is also relevant to the consideration of the impact of the proposal on landscape character.

Policy DEV23 (Landscape Character) requires development to conserve and enhance landscape, townscape and seascape character and scenic and visual quality, avoiding any adverse landscape or visual impacts.

Policy DEV24 (Undeveloped Coast) requires development in the Undeveloped Coast to protect, maintain and enhance the unique landscape and seascape character and special qualities of the area and be consistent with the relevant AONB Management Plan.

Policy DEV25 (Nationally Protected Landscapes) sets out that in considering development proposals in the protected landscape of the South Devon AONB that this site lies within great weight should be given to conserving landscape and scenic beauty in the protected landscapes.

Policy DEV28 (Trees, woodlands and hedgerows) seeks to provide protection for protected and high amenity trees, woodlands and hedges and states that development that would result in the loss or deterioration of the quality of woodland, trees or hedgerows will not be permitted unless the need for, and benefits of, the development in that location clearly outweigh the loss and this can be demonstrated. Development should be designed so as to avoid the loss or deterioration of woodlands, trees or hedgerows.

Policy SNP1: Protecting the Landscape of the Strete Neighbourhood Plan, sets out that development shall not harm but maintain and enhance the landscape by having regard to the special qualities of the AONB in the area, particularly its high coastal character and sea views, and to the South Devon AONB Planning Guidance. Development should safeguard and enhance local features that make a positive contribution to the landscape, particularly areas of green space and should incorporate high quality landscaping which retains existing features,

reinforces local landscape character, restores degraded landscapes, and provides mitigation from harm.

The Council's Landscape Specialist advises that the proposed car park would bring about a limited change to the pattern of the landscape. It would alter the existing field pattern by removing a piece of a larger field and emphasise the sub-division with a new hedgerow. However, the proposed hedgerow is considered to be a positive feature consistent with the character of the wider landscape to which it would contribute, as well as functioning as a visual screen from the east and a potential wildlife habitat.

The existing vegetation, including trees to the west, are to be retained, which is supported. However, concern is raised by both the Council's Landscape and Tree Specialists that there does not appear to have been a survey of the trees on site and so the root protection area is not known. It is unclear from the information submitted whether the potential impacts on these trees has been adequately considered. The proposed car park is within close proximity to mature trees intended to provide important screening for the car park to provide mitigation to conserve the landscape character of this part of the Undeveloped Coast designation and South Devon AONB.

The application, as a result of the failure to submit a baseline tree survey, arboricultural impact assessment and details of tree protection measures results in the application failing to demonstrate that existing trees on site would not be harmed.

There is therefore an objection on arboricultural merit to the proposed development as the application fails to demonstrate that the proposal will safeguard an existing important landscape feature that would screen the site from the wider landscape and conserve landscape character. If the existing landscape screening were to be lost as a result of this development the presence of the car park would not be adequately screened from wider views and would as a result not conserve the landscape character of this part of the Undeveloped Coast designation and South Devon AONB. The proposal would therefore conflict with policy DEV23, DEV24, DEV25 and DEV28 of the JLP and policy SNP1 of the Strete Neighbourhood Plan (January 2021).

The Landscape Specialist's comments have suggested that the proposal would benefit from new planting being extended along the remaining proposed site boundary fence to reinforce and enhance the existing retained vegetation and improve the visual screening of the site from the west and south. It has also been pointed out that without adequate screening there would be potential views of vehicles from the nearby public right of way and from the A379. A hedgerow surrounding the site has been suggested to mitigate potential adverse visual effects from car headlights that would otherwise sweep across the local area when cars initially enter or leave the car park. The Landscape specialist has commented that there are no objections on landscape terms subject to consideration of these comments. If Members are minded to approve the application it is concluded that additional landscape planting could be secured by condition to address these comments.

Drainage Considerations:

Surface water drainage provision is concluded to have been adequately considered. The car park would be finished with a permeable surface and a channel is proposed across the opening and directed to a local soakaway to prevent surface water from draining onto the drive. If approved, this could be secured by condition to be delivered prior to first use of the carpark

and retained thereafter for the lifetime of the development to ensure surface water from the development is adequately managed.

Ecological Considerations:

An extended phase 1 Habitat Survey has been submitted with this application. This report concludes that the bare ground and species-poor grassland proposed to be utilised for the car park area is unlikely to support an invertebrate population. However boundary hedges and trees on the boundary hedgerow have potential to provide foraging habitats for protected species and therefore it is important that these are retained as indicated.

The report does not find any ecological reasons to resist the proposed development; However it does make recommendations with regard to precautions to take during construction works and also recommends biodiversity enhancement through the introduction of bird boxes and bat boxes installed on the mature trees on the western boundary of the site, the retention of trees and hedgerow and provision of new native planting.

If Members are minded to approve, a condition could secure the recommendations and enhancement measures detailed in the ecology report are followed and implemented. Given that the hedgerows are used as foraging paths a condition is also recommended to prevent the installation of lighting on the car park unless details of lighting to be installed is first agreed in writing by the Local Planning Authority to safeguard foraging paths for protected species.

Proximity to Heritage Asset

Policy SPT11 relates to Council's strategic approach to the conservation and enhancement to the historic environment, and states that the Council "*will pursue a proactive and solution-orientated approach for the conservation and, where appropriate, enhancement of the historic environment, ensuring that it is promoted as a key element of local character and distinctiveness, forms a strategic context for regeneration and development, and is conserved or enhanced as part of the area's cultural offer, including in relation to:*

- *Scheduled monuments (or an archaeological site of national importance), listed buildings, registered parks and gardens, conservation areas, the World Heritage Site and archaeological remains (including protected wreck sites marine archaeology)".*

Paragraph 202 of the National Planning Policy Framework states that "*Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use".*

In light of the possibility that the proposal may impact the setting of Asherne grade II Listed Building, the Council's Heritage Officer has been consulted and raised no objection, stating that "*In considering this application and assessing potential impacts of the development proposal against surrounding heritage assets the following policies, principles, guidance have been considered:*

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act, Section 16 of the NPPF including paragraphs; 194, 195, 197, 199, 201, 202 & 203 The National Planning Practice Guidance (NPPG) particularly the Section: Conserving and Enhancing the Historic Environment. The Historic England guidance: The Setting of Heritage Assets – Historic Environment Good Practice Advice in Planning: 3".

The property is accessed from a long and winding carriage drive, the legibility of which (in historic terms) remains intact. At the entrance point, there are a robust set of circular stone gate piers adjacent to the Lodge, a later addition, first appearing on the 2nd Edition O.S. Map (1904).

The Lodge and the entrance driveway are situated adjacent to the A379 and as such are open to public view.

Given the sensitivities associated with the development site it is of particular importance that the new proposed car park is well screened from public view especially from a southwest aspect when one is travelling along the A379 towards the village of Strete.

Planning Balance

Whilst the proposal provides off-road parking spaces that are not currently available to 3 properties, by virtue of the policy conflicts identified above, the application fails to comply with the Development Plan as a whole, policy SNP1 of the Strete Neighbourhood Plan and the NPPF.

In light of the above analysis the proposal is considered unacceptable. Therefore the recommendation is one of 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).

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
SPT11 Strategic Approach to the Historic Environment
TTV1 Prioritising growth through a hierarchy of sustainable settlements
TTV26 Development in the Countryside
DEV21 Development affecting the historic environment
DEV23 Landscape character
DEV24 Undeveloped coast and Heritage Coast

DEV25 Nationally protected landscapes
DEV26 Protecting and enhancing biodiversity and geological conservation
DEV28 Trees, woodlands and hedgerows
DEV29 Specific provisions relating to transport

Strete Neighbourhood Plan

The application is located within the parish of Strete a Neighbourhood Plan was adopted in May 2021 and therefore should be given sustainable weight at the decision making process: It now forms part of the Development Plan for South Hams District and is used when determining planning applications within the Stoke Fleming Neighbourhood Area.

SNP1: Protecting the Landscape
SNP2: Heritage and Conservation
SNP3: Coastal Setting and Land South of A379
SNP5: Tranquillity and Dark Skies
SNP6: Development and the Settlement Boundary
SNP7: Design and Construction

It is not concluded that granting consent for the proposed development would undermine the policies in the Neighbourhood Plan other than policy SNP1 for the reasons detailed in the body of this report.

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:

South Devon Area of Outstanding Natural Beauty Management Plan 2019-2024

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.

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.

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PLANNING APPLICATION REPORT

Case Officer: Rachel Head **Parish:** South Huish **Ward:** Salcombe and Thurlestone

Application No: 4713/21/HHO

Agent:

Mr Douglas Gunn
Douglas Gunn Design
Trafalgar House
19 Coronation Road
Salcombe
TQ8 8EA

Applicant:

Ms Emma Foster
The Willows, Bolberry Road
Hope Cove
TQ7 3HT

Site Address: The Willows, Bolberry Road, Hope Cove, TQ7 3HT



Development: Householder application for ancillary annexe

Reason item is being put before Committee: Applicant is a member of staff at the Council.

Recommendation: Conditional approval

Conditions:

1. Time limit
2. Accord with plans
3. Materials to match existing
4. Annexe to remain ancillary
5. Surface water drainage

Key issues for consideration:

Principle of development, design, impact on AONB, neighbour amenity

Site Description:

The property falls within the built form of Inner Hope, to the south of the village and is accessed off Bolberry Road. The site comprises a one and a half storey detached dwelling with painted render and Cedral clad walls, and slate roof.

The site has an existing driveway off the main road. The rear garden extends north from the rear of the dwelling, and then north-east at a 90 degree angle to form an L-shaped amenity space which runs along the back of the property, 'Kittiwake'. The topography of the land slopes down from the front of the property, and so the garden level is at a lower level than the road to the front (south).

There is an existing garden room to the north-west corner of the site. The property is currently undergoing construction following the grant of planning consent to raise the roof of the main house for first floor accommodation.

The site is within the South Devon Area of Outstanding Natural Beauty and it falls just outside of the Inner Hope Conservation Area.

The Proposal:

The proposed development is for an ancillary annexe for the applicant's mother. The extension would be located to the rear (west) and side (north) of the main dwelling. It would measure approximately 65sqm, comprising a bed and living/dining room, with a link to the ground floor of the main dwelling on the west elevation. Two windows are proposed to both the south and north elevations with an access door to the south. Bifold doors are also proposed on the east elevation of the extension facing the garden.

The application also proposes a car port extension to the front of the existing garage to provide shelter for one car. The materials of the annexe and car port would comprise rendered walls and roof tiles to match the existing dwelling.

Consultations:

- County Highways Authority: No highways implications.
- South Huish Parish Council: Object

- The plans represent complete overdevelopment of the site. Originally, there was a garage, this was converted, now a car port is being requested, there is no requirement for this and the entire application is out of keeping in the AONB.
- The extension and proposed plans are too large for the plot. The extension extends around the rear of the property, if allowed the new building will have no comparison to the original property. The footprint will be overbearing for the plot.
- The entire garden area is on a flood plain, the application does not demonstrate that there will be no adverse impact on local streams, lead, flood channels and neighbouring properties as per Policy SH Env 7 of the South Huish Neighbourhood Plan.
- Surface water run-off would significantly increase, impacting on the issues raised above, it is essential that full details of how the impact of the run-off would be mitigated. Details, with reference and understanding of the issues raised in the ATKINS report are required prior to any permission being considered.

- Any additional building work that is permitted must remain ancillary to the main dwelling and never used independently.

Representations:

Representations from Residents

None received.

Relevant Planning History

- 46/1019/94/3 Erection of extension to provide lounge and ensuite bathroom – Conditional approval 30/08/94
- 2535/20/HHO Householder application for raising of roof to provide extra living accommodation, extension to living room, installation of bat box, balcony and guarding, two sets of bifold doors in lieu of windows to ground floor (part retrospective) – Withdrawn
- 3364/20/HHO Householder application for raising of roof to provide first floor bedrooms and bathrooms and retrospective consent for garden shed, games room infill cladding, summer house, cladding under balcony, porch and living room extension (resubmission of 2535/20/HHO) – Conditional approval 16/12/20

ANALYSIS

Principle of Development/Sustainability:

The site is located within the built area of Hope Cove and comprises an existing dwelling and residential curtilage.

The Parish Council have stated that if application is permitted the building must remain ancillary to the main dwelling and never used independently. Officers agree and consider that in this instance it is appropriate to impose a condition to ensure that the annexe is used only for purposes ancillary to the main dwelling house and not as a separate unit of accommodation, in order to safeguard the amenity and character of the surrounding area.

The principle of the proposed development is therefore acceptable, subject to all other material planning considerations.

Design/Landscape:

Officers raised concerns about the design, in particular the ridge height of the original annexe extension. Revised plans have been received which reduce the height of the ridge by 1.8m and a lowered roof pitch.

The JLP Supplementary Planning Document (SPD, adopted July 2020) provides guidance on the acceptability of residential annexes under DEV10.4:

‘When considering whether an extension or outbuilding is capable of being occupied independently of the main dwelling, the LPAs will have regard to its relationship to the main dwelling, and the extent to which facilities such as bathrooms, kitchens and toilets are shared’ (paragraph 4.130).

The LPAs will normally expect an annexe to:

- Be an extension to the existing dwelling, or an outbuilding sited within its garden- the proposal is an extension to the existing dwelling.
- Be functionally related to the main dwelling – the floor plans of the extension shows that it would be related to the main dwelling, bathroom and kitchen facilities remain within the main dwelling.

- Be used only in conjunction with the main dwelling - as above.
- Be in the same ownership as the main dwelling - the whole site is owned by the applicant.
- Be accessed via the main dwelling or its garden and not by means of an independent access- the extension is to the rear/side of the main dwelling and is accessed via the main dwelling. However, there is also a side access meaning that the extension could be accessed without entering the main dwelling, and causing little disturbance to occupants of the main dwelling.
- Be reliant on facilities and floor space provided by the main dwelling such that it cannot be occupied completely independently- the plans include a living/dining area, the kitchen facilities of the main dwelling would be relied upon. If approved is it recommended a condition be applied to restrict the use of the annexe to remain ancillary to the host dwelling.
- Share a garden or other outdoor amenity space with the main dwelling, with no boundary demarcation or sub division of the land between the main dwelling and the annexe- the annexe would share the garden with the host dwelling, there is currently no significant boundary demarcation or sub-division.
- Be designed in such a way as to easily allow the annexe to be used as an integral part of the main dwelling at a later date- the proposed extension could be used as an integral part of the main dwelling at a later date.

It is the Officer's view in this case that the proposed annexe extension accords with the majority of the criteria above. The proposal is therefore considered acceptable with regards to policy DEV10.4 of the JLP.

The Parish Council have raised concern about the proposal represents an overdevelopment of the site, is too large for the plot, the extension will have no comparison to the original property and will be overbearing. They highlight the previous planning history with the conversion of the garage and state there is no requirement for the car port. Also commenting that the proposal is out of keeping with the AONB.

Officers are of the opinion that the annexe extension would be largely obscured due to the drop in levels from the road and the bulk of the existing dwelling, and scarcely visible from outside of the site given the large curtilage and location of the site within the village. The site is in an obscured position, surrounded by vegetation and enclosed by the neighbouring dwellings within a built up area of the village and so, on balance, the proposed works are not considered to impact upon the wider landscape, Inner Hope Conservation Area setting, or AONB setting.

Due to the relatively large existing garden Officers do not consider the extension to the rear to be an overdevelopment of the site. It is therefore not deemed justified to refuse the application on this basis.

Whilst the history of the site and previous approvals are noted, the erection of a modest car port on the existing driveway, set back from the highway, within the built form of the village is considered acceptable in this instance.

The materials proposed for both the annexe extension and the car port would be in keeping with the local vernacular, and the application is therefore considered to be acceptable with regard to landscape impact.

The site falls within the South Devon AONB. Policy DEV25 requires that proposals "conserve and enhance the natural beauty of the protected landscape with particular reference to their special qualities and distinctive characteristics or valued attributes". The proposal meets the first policy test, in that the design and palette of materials have a neutral impact on the AONB, thereby conserving the natural beauty of the AONB. While it does not offer enhancement, given the small scale of the proposal it is considered acceptable with regard to the provisions of DEV25.

Subsequently, the design and scale of the revised scheme is considered to be acceptable within the context of the site; the scale, height and massing of the extension is subservient to the existing dwelling and therefore accords with the provisions of policy DEV20 of the JLP.

Neighbour Amenity:

The proposal is not considered to have a significant overlooking or loss of privacy impact on the amenity of the neighbouring properties.

Following Officer concerns regarding neighbour impact revised plans have been received which alters the siting of the building further north into the garden, away from the closest neighbour (High Hopes Cottage). The revised plans also reduce the height, from approximately 5.6m to 3.8m. The re-siting and significant decrease in height reduces any overbearing impact or loss of daylight/sunlight impact on the neighbouring property. For these reasons the revised scheme is considered acceptable in terms of neighbour amenity.

No formal comments from the neighbouring properties have been received.

Highways/Access:

The proposal would not impact upon the existing highways arrangement.

Drainage:

The Parish have raised concerns about the surface water run-off being significantly increased by the proposal, highlighting the garden area is on a flood plain and the application does not demonstrate that there will be no adverse impact on existing local watercourses or neighbouring properties.

However, the site does not fall within Flood Zone 2 or 3 nor within a Critical Drainage Area. The applicant has demonstrated that the impermeable area of the proposed extension is less than existing on site, the proposed surface water will connect to the existing rainwater system which is considered acceptable in this instance and accords with the provisions of DEV35.

Ecology:

Whilst there was not a Preliminary Ecological Appraisal submitted with this application following a visit to the site the existing outbuilding to be removed is a modern timber building with a flat roof, there is no roof void and the boards are in good condition, it is therefore considered that it would be unlikely that the roof space would be used by protected species.

As a precautionary approach if the application is approved an informative will be applied to advise the applicant of what to do in the unlikely event protected species are discovered during the works in order to ensure no harm is caused to protected species should they be discovered to be within the building.

Conclusion:

For the above reasons the revised scheme is considered to be acceptable in terms of design, neighbour amenity and impact on the landscape. It is therefore recommend for conditional approval.

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
SPT11 Strategic approach to the Historic environment
SPT12 Strategic approach to the natural environment
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
DEV22 Cornwall and West Devon Mining Landscape World Heritage Site
DEV23 Landscape character
DEV24 Undeveloped coast and Heritage Coast
DEV25 Nationally protected landscapes
DEV26 Protecting and enhancing biodiversity and geological conservation
DEV28 Trees, woodlands and hedgerows
DEV31 Waste management
DEV32 Delivering low carbon development
DEV35 Managing flood risk and Water Quality Impacts

South Huish Neighbourhood Plan

Following a successful referendum, the Malborough Neighbourhood Plan was adopted at Annual Council on 20 May 2021. It now forms part of the Development Plan for South Hams District and is used when determining planning applications within the Malborough Neighbourhood Area. The proposed is considered to adhere to relevant policies:

SH Env 1 Settlement Boundaries and avoidance of coalescence
SH Env2 Impact on the South Devon Area of Outstanding Natural Beauty (AONB)
SH Env3 Safeguarding the biodiversity and Green Infrastructure throughout the Parish
SH Env 7, Drainage Impact
SH Env 8, Dark Skies and the avoidance of light pollution
SH T1: Car Parking
SH HBE 3: Design Quality within the Parish

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:

South Devon AONB Management Plan (2019-2024)

Plymouth and South West Devon Joint Local Plan Supplementary Planning Document 2020

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 '20.2.4d' (Location and Block Plans) received by the Local Planning Authority on 11 January 2022 and '20.2.7d' (Proposed Plans and Elevations) received by the Local Planning Authority on 22 March 2022.

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. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those of the existing building.

Reason: In the interests of visual amenity.

4. The annexe extension hereby permitted shall not be used at any time other than for the purposes ancillary to the residential use of the dwelling known as The Willows, Bolberry Road, Hope Cove TQ7 3HT and shall not be used, let, leased or otherwise disposed of for any other purpose including as a separate unit of accommodation.

Reason: In accordance with the application submission and in the interests of residential and local amenity.

5. 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.

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PLANNING APPLICATION REPORT

Case Officer: Charlie Bladon

Parish: Brixton **Ward:** Wembury and Brixton

Application No: 1508/21/FUL

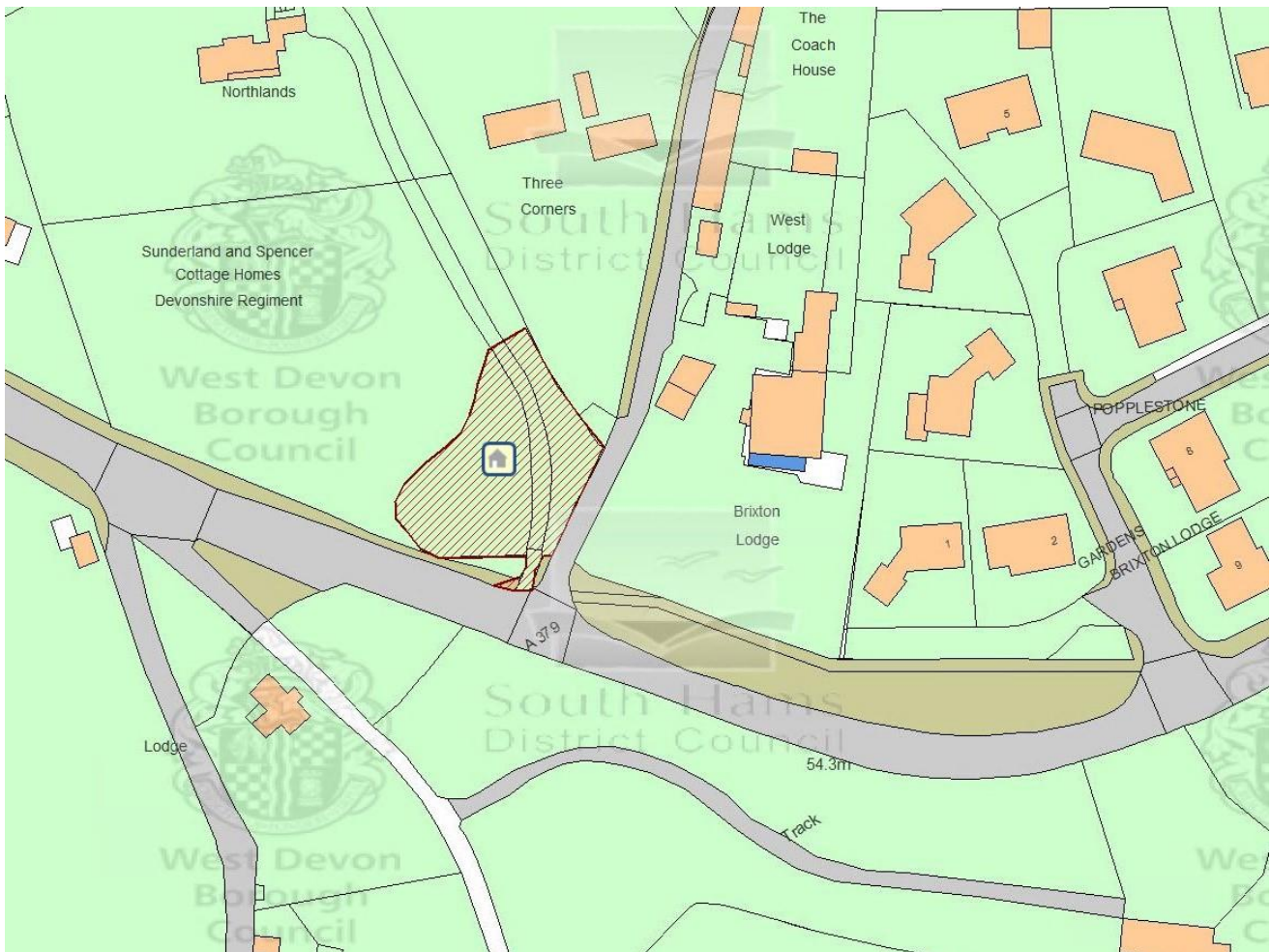
Agent/Applicant:

Elizabeth Bricknell
Design Development Ltd
Lansdowne House
7-9 Lower Compton Road
Mannamead
Plymouth
PL3 5DH

Applicant:

Mr D Bothma
Northlands
Chittleburn Hill
Brixton
PL8 2FL

Site Address: Land at Northlands, Chittleburn Hill, Brixton, PL8 2FL



Development: READVERTISEMENT (Revised plans received) Application for proposed single storey dwelling with associated access, driveway and private garden

Recommendation: To delegate authority to the Head of Planning to approve the application subject to completion of a Unilateral Undertaking to secure financial contribution to mitigate impacts on the Plymouth/Tamar European Marine Site (EMS).

Reason item is brought before Committee: Councillors Brazil, Chown and Brown have requested the item is determined by the committee for the following reason: *Due to the concerns noted by the Parish Council and local residents of a potential conflict with the Brixton Parish Neighbourhood Plan.*”

Conditions/Reasons for refusal (list not in full)

1. Time for commencement
2. Approved plan
3. Tree protection measures
4. Parking/Turning prior to occupation
5. Landscaping scheme to include indigenous species.
6. Remove PD rights
7. Climate reduction measures to be implemented prior to occupation

Key issues for consideration: Principle, Design/visual impact, amenity impacts, impacts on nearby trees, setting of Listed Building, AONB landscape, highways implications, ecology, eco-homes measures, Plymouth EMS.

Financial Implications (Potential New Homes Bonus for major applications):

The Government has advised that the New Homes Bonus scheme will end after the 2020-2021 financial year and this year is the last year's allocation (which was based on dwellings built out by October 2019). A statement about a replacement scheme is expected in Autumn 2020.

Site Description: The site lies on the western edge of Brixton, outside but directly abutting the village boundary as defined in the Brixton Neighbourhood Plan. The site forms part of the original garden of a large detached dwelling, “Northlands”, which lies to the north. To the west of the site are four new dwellings that were also once part of the garden of Northlands and were granted permission and have now been completed. The current application site lies between these newly constructed dwellings and the existing urban fabric of the village to the east. The site is not within the AONB which lies to the south of the main road through Brixton. The site is not within a conservation area and there is a Grade I listed building known as Brixton House around 50 metres to the east.

The Proposal: Full permission is sought for the construction of a single storey detached dwelling on the site, with associated parking, access, and outdoor amenity space.

Consultations:

- County Highways Authority - The Highway Authority has no objections.

Note - Prior to commencement a S184 licence will be required to adjust the verge for the proposed driveway. A 12mm height kerb should be re-instated at the access for the vehicle crossing.

- Town/Parish Council – Object: Brixton Parish Council objects to this re-advertisement application 1508/21/FUL.

1. Brixton Parish Neighbourhood Plan - Brixton Village Settlement Boundary

The location of the site in this application is outside the Brixton Village Settlement Boundary as defined and marked in red in the adopted/'made' Brixton Parish Neighbourhood Plan 2014-2034 (page 41).

The planning policies contained in the Brixton Neighbourhood Plan are relevant and must be applied as the Neighbourhood Plan met the basic requirements for the Examiner in June 2019. It proceeded to the Referendum on the 15th October 2019 when 95% of the electorate of Brixton Parish who voted supported the Plan. The Plan and its policies were formally adopted/'made' at South Hams District Council on the 28th November 2019.

Notwithstanding point 1 above which on its own is sufficient to refuse this application the following reasons are also given to support this objection. (All of which carry equal weight)

2. Access

In 2016 planning consent was granted by South Hams District Council for an application to construct of 4 dwelling houses at Northlands. This consent included the closure of the existing access to the house at Northlands for vehicular traffic and construction of a new vehicular access on to the highway (A379). The new vehicular access would provide access to the 4 new dwelling houses, Northlands and other accommodation on the site. The closure of the existing vehicular access resulted in creating a pedestrian access to Northlands.

Image 8 on the Design Statement for this current application is incomplete as it does not show the whole area covered by the consent made in 2016.

This re advertised application proposes changing this pedestrian access back to vehicular traffic to allow vehicles onto this site. As a result on the ground, over a distance of 15 meters there will be three exits onto the A379. These exits are from Lodge Lane, this proposed change from pedestrian access to vehicular access and the consented vehicular access (2016) to the 4 houses in Chittleburn Close, the house at Northlands and three holiday lets. All three access points onto the A379 will cross the footway.

This proposed access is immediately adjacent to tactile paving which is on either side of Lodge Lane at this point.

In the 2016 planning application the standard of the existing vehicular access at this junction to Northlands was considered to be 'poor', being situated immediately adjacent to the main road junction for Lodge Lane with a resultant potential conflict between vehicle users at the two junctions.

3. Surface Water Drainage

Brixton Parish Council is committed to the improvement of water quality of the River Yealm by ensuring that all planning applications for new housing have sustainable and appropriate drainage plans for the disposal of all surface water within the proposed site of the development. For this application planners must be satisfied that the drainage plan ensures that all surface water will be managed on the site and that there will be no run off into the main drains.

This is particularly important on this site as at periods of increasingly frequent heavy rainfall there is considerable flooding where Lodge Lane joins the A379. Any surface water runoff from this site will exacerbate an already serious problem of flooding for the residents of Lodge Lane.

The drainage plan quotes the capacity of the soak away which includes 1:100 year event for flooding. From current recent experience of increased rain fall due to climate change this event has already happened. Plans need to be in place to ensure that there is no surface water runoff from the site to reduce the risk of increased flooding in Lodge Lane.

4. Renewable Energy

Given the drive nationally and South Hams District Council's policies on climate change the issue of using renewable energy in this application appears to be limited to solar panels. Other sources of renewable energy for heating should also be considered e.g. ground source heat pumps, etc.

- Landscape Officer – No objection in principle although some concerns and reservations remain about the species proposed.
- [Officer note: This can be dealt with via the imposition of a landscape condition].
- Tree Officer - No objection on arboricultural merit subject to the noted documents being made approved plans if consent follows.

Representations:

Representations from Residents

Comments have been received and cover the following points: 2 objectors
Site is outside village boundary and so development contrary to neighbourhood plan.

Relevant Planning History

4074/20/PR4 - Pre Application Enquiry For -Proposed single storey dwelling with associated access, driveway and private garden – Partial Support

1660/15/FUL - Construction of 4no. dwelling houses, closure of existing access to vehicular traffic and construction of new vehicular access onto highway – Conditional approval

ANALYSIS

Principle of Development/Sustainability:

The site falls outside but adjacent to the development boundary for Brixton set out in the Neighbourhood Plan, however it is well-related to the settlement and is sited between existing dwellings, therefore the site is considered to be sustainable and well linked to the existing settlement. Whilst development in the countryside remains under strict control, the National Planning Policy Framework (NPPF) is supportive of sustainable development and the Joint Local Plan (JLP) supports development immediately adjacent to development boundaries where it meets local need. In addition, while the site is outside of the Brixton Development Boundary, it is surrounded by existing residential properties. Spatially the site is considered to relate well to Brixton Village and is well connected to the facilities and services provided within it as well as transport links. Finally, the policy in the Neighbourhood Plan does not specifically restrict development outside the defined settlement boundary of Brixton.

The principle of development is therefore accepted subject to all material planning considerations.

Design/Landscape:

The application site is located outside the South Hams AONB and is in proximity to a listed building known as Brixton House which lies around 50 metres east of the site. The application site is well-screened from the surrounding environment by existing mature trees and shrubs within the site and surrounding properties. The proposed development would comprise a single storey dwelling with a flat roof design, presenting a low visual profile in the context of surrounding development which is mostly two storey and higher. The proposed dwelling would have a modern design that would not detract from the mixed architectural character or the surrounding area and would not harm the setting of the nearby listed building. In respect of the JLP, the design is considered in accordance with the requirements of policy DEV20 (Place Shaping and Quality of Built Environment)

Neighbour Amenity: The proposed dwelling would be sited a sufficient distance from other nearby dwellings to maintain adequate privacy and amenity. The trees and hedges within and along the boundaries of the site would further contribute to privacy and amenity between the site and surrounding land. It is considered that the proposed development is acceptable in the context of JLP policy DEV1 (Protecting health and amenity).

Highways/Access: The county highways authority have reviewed the proposal and determined that it would not result in significant harm to the safe operation of the highway network. The concerns of the Parish Council are noted, however the proposal seeks to re-instate an existing disused vehicular access and will provide sufficient space for turning and parking within the site. It is considered that the proposed access would not harm highway safety and would not prejudice pedestrian access. On balance therefore it is considered that the proposed access, parking and turning arrangements are acceptable.

Other Matters: A tree impact assessment and protection plan was submitted with the application; the tree officer has reviewed the submitted details and is satisfied with the measures proposed. The foliage within the site contributes to the aesthetic appeal and visual screening of the site, and it is reasonable to condition that the protection measures are followed.

The application proposes a new septic tank to the rear of the plot, away from the proposed dwelling, for foul waste and a soakaway system for surface water drainage. It is considered there is sufficient space to provide adequate drainage system to meet the needs of the development.

The proposal includes measures to ensure the sustainability of the development with respect to climate change. There are a number of measures proposed including high thermal efficiency construction and installation of solar photo-voltaic panels on the roof of the building. It is considered that the proposed development would satisfy the requirements of JLP policy DEV32 with regard to sustainability.

The site falls within the Zone of Influence for new residents have 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 appropriately secured by unilateral undertaking and this approach has been agreed by Natural England.

The agent has indicated willingness to enter into a Unilateral Undertaking to secure the necessary financial contribution identified above, but this has yet to be secured. It is recommended that the committee delegates authority to the Head of Planning to approve the application subject to the LPA first securing the necessary Unilateral Undertaking.

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 22nd 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

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
DEV21 Development affecting the historic environment
DEV23 Landscape character
DEV25 Nationally protected landscapes
DEV26 Protecting and enhancing biodiversity and geological conservation
DEV29 Specific provisions relating to transport
DEV32 Delivering low carbon development
DEV35 Managing Flood Risk and Water Quality Impacts

Brixton Parish Neighbourhood Plan: Env2, Env7, Dev2, Dev4, Dev5, Dev6, Dev7

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

Considerations under Human Rights Act 1998 and Equalities Act 2010

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

Proposed Conditions:

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

Received 24/05/21:

Landscape Plan

1327-942-1301 Rev.A

1327-942-1101 Rev.A

TC210208-TS.TCP-02.2021

TC210208-AIA.TPP-02.2021

Arboricultural Impact Assessment

Received 02/07/21:

1327-942-1202 Rev.A

1327-942-1201 Rev.A

1327-942-0001 Rev.B

Received 02/08/21:

1327-942-1001 Rev.F

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.

2. 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.

3. Before the development hereby approved is brought into first occupation, the proposed access and parking facilities shall be provided as detailed on the approved plans and thereafter be so retained.

Reason: In the interests of highway safety.

4. The development hereby approved shall be carried out in accordance with the tree protection measures set out in the approved Arboricultural Impact Assessment and supporting Tree Protection Plan. Reason: In the interests of visual amenity.

5. Before the development hereby approved is first brought into use and notwithstanding the submitted landscaping scheme, details of indigenous species planting shall be approved in writing by the Local Planning Authority and thereafter be so maintained.

Reason: In the interests of visual amenity.

6. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development)(England) Order 2015, as amended (and any Order revoking and re-enacting this Order), no development of the types described in the following Classes of Schedule 2 shall be undertaken without the express consent in writing of the Local Planning Authority other than those expressly authorised by this permission:-

(a)Part 1, Class A (extensions and alterations)

(b)Part 1, Classes B and C (roof addition or alteration)

(c)Part 1, Class D (porch)

(d)Part 1, Class E(a)(swimming pools and buildings incidental to the enjoyment of the dwellinghouse)

(e)Part 14, Class A-I (renewable energy)

Reason: To enable the Local Planning Authority to exercise control over development which could materially harm the character and visual amenities of the development and locality.

7. The development shall be carried out in accordance with the energy and sustainability measures outlined in the submitted Design and Access Statement. Reason: To secure low carbon development in accordance with Policy DEV32 of the Plymouth and South West Devon Joint Local Plan.

PLANNING APPLICATION REPORT

Case Officer: Charlie Bladon

Parish: Chivelstone

Ward: Stokenham

Application No: 3445/21/FUL

Agent/Applicant:

Ms Amanda Sutherland - Sutherland PLS
Ltd
1St Floor Offices
11e Radford Park Road
Plymstock
Plymouth
PL9 9DG

Applicant:

Mrs Williams-Geldard
C/O Agent
C/O Agent

Site Address: Sunnyside, The Haybarn, South Allington



Development: Replacement dwelling and associated works

Recommendation: Conditional Approval

Reason item is brought before Committee: Councillor has requested the application be determined by the committee for the following reason : *This will have to come to committee to explain how the applicant ever got a certificate of lawfulness in the first place. On top of this there is an enforcement case running. The relevant planning history is not complete, there was also an appeal that the applicant lost.*

Conditions: (list not in full)

1. Time for commencement
2. Approved plans
3. Materials details (notwithstanding submitted information)
4. Drainage details foul and surface water.
5. Landscaping details
6. No PD
7. No Ext. Lights

Site Description: The application site is located in the open countryside within the designated Area of Outstanding Natural Beauty (AONB), around 800m north of South Allington and around 8km south east of Kingsbridge. The host dwelling lies to the south, with a paddock within applicant's ownership to the north. Beyond the wider site there are mature field boundary hedgerows and beyond that the site is generally surrounded by open agricultural fields.

The Proposal: Permission is sought for the construction of a dwelling on the site, to replace an existing outbuilding which has a Certificate of Lawfulness for use as a dwelling. In addition, permission is sought for associated change of use of land to garden for the new dwelling and construction of associated drainage and vehicle access/parking facilities.

Consultations:

- County Highways Authority - please refer to standing advice
- Town/Parish Council – object: site is within AONB, queries regarding proposed waste treatment solution, local residents object due to planning history of site.

Representations:

Representations from Residents

Comments have been received and cover the following points: objection

Increased traffic from site will increase danger to local road users

Drainage details on application are insufficient

Concern regarding planning history of site, many applications over the years working towards getting a dwelling on the site.

Relevant Planning History

0702/20/CLE - Certificate of lawfulness for existing use of building as a residential dwelling, use of land as residential garden land and use of buildings ancillary to The Haybarn. – Certificate issued

0083/19/CLE - CLE – Certificate of lawfulness for existing use of buildings as residential dwelling – refused

10/1793/12/F: FUL Continued residential occupation of an existing lawfully sited mobile home for the essential need of a rural worker to live at or near their place of work in the countryside Refusal: 01 Oct 12 HEA: Dismissed (Refusal): 03 Sep 13

10/1114/09/F: FUL Siting of temporary dwelling (log cabin) in relation to agricultural business carried out on site Refusal: 24 Aug 09 HEA: Dismissed (Refusal): 23 Jun 10

10/1107/05/F: FUL Erection of general purpose agricultural building and access road Conditional approval: 20 Sep 05

ANALYSIS

Principle of Development/Sustainability: The application site is located in the countryside and within the AONB landscape. Policy TTV1 of the JLP sets out the Council's development strategy across the Thriving Towns and Villages Policy Area. The policy describes how the settlement hierarchy of (1) Main Towns, (2) Smaller Towns and Key Villages, (3) Sustainable Villages and (4) Smaller Villages, Hamlets and the Countryside will be used to inform whether a development proposal can be considered sustainable or not. The application site in this case is clearly not within the built area of a settlement and is therefore considered to be located within the Countryside. The sub-text to TTV1 explains that development in the countryside will be guided by Policy TTV26.

Policy TTV26 of the JLP relates to development in the countryside. The aim of the policy, as articulated in the first line, is to protect the role and character of the countryside. The policy is divided into two different sets of policy requirement, where part 1 applies to development proposals considered to be in isolated locations and the second part of the policy is applied to all development proposals that are considered to be in countryside location. Part 1 states "Isolated development in the countryside will be avoided and only permitted in exceptional circumstances". In this case there is an existing lawful dwelling on the site which is proposed to be replaced, and is considered an exceptional circumstance as there is a specific Policy TTV29 discussed below which addresses such situations. The second part of TTV26 relates to all development in the countryside and requires that, where appropriate, development should:

- 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.

In this case the development would not harm any public rights of way, the existing lawful dwelling proposed for replacement is not a traditional building, the development would not compromise agricultural operations, the development does not relate to an agricultural worker, it would avoid loss of best and most versatile agricultural land, and would help enhance the setting with landscaping.

The application proposes to demolish an existing dwelling on the site and construct a replacement dwelling in its place. JLP Policy TTV29 provides for the development of replacement dwellings in the countryside, subject to specific criteria. In this case it is considered that the proposal meets these criteria in that the existing dwelling has a lawful permanent residential use, the replacement dwelling would not be significantly larger and would be sited on the same position as the existing dwelling.

The concerns raised regarding the location of the site within the AONB are noted, however this designation does not preclude development from occurring, and in this case it is considered that the development proposed would not harm the special character, beauty and interest of the designated landscape, in compliance with the requirements of JLP Policy DEV25 Nationally Protected Landscapes.

The concerns regarding the planning history of the site, and the path towards establishing a lawful residential use on the site are duly noted. It is unfortunate however in this case it is clear that the site benefits from a certificate of lawfulness establishing residential use, and therefore must be considered on the merits of the proposal without prejudice.

Design/Landscape: The proposed development would take the form of a single storey dwelling with a rectangular plan form and a dual pitch roof. Internally the layout is in accordance with the national minimum design standards. Externally, when the application was submitted, the proposed finishing materials were not considered sympathetic or appropriate to the special landscape character of the designated Area of Outstanding Natural Beauty. After some discussion the agent agreed to a condition requiring details of the exterior finishing materials to be confirmed. The scale of the dwelling is acceptable, the exterior details can be confirmed via condition and the proposed landscaping will ensure that the development does not harm the special character or appearance of the site or the surrounding landscape. As mentioned above, there is already a building of a similar scale but lesser aesthetic quality to that proposed on the site. Therefore it is considered that subject to appropriate landscaping and materials, the proposed development would not have any significant harmful impact on the special qualities of the AONB landscape.

Neighbour Amenity: There are no near neighbours that would be affected by the proposed development.

Highways/Access: The existing development is already served by an existing farm track and the proposed new dwelling would utilise that same track. It is considered that the existing access is sufficient to accommodate traffic attracted to the developed site. The Devon County Highways Authority has requested that the application be determined in accordance with their "Standing Advice". In this case it is considered that the proposed arrangement would meet the requirements of the standing advice. Additionally, there is sufficient space within the development site to provide parking and turning space for vehicles attracted to the site. The

concerns regarding increased traffic pressure on local roads are noted, however as the site already has a residential use it is considered that the traffic attracted to the replacement dwelling site would be broadly similar to the current traffic levels and would not materially impact on highway safety.

Other Matters: The application is supported by a drainage design statement which sets out recommendations for the design of the proposed sustainable drainage system (SuDS) for surface water and the proposed package treatment plant for foul waste. The statement is informed by on site investigations and it is considered that the proposals are suitable to serve the needs of the development. A condition to ensure provision prior to occupation will be applied to ensure the site is served by adequate drainage from the beginning. The concerns raised regarding the level of drainage information provided are noted however it is considered that there is sufficient information to demonstrate adequate drainage can be provided and this will be secured through a planning condition.

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 22nd 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
TTV1 Prioritising growth through a hierarchy of sustainable settlements
TTV26 Development in the Countryside
TTV29 Residential extensions and replacement dwellings in the countryside
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
DEV23 Landscape character
DEV25 Nationally protected landscapes
DEV26 Protecting and enhancing biodiversity and geological conservation
DEV28 Trees, woodlands and hedgerows
DEV29 Specific provisions relating to transport
DEV32 Delivering low carbon development
DEV35 Managing Flood Risk and Water Quality Impacts

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: SPD 2020.

Considerations under Human Rights Act 1998 and Equalities Act 2010

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

Proposed Conditions:

1. The development hereby approved shall in all respects accord strictly with drawings/documents:

Received 04/10/21:

Drainage Design Statement

Received 08/10/21:

LP001 Site Location Plan

PP003 Proposed Site Plan

Ecology Report

Received 18/10/21:

PP010 Proposed Floor Plan

PP011 Proposed Elevations

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.

2. 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.

3. Notwithstanding the submitted details, the development hereby permitted shall not be brought into use until:

1. Percolation testing in accordance with DG 365 will be required to support the use of soakaways. The report should include the trial logs and calculate the infiltration rate.

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

3. If the Local Planning Authority concludes that the method of drainage approved as part of this permission is undermined by the results of the percolation tests, a mitigating drainage

alternative shall be agreed with the Local Planning Authority

4. 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.

4. Notwithstanding the submitted details, and prior to first use of the development hereby approved, details of the works for disposal of sewage shall be approved in writing by the Local Planning Authority. Such details shall include a location plan, cross-sections/elevations, specification and its capacity to hold additional load.

Reason: In the interests of the prevention of pollution and to accord with Development Plan Policy C24 (Protecting Water Resources).

5. Prior to construction above ground level, and notwithstanding the documents hereby approved, details of the proposed finishing materials for external surfaces shall be agreed in writing by the Local Planning Authority.

Reason: To ensure details appropriate to the special character of the designated AONB landscape.

6. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development)(England) Order 2015, as amended (and any Order revoking and re-enacting this Order), no development of the types described in the following Classes of Schedule 2 shall be undertaken without the express consent in writing of the Local Planning Authority other than those expressly authorised by this permission:-

(a)Part 1, Class A (extensions and alterations)

(b)Part 1, Classes B and C (roof addition or alteration)

(c)Part 1, Class D (porch)

(d)Part 1, Class E(a)(swimming pools and buildings incidental to the enjoyment of the dwellinghouse)

(e)Part 14, Class A-I (renewable energy)

Reason: To enable the Local Planning Authority to exercise control over development which could materially harm the character and visual amenities of the development and locality.

7. No external lighting shall be installed without the prior written consent of the local planning authority.

Reason: In the interests of amenity and to protect the local dark skies and protect the habitats of nocturnal species.

8. The recommendations, mitigation and enhancement measures of the Ecological Report, by EcoLogic dated September 2021 shall be fully implemented prior to the commencement of the use hereby approved and adhered to at all times. In the event that it is not possible to do so all work shall immediately cease and not recommence until such time as an alternative strategy has been agreed in writing with the local planning authority. Reason: To safeguard the interests of protected species.

9. Before the development hereby approved is first brought into use, details of proposed hard and soft landscaping, including means of enclosure (boundary fencing) shall be approved in writing by the Local Planning Authority and thereafter be so maintained.

Reason: In the interests of visual amenity.

PLANNING APPLICATION REPORT

Case Officer: Bryn Kitching
Staverton

Parish: Dartington **Ward:** Dartington and

Application No: 4442/21/ARM

Agent/Applicant:
Miss Nicole Stacey - PCL Planning Ltd
13a - 15a Old Park Avenue
Exeter
EX1 3WD

Applicant:
Baker Estates Ltd .
C/O Agent

Site Address: Land at Broom Park, Dartington, TQ9 6JR



Development: Application for reserved matters, seeking approval of appearance, landscaping, layout and scale for 80 dwellings and discharge of outline conditions 9, 12, 15, 16, 17 and 18. following outline approval 3842/20/OPA

Reason item is being put before Committee: At the request of the Head of Development Management Practice because the original outline application generated significant public interest and when considering that application, members of the Development Management Committee requested that the Reserved Matters application be referred back to committee.

Recommendation: Grant reserved matters consent for Appearance, Landscaping, Layout and Scale and confirm compliance with conditions 9, 12, 15, 16, 17 & 18 of outline consent 3842/20/OPA

Conditions (list not in full)

1. Development to be carried out in accordance with list of submitted plans and documents.
2. Sample panel of materials (inc stonework) to be provided on site for approval.
3. Sample section of stone faced hedgebank to be constructed for approval.
4. Hedgehog holes to be provided in fences.
5. Landscape implementation and replacement for 5 years (in areas outside of the open space management programme).
6. Solar pv details to be submitted including how these will be recessed into roof slope.
7. Removal of permitted development rights for fences, gates and walls forward of any wall that fronts onto a road.

Key issues for consideration: As this is an application for reserved matters consent, the key issues for consideration are Appearance, Landscaping, Layout and Scale.

Financial Implications (Potential New Homes Bonus for major applications):

As part of the Spending Review 2020, the Chancellor announced that there will be a further round of New Homes Bonus allocations under the current scheme for 2021/22. This year is the last year's allocation of New Homes Bonus (which was based on dwellings built out by October 2020). The Government has stated that they will soon be inviting views on how they can reform the New Homes Bonus scheme from 2022-23, to ensure it is focused where homes are needed most.

Site Description:

The application site is located on the northern entrance to Dartington to the west of A384 and to the south of Broom Park and Week Lane. To the south east of the site is Dartington Primary School.

The site measures approximately 4.3 ha and is irregular in shape. It is approximately 400m long and 250m wide at its widest point. To the south is a wooded area with the Bidwell Brook and Dorothy Elmhirst Recreational field beyond. To the west is Week Community Orchard and the hamlet of Week itself. Broom Park is to the north west of the site and St Mary's Church Cemetery is on the north east border. St Mary's Church, a grade II* listed building is on the other side of the A384, approximately 90m from the application site.

The site is undulating with the highest point near to Broom Park at approx. 39m AOD and dropping down to 21m AOD towards the southern boundary and Bidwell Brook. Where the site meets the A384 on the eastern boundary, ground levels are about 28m AOD

The field is in agricultural use and has two vehicle access points, one off the A384 and the other off Week Lane to the north. The eastern part of the site was temporarily used as a school site between 2014 and 2018, but the land has since been restored to its former condition.

The site forms part of the allocation for residential development of approx. 80 dwellings set out in Policy TTV24 (5) of the adopted Plymouth and South West Devon Joint Local Plan (JLP). It is in Flood Zone 1 (Low probability) and not within a Critical Drainage Area.

The site is on the edge of the SAC Greater Horseshoe Bat (GHB) Sustenance Zone for Bulkamore Iron Mine SSS/SAC (a GHB hibernation roost 3.2 km west of the site) and is in the SAC GHB Landscape Connectivity Zone.

The Proposal:

This application for reserved matters seeks approval for the appearance, landscaping, layout and scale of 80 dwellings following the grant of outline planning permission for up to 80 dwellings in October 2021. Conditions 1 and 2 of that consent required the submission of reserved matters prior to 8th October 2024.

The application also seeks the discharge of the following conditions that formed part of the outline consent and were required to be submitted with the reserved matters.

- 9 - Highway construction details.
- 12 - Remediation strategy for potential contamination.
- 15 - Electric vehicle charging points (details of number, location and power rating).
- 16 - Scheme for low carbon development in accordance with DEV32.
- 17 - Open market housing mix (in accordance with ranges agreed at outline).
- 18 - Surface water drainage details.

Consultations: *please note that other than the Parish Council comment below in is replicated in full, the following are precis of the responses received. Full responses of all consultees can be found at*

<https://apps.southhams.gov.uk/PlanningSearchMVC/Home/Details/214442>

Dartington Parish Council – object

1. The Joint Local Plan SPD (JLP) Supplementary Planning Document July 2020 (SPD) recommends that for important schemes an independent Design Review Panel should be set up. This has not happened, and the Parish Council feels the District Council should have insisted on this.
2. The District Council has not adhered to NPPF (paras 132 & 133) as they have not encouraged developers to use all the available design tools and processes, including workshops to engage with the community in the design evolution process.
3. The Parish Council feels that consultation has been inadequate in depth, extent and duration meaning members of the community have not had the facility to understand the application and frame their own opinions.
4. The Design and Access Statement does not mention National Design Guide nor the guidance on Building for a Healthy Life. The JLP SPD under its guidance for DEV10 at para 4.120 states that when implementing the policy, a 'Building for Life 12' assessment is necessary.
5. The Council is concerned that the predominance of grey cladding is industrial and urban.
6. There is concern that the layout consists of an inappropriate massing of houses in a single orientation, and it is felt that straight lines are neither appropriate for, nor indicative of,

Dartington. The Council is concerned at the extent of the straight line run of houses and feels that the preponderance of massing in a simple form gives a sterile visual effect. Contrary to JLP policy Dev 10 (1)

7. There is not enough information relating to the development's impact on sightlines and the views of strategic landmarks. The layout of the proposed houses negatively affects the setting of the field church, and the view of the church has been impeded by the terrace of houses. The terrace of houses also blocks the view of Yarner Beacon. The development has been designed for the benefit of those living in it and considers their views out, but the application documents contain no visualisations of views into the site from different vantage points – from Week Lane for example. The view of Yarner Beacon and the surrounding area is from the residents' viewpoint and disregards the viewpoint from elsewhere in the locality. Contravenes JLP policy TTV 24.5 (vi)

8. The design and character of the development is suburban and not locally distinctive. This is contrary to the advice given at OPA stage by the landscape officer and the heritage officer. In relation to 3842/20/OPA, the LPA's Landscape Officer maintained a holding objection stating that " New buildings in highly visible locations, such as the open slopes of the application site, will result in visual intrusion and erosion of vernacular character.'[...]any new development should reflect the small scale, historic settlement pattern of houses, farms, hamlets and small nucleated villages, and should resist development which is uncharacteristic and visually intrusive.

9. Councillors expressed concern about the combined environmental effects of all the recent building in the parish added to effects of the current applications and also taking into account the impacts of climate change. Councillors felt flood modelling should be carried out in Dartington to ensure future safety. Councillors further noted the lack of amelioration of run off issues which will contribute to an identified risk of flooding and present a significant hazard. Councillors further noted the Climate Emergency declarations made by the Parish, District and County Councils.

South West Water – no objection to the discharge of planning conditions, on the basis (currently proposed) that the site will discharge its surface water via SuDS to a waterbody, as shown on Drainage Strategy Plan drawing ref 20.06.123 1057 revision A (dated 28/10/21)

County Highways Authority – No objection: Whilst the removal of the footway/cycleway would remove the highway offered for adoption and comply with national guidance, the highway authority accept that it is required to encourage children to cycle to school and therefore do not object to the shared use cycleway.

The undulating width road through the central open space has previously been questioned but the highway authority accept that its existence would reduce traffic past the children's play area.

Historic England – On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

Historic Environment Team (DCC) – comment: the outline consent is conditional upon an agreed programme of archaeological work being undertaken. At time of response, the Historic Environment Team is unaware that the required work has been undertaken. As such, I would be grateful if you could make the applicant aware of the outstanding

requirement to undertake the archaeological works in advance of any development commencing here.

Tree Specialist – no objection: I consider that the submitted Woodland Management Plan is likely to deliver improvement in terms of woodland health, age and species structure and the trigger points for future review will address the need for extended monitoring that will ensure net gain of attributes is successfully achieved by way of adherence to approved plans

Upon review of the submitted information I would recommend the application is suitable for approval on arboricultural merit, noting the requirement for the WMP and both TPP's to be made approved plans of any planning consent.

DCC Ecology – No objection: All relevant ecological / environmental obligations set out in Environmental Measures Table within the Section 106 agreement have been sufficiently fulfilled.

Details outlined in the LEMP and CEcoMP clearly demonstrate that light spill around the periphery of the site will be less than 0.5 Lux, ensuring the integrity of the dark corridors. The Greater Horseshoe Bat Mitigation Plan is sufficient. Biodiversity Net Gain of at least 10% will be achieved. The details/proposals sufficiently protect European, Priority and other protect species.

Natural England – No objection: Based on the plans and mitigation measures submitted, Natural England considers that the proposed development will not have significant adverse impacts on the South Hams SAC greater horseshoe bat (GHB) population and has no objection.

We have reviewed the Greater Horseshoe Bat avoidance and mitigation summary and the Landscape and Ecological Management Plan by EAD Ecology both dated November 2021, and the other relevant documents, and are satisfied these comply with our previous advice and Habitats Regulations requirements.

Environment Agency – no objections to this application and consider that sufficient information has been submitted to enable us to recommend that condition 12 (contaminated land) of approval 3842/20/OPA can be discharged. The Local Lead Flood Authority are the appropriate body to comment on the proposed surface water management strategy. Mitigation features are appropriate to protect all European and other protected/priority species

Environmental Health Team – We have considered the documents submitted and have no environmental health concerns.

Open Space, Sport and Recreation (OSSR) – no objection

Based on housing mix an expected occupancy figures, 3,916 m² of open space is required. The open space plan proposes a total provision of 14,300 m² across a central open space, southern open space (with LEAP) and woodland walk. Neither the LEMP or Landscape implementation and management programme cover the on-going management and maintenance of the pathways, furniture or play equipment in the open space areas. As per the s106 agreement, an Open Space Specification will be required to be submitted prior to the commencement of the development and this should include such details.

The Local Equipped Area for Play (LEAP) is meets the size and distance to dwelling requirements, and is suitably fenced from the attenuation feature. 6 Full size allotments are proposed with pedestrian access, car parking and a water supply. An allotments management scheme has to be submitted and approved by the council prior to occupation of 75% of the dwellings

Landscape Specialist – Support: The development proposals, including layout, internal details and landscaping of the site, are acceptable, and will form an appropriate landscape treatment to the site. There are a few queries requiring clarification, but overall scheme is supported, and the soft landscape proposals should be conditioned for full implementation in accordance with the approved scheme for 5 year period.

Affordable Housing Specialist – Support – 30% affordable housing secure with outline permission with a tenure mix of 65% social rent and 35% shared ownership. The application will provide 24 affordable homes which is 30%. The 16 social rent and 8 shared ownership properties all meet national space standards. Some plots have tandem parking which is not ideal as only 1 space is used. This can lead to overflow parking on the highway and grass verges and can lead to neighbour disputes.

Local Lead Flood Authority – initial comments: object because the applicant has not submitted sufficient information in order to demonstrate that all aspects of the surface water drainage management plan have been considered. In order to overcome our objection, the applicant will be required to submit some additional information.

Following the submission of further information: objection is withdrawn and we have no in-principle objections at this stage.

Police Designing out Crime Officer – comment: It is welcomed to see boundary treatments are 1.8m high with back to back gardens. Devon hedging as a rear boundary should attain a minimum height of 1.8m and robust enough to deter unauthorised access. Question plot 73 with appears to have open access to the rear. Alleyways to access multiple rear gardens should be gated at the front with a see through and anti climb gate. Rear access gates at the side of dwellings should be at the front of the property. Gates should be 1.8m high and lockable from both sides. Rear parking courts should be appropriately lit and where possible overlooked from houses or gardens. Parking spaces should be clearly marked in courtyards areas to prevent conflict over use. Concern from a safety and security perspective that the development would have no street lighting. This can increase the fear of crime as well as opportunities to commit crime. Please could it be considered to install wiring at the construction phase so that it could be installed later if required. Domestic dusk till dawn lighting at the front of properties should be installed and have a manual override switch to allow residents to make informed choices. This is preferred over PIR lighting.

Representations:

20 individual letters of objection received which raise the following issues:

- The supporting Design and Access Statement fails to mention the “national design guide” or submission of a Building for a Healthy Life, as referenced in the NPPF.
- The SPD states that when implementing Policy DEV10 regard should be had to the design principles in the Building for Life 12 Guide.

- The SPD states that it may be useful for prominent and strategically important schemes to be considered by an independent, bespoke Design Review Panel.
- Surveys should include ground penetrating radar and magnetometer exploration.
- Dartington already has sufficient houses and this is a yet another development of a greenfield site.
- Traffic is always parked along the main road which makes driving through difficult.
- Concerned with development in field which adjoins a beautiful wood.
- Already been rapid increase in housing in Dartington – I estimate 50% increase since 2011 census.
- Council has declared a climate change and biodiversity emergency and despite a glossy sustainability statement, the houses show little respect for the environment.
- Concern about wildlife. South Hams has been designated as an area to protect greater horseshoe bat but I haven't seen any bats in my garden for 3 years.
- Concern of flooding due to proximity of Bidwell Brook. The site flooded regularly and high risk of both sites flooding in future.
- Traffic congestion and pollution in village which is at gridlock every morning and afternoon. This will only add to traffic congestion and pollution.
- The appearance of the proposed development is out of keeping with the local area.
- Young people move out of the area due to lack of affordable homes and the proposals will do little to address this exodus.
- Entire scheme is a very unimaginative straight line design.
- Play spaces are not being placed amongst the houses where families can watch their children play.
- The street lighting at the edge of the estate will disrupt the bats.
- New up to date assessments of flooding risks are required to reflect climate change.
- Original plan did not have any houses under Broom Park housing estate.
- Lack of public consultation.
- Adverse impact on setting of Grade 2 listed church and Cider Press area.
- Inappropriate placing of allotments. This should be a community orchard
- Not enough new planting or screening from the main road.
- Development should not be placed on a prime and elevated site.
- Development should be set back from the road beyond the rear line of the allotments with tree planting in between.
- Development is too linear and doesn't follow organic pattern and modest scale of older hamlets.
- Individual plots are rather excessive.
- Height of wall, sharp pitched roofs and timber fencing emphasise the size of the dwellings.
- Largest dwellings are on the highest part of the site and will overshadow and dominate the hamlet of Week.
- The terrace at the entrance is too urban.
- Too much wooden fencing in the boundary materials – it should be softer materials and hedging.
- Generous allocation of parking means that there is considerable amount of hard surface (resulting in increased run-off).
- Dartington can not take any more development. Design is not in keeping with rural aspect of area and not sympathetic to the other hillside cluster housing at Broom Park or Orchard Park.
- Too much parking which will encourage car use.
- Allotments that are separate from dwellings are an urban feature.

- Opportunities to provide housing with least environmental impact has been missed.
- Layout should not be designed around the car and have more open space.
- Need to consider the cumulative effects of all developments in terms of surface water run-off.
- No cumulative modelling of air quality in Dartington and Totnes AQMA have been submitted.
- Clearance of immature trees to create attenuation pond will impact on wildlife.
- Future management and ownership of woodland is unclear.
- Unacceptable loss of Greater Horseshoe Bat habitat.
- Straight line layout dominates the site and does not reflect rural character of the area.
- Street elevations and massing of buildings are repetitive and lack visual interest.
- Air source heat pumps should be installed instead of gas heating.
- Copying the appearance of the adjoining modern development leads to further degradation of a once unique location.
- It is not sympathetic to local character or history nor does it establish a strong sense of place.
- Lack of detail on how construction waste will be dealt with.
- The importance of the historic hamlet of Week and the Grade II listed St Mary's Church has not been given sufficient weight and in consequence inadequate value in design.
- The terrace housing will impede views of Yarner Beacon from the main road.
- Houses should be set back further from the road.
- Too much grey cladding which is oppressive in these surroundings.
- The design is 'anywhere development' and materials could be more sympathetic to local built heritage.
- Development would be better with properties set back from road and green space or wooded area on the frontage.
- Lack of green areas and play space.
- No detail of the capping of the render wall has been provided. Coping stone for stone wall will not protect the top of the stonework.
- Street scene needs more staggered elevations and variety of rooflines to break up inappropriate massing.
- Developer should be required to show lifetime homes standard has been achieved.
- The Landscape and Ecological Management Plan (LEMP) gives concern as wildlife meadow is unrealistic within a 12 month defects liability period and the woodland is to be managed by a management company (which means that house purchasers will take on the management).
- Play area is too close to the attenuation pond.
- Proposed mitigation measures to protect bat flyways are insufficient.

1 individual letter of support received which raises the following issues:

- Applicants have been considerate, thorough, and accommodating in their consultation with areas of the development pertinent to the Bidwell Brook School; ensuring our involvement in every step of the decision-making process from boundary options and woodland management to the exact positioning of the attenuation pond.
- Pleased to hear about environmental mitigation measures (including a more proactive approach to woodland management than the previous land owners), and are confident and happy that this will lead to a net gain of biodiversity in the area.

- Pleasing aesthetic of the proposed dwellings and happy to see allotments, green space, Devon Hedges and considerable planting.
- There is a need for both new and affordable housing in the area, the proposed development would provide both.

Relevant Planning History

3842/20/OPA - Outline application with all matters reserved, except for access, for up to 80no. residential units and associated public open space and infrastructure. – Permission granted

In April 2021, the Development Management Committee considered the outline application for up to 80 dwellings and creation of the access. They resolved to grant consent subject to the completion of a Section 106 Agreement to secure the following:

- 30% Affordable Housing
- Open Space/Accessible Natural Greenspace
- Equipped Play (either on site LEAP or financial contribution)
- Sports Facilities (financial contribution)
- Allotments (either on-site provision or financial contribution)
- Travel Plan
- Primary Health Care (contribution towards local GP surgeries)
- Ecology (provide a LEMP and CEcoMP to include dark corridors, Environmental Impact Assessment mitigation measures, Woodland Management Plan and 10% Biodiversity Net Gain)
- Zebra Crossing on the A358

The Section 106 Agreement was completed in October 2021 and the outline consent was issued.

ANALYSIS

Principle of Development

Outline planning consent has been granted which deals with the principle of development taking place on this allocated site. The outline consent also included the approval of the site access off the A384 that consists of a right turn lane between the cemetery and the primary school playing field. The application therefore deals with the reserved matters of appearance, layout, landscaping and scale of the residential development of 80 dwellings.

The outline consent dealt with the potential impacts on Greater Horseshoe Bats through a Habitats Regulations Assessment (HRA) which required a 20m wide dark corridor along the western and northern boundaries of the site and a 10m wide dark corridor along the southern and eastern boundaries (accepting the new vehicle access on the eastern boundary). The HRA required the submission of a Landscape Ecological Management Plan (LEMP), a Construction Ecological Management Plan (CEcoMP), A Greater Horseshoe Bat Mitigation Strategy, a Woodland Management Plan, and a Biodiversity Net Gain of 10%. Those documents have been submitted alongside the reserved matters being considered.

Layout, Design and Landscape

The Section 106 legal agreement with the outline consent secured 30% affordable housing and condition 17 secured the open market housing mix within a set range for different house sizes.

24 of the 80 dwellings would be affordable dwellings with 16 of those being for social rent and the other 8 being shared ownership. These will be located in two areas of the site with 7 homes contained within a terrace at the site entrance and overlooking the proposed allotments, and 17 homes on the southern part of the site facing onto the public open space, play area, attenuation basin and retained woodland.

The remaining 56 open market dwellings comprise a mix of detached and semi-detached homes that comprise 13 two-bed properties, 23 three-bed properties and 20 four/five bed properties. This is in accordance with the requirements of condition 17 of the outline consent which sets out the acceptable/required ranges of the open market housing mix.

The layout of the proposed development comprises a central access point between the cemetery and school playing fields. To the north of the access road would be allotments and on the southern side, a terrace of 7 dwellings would face the internal road. The eastern gable of the terrace would be set back approximately 30m from the existing main road with half of the space between the houses and the road being a communal parking area, with the other half being green space comprising two Devon hedgebanks and newly planted beach trees. This is a suitable offset and landscaped response to ensure that the development does not have an adverse impact on the setting of the grade II* listed St Mary's Church.

The central access road would have a shared footway/cycle way on the south side that would link to the existing shared footway/cycleway that runs along the main road. The proposed footway/cycleway extends through the site to ensure that future residents have good access to the centre of Dartington and all the facilities within. The access road is to be tree lined on the northern side with a feature oak tree as a termination to the view into the central area of open space. The central open space includes an orchard area that extends to the boundary to the existing dwellings in the south east corner of Broom Park, with a 10m wide green strip that would contain a rain garden as a surface water drainage feature. Adopted highway would run through this central area but would be in the form of a narrow lane rather than standard 5.4m wide estate road design. This helps to overcome earlier design concerns expressed at outline stage that showed linear street design that reinforced a single character area. The central open space feature helps to define and split the separate character areas between the 1.5 storey barn type houses on the elevated land around Hazel Park and the western area which is a mix of 1, 1.5 and 2 storey dwellings. The proposed height and massing of the dwellings responds well to the sloping site with greater spacing and landscaping on the more elevated parts. The use of darker colours as part of the pallet of materials (that include natural stone and dark stained timber) will help the dwellings sit in the landscape. Roof materials are shown on the house type drawings as slate and this would be an appropriate material and dark colour to respect the character of the area and let the dwellings sit well in the local landscape. It would be necessary to include a condition requiring samples (including a sample panel of natural stone) to be submitted and approved prior to their use.

The southern part of the site contains a u-shaped road layout that provides a secondary link from east to west and forms the access to the lower parts of the site where 2 storey housing is proposed. These dwellings front onto the southern area of open space that includes the children's play area, surface water attention basin and managed woodland beyond. The play

area would consist of a Local Equipped Area for Play (LEAP) which has been amended to fit within the requirement of the Open Space Specialist. The LEAP would be fenced and a suitable distance away from the proposed surface water attenuation basin. Pathways would be created around the play area, the attenuation basin and also into the existing wooded area that forms part of the woodland management plan. The proposed areas of open space greatly exceed the required 0.39 hectares set out in the SPD. Publicly accessible natural green space would amount to 1.43 hectares with a further 1.76 hectares of greenspace (restricted access) within the dark corridors for bats, and 1.5 hectares contained in the proposed allotments.

The dark corridors allow for some strategic landscaping through tree planting, particularly on the western boundary of the site. Policy TTV24 which specifically allocates the site for development requires the retention and future management of the hedgerow on the western boundary as well as strategic landscaping to soften the edge of development. The proposals include new hedgerows on the western boundary (where there are none at present) and strategic tree planting in the dark corridor that borders the site. This has been 'beefed up' as part of the application consultation process and meets the policy requirement.

Biodiversity

When the outline application was considered and granted by the council, a specific requirement was placed in the Section 106 legal agreement that alongside the reserved matters application, a Woodland Management Plan was submitted as part of the LEMP. This was to ensure that the relatively new wooded area at the south of the site was brought back into good condition, so that the applications could demonstrate additional Biodiversity Net Gain (BNG) and that the wider area could continue to provide commuting and foraging habitat for Greater Horseshoe Bats. The Council's Tree Specialist and ecological advisors are satisfied that the Woodland Management Plan will achieve these aims and support the proposals.

The Biodiversity Net Gain calculations for the site have been submitted and these show a predicted gain of +9.35 Habitat Units (68.77% increase) and +13.13 Hedgerow Units (157.50% increase). Enhancement of the woodland would lead to a predicted gain of +2.27 Habitat Units (18.74% increase). Some of these net gains are proposed to be used as part of an off-set for the separate reserved matters application for 40 dwellings at Sawmills (ref: 4443/21/ARM). Should that application gain consent, it would need to 'borrow' some of the newly created habitat units from this development at Broom Park. When assessed collectively, there would be a net gain of +5.69 Habitat Units (12.94% increase) and +16.32 Hedgerow Units (161.91% increase). Therefore, whether this application considers BNG by itself, or in combination with the Sawmills site, 10% net gain would be achieved.

The dark corridors for Greater Horseshoe Bats (GHB) were secured as part of the outline and the application proposed a 1.4m high Devon hedgebank with native planting on top. A lighting assessment has been submitted which models potential light spill from the dwellings and shows that the boundary treatments and orientation of the dwellings will be effective in keeping the corridors dark. No street lighting is proposed throughout the development other than at the already approved access point. Landscaping has been included at the access which will help to shield any spill from the street lights on the right turn lane. The highway authority and ecological advisors have agreed a suitable scheme which provides safe access without undue spill to the dark corridors.

The LEMP specifies 60 swift boxes, 70 bat tubes and 80 bee bricks to be integrated into the proposed dwellings. A further 20 bird boxes and 10 bat tubes are to be installed on the retained trees within the site and adjoining woodland.

Climate Change/DEV 32 of the JLP

The outline planning consent included a condition that required the reserved matters application to include a scheme to demonstrate how the requirements of JLP policy DEV32: Delivering Low Carbon Development will be delivered. In accordance with condition 16, an Energy and Sustainability Statement has been included with the reserved matters which sets out resource efficiency, household and construction waste management, water conservation, heat island effects, overheating mitigation, drainage, solar orientation, daylight calculations, energy consumption, energy reduction strategy, and renewable energy solutions. The report sets out how the fabric first approach will be used to deliver 3.48% reduction over the Part L 2013 standards and on-site renewables to deliver a further 16.53% reduction (meeting the 20% requirement set out in the condition). The onsite renewables would comprise a solar photovoltaic system with a minimum capacity of 169,112 kWh. This would equate to 533 panels across the site of 80 dwellings. This is an average of about 7 panels per property but as the development would comprise different house sizes with different energy requirements, the number of panels per dwelling will vary over the site with some having more and others less. The layout of the dwellings have been specifically orientated to maximize the potential for solar pv as well as access to natural light to windows. Changes to building regulations may result in the more solar panels per dwelling but the proposal meets the 20% standard set out in policy DEV 32. It would be possible to impose a suitable condition that would allow for more solar panels to be installed if development takes place after changes to building regulations come into effect.

Condition 15 of the outline consent required details of the electric vehicle charging points to be submitted with the reserved matters application. 7 kW charging points are proposed for each individual dwelling that has on plot parking (58 dwellings) and the remaining 22 dwellings which have off-plot parking would be served by a further 10 charging points which are equally distributed across the shared parking areas. Every property has a dedicated bike storage area either within sheds or oversized garages. 197 parking spaces are identified which accords with the indicative parking requirements set out in the SPD and where garages area proposed as being a parking space, they meet the minimum dimensions in the SPD.

Drainage

The outline planning consent included a flood risk assessment and drainage strategy that set out the requirement that the surface water drainage would be designed for the 100year design storm plus 40% in peak rainfall intensities to allow for climate change. The western part of the site has suitable ground conditions that allow for infiltration crates to take the surface water from the roofs of 11 dwellings. Wherever possible, driveways will be permeable or served by smart gullies. The remainder of the dwellings would be served by an attenuation basin at the south of the site. Some highway surface water would go to rain gardens or filter strips that then discharge to the larger basin that would have a storage volume of 1,076 m³. The basin would be fitted with a flow control chamber that would discharge to the Bidwell Brook at a rate of 21 litres per second. The rate of discharge has been calculated to meet the existing greenfield runoff rate. As part of the application process, further information and drainage calculations have been submitted at the request of the Local Lead Flood Authority who have no objections to the design of the drainage system.

It is expected that the basin will be adopted by South West Water who have no objections to the application.

Conclusion

The details submitted as part of this reserved matters application are acceptable and accord with the conditions that were set out when outline planning permission was granted. 80 new homes would be provided of which 24 will be affordable. The proposals meet the guidance set out in the Development plan when considered as a whole and strike the right balance in delivering new homes, addressing climate change, providing biodiversity net gain, mitigating against adverse impact to wildlife and Greater Horseshoe bats, addressing landscape impacts, and appropriate design that does not harm heritage assets.

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

Planning Policy

Relevant policy framework

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

On 26 March 2019 of the Plymouth & South West Devon Joint Local Plan was adopted by all three of the component authorities. Following adoption, the three authorities jointly notified the Ministry of Housing, Communities and Local Government (MHCLG)* of their choice to monitor the Housing Requirement 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 confirming the change. On 13th January 2021 MHCLG published the HDT 2020 measurement. This confirmed the Plymouth, South Hams and West Devon's joint HDT measurement as 144% 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 5.8 years at end March 2021 (the 2021 Monitoring Point). This is set out in the Plymouth, South Hams & West Devon Local Planning Authorities' Housing Position Statement 2021 (published 12th November 2021).

[*now known as Department for Levelling Up, Housing and Communities]

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
SPT11 Strategic approach to the Historic environment
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
TTV24 Site allocations in the Smaller Towns and Key Villages
DEV1 Protecting health and amenity
DEV2 Air, water, soil, noise, land and light
DEV3 Sport and recreation
DEV4 Playing pitches
DEV5 Community food growing and allotments
DEV8 Meeting local housing need in the Thriving Towns and Villages Policy Area
DEV9 Meeting local housing need in the Plan Area
DEV10 Delivering high quality housing
DEV20 Place shaping and the quality of the built environment
DEV21 Development affecting the historic 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
DEV30 Meeting the community infrastructure needs of new homes
DEV31 Waste management
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

Dartington has an active Neighbourhood Plan group but are not yet at Regulation 14 stage. The group has published a Pre Regulation 14 Draft of the Dartington Neighbourhood Plan and consultation took place in summer 2020. The consultation has closed and Steering Group members are considering the comments.

Once a plan proceeds to a formal Regulation 14 consultation, some very limited weight could be given to aspects where clear community support can be demonstrated. The decision maker will have to assess the quality of consultation, level of support and the general conformity of proposed policies with the NPPF and JLP. At the current stage of the neighbourhood plan, it has extremely limited material weight.

Other material considerations include the policies of the National Planning Policy Framework (NPPF) including but not limited to sections 5, 8, 9, 11, 12, 14, 15 and 16 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

- SPD Developer Contributions Evidence Base (June 2020)
- Devon County Council (DCC) Waste Management and Infrastructure Supplementary Planning Document (July 2015)
- DCC Health Contributions Approach: GP Provision Development Contribution Methodology (February 2018)
- South Hams Special Area of Conservation (SAC) Habitats Regulations Assessment Guidance (October 2019)

Considerations under Human Rights Act 1998 and Equalities Act 2010

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

Proposed conditions

- 1 The development hereby approved shall in all respects accord strictly with the following documents, plans and drawings:

Detailed list to follow

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

- 2 Prior to their installation, samples of materials to be used in the construction of the external surfaces of the development, including any underbuild, shall be submitted to and approved in writing by the Local Planning Authority. Such a schedule shall include:
 - (a) the use of natural slates on all roofs including the type and sizes of such natural slates to be used together with the type, colour and profile of ridge and hip tiles to be used. Details of the means of fixing the slates shall also be provided and agreed.
 - (b) constructional details at a scale of 1:20 of all eaves and verges;
 - (c) a sample panel of the proposed stonework shall be constructed on site of a minimum size of 2m x 2m and shall include details of mortar work and shall be approved by the Local Planning Authority before any other stone work takes place on site. All stonework shall then be built in accordance with the approved panel which shall be retained on site until all stonework on site is completed unless otherwise agree in writing by the LPA.
 - (d) the proposed render type, colour(s), finish and profiles to corners. Movement joints, where required, shall be positioned at changes of direction or directly behind rainwater downpipes, unless otherwise previously approved in writing by the Local Planning Authority;
 - (e) external finishing materials and colours to be used in the areas of under-build to all dwellings;

(f) cross-sections, design, appearance (including thresholds), profiles, reveals, surrounds, materials, finish and colour (at full or half scale) of all doors and windows, including their method of opening and proposed finish, and all lintels and sills;

(g) the locations, heights, sizes, materials of construction and colour finishes of all flues, rainwater goods, and other external attachments; and the materials of construction and colour finishes of all ducts and vents.

(h) All rooflights/patent glazing shall be fitted so as to be flush to the roof plane and the frames shall be a dark colour to match as far as possible the surrounding natural slate roof covering, unless otherwise previously approved in writing by the Local Planning Authority;

(i) heights, materials, design, appearance and (colour) finish of any balustrading, railings and associated attachments unless the full details of the balustrading or railings are already included in the plans approved by this notice;

(j) the design, colour, size, profile, materials and location of all meterboxes. Where possible all wall mounted meterboxes shall be located away from the primary elevations and prominent side walls facing publically accessible areas unless otherwise approved in writing by the Local Planning Authority;

Thereafter the development shall be carried out in accordance with the approved details and shall be retained and maintained in that form, unless the Local Planning Authority gives prior written consent to any subsequent variation.

Reason – To ensure that the development displays good design practice and reflects local distinctiveness.

3. Prior to its installation, a sample section of the stone faced hedgebank detailed on drawing ref 191105 D 02 05 Rev A shall be constructed on site and approved in writing by the Local Planning Authority (LPA). All stone faced hedgebanks shall then be built in accordance with the approved sample which shall be retained on site until all stone faced hedgebanks on site are completed unless otherwise agree in writing by the LPA.

4. Notwithstanding the provisions of condition 1, prior to the installation of any boundary fences, details to show the size and position of hedgehog passes as outlined in the Construction Ecological Management Plan (CEcoMP) shall be submitted to and approved in writing by the Local Planning Authority. The fencing shall be constructed in accordance with the agreed details and the hedgehog passes thereafter retained.

Reason: In the interests of the environment, ecology and biodiversity.

5. All planting, seeding or turfing comprised in the approved details of landscaping and outside of the public open space (which is subject to the Landscape Implementation and Management Programme), shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously

damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason – In the interest of public amenity and the conservation and enhancement of the local landscape character.

6. Prior to their installation, details of the number, position and appearance of the solar photovoltaic solar panels identified in the approved Energy and Sustainability Statement shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of how they will be fitted so as to be flush to the roof plane and the colour of any solar panels and their frames shall be a dark colour to match as far as possible the surrounding natural slate roof covering, unless otherwise previously approved in writing by the Local Planning Authority

Reason – To ensure that the development displays good design practice and reflects local distinctiveness.

8. Notwithstanding the approved boundary details shown on drawing ref 191105 L 02 02 Rev A and the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no fences, gates or wall shall be erected within the curtilage of any dwellinghouse forward of any wall of that dwellinghouse which fronts onto a road.

Reason – In the interest of public amenity and the conservation and enhancement of the local landscape character.

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PLANNING APPLICATION REPORT

Case Officer: Bryn Kitching
Staverton

Parish: Dartington **Ward:** Dartington and

Application No: 4443/21/ARM

Agent/Applicant:

Miss N Smith - PCL Planning Ltd
13a - 15a Old Park Avenue
Exeter
EX1 3WD

Applicant:

Baker Estates Ltd .
C/O Agent - Pcl Planning Ltd
13a-15a Old Park Avenue
Pinhoe
Exeter
EX1 3WD

Site Address: Land at Sawmills, North of A385, Dartington



Development: Application for reserved matters, seeking approval for appearance, landscaping, layout and scale for 40 dwellings and discharge of outline conditions 9, 12, 15, 16, 17 and 18 following outline approval 3841/20/OPA.

Reason item is being put before Committee: At the request of the Head of Development Management Practice because the original outline application generated significant public interest and when considering that application, members of the Development Management Committee requested that the Reserved Matters application be referred back to committee.

Recommendation: Grant reserved matters consent for Appearance, Landscaping, Layout and Scale and confirm compliance with conditions 9, 12, 15, 16, 17 & 18 of outline consent 3841/20/OPA

Conditions (list not in full)

1. Development to be carried out in accordance with list of submitted plans and documents.
2. Sample panel of materials (inc stonework) to be provided on site for approval.
3. Sample section of stone faced hedgebank to be constructed for approval.
4. Hedgehog holes to be provided in fences.
5. Landscape implementation and replacement for 5 years (in areas outside of the open space management programme).
6. Solar pv details to be submitted including how these will be recessed into roof slope.
7. Removal of permitted development rights for fences, gates and walls forward of any wall that fronts onto a road.
8. Details of retaining hedgebank and pedestrian garden access on northern side of plot 36.

Key issues for consideration: As this is an application for reserved matters consent, the key issues for consideration are Appearance, Landscaping, Layout and Scale.

Financial Implications (Potential New Homes Bonus for major applications):

As part of the Spending Review 2020, the Chancellor announced that there will be a further round of New Homes Bonus allocations under the current scheme for 2021/22. This year is the last year's allocation of New Homes Bonus (which was based on dwellings built out by October 2020). The Government has stated that they will soon be inviting views on how they can reform the New Homes Bonus scheme from 2022-23, to ensure it is focused where homes are needed most.

Site Description:

The application site is located on the western entrance to Dartington to the north and west of the recent residential developments at Higher Tweed Mill and Origins (Sawmills east) respectively. To the south west of the site is Lownard Cross, the road junction between the A385, Droridge Lane and the lane to access the hamlet of Week.

The site measures approximately 1.3 ha and is rectangular in shape. The north is a heavy wooded area that drops down to Lownard Cottages, a public right of way and the Bidwell Brook. The southern boundary to the A385 is a mix of original Devon hedgebank and post and rail fence (where the original hedgebank was removed in early 2015 as part of the highway works for the construction of the roundabout). A prominent group of pine trees are located in the south western corner, adjacent to Lownard Cross. These are outside of the application site.

Although the field has an agricultural land use, it appears to be unused at present with little or no management. There are two access points to the field, one off the A385 and the other off Limberland Avenue. Both are field gates which appear to have little use and the A385

entrance has large stones placed in front to restrict access. The ground slopes up from the south east corner to the north with a rise of about 10m to the higher ground.

The site forms part of the allocation for residential development of approx.40 dwelling set out in Policy TTV24 (7) of the adopted Plymouth and South West Devon Joint Local Plan (JLP). It is in Flood Zone 1 (Low probability) and not with a Critical Drainage Area.

The site is on the edge of the SAC Greater Horseshoe Bat (GHB) Sustainance Zone for Bulkamore Iron Mine SSSI/SAC (a GHB hibernation roost 3.2 km west of the site) and is in the SAC GHB Landscape Connectivity Zone.

The Proposal:

This application for reserved matters seeks approval for the appearance, landscaping, layout and scale of 40 dwellings following the grant of outline planning permission for up to 40 dwellings in October 2021. Conditions 1 and 2 of that consent required the submission of reserved matters prior to 8th October 2024.

The application also seeks the discharge of the following conditions that formed part of the outline consent and were required to be submitted with the reserved matters.

- 9 - Highway construction details.
- 12 - Remediation strategy for potential contamination.
- 15 - Electric vehicle charging points (details of number, location and power rating).
- 16 - Scheme for low carbon development in accordance with DEV32.
- 17 - Open market housing mix (in accordance with ranges agreed at outline).
- 18 - Surface water drainage details.

Consultations:

Consultations: *please note that other than the Parish Council comment below in is replicated in full, the following are precis of the responses received. Full responses of all consultees can be found at*

<https://apps.southhams.gov.uk/PlanningSearchMVC/Home/Details/214443>

Dartington Parish Council – object

1. The Design and Access Statement for Sawmills does not mention National Design Guide nor the guidance on Building for a Healthy Life. The Joint Local Plan (JLP) Supplementary Planning Document (SPD) under its guidance for JLP policy DEV10 at para 4.120 states that when implementing the policy, a 'Building for Life 12' assessment is necessary.
2. The Joint Local Plan (JLP) Supplementary Planning Document July 2020 (SPD) recommends that for important schemes an independent Design Review Panel should be set up. This has not happened, and the Parish Council feels that this is an opportunity lost which the District Council should have insisted upon.

3. The application lacks information in that it does not respect the existing heritage assets and prominent public viewpoints. The Council feels more could be done to soften the impact of the development.
4. The Council notes that there is a design precedent set by the developments adjacent and opposite and that the applicants have taken this into consideration and the meld is good. However, the Council is unhappy with the contrasting styles between the front 2 rows of houses and the houses at the rear and feels the design could be better.
5. The Council welcomes the new stretch of Devon hedge bank along the A385 and would like to see it being constructed using traditional Devon skills and materials. The Council requests that the height of the hedge is such that it adequately screens the cars parked behind.
6. The Council welcomes the inclusion of solar panels in the design which is commensurate with local and national climate emergency declarations.
7. The Council welcomes the use of a variety of natural materials in the building designs which are in keeping with the local area and is supportive of using materials which do not contribute to the climate emergency.
8. The Council recognises and welcomes the travel provisions in the s106 agreement and the resulting impact on currently poor air quality on the A385.
9. The Council notes that Devon County Council Flood management team is objecting to the application because the applicant has not demonstrated that all aspects of the surface water drainage management plan have been considered and has requested more information to overcome these objections. The Council notes concerns over potential flooding and requests this information be provided.
10. The Council remains concerned about the loss of foraging habitats for bats, barn owls, and badgers and at the loss of species rich hedgerows.

South West Water – no objection or comments.

County Highways Authority – No objection: Central shared use space in unconventional but with low speeds, there is no objection. Although the planning authority has requested that this be concrete imprint rather than tarmac, highway authority maintenance budgets are under pressure and in the long term, any interventions for maintenance purposes are likely to be repaired in bituminous material. Recommend that it concrete imprint is removed. Street lighting design is acceptable in principle.

Historic England – On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

Historic Environment Team (DCC) – comment: the outline consent is conditional upon an agreed programme of archaeological work being undertaken. At time of response, the Historic Environment Team is unaware that the required work has been undertaken. As such, I would be grateful if you could make the applicant aware of the outstanding requirement to undertake the archaeological works in advance of any development commencing here.

Tree Specialist – no objection: Following discussion with the applicant and their arborist a 15 year check has been included for the compartments that are currently in a positive condition. Further details of the pathway have been submitted and additional details supplied of planting mixes and management. Agreement found with the removal of the Norway Spruce plantation in compartment C3 as it is a visually incongruous and ecologically poor dominant feature and if left, be of long term detriment to the ambition to establish a well-structured woodland in temporal and species terms.

Upon review of the submitted information I would recommend the application is suitable for approval on arboricultural merit, noting the requirement for the WMP and both TPP's to be made approved plans of any planning consent.

DCC Ecology – No objection: All relevant ecological / environmental obligations set out in Environmental Measures Table within the Section 106 agreement have been sufficiently fulfilled.

Details outlined in the LEMP and CEcoMP clearly demonstrate that light spill around the periphery of the site will be less than 0.5 Lux, ensuring the integrity of the dark corridors. The Greater Horseshoe Bat Mitigation Plan is sufficient. Biodiversity Net Gain of at least 10% will be achieved. The details/proposals sufficiently protect European, Priority and other protect species.

Natural England – Based on the plans and mitigation measures submitted, Natural England considers that the proposed development will not have significant adverse impacts on the South Hams SAC greater horseshoe bat (GHB) population and has no objection.

Environment Agency – no objections to this application and consider that sufficient information has been submitted to enable us to recommend that condition 12 (contaminated land) of approval 3841/20/OPA can be discharged. The Local Lead Flood Authority are the appropriate body to comment on the proposed surface water management strategy.

Environmental Health Team – We have considered the documents submitted in relation to potentially contaminated land and these comply with the requirements of condition 12 of 3841/20. Condition 13 relating to unexpected contamination should remain until all oversite works are complete.

Open Space, Sport and Recreation (OSSR) – no objection

Based on housing mix an expected occupancy figures, 1,910 m² of open space is required. The open space plan proposes a total provision of 6,590 m² across the road verges, woodland meadow and woodland walk. The woodland meadow and walk now have pedestrian gates and a hoggin path. Neither the LEMP or Landscape implementation and management programme cover the on-going management and maintenance of the pathways in the open space. As per the s106 agreement, an Open Space Specification will be required to be submitted prior to the commencement of the development and this should include such details.

Given that there is safe access to the nearby playing fields and associated facilities at Meadowbrook to the east (which include a play area, new woodland adventure bike track, outdoor swimming pool and community centre), I am satisfied with the proposals.

The covering letter confirms that there will no play (LAP) provision on site and thus the off-site equipped play contribution (secured by the S106) will be triggered in due course.

Landscape Specialist – Support: The development proposals, including layout, internal details and landscaping of the site, are acceptable, and will form an appropriate landscape treatment to the site. There are a few queries requiring clarification, but overall scheme is supported, and the soft landscape proposals should be conditioned for full implementation in accordance with the approved scheme for 5 year period.

Affordable Housing Specialist – Support – 30% affordable housing secure with outline permission with a tenure mix of 65% social rent and 35% shared ownership. The application will provide 24 affordable homes which is 30%. The 8 social rent and 4 shared ownership properties all meet national space standards. Some plots have tandem parking which is not ideal as only 1 space is used. This can lead to overflow parking on the highway and grass verges and can lead to neighbour disputes.

Local Lead Flood Authority – initial comments: object because the applicant has not submitted sufficient information in order to demonstrate that all aspects of the surface water drainage management plan have been considered. In order to overcome our objection, the applicant will be required to submit some additional information.

Following the submission of further information: objection is withdrawn and we have no in-principle objections at this stage.

Police Designing out Crime Officer – initial comments on original submissions: It is welcomed to see boundary treatments are 1.8m high with back to back gardens. Devon hedging as a rear boundary should attain a minimum height of 1.8m and robust enough to deter unauthorised access. Question plots 26 and 35 with appears to have open access to the rear garden from the side of the property. Also question low wall to properties 36 and 40. Gates should be 1.8m high and lockable from both sides. Alleyways to access multiple rear gardens should be gated at the front with a see through and anti climb gate. Rear access gates at the side of dwellings should be at the front of the property. Rear parking courts should be appropriately lit and where possible overlooked from houses or gardens. Parking spaces should be clearly marked in courtyards areas to prevent conflict over use. Garages are not always used for parking vehicles which can lead to on-street parking. Concern from a safety and security perspective that the development would have no street lighting. This can increase the fear of crime as well as opportunities to commit crime. Please could it be considered to install wiring at the construction phase so that it could be installed later if required. Domestic dusk till dawn lighting at the front of properties should be installed and have a manual override switch to allow residents to make informed choices. This is preferred over PIR lighting.

Representations:

16 individual letters of objection received which raise the following issues:

- The supporting Design and Access Statement fails to mention the “national design guide” or submission of a Building for a Healthy Life, as referenced in the NPPF.
- The SPD states that when implementing Policy DEV10 regard should be had to the design principles in the Building for Life 12 Guide.
- The SPD states that it may be useful for prominent and strategically important schemes to be considered by and independent, bespoke Design Review Panel.

- Why have there been no archaeological surveys when it is a precondition of planning permission?
- Surveys should include ground penetrating radar and magnetometer exploration.
- Already been rapid increase in housing in Dartington – I estimate 50% increase since 2011 census.
- Council has declared a climate change and biodiversity emergency and despite a glossy sustainability statement, the houses show little respect for the environment.
- Concern about wildlife. South Hams has been designated as an area to protect greater horseshoe bat but I haven't seen any bats in my garden for 3 years.
- Concern of flooding due to proximity of Bidwell Brook. The site flooded regularly and high risk of both sites flooding in future.
- Traffic congestion and pollution in village which is at gridlock every morning and afternoon. This will only add to traffic congestion and pollution.
- The appearance of the proposed development is out of keeping with the local area.
- Young people move out of the area due to lack of affordable homes and the proposals will do little to address this exodus.
- The attenuation tank would not be sufficient to prevent serious flooding locally and downstream – particularly in a climate change scenario.
- The sustainability features of the houses is at the absolute minimum.
- Dartington is becoming too urban.
- Local schools and doctors surgeries would not be able deal with the increased population. Lack of infrastructure in Dartington.
- The housing at the entrance looks like an army barrack block.
- No provision of green spaces, seating or play areas.
- Rainwater would run off into the Origins Estate.
- Insufficient information and lack of consultation with the community.
- Insufficient green space and no children's play area.
- More tree planting required within the site and next to the road.
- Front terrace is an overdevelopment of the site with parking bays at the entrance and main road would create a potential hazard with such mixed and busy activity.
- Wooden garden fences are a material that is not commonly used in the parish.
- Increased flood risk downstream and extreme weather events will become more likely.
- Design is in two distinct areas and the smaller terraces should be distributed amongst the larger houses.
- Plans suggest that stone cladding would be used. This needs to be in keeping with local stone.
- Opportunities to provide housing with least environmental impact has been missed.
- Layout should not be designed around the car and have more open space.
- Need to consider the cumulative effects of all developments in terms of surface water run-off.
- Impact on Bidwell brook water quality from surface water run-off.
- No cumulative modelling of air quality in Dartington and Totnes AQMA have been submitted.
- Clearance of young trees will impact on biodiversity and introduction of unprovenanced seeds will affect existing flora.
- Increased public use of woodland would disturb wildlife.
- Unacceptable loss of Greater Horseshoe Bat habitat.
- Loss of hedgerows, badger setts and barn owl foraging area.
- Straight line layout dominates the site and does not reflect rural character of the area.
- Street elevations and massing of buildings are repetitive and lack visual interest.

- Air source heat pumps should be installed instead of gas heating.
- Copying the appearance of the adjoining modern development leads to further degradation of a once unique location.
- It is not sympathetic to local character or history nor does it establish a strong sense of place.
- The initial Devon County Council response on drainage asks a number of questions which suggest that 40 houses are too many for the site.
- Too much contrast between the terrace houses at the front and the better spaced houses at the rear.
- Lack of green space/play area with reliance on play facilities on the Origins site.
- Lack of detail on how construction waste will be dealt with.
- 17 homes on the site frontage will have north facing living rooms which is unacceptable and all 18 will have bedrooms facing the road that will cause noise/nuisance.
- The main road should be fronted with gable walls and not windows.
- The Landscape and Ecological Management Plan (LEMP) gives concern as wildlife meadow is unrealistic within a 12 month defects liability period and the woodland is to be managed by a management company (which means that house purchasers will take on the management).
- The design is 'anywhere development' and materials could be more sympathetic to local built heritage.
- Development would be better with properties set back from road and green space or wooded area on the frontage.

2 letters of support received which raise the following issues:

- My family would be very interested in buying one of these homes. It's a small development and is in a great location for us. I hope the scheme is approved.
- Lack of available housing at an available price. I live here and unable to find a house to buy at a realistic price. I don't want to be forced to move and if this is built, myself and people like me will have a chance to stay in the area.

Relevant Planning History

3841/20/OPA - Outline application with all matters reserved, except for access, for up to 40no. residential units and associated public open space and infrastructure. – Permission granted

In April 2021, the Development Management Committee considered the outline application for up to 80 dwellings and creation of the access. They resolved to grant consent subject to the completion of a Section 106 Agreement to secure the following:

- 30% Affordable Housing
- Open Space/Accessible Natural Greenspace
- Equipped Play (either on site LEAP or financial contribution)
- Sports Facilities (financial contribution)
- Allotments (either on-site provision at Broom Park or financial contribution)
- Travel Plan
- Primary Health Care (contribution towards local GP surgeries)

- Ecology (provide a LEMP and CEcoMP to include dark corridors, Environmental Impact Assessment mitigation measures, Woodland Management Plan and 10% Biodiversity Net Gain)

The Section 106 Agreement was completed in October 2021 and the outline consent was issued.

ANALYSIS

Outline planning consent has been granted which deals with the principle of development taking place on this allocated site. The outline consent also included the approval of the site accesses which included a main access off the A385 and a secondary access to serve a maximum of 5 dwellings off Limberland Avenue in the adjoin residential development. This application therefore deals with the reserved matters of appearance, layout, landscaping and scale of the residential development of 40 dwellings.

The outline consent dealt with the potential impacts on Greater Horseshoe Bats through a Habitats Regulations Assessment (HRA) which required a 10m wide dark corridor along the western and northern boundaries of the site and adjoin the existing areas of woodland. The HRA required the submission of a Landscape Ecological Management Plan (LEMP), a Construction Ecological Management Plan (CEcoMP), A Greater Horseshoe Bat Mitigation Strategy, a Woodland Management Plan, and a Biodiversity Net Gain of 10%. Those documents have been submitted alongside the reserved matters being considered.

Layout, Design and Landscape

The Section 106 legal agreement with the outline consent secured 30% affordable housing and condition 17 secured the open market housing mix within a set range for different house sizes.

12 of the 40 dwellings would be affordable homes with 8 of those being for social rent and the other 4 being shared ownership. These will be located at the front of the site in the form of two terraces of 4 dwellings and 2 maisonettes. A shared parking forecourt would be to the front with a stone-faced Devon bank and hedge to separate the parking area from the A385.

The remaining 28 open market dwellings comprise a mix of detached and terraced homes that comprise 6 two-bed properties, 12 three-bed properties and 10 four/five bed properties. This is in accordance with the requirements of condition 17 of the outline consent which sets out the acceptable/required ranges of the open market housing mix.

The layout of the proposed development comprises a main access point off the A385 that heads north and up the sloping site. Across the front of the site and set back approximately 19m from the existing road frontage would be 4 terraces, 2 on each side of the access road. These dwellings would be two storey with a slight step down in height from west to east. This would follow the existing contour of the ground. Communal parking areas would be at the front of the dwellings and a 1.4m high stone face Devon hedgebank would be constructed along the site frontage and this would have hedgerow planting above. Once the hedge planting is matured at a height of 0.6m, there would be a screen of 2m separating the existing road from the parking area. This would be a similar height to the hedgerow to the east of the roundabout and provides an effective screen to the adjoining development. Additional beech tree planting is proposed through the parking area which will help to provide interest and height, softening the appearance of the parking area. Policy TTV24 which specifically

allocates the site for development requires that there is a locally distinctive frontage onto the A385 and it is considered that the proposals achieve this while also setting back the front of the dwellings from the busy highway edge.

The central access would have a shared footway/cycle way on the east side that would link to the approved shared footway/cycleway that will run along the main road to the new bus stop. This would then become footway that leads to a central space where there would be a change in surface from tarmac to concrete imprinted sets that would form a shared space that would slow traffic speeds and add visual interest to the estate road layout. This is supported by officers and is considered to be an improvement to the originally submitted scheme that proposed standard black tarmac. It will help create a sense of place and with the additional tree planting that is now proposed, will soften the straight carriageway and make it more of the green street that was proposed at outline.

The upper parts of the site would contain a lower density layout of 1.5 and 2 storey detached dwellings. These are to be cut into the slope which will help minimise the visual impact on the higher ground. Materials are a mix of render, natural stone, and timber to match those used on the adjoining development. Roof materials are shown on the house type drawings as slate and this would be an appropriate material and dark colour to respect the character of the area and let the dwellings sit well in the local landscape. It would be necessary to include a condition requiring samples (including a sample panel of natural stone) to be submitted and approved prior to their use.

There would be a second highway access off Limberland Avenue that would serve 5 dwellings. There would be a visual link through the access to the rest of the site and this would also allow for pedestrian/cycle access. Motor vehicles would not be able to cut through the site and into the adjoining development which is in line with the commitments that were made at the outline stage. Pedestrian access would be provided to the adjoining small play area as well as on to the playing field approximately 150m to the east.

To the west of the site and within the dark corridor, a new pathway would be created that would access a woodland walk to the north of the site. This would form the accessible open space that is required as part of the outline planning permission. In accordance with the section 106 agreement, the applicants have opted to make a financial contribution to the provision of play equipment at Meadowbrook rather than to provide an onsite LAP with 3 pieces of play equipment. This is supported by the Open Space, Sport and Recreation Specialist.

Biodiversity

When the outline application was considered and granted by the council, a specific requirement was placed in the Section 106 legal agreement that alongside the reserved matters application, a Woodland Management Plan was submitted as part of the LEMP. This was to ensure that the relatively new wooded area at the north of the site was brought back into good condition, so that the applications could demonstrate additional Biodiversity Net Gain (BNG) and that the wider area could continue to provide commuting and foraging habitat for Greater Horseshoe Bats. The Council's Tree Specialist and ecological advisors are satisfied that the Woodland Management Plan will achieve these aims and support the proposals.

The Biodiversity Net Gain calculations for the site have been submitted and these show a predicted loss of -7.53 Habitat Units (72.46% decrease) and a gain of +2.38 Hedgerow Units

(136.67% increase) Enhancement of the woodland would lead to a predicted gain of +1.60 Habitat Units (20.28% increase). To be able to achieve a 10% net gain, there is a requirement for off-site improvements to offset the loss and it is proposed to use some of the predicted habitat gains at the nearby Broom Park development for 80 dwellings (ref 4442/21/ARM). These are the gains that are over and above the required 10% for that application. Should the Broom Park application gain consent, when assessed collectively, there would be a net gain of +5.69 Habitat Units (12.94% increase) and +16.32 Hedgerow Units (161.91% increase) across both sites.

The dark corridors for Greater Horseshoe Bats (GHB) were secured as part of the outline and the application proposed a 1.4m high Devon hedgebank with native planting on top. A lighting assessment has been submitted which models potential light spill from the dwellings and shows that the boundary treatments and orientation of the dwellings will be effective in keeping the corridors dark. No street lighting is proposed throughout the development other than at the already approved access on the A385 (where there is already street lighting). The lighting models show that they would be no light spill into the dark corridor from the existing or proposed street lights.

The LEMP specifies 30 swift boxes, 35 bat tubes and 40 bee bricks to be integrated into the proposed dwellings. A further 10 bird boxes and 5 bat tubes are to be installed on the retained trees within the site and adjoining woodland.

Climate Change/DEV 32 of the JLP

The outline planning consent included a condition that required the reserved matters application to include a scheme to demonstrate how the requirements of JLP policy DEV32: Delivering Low Carbon Development will be delivered. In accordance with condition 16, an Energy and Sustainability Statement has been included with the reserved matters which sets out resource efficiency, household and construction waste management, water conservation, heat island effects, overheating mitigation, drainage, solar orientation, daylight calculations, energy consumption, energy reduction strategy, and renewable energy solutions. The report sets out how the fabric first approach will be used to deliver 3.88% reduction over the Part L 2013 standards and on-site renewables to deliver a further 16.12% reduction (meeting the 20% requirement set out in the condition). The onsite renewables would comprise a solar photovoltaic system with a minimum capacity of 71,240 kWh. This would equate to 233 panels across the site of 40 dwellings. This is an average of about 6 panels per property but as the development would comprise different house sizes with different energy requirements, the number of panels per dwelling will vary the over the site with some having more and others less. The layout of the dwellings have been specifically orientated to maximize the potential for solar PV as well as access to natural light to windows. Changes to building regulations may result in the more solar panels per dwelling but the proposal meets the 20% standard set out in policy DEV 32. It would be possible to impose a suitable condition that would allow for more solar panels to be installed if development takes place after changes to building regulations come into effect.

Condition 15 of the outline consent required details of the electric vehicle charging points to be submitted with the reserved matters application. 7 kW charging points are proposed for each individual dwelling that has on plot parking (24 dwellings) and the remaining 16 dwellings which have off-plot parking would be served by a further 6 charging points which are equally distributed across the shared parking areas. Every property has a dedicated bike storage area either within sheds or oversized garages. 92 parking spaces are identified which accords with the indicative parking requirements set out in the SPD and where

garages are proposed as being a parking space, they meet the minimum dimensions in the SPD.

Drainage

The outline planning consent included a flood risk assessment and drainage strategy that set out the requirement that the surface water drainage would be designed for the 100 year design storm plus 40% in peak rainfall intensities to allow for climate change. The outline application originally suggested an off-site attenuation basin however, following officer concerns that this feature may not be suitable for landscape and biodiversity reasons, the proposals were amended with greater use of soakaways on the parts of the site where infiltration was possible and underground storage on parts where groundwater would be too high.

The northern part of the site has suitable ground conditions that allow for infiltration crates to take the surface water from the roofs of 12 dwellings. Wherever possible, driveways will be permeable or served by smart gullies. The remainder of the dwellings would be served by an attenuation tank at the south of the site. Some road and driveway surface water would go to rain gardens or filter strips with the remainder being piped to an attenuation tank under the parker area at the front of the site. This tank would have a storage volume of 251m³. The outfall of the tank would be fitted with a flow control chamber that would discharge to the Wren Brook at a rate of 5.2 litres per second. The rate of discharge has been calculated to meet the existing greenfield runoff rate. As part of the application process, further information and drainage calculations have been submitted at the request of the Local Lead Flood Authority who have no objections to the design of the drainage system. It is expected that the tank will be adopted by South West Water who have no objections to the application.

Conclusion

The details submitted as part of this reserved matters application are acceptable and accord with the conditions that were set out when outline planning permission was granted. 40 new homes would be provided of which 12 will be affordable. The proposals meet the guidance set out in the Development Plan when considered as a whole and strike the right balance in delivering new homes, addressing climate change, providing biodiversity net gain, mitigating against adverse impact to wildlife and Greater Horseshoe bats, addressing landscape impacts, and appropriate design that is in keeping with the adjoining developments.

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

Planning Policy

Relevant policy framework

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

Plymouth City Council, South Hams District Council and West Devon Borough Council (other than parts of South Hams and West Devon within Dartmoor National Park).

On 26 March 2019 of the Plymouth & South West Devon Joint Local Plan was adopted by all three of the component authorities. Following adoption, the three authorities jointly notified the Ministry of Housing, Communities and Local Government (MHCLG)* of their choice to monitor the Housing Requirement 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 confirming the change. On 13th January 2021 MHCLG published the HDT 2020 measurement. This confirmed the Plymouth, South Hams and West Devon's joint HDT measurement as 144% 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 5.8 years at end March 2021 (the 2021 Monitoring Point). This is set out in the Plymouth, South Hams & West Devon Local Planning Authorities' Housing Position Statement 2021 (published 12th November 2021).

[*now known as Department for Levelling Up, Housing and Communities]

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
- SPT11 Strategic approach to the Historic environment
- 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
- TTV24 Site allocations in the Smaller Towns and Key Villages
- DEV1 Protecting health and amenity
- DEV2 Air, water, soil, noise, land and light
- DEV3 Sport and recreation
- DEV4 Playing pitches
- DEV5 Community food growing and allotments
- DEV8 Meeting local housing need in the Thriving Towns and Villages Policy Area
- DEV9 Meeting local housing need in the Plan Area
- DEV10 Delivering high quality housing
- DEV20 Place shaping and the quality of the built environment
- DEV21 Development affecting the historic 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
- DEV30 Meeting the community infrastructure needs of new homes
- DEV31 Waste management

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

Dartington has an active Neighbourhood Plan group but are not yet at Regulation 14 stage. The group has published a Pre Regulation 14 Draft of the Dartington Neighbourhood Plan and consultation took place in summer 2020. The consultation has closed and Steering Group members are considering the comments.

Once a plan proceeds to a formal Regulation 14 consultation, some very limited weight could be given to aspects where clear community support can be demonstrated. The decision maker will have to assess the quality of consultation, level of support and the general conformity of proposed policies with the NPPF and JLP. At the current stage of the neighbourhood plan, it has extremely limited material weight.

Other material considerations include the policies of the National Planning Policy Framework (NPPF) including but not limited to sections 5, 8, 9, 11, 12, 14, 15 and 16 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
- SPD Developer Contributions Evidence Base (June 2020)
- Devon County Council (DCC) Waste Management and Infrastructure Supplementary Planning Document (July 2015)
- DCC Health Contributions Approach: GP Provision Development Contribution Methodology (February 2018)
- South Hams Special Area of Conservation (SAC) Habitats Regulations Assessment Guidance (October 2019)

Considerations under Human Rights Act 1998 and Equalities Act 2010

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

Proposed conditions

- 1 The development hereby approved shall in all respects accord strictly with the following documents, plans and drawings:

Detailed list to follow

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

- 2 Prior to their installation, samples of materials to be used in the construction of the external surfaces of the development, including any underbuild, shall be submitted to and approved in writing by the Local Planning Authority. Such a schedule shall include:

(a) the use of natural slates on all roofs including the type and sizes of such natural slates to be used together with the type, colour and profile of ridge and hip tiles to be used. Details of the means of fixing the slates shall also be provided and agreed.

(b) constructional details at a scale of 1:20 of all eaves and verges;

(c) a sample panel of the proposed stonework shall be constructed on site of a minimum size of 2m x 2m and shall include details of mortar work and shall be approved by the Local Planning Authority before any other stone work takes place on site. All stonework shall then be built in accordance with the approved panel which shall be retained on site until all stonework on site is completed unless otherwise agreed in writing by the LPA.

(d) the proposed render type, colour(s), finish and profiles to corners. Movement joints, where required, shall be positioned at changes of direction or directly behind rainwater downpipes, unless otherwise previously approved in writing by the Local Planning Authority;

(e) external finishing materials and colours to be used in the areas of under-build to all dwellings;

(f) cross-sections, design, appearance (including thresholds), profiles, reveals, surrounds, materials, finish and colour (at full or half scale) of all doors and windows, including their method of opening and proposed finish, and all lintels and sills;

(g) the locations, heights, sizes, materials of construction and colour finishes of all flues, rainwater goods, and other external attachments; and the materials of construction and colour finishes of all ducts and vents.

(h) All rooflights/patent glazing shall be fitted so as to be flush to the roof plane and the frames shall be a dark colour to match as far as possible the surrounding natural slate roof covering, unless otherwise previously approved in writing by the Local Planning Authority;

(i) heights, materials, design, appearance and (colour) finish of any balustrading, railings and associated attachments unless the full details of the balustrading or railings are already included in the plans approved by this notice;

(j) the design, colour, size, profile, materials and location of all meterboxes. Where possible all wall mounted meterboxes shall be located away from the primary elevations and prominent side walls facing publically accessible areas unless otherwise approved in writing by the Local Planning Authority;

Thereafter the development shall be carried out in accordance with the approved details and shall be retained and maintained in that form, unless the Local Planning Authority gives prior written consent to any subsequent variation.

Reason – To ensure that the development displays good design practice and reflects local distinctiveness.

3. Prior to its installation, a sample section of the stone faced hedgebank detailed on drawing ref 200105 D 02 06 shall be constructed on site and approved in writing by the Local Planning Authority (LPA). All stone faced hedgebanks shall then be built in accordance with the approved sample which shall be retained on site until all stone faced hedgebanks on site are completed unless otherwise agreed in writing by the LPA.
4. Notwithstanding the provisions of condition 1, prior to the installation of any boundary fences, details to show the size and position of hedgehog passes as outlined in the Construction Ecological Management Plan (CECoMP) shall be submitted to and approved in writing by the Local Planning Authority. The fencing shall be constructed in accordance with the agreed details and the hedgehog passes thereafter retained.

Reason: In the interests of the environment, ecology and biodiversity.

5. All planting, seeding or turfing comprised in the approved details of landscaping and outside of the public open space (which is subject to the Landscape Implementation and Management Programme), shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason – In the interest of public amenity and the conservation and enhancement of the local landscape character.

6. Prior to their installation, details of the number, position and appearance of the solar photovoltaic solar panels identified in the approved Energy and Sustainability Statement shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of how they will be fitted so as to be flush to the roof plane and the colour of any solar panels and their frames shall be a dark colour to match as far as possible the surrounding natural slate roof covering, unless otherwise previously approved in writing by the Local Planning Authority

Reason – To ensure that the development displays good design practice and reflects local distinctiveness.

7. Notwithstanding the approved boundary details shown on drawing ref 200105 L 02 02 Rev B and the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no fences, gates or wall shall be erected within the curtilage of any dwellinghouse forward of any wall of that dwellinghouse which fronts onto a road.

Reason – In the interest of public amenity and the conservation and enhancement of the local landscape character.

8. Prior to the construction above base course level of plot 36, details of the retaining hedgebank and pedestrian garden access on the northern side of the property shall be

submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details

Reason – In the interest of the residential amenity of the occupants of that property.

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Undetermined Major applications as at 28-Mar-22

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

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

	Valid Date	Target Date	EoT Date
3704/16/FUL Charlotte Howrihane	22-Nov-16	21-Feb-17	31-Mar-22
Creek Close Frogmore Kingsbridge TQ7 2FG		Retrospective application to alter boundary and new site layout (following planning approval 43/2855/14/F)	

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

	Valid Date	Target Date	EoT Date
3749/16/VAR Charlotte Howrihane	23-Nov-16	22-Feb-17	31-Mar-22
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: 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
3628/17/FUL Patrick Whymer	20-Nov-17	19-Feb-18	28-Feb-21
Oak Tree Field at SX 778 588 Tristford Road Harberton Devon		Erection of 12 dwellings, workshop/office, associated landscaping and site development works	

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

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

Comment: Along with 4185/19/OPA a year-long PPA initially agreed until end of December 2020 was extended to September 2021. Both parties agree more time is still required to resolve transport/delivery/other matters and for a period of re-consultation and a revised programme has been agreed until the end of September 2022

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

Comment: Along with 4181/19/OPA a year-long PPA initially agreed until end of December 2020 was extended to September 2021. Both parties agree more time is still required to resolve transport/delivery/other matters and for a period of re-consultation and a revised programme has been agreed until the end of September 2022.

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

Comment: Applicant is reviewing the proposal.

	Valid Date	Target Date	EoT Date
3752/19/OPA Jacqueline Houslander	11-Feb-20	12-May-20	6-Apr-21
Former School Playing Ground Elmwood Park Loddiswell TQ7 SA			READVERTISEMENT (Amended description) Outline application with some matters reserved for residential development of 17 Dwellings

Comment – Draft revised proposal received. Meeting being held to discuss the revisions with the applicant.

	Valid Date	Target Date	EoT Date
0761/20/OPA Steven Stroud	5-Mar-20	4-Jun-20	20-Aug-21
Vicarage Park Land North of Westentown Kingston 4LU		TQ7	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 – Application to be sent to Ward members in the next week.

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

Comment

	Valid Date	Target Date	EoT Date
3623/19/FUL Cheryl Stansbury	14-Apr-20	14-Jul-20	15-Apr-22
Land off Godwell Lane Iybridge			READVERTISEMENT (Revised plans received) Full planning application for the development of 104 residential dwellings with associated access, parking, landscaping, locally equipped play area and infrastructure

Comment: On-going discussions with applicant. Amended plans received and re-consultation underway with extension of time agreed. Potentially May Committee

	Valid Date	Target Date	EoT Date
0868/20/ARM Jacqueline Houslander	29-Apr-20	29-Jul-20	28-May-21
Development Site at SX 612 502 North Of Church Hill Holbeton			READVERTISEMENT (Revised plans received) 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: Issue with drainage resolved, amended plans awaited.

	Valid Date	Target Date	EoT Date
2508/20/FUL Anna Henderson-Smith	12-Aug-20	11-Nov-20	6-Jan-21
Moor View Touring Park Modbury PL21 OSG			Proposed expansion and development of holiday lodges and associated works to existing touring and holiday park

Comment

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

Comment – On-going discussions with Agent – expected to be paused whilst a revised scheme is worked up by agent and then

submitted

	Valid Date	Target Date	EoT Date
0544/21/FUL Jacqueline Houslander	15-Feb-21	17-May-21	3-Dec-21
Land at Stowford Mills Station Road Ivybridge PL21 0AW		Construction of 16 dwellings with associated access and Landscaping	

Comment – Currently in discussion with applicant over a Deed of Variation to the original Section 106 agreement.

	Valid Date	Target Date	EoT Date
1490/21/ARM Tom French	20-Apr-21	20-Jul-21	13-Aug-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	

Comment – Under consideration by Officer, ext of time agreed

was submitted)

	Valid Date	Target Date	EoT Date
1491/21/ARM Tom French	20-Apr-21	20-Jul-21	13-Aug-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 - Under consideration by Officer, ext of time agreed

	Valid Date	Target Date	EoT Date
1159/21/FUL Cheryl Stansbury	23-Apr-21	23-Jul-21	31-Jan-22
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 – Revised plans received and re-advertisement carried out

	Valid Date	Target Date	EoT Date
1503/21/FUL Cheryl Stansbury	19-May-21	18-Aug-21	
Development Site At Sx859483 School Road Stoke Fleming		READVERTISEMENT (Revised plans received) Erection of 20 dwellings (incorporating 6 affordable homes) with access, Landscaping, parking, public open space and associated works	

Comment – Application progressing and S106 being drafted. Extension of time being sought

	Valid Date	Target Date	EoT Date
1557/21/VAR Catherine Miller-Bassi	10-Jun-21	9-Sep-21	
Alston Gate Malborough TQ7 3BT		Application for removal of condition 1 (development start date) And variation of conditions 2 (approved drawings), 5 (boundary treatments) and 6 (landscaping scheme) of planning permission 0106/20/VAR	

Comment – Reviewing issues with applicant

	Valid Date	Target Date	EoT Date
1558/21/VAR Catherine Miller-Bassi	10-Jun-21	9-Sep-21	
Alston Gate Malborough TQ7 3BT		Application for removal of condition 2 (development start date) And variation of conditions 3 (approved drawings), 9 (energy supply), 10 (occupation), 11 (landscape & ecological management plan) and 16 (surface water) of planning permission 0105/20/VAR	

Comment – reviewing issues with applicant

		Valid Date	Target Date	EoT Date
2817/21/ARM	Anna Henderson-Smith	29-Jul-21	28-Oct-21	24-Mar-22
Noss Marina	Bridge Road Kingswear	TQ6 0EA	Details of Reserved Matters and discharge of conditions, relating to layout, appearance, landscaping and scale, in respect to South Bay Phase (Residential Southern) comprising the erection of 27 new residential units (Use Class C3). Also provision of 58 car parking spaces, cycle parking, creation of private and communal amenity areas and associated public realm and landscaping works pursuant to conditions 51, 52, 54 and 63 attached to planning permission 0504/20/VAR	

Comment – EoT granted until Jan 2022, revisions to scheme. Additional information received 23/11/21 and currently being reconsulted

		Valid Date	Target Date	EoT Date
3053/21/ARM	Anna Henderson-Smith	5-Aug-21	4-Nov-21	24-Mar-22
Noss Marina	Bridge Road Kingswear	TQ6 0EA	Application for approval of reserved matters relating to layout, appearance, landscaping and scale, in respect to Phase 16 – Dart View (Residential Northern) of the redevelopment of Noss Marina comprising the erection of 40 new homes (Use Class C3), provision of 60 car parking spaces, cycle parking, creation of private and communal amenity areas and associated public realm and landscaping works pursuant to conditions 51, 52, 54 and 63 attached to S.73 planning permission ref. 0504/20/VAR (Outline Planning Permission ref. 2161/17/OPA, dated 10/08/2018) (Access matters approved and layout, scale, appearance and landscaping matters	

Comment - EoT granted until Jan 2022, revisions to scheme. Additional information received 23/11/21 and currently being reconsulted

		Valid Date	Target Date	EoT Date
3054/21/ARM	Anna Henderson-Smith	5-Aug-21	4-Nov-21	24-Mar-22
Noss Marina	Bridge Road Kingswear	TQ6 0EA	Application for approval of reserved matters relating to layout, appearance, landscaping and scale, in respect to Phase 17 - Hillside (Residential Hillside) of the redevelopment of Noss Marina comprising the erection of 8 new homes (Use Class C3), provision of 21 car parking spaces, cycle parking, creation of private and communal amenity areas and associated public realm and landscaping works pursuant to conditions 51, 52, 54 and 63 attached to S.73 planning permission ref. 0504/20/VAR dated 10/02/2021 (Outline Planning Permission ref. 2161/17/OPA, dated 10/08/2018) (Access matters approved and layout, scale, appearance and landscaping matters	

Comment - EoT granted until Jan 2022, revisions to scheme and additional information received 23/11/21. Currently being reconsulted upon

		Valid Date	Target Date	EoT Date
3118/21/ARM	Bryn Kitching	9-Aug-21	8-Nov-21	
Proposed Development	Site Sx856508	A3122 Norton	Application for approval of reserved matters seeking approval for layout, scale, appearance and landscaping for 143 residential dwellings and associated open space and infrastructure following outline approval 3475/17/OPA and approval of details reserved by conditions 5, 6, 7, 8, 9, 10, 11, 12, 13, 17 and 21 of that consent.	
	Cross To Townstal Road	Dartmouth		

Comment - Consultation period complete and additional information and amendments beings sought to address responses from statutory consultees. Extension of time will be sought where necessary.

		Valid Date	Target Date	EoT Date
3078/21/VAR	Bryn Kitching	9-Aug-21	8-Nov-21	
Proposed Development	Site Sx856508	A3122 Norton	Variation of condition 4 of outline planning permission 3475/17/OPA (for 210 dwellings, public open space, green infrastructure, strategic landscaping and associated infrastructure)	
	Cross To Townstal Road	Dartmouth	to replace approved parameter plan A097890drf01v4 to 180304 P 01	

Comment - Consultation period complete and additional information and amendments being sought to address responses from statutory consultees. Extension of time will be sought where necessary.

	Valid Date	Target Date	EoT Date
1393/21/VAR Cheryl Stansbury	9-Aug-21	8-Nov-21	
Development Site At Sx 794 614 Ashburton Road To Clay Lane Dartington		Application for variation of condition 5 (approved plans) of planning consent 3945/18/VAR to include design and layout Changes	

Comment – Application progressing. S106 being drafted. Consultee concerns being addressed. Ext of time will be granted.

	Valid Date	Target Date	EoT Date
3119/21/FUL Bryn Kitching	10-Aug-21	9-Nov-21	
Proposed Development Site Sx856508 A3122 Norton Cross To Townstal Road Dartmouth		Full planning application for the erection of 32 residential units (situated within both phases 1 and 2) and associated works	

Comment - Consultation period complete and additional information and amendments being sought to address responses from statutory consultees. Extension of time will be sought where necessary.

	Valid Date	Target Date	EoT Date
3120/21/FUL Bryn Kitching	10-Aug-21	9-Nov-21	
Proposed Development Site Sx856508 A3122 Norton Cross To Townstal Road Dartmouth		Planning application for attenuation basins, pumping stations, public open space, landscaping and associated works in connection with the residential and employment development of land to the north/ east	

Comment - Consultation period complete and additional information and amendments being sought to address responses from statutory consultees. Extension of time will be sought where necessary.

	Valid Date	Target Date	EoT Date
2982/21/FUL Cheryl Stansbury	13-Oct-21	12-Jan-22	3-Mar-22
Land Opposite Butts Park Parsonage Road Newton Ferrers PL8 1HY		The erection of 20 residential units (17 social rent and 3 open market) with associated car parking and landscaping	

Comment – Extension of time agreed. Revised plans being prepared to address consultee objections

	Valid Date	Target Date	EoT Date
3335/21/FUL Cheryl Stansbury	14-Oct-21	13-Jan-22	17-Feb-22
Proposed Development Site At Sx 566 494 Land West of Collaton Park Newton Ferrers		Construction of 125 homes, commercial business units, landscaped parkland, community boat storage/parking, allotments, improvements to existing permissive pathway and public footway, enhancement of vehicular access and associated infrastructure and landscaping.	

Comment – Within consultation period. PPA agreed and anticipate May 2022 committee meeting

	Valid Date	Target Date	EoT Date
4175/21/VAR Tom French	8-Nov-21	7-Feb-22	29-Apr-22
Sherford Housing Development Site East Sherford Cross To Wollaton Cross Zc4 Brixton Devon		READVERTISEMENT (Additional EIA Information Received) Application to amend conditions 48 & 50 of 0825/18/VAR, to vary Conditions relating to employment floorspace in respect of the Sherford New Community.	

Comment - Under consideration by Officer, ext of time agreed

	Valid Date	Target Date	EoT Date
1303/21/FUL Catherine Miller-Bassi	16-Nov-21	15-Feb-22	30-Apr-22
Land At SX 680402 east of Thornlea View TQ7 3HB		Erection of 10 dwellings (to include 6 affordable), associated new highway access, service road and landscaping	

Comment

	Valid Date	Target Date	EoT Date
3915/21/ARM Jacqueline Houslander	23-Nov-21	22-Feb-22	22/4/2022
Land At SX 651 560 Filham Iybridge			Application for approval of reserved matters (appearance, scale, layout and landscaping) of Phase 2 (up to 106 dwellings) of outline approval 3703/18/OPA

Comment –EOT agreed. Awaiting amended plans.

	Valid Date	Target Date	EoT Date
3122/21/VAR Cheryl Stansbury	23-Nov-21	22-Feb-22	24-Mar-22
Land at Garden Mill Derby Road Kingsbridge			Application for variation of condition 7 of outline application 28/1560/15/O (appeal ref: APP/K1128/W/16/3156062) to allow for revised dwelling design and layout

Comment – application under consideration

	Valid Date	Target Date	EoT Date
4021/21/VAR Amy Sanders	24-Nov-21	23-Feb-22	
Development site at SX 809597 Steamer Quay Road Totnes			Application for variation of condition 2 (approved drawings) of planning consent 4165/17/FUL

Comment – waiting on legal decision if the application is valid. Uncertainty if the works that began on site, constitute a meaningful start and if the development began in time, before expiration of 3 years.

	Valid Date	Target Date	EoT Date
4129/21/FUL Verity Clark	25-Nov-21	24-Feb-22	31-Mar-22
Bridge House Farm Portford Lane South Brent TQ10 0PF			Change of Use of agricultural land and dwellinghouse to outdoor educational facility (Use Class F1 (a))

Comment: Under consideration by officer who is in discussions with applicant to secure revised plans as application does not accurately reflect proposal (works have already begun on site). Readvertising is likely needed and agent has agreed EOT.

	Valid Date	Target Date	EoT Date
4031/21/FUL Jacqueline Houslander	1-Dec-21	2-Mar-22	
Sand Pebbles Hotel Inner Hope To Outer Hope Hope Cove TQ7 3HY			Redevelopment of the existing hotel with owners accommodation to 7-holiday lets and 5 residential units.

Comment EOT agreed. Applicant looking to amend the proposal.

	Valid Date	Target Date	EoT Date
4442/21/ARM Bryn Kitching	21-Dec-21	22-Mar-22	30-Apr-22
Land at Broom Park, Dartington, TQ9 6JR			Application for reserved matters, seeking approval of appearance, landscaping, layout and scale for 80 dwellings following outline approval 3842/20/OPA

Comment: - Application to be considered by the Development Management Committee on 13th April 2022.

	Valid Date	Target Date	EoT Date
4443/21/ARM Bryn Kitching	21-Dec-21	22-Mar-22	30-Apr-22
Land at Sawmills North of A385 Dartington			Application for reserved matters, seeking approval for appearance, landscaping, layout and scale for 40 dwellings following outline approval 3841/20/OPA

Comment: - Application to be considered by the Development Management Committee on 13th April 2022.

	Valid Date	Target Date	EoT Date
4317/21/OPA Catherine Miller-Bassi	5-Jan-22	6-Apr-22	
Land at SX 5515 5220 adjacent to Venn Farm Daisy Park Brixton			Outline application with all matters reserved for residential development of up to 17 dwellings (including affordable housing)

Comment

	Valid Date	Target Date	EoT Date
4538/21/VAR Jacqueline Houslander	20-Jan-22	21-Apr-22	

Comment: Under consideration by officer.

	Valid Date	Target Date	EoT Date
0320/22/VAR Verity Clark	28-Jan-22	29-Apr-22	
Tesco Central Avenue Lee Mill Industrial Estate Lee Mill PL21 9PE			Application for variation of condition 1 schedule 3 (removal of reference to DIY materials) and removal of condition 3 (permitted products for retail) of planning consent 3997/17/VAR

Comment: Currently in consultation period.

	Valid Date	Target Date	EoT Date
4774/21/FUL Jacqueline Houslander	7-Feb-22	9-May-22	
Burgh Island Hotel Burgh Island Bigbury On Sea TQ7 4BG			Extension and refurbishment to Hotel and associated buildings togetherwith the development of new staff accommodation, extension to PilchardInn, extension to Bay View Café and site wide landscape and biodiversity enhancements

Comment: Reviewing with applicant. Some concerns with various elements of the proposal.

	Valid Date	Target Date	EoT Date
0070/22/VAR David Jeffery	9-Mar-22	8-Jun-22	
Lantern Lodge Hotel Grand View Road Hope Cove 3HE		TQ7	Application for variation of condition 2 (revisions to refuse store) of planning consent 2101/19/FUL

Comment

	Valid Date	Target Date	EoT Date
0303/22/OPA Anna Henderson-Smith	4-Apr-22	4-Jul-22	
Marldon Christmas Tree Farm The North Pole Westerland Marldon TQ3 1RR			Outline application (all matters reserved) for erection of 30 homes of two, three and four bedroom sizes with associated roads, paths, landscaping and drainage 30% of which would be Affordable Housing

Comment

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South Hams District Council Agenda Item 8

DEVELOPMENT MANAGEMENT COMMITTEE 13-Apr-22

Appeals Update from 1-Mar-22 to 28-Mar-22

Ward Blackawton and Stoke Fleming

APPLICATION NUMBER: **3375/20/TPO** APP/TPO/K1128/8351
APPELLANT NAME: Jon Rance
PROPOSAL: T1: Maple - Reduction of 3x branches at 6m from ground level on
North West side by 4m and reduction of 1x branch at 5m from ground level on

West side by 3m. Tree is overhanging neighbouring property and causing damp and rot to decking and garden furniture.

LOCATION: The Shippen Bugford TQ6 0LT **Officer delegated**
APPEAL STATUS: Appeal decided
APPEAL START DATE: 23-July-2021
APPEAL DECISION: Partially upheld
APPEAL DECISION DATE: 18-March-2022

Ward Charterlands

APPLICATION NUMBER: **1320/20/FUL** APP/K1128/W/21/3268010
APPELLANT NAME: Mr Matt Coppel
PROPOSAL: Proposed new dwelling (resubmission of 2394/19/FUL)
LOCATION: Land at SX 656 515 adjacent to 2 Moon Lane Modbury **Officer delegated**
APPEAL STATUS: Appeal decided
APPEAL START DATE: 14-July-2021
APPEAL DECISION: Dismissed (Refusal)
APPEAL DECISION DATE: 11-March-2022

Ward Dartington and Staverton

APPLICATION NUMBER: **0364/21/FUL** APP/K1128/W/22/3290232
APPELLANT NAME: Mrs J Reece
PROPOSAL: Application for change of use of agricultural land to residential
LOCATION: 5 Pennywell Close Landscope Ashburton TQ13 **Officer member**
delegated
7LZ

APPEAL STATUS: Appeal Lodged
APPEAL START DATE: 03-March-2022
APPEAL DECISION:
APPEAL DECISION DATE:

Ward Dartmouth and East Dart

APPLICATION NUMBER: **3204/20/TPO** APP/TPO/K1128/8372
APPELLANT NAME: Tim Southwick
PROPOSAL: T1: Sycamore (multi-stemmed) - Removal of 3 stems to ground level on
West side. T2: Sycamore (multi-stemmed) - Removal of 3 stems to ground level on West
side. Trees are overhanging swimming pool, blocking drains and are close to public
footpath.
LOCATION: White House Castle Road Kingswear TQ6 0DX **Officer delegated**
APPEAL STATUS: Appeal decided
APPEAL START DATE: 12-November-2021
APPEAL DECISION: Dismissed (Refusal)
APPEAL DECISION DATE: 21-March-2022

Ward Ermington and Ugborough

APPLICATION NUMBER: **0887/21/HHO** APP/K1128/D/21/3282106
APPELLANT NAME: Mr Tony Hopwood
PROPOSAL: Householder application for single storey rear extension (resubmission of 4244/20/HHO)
LOCATION: 2 Erme Bridge Cottages Ermington PL21 9NN **Officer member delegated**
APPEAL STATUS: Appeal decided
APPEAL START DATE: 29-December-2021
APPEAL DECISION: Dismissed (Refusal)
APPEAL DECISION DATE: 01-March-2022

Ward Kingsbridge

APPLICATION NUMBER: **3830/20/FUL** APP/K1128/W/21/3282469

APPELLANT NAME: Dick Whittington Developments Ltd
PROPOSAL: Erection of six new dwellings
LOCATION: Dennings Wallingford Road Kingsbridge Devon TQ7 1NF

APPEAL STATUS: Appeal decided
APPEAL START DATE: 29-November-2021
APPEAL DECISION: Dismissed (Refusal)
APPEAL DECISION DATE: 04-March-2022

Ward Newton and Yealmpton

APPLICATION NUMBER: **1302/21/FUL** APP/K1128/W/21/3287577

APPELLANT NAME: Mr & Mrs Julian Taylor
PROPOSAL: Erection of detached 4-bedroom house with detached garage and detached 3-bedroom bungalow with use of existing garage

LOCATION: Lowdamoor Hemerdon PL7 5BU **Officer member delegated**

APPEAL STATUS: Appeal Lodged

APPEAL START DATE: 14-March-2022

APPEAL DECISION:

APPEAL DECISION DATE:

APPLICATION NUMBER: **2488/21/HHO** APP/K1128/D/22/3294530

APPELLANT NAME: Mr C Luscombe
PROPOSAL: Householder application for demolition of single storey side utility and formation of porch & rear extension with utility replacement (resubmission of 1834/20/HHO)

LOCATION: 5 Whittingham Road Yealmpton PL8 2NF **Officer member delegated**

APPEAL STATUS: Appeal Lodged

APPEAL START DATE: 22-March-2022

APPEAL DECISION:

APPEAL DECISION DATE:

Ward Salcombe and Thurlestone

APPLICATION NUMBER: **4207/20/FUL** APP/K1128/W/21/3285020

APPELLANT NAME: Mr Graham Kerlake
PROPOSAL: Retrospective application for garden shed, storage container and wooden base

LOCATION: Land South of Shute Park Marlborough TQ7 3SU **Officer member delegated**

APPEAL STATUS: Appeal decided

APPEAL START DATE: 11-January-2022

APPEAL DECISION: Dismissed (Refusal)

APPEAL DECISION DATE: 23-March-2022

Ward West Dart

APPLICATION NUMBER: **1664/21/FUL** APP/K1128/W/21/3289096

APPELLANT NAME: Oakgreen Limited
PROPOSAL: Conversion and extension of a barn into a one-bed dwellinghouse, including integral garage, parking and garden amenity space

(resubmission of 1992/20/FUL)

LOCATION: The Old Bakehouse Tuckenhay TQ9 7EQ **Officer delegated**

APPEAL STATUS: Appeal Lodged

APPEAL START DATE: 08-March-2022

APPEAL DECISION:

APPEAL DECISION DATE: