

South Hams Development Management Committee



Title:	Agenda										
Date:	Wednesday, 28th June, 2023										
Time:	10.00 am										
Venue:	Council Chamber - Follaton House										
Full Members:	<p style="text-align: center;">Chairman Cllr Long</p> <p style="text-align: center;">Vice Chairman Cllr Taylor</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 McKay</td> </tr> <tr> <td>Cllr Allen</td> <td>Cllr Nix</td> </tr> <tr> <td>Cllr Bonham</td> <td>Cllr O'Callaghan</td> </tr> <tr> <td>Cllr Carson</td> <td>Cllr Pannell</td> </tr> <tr> <td>Cllr Hodgson</td> <td>Cllr Rake</td> </tr> </table>	Cllr Abbott	Cllr McKay	Cllr Allen	Cllr Nix	Cllr Bonham	Cllr O'Callaghan	Cllr Carson	Cllr Pannell	Cllr Hodgson	Cllr Rake
Cllr Abbott	Cllr McKay										
Cllr Allen	Cllr Nix										
Cllr Bonham	Cllr O'Callaghan										
Cllr Carson	Cllr Pannell										
Cllr Hodgson	Cllr Rake										
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:	Amelia Boulter - Democratic Services Specialist 01822 813651										

- 1. Minutes** **1 - 10**

To approve as a correct record the minutes of the meeting of the Committee held on 7 June 2023;
- 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) 0793/23/HHO** **11 - 18**

"The Paddocks", Cross Park, Thurlestone
Householder application for renovations and extension
 - (b) 1381/23/FUL** **19 - 40**

"Birdsong", Cliff Road, Wembury
Proposed new dwelling
 - (c) 1355/23/VAR** **41 - 46**

"Oakhill Farm", Worston, Yealmpton
Application for variation of condition 4 (use restrictions) of planning consent 0732/22/FUL (resubmission of 0354/23/VAR)
 - (d) 1477/23/FUL** **47 - 52**

"Land at SX 663 473" ,, St Anns Chapel

Foul water pumping station, 1.8m high security surround & manholes to support the new Holywell Meadow development at St Anns Chapel

(e)	2030/23/CLP	53 - 56
	"Skate Park" , The Quay Car Park, Kingsbridge	
	Certificate for lawfulness for proposed removal of existing skate ramps, features and fencing, extension of skatepark footprint and construction of new sprayed concrete skatepark	
7.	Planning Appeals Update	57 - 58
8.	Update on Undetermined Major Applications	59 - 64

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MINUTES of the MEETING OF THE DEVELOPMENT MANAGEMENT COMMITTEE held in the COUNCIL CHAMBER, FOLLATON HOUSE, TOTNES, on WEDNESDAY, 7 June 2023

Members in attendance			
* Denotes attendance			
∅ Denotes apologies			
*	Cllr V Abbott	∅	Cllr J McKay
*	Cllr G Allen	*	Cllr A Nix
∅	Cllr L Bonham	*	Cllr D O'Callaghan
*	Cllr J Carson	*	Cllr G Pannell
*	Cllr J Hodgson	*	Cllr S Rake
*	Cllr M Long (Chairman)	*	Cllr B Taylor (Vice Chair)

Other Members also in attendance:

Cllrs Thomas and Brazil and Cllr Hopwood (on MS Teams)

Officers in attendance and participating:

Item No:	Application No:	Officers:
All agenda items		Head of Development Management; Senior Planning Officers; Monitoring Officer; IT Specialists and Senior Democratic Services Officer

DM.1/23

MINUTES

The minutes of the meeting of the Committee held on 5 April 2023 were confirmed as a correct record by the Committee.

DM.2/23

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 D O'Callaghan declared a Personal Interest in application 6(d) (minute DM.4/23 (d)) below refers) because they are known to the applicant. The Member remained in the meeting and took part in the debate and vote thereon.

Cllr S Rake declared a Personal Interest in application 6(d) (minutes DM.4/23 (d)) below refers because they are known to the applicant. The Member left the meeting for this item and took no part in the debate or the vote.

By virtue of being a local Ward Member, Cllr M Long advised that he would be relinquishing the Chair for application 6(a) (minute DM.4/23(a) below refers). As a result, the Vice-Chairman chaired the meeting during consideration of this application.

DM.3/23

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.4/23

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) 3273/22/FUL "Sheerwater", Devon Road, Salcombe
Town: Salcombe**

Development: Demolition of existing dwelling and construction of new replacement dwelling including existing garage renovation and associated landscaping.

As highlighted above (Minute DM.2/23 refers), this application was Chaired by Cllr Taylor (Vice-Chair).

Case Officer Update: The Case Officer summarised the key issues. Namely that:

- The application was submitted prior to 1 December 2022 and the enhanced requirements relating to the carbon implications of the demolition phase did not apply;
- The proposal did not seek to increase the number of dwellings or the number of bedrooms;
- The contemporary design had generated both criticism and praise;
- While the decision was finely balanced, Officers did not consider that the proposal would result in significant harm so as to warrant a refusal and the application was therefore recommended for conditional approval.

In response to questions, the Officer reported that:

- the lobby entrance would be partly open;
- the Salcombe Neighbourhood Plan had been in place for some time;
- changes and improvements were being made to the parking area and would be a little bit lower in the proposed application;
- The ridge height was slightly higher and width similar in size.
- The applicant had removed some of the existing trees which had opened up the view of the estuary.

Speakers were: Objector – Chris Watkins, Supporter – Mark Evans, Parish Council – Statement read out by the Clerk, Ward Member – Cllr M Long.

In response to questions raised, the supporter reported that:

- there would be a mix of glazing and stone and it would be possible to be able to see partly through the upper area;
- the design was a linear contemporary form;
- the building would be stepped into the site following the contours similar to the current building and would retain existing wall and render that was typical for Salcombe;
- the driveway levels did drop but not significantly;
- they were undertaking a landscaping scheme for Officers to approve.

The Ward Member thanked Members for their attendance at the site visit earlier in the week. This application impacted on the area and, if approved, would change the town scape and urban setting. The Member asked that the Committee seriously look at the design, scale and massing as well as the accumulative impact on the town setting.

During the debate, some Members felt that it was hard to see whether there would be any change in public view and felt that those views would largely remain. On viewing the application from the estuary, some Members also felt that the building did not look particularly large and was similar to other dwellings in the vicinity. Another Member felt that the application was extraordinarily large and looked more like a hotel. In viewing from the water, the sheer over massing, scale and glazing would impact on the ecology in the area. The scale of the development took away the habitat with a loss for foraging. Another Member felt it was important to take on the views of the Town Council with their concerns on the massing and this would change the character of Salcombe. Another Member felt this was a change in style and moving away from local vernacular into something more linear and block like and feared this added to the changes seen in the townscape and landscape. The dwelling could be blended better into the hillside and the size and massing was detrimental to the site and a Member did not want to see this trend continue especially since it was felt to contradict the adopted Neighbourhood Plan.

It was then put to the vote that the application be conditionally approved (in line with the Officer recommendation). When put to the vote, the proposal was lost.

The vote was then taken to refuse the application, with the exact wording of the reasons for refusal being delegated to the Head of Development Management, in consultation with the Committee Vice-Chairman and the proposer (Cllr Long) and seconder (Cllr Hodgson) of the motion, with the reasons being summarised as:

1. Design, massing and scale, siting, contrary to policies ENV1 and ENV7 DEV21, DEV23 and DEV25.
2. Landscaping.
3. Impact on ecology.

Recommendation: Conditional Approval

Committee decision: Refusal

**6b) 2202/22/FUL "Churchstow Lodge", Churchstow
Parish: Churchstow**

Development: Erection of new dwelling & associated new vehicular access

Case Officer Update: The Case Officer summarised the key issues:

- The dwelling was designed in a contemporary style, mirroring the main design themes of Churchstow Lodge;
- The proposal included low carbon measures, such as solar panels, EV charging point and a heat pump;
- The existing boundary hedge would be retained but realigned as part of the proposal to minimise the visual impact of the scheme and to safeguard the setting of nearby Listed Buildings;
- Concerns regarding highways safety were noted, however, the DCC Highways Engineer had not objected and Officers were not able to substantiate a refusal on highways safety grounds;
- The proposal recommendation was for conditional approval.

Speakers were: Objector – None, Supporter – Anthony Puncher, Parish Council – None, Ward Member – statement from Cllr Bonham was read out by the Clerk.

In response to questions raised, the supporter reported that:

- No other alternative access to the property had been considered;
- The existing hedge would be cut but would grow back.

The following statement was read out on behalf of the local Ward Member:

'I hope that the following comments on application 2202/22/FUL Churchstow Lodge Churchstow, in my ward, can be considered at the DM Committee on 7 June. I have a number of concerns.

Firstly I note that the site is inside the AONB and in a village not listed as a sustainable village in the TTV section of the JLP (see page 242). The JLP makes clear that DEV25 applies in this case, as noted by the officer's report. DEV25 requires 'substantial weight' will be given to 'natural beauty' and 'conservation of wildlife and cultural heritage'. Unfortunately, this development requires the removal of part of the hedge and Devon bank in the centre of Churchstow along the side of the A379. This seems to me to be an element of natural beauty, a cultural asset in the village and a wildlife asset. I am concerned at it proposed removal.

Secondly, the Kingsbridge, West Alvington and Churchstow Neighbourhood plan notes the protected view CV6 from the green space in Churchstow along the A379 westward, which includes the said Devon bank and hedgerow. The Policy KWAC Env4 in this document says that the “quality of these views within the settlements ... should be safeguarded.” Removal of the hedge would contravene that, I believe.

Thirdly, the officer’s report notes that DEV25 requires developments to ‘conserve and enhance’ natural beauty. The report accepts that the application does NOT offer any enhancement. Therefore it seems to me that the policy DEV25 is not met.

Fourthly, I feel that DEV23 and DEV28 of the JLP should be taken into account. DEV23 requires developments to ‘conserve and enhance valued attributes...such as hedgerows... that contribute to the character and quality of the area. DEV28 also states that hedgerows should be protected, unless there is mitigation, and I do not see any mitigation in this case.

Overall, the proposal seems to contravene a number of the JLP and Neighbourhood plan policies.’

During the debate, some Members understood the concerns regarding highway safety, however DCC had raised no concerns and the VAS sign was known to have a positive impact on reducing speeds. The application was within the envelope of a settlement and new development should be allowed to take place. Other Members felt that it would be difficult to defend an appeal if they went against this application on highways grounds. The hedge would be reduced slightly however this was not too detrimental and the new dwelling would not have a significant impact on the two listed buildings with the hedges for protection.

Recommendation: Conditional Approval

Committee decision: Conditional Approval

- Conditions:**
1. Standard time limit
 2. Accord with plans
 3. Construction Management Plan
 4. Visibility splays
 5. Unexpected contamination
 6. Surface water drainage
 7. Natural slate
 8. Solar panels
 9. Air source heat pump
 10. DEV32 measures
 11. Accord with arboricultural report
 12. Accord with ecological mitigation
 13. Details of external lighting
 14. First floor window in east elevation –

obscure glazed and fixed shut
15. Permitted Development rights removed

**6c) 0596/23/HHO 15 Heybrook Drive, Heybrook Bay, PL9 0BN
Parish: Wembury**

Development: Householder application for side porch and bedroom extension

Case Officer Update: The Case Officer summarised the key issues:

- The proposed extension single storey, set back from the principal elevation and subservient to the existing dwelling;
- The localised impact on the AONB was acceptable within an existing residential context;
- The impact upon neighbouring amenity and adjoining property, no. 14 Heybrook Drive was acceptable
- The proposal includes an EV charging point within the existing garage;
- The proposal was recommended for conditional approval.

The Officer reported that following the site visit that access to the property would be built within building regulations.

Speakers were: Objector – None, Supporter – David Sims, Parish Council – None, Ward Councillor – None.

During the debate, Members felt that the site visit had been very helpful and building up to the boundary was acceptable. The improvement to energy performance was supported.

Recommendation: Conditional Approval

Committee decision: Conditional Approval

Conditions:

1. Standard time limit
2. Adherence to plans
3. Adherence to construction management plan

**6d) 0049/23/HHO 8 Derby Road, Kingsbridge
Town: Kingsbridge**

Development: Householder application for two storey side extension plus first-floor extension over part of existing ground floor, to include pitched roof to match existing

The Case Officer: The Case Officer summarised the key issues:

- The proposed extensions represented a cohesive design solution which did not dominate the existing dwelling house;

- The localised impact on AONB was acceptable within an existing residential context;
- The impact upon neighbouring amenity and adjoining properties, no. 7 and 9 Derby Road was acceptable;
- The proposal included solar panels on the south elevation roof;
- Re-consultation was being undertaken upon amendments to red outline of application site;
- The proposal was recommended for conditional approval.

The Officer reported that there would be no adverse impact to the neighbour's vegetable plot.

Speakers were: Objector – None, Supporter – None, Town Council – statement read out by the Clerk, Ward Member – Cllr O'Callaghan.

The Ward Member unfortunately was unable to attend the site visit and felt that the proposals were reasonable.

During the debate, Members who had attended the site visit were able to view the neighbouring property's vegetable patch which was already in shadow.

Recommendation: Delegated approval to the Head of Development Management subject to no further representations being received within the reconsultation period (date TBC) that raise any new issues not considered in the Officer Report.

Committee decision: Delegated approval to the Head of Development Management subject to no further representations being received within the reconsultation period (date TBC) that raise any new issues not considered in the Officer Report.

Conditions:

1. Standard time limit
2. Adherence to plans
3. Adherence to drainage details
4. Materials to match
5. Adherence to ecological mitigation and enhancement

DM.5/23 **PLANNING APPEALS UPDATE**
Members noted the list of appeals as outlined in the presented agenda report.

DM.5/23 **UPDATE ON UNDETERMINED MAJOR APPLICATIONS**
Members noted the update on undetermined major applications as

outlined in the presented agenda report.

(Meeting commenced at 9.30 am with a break at 10.50 am. Meeting concluded at 12:40pm.)

Chairman

Voting Analysis for Planning Applications – DM Committee 7 June 2023

Application No:	Site Address	Vote	Councillors who Voted Yes	Councillors who Voted No	Councillors who Voted Abstain	Absent
3273/22/FUL	"Sheerwater", Devon Road, Salcombe	Refused	Cllrs, Allen, Carson, Hodgson, Long, Nix, O'Callaghan, Rake and Taylor (8)	Cllrs Abbott and Pannell (2)		Cllrs Bonham and McKay (2)
2202/22/FUL	"Churchstow Lodge", Churchstow	Approved	Cllrs Abbott, Allen, Carson, Hodgson, Long, Nix, O'Callaghan, Pannell, Rake and Taylor (10)			Cllrs Bonham and McKay (2)
0596/23/HHO	15 Heybrook Drive, Heybrook Bay, PL9 0BN	Approved	Cllrs Abbott, Allen, Carson, Hodgson, Long, Nix, O'Callaghan, Pannell, Rake and Taylor (10)			Cllrs Bonham and McKay (2)
0049/23/HHO	8 Derby Road, Kingsbridge	Approved	Cllrs Abbott, Allen, Carson, Hodgson, Long, Nix, O'Callaghan, Pannell, Rake and Taylor (10)			Cllrs Bonham and McKay (2)

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PLANNING APPLICATION REPORT – Householder Developments

Case Officer: Liz Payne

Parish: Thurlestone

Application No: 0793/23/HHO

Ward: Salcombe & Thurlestone

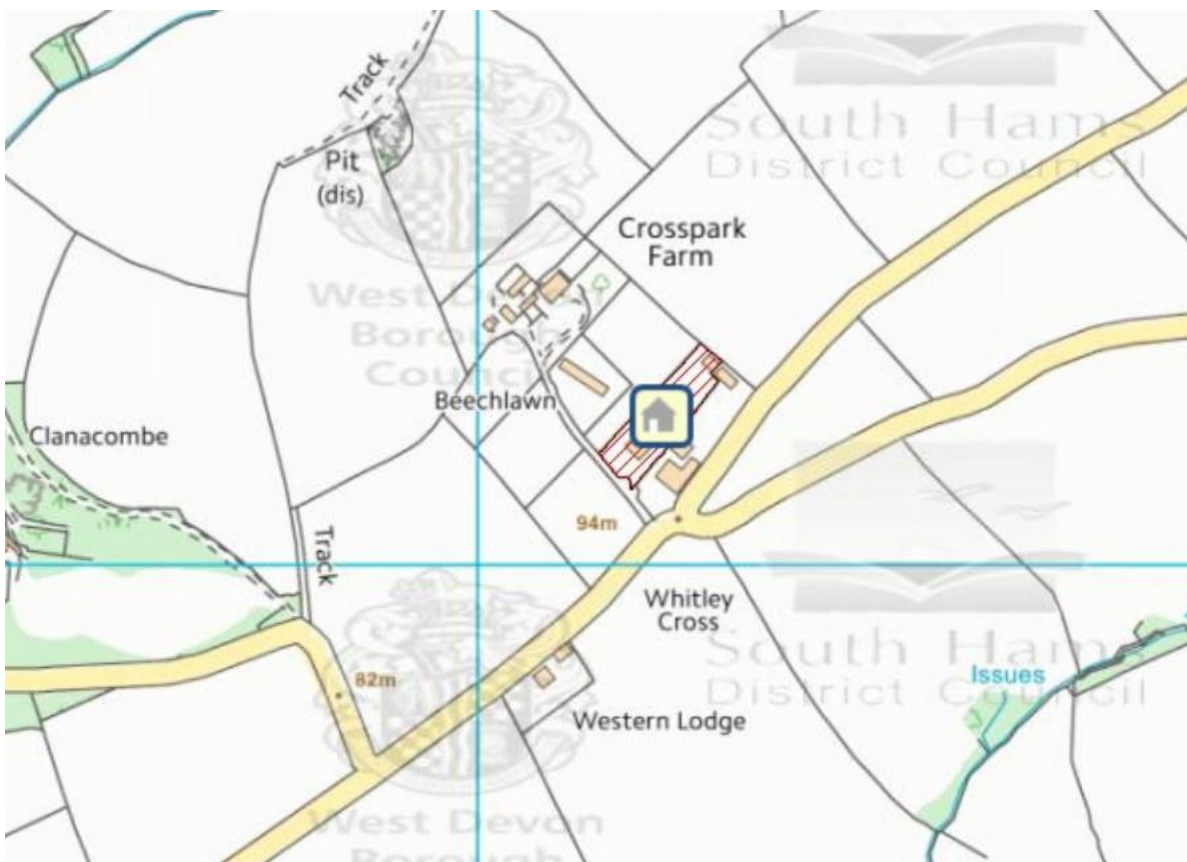
Agent:

John Salmon
Po Box 807
Perranporth
TR1 9NN

Applicant:

Lee & Amanda Cash
The Paddocks
Cross Park
Thurlestone
TQ7 3LP

Site Address: The Paddocks, Cross Park, Thurlestone, TQ7 3LP



Development: Householder application for renovations and extension

Reason item is before Committee: Cllr Long has referred the application to committee:

I would wish this application, which has the support of the Parish Council, to be reviewed by DM Committee to consider, do the proposals provide an uplift on the build and design quality on the original property, and any challenges this makes to other policy areas including some Neighbourhood Plan policies.

Recommendation: Refusal

Reasons for refusal:

1. The proposed extension to the dwelling, by reason is its design, materials and siting would appear incongruous and would not represent an uplift in the quality of the built form contrary to adopted Plymouth and South West Devon Joint Local Plan policies TTV29 Residential extensions and replacement dwellings in the countryside (criterion 5) and DEV20 Place Shaping and the quality of the built environment (criteria 2, 3 and 4), the Supplementary Planning Document (2020) and policies TP1 General Development Principles (criterion 2) and TP7 – Replacement Dwellings And Extensions (criterion 2) of the made Thurlestone Neighbourhood Plan.
2. The quantity of glazing at first floor would result in an unacceptable level of additional light spill and fail to maintain and conserve the special qualities of the South Devon AONB and Undeveloped Coast contrary to adopted Plymouth and South West Devon Joint Local Plan policies DEV23 Landscape Character, Joint Local Plan Policies DEV24 Undeveloped Coast and Heritage Coast (criterion 3) and DEV25 Nationally protected landscapes (criterion 8) and policies TP1 and TP22 of the made Thurlestone Neighbourhood Plan.
3. Insufficient information has been submitted to show how surface water would be managed in accordance with the drainage hierarchies set out in the Plymouth and Devon Local Flood Risk Management Strategies contrary to policy DEV35 Managing flood risk and water quality impacts (criterion 4) of the adopted Plymouth and South West Devon Joint Local Plan and TP1 (criterion 3) of the made Thurlestone Neighbourhood Plan.

Key considerations: Design, scale and massing; impact on AONB, Undeveloped and Heritage Coast; Neighbour Amenity; Ecology; Drainage.

Site Description:

The application site is located approximately 1.3km northeast of Thurlestone within a small group of detached dwellings and comprises a detached single storey dwelling, driveway, front and rear gardens and several outbuildings. The dwelling faces southwest and overlooks the access road for the neighbouring properties and long views of the surrounding countryside. To the southeast a fence runs along the boundary with the neighbouring property, Whitley Lodge. To the northwest of the property a grazing field separates the site from another dwelling, Beechlawn.

The application site is within the South Devon AONB, Undeveloped Coast and Heritage Coast. A Public Right of Way passes 200m to the southwest.

Proposal:

The application seeks to raise the ridge height of both the original dwelling and the single storey extension to create additional living accommodation within the roof space. A flat roof front extension and partially enclosed veranda would replace the existing front extension and provide a balcony for a large dormer window above. A pergola would be attached to the rear of the property and the existing outbuildings replaced by a single garage building. The development would be finished in timber cladding, timber louvres, render and a mix of slate, sedum and zinc on the roofs.

Consultations:

- County Highways Authority: no highways implications

- **Thurlestone Parish Council:**

Thurlestone Parish Council supports this application. The proposed development would be unlikely to have an unacceptable impact on neighbouring residential amenity (NP Policy TP1.1) and although the ridge height of the existing dwelling would be slightly increased and extended to provide more accommodation in the first floor (contrary to NP Policy TP7.2i), Councillors considered the extension was proportionate and appropriate in the location and that the overall character and appearance of the existing property would be improved (NP Policy TP1.2). The building materials – including timber louvres, windows, sliding doors and cladding - were welcomed, as were the recessed windows on the first floor that had been designed to reduce light spill, since the property occupies a sensitive and elevated location in the open countryside within the AONB and Heritage Coast (NP Policies TP1.4 & TP1.5). There were, however, concerns about the number of proposed roof lights, particularly as they mainly served non-habitable spaces.

PUBLIC CONSULTATIONS

Representations:

None received.

Relevant Planning History

55/1031/98/3 - 17/08/1998 - Conditional Approval

Addition of bay window and two dormer windows,

55/0115/99/F - 04/03/1999 - Conditional Approval

Amendment to approved plans for alteration to sunroom

55/1399/01/F - 10/10/2001 - Conditional Approval

Extension to form new bedrooms and en-suite bathrooms

ANALYSIS

1. Principle of Development/Sustainability

1.1. The site is located within the open countryside and hosts a residential dwelling. Policy TTV29, Residential extensions and replacement dwellings in the countryside, of the Joint Local Plan (JLP) establishes the principle of extending dwellings within this context subject to consideration that the design and scale of the extension is appropriate for the setting.

1.2. The Supplementary Planning Document (2020) (SPD) advises that an extension may be considered appropriate in scale if the extension does not increase the internal floor space of the original house (as it was first built or as it stood on 1 July 1948) by more than 50 per cent. Paragraph 11.86 continues,

“Permission may be granted for extensions that seek to increase the size of the internal floorspace by more than 50% if there is a demonstrable uplift in the quality of the built form, that the primacy of the host dwelling is not unduly diminished and that the proposal does not have a negative impact on the external amenity space within the proposal site”.

1.3. The original bungalow has already been extended by more than 50% internal floorspace and the proposal would provide a substantial increase further. Officers

acknowledge that large extensions can sometimes be acceptable. As the submitted proposal would result in an increase of the original property by more than 50%, consideration of the design of the extension, in particular, whether it provides an uplift in the quality of the built form, the impact on the primacy of the host dwelling and external amenity space is required to determine whether the extension accords with JLP policy TTV29.

2. Design, Massing and Scale

- 2.1. Policy DEV20 of the JLP requires development to meet good standards of design. Proposals must have proper regard to the pattern of local development and wider surroundings in terms of (amongst other things), style, local distinctiveness, scale, materials, historic value, and character. Joint local policy DEV23 seeks to conserve and enhance the landscape and scenic quality by (amongst other criteria) requiring design which maintains and reinforces local distinctiveness, conserves characteristics of the area and is of high quality design appropriate to its landscape. Policy TP1 of the Thurlestone Neighbourhood Plan requires (amongst other criteria) locally distinctive design and TP7 requires extensions to be subordinate in scale and form to the existing dwelling.
- 2.2. The original dwelling is a modest bungalow and has been subject to a number of ad hoc extensions over previous years including front and rear extensions and dormer windows. A substantial single storey side extension has significantly increased the footprint of the property. Despite the additions, the character of the property has been retained to some extent through the retention and repetition of the pitched roof over the bay windows and consistent use of render and slate.
- 2.3. The proposed scheme seeks to raise the original roof and extend the roof to provide living accommodation over the existing single storey extension. The proposed first floor extension would not be set down or set back from the existing roof and given its scale would not be 'subordinate' to the existing property, contrary to paragraphs 13.37 – 13.39 of the SPD and policy TP7 of the made Thurlestone Neighbourhood Plan.
- 2.4. The existing property has an existing front dormer and the neighbour to the east has three dormer windows providing a significant feature to the front elevation. The principle of a front dormer window is therefore acceptable. However, the proposed dormer window would cover the majority of the existing and proposed roof plane. It would project forward of the eaves of the roof and connect directly to the flat roof of the front extension appearing as a full second storey rather than roof space accommodation. The property is within a short row of single storey dwellings and this addition, particularly with the balcony at first floor would be incongruous to the character of the host dwelling and immediate neighbouring properties and contrary to paragraph 13.49 of the SPD.
- 2.5. The proposal includes a replacement front extension and partially enclosed veranda which covers all the frontage of the host dwelling. The flat roof design does not respond to the pitched roof features of the host dwelling and the use of timber cladding and timber louvres would conceal all of the rendered wall. The scale and materials of the front extension would dominate the host dwelling.

2.6. As a whole the proposed alterations would engulf the original dwelling and not respond to the architectural features of the host property. The result would be an assortment of differing forms and materials that would lack coherence and would appear discordant. By virtue of the scale, design and materials, the proposal would not have proper regard to the character of the host dwelling and surroundings and would not represent an uplift in the quality of the built form contrary to policies TTV29 and DEV20 of the Joint Local Plan, the Supplementary Planning Document and policies TP1 and TP7 of the Thurlestone Neighbourhood Plan.

3. Undeveloped and Heritage Coast and South Devon AONB (DEV 25)

3.1. Policy DEV24 requires proposals to maintain and enhance the unique landscape of the Undeveloped and Heritage Coast. Policy DEV25 requires that proposals conserve and enhance the natural beauty of the AONB with particular reference to their special qualities and distinctive characteristics or valued attributes. Neighbourhood Plan Policy TP1 requires developments to be appropriate to the rural location within the South Devon AONB and to limit the impact of light pollution on intrinsically dark landscapes.

3.2. The site is located within a rural location, 1km east of East Buckland, 1.3km north east of Thurlestone and 1.3km north of South Milton. Despite being close to neighbouring settlements the topography of the area provides a remote setting with long distance views of the wider countryside. The group of dwellings within which the site is located are mostly single storey with accommodation in the roof space and are partially obscured by trees. The proposal incorporates wide, full height glazed openings with sliding doors at first floor level which lead out onto wide balconies. The design of the dormer window would provide cover overhead and to the side of the balcony and reduce light spill from internal lighting. However, the overall impact of the large windows and balconies at this height would disrupt the tranquil nature of the immediate area and would fail to conserve or maintain the special quality of the Undeveloped Coast and AONB. For this reason the development is contrary to Local Plan Policies DEV24 and DEV25 and Neighbourhood Plan Policy TP1.

4. Neighbour Amenity

4.1. The existing property is on a generous sized plot and does not encroach close to the boundary with the neighbour to the east. The existing garage is sited close to the neighbour's outbuildings. Due to the siting of the development it will not give rise to any detrimental impact on neighbour amenity through overlooking, overbearing, loss of light or increased noise and disturbance. In this context, the proposal is considered acceptable with regards to the provisions of DEV1 Protecting health and amenity.

5. Ecology

5.1. The Ecological Appraisal by Ecologic Consultant Ecologists LLP dated 16 December 2022 found no evidence or significant potential for bats to roost, however the report sets out precautionary measures to avoid any harm during building works. If the proposal was otherwise acceptable a condition would be imposed to ensure that the recommendations of the ecological appraisal were adhered to and as such, the proposal accords with JLP policy DEV26 Protecting and enhancing biodiversity and geological conservation.

6. Drainage

6.1. The applicant has not provided information on how the surface water from the proposed additional area will be discharged. Policy DEV35 requires surface water to be discharged in a separate surface water drainage system that has been devised following the drainage hierarchies set out in the Plymouth and Devon Local Flood Risk Management Strategies. As no evidence or justification of how surface water will be managed the proposal is contrary to DEV35 Managing flood risk and water quality impacts.

7. Climate Emergency

7.1. The Climate Emergency Planning Statement responds directly to the Climate Emergency declarations issued by South Hams and West Devon Councils and identifies measures for new development to meet the challenge of climate change. It builds on existing planning policies set out within the Plymouth and South West Devon Joint Local Plan and its supplementary planning document, embraces new standards and proposes new requirements. Officers have assessed the submitted Climate Emergency Compliance Form and note that the existing property already incorporates solar panels and would retain these. Whilst there is little scope for achieving net gain on a development of this scale in this location, the plans do demonstrate the use of natural materials such as sedum and timber. By virtue of the scale of the works and site specific circumstances the details as submitted are acceptable in this instance.

8. Conclusion

8.1. The proposed extension to the dwelling, by reason is its design, materials and siting would appear incongruous and would not represent an uplift in the quality of the built form contrary to policies TTV29 (criterion 5) and DEV20 (criteria 2, 3 and 4), the Supplementary Planning Document (2020) and policies TP1 (criterion 2) and TP7 (criterion 2) of the Thurlestone Neighbourhood Plan. The quantity of glazing at first floor would result in an unacceptable level of additional light spill and fail to maintain and conserve the special qualities of the South Devon AONB and Undeveloped Coast contrary to DEV24 (criterion 3) and DEV25 (criterion 8). In addition, a lack of evidence has been submitted to show how surface water would be managed in accordance with the drainage hierarchies set out in the Plymouth and Devon Local Flood Risk Management Strategies contrary to DEV35 (criterion 4).

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
TTV1 Prioritising growth through a hierarchy of sustainable settlements
TTV29 Residential extensions and replacement dwellings in the countryside
DEV1 Protecting health and amenity
DEV2 Air, water, soil, noise, land and light
DEV20 Place shaping and the quality of the built environment
DEV23 Landscape character
DEV24 Undeveloped coast and Heritage Coast
DEV25 Nationally protected landscapes
DEV26 Protecting and enhancing biodiversity and geological conservation
DEV32 Delivering low carbon development
DEV35 Managing flood risk and Water Quality Impacts

Thurlestone Neighbourhood Plan

Following a successful referendum, the Thurlestone Neighbourhood Plan was adopted at Executive Committee on 19 July 2018. It now forms part of the Development Plan for South Hams District and should be used in deciding planning applications within the Thurlestone Neighbourhood Area.

The following policies are relevant:

TP1 General Development Principles; and
TP7 – Replacement Dwellings And Extensions
TP22 – The Natural Environment

Other material considerations include the policies of the National Planning Policy Framework (NPPF) including but not limited to paragraphs 130 and 176 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;
Plymouth and South West Devon Climate Emergency Planning Statement (2022);**

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: Peter Whitehead

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

Application No: 1381/23/FUL

Agent/Applicant:

Mr Dan Stewart
53 Mewstone Avenue
Wembury
PL9 0JT

Applicant:

Mr Dan Stewart
53 Mewstone Avenue
Wembury
PL9 0JT

Site Address: Birdsong, Cliff Road, Wembury, PL9 0HN



Development: Proposed new dwelling

Reason item is being put before Committee: The applicant is related to a member of staff.

Recommendation: approval subject to conditions and the completion of a legal agreement to secure mitigation in respect of additional recreational pressures upon the Tamar European Marine Site (comprising the Plymouth Sound and Estuaries SAC and Tamar Estuaries Complex SPA).

Conditions (list not in full)

1. Time limit (3 years)
2. Compliance with approved plans
3. Compliance with submitted Construction Management Plan
4. Compliance with submitted Arboricultural Impact Assessment

5. Submission and approval of materials details
6. Compliance with submitted landscaping details
7. No external lighting without the permission of the LPA
8. Compliance with Ecological recommendations and enhancement measures
9. Provision of access and parking spaces prior to occupation and retained thereafter
10. Drainage details – pre-commencement condition (agreed with applicant 14/06/2023)
11. First floor window to north west elevation obscure glazed
12. Adherence to DEV32 measures
13. Unexpected contamination
14. Removal of PD
15. Delineation of domestic garden area

Key issues for consideration:

Principle of Development/Sustainability; Design and Visual Impact; Residential Amenity; Highways, Access and Parking; Ecology/Biodiversity/Trees; Flood Risk and Drainage; Low Carbon Development

Site Description:

The application site lies on the southern edge of Wembury and is located at the junction of Hawthorne Park Road and Cliff Road. The site is roughly triangular in shape and measures some 790sq.m.

A range of single and two storey dwellings of 20th – 21st Century origin adjoin the site to the east, north and west on Cliff Road and Hawthorn Park Road, whilst open fields adjoin the site to the south.

The site lies in a valley with ground levels rising to the east and further to the west. Accordingly, the site sits lower than 6 Hawthorn Park Road (which lies on the opposite side of Cliff Road to the east) and higher than Clover Cottage (which adjoins the site to the north-west). The site itself slopes down from a high point of 13m (approx.) AOD to the south-east corner to levels of 9m (approx.) AOD on the north-west boundary with Clover Cottage.

Vehicular access is currently gained into the site via an access onto Cliff Road. The site boundaries are marked by a mixture of established hedges and trees. These, twinned with the sloping topography of the site, limit views both into the site and out.

The section of Cliff Road which adjoins the eastern site boundary is a Public Right of Way (Wembury Footpath 36).

The site lies within the South Devon Area of Outstanding Natural Beauty (AONB). Land designated as Undeveloped Coast and Heritage Coast lies to the south of the site; and indeed a strip of land forming the southern end of the application site lies within these designations.

Smallacombe County Wildlife Site (Priority BAP Habitat - Lowland meadow) lies to the south west of the application site.

The site is not located within a Conservation Area and there are no listed buildings within the vicinity of the site.

The site is located in Flood Zone 1 and is not located within a Critical Drainage Area.

The site is located within the 12.3km buffer for Plymouth SAC.

The Proposal:

The application proposes the construction of a single dwelling on the site. The accommodation within the dwelling comprises 3 bedrooms (one en-suite), bathroom and study at first floor and open-plan kitchen/dining/living room, plant room, utility room, cloakroom, hall and store at ground floor.

The dwelling is of two-storey form and roughly L-shaped. The principal element of the dwelling has an asymmetrical pitched roof. A separate, subordinate two-storey element with a lower symmetrical pitched roof is linked to this via a single storey link. The floor levels within these two elements are split to take account of ground level changes.

Externally, the walls of the dwelling will be finished with a mixture of painted render and timber cladding, with the pitched roofs finished with natural slate. A single storey canopy roof to the rear of the dwelling will be finished with sedum.

In terms of siting and orientation, the dwelling will be sited towards the eastern boundary of the site, with vehicular access provided onto Cliff Road to the north-east. Two parking spaces are proposed. An electric car charging point would be provided on an external wall adjacent to the parking area. Private garden/amenity space wraps around the dwelling from the north-west to south-east.

The dwelling is orientated so that the larger of its asymmetrical roof planes faces south-west; and 16no. photovoltaic panels are proposed on this roof plane. The orientation of the dwelling/windows also provides passive solar gain.

The application is accompanied by a detailed landscaping scheme which proposes the planting of a number of trees and shrubs to augment the existing hedging and trees to the site boundaries. The southern end of the site (corresponding with the strip of land falling within the Undeveloped Coast and Heritage Coast) will be finished with a wild flower and grass meadow and mini orchard of apple trees (and a small wildlife pond), distinguishing it from the domestic lawned area closer to the dwelling itself. A mixture of native and ornamental shrubs and trees (including further fruit trees) are proposed to the east and north-west site boundaries.

The proposed dwelling is to be self-build, the applicant noting that he has been on the self-build register for the South Hams and Plymouth for several years.

This application follows the approval of an earlier application seeking permission for a single dwelling on the site, ref. 3221/21/FUL, dated 20th December 2021. This permission remains valid and capable of implementation. Its existence is thus material to the consideration of the current application.

The accompanying Design and Access Statement sets out a number of reasons why the current application has been made, and these may be summarised as follows:

- Revised Development Site Boundary – the application site is now slightly larger and includes an additional strip of land to the southern end of the site, which is now in the applicant’s ownership with additional land ‘strip’ now in ownership.
- Design – The design and scale of the dwelling has altered; the dwelling now being slightly smaller and broken into two smaller ‘blocks’, but with the same overall footprint (m2), and maximum ridge height (AOD) as the earlier approval. The main roof form is now asymmetrical, stated in the D&A Statement as being “reflective of local housing, and to maximise energy generation.”
- A more sustainable drainage solution is now proposed that takes pressure off existing surface water infrastructure
- Climate Emergency – The design improves on the low energy design principles, and further responds to the Climate Emergency Planning Statement adopted since the earlier approval. The design is rotated closer to South to benefit from improved solar gain in winter, whilst remaining shaded in summer. The revised orientation also improves energy generation from the solar panels, and will result in lower carbon emissions.
- Biodiversity Net Gain – The D&A Statement sets out that the inclusion of the additional strip of land to the south “provides opportunity for a considered and comprehensive wider ecological strategy, that results in significant enhancement and a Biodiversity Net Gain, far in excess of minimum requirements.”
- Improved response to Tree Root Protection Areas – The revised design has been adapted to reposition both the built form and parking areas away from tree Root Protection Areas - Privacy – The D&A Statement sets out that the “revised design, position, and rotation of the proposal (to face further away from Clover Cottage) results in improved privacy for occupants and neighbours alike.”
- Building Costs – The D&A Statement sets out that “the economic climate, cost of materials, and increase in interest rates, have all had an effect on the affordability of the Consented Scheme. These revised design proposals will be simpler and faster to construct, and thus more affordable to the applicant, as well as reducing the overall construction programme and disruption to neighbours.”

Consultations:

- County Highways Authority – standing advice
- Wembury Parish Council – no comments to make
- Tree Specialist Natural Environment - Appraisal
 1. The submitted information has been principally reviewed in accordance with the Plymouth & South West Devon Joint Local Plan 2014-2034, BS5837:2012 Trees in relation to Design, Demolition & Construction & further additional industry best practise guidance, policies and legislation as required.
 2. An assessment of the application has been undertaken by way of a desktop study of G.I.S. and aerial imagery following review of the supporting AIA and officer prior knowledge of the site.

Recommendation

 - No objection on arboricultural merit subject to the noted document being made an approved plan if consent follows
- LLFA Drainage Officer – Based on the information provided we would support the current proposal. Sufficient information has been provided to demonstrate a workable scheme, the

final design will need to be agreed with the LPA. Recommends a pre-commencement condition to secure the necessary scheme. The testing shows a variable infiltration rate across the site but favourable in the location of the proposed soakaway. The calculations are only for a 1:30 year + 40% which will result in a larger soakaway. As there is the option of connection to the SWW surface water sewer as a fall back then this redesign can be managed by a condition

Representations:

One letter of representation has been received which OBJECTS to the proposal on the basis that the proposed car parking is very limited, that the property is on a road corner (Cliff Rd and Hawthorn Park Road which are heavily used by beach goers and dog walkers, flooding to Cliff Road/public footpath, accuracy of site measurements, unnecessary development on a greenfield site in the AONB, environmental damage to bushes, birds' nests, flora and fauna and that occupation of the dwelling should be limited to low income South Hams residents and be strictly vetted.

Relevant Planning History

58/1982/80/1 Outline Planning Application. Refused 07/04/81

58/1743/00/O Outline application for erection of bungalow. Refused 12/06/01 Appeal Dismissed

The appeal was dismissed for reasons including the presence of tree and hedgerow cover along the southern and western boundary of the site and the assumption that any dwelling would be overshadowed, resulting in the subsequent occupants' desire to remove the trees and vegetation, and which in turn would negatively impact the AONB. The larger trees and shrubs that were present on site at that time have since been lost, due to storm damage. The Inspector acknowledged that the site had the potential to accommodate residential development, as the Appeal Decision stated that the '... site is quite small and is physically capable of accommodating a modest dwelling close to the western boundary, given careful design, siting and layout...'

1920/17/PRE Pre-application enquiry for provision of single dwelling. No officer support (limited information provided) 05/10/17

1766/20/PR4 Pre Application for proposed dwelling on vacant plot. Officer support 14/10/20

3221/21/FUL New dwelling. Approved 20/12/2021.

0152/23/ARC Application for approval of details reserved by conditions 3 (CMP) and 4 (Tree Protection) of planning consent 3221/21/FUL – details approved pursuant to condition 3 by decision letter dated 14/02/2023.

0552/23/ARC Application for approval of details reserved by condition 4 (Tree Protection Plan) of planning consent 3221/21/FUL – details approved pursuant to condition 4 by decision letter dated 06/04/2023.

ANALYSIS

1.0 Principle of Development/Sustainability

- 1.1 As noted above, the current application follows the Council's approval in 2021 of application ref. 3221/21/FUL which granted planning permission for a 3-bed dwelling to be constructed on the site. That permission remains extant and capable of implementation and, in the view of officers, thus constitutes a material consideration to which appreciable weight should be attributed in the consideration of the current application.
- 1.2 The earlier application, ref. 3221/21/FUL, was considered against the development plan extant in 2021, which then, as now, comprised the Plymouth & South West Devon Joint Local Plan 2014 – 2034. No material change in national policy has occurred since the Council's consideration of the earlier application either; national policy since being set out in the National Planning Policy Framework (NPPF) dated July 2021.
- 1.3 In the view of officers there has thus been no change of policy, or indeed circumstances that could reasonably lead to a different assessment of the policies underpinning the acceptability of the principle of residential development on this site.
- 1.4 The officers' assessment of the application thus remains as set out in the Committee Report for 3221/21/FUL which reads as follows:

“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.

Paragraphs 5.8-5.10 of the supporting text to Policy TTV1 of the JLP identify the 'Main Towns', 'Smaller Towns and Key Villages' and 'Sustainable Villages' within the Thriving Towns and Villages Policy Area. Wembury is not expressly identified within the Council's Thriving Towns and Villages Policy Area because of its location within the South Devon Area of Outstanding Natural Beauty and it is therefore classified as countryside within the fourth tier of the Council's settlement hierarchy for the purposes of Policy TTV1 of the JLP.

Policy SPT1 identifies a range of principles of sustainable development and SPT2 details a number of principles of sustainable linked neighbourhoods and sustainable rural communities. Having a reasonable level access to a mixed use centre which meet the daily needs for services, having a good balance of housing types to meet identified housing needs, and the promotion of resilience and well balanced demographic profile with access to housing and services are key components of SPT2. There are considered to be sufficient services and facilities as well as public transport facilities to describe Wembury as a sustainable location.

The application site is well integrated within the discernible built up area of Wembury and is adjacent to existing built form. The site is considered to be within appropriate distance to local facilities which would not result in an over reliance on private motor

vehicles. The proposal is therefore considered to accord with Policies SPT1 and SPT2 of the JLP.

Policy TTV1 explains that in Smaller Villages, development will be permitted only if it can be demonstrated to support the principles of sustainable development and sustainable communities (Policies SPT1 and SPT2) including as provided for in Policies TTV26 and TTV27. In this case policies TTV26 and TTV27 are not directly engaged because the site is located within a settlement, within its built up area, and is well-connected to local services.

In light of the above, officers are satisfied that the application site is located within a sustainable location and would accord with the objectives outlines in JLP Policies SPT1, SPT2, TTV1 and TTV2.

Policy DEV8 relates to the Thriving Towns and Villages policy area. The policy seeks to ensure that homes are provided which meets the community's needs. The type, tenure and size of properties is a key consideration. In reviewing the ONS data, which has been used to indicate housing need by Parish, Wembury has a comparable number of 3 bed houses as the South Hams average and an undersupply of 2 bedroom dwellings. There is an oversupply of detached properties in Wembury compared with the South Hams as a whole.

The proposal is for a 3 bedroom detached dwelling. As there is no strong over or undersupply of 3 bedroom properties, the proposed 3-bedroom property would not exacerbate an existing imbalance in the parish. The proposal would however add to the predominance of detached houses in Wembury. However, given the site circumstances, a detached dwelling is considered to be appropriate for this location as the site is somewhat constrained and it would not be possible to provide two policy compliant semi-detached properties. The proposal seeks to provide a dwelling suited to a working family, with in built study and has provision to enable future accessibility if required at a later date. It is therefore considered that the objectives of Policy DEV8 of the JLP have been met.

Paragraph 11.15 onwards of the adopted SPD notes that in rural settlements outside the top three levels of the settlement hierarchy, or in the countryside, as in this case, it is considered necessary to restrict the ownership and occupation of new dwellings (other than replacement dwellings or those considered as 'isolated' in planning terms) to people who can demonstrate a local connection in order to make the proposal acceptable in planning terms. Following a recent appeal of refused application 3538/19/FUL it has been accepted by the Local Planning Authority that where there is only a conflict with the broad spatial strategy, and no specific policy conflict, that a local connection restriction should not be sought. The JLP Officer has considered the proposal, noting that there is an existing oversupply of detached properties in Wembury, however in this instance it would not be considered reasonable to require a local connection legal agreement given the constraints of the site would not allow for semidetached properties and there is no other conflict with the wider spatial strategy. As such a local connection s106 has not been requested as it is not considered necessary.”

- 1.5 Accordingly, the principle of residential development on the site was established by the earlier approval and the current application is considered similarly compliant with Policies SPT1, SPT2, TTV1 and TTV2 of the JLP.

- 1.6 With regard to DEV8, it is noted that both the current application and the approved application propose the construction of a 3-bed dwelling on the site. That permission related to a 3-bed dwelling with a floor area (Gross Internal Area – GIA) of 135m². The dwelling now proposed, although still accommodating 3 bedrooms, has a GIA of 109.5m². Census data for 2021 is still being reviewed by the JLP Policy Officers. However, in this case a comparison of the data does not indicate a change compared to the 2011 datasets to prompt reconsideration or a change of position regarding local connection. There is not considered to be an imbalance or over-provision of 3-bed dwellings and the reduction in the reduction in GIA is likely to make the property more accessible to local buyers in the event that it came onto the market for resale. The proposal is thus considered compliant with Policy DEV8.

2.0 Design and Visual Impact upon the South Devon AONB

- 2.1 Policy DEV20 of the JLP states that development proposals will be required to meet good standards of design, contributing positively to both townscape and landscape, and protect and improve the quality of the built environment, whilst Policy DEV23 requires that development will conserve and enhance landscape, townscape and seascape character and scenic and visual quality, avoiding significant and adverse landscape or visual impacts.
- 2.2 Policy DEV24 is relevant insofar as the site includes a strip of land (to the south) which falls within the Undeveloped Coast and Heritage Coast. The policy sets out that development that would have a detrimental effect on the undeveloped and unspoilt character, appearance or tranquillity of the Undeveloped Coast, estuaries, and the Heritage Coast will not be permitted except under exceptional circumstances.
- 2.3 The site lies within the South Devon AONB and Policy DEV25 is also relevant, stating that the highest degree of protection will be given to the protected landscapes of the AONBs and National Park and that the LPAs will protect the AONBs and National Park from potentially damaging or inappropriate development located either within the protected landscapes or their settings. This policy requires that all development proposals to conserve and enhance the natural beauty of the protected landscape with particular reference to its special qualities and distinctive characteristics or valued attributes. In addition to the policies of JLP due regard needs to be afforded to the policies set out in South Devon AONB Management Plan.
- 2.4 As discussed, this application follows the earlier approval to construct a dwelling on the site in 2021, ref. 3221/21/FUL. The dwelling now proposed is sited in broadly the same location on the plot as the earlier dwelling, being towards the eastern side of the plot. The dwelling is also of not dissimilar massing and has the same ridge height (measured AOD). The dwelling will also be finished with a similar palette of materials; painted render and timber cladding to the walls and a natural slate roof. There are differences and cosmetic changes between the two properties; the block form, roof profile and detailing of the dwelling now proposed has altered but the overall appearance and design of the dwelling is considered to represent high quality design.
- 2.5 In terms of the dwelling's compatibility with the prevailing street scene, the character and scale of other nearby residential properties is varied and includes single, 1.5, 2 and 2.5 storey dwellings of 20th - 21st Century origin along Hawthorne Park Road and

the east of Cliff Road. Most of the dwellings in the vicinity of the site are finished with painted render, with some stone detailing, and have concrete tiled or slate roofs. A number feature timber cladding. As noted, the dwelling now proposed is of not dissimilar scale and massing to the dwelling already approved and is considered compatible with the character and scale of surrounding dwellings and consistent with the earlier approval. In terms of materials, the proposed dwelling is also considered compatible with the dwellings around it, and utilises a palette of materials that reflects and reinforces local distinctiveness and character.

- 2.6 The siting of the dwelling, towards the east of the plot as before, provides adequate spacing and separation between the application property and Clover Cottage to the north-west and 6 Hawthorn Park Road, to the east. Indeed, the siting now proposed moves the dwelling several metres further away from Clover Cottage. Due to the sloping topography of the site and adjoining land, Clover Cottage sits significantly lower than the application site with the ridge of Clover Cottage approximately 5.6m lower than the ridge height of the proposed dwelling. Similarly, 6 Hawthorne Park Road sits higher than the application site with a ridge height approximately 4.2m higher than the ridge of the proposed dwelling. The ridge height of the proposed dwelling, which matches that of the earlier approval, being set between the two, respects the topography of the site and is considered compatible with the prevailing street scene; with the roof heights of dwellings stepping up and down hill in deference to the area's sloping topography.
- 2.7 In broad terms then, the proposed dwelling is of consistent character and design quality to the earlier approved dwelling and will sit comfortably on the site and be compatible with the appearance, scale, siting and height of existing dwellings.
- 2.8 It is also noted that the site is bounded by hedging and trees, the majority of trees to the site boundaries being retained, and that a detailed landscaping scheme proposes substantial additional tree, native hedge and shrub planting, which will make a positive contribution and provide a high quality setting for the dwelling and its environs.
- 2.9 In terms of the property's impact in the wider landscape and compatibility with the South Devon AONB which overwashes the site, the application is accompanied by a landscape and visual impact assessment (LVIA) which considers the landscape sensitivity, the proposal and its effects and includes an assessment on the visibility of the site and the visual implications from the proposal. This LVIA is an updated version of the LVIA that accompanied the earlier application (3221/21/FUL). Given the property now proposed is sited broadly the same location as before, has broadly the same massing and height and uses the same palette of materials, the LVIA not surprisingly makes similar findings and draws similar conclusions. The officers' consideration of landscape and visual impact must also reflect the fact that permission already exists for a not dissimilar dwelling.
- 2.10 In terms of landscape character, the site falls within landscape character type area (LCT) 1B: Open Coastal Plateaux which washes over Wembury village and beyond. This is described as "High, open, gently undulating or rolling plateaux, dissected by deep combes and with notable coastal influence on windblown vegetation. Land use is mixed farmland, with arable dominant, and some localised recreational use. Sparsely settled with limited narrow roads, although many rights of way including the South West Coast Path. Extensive views of the sea." The topography of the site and surrounding area reflects the rolling topography of the LCT but the site itself, lying on

the edge of the settlement, wedged in between existing dwellings, does not. The site was formerly overgrown and has now been partly cleared for construction. The description of the LCT refers to “Pockets of semi-natural grassland and scrub are a valued habitat for birds and invertebrates with some areas local designated as County Wildlife Sites.” Land to the south of the site comprises the Smallacombe County Wildlife Site and a strip at the southern end of the site falls within the Undeveloped Coast/Heritage Coast designation. This strip of land, which contains more of the site’s original vegetation, will be retained as wild meadow, reflecting this characteristic of the LCT and the habitat of the adjoining CWS. The submitted design, access and planning statement sets out that “It should be noted that no built development is proposed within the land ‘strip’, nor is it intended that this area would form part of the residential garden of the dwelling post completion” and that the extension of the site provides an opportunity to secure greater biodiversity enhancements – including meadow grass and a pond.

- 2.11 In terms of visual impact, the site’s topography, coupled with the extent of existing hedges and trees to the site boundaries, provide a degree of enclosure and seclusion, limiting views both into the site and out. The LVIA identifies few views into the site from the settlement itself. In those close-up views that do exist from Cliff Road, Hawthorn Park Road and Southlands Park Road, the dwelling would be experienced in conjunction with other dwellings in the foreground and as a backdrop to it, with views filtered by existing hedges and trees. The LVIA also identifies few locations outside the village from which a view of the proposed dwelling could be gained, referencing possible views from higher land to the north-west of the village and a possible view from the public footpath between the church and Wembury House to the south-east. However, again, in both instances, the LVIA notes that in any view, the dwelling (or a partial view of its roof) would be viewed in its context surrounded by existing dwellings.
- 2.12 In terms of the likely effects of the development, the LVIA concludes as follows:
“Aspects of the proposed development that effect views or visual amenity and landscape character of the vicinity are few:-
- *views are specific to very particular receptor locations (viewpoints), and all existing tree cover and hedgerows are retained to help screen the development to the west and north of the site (a neutral effect).*
 - *proposed hedge planting and trees along the northern and eastern boundary will improve the screening of close views (a positive effect).*
 - *proposed management and planting to the western boundary and hedgerow planting along the south eastern perimeter will take 10 - 15 years to make a useful additional green backdrop to any visual effect when viewed from the east (a delayed positive effect).*
 - *The site is on the edge of the village and from all viewpoints is seen in the context of the village (a neutral effect).*
 - *The new house will change the view from Cliff Road from semi rural to a dwelling. This is mitigated by introducing an improved road edge vernacular of native hedge and stone wall.(a minor negative effect).*
 - *the reintroduction of a Devon hedge with trees along the north and eastern boundaries are characteristic of the area, of a scale and form that can sit comfortably within the landscape context and re-establishes the boundary vernacular.(a positive effect).*
 - *If the parking entrance can be kept tight and edged by native hedge and/ or stone wall the character of the country lane will be enhanced. (a positive effect).*

- *construction and domestic activity will disturb the tranquillity of the locality; but, due to its location on the outer edge of suburban Wembury, this should be minimal. This disturbance is transient and occasional (a minor and temporary negative effect)*
- *cultural and architectural associations with the village are enhanced by exemplar design of the house; responding to the building scale, spaces and use of vernacular materials (a positive effect).*
- *new Devon hedges, trees, and meadow management replicate the local landscape character, contributing to the diversity of field and boundary habitats; and adding to the grain of the landscape (a positive effect)."*

- 2.13 Overall, subject to the mitigation proposed, the LVIA concludes that *"The landscape character type (LCT 2B) and AONB designation are respected; and in the medium to long term should be seen as being improved upon by this development."*
- 2.14 It is concluded that the proposed development would not conflict with the published Landscape Guidelines for this Landscape Character Type. The development is considered consistent with the edge of village setting and therefore accords with landscape policy, where the landscape character is conserved, as are the special qualities of the South Devon AONB. The proposal responds positively to the AONB Management Plan through:
- the retention of existing boundary trees and vegetation;
 - the use of native hedge and trees to the site's eastern boundary;
 - a building form that is a contemporary reflection of traditional building design;
 - the use of local vernacular materials;
 - the use of dark colours to the exterior elevations to help the built form recede into the landscape; and
 - external landscaping and planting proposals that enhance biodiversity and reinforce local distinctiveness through the use of vernacular hard landscape materials, native plants and locally appropriate orchard trees.
- 2.15 As discussed, a strip of land to the south of the site falls within the Undeveloped Coast/Heritage Coast. This strip of land was not part of the original application site and is stated to have been added to the site to secure biodiversity enhancements. The strip of land, separated from the domestic garden of the dwelling with a swale, will be landscaped with meadow grass, reflective of the landscape character of the adjoining County Wildlife Site, and a wildlife pond. It is considered that the proposal accords with the broad requirements of Policy DEV24 which seeks to avoid development which would have a detrimental effect on the undeveloped and unspoilt character, appearance or tranquillity of the Undeveloped Coast, estuaries, and the Heritage Coast. In this case, the proposal does not seek to develop the strip of land, but to enhance its biodiversity (and thus the biodiversity of the site as a whole). The design, access and planning statement makes clear that the land would not form part of the residential garden of the dwelling; and indeed it would be separated from the identified residential garden by a swale. It is reasonable thus to conclude that the proposal does not involve development at all (other than constructing a pond) and that the lawful use of this strip of land would remain agriculture. Overall it is considered that the intended use of this strip of land protects and enhances the landscape and seascape character and special qualities of the area and is consistent with the objectives set out in the AONB Management Plan. A condition is recommended to define the residential garden of the dwelling (demonstrably excluding this area of land) and to secure and

retain the proposed landscaping and biodiversity enhancements set out. On this basis the proposal is considered to accord with the requirements of Policy DEV24.

- 2.16 As with the earlier permission, a number of planning conditions are recommended to ensure the development is carried out and completed as proposed, including implementation of the detailed landscaping scheme, and use of appropriate materials including the slate for the roof. As before, a condition is also recommended to remove permitted development rights for alterations/enlargements to the dwelling and outbuildings/structures to retain control over any future enlargement of the property to avoid overdevelopment and unacceptable impact on landscape character, and prevent external lighting unless otherwise agreed.
- 2.17 With the addition of the recommended conditions the proposal is considered to accord with JLP Policies DEV20, DEV23, DEV24 and DEV25 and the AONB Management Plan.

3.0 Residential amenity

- 3.1 Policy DEV1 seeks to ensure that developments safeguard the health and the amenity of local communities, DEV1.1 “Ensuring that new development provides for satisfactory daylight, sunlight, outlook, privacy and the protection from noise disturbance for both new and existing residents, workers and visitors. Unacceptable impacts will be judged against the level of amenity generally in the locality...”
- 3.2 DEV2 sets out that “Development proposals which will cause unacceptable on- or off-site risk or harm to human health, the natural environment or living conditions, either individually or cumulatively, will not be permitted.”
- 3.3 In terms of daylight, sunlight and outlook, the siting of the proposed dwelling relative to its neighbours, and the distance between them, avoids any material impact upon daylight or sunlight and, similarly, any overbearing impact or loss of outlook. It is also recognised that the siting of the dwelling now proposed moves the dwelling several metres further away from Clover Cottage to the north-west compared to the earlier scheme/approval.
- 3.4 In terms of privacy, guidance is provided in the JLP SPD at para 13.19 that “Habitable room windows facing directly opposite one another should be a minimum of 21 metres apart for a two-storey development, as shown below” and at para 13.20 that “Overlooking of gardens may be unacceptable where it would result in an intrusive, direct and uninterrupted view from a main room to the most private area of the garden. This is often the main sitting out area adjacent to the property of the neighbours’ house.”
- 3.5 No.5 Hawthorn Park Road to the north-east and No.6 Hawthorn Park Road to the south-east are both located in excess of 21m from the proposed dwelling. The proposed dwelling also faces the front of No.5, which is already overlooked from the street, and thus no loss of privacy will occur. With regard to No.6, the separation distance plus intervening screening and rising ground levels will avoid any harmful overlooking. The distance between the proposed dwelling and Clover Cottage to the north-west is less than 21m, but in this case consideration must be given to the orientation of the properties to one another. The two properties are essentially side by

side. The main outlook/windows of the proposed dwelling face to the rear (to the south-west) and the north-west side elevation of the dwelling facing Clover Cottage solely contains a single window at first floor, this being a secondary window to the master bedroom (the main window to the bedroom being to the rear and facing north-west). A planning condition is recommended requiring the first floor window to the north-west elevation to be obscured glazed. This will ensure the privacy of Clover Cottage and prevent any overlooking of its garden.

- 3.6 The earlier permission was subject to a condition removing 'permitted development' rights to extend or carry out alterations to the dwelling etc. The addition of a similar condition in respect of the current application is similarly recommended and, in terms of neighbour amenity, would, for example, prevent changes to the window pattern in the future that could potentially impact upon the amenities of Clover Cottage.
- 3.7 With regard to the amenities of the occupiers of the proposed dwelling, it is similarly considered that the scheme provides for satisfactory daylight, sunlight, outlook and privacy, and appropriate outdoor amenity space.
- 3.8 Thus, in conclusion, subject to planning conditions, the proposal is considered compliant with DEV1.
- 3.9 The earlier application raised no overriding concerns with regard to DEV2, conditions being imposed on the permission to cover the treatment of any unexpected ground contamination discovered during the construction process and the approval of a Construction Management Plan (CMP) (to cover such issues as working and delivery hours, parking and unloading, noise and dust suppression). A CMP has been provided with the current application, which essentially replicates the CMP already approved pursuant to the earlier permission under ref. 0152/23/ARC. A condition is thus proposed to secure compliance the submitted CMP, and a second condition, as before, to cover the consideration and treatment of any unexpected ground contamination discovered during the construction process. Subject to these conditions, the requirements of DEV2 are considered to be met.

4.0 Highways, Access and Parking

- 4.1 The current proposal shows the site access moved slightly further from the north-west boundary shared with Clover Cottage. In all other respects proposed access and parking arrangements (include off-street parking provision) remain as per the approved scheme.
- 4.2 The DCC Highway Officer's consultation response requires Officers to consider the standing DCC Highways advice issued to the Council.
- 4.3 In this regard, satisfactory visibility will be achieved from the proposed access and on-site car parking for two cars complies with the requirement of para 8.7 of the JLP SPD which recommends the provision of two spaces for a 3-bed dwelling.
- 4.4 The proposals also involve the closing up of the existing access into the site, which lies on the junction of Cliff Road and Hawthorn Park Road; and its use necessitates that vehicles cross the public right of way that runs along Cliff Road. Relocating the access as proposed will remove the need for traffic to cross the public right of way. (As

an aside, an existing 'public footpath' sign in the corner of the application site will need to be relocated and as before an informative is recommended to contact Devon County Council in this regard).

4.5 The parking spaces and access will be secured by condition to be provided prior to first occupation of the dwelling and retained thereafter to ensure adequate on-site parking is available to serve the development.

4.6 It is therefore considered that the access and parking arrangements are acceptable and comply with DEV29 of the JLP, the adopted SPD and the DCC Highways Standing Advice guidance document.

5.0 Ecology/Biodiversity/Trees

5.1 Policy DEV26 seeks to ensure that development supports the protection, conservation, enhancement and restoration of biodiversity and geodiversity across the Plan Area. The policy recognises the hierarchy of wildlife sites from those sites given protection under European legislation to those of local designation/importance. The policy also seeks to avoid harmful impacts on UK protected species and Biodiversity Action Plan habitats and species and seeks a biodiversity net gain for all major developments.

5.2 Policy DEV28 covers trees, woodland and hedgerows and seeks to avoid their loss deterioration, requiring replacement planting if loss cannot be avoided.

5.3 The application is accompanied by a completed Wildlife Trigger Table and Ecological Impact Assessment. The survey observed that much of the site had been cleared of vegetation since the previous survey in 2021, as part of annual seasonal maintenance and periodic management works, and remediation had been undertaken to remove invasive plants including buddleia and variegated yellow archangel. At the time of the officer's site visit, the centre of the site was largely bare earth, with thick hedging and trees maintained to the site boundaries. The survey found no protected species on site and recommends no further surveys, but did not rule out periodic presence of foraging bats, reptiles and amphibians, cirl bunting and hedgehogs. A condition requiring compliance with the mitigation set out in the submitted Ecological Impact Assessment is thus recommended

5.4 The design, access and planning statement and Ecological Impact Assessment set out the applicant's intention to provide a positive improvement and net gain to existing ecology and biodiversity on site as part of the proposal. The Ecological Impact Assessment considers the guidance contained within the adopted SPD to secure 10% biodiversity net gain and the following measures are proposed (as set out within the 'Biodiversity Budget' for the site contained within the PEA):

- 3 integrated bat boxes;
- 1 integrated bird roost;
- 1 tree mounted bird roost;
- 3 'bee pots' / or 1no 'bee post';
- 1 log / brash pile;
- 30m new native hedgerow;
- 130m² retained or new mixed scrub;
- 170m² flowering lawn;
- 10m² sedum roof;
- 75m² meadow grass;
- 8 small trees; and
- A wildlife pond.

These measures are stated to result in a biodiversity net gain of 47.81% habitat units, and 15.67% hedgerow units, well in excess of the minimum 10% gain in both respects. The above measures have been incorporated into the submitted planning

drawings and landscape scheme, and a condition is recommended to ensure the installation and retention of these enhancement measures.

- 5.5 The site falls within the 12.3km Zone of Influence for 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. The HRA in full of the JLP concluded that the recreational impacts on designated sites arising from planned residential development, either alone or in combination with other plans or projects needs to be addressed. To enable the planned development to proceed, the Conservation of Habitats and Species Regulations 2017 requires that appropriate mitigation measures are in place to ensure that the proposed development will not result in an adverse impact on the integrity of the designated European sites. Recreational mitigation will be delivered through the Recreation Mitigation and Management Scheme for the Plymouth Sound and Estuaries Marine Site (November 2019) which requires all residential development within a 12.3km zone of influence to contribute towards the costs of the plan. Without mitigation new residential and tourist development, in combination with other development, could have a significant effect. The rate for a 3 bedroom house is £467.91 which can be secured via unilateral undertaking. The officers' recommendation above reflects this.
- 5.6 With the addition of the conditions recommended and unilateral undertaking to secure the financial contribution required to mitigate recreational impact upon the Plymouth Sound and Estuaries SAC and Tamar Estuaries Complex SPA, the proposal will have an acceptable impact on the SAC and SPA, Smallacombe County Wildlife Site to the south and will result in biodiversity net gain on site in accordance with Policy SPT14 and DEV26 of the JLP and the adopted SPD.
- 5.7 With regard to the matter of trees and hedges, the Tree Specialist has been consulted and is content with the submitted arboricultural survey. As noted above, several trees are to be removed on site, but these are outweighed by considerable new planting to the site boundaries and within the body of the site, partly to provide a well landscaped and secluded setting for the dwelling and partly to enhance biodiversity. As noted, in relation to biodiversity, in addition to planting trees, the landscaping scheme also includes new native hedge planting, which will also reinforce local distinctiveness and enhance the appearance of the site. Conditions are recommended to secure compliance with the submitted arboricultural survey including tree protection and also secure the implementation of the landscaping scheme. With the addition of these conditions, the proposals are considered to accord with Policy DEV28 of the JLP.

6.0 Flood Risk and Drainage

- 6.1 Policy DEV35 sets out that the LPA will assist the Lead Local Flood Authority in the management of flood risk and water pollution by directing development away from areas at highest risk, but where development is necessary ensuring that it is safe without increasing flood risk and pollution elsewhere. With regard to surface water disposal, the policy also sets out that developments should incorporate sustainable water management measures to reduce water use, and increase its reuse, minimise surface water run-off, and ensure that it does not increase flood risks or impact water quality elsewhere, and that surface water from developments should be discharged in a separate surface water drainage system which should be discharged according to

the drainage hierarchies set out in the Plymouth and Devon Local Flood Risk Management Strategies.

- 6.2 In this case, the site is located in Flood Zone 1 and is not located within a critical drainage area and therefore in terms of flood risk is an appropriate site for residential development being a site which according to the Environment Agency maps is least vulnerable to flooding.
- 6.3 In terms of surface water disposal, the submitted details propose a soakaway, with the alternative fallback option of connecting to the combined SWW sewer which runs along Hawthorn Park Road and Cliff Road. The drainage hierarchy prioritises sustainable urban drainage solutions (SuDS) and infiltration is thus the preferred option here, and the submitted details indicate that infiltration is likely to be achievable on this site. The LLFA Officer is supportive of the application, and recommends a pre-commencement condition seeking the final design details. Subject to the condition recommended by the LLFA Officer, the proposal is considered compliant with DEV35.

7.0 Low Carbon Development

- 7.1 The application is accompanied by a DEV32 checklist, Climate Emergency Compliance Form, CEPS Assistance Spreadsheet, Design Stage SAP Calculations Summary and SAP (design stage) Building Regulations Compliance Report. These, plus commentary provided in the design, access and planning statement identify a range of ways in which the proposal seeks to minimise carbon.
- 7.2 The dwelling will be built to Passivhaus standard and will benefit from the following renewable and low energy technologies to reduce or remove the Co2 emissions from fossil fuel sources:- Air or ground source heat pump, MVHR system and Integrated roof solar photo-voltaic (PV) panels. A connection point will also be provided for an EV charger.
- 7.3 A condition is recommended to secure these details in order to ensure the development contributes toward delivering a low carbon future and supports the Plan Area target to halve 2005 levels of carbon emissions by 2034 and increase the use and production of decentralised energy. On this basis the proposal is considered compliant with Policy DEV32.

8.0 Conclusions and Planning Balance

- 8.1 The application follows the earlier grant of planning permission to construct a single dwelling on the site in 2021 (3221/21/FUL) and that permission remains valid. The current application proposes a revised design of dwelling, which is of reduced floor area whilst still containing 3 bedrooms.
- 8.2 The dwelling is considered to be of high quality design and suitably reinforce local distinctiveness via the use of appropriate materials. A range of measures are offered to reduce carbon, both in the construction of the building and the use of renewable energy. Substantial landscaping is proposed to provide a secluded setting for the dwelling and enhance biodiversity. The development will provide a high quality living environment for its occupiers and will also be respectful of the amenities of

neighbours. Overall, the proposal is considered compliant with the policies of the JLP and a recommendation of approval is thus made.

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 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 14th January 2022 the Department for Levelling Up, Housing and Communities published the HDT 2021 measurement. This confirmed the Plymouth, South Hams and West Devon's joint HDT measurement as 128% 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 5.97 years at end of March 2022 (the 2022 Monitoring Point). This is set out in the Plymouth, South Hams & West Devon Local Planning Authorities' Housing Position Statement 2022 (published 19th December 2022).

[*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

SPT14 European Protected Sites – mitigation of recreational impacts from development

TTV1 Prioritising growth through a hierarchy of sustainable settlements

TTV2 Delivering sustainable development in the Thriving Towns and Villages Policy Area

DEV1 Protecting health and amenity

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

DEV8 Meeting local housing need in the Thriving Towns and Villages Policy Area

DEV10 Delivering high quality housing

DEV20 Place shaping and the quality of the built environment
DEV23 Landscape character
DEV24 Undeveloped 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
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

Other material considerations include the policies of the National Planning Policy Framework (NPPF) and guidance in Planning Practice Guidance (PPG). Additionally, the following planning documents are also material considerations in the determination of the application:
The Plymouth & South West Devon Joint Local Plan SPD
DCC Highways Standing Advice
South Devon AONB Management Plan 2019 to 2024
Landscape Character Assessment
Climate Emergency Planning Statement (CEPS)

Considerations under Human Rights Act 1998 and Equalities Act 2010

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

Conditions:

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

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

2. The development hereby approved shall in all respects accord strictly with drawing numbers: Site Location Plan drawing no. EX (90) 001 Rev A; Existing Site Block Plan drawing no. EX (90) 002 Rev A; Existing Site Survey Plan drawing no. EX (90) 003 Rev A; Site Constraints Plan drawing no. EX (90) 004 Rev A; Proposed Site Block Plan drawing no. GA (90) 002 Rev A; Proposed Site Layout & Roof Plan drawing no. (GA90) 003 Rev A; Proposed First Floor Plan drawing no. GA(0) 101 Rev A; Proposed Ground Floor Plan drawing no. GA(0) 100 Rev A; Proposed Roof Plan drawing no. GA(0) 102 Rev A; Proposed House Elevations - North East & South East drawing no. GA(0) 120 Rev A; Proposed House Elevations – South West & North West drawing no. GA(0) 121 Rev A; Landscape design drawing no. BWem/01; Proposed Site Plan showing visibility splays drawing no. 300 Rev P2 received by the Local Planning Authority on 03/05/2023.

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 construction of the development hereby approved shall be carried out in strict compliance with the submitted Construction Management Plan ref. 19008-A dated March 2023.

Reason: In the interests of local amenity.

4. The development hereby approved shall be carried out in strict compliance with the submitted Arboricultural Impact Assessment and Method Statement (GE Consulting Ref: 1362-AIAMS-MU dated April 2023).

Reason: In order to avoid the loss or deterioration of trees or hedgerows in the interest of the visual amenities of the area, in accordance with Policy DEV28 of the Plymouth and South-West Devon Joint Local Plan 2014-2034.

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

Reason: In the interests of visual amenity, in accordance with Policies DEV10 and DEV25 of the Plymouth and South-West Devon Joint Local Plan 2014-2034.

6. The landscaping of the site shall be carried out in compliance with the submitted landscaping scheme prepared by the Rathbone Partnership entitled Landscape Design, drawing no. BWem/01 dated 08.03.23. All planting, seeding, turfing or hard surfacing comprised in the approved landscaping scheme shall be carried out in accordance with the submitted details by the end of the first planting and seeding seasons following the first occupation of the dwelling hereby approved or completion of the development, whichever is the sooner. Any trees or plants which within a period of five 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 unless the Local Planning Authority gives written consent to any variation.

Reason: In the interest of public amenity and the conservation and enhancement of the local landscape character and protected landscape, in accordance with Policies DEV10 and DEV25 of the Plymouth and South-West Devon Joint Local Plan 2014-2034

7. Notwithstanding the details provided, no external lighting shall be provided on the site unless otherwise previously agreed in writing by the Local Planning Authority. Such external lighting as may be agreed with the local planning authority shall be installed and thereafter maintained in strict accordance with the approved details.

Reason: To protect the countryside from intrusive development

8. The development shall be undertaken in compliance with the recommendations given in the 'Ecological Impact Assessment' by ge consulting dated ref: 1362-EcIA-FM dated March 2023 including precautions to prevent the threat of harm during construction works, timings of work to avoid bird nesting season and the installation of 3 inbuilt bat boxes, 1 inbuilt bird box, 1 tree-mounted bird box, 3 inbuilt bee pots and 1 log/brush pile for invertebrates. The boxes, bricks and log/brush pile shall be installed prior to first occupation of the dwelling hereby approved and shall be retained thereafter.

Reason: To safeguard protected and/or priority species, and to ensure biodiversity net gain in accordance with Policy DEV26 of the Plymouth and South-West Devon Joint Local Plan 2014-2034.

9. Prior to the first occupation of the dwelling hereby approved, the access and parking area shall be laid out in accordance with approved plans drawing no. 300 P2 'Proposed Site Plan Showing Visibility Splays' and drawing no. GA(0) 100 Rev A 'Proposed Ground Floor Plan' and made available for use by occupants of the dwelling and shall thereafter be permanently retained and maintained free of any impediment to their designated use for the parking of vehicles associated with the dwelling.

Reason: In the interests of the safety and convenience of users of the highway and to accord with Policy DEV29 of the Plymouth and South-West Devon Joint Local Plan 2014-2034.

10. Notwithstanding the submitted details, the development hereby permitted shall not be commenced until full details of the proposed surface water drainage of the site have been submitted to and approved in writing by the local planning authority. The submitted details shall accord with the following:

1. SuDs to be designed for a 1:100 year event plus 50% for climate change. If the soakaway is below the permeable paving then a combined system should be considered to ensure they will work together. A suitable Factor of safety should be applied if the runoff will end up on the highway.

2. If the required soakaway size is found to be below the current tested depth then addition infiltration testing will be required.

3. If the soakaway for a 1:100 year + 50% cc can't be accommodated on site then a mitigating drainage alternative (attenuated and controlled discharge to the surface water sewer) shall be agreed with the Local Planning Authority.

Such a drainage scheme as is agreed with the local planning authority shall be installed in strict accordance with the approved plans prior to the first occupation of the dwelling and shall thereafter be maintained and retained in accordance with the agreed details for the lifetime 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, in accordance with Policy DEV35 of the Plymouth and South-West Devon Joint Local Plan 2014-2034.

11. Prior to first occupation of the dwelling hereby approved, the first floor window to the north west elevation facing Clover Cottage shall be fitted with a minimum of level 3 obscured glazing over the entirety of the window with no clear areas and shall also be fitted with a 100mm restrictor. The window shall thereafter be permanently retained in this form.

Reason: To protect the amenity and privacy of residents of the adjacent property Clover Cottage in accordance with Policy DEV1 of the Plymouth and South West Devon Joint Local Plan 2014-2034.

12. The construction of the dwelling hereby approved shall be carried out in accordance with the details contained in the 'Dev32 carbon reduction checklist for minor applications' contained within the Design, Access & Planning Statement at section 6.1. All measures contained within the checklist to limit carbon emissions including the installation of solar PV, MVHR system, air source heat pump and EV charging point shall be implemented prior to first occupation of the dwelling hereby approved.

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

contribute towards the use and production of decentralised energy, in accordance with Policy DEV32 of the Plymouth and South-West Devon Joint Local Plan 2014-2034.

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

Reason: In the interest of the safe development and residential occupation of the site, in accordance with Policy DEV2 of the Plymouth and South West Devon Joint Local Plan 2014-2034.

14. 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, Class AA (enlargement of a dwellinghouse by construction of additional storeys)
- (c) Part 1, Class B (Additions to the roof)
- (d) Part 1, Class C (Other alterations to the roof)
- (e) Part 1, Class D (Porches)
- (f) Part 1, Class E (a) swimming pools and buildings incidental to the enjoyment of the dwellinghouse and; (b) container used for domestic heating purposes/oil or liquid petroleum gas)
- (g) Part 1, Class F (Hard Surfaces)
- (h) Part 2, Class A (Gates, fences, walls etc)

Reason: To protect the appearance of the site within the landscape context of the AONB and to ensure adequate space is retained about the dwelling hereby approved and in the amenity in accordance with Policies DEV1 and DEV25 of the Plymouth and South-West Devon Joint Local Plan 2014-2034.

15. The domestic garden of the dwelling hereby permitted shall be restricted to the area of land to the north-east of the swale denoted on drawing no Proposed Site Layout & Roof Plan GA90 003 Rev A. The land to the south-west of the swale, and thus within the Undeveloped Coast, does not form part of the domestic garden of the dwelling hereby approved and shall not be so used, and no change of use of this part of the site from agriculture shall be deemed to have taken place by virtue of the grant of this planning permission.

Reason: for the avoidance of doubt, to preserve the Undeveloped Coast and also to preserve the integrity of biodiversity measures proposed on this part of the site in the interest of biodiversity, in accordance with Policies DEV24 and DEV26 of the Plymouth and South West Devon Joint Local Plan 2014-2034.

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PLANNING APPLICATION REPORT

Case Officer: Charlotte Howrihane

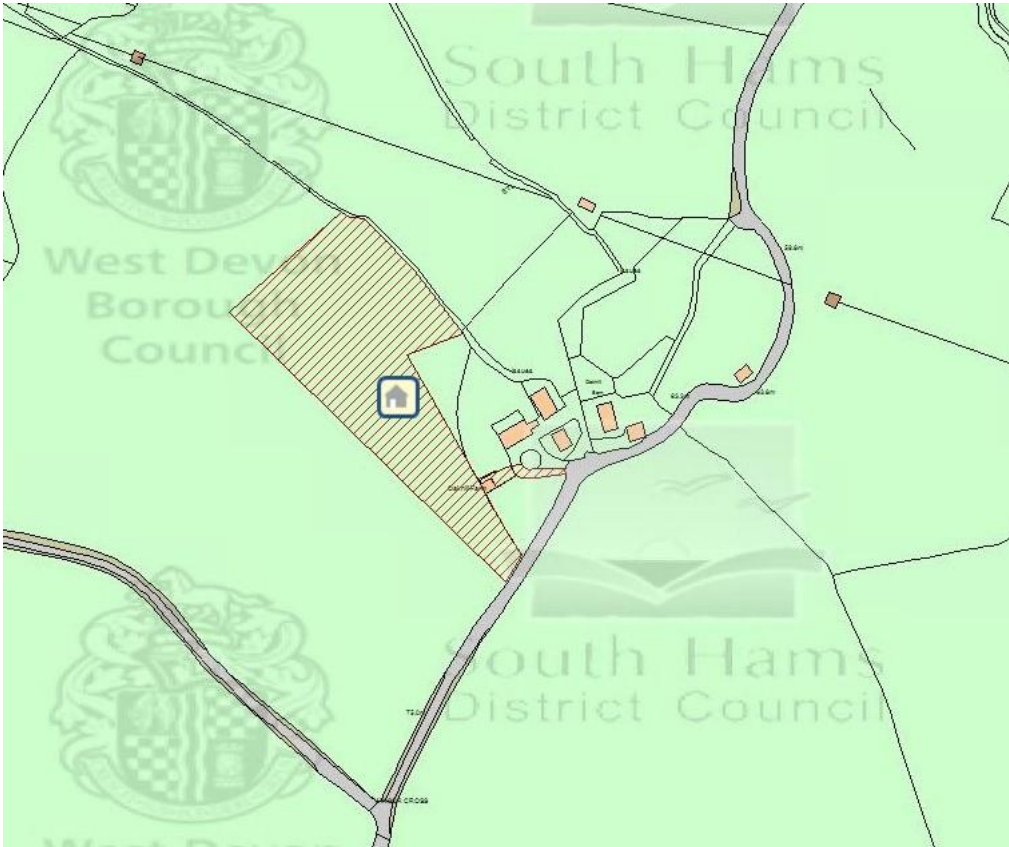
Parish: Yealmpton **Ward:** Newton and Yealmpton

Application No: 1355/23/VAR

Applicant:

Mrs Rachel Wilson
Worston
Yealmpton
PL8 2LN

Site Address: Oakhill Farm, Worston, Yealmpton, PL8 2LN



Development: Application for variation of condition 4 (use restrictions) of planning consent 0732/22/FUL (resubmission of 0354/23/VAR)

Reason item is being put before Committee: Cllr Thomas has called the application to committee for the following reason: *'I do not believe that this application will bring about a significant increase and feel that the conditions suggested by the applicant are prudent'*

Recommendation: Refusal

Reasons for refusal:

1. The proposed amendment would represent unsustainable development, and result in an increase in vehicle journeys to a highly rural location. As such, the development conflicts with the principles of sustainable development as outlined in policies SPT1, SPT2, TTV1, DEV15, and DEV29 of the Plymouth and South West Devon Joint Local Plan (2014- 2034),

and the National Planning Policy Framework (2021) (notably but not limited to paragraphs 7, 8, 9, and 105).

Key issues for consideration:

Whether or not the proposed condition variation is acceptable in terms of the principle of development, sustainability, and highways matters.

Site Description:

Oakhill Farm (the site) is situated in the Parish of Yealmpton. The site comprises an area of agricultural land located to the west/north west of Oakhill Farm house. The site has historically been used for agricultural use. The site is not within a designated landscape. There are stables on the land to the west of the site and the surrounding land is already in equestrian use.

The Proposal:

Planning permission was granted in 2022 for the change of use of land to equestrian use and the erection of a three-bay stable block. Condition four of the approval stated the following:

'The stables and associated land for equine use hereby approved shall only be used by the owners of the immediately adjoining house known as Oakhill Farm for their personal use, and not for any commercial purpose.'

Reason: To ensure it does not result in additional traffic using the adjoining road and to justify the need for this development in an unsustainable countryside location.'

This application seeks to vary the condition to allow the applicant to let other people use the stables. The application proposes to replace the existing condition with the following:

'The stables and land will not be used for business or commercial use, but can be used at the invitation of residents of Oakhill farm for local people within a 7 mile radius of the property.'

Consultations:

- County Highways Authority- no highways implications
- Parish Council- objection: 'We stand by our decision for 0354/23/VAR- had this been repeated we would not have objected, subject to the criteria and comments therein'

Representations:

Two letters of support have been received which raise the following points:

- Properties with equestrian land are scarce
- Restrictions on the property will make it less appealing
- Supporter is not able to graze their own horses on the land due to the current condition
- No impact on the beauty of the area
- Applicants are considerate neighbours
- Land is well kept

Two objections have been received which states the following:

- The original planning permission has not been adhered to
- The named/generic personal use is only a small part of the variation according to the drawings
- Concern about the interpretation of personal use

- Drainage impact to neighbour

Relevant Planning History

- 0732/22/VAR- Proposed change of use from agriculture to equestrian; erection of stables - conditional approval
- 0354/23/VAR- Application for variation of conditions 4 (Stables) and 6 (Lighting) of planning consent (0732/22/FUL)- withdrawn

ANALYSIS

- 1.0. Principle of Development/Sustainability:
- 1.1. Policy SPT1 of the Joint Local Plan (JLP) seeks to support growth and change where it accords with the principles of sustainable development, avoiding adverse environmental impacts and maintaining local distinctiveness and sense of place. The policy outlines the principles of sustainable development, including a sustainable economy, where a low carbon economy is promoted (SPT1.1.iv), a sustainable society, where sustainable and health promoting transport options are available (SPT1.2.ii), and a sustainable environment, where pollution and adverse environmental impacts of development are minimised and effectively mitigated where unavoidable (SPT1.3.iii).
- 1.2. At the heart of the spatial strategy of the JLP is the need to use sustainable development as the framework for growth and change. As such, policy TTV1 establishes a settlement hierarchy, to identify the most suitable locations for development and growth.
- 1.3. The application site is in Tier 4 of the settlement hierarchy, the lowest tier (Smaller villages, Hamlets, and the Countryside). Development is only permitted in tier 4 locations where *'it can be demonstrated to support the principles of sustainable development and sustainable communities.'*
- 1.4. Policy DEV15 requires development to *'avoid a significant increase in the number of trips requiring the private car'*. Policy DEV29 also promotes sustainable transport choices. The site is in a rural location, and would only be accessible by private vehicle. As such, condition four restricted the use of the stables and land to the owners of Oakhill Farm only, to prevent additional journeys out to a location which has been identified as unsustainable. Officers also question whether the proposed variation to the wording of the condition would meet the relevant tests relating to the use of conditions – paragraph 56 of the NPPF states: *"Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects."* The proposed wording of the condition is imprecise and would not be enforceable, however it could be amended to meet the tests (likely involving the owner being required to keep a register of users of the stables to be made available to the LPA). The fundamental issue is that the stables were approved for private use for the nearby dwelling, and there is no substantive planning reason/justification to allow for the proposed amendment.
- 1.5. For this reason, the applicant's proposed variation of the condition, which would allow them to offer the land and stables to anyone within 7 miles of the site, would result in an increase in private vehicles travelling to and from the site and be contrary to the principles of sustainable development and both local and national planning policies.

2.0. Design/Landscape:

- 2.1. The proposed amendment would not change the existing design or landscape impact the development.

3.0. Neighbour Amenity:

- 3.1. The proposed amendment would not impact the amenity of neighbouring dwellings to any greater extent than the existing development.

4.0. Highways/Access:

- 4.1. Notwithstanding the above analysis of the unsustainable location of the site, the scale of the development is not considered to result in an unacceptable impact on the highways network.

5.0. Other matters:

- 5.1. Two letters of support have been received, however the comments do not give any material planning reasons in support of the proposed amendment. Matters such as the conduct of the applicant, the value of properties or land, or a supporters need to graze their own horse are not relevant to the consideration of the proposed amendment.

6.0. Summary:

- 6.1. The original condition was imposed due to the rural location of the site, to prevent an increase in vehicle journeys to and from a location which is highly unsustainable. The proposed amendment to this condition, to allow people from a distance of up to 7 miles away to use the site would not accord with the principles of sustainable development and conflicts with the spatial strategy of the JLP and the principles of sustainable development which are the foundation of the NPPF.

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

SPT10 Balanced transport strategy for growth and healthy and sustainable communities

TTV1 Prioritising growth through a hierarchy of sustainable settlements
TTV2 Delivering sustainable development in the Thriving Towns and Villages Policy Area
TTV26 Development in the Countryside
TTV28 Horse related developments in the countryside
DEV1 Protecting health and amenity
DEV2 Air, water, soil, noise, land and light
DEV20 Place shaping and the quality of the built environment
DEV23 Landscape character
DEV26 Protecting and enhancing biodiversity and geological conservation
DEV29 Specific provisions relating to transport
DEV35 Managing flood risk and Water Quality Impacts

Neighbourhood Plan: n/a

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:

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: Charlotte Howrihane

Parish: Bigbury **Ward:** Charterlands

Application No: 1477/23/FUL

Agent:

Mr Andrew Kirby - Andrew Kirby Architects
1 New Walk
Totnes
TQ9 5AL

Applicant:

Mr Tom Morris - South Hams District Council
Follaton House
Plymouth Road
Totnes

Site Address: Land at SX 663 473, St Anns Chapel



Development: Foul water pumping station, 1.8m high security surround & manholes to support the new Holywell Meadow development at St Anns Chapel

Reason item is being put before Committee: SHDC is the applicant

Recommendation: Conditional approval

Conditions:

Standard time limit
Accord with plans
No external lighting

Key issues for consideration:

Principle of development, design, landscape impact

Site Description:

The site is at St Ann's Chapel, to the north of the crossroads at the centre of the hamlet. It is currently a construction site, with a residential development of 13 houses being built. The site is within the South Devon Area of Outstanding Natural Beauty.

The Proposal:

Planning permission was granted in 2020 for a residential development of 13 dwellings, and associated access, car parking, public open space, and landscaping (application reference 4214/18/FUL). Whilst this planning approval included a drainage scheme, South West Water have since updated their requirements for adoption standards, and a more detailed design and security surround is required.

This application therefore seeks approval for the erection of a fence surrounding the pumping station. The fence would be a 1.8m green palisade fence.

Consultations:

- County Highways Authority- no highways implications
- Police Liaison- no objection, recommendations made
- Environmental Health Section- no objections
- Parish Council- no comments received as of 14.06.23

Representations:

None

Relevant Planning History

- 4214/18/FUL- Residential development to provide 13 dwellings with associated access, car parking, public open space and landscaping- conditional approval
- 2106/22/NMM- Application for non-material minor amendment to planning consent 4214/18/FUL for minor changes to plot 7 to regularise shape of building to be 3 bedroom property, and minor changes to garages to plots 1 and 4 to change from timber frame to rendered blockwork- conditional approval
- 3746/22/NMM- Non Material Minor amendment to planning consent 4214/18/FUL (Residential development to provide 13 dwellings with associated access, car parking, public open space and landscaping) for minor amendment to Plot 7 to relocate a window & door from the south west elevation to the south east elevation- conditional approval

ANALYSIS**Principle of Development/Sustainability:**

The proposed fence is required to enable the development to meet South West Water adoption standards. Means of enclosure such as this would often be able to be erected under permitted development, however in this instance, permitted development rights were removed for means of enclosure when the original permission was granted.

The principle of small-scale infrastructure works such as the fence proposed is acceptable.

Design/Landscape:

The fence is of a utilitarian design, in a green, metal vertical design. The green finish is considered to soften the appearance of the fence and better assimilate it into the surrounding green landscape.

The small-scale of the proposal, the location within an area of residential development, and the design and finish of the proposed fence leads Officers to conclude that the proposal is acceptable in term of design, and would not have an adverse impact on the local landscape or the wider AONB. It is not proposed to install any lighting onto the fence, but given the location of the site within the AONB, and the rural village character of the local landscape, a condition is recommended prohibiting any lighting to be installed on the fence unless details have previously been agreed in writing with the Local Planning Authority.

The design and landscape impact is considered acceptable, and the development therefore complies with policies DEV20, DEV23 and DEV25 of the JLP, and policies BP7 and BP18 of the Bigbury neighbourhood plan.

Heritage:

The application has been advertised as affecting the setting of a listed building. The application site is within the vicinity of the Pickwick Inn a grade II Listed Building. Given the scale and location of the development proposed, Officers are satisfied that the proposal would not have any adverse impact on the setting of this listed building, and therefore complies with policy DEV21 of the JLP, policy BP23 of the Bigbury neighbourhood plan, and the associated paragraphs of the NPPF.

Neighbour Amenity:

The scale and nature of the proposed development does not give rise to any concerns regarding residential amenity.

Highways/Access:

The proposal does not impact upon the existing highways arrangement.

Summary:

The proposed fence is a small-scale addition to the site, and is necessary to ensure that the drainage system can be adopted by South West Water. The fence has been designed in such a way as to minimise the visual impact, and conditions will ensure that this is retained for the life of the development. No third-party representations have been received, and the development is considered to accord with all relevant policies. The application is therefore recommended 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
DEV1 Protecting health and amenity
DEV2 Air, water, soil, noise, land and light
DEV20 Place shaping and the quality of the built environment
DEV21 Development affecting the historic environment
DEV22 Cornwall and West Devon Mining Landscape World Heritage Site
DEV23 Landscape character
DEV25 Nationally protected landscapes
DEV26 Protecting and enhancing biodiversity and geological conservation
DEV27 Green and play spaces
DEV28 Trees, woodlands and hedgerows
DEV35 Managing flood risk and Water Quality Impacts

Bigbury Neighbourhood Plan

BP1 Housing Allocation
BP7 General design principles for new development
BP18 Area of Outstanding Natural Beauty
BP23 Built heritage

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)

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.

Recommended 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 1714.02, 1714.05.108.Q, 1714.04.113.A, 716083_T2.01.A, 716083_T2.02.B, 716083_T2.03.A, 716083_T2.04.A, and 716083_T2.05.B, received by the Local Planning Authority on 28th April 2023.

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. There shall be no floodlighting or other external lighting at the site unless details have been submitted to and approved in writing by the Local Planning Authority prior to installation.

Reason: To safeguard the appearance and character of the area.

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PLANNING APPLICATION REPORT

Case Officer: Clare Stewart

Parish: Kingsbridge **Ward:** Kingsbridge

Application No: 2030/23/CLP

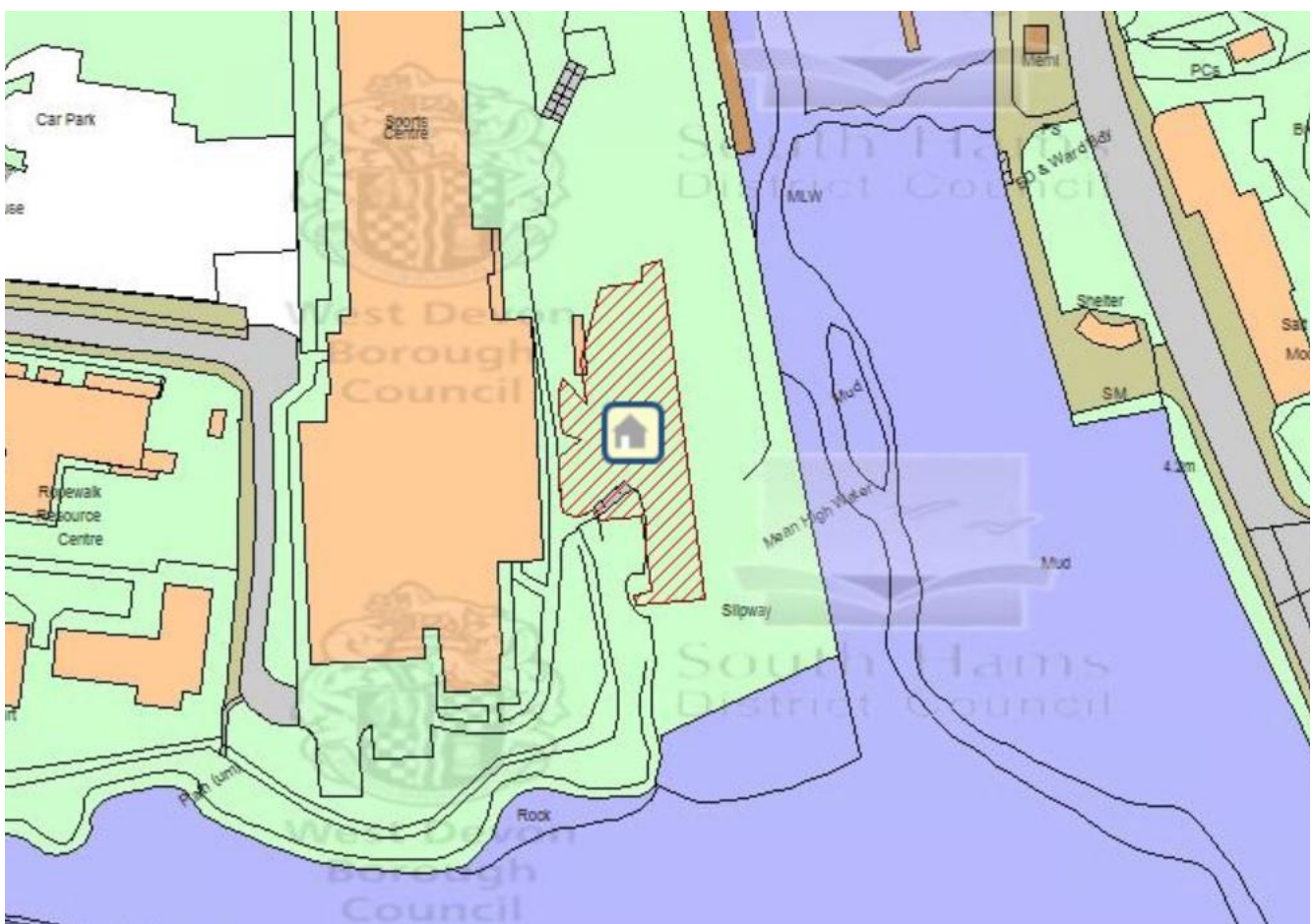
Agent/Applicant:

Mr Rob Sekula - South Hams District Council
Follaton House
Plymouth Road
Totnes
Devon
TQ9 5NE

Applicant:

Mr Rob Sekula - South Hams District Council
Follaton House
Plymouth Road
Totnes
Devon
TQ9 5NE

Site Address: Skate Park, The Quay Car Park, Kingsbridge



Development: Certificate for lawfulness for proposed removal of existing skate ramps, features and fencing, extension of skatepark footprint and construction of new sprayed concrete skatepark

Reason item is being put before Committee

SHDC is the Applicant and Landowner

Recommendation: Certificate of Lawfulness (Proposed) Certified

Key issues for consideration:

Whether or not the proposed development complies with Schedule 2, Part 12, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and is therefore permitted development.

Site Description:

The site is located within Kingsbridge at the southern end of the Square's Quay Car Park, close to a tree embankment that rises to the Leisure Centre complex immediately to the west. It benefits from an existing lawful use as a skate park, developed in 2010 following the grant of planning permission 28/0803/09/F.

The existing skate park comprises four ramps within a fenced enclosure. A public right of way runs to the west of the existing enclosure.

The Proposal:

The application seeks the issue of a lawful development certificate to certify that a proposed development can be carried out without planning permission (ie. it benefits from deemed permission by virtue of Schedule 2, Part 12, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). Part 12 relates to development by local authorities.

The proposal would involve the removal of existing skate ramp features and fencing, extension to the existing footprint of the skate park and new ramps. The maximum height of the development would not exceed 4m and it would not exceed 200 cubic metres in volume.

The proposal would require the diversion of the adjacent public right of way, and result in the loss of up to 15 car parking spaces.

Consultations:

No consultations required for this type of application.

Relevant Planning History

- 28/0803/09/F READVERTISEMENT. Construction of a permanent skate park. Conditional Approval: 04 Sep 09

ANALYSIS

1. Principle of Development

- 1.1 The Council is required to determine whether the proposed works constitute permitted development under Schedule 2, Part 12, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

1.2 The above allows for the following as permitted development:

*“A. The erection or construction and the maintenance, improvement or other alteration by a local authority or by an urban development corporation of—
(a) any small ancillary building, works or equipment on land belonging to or maintained by them required for the purposes of any function exercised by them on that land otherwise than as statutory undertakers;
(b) lamp standards, information kiosks, passenger shelters, public shelters and seats, telephone boxes, fire alarms, public drinking fountains, horse troughs, refuse bins or baskets, barriers for the control of people waiting to enter public service vehicles, electric vehicle charging points and any associated infrastructure, and similar structures or works required in connection with the operation of any public service administered by them.”*

1.3 The following interpretation within the Order is also of relevance:

“A.2 The reference in Class A to any small ancillary building, works or equipment is a reference to any ancillary building, works or equipment not exceeding 4 metres in height or 200 cubic metres in capacity.”

1.4 Based on the submitted plans the proposal would be development permitted under Part 12 and would not exceed the thresholds. No Article 4 directions (which can remove permitted development rights) have been identified.

2. Other Matters

2.1 The proposal would require a public right of way diversion - Footpath diversions are considered under Section 257 of the Town and Country Planning Act 1990. The footpath diversion process is dealt with by the District Council but separately from the development management process.

The applicant will be required to apply to the District Council to divert the footpath, and will need to have confirmation that it can divert the path under s257 before the development commences. Granting of a lawful development certificate does not automatically mean that a footpath diversion application will be successful.

2.2 The application form states the proposal would require the loss of up to 15 parking spaces – this is not a material consideration for the determination of this lawful development certificate application, which is required to be assessed against the GPDO only.

3. Conclusion

3.1 Based on the information submitted, the proposal is considered to be permitted development under Schedule 2, Part 12, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). The development can therefore proceed without further reference to the Council as Local Planning Authority.

This application has been considered in accordance with Section 192 of the Town and Country Planning Act 1990 (as amended).

Planning Policy

The application requires a legal determination of whether the proposed development is permitted development. It is therefore not necessary to consider the planning merits of the application.

Considerations under Human Rights Act 1998 and Equalities Act 2010

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

South Hams District Council Agenda Item 7

DEVELOPMENT MANAGEMENT COMMITTEE 28-Jun-23

Appeals Update from 26-May-23 to 15-Jun-23

Ward Bickleigh & Cornwood

APPLICATION NUMBER: **3308/22/FUL** APP/K1128/W/22/3312549
APPELLANT NAME: Charles Hattersley
PROPOSAL: Siting of a single storey lodge for holiday let accommodation,
including wheelchair access
LOCATION: Rose Cottage Station Road Bickleigh PL6 7AL **Officer delegated**
APPEAL STATUS: Appeal Lodged
APPEAL START DATE: 01-June-2023
APPEAL DECISION:
APPEAL DECISION DATE:

Ward Charterlands

APPLICATION NUMBER: **0761/20/OPA** APP/K1128/W/22/3312925
APPELLANT NAME: Vicarage Park Ltd
PROPOSAL: 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)
LOCATION: Vicarage Park Land North of Westentown Kingston TQ7 **Officer delegated**
4LU
APPEAL STATUS: Appeal Lodged
APPEAL START DATE: 30-May-2023
APPEAL DECISION:
APPEAL DECISION DATE:

Ward Newton and Yealmpton

APPLICATION NUMBER: **3929/20/FUL** APP/K1128/W/22/3299402
APPELLANT NAME: Victoria House Development Ltd
PROPOSAL: READVERTISEMENT (Revised site location plan received) Erection of 4no detached
dwellings with garages
LOCATION: Welbeck Manor Sparkwell PL7 5DF **Officer delegated**
APPEAL STATUS: Appeal decided
APPEAL START DATE: 13-December-2022
APPEAL DECISION: Dismissed (Refusal)
APPEAL DECISION DATE: 30-May-2023

Ward Salcombe and Thurlestone

APPLICATION NUMBER: **2161/22/HHO** APP/K1128/D/23/3318729
APPELLANT NAME: Ms Clodagh Ward
PROPOSAL: Householder application for alteration and extension with associated landscape works
LOCATION: Snapes Coronation Road Salcombe TQ8 8EA **Officer member delegated**
APPEAL STATUS: Appeal Lodged
APPEAL START DATE: 07-June-2023
APPEAL DECISION:
APPEAL DECISION DATE:

APPLICATION NUMBER: **4031/21/FUL** APP/K1128/W/22/3306873
APPELLANT NAME: Mr M Davies
PROPOSAL: READVERTISEMENT (Revised plans) Redevelopment of the existing hotel with owners
accommodation to 7-holiday lets and 5 residential units
LOCATION: Sand Pebbles Hotel Inner Hope To Outer Hope Hope Cove **Officer member**
delegated
TQ7 3HY
APPEAL STATUS: Appeal Lodged
APPEAL START DATE: 13-June-2023
APPEAL DECISION:
APPEAL DECISION DATE:

Ward Stokenham

APPLICATION NUMBER: **0043/22/VAR** APP/K1128/W/22/3309553
APPELLANT NAME: Mr Mikael Armstrong

PROPOSAL: Application for variation of condition 2 (approved plans) of planning consent 53/3160/11/F (resubmission of 1411/21/VAR)
LOCATION: The Cove Guest House Torcross TQ7 2TH **Officer delegated**
APPEAL STATUS: Appeal decided
APPEAL START DATE: 16-January-2023
APPEAL DECISION: Dismissed (Refusal)
APPEAL DECISION DATE: 31-May-2023

Ward West Dart

APPLICATION NUMBER: **0507/22/HHO** APP/K1128/W/22/3304662
APPELLANT NAME: Mr and Mrs Alan Doherty
PROPOSAL: Householder application for construction of free standing garden building (summerhouse) within rear curtilage (Resubmission of 1105/20/HHO)
LOCATION: Dartside Manor Street Dittisham TQ6 0EX **Officer delegated**
APPEAL STATUS: Appeal Lodged
APPEAL START DATE: 30-May-2023
APPEAL DECISION:
APPEAL DECISION DATE:

Undetermined Major applications as at 12-Jun-23

	Valid Date	Target Date	EoT Date
4181/19/OPA Ian Lloyd	9-Jan-20	9-Apr-20	31-Mar-23

Address: Land off Towerfield Drive, Woolwell, Part of the Land at Woolwell, JLP Allocation (Policy PLY44),

Description: 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 March 2023. Both parties agree that while progress is being made, more time is still required to resolve outstanding matters (including ongoing discussions with National Highways on strategic highway mitigation requirements), and for a period of re-consultation and a revised extension of time has been agreed until the end of September 2023

	Valid Date	Target Date	EoT Date
4185/19/OPA Ian Lloyd	9-Jan-20	9-Apr-20	31-Mar-23

Address: Land at Woolwell, Part of the Land at Woolwell JLP Allocation (Policy PLY44),

Description: 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 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 4181/19/OPA] a year-long PPA initially agreed until end of December 2020 was extended to March 2023. Both parties agree more time is still required to resolve outstanding matters (including ongoing discussions with National Highways on strategic highway mitigation requirements and for a period of re-consultation and a revised extension of time has been agreed until the end of September 2023

	Valid Date	Target Date	EoT Date
4158/19/FUL Patrick Whymer	17-Jan-20	17-Apr-20	6-Feb-21

Address: Development Site At Sx 734 439, Land to Northwest of junction between Ropewalk and Kingsway Park, Ropewalk, Kings

Description: 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
3623/19/FUL Steven Stroud	14-Apr-20	14-Jul-20	1-Jan-23

Address: Land off Godwell Lane, Ivybridge,

Description: 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: Ongoing negotiations with LLFA. S106 HoT broadly settled but dispute regarding NHS infrastructure payment. NHS have responded and this was issued to applicant for consideration. JLP response has been received which requires further consideration.

	Valid Date	Target Date	EoT Date
0868/20/ARM Jacqueline Houslander	29-Apr-20	29-Jul-20	20-Jan-23

Address: Development Site at SX 612 502, North Of Church Hill, Holbeton,

Description: Application for approval of reserved matters following outline approval 25 1720 15 O for the construction of 14 no dwellings provision of community car park allotment gardens access and associated works including access layout scale appearance and landscaping Resubmission of 0127 19 ARM and the discharge of outline conditions 12 1720 15 O 1 2 3 5 6 7 8 9 10 11 12 19 20 21 22 23 and 24

Comment Agreed under delegation, awaiting signature on unilateral undertaking

		Valid Date	Target Date	EoT Date
4254/20/FUL	Lucy Hall	23-Dec-20	24-Mar-21	25-Aug-22

Address: Springfield, Filham, PL21 0DN

Description: READVERTISEMENT revised plans The proposed development of a redundant commercial nursery to provide 33 new low carbon and energy efficient dwellings for affordable rent Landscaping works will provide communal areas and a playground as well as ecological features Access will be provided from the main road with a main spine route running through the site Springfield Cottage is to remain as current use but be a separate property entity with access from within the site

Comment: Delegated Approval subject to S106 Agreement

		Valid Date	Target Date	EoT Date
0544/21/FUL	Jacqueline Houslander	15-Feb-21	17-May-21	10-Apr-23

Address: Land at Stowford Mills, Station Road, Ivybridge, PL21 0AW

Description: 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. Deed of Variation is awaiting applicant's signature

		Valid Date	Target Date	EoT Date
1490/21/ARM	Tom French	20-Apr-21	20-Jul-21	31-Mar-23

Address: Sherford New Community, Commercial Area North of Main Street, Elburton, Plymouth,

Description: Application for approval of reserved matters for commercial area containing B1 B2 B8 D2 leisure Sui generis uses as well as 2 drive through restaurants and a hotel including strategic drainage highways and landscaping as part of the Sherford New Community pursuant to Outline approval 0825 18 VAR which was an EIA development and an Environmental Statement was submitted

Comment: Under consideration by Officer, ext of time agreed

		Valid Date	Target Date	EoT Date
1491/21/ARM	Tom French	20-Apr-21	20-Jul-21	31-Mar-23

Address: Sherford New Community, Green Infrastructure Areas 6 and 18, North of Main Street, Elburton, Plymouth, PL8 2DP

Description: Application for approval of reserved matters for commercial area containing B1 B2 B8 D2 leisure Sui generis uses as well as 2 drive through restaurants and a hotel including strategic drainage highways and landscaping as part of the Sherford New Community pursuant to Outline approval 0825 18 VAR which was an EIA development and an Environmental Statement was submitted Application for approval of reserved matters for commercial area containing B1 B2 B8 D2 leisure Sui generis uses as well as 2 drive through restaurants and a hotel including strategic drainage highways and landscaping as part of the Sherford New Community pursuant to Outline approval 0825 18 VAR which was an EIA development and an Environmental Statement was submitted

Comment: Under consideration by Officer, ext of time agreed

		Valid Date	Target Date	EoT Date
3053/21/ARM	David Stewart	5-Aug-21	4-Nov-21	24-Mar-22

Address: Noss Marina, Bridge Road, Kingswear, TQ6 0EA

Description: 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 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: Revised plans received that are under consideration

		Valid Date	Target Date	EoT Date
2982/21/FUL	Charlotte Howrihane	13-Oct-21	12-Jan-22	31-Jul-23

Address: Land Opposite Butts Park, Parsonage Road, Newton Ferrers, PL8 1HY

Description: READVERTISEMENT Revised plans The erection of 20 residential units 17 social rent and 3 open market with associated car parking and landscaping

Comment: Viability issue - EOT agreed to allow applicant to consider and respond to objection from housing

		Valid Date	Target Date	EoT Date
3335/21/FUL	Clare Stewart	14-Oct-21	13-Jan-22	17-Feb-22

Address: Proposed Development Site At Sx 566 494, Land West of Collaton Park, Newton Ferrers,

Description: 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: S106 discussions ongoing.

		Valid Date	Target Date	EoT Date
4175/21/VAR	Tom French	8-Nov-21	7-Feb-22	17-Feb-23

Address: Sherford Housing Development Site, East Sherford Cross To Wollaton Cross Zc4, Brixton, Devon,

Description: 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

Comments: Approved by Members, subject to S106 agreement which is progressing

		Valid Date	Target Date	EoT Date
4021/21/VAR	Steven Stroud	24-Nov-21	23-Feb-22	30-Apr-23

Address: Development site at SX 809597, Steamer Quay Road, Totnes,

Description: READVERTISEMENT new plans and documents Application for variation of condition 2 approved drawings of planning consent 4165 17 FUL

Comment: Out for reconsultation following revised submission.

		Valid Date	Target Date	EoT Date
4317/21/OPA	Steven Stroud	5-Jan-22	6-Apr-22	31-Aug-23

Address: Land at SX 5515 5220 adjacent to Venn Farm, Daisy Park, Brixton,

Description: Outline application with all matters reserved for residential development of up to 17 dwellings including affordable housing

Comment: Revised package of plans and supporting docs awaited.

		Valid Date	Target Date	EoT Date
4774/21/FUL	Jacqueline Houslander	7-Feb-22	9-May-22	

Address: Burgh Island Hotel, Burgh Island, Bigbury On Sea, TQ7 4BG

Description: READVERTISEMENT Revised plans Extension and refurbishment to Hotel and associated buildings together with the development of new staff accommodation extension to Pilchard Inn extension to Bay View Cafe and site wide landscape and biodiversity enhancements

Comment: Approved by Committee subject to S106 Agreement that is progressing

		Valid Date	Target Date	EoT Date
0303/22/OPA	Steven Stroud	4-Mar-22	3-Jun-22	21-Apr-23

Address: Land off Moorview, Westerland, Marldon, TQ3 1RR

Description: READVERTISEMENT Updated Site Address 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: Applicant is working to deal with LHA objection.

		Valid Date	Target Date	EoT Date
0934/22/FUL	Lucy Hall	14-Mar-22	13-Jun-22	

Address: Land At Sx 499 632, Tamerton Road, Roborough,

Description: READVERTISEMENT revised plans Construction of a new crematorium facility with associated access drives car parking ancillary accommodation service yard

Comment: Under consideration by officer

		Valid Date	Target Date	EoT Date
1523/22/FUL	Steven Stroud	20-Jun-22	19-Sep-22	31-Jan-23

Address: Proposed Development Site West, Dartington Lane, Dartington,

Description: READVERTISEMENT revised plans documents Construction of 39No two storey dwellings with associated Landscaping

Comment: Ongoing discussions with applicant and consultees including LHA. Revised package of plans received, now going to re-consultation.

		Valid Date	Target Date	EoT Date
1629/22/ARM	Steven Stroud	20-Jun-22	19-Sep-22	30-Jun-23

Address: Dennings, Wallingford Road, Kingsbridge, TQ7 1NF

Description: READVERTISEMENT revised plans supporting information Application for approval of reserved matters following outline approval 2574 16 OPA Outline application with all matters reserved for 14 new dwellings relating to access appearance landscaping layout and scale and discharge of outline planning conditions

Comment: Under consideration – housing mix and ecology objections, updated LLFA position awaited.

		Valid Date	Target Date	EoT Date
2412/22/OPA	Clare Stewart	25-Jul-22	24-Oct-22	30-Jun-23

Address: Land South of Dartmouth Road at SX 771 485, East Allington,

Description: READVERTISEMENT revised plans documents Outline application with some matters reserved for the development of up to 35 dwellings associated access infrastructure open space landscaping biodiversity net gain infrastructure

Comment: Further information subject to re-advertisement within consultation expiry 25/5/23. Key consultee comments awaited.

		Valid Date	Target Date	EoT Date
2804/22/FUL	Charlotte Howrihane	14-Sep-22	14-Dec-22	23-Jun-23

Address: Homefield Farm, Sherford, TQ7 2AT

Description: Change of use of commercial buildings and dwelling house to 3 no holiday lets demolition of existing retail unit replacement of commercial building with 1 no self build dwelling house associated works to include comprehensive landscape ecology enhancement works Resubmission of 4751 21 FUL

Comment: No significant changes to previously refused app 4751/21/FUL which is currently awaiting appeal hearing (8th/9th Nov). Agent has been informed current app is also recommended for refusal, has asked for EOT to await appeal decision on previous application

	Valid Date	Target Date	EoT Date
0384/23/OPA Bryn Kitching	9-Feb-23	11-May-23	

Address: Land At Sx 652 517, Modbury,

Description: READVERTISEMENT Amended Description Outline Planning Application with all matters reserved apart from access for demolition of existing buildings and a residential redevelopment of up to 40 dwellings including the formation of access and associated works on land at Pennpark Modbury

Comment: Outline application on site allocated for residential development in the JLP. Consultation period ended and now considering the responses. The application will come to the Development Management Committee when it is ready to be determined and an appropriate extension of time will be agreed.

	Valid Date	Target Date	EoT Date
0742/23/VAR Clare Stewart	28-Feb-23	30-May-23	

Address: Field To Rear Of 15 Green Park Way, Port Lane, Chillington,

Description: Application for variation of condition 2 approved drawings following grant of planning permission Ref 0265 20 ARM approved by Appeal APP K1128 W 21 3272629

Comments: Under Consideration

	Valid Date	Target Date	EoT Date
0622/23/VAR David Stewart	31-Mar-23	30-Jun-23	

Address: Noss-On-Dart Marina, Bridge Road, Kingswear, TQ6 0EA

Description: Application for variation of condition 2 approved plans following grant of planning permission ref 2161 17 OPA as amended by S 73 planning permission ref 0504 20 VAR for amendments to Phase 12 of the Noss Marina Redevelopment specifically relating to the Waterside Apartments Building raised walkway and Central Square only and associated conditions 15 20 36 49 administrative changes required to conditions 1 3 4 17 22 28 29 30 31 33 41 42 43 45 51 52 56 58 59 60 reflecting approved discharge of conditions

Comment: Under Consideration

	Valid Date	Target Date	EoT Date
1271/23/OPA Steven Stroud	11-Apr-23	11-Jul-23	

Address: Former Dairy Crest Site, Station Road, Totnes,

Description: Outline application with some matters reserved for mixed use re development site comprising circa 80 Residential Units circa 1100sqm Commercial space demolition of existing structures excluding Brunel building chimney provision of open space surface water attenuation parking associated infrastructure Full Permission for the Change of Use of the Brunel Building Resubmission of 3136 22 OPA

Comments:

	Valid Date	Target Date	EoT Date
1571/23/ARM Bethan Tanton	9-May-23	8-Aug-23	

Address: Sherford New Community, Phase 2 C Advanced Planting, Plymouth, PL8 2DP

Description: Application for approval of reserved matters following outline approval 0825 18 VAR variation of conditions 3 approved drawings 6 7 8 10 11 12 13 14 18 19 20 21 26 28 35 36 45 46 52 53 54 57 66 67 68 69 70 71 99 100 101 102 104 106 107 and 110 and Informatives of outline planning permission ref 1593 17 VAR to accommodate proposed changes of the Masterplan in respect of the Sherford New Community landscaping for advanced planting in Phase 2C

Comments:

	Valid Date	Target Date	EoT Date
1640/23/FUL James Gellini	12-May-23	11-Aug-23	

Address: Land At Sx 784 583, Harberton,

Description: Stable block hardstanding change of use of field for the grazing of horses resubmission of 2243 22 FUL

Comments:

		Valid Date	Target Date	EoT Date
1272/23/FUL	Charlotte Howrihane	19-May-23	18-Aug-23	

Address: Newton Ferrers County Primary School, Parsonage Road, Newton Ferrers, PL8 1AS

Description: Remove the existing roof replace with new roof

Comments: no concerns, waiting for consultation period to end so that comments can be considered and report written

		Valid Date	Target Date	EoT Date
1595/23/VAR	Peter Whitehead	25-May-23	24-Aug-23	

Address: Lantern Lodge Hotel, Grand View Road, Hope Cove, TQ7 3HE

Description: Variation of conditions 12 13 following planning consent 2101 19 FUL

Comments:

		Valid Date	Target Date	EoT Date
0820/23/FUL	David Stewart	30-May-23	29-Aug-23	

Address: Penquit Mill Cottage, Strode, PL21 0LY

Description: Change of use of land to paddock and conversion of existing part structure to stables part retrospective

Comments:

		Valid Date	Target Date	EoT Date
1006/23/FUL	James Gellini	1-Jun-23	31-Aug-23	

Address: The Old Gatehouse, Yealmpton, PL8 2LL

Description: Change of use of land from agricultural to equestrian and retention of extension to field shelter Retrospective

Comments: