

South Hams Development Management Committee



Title:	Agenda										
Date:	Wednesday, 13th December, 2023										
Time:	10.00 am										
Venue:	Council Chamber - Follaton House										
Full Members:	<p style="text-align: center;">Chairman Cllr Long Vice Chairman Cllr Taylor</p> <p><i>Members:</i></p> <table style="margin-left: auto; margin-right: auto;"> <tr> <td>Cllr Abbott</td> <td>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
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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 - 6**
To approve as a correct record the minutes of the meeting of the Committee held on 15 November 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) 1505/23/FUL** **7 - 16**
Land At SX 654 517, New Mills Industrial Estate, Modbury

- (b) 1668/23/VAR** **17 - 24**
The Mooring, Newton Hill, Newton Ferrers, PL8 1BG

- (c) 3161/23/FUL** **25 - 34**
Linhay Barn, Budlake, Ermington, PL21 9NG

PLEASE NOTE: THE FOLLOWING AGENDA ITEMS WILL NOT BEGIN BEFORE 2:00pm

	<i>Page No</i>
(d) 2790/22/FUL Quay Caravan Club Site, Steamer Quay Road, Totnes, TQ9 5AL	35 - 52
(e) 2839/23/FUL Land At SX 740 393, The Fish Quay, Gould, Road, Salcombe	53 - 64
7. Planning Appeals Update	65 - 68
8. Update on Undetermined Major Applications	69 - 74

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MINUTES of the MEETING OF THE DEVELOPMENT MANAGEMENT COMMITTEE held in the COUNCIL CHAMBER, FOLLATON HOUSE, TOTNES, on WEDNESDAY, 15 November 2023

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

Other Members also in attendance: Cllr Brazil

Officers in attendance and participating:

Item No:	Application No:	Officers:
All agenda items		Principle Planning Officer, Monitoring Officer; IT Specialists and Senior Democratic Services Officer

DM.32/23 MINUTES
The minutes of the meeting of the Committee held on 13 October 2023 were confirmed as a correct record by the Committee.

DM.33/23 DECLARATIONS OF INTEREST
Members and officers were invited to declare any interests in the items of business to be considered and none were declared.

DM.34/23 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.35/23 PLANNING APPLICATIONS
The Committee considered the details of the planning applications prepared by the relevant Case Officers as presented in the agenda papers, and considered the comments of Town and Parish Councils, together with other representations received, which were listed within the presented agenda reports, and **RESOLVED** that:

6a) 2478/23/FUL "Land at SX 524 495", Ford Road, Wembury Parish: Wembury

Development: Detached garage with storage above

Case Officer Update: The Case Officer summarised the key issues, namely that:

- Design amendment, when viewed as a whole, were considered to have addressed concerns from previous refusal.
- This development was now considered to accord with Policies DEV20, DEV23 and DEV25 of the JLP.
- It was not considered to be an unacceptable loss of amenity for the nearest residents in accordance with Policy DEV1 of the JLP.
- The development achieves a proportionate biodiversity enhancement and sufficiently low carbon design in compliance with DEV26 and DEV32.

The Case Officer explained that the garage would be for domestic use and would be marginally higher than the previous building. The site to be treated as a brownfield site.

Having heard from speakers on behalf of objectors, supporters and the Parish Council together with the Ward Councillor, Members debated the application. During the debate, one Member felt that a garage of this size was acceptable in this location. Some Members felt the bird bricks were not adequate and more biodiversity was required. Another Member felt the height would impact the neighbours, however another Member raised that the residents had a clear view for the past 10 years. It was also felt that the applicant had made reasonable adjustments.

Recommendation: Conditional Approval

Committee decision: Conditional Approval

Conditions: 1. Time 2. Accord w/plans 3. Use restriction domestic only 4. Construction Management Plan 5. Bird bricks 6. Velux to incorporate obscure glazing.

6b) 2268/23/VAR “The Cove Guest House”, Torcross Parish: Stokenham

Development: Application for variation of condition 1 (approved plans) of planning consent 1411/21/VAR (resubmission of 2110/22/VAR)

Case Officer Update: The Case Officer summarised the key issues, namely that:

- Importance of considering the proposal against the impacts of the approved schemes
- Acceptability of the architectural design:
 - Reduced footprint
 - Removal of louvres
- Climate change matters:
 - Improvements over approved development

- Introduction of triple glazing
- Solar panels
- Battery storage
- EV charging
- Cliff and seawall
 - Dated Engineer Report
 - Works necessary to the cliff and/or sea wall beyond a straight repair would need planning permission
- Conclusions
 - The architectural appearance did not significantly change and generally accords with the principles in DEV20
 - The increase in the area of glazing was not significant and in terms of light emissions and climate change the current scheme offers improvements over the approved scheme and accords with DEV32
 - Climate change, cliff and seawall issues covered by condition.

The Case Officer explained that any matters related to the sea wall would be for the applicant to address. It was reiterated that this application was the same size as the previous application.

A Member raised concern on the duty of care to the natural environment with the amount of glazing on the property. Concerns were also raised regarding the sea wall and previously rejected applications.

Having heard from speakers on behalf of objectors, supporters and the Parish Council together with the Ward Councillor, Members debated the application. During the debate, one Member highlighted the need to look at the application before them and whether this was better than the previous design. Another Member felt that biodiversity was lacking in this proposal. Another Member raised the amount of glass on a conspicuous site was a material factor for refusal.

Officers highlighted that Members were comparing the previously approved scheme to what was before them today. There was a lawful fallback that could be implemented tomorrow and whether this application was better than what could be built tomorrow.

A proposal was put forward to refuse the application, the Chair adjourned the meeting to allow officers to prepare a recommendation.

Recommendation: Conditional Grant

Committee decision: Delegated refusal to the Head of Development Management in consultation with the Chair, Vice-Chair, Proposer (Cllr Hodgson) and Secunder (Cllr Allen) on the design quality and increased fenestrations.

DM.36/23 **PLANNING APPEALS UPDATE**

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

DM.37/23 **UPDATE ON UNDETERMINED MAJOR APPLICATIONS**

Members noted the update on undetermined major applications as outlined in the presented agenda report.

(Meeting commenced at 10.30 am with a break at 11.40 am. The meeting adjourned at 13.02 pm. Meeting concluded at 13.47 pm)

Chairman

Voting Analysis for Planning Applications – DM Committee 15 November 2023

<i>Application No:</i>	<i>Site Address</i>	<i>Vote</i>	<i>Councillors who Voted Yes</i>	<i>Councillors who Voted No</i>	<i>Councillors who Voted Abstain</i>	<i>Absent</i>
2748/23/FUL	"Land at SX 524 495", Ford Road, Wembury	Conditional Approval	Cllrs Abbott, Bonham, Dommatt, Long, Pannell and Rake (6)	Cllrs Allen, Carson, Hodgson, Nix and Taylor (5)		Cllr McKay, (1)
2268/23/VAR	"The Cove Guest House", Torcross	Refused	Cllrs Allen, Bonham, Carson, Dommatt, Hodgson, Long, Nix, Pannell and Taylor (9)	Cllr Rake (1)	Cllr Abbott (1)	Cllr McKay, (1)

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PLANNING APPLICATION REPORT

Case Officer: David Stewart

Parish: Modbury **Ward:** Charterlands

Application No: 1505/23/FUL

Agent/Applicant:

Mrs Amanda Burden - Luscombe Maye
59 Fore Street
Totnes
TQ9 5NJ

Applicant:

Mr James McIntosh - South Moor Vets
New Mills Industrial Estate
Modbury
PL21 0TP

Site Address: Land At Sx 654 517, New Mills Industrial Estate, Modbury



Reason for sending to Committee

Cllr Taylor has requested this matter be considered by committee on the ground that this application is not going to create undo footfall around Coppers where the footpath ends about 10 mtrs short of joining with the other footpath, it is also well lit by

streetlights, and he considers the Highway advice has incorrectly assessed the proposal.

Development: Provision of 3 bedroom dwelling (log cabin) to accommodate graduate vets/nurses

Recommendation:

Refuse

Reasons for Refusal

1. The proposed development is likely to generate an increase in pedestrian traffic on a highway lacking adequate footways with consequent additional danger to all users of the road contrary to policy Dev 29 of the Plymouth and South West Devon Joint Local Plan 2012 – 2033 and paragraph 110 and 111 of the National Planning Policy Framework.

2. Insufficient information has been provided to demonstrate compliance with the provisions of the Climate Emergency Planning Statement and policy DEV32 of the Plymouth and South West Devon Joint Local Plan

Key issues for consideration:

Principle of Development

Potential non-conforming use

Business Case

Visual Impact

Standard of accommodation

Compliance with Climate change policy

Vehicle and pedestrian movement

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

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

Site Description:

The site is located in the south east corner of the New Mills Industrial Estate in Modbury bounded to the east and south by A379, to the west by South Moor Vets and to the north by other commercial premises. Immediately to the east of the Vets building is a car parking area which is screened from Church Street by a group of mature trees.

The application site embraces land situated to the west of the trees and comprising a part of the vets' car parking area. Its northern extent is formed by the boundary of the proposed Equine Veterinary Facilities unit granted in 2019 and comprising a building for stabling, examination and surgery together with a sand school for exercise and lame horse.

The Proposal:

This proposal involves the importation and erection of a 3 bed unit of accommodation for trainee and newly qualified vets employed by South Moor Vets.

The unit takes the form of a single storey 'log cabin style' of building set under a Metrotile pitched roof. The elevations are clad in Hardie board and there is a timber verandah located on the east side facing the trees.

Consultations:

- County Highways Authority Objection; pedestrian movements will be generated along a road with no footways creating a danger and that the alternative route with footways is sufficiently longer to discourage people from using it.
- Devon and Cornwall Police There are concerns over a lone building being proposed as a dwelling within the industrial estate. As it would have limited natural surveillance from other properties especially when this is outside the business operational hours of the tenants or owners of the units within the industrial estate. All doors that provide entry into a building, including garage doors where there is a connecting door to the dwelling, and all ground floor, basement and other easily accessible windows, including roof lights, must be shown to have been manufactured to a design that has been tested to an acceptable security standard i.e. PAS 24. They should not only tested to meet PAS 24 (2022) standard by the product manufacturer, but independent third-party certification from a UKAS accredited independent thirdparty certification authority is also in place, thus exceeding the requirements of ADQ and reducing much time and effort in establishing provenance of non SBD approved products.
It is recommended that all easily accessible windows are fitted with window restrictors to prevent from reach in burglaries where the offender will reach in and steal anything within reach.
It would also be beneficial to display clear signage at the practice to ensure customers and visitors know where to report to outside the business operating hours in the event of an emergency as an example, to prevent them coming to the dwelling [which during the hours of darkness could potentially increase the fear of crime for those living in the building.
It would also be beneficial that dusk till dawn lighting is used for any external lighting on the building as opposed to PIR lighting which has the potential to increase the fear of crime with repeated activations. Research has proven that a constant level of illumination is more effective at controlling the night environment. The use of light-emitting diode (LED) light sources is recommended with a colour temperature of no more than 4000 Kelvin and ideally below. This reduces blue light content and therefore the effects on human and ecology receptors
- Town/Parish Council Objection
This is an application that would normally be sympathetically viewed by the PC. There is sympathy with the objectives but the siting of a dwelling in an industrial area cannot be supported. A footpath crossing the site has already been rejected.

Representations:

Representations from Residents

No comments have been received

Councillor Taylor has requested a notification of the officer's recommendation

Relevant Planning History

35/2080/87/3: Erection of light industrial units, access road and parking areas	Approved
35/0767/03/F: Erection of new veterinary surgery	Approved
2655/19/FUL: Provision Of Equine Veterinary Facilities	Approved

ANALYSIS

1. For the purposes of considering this application officers consider the site to fall within the settlement confines of Modbury.

Principle of Development/Sustainability:

2. The site is located within the town boundary close to main shopping and other facilities and within an area with a range of modes of travel. There is a bus stop close to the site entrance and the main street is within easy walking distance. Moreover Modbury, is a tier 2 settlement as defined by TTV1 and where growth to serve both the town and the surrounding rural settlements is encouraged and allocated under the JLP spatial strategy. Development in the town therefore accords with SPT1, SPT2 and TTV1 of the JLP. This is also acknowledged in TTV24 where a number of identified sites allocated both for residential and employment uses in the town.

3. The principle of both commercial and residential development within the town boundary is therefore acceptable. However there are two further matters that also need consideration in considering the principle of development. The first relates to the principle of taking up employment land for a residential purpose and the second is whether the proposed domestic use of the building is appropriate and compatible with the other uses surrounding the site.

4. On the first matter, consideration should be given to the purpose of the application and I set out below extracts from the applicant's statement.

5. South Moor Vets is a prominent local employer. It currently employs 33 vets and a further 55 support/admin staff across the 3 practices. Of the 33 vets, there are 6 new graduate vets and South Moor Vets will be employing a further 2 graduate vets to add to that number later this year. The Modbury practice is soon to be home to a specialist equine facility that gained planning approval (reference 2655/19/FUL) on 12th February 2020 for which construction has commenced and will be moving forward in the coming months.

6. South Moor Vets, and particularly their graduate vets, are struggling with the well-known South Hams issues relating to not only the cost of housing in the area but also the lack of housing. This problem has become increasingly difficult for South Moor Vets to employ graduate vets to join their practices in the area and therefore this application seeks to provide affordable shared accommodation for up to 3 graduate vets/nurses to enable them to live on-site.

7. The primary reason for the accommodation therefore arises from a business need and the accommodation is really to allow for business development and the need to be able to attract personnel to Modbury for the new equine centre. Policy DEV14 supports the provision of a flexible supply of employment land and premises to support investment and expansion of existing businesses and this proposal accords with that aim.

8. DEV14.1 also seeks to protect employment site refers to allowing a change of use of existing employment sites only where there are overriding and demonstrable economic needs to do so. However this is not a case here. The accommodation required to support the business use of the adjoining site. In the event that the accommodation is no longer required it will be conditioned firstly to allow occupation only by staff of South Moor Vets and secondly to ensure that should the residential use cease, the building becomes ancillary accommodation to the main surgery and remains so.

9. The second issue relates to the non-conforming use proposed for the accommodation. The introduction of residential accommodation on an employment site could give rise to the conflicting vehicular and pedestrian movements within the complex. However for reasons set out in a later section, officers consider that there will be no adverse impacts arising from the use of the building. The proposal therefore accords with the aims of DEV14. On the matter of noise conflicts, the adjoining land is used by the vets so there is a degree of insulation from other businesses on the estate which all have their main entrances and openings facing the main courtyard away from the location of the proposed building. The site is also screened from the road by vegetation.

Design/Landscape:

10. In terms of its design, the proposed building is a typical lodge type, single storey building with a verandah facing the roadside boundary. The lodge is clad using a Hardie board system with a timber weatherboard appearance and is set under a shallow pitched roof. The colour of the cladding and the roof material are not identified and a condition requiring these details would be required if there was a recommendation to approve the scheme. The building will stand 4m in height to the ridge and is of a typical domestic single storey scale. In design terms it is utilitarian but not unacceptable in this location and accords with DEV20.

11. The proposed siting of the building is on land situated between the existing car park area for the vets and the tree cover running around the boundary of the site facing Church Street. A post and rail fence identifies the overall site boundary beyond which is some further screening vegetation before the land drops to the edge of the highway. The screening is by no means total and the outline of the building will be seen from the road.

12. A part of the verandah lies almost on the site boundary with the building itself about 2m back at its southern end but at the northern end will be about 12m back from the boundary. That section lying closest to the road is at a point where conifer screening beyond the site boundary will largely hide it from view. Elsewhere the vegetation will allow glimpses through the trees to the building. However, given its modest scale and set back, it is not considered to raise townscape issues. In any event there is sufficient land to allow understorey planting to mitigate any adverse visual impacts.

13. It is noted that the site abuts the boundary of the AONB which follows the road alignment past the site to the south. I do not consider that there is any impact on the character of the AONB or its setting. Officers therefore believe that the proposal accords with DEV20 and DEV25 of the JLP.

Neighbour Amenity:

14. There are no residential near neighbours. However the issue of the amenity of the occupiers needs to be taken into consideration. The proposed development accords with national space standards for residential accommodation. There is limited external space provided by the verandah and immediate adjacent remaining grassed area. This does not

accord with the recommended space standards set out in the JLP SPD. This states that for a detached dwelling an area of 100m² is required. The development does not therefore accord with DEV10. However there are some mitigating factors. The purpose of the accommodation is to attract staff and the accommodation is ancillary to the main practice. The building could therefore only be used for other veterinary purposes in the event that the accommodation is not required for residential accommodation for its staff. The site adjoins the rural area where there are a range of semi natural and natural green spaces available for enjoyment and the town has a range of facilities for the occupiers. Given the specific purpose of the accommodation, officers consider that in this case the failure to meet amenity space standards is not a ground of refusal.

Highways/Access:

15. The introduction of residential accommodation on an employment site could give rise to the conflicting vehicular and pedestrian movements within the complex. However, officers consider that there will be no adverse impacts arising from the use of the building. In terms of pedestrian movements they will be from the proposed building to the main surgery building, within an area used solely in connection with the veterinary business and not with the other uses of the estate. There will be no other normal peak hour residential traffic movements generated as the staff will live on site. Any other movements to and from clients sites are journeys that are of a business nature occurring during the day. Thus abnormal movements arising from the development would be out of normal working hours

16. The County Highway authority has recommended refusal of this application. They consider that comments made in respect of application 0384/23/OPA whereby an objection was raised in respect of residential development proposed directly to the west also apply to this site. The site is currently poorly connected for pedestrians to the public amenities in the town and that concerns were apparent that certain users of the site, may at times choose to take the shorter distanced desire line, following the A379 at Palm Cross, which has no footways or verges, is un-lit, it has two sharp bends, it is restricted in width to 5.5m and has restricted forward visibility for drivers due to the presence high hedges and walls flanking the carriageway.

17. Two HGVs passing, a car and HGV passing and a car and a car passing, is deemed to be a regular occurrence on the A379 road, which carries around 6800 two way vehicle movements per day in the neutral months. It is expected this figure would be closer to 10,000 in the summer holiday season. Pedestrians walking in the road have no space to do so and even with two cars travelling in either direction there is insufficient space to accommodate a pedestrian safely and there is serious risk of strikes or rear end shunt type accidents. There is no scope to implement a footway without reliance on third party land, which leads to serious concerns raised by the Highway Authority, that should the application be approved, the Highway Authority may be left with the financial burden of addressing the issue in the future. Any approval of the planning application is likely to lead to public concerns and potentially worse, injury accidents and this would likely leave the Highway Authority with the obligation to resolve the matter.

18. The Highway Authority is correct that although the southern part of the road abutting the site has a footpath that continues around the bend for about 16m (but diminishing in width) there is a section of road running north and east of about 60m – 70m in length with no footway until you reach Lavenoc Way. There is another route that pedestrians could take that utilises a route via Church Lane and Benedict Way. This is about 160m longer and Devon HA considers it to be too long to encourage walkers to use. It is for this reason that they recommend refusal.

There is a 'drove' link to the north of the site that passes to the north of Modbury Osteopathic Clinic and it would be possible to cross in front of the clinic and enter the north east corner of the site to avoid this problem altogether. However it would require the approval of the landowner to achieve a safe footway link to the Industrial estate and therefore has to be discounted from consideration here as there is currently no prospect of achieving the link.

19. In consequence the proposal fails to meet DEV29 requirements.

Ecology

20. The existing range of habitats offered by the site are limited in extent to offering a suitable vegetation habitat to hedgehogs and their presence on site should be assumed. The overgrown site represents favourable dormouse habitat but as it is not directly connected with suitably large areas where dormouse breeding populations can be found it is *not a favourable* location for this species. Similarly, the site includes a favourable habitat for slowworms and it would be prudent to assume their presence and mitigate accordingly.

21. The proposed development would therefore result in a minor loss of biodiversity through the loss of a small area of scrubby habitat. Mitigation is included in the proposal which involves the establishment of a new Devon hedge-bank along the north side of the Log Cabin. This and the installation of 3 x tree mounted bat boxes as recommended that would ensure the proposed development achieves a net-gain in biodiversity. To this officers would include bird boxes and hedgehog hibernacula to ensure the maximum benefit is made of the site.

Climate Change

22. Policy DEV32 of the JLP explains that the need to deliver a low carbon future for the plan area should be considered in the design and implementation of all developments. In particular, the policy requires that developments should be considered in relation to the energy hierarchy and identify opportunities to minimise the use of natural resources in the development over its lifetime, such as water, minerals and consumable products, by reuse or recycling of materials in construction, and by making best use of existing buildings and infrastructure. This approach is complemented by the NPPF which indicates that local planning authorities should usually expect new development to comply with any development plan policies on local requirements for decentralised energy supply. In general, this could include for a single dwelling, as a matter of principle, to incorporate such matters as PV panels or heat pumps.

23. Commentary within the adopted SPD with regards to policy DEV32 requires the provision of a supporting energy statement for all major applications. This is not a major application and therefore does not require the submission of details. However the Council does require a Climate Change Compliance form to accompany all applications and one has been submitted by the applicant.

24. In addition to the policy the Council adopted a Climate Emergency Planning Statement in November 2022. This set out a number of aims and policies that will be given additional consideration and increased emphasis which are summarised briefly below:

- CES01: To deliver development that contributes less to and mitigates the impacts of climate change and adapts to its current and future effects through a range of measures: This scheme does seek to meet a number of the criteria set out in the policy. Most importantly it

does reduce the carbon impacts over the approved scheme through measures incorporating renewable energy sources.

- M1 – Onsite renewable energy generation. For major and minor planning applications, adopted JLP policy DEV32.5 will apply in order to secure an equivalent 20% carbon saving through onsite renewable energy generation: No detailed evidence to confirm whether a 20% saving is achieved through the proposed measures. The only way to calculate the saving in this case is at the detailed working drawing stage to calculate the energy consumption of the approved development and compare it with the proposed energy consumption with the renewable sources of power in place. As there are no measures required on the previous approval officers consider that the saving will be more than 20% but that a condition requiring a detailed calculation of the Target Emissions Rate based on the renewable sources of power to be installed would be appropriate.
- M2 – Energy storage: Details of this can be controlled in an overall condition requiring detailed of the solar panels and ASHP or water based Heat Pump
- M3 – Low and zero carbon space and water heating systems: Confirmed
- M4 – Resilient and low carbon building materials: Confirmed in part although concrete foundations and retaining structures will be required. These are already present on the approved scheme
- M5- Not relevant
- M6 – Electric Vehicle Charging Points: Confirmed
- M7 – Active and Sustainable Travel: Comment has been made on the sustainability of the location and the use albeit there are potential concerns of the highway authority

25. This application is accompanied by a DEV32 compliance statement which states that the building will incorporate Solar panels. It is not intended that the property would be installed with at least one electric vehicle charging points immediately. Whilst this goes some way to meeting the policy by incorporating renewable energy, it does not confirm that there will be a 20% reduction in energy saving. This can only be demonstrated by the provision of calculations of the Target Emissions Rate. Without this calculation, officers cannot confirm whether additional measures may be required to meet the target set out in policy M1. The proposal therefore does not fully meet the requirements of DEV32.

26. Officers are of the view that given the permanence of the building the proposal should endeavour to meet the terms of policies in the climate emergency planning statement which would also require the provision of SAP calculations to demonstrate a 20% reduction in carbon emissions and the provision of EV charging points within the car park for the Vets residing in the unit. Full details have not been provided and it is not clear whether the scheme is policy compliant, contrary to the provisions of DEV32 and the Climate Emergency Planning Statement.

Conclusions

27. The accordance of the proposal with sustainability and business development objectives as set out in SPT1, SPT2, TTV1 and DEV14 carry significant weight supported by paragraph 81 of the NPPF which states “Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.”. The support that the proposal gives to the rural economy and community over a wide area must also not be underestimated. Officers are of the view that significant weight must be attached to these matters.

28. At the same time it is recognised that developments must meet all of the policies of the development plan to be acceptable and in this respect the scheme conflicts with DEV29. It must also be acknowledged that the response of the Council’s statutory consultee on

Highway matters lodges an objection to the development that should also carry significant weight in terms of the safety of pedestrians.

29. The degree of weight given to this item really depends on the views of the decision maker to the likelihood of the number of pedestrian movements along Church Street significantly increasing or whether pedestrians would be likely to use the longer but safer route into the town centre.

30. Officers consider that this case is finely balanced but that that they must give substantial weight to the advice of its highway consultee and further limited additional weight on the lack of sufficient information on carbon emissions which outweighs the acknowledged benefits of the scheme.

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
SPT3 Provision for new homes
SPT4 Provision for employment floorspace
SPT9 Strategic principles for transport planning and strategy
TTV1 Prioritising growth through a hierarchy of sustainable settlements
TTV2 Delivering sustainable development in the Thriving Towns and Villages Policy Area
TTV24 Site allocations in the Smaller Towns and Key Villages
DEV1 Protecting health and amenity
DEV2 Air, water, soil, noise, land and light
DEV8 Meeting local housing need in the Thriving Towns and Villages Policy Area
DEV14 Maintaining a flexible mix of employment sites
DEV15 Supporting the rural economy
DEV20 Place shaping and the quality of the built environment
DEV25 Nationally protected landscapes
DEV26 Protecting and enhancing biodiversity and geological conservation
DEV28 Trees, woodlands and hedgerows
DEV29 Specific provisions relating to transport
DEV32 Delivering low carbon development

Modbury Neighbourhood Plan

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:

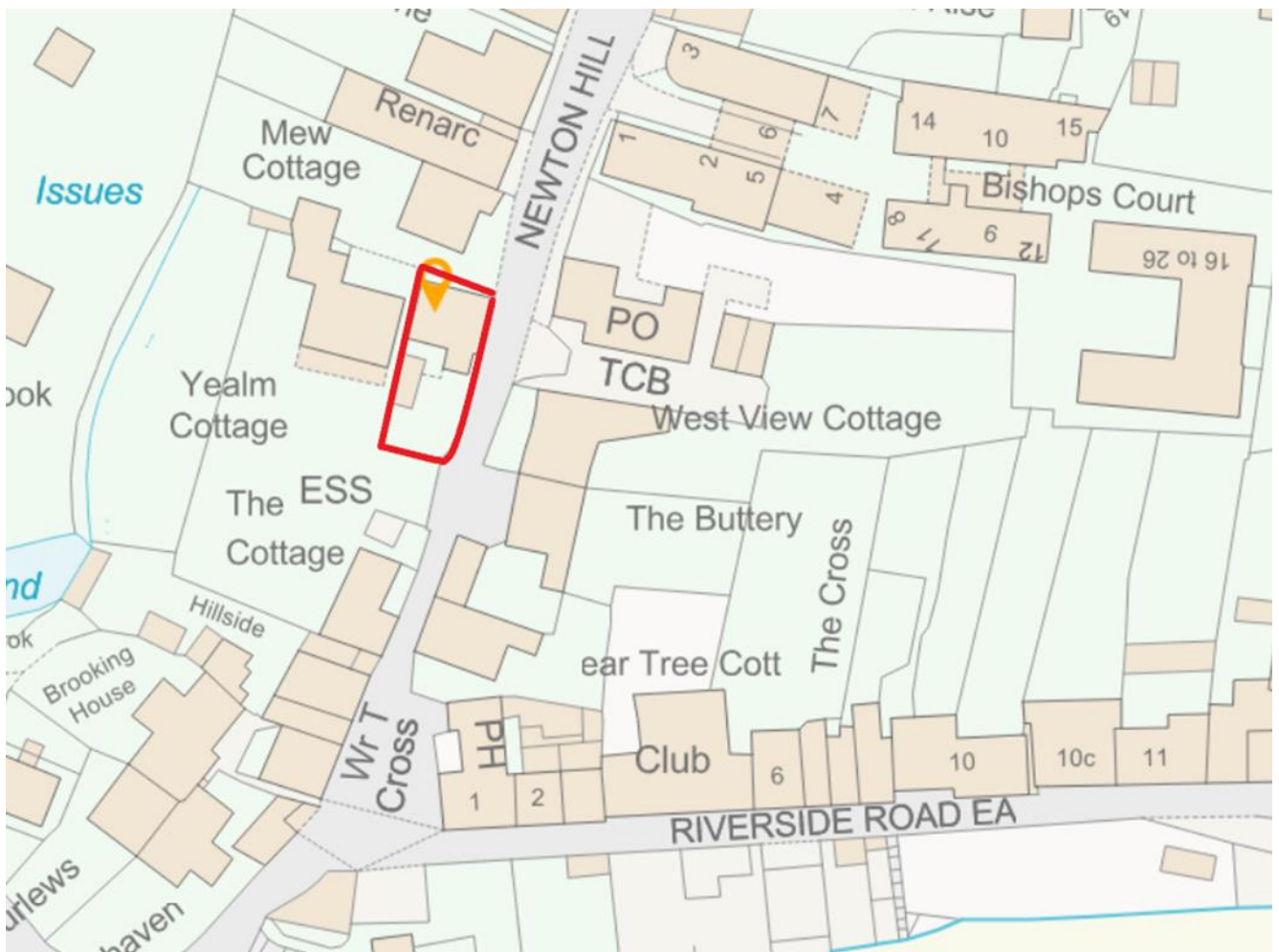
Plymouth and South West Devon Joint Local Plan SPD
South Hams Climate Emergency Planning Statement .

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.

COMMITTEE REPORT

Case Officer:	David Stewart		
Parish:	Newton and Noss	Ward:	Newton & Yealmpton
Application No:	1668/23/VAR		
Applicant:	Mr B Sherriff The Mooring Newton Hill Newton Ferrers PL8 1BG	Agent:	Mr Justin Sluce - JSD Ltd 48 Yealm Road Newton Ferrers PL8 1BQ
Site Address:	The Mooring, Newton Hill, Newton Ferrers, PL8 1BG		
Development:	Variation of Condition 1 (approved plans) of planning consent 0068/20/VAR		



Reason item is before Committee: Cllr Thomas has called this to committee based on examining the Parish Council objection

Recommendation: Conditional grant

Conditions

- Adherence with approved plans
- Adherence with approved CMP
- Privacy screens to be installed prior to use of balcony
- Landscaping
- Timber to undercroft door
- North western boundary wall to be clad in natural stone (5 months)
- Wall on south eastern elevation to be clad in stone

Key issues for consideration:

- Whether the proposed changes affect the external appearance of the completed development.
 - Whether the changes give rise to loss of amenity for neighbours
-

Site Description:

The site hosts a detached dwelling with small patio to the south. The dwelling has been extended and altered during its lifetime, most recently under 1543/18/HHO, as varied under 0068/20/VAR. The site is located within the built form of Newton Ferrers, within the settlement boundary, defined within the Neighbourhood Plan, South Devon Area of Outstanding Natural Beauty and the Heritage Coast. The site is adjacent to the Conservation Area boundary on its southern and eastern borders.

The Proposal:

The proposal seeks to vary condition 1 of 0068/20/VAR to substitute revised drawings to those approved. Changes are required to the approved drawings because the underlying geomorphology prevented the approved undercroft store finished floor level being set as low as originally intended and this has led to the terrace level being slightly higher than the approved level by about 0.35m – 0.4m. Without alteration, the height of the 2021 approved boundary wall separating the side of the terrace from the neighbour would be about 1.3m in height and topped by a further 0.4m – 0.5m hit and miss or close boarded fence. The current application raises the side wall to 2m. The fence on the southern boundary is shown to be close boarded.

Consultations:

- County Highways Authority No Highway Implication
- Town/Parish Council Objection based on the following:
 - PC supports the neighbour's objection
 - Proposed fencing on the southern boundary does not provide adequate privacy to the adjoining garden as the terrace has been built at a higher level
 - Drawings are inadequate to show negative effect on the neighbour and on surface water drainage which will cause flooding as it goes to the combined sewer and added CO2 emissions as it will need to be pumped

Representations:

The Council has received comments from 1 objector covering the following points:

- Loss of privacy
- Reduced visibility from the adjoining entrance due to the construction
- Works being undertaken on land not owned by the applicant

It should be noted that the change to the fencing details has resulted in the neighbour not objecting to the variation relating to this matter.

Relevant Planning History

- 3504/21/VAR READVERTISEMENT (Revised plans) Application for variation of conditions 1 (approved plans) and 6 (stone faced boundary wall) of planning consent 0068/20/VAR, refused
- 0068/20/VAR Variation of conditions 2 (approved plans) of householder consent, conditional approval
- 1543/18/HHO: Replacement roof, alterations to fenestration and re-modelling of south elevation. Creation of underground store beneath garden
- 37/1750/02/CU Change of use of shop and dwelling to dwelling, conditional approval
- 37/1417/83/3: Erection of Greenhouse

ANALYSIS

Principle of Development/Sustainability:

The principle of further alterations to an already approved scheme is established by the earlier permissions, subject to compliance with the other protective designations in this highly sensitive location. The site is located within the built form of Newton Ferrers where adopted policies of the JLP and the Newton and Noss Neighbourhood Plan direct developments of this scale. The proposal accords with SPT1, SPT2, TTV1 and TTV26 of the JLP.

Design/Landscape/neighbour amenity:

The proposed changes to the approved scheme relate to a revision to the level of the terrace and associated change to the western boundary screen. The terrace level has been raised to the threshold level of the ground floor patio windows. The wall facing west has also been raised to the window head height of these patio windows. This gives a 2m height for the screen wall measured from the terrace level, sufficient to protect the privacy of the occupiers of the adjoining property. Whilst the neighbour has indicated that the wall can be reduced in height for about two thirds of its length and the stone cladding omitted from a section, this change is not shown. Officers regard the cladding of the wall with stone an important feature that protects the character of the area. It is also considered that the maintenance of the wall height at 2m along the whole of its length ensures no overlooking will occur and at the same time will not result in significantly greater overshadowing than if the wall were to be built in accordance with the neighbour's suggestions.

On the southern elevation, the boundary fence has been amended in line with the neighbour's suggestions and officers therefore consider the revised solution acceptable.

In terms of fence design, it is noted that there is a change in material from a high timber trellis to a hit and miss vertical fence made of reclaimed pitch pine. The pitch pine has

already been used on the undercroft door and provides a high quality finish that is sympathetic to the historic village core. These changes are minor in nature and do not adversely affect the quality of the design. It is therefore considered that the proposal accords with DEV1 and DEV20 of the JLP.

The changes are minor and relate to a development within the village confines of Newton Ferrers. The proposal has no adverse impact on the wider AONB and Heritage Coast and accords with DEV24 and DEV25.

The site abuts the conservation area boundary and the acceptability of the impact of the development on its setting has already been concluded that the proposal is acceptable. These changes do not affect the overall appearance of the development and have no impact on the historic environment in accordance with DEV21

The change made to the original submitted proposal does address some of the neighbour's concerns and in doing so some of those of the Parish Council.

Highways/Access:

One issue raised by the neighbour relates the rebuilding of a stone wall abutting the north elevation which also borders the neighbour's drive. The rebuilding appears to show the very corner of the wall as a rectangular section rather than a rounded section. However, photographic evidence of before and after shots indicates the wall has been rebuilt in the same profile as the original. The pre development survey suggests that the wall has been rebuilt within the footprint of the original.

This evidence suggests that there is no discernible difference between the original and the new wall as it relates to the profile adjacent to the highway. Further back, within the site, the wall is less wide than the original. It is therefore considered that the visibility when leaving the adjoining drive has not been impaired by the rebuilt wall and that even if it has been it is to such a limited degree as to have no discernible impact and accords with DEV29.

The ownership issue relating to the land is addressed later in the report and is a civil matter.

Drainage:

The approved development showed drainage of surface water to the combined sewer. This method of disposal has not altered. Although on site percolation would be the preferred solution it is unlikely to be viable in this location and drainage direct to the ground may affect the downhill properties. It is therefore reasonable to dispose of surface water in the manner shown. This is a matter for South West Water as they are responsible for the foul sewer in the area who are responsible for permitting this form of drainage. As the current variation offers no change to the volume or form of drainage it is considered acceptable.

Other Matters:

It is necessary to address the matter of whether the application is valid in relation to the issue of ownership of land that have been raised by the neighbour and the Parish Council. The matter relates to 2 points. The first to the installation of pipes externally to the air source heat pump and the second to the site of the rebuilt stone wall on the north elevation.

Officers have previously been made aware of a land ownership dispute relating to the siting of the heating pipes. In that case the applicant advised that they own the land within the red line site application boundary. Further enquiries have been made of the applicant on the stone wall issue on the north side of the dwelling and the agent has again confirmed his client's ownership of the land and that the footprint of the stone wall has been maintained exactly as it was originally.

On the basis of these submissions, officers consider that the application has been duly made and can proceed to determination. It will be for the adjoining occupier to pursue through the civil courts if they consider their freehold rights have been infringed.

Conclusion

The proposal makes only minor changes to the approved development and has no adverse impact on matters previously examined in earlier permissions. It is therefore considered that the variations sought are acceptable and officers recommend approval of the application.

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

Planning Policy

Relevant policy framework

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

On 26 March 2019 of the Plymouth & South West Devon Joint Local Plan was adopted by all three of the component authorities. Following adoption, the three authorities jointly notified the Ministry of Housing, Communities and Local Government (MHCLG)* of their choice to monitor 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.

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[*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
DEV20 Place shaping and the quality of the built environment
DEV21 Development affecting the historic environment
DEV23 Landscape character
DEV25 Nationally protected landscapes
DEV26 Protecting and enhancing biodiversity and geological conservation
DEV32 Delivering low carbon development
DEV35 Managing flood risk and Water Quality Impacts

Neighbourhood Plan

The Newton & Noss Neighbourhood Plan was adopted at Executive Committee on 19 July 2018.

Policy N3P-1 The village settlement boundaries
Policy N3P-4 development and construction
Policy N3P-5 movement and parking
Policy N3P-6 drainage and flooding
Policy N3P-8 heritage and conservation
Policy N3P-9 protecting the landscape

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

South Devon Area of Outstanding Natural Beauty Management Plan (2019-2024)
Plymouth and South West Devon Joint Local Plan Supplementary Planning Document (2020)
Plymouth and South West Devon Climate Emergency Planning Statement (2022)

Proposed conditions

1. The development hereby approved shall in all respects accord strictly with drawing numbers 17009/EX01A (site location plan), 17009/SD01 Rev D (balcony support columns), 17009/SD02 Rev E (ground floor plan), 17009/SD03 Rev C (first floor plan), 17009/SD05 Rev J (elevations) received by the Local Planning Authority on 05.06.23 and 17009/SD06 Rev C (sections), , 17009/SD04 Rev B (roof plan) and received by the Local Planning Authority on 26.05.20 (application reference 0068/20/VAR) and 17009/EX01 received by the Local Planning Authority on 04.06.18 (application reference 1543/18/HHO).

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

2. Notwithstanding the information submitted, the development shall be carried out in accordance with the Construction Management Plan and additional information agreed by the

Local Planning Authority under application reference 0647/19/ARC.

Reason: To ensure minimal impact on the users of the highway and the neighbouring Properties and to accord with DEV29 of the Plymouth and South West Devon Joint Local Plan

3. Prior to any use of the balcony, the obscure glass side privacy screens will be erected as approved in plans 17009/SD05G and 17009/SD03B and 17009/SD06C approved under 0068/20/VAR and shall be retained and maintained in perpetuity.

Reason: In the interests of the amenities of the occupiers of the neighbouring residential properties and in accordance with DEV1 of the Plymouth and South West Devon Joint Local Plan

4. Notwithstanding the information submitted, the landscaping shall be carried out in accordance with the details approved by the Local Planning Authority approved under application reference 0647/19/ARC. Any trees or plants which within a period of five years from the date of completion of the development dies, 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 order to protect the visual amenities of the locality and to assimilate the development into its surroundings in accordance with DEV20 of the Plymouth and South West Devon Joint Local Plan.

5. The door to the underground storage area shall be constructed and fitted in timber and retained and maintained in timber in perpetuity.

Reason: To use a material which will blend well with the stone of the wall and enhance the street scene in accordance with DEV20 of the Plymouth and South West Devon Joint Local Plan.

6. Notwithstanding the information shown on the approved drawings, within 5 months of the date of this permission the north western boundary/garden wall (identified as Yealm Cottage side/north west elevation on drawing number 17009/SD05 Rev G) shall be clad in natural stone, reclaimed from the site or of a natural stone which matches the colour and texture of that occurring locally, a sample of which shall be submitted to and approved in writing prior to construction. The new stonework shall be laid on its natural bed and pointed in a lime mortar recessed from the outer face of the stone. Machine cut or sawn faces shall not be used in the wall or for quoin stones.

Reason: To ensure that the development displays good design practice in respect of the age and character of the development and in the interests of the neighbours amenity. The Local Planning Authority consider 5 months to be an adequate time frame in which to complete the development and remedy the harm caused to the Conservation Area and the neighbours amenity with the existing block wall in accordance with DEV1, DEV20 and DEV21 of the Plymouth and South West Devon Joint Local Plan.

7. Notwithstanding the information shown on the approved drawings, the stone boundary wall

on the south eastern boundary (identified as Newton Hill/front/south east elevation on drawing number 17009/SD056) shall be clad in natural stone reclaimed from the site or of a natural stone which matches the colour and texture of that occurring locally, a sample of which shall be submitted to and approved in writing prior to construction. The new stonework shall be laid on its natural bed and pointed in a lime mortar recessed from the outer face of the stone. Machine cut or sawn faces shall not be used in the wall or for quoin stones.

Reason: To ensure that the development displays good design practice in respect of the age and character of the development in accordance with DEV20 and DEV21 of the Plymouth and South West Devon Joint Local Plan.

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/ Reasons for Refusal:

Informatives:

PLANNING APPLICATION REPORT

Case Officer: Liz Payne

Parish: Ermington **Ward:** Ermington and Ugborough

Application No: 3161/23/FUL

Agent:

Mrs Helen Morris-Ruffle - Visionary
Planning UK
Trevean
2 Penmelen
Camelford
PL32 9UH

Applicant:

Mr Mark Walker
4 Pinwill Crescent
Ermington
Iybridge
PL21 0NS

Site Address: Linhay Barn Budlake Ermington PL21 9NG



Development: Construction of a new replacement dwelling to replace proposed barn conversion under 2767/17/FUL

Reason item is being put before Committee: At the request of Cllr Dewynter owing to

1. The development's low carbon credentials as per policy DEV 32
2. The development's visual impact as per policy DEV 20.

Recommendation: Refusal

Reasons for refusal:

1. The proposal would result in a detached dwellinghouse within an unsustainable countryside location which is poorly served by sustainable transport options and without any appropriate planning justification for its countryside location. This would be contrary to the adopted Joint Local Plan policies SPT1, SPT2, TTV1 and those policies that protect the countryside from inappropriate development namely TTV26.
2. The proposal would not have a regard to the pattern of local development or conserve the landscape character of the surroundings and rural setting of the existing linhay barn, as it will see a further incongruous addition of a new dwelling outside of a settlement area. The proposal is, therefore, contrary to Policy DEV20, DEV21 and DEV23.

Key issues for consideration:

Principle of development, design and appearance, landscape visual impacts, ecology, highways and drainage.

Site Description:

The application site is located to the west of the village of Ermington and comprises an area of open pasture land. Along the north boundary of the site is a well-established hedge but no other existing boundaries are present between the site and the surrounding pasture land. To the north east of the site, within the applicant's ownership, is a Linhay Barn and meadow land which has been planted as an orchard. The meadow land stretches eastwards and meets the built-up area of Ermington.

Surrounding the site is open countryside. There is one residential dwellinghouse located directly to the east of the application site known as 'Budlake' and one residential dwellinghouse, on the adjacent side of the highway, to the north east of the site, known as 'Two Springs'. The highway is also part of the National Cycle Network.

The proposal is located within the area defined as '3G River valley slopes and combes' within the Joint Local Plan (JLP) Landscape Character Assessment. The site is also within the Plymouth Sound and Estuaries buffer for recreational impact.

The Proposal:

The applicant proposes the construction of a 2 bedroomed single storey dwelling house including farm office. A parking area would be created to the north of the building adjacent to which would be a bin and cycle store and PV panel array.

Consultations:

- County Highways Authority
- Environmental Health Section
- Ermington Parish Council: support

The Parish Council also made the following comments:

Ermington Parish Council have declared a climate emergency and under the Natural

Environment and Rural Communities (NERC) Act 2006 we are obligated to encourage biodiversity and enhancements for nature. As such we welcome any action that can be taken to help the natural environment and wildlife in this time of climate crisis. Any new planning development offers an opportunity for parishioners to help the Parish Council with this requirement.

We will always assess any proposed planning application in terms of the contribution to climate change.

Steps we wish applicants to take include the following, although this is not an exhaustive list and we would also welcome other solutions:

Incorporating energy efficiency, high standards of insulation, and low carbon systems for heating, cooking and lighting, together with renewable energy generation including PV solar, wind turbines, and electric vehicle charging points.

- Others

Representations:

24 Letters of support have been received covering the following points:

- Positive for the Ermington Community and asset to the village.
- Minimises environmental impact, eco-friendly.
- Impact on natural environment has been considered and reduced where possible- nature and biodiversity mitigation.
- Design in keeping with surroundings and sensitive to environment/setting.
- Better than application 2767/17/FUL where lincay would have been converted and new metal barn would have been built- this would have been unsightly and unsympathetic.
- Preserves existing Lincay.
- Applicant closely consulted local community.
- Committed to environmentally friendly approach during build and completion.
- No increase in likely vehicle movements or ability to enjoy the area.

4 Letters of objection from 3 different people have been received covering the following points:

- Construction of a new build as opposed to a conversion- application an attempt to gain permission for a new build on village edge and in countryside without agricultural merit.
- Current application not for an agricultural dwelling so therefore contravenes historic policy points and should be reconsulted accordingly.
- Status of 2017 application is unclear- works proposed unclear without site visit.
- Previous application for agricultural workers dwelling- this application makes no reference to agricultural tie or usage.
- Permission would contravene refusal reason for 0907/23/PIP which was refused for affecting village boundaries and transition from urban area to countryside.
- Construction of new dwelling less ecologically sustainable than conversion.
- Alterations to lincay contravene permitted development removal condition from 2017 permission.
- Increased traffic and potential congestion problems.
- No justification for new agricultural workers dwelling.
- Contravenes DEV20- pattern of development.
- Two nearest neighbours do not support application.
- Parish council offering support is 5 councillors short so does not offer diverse range of opinion.
- 3D drawings do not reflect scale of development accurately.

Relevant Planning History

- 4701/21/FUL - 10/06/2022 - Refusal
Erection of agricultural workers dwelling

- 2564/21/AGR - 03/08/2021 - Ag Determination details not required
Application to determine if prior approval is required for a proposed storage building measuring 25metres x 12metres by 4.10metres to eaves and 5.60metres to ridge
- 1996/21/AGR - 23/06/2021 - Prior Approval Required and Refused
Application for prior notification of proposed agricultural barn
- 4038/20/PR4 - 25/02/2021 - Pre application (No Officer support)
pre Application Enquiry for - New eco dwelling, land at Linhay Barn.
- 1616/20/ARC - 04/11/2020 - Discharge of condition Approved
Application for approval of details reserved by conditions 5 and 10 of planning consent
- 2767/17/FUL - 07/12/2017 - Conditional Approval
Conversion of barn to dwelling

ANALYSIS

1. Principle of Development/Sustainability:

- 1.1. At the heart of the spatial strategy of the Joint Local Plan (JLP) is the need to use sustainable development as the framework for growth and change. Policies SPT1 and Policy SPT2 set out the overall spatial strategy to deliver a sustainable society, environment and economy, where effective use of land is made for development, and the best and most versatile agricultural land is protected for agricultural use, and local distinctiveness and sense of place is respected. Policy TTV1 of the JLP prioritises growth through a defined four-tier hierarchy of settlements and TTV2 builds on the principles of SPT1 and SPT2 through particular aspects of rural sustainability that should be supported through the development process.
- 1.2. The village of Ermington does not have a defined settlement boundary, however the built up area of the village is bounded by the applicant's meadow and a well-established hedgerow to the rear of properties along Chapel Street up until the property known as Thornfield. This is approximately 150m east of the application site.
- 1.3. Paragraph 5.5 of the JLP explains that policy TTV26 (Development in the Countryside) will be applied 'outside built-up areas'. Consequently, the proposal site is located within the fourth tier of the Council's settlement hierarchy, which relates to Smaller Villages, Hamlets and the Countryside, where development will be permitted only "*where 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*".
- 1.4. Ermington is defined as a sustainable village within the JLP. The village of Ermington has a number of services including a primary school, shop, pub, church and these are all within the acceptable walking distances to the application site as set out in JLP policy SPT2 (Fig 3.2). Within the village traffic is restricted to a 20mph, however as Chapel Street leaves the village the national speed limit applies. Beyond 'Preston Cottages' the road is a narrow and unlit single track lane. Pedestrians would be required to walk on the road which Officers do not consider to be safe and activity would likely be restricted to daylight hours. Any development in the location of the application site would therefore be reliant on a private car for basic provisions and facilities and as such it would not be considered a sustainable location. For this reason the development does not accord with SPT1 and SPT2.
- 1.5. Policy TTV26 of the JLP relates to development in the countryside and supports proposals that can demonstrate that a countryside location is required. The aim of the policy is to protect the role and character of the countryside and sets a necessarily high threshold to ensure development in the countryside should occur only in exceptional circumstances. The policy is

divided into two different sets of requirements; part one (TTV26 (1)) applies to development proposals considered to be in isolated locations. The second part of the policy, (TTV26 (2)) is applied to all development proposals that are in a countryside location.

- 1.6. Due to the proximity of nearby properties the application site is not considered isolated and part 1 of policy TTV26 is not applicable.
- 1.7. Part 2 of Policy TTV26 does apply. Policy TTV26 provides a policy framework for guiding development within the countryside. Part 2 reads:
- 2. Development proposals should, where appropriate:*
- i. Protect and improve public rights of way and bridleways.*
 - ii. Re-use traditional buildings that are structurally sound enough for renovation without significant enhancement or alteration.*
 - iii. Be complementary to and not prejudice any viable agricultural operations on a farm and other existing viable uses.*
 - iv. Respond to a proven agricultural, forestry and other occupational need that requires a countryside location.*
 - v. Avoid the use of Best and Most Versatile Agricultural Land (BMVL).*
 - vi. Help enhance the immediate setting of the site and include a management plan and exit strategy that demonstrates how long term degradation of the landscape and natural environment will be avoided.*
- 1.8. Not all of the above criteria are activated by this proposal. The Planning Statement suggests that the proposal would meet criteria iv (responding to an occupational need) however, no information supporting this has been submitted and Officers conclude that the proposal does not meet ii, iii and iv. With respect to criteria vi the design and impact on the setting of the site will be covered later in this report but officers do not consider that the proposal provides an enhancement to the rural setting of the site.
- 1.9. The applicant has described the proposal as a replacement dwelling. JLP Policy TTV29 permits replacement dwellings in the countryside where, *'The existing dwelling has a lawful use for permanent residential use and has not been abandoned.'* Planning permission has been granted for the conversion of the barn and the applicants state that this has been implemented via drainage works. However, no works to the fabric of the building itself appear to have been undertaken and a residential use has not been established at the site. In addition, the purpose of TTV29 is to manage new build development in rural locations and prevent an individual or cumulative adverse impact on the landscape. Although the applicant has proposed that the Linhay would be restricted to agricultural use the building would remain and the proposal would result in additional, rather than a replacement, built form in the rural landscape. The proposal does not relate to an existing dwelling and is not a replacement building and therefore is beyond the scope of policy TTV29.
- 1.10. The applicant has drawn Officers attention to the aims of policy TTV25 which relates to development in sustainable villages such as Ermington and provides an indicative figure for how much housing the village may be able to accommodate over the plan period. This policy provides for sites of 5 or more dwellings within or adjoining a sustainable village to be considered as making a positive contribution to the housing supply figure and therefore may negate the criteria of policy TTV26. This proposal is for a single dwelling and is 100m from the edge of the built up area of the settlement and does not therefore meet the criteria of this policy.
- 1.11. The proposed dwelling at this location, is not supported as it is contrary to the spatial strategy of the JLP, and more detailed policies relating to the settlement hierarchy and development in the countryside.

2. Design and Landscape:

- 2.1. Policy DEV20 requires developments to achieve high standards of design that contribute to townscape and landscape by protecting and improving the quality of the built environment. This is achieved by adhering to criteria including having proper regard to the pattern of local development whilst also respecting the wider development context and surroundings in terms of historic value, landscaping and character, and the demands for movement to and from nearby locations. A good quality sense of place and character is arrived under DEV20 through good utilisation of existing assets such as quality buildings, heritage assets, trees and landscaping features and attention to the design details of the scheme. Policy DEV21 requires any harm to a locally important non-designated heritage asset, or their contribution to the character of a place, to be justified on the basis of a balanced judgement.
- 2.2. Policy DEV23 seeks to conserve and enhance the landscape and scenic and visual quality of development, avoiding significant and adverse landscape or visual impacts. Proposals should be located and designed to respect scenic quality and maintain an area's distinctive sense of place and reinforce local distinctiveness. DEV23 also requires a high architectural and landscape design quality appropriate to its landscape context.
- 2.3. The application site is within a rural location and adjacent to a traditional agricultural building. Although it is near to Ermington the hills and valleys of the surrounding area provide a pastoral setting with sporadic individual buildings visible within the landscape. The siting of the dwelling, including the location of the car parking and bin store would impact upon the agricultural setting of the existing lincay barn, particularly when viewing the building from the road looking south. The proposed dwelling would introduce built, domestic form within the open space between the barn and the existing nearby houses and extend the linear straggle of houses from the edge of the village into the open countryside. This creep of residential development is contrary to the pattern of development which is focused and contained within the lower levels of the valley and would undermine the rural character of the application site.
- 2.4. Notwithstanding the above, the proposal is for a contemporary style dwelling with flat roof, and it will be relatively low lying. The proposed materials which see the use of timber and stone are supported and the meadow planted roof will help to assimilate the development into the setting. An area of planting to the east of the dwelling would mitigate views of the building from Chapel Street and the single storey height of the building, along with the green roof and the existing boundary hedge would help to mitigate the impact of a new building within this countryside setting.
- 2.5. The proposal is supported by limited landscaping information and insufficient information has been submitted to show that the proposal would conserve and enhance the rural and tranquil character of the immediate surroundings.
- 2.6. The proposal is not considered to have a regard to the pattern of local development or conserve the landscape character of the surroundings and rural setting of the existing lincay barn, as it will see a further incongruous addition of a new dwelling outside of a settlement area. The proposal is, therefore, contrary to Policy DEV20, DEV21 and DEV23.

3. Neighbour Amenity:

- 3.1. The nearest neighbouring properties are around 50m and 100m from the site. Due to these distances and the presence of existing and proposed hedgerows, the proposal would not cause harm to neighbouring amenity.

4. Ecology

- 4.1. The Ecological Appraisal by Ecology Training UK Limited dated August 2023 found evidence of slow worms and common lizard on site and beneficial habitat for grass snakes and amphibians. The appraisal recommended further absence/ presence surveys are undertaken

prior to any grounds works or site clearance. The report also provided recommendations to enhance the site and provide suitable reptile habitat along the site boundaries. If the application were otherwise acceptable a pre-commencement condition securing further reptile and amphibian surveys and if required reptile mitigation strategies would be applied to any permission. In addition, a condition securing the mitigation and enhancement measures within the Ecological Appraisal would also be applied. As such, the proposal accords with JLP policy DEV26 Protecting and enhancing biodiversity and geological conservation.

4.2. The site falls within the Zone of Influence for new residents have a recreational impact on the Tamar European Marine Site (comprising the Plymouth Sound and Estuaries SAC and Tamar Estuaries Complex SPA). This Zone of Influence has recently been updated as part of the evidence base gathering and Duty to Cooperate relating to the Joint Local Plan. A scheme to secure mitigation of the additional recreational pressures upon the Tamar European Marine Site can be appropriately secured by a legal agreement, and this approach has been agreed by Natural England. Due to the recommendation of refusal, the legal agreement S106 has not been progressed.

5. Highways/Access:

5.1. The entrance provides access and acceptable visibility to enter the main highway. There is sufficient space to manoeuvre a car within the parking area proposed, so a vehicle can enter the highway in forward gear. Two car parking spaces are proposed which complies with guidance within the Supplementary Planning Document. Highways Officers have confirmed the proposal would not have any highways implications and as such the proposal is acceptable in regards to DEV29 of the JLP.

6. Drainage:

6.1. Excavated test pits undertaken in relation to the application to convert the barn indicated that the ground was not suitable for soakaways. As such this proposal incorporates an attenuation tank and discharge of surface water to a stream to the west of the site. This scheme is in keeping with surface water drainage hierarchy and mirrors the surface water drainage scheme approved under 2767/17/FUL.

6.2. In regards to foul sewage, it is proposed to connect to the package treatment plant installed as part of Linhay Barn conversion under planning application 2767/17/FUL and inspected and approved under Building Regulation Notice Application 19/06157. If permission is granted for this new dwelling, the Linhay barn will be retained as an agricultural use and the treatment plant would serve the new dwelling instead.

6.3. The proposed drainage scheme is acceptable and would be secured by condition if the proposal were approved.

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.

7.2. Officers have assessed the submitted Climate Emergency Compliance Form. The proposed calculations incorporate an array of 26 solar panels which would deliver 6.9 kw of energy. However this would be an extremely large array and Officers note that only 16 panels are shown on the site plan, which based on the same panel and performance ratio would produce

4.6kw of energy. However, even the smaller number of panels as shown on the site plan would produce 44% carbon saving and would be more than the required 20% of carbon savings using the baseline 'target emissions rate' (TER). In addition, the proposal also incorporates a ground source heat pump and battery storage.

7.3. If Officers were minded to approve the application the details of the climate compliance form, including provision of solar panels, ground source heat pump, battery and EV charging point would be conditioned to ensure compliance with DEV32.

8. Other Matters

8.1. Officers acknowledge that planning permission has been granted for the conversion of the Linhay Barn (ref: 2767/17/FUL) on the area of land adjacent to the planning application site. Within the supporting information the applicant has stated that this permission is extant as works relating the foul drainage of the property have been implemented.

8.2. On site, Officers noted that further alterations had been undertaken to the barn, most notably single storey flat roof stores had been built off the west elevation. These alterations were not part of the permission for the barn conversion and the Officer understands these works had been undertaken to improve the functionality of the building for use as a barn. The deviation from the approved plans brings into doubt whether the permission for the barn 2767/17/FUL remains extant.

8.3. Notwithstanding this issue, the applicant proposes that the previous permission provides a fallback with which the current proposal should be compared. The previous permission and the current proposal are not within the same site and are not mutually exclusive. The applicant has proposed a legal agreement to prevent the implementation of permission 2767/17/FUL and in addition to prevent any future use of the barn for residential purposes.

8.4. The permission 2767/17/FUL was considered against the Development Plan of the time which supported the reuse of buildings that were of architectural or historic interest within the countryside where they would not prejudice viable agricultural operations. The officer at the time concluded that the barn had historical interest and made an important contribution to the agricultural landscape and as such, the conversion of the barn would preserve and secure the long-term future of the barn. Officers acknowledge that the proposed legal agreement would prevent the further implementation of permission 2767/17/FUL, however, the long-term upkeep and maintenance of the barn cannot be secured through such agreement. Officers are also mindful that notwithstanding any legal agreement, if the barn were to prove unviable for agricultural use, (as was previously the case at the time of the application to convert the barn), a further application for a barn conversion would be supported by planning policy and unlikely to be resisted. As such, the proposal does not provide the benefits of securing the long-term future of the existing linhay barn as the previous permission did. In addition, the proposal cannot practicably prevent the conversion of the barn in the future, leading to the potential for two dwellings to be located in a rural site outside of a settlement. Notwithstanding the support from the Parish Council, and other letters of representation, the proposal would not secure betterment through an alternative scheme to permissions already granted.

8.5. The applicant has submitted supporting information calculating the carbon cost of both the existing barn and the proposed dwelling. The applicant has provided calculations using two types of methodology, the first is usually undertaken to assess replacement dwellings, where the efficiency of the proposed new building is compared with the embedded carbon within the existing building which is being demolished. As the applicant proposes to retain the existing barn the large quantity of carbon within the existing stone walls have not been used in the calculations. The applicant shows that the new dwelling would offset the upfront carbon of the

new building within the required 25 years. However, if the existing barn were lost in the future, the new dwelling would not be able to offset the carbon within the existing barn structure.

8.6. The applicant has also compared the carbon cost of converting and using the barn as a dwelling with the amount of carbon required in building and maintaining the proposed dwelling. As previously noted, the proposed new build would result in 28.457 tonnes of carbon and this could be offset through the efficiency of the new building within 25 years. The amount of embedded carbon in the conversion is similar, 25.84 tonnes. However, the potential benefits of the barn conversion have not been explored fully and solar PV panels which could also be fitted within the curtilage of the barn have not been taken into account. In the absence of a detailed comparison officers would have difficulty concluding that the development would result in a measurable benefit in terms of carbon reduction.

8.7. Finally the applicant has submitted that the fallback proposal would also include the provision of a new purpose built agricultural building allowed under a prior approval application 2564/21/AGR. The proposed scheme for the new dwelling cannot restrict the permitted development rights allowed under Part 6 for agricultural purposes and cannot therefore exclude the potential for a further agricultural building being requested in the future in addition to the existing barn. As such, Officers do not consider that this aspect should be given weight.

8.8. The previous planning permissions do not present material considerations, either individually or in combination, that suggest decisions should be made other than in accordance with the development plan.

9. Conclusion

9.1. The proposal would result in a detached dwellinghouse within an unsustainable countryside location which is poorly served by sustainable transport options and without any appropriate planning justification for its countryside location. It would not have regard to the pattern of local development or conserve the landscape character of the surroundings and rural setting of the existing lincay barn. This would be contrary to the adopted Joint Local Plan policies SPT1, SPT2, TTV1 and those policies that protect the countryside from inappropriate development namely TTV26. In addition, the impact upon the landscape would be contrary to Policy DEV20, DEV21 and DEV23.

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
TTV1 Prioritising growth through a hierarchy of sustainable settlements
TTV25 Development in the Sustainable Villages
TTV26 Development in the Countryside
TTV29 Residential extensions and replacement dwellings in the countryside
DEV1 Protecting health and amenity
DEV2 Air, water, soil, noise, land and light
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
DEV21 Development affecting the historic environment
DEV23 Landscape character
DEV26 Protecting and enhancing biodiversity and geological conservation
DEV28 Trees, woodlands and hedgerows
DEV29 Specific provisions relating to transport
DEV32 Delivering low carbon development
DEV35 Managing flood risk and Water Quality Impacts

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: 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.

PLANNING APPLICATION REPORT

Case Officer: Chloe Allen

Parish: Totnes **Ward:** Totnes

Application No: 2790/22/FUL

Agent/Applicant:

Ms Poppy Keenor - Caravan and Motorhome Club
East Grinstead House
East Grinstead
RH19 1UA

Applicant:

Ms Poppy Keenor - Caravan and Motorhome Club
East Grinstead House
East Grinstead
RH19 1UA

Site Address: Quay Caravan Club Site, Steamer Quay Road, Totnes, TQ9 5AL

Development: Re-development works include internal refurbishment of site facilities block and installation of solar panels, replacement service points, installation of new barrier system, conversion of existing grass pitches into 47no. all-weather serviced pitches, a new tractor store & prefabricated reception building



Recommendation: Conditional Approval.

Reason application is being heard at committee: The application site is owned by South Hams District Council.

Conditions:

1. Time limit
2. Approved plans
3. Landscaping scheme (Pre-commencement agreed 17/11/2023)
4. LEMP – BNG Net Gain (Pre-commencement agreed 17/11/2023)
5. CEMP (Pre-commencement agreed 17/11/2023)
6. Accordance with Tree Reports, submission of AIA (Pre-commencement agreed 17/11/2023)
7. Tractor store details
8. Details of fencing/gates/walls
9. Details of timber cladding to external walls reception unit and temporary permission
10. Surface water drainage
11. DEV32 measures
12. Accordance with Ecological Appraisal
13. No vegetation removal, clearance or demolition during nesting season
14. No raising of ground levels across the site
15. External lighting
16. Lighting controls
17. PD removal – no new hardstanding
18. PD removal – buildings and structures

Informatives:

1. FWEP
2. Protected species
3. Responsibility for compliance
4. Proactive statement

Key issues for consideration:

- Principle
- Design/Landscape/Heritage
- Neighbour Amenity
- Highways
- Drainage/Flood Risk
- Ecology/Trees
- Low Carbon Development

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

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

Site Description:

The application site lies within Totnes, in a built up area of the town. The site is positioned east of Steamers Quay Road, with residential properties adjacent to the north east, east, and south boundaries. West is the boat park, Totnes Sea Scouts Group, Riverside Café, Totnes Boating Association, and a number of residential properties which are on the west side of Steamers Quay Road. The roadside boundary consists of a low close boarded timber fence and access gate, the remaining boundaries are a mixture of high close boarded timber fencing, stone walling, and landscaping. A number of mature trees lie along/adjacent to the boundaries of the site and within the site itself.

A circular tarmac access road exists within the site, along with a garage/reception office/back office building, a wardens pitch, a toilet block, and two service points.

The site is within Flood Zone 3, a Critical Drainage Area, the Gr. Horseshoe Bat SAC Flight Corridor, Landscape Character Type 7: Main towns/villages, and the Conservation Area Buffer Zone. There are a number of listed buildings to the north east of the site, including Nos. 1-4 Seymour Villas. The Dart Estuary lies to the west of the site, behind the residential properties to the west of Steamers Quay Road. This area of the Dart Estuary is designated as a Marine Conservation Zone and County Wildlife Site.

The Proposal:

The application seeks planning permission for re-development works to the existing caravan site, including:

- Internal refurbishment of site facilities block (no external changes are proposed)
- Installation of solar panels on flat roof of facilities block
- X2 replacement service points. One service point would be retained in the existing position whilst one would be relocated slightly further east. The service points measure 4.169m in width by 7.305m in length (including hardstanding surrounding). The service points each contain an area to dispose of chemical waste along with drinking water and waste water point and bins for waste disposal. Fencing surrounding the service points are brown plastic composite rails with rounded top.
- Installation of a Motor Van Waste Point to the east of the facilities block.
- Installation of new barrier system. The barrier system would be set into the site, allowing a car towing a caravan to enter through the site entrance gate before reaching the barrier. The barrier is approximately 5.750m wide and is low in height. The barrier would lift vertically.
- Conversion of existing grass pitches into 47no. all-weather serviced pitches. The pitches would all contain a combined water and drainage point utilising bollard with single tap. The bollards would be just over 1m high.
- Erection of a new tractor store. The tractor store would be located to the north of the water board building, but south of the electricity kiosk. The tractor store is L-shape, measuring 5.5m in length and 5.2m in width, with a max height of 3.1m. The external materials include a blue engineering brick damp proof course and stained timber cladding to external walls. The roof would be constructed of a 3 layer built up felt roof dressed over to discharge into UPVC gutter and RWDP. There would be a grey aluminium coated single door and a galvanised metal steel sliding folding door to the front elevation.
- Siting of a prefabricated container reception building. The container measures 6.1m by 2.44m, with a maximum height of 2.45m. A single door would be located on the south elevation, and windows with shutters on the east and west elevations. The container is to be timber clad.

Consultations:

- County Highways Authority – No objection following relocation of automated barrier for the site.
- Environmental Health – No objection. Do not anticipate any environmental health concerns. The applicant is aware of the standards to be met within the Caravan Club guidance and also the site licensing provisions under the Caravan Sites and Control of Development Act 1960.

- Environmental Health and Licensing – Advise that flood evacuation plan should be available to all users of the site and operators must be signed up to the National Flood Warning Service.
- Town/Parish Council – Support application and tree planting. Notes Highway comments about location of barrier and hope such can be resolved.
- Environment Agency – No objection providing a condition is imposed to ensure that the ground level of the site will not be raised above the existing. Recommends emergency evacuation plans that are currently in place are periodically reviewed to reflect climate change predictions to ensure they remain effective. The Drainage Strategy does refer in several places to an EA culvert on site but this has been checked/records reviewed and the watercourse there is not designated as a main river and it is not showing as an EA asset.
- Devon and Cornwall Police – No objection. Advice provided in respect of security of the site.
- DCC PROW – No comments received.
- Landscape Officer – Not necessary to comment given scope/nature of works. Informal comments highlighting concerns with use of shipping container as the reception building, given clear views into the site from a well-used public road and paths adjacent. Whilst security of shipping container recognised a simple timber building would be a more sympathetic design approach in this location. Additional tree planting would soften the significant increase in hard standing and change from a 'green space'.
- Drainage – Support. Revised Drainage Strategy is acceptable.
- DCC Ecology – No objections subject to conditions requiring compliance with the lighting strategy and Preliminary Ecological Assessment, conditions securing a Construction and Environmental Management Plan and a Landscape and Ecological Management Plan, and a condition to limit vegetation clearance or demolition within bird nesting season. Planning Officer to review percentage of biodiversity net gains and compliance with policy.
- Tree Officer – No objection, subject to Arboricultural Method Statement being secured prior to commencement of the development.

Representations:

X3 letters of support received, summary of comments as follows:

- Welcome improvement plan for lovely campsite. Will provide Totnes with the facilities campers expect and allow the site to provide a long term investment in Totnes. Visitors provide an important and substantial contribution to the local economy.
- Upgrading of the site is long overdue and will not have any detrimental impact on residents of Steamer Quay Road or its surroundings.
- Support the application with two reservations, one being that the lighting design should be revised to ensure no direct light leaves the site – the 5 proposed bulkhead light fittings will, despite the eyelid design throw a lot of light horizontally. Secondly, the additional landscaping seems quite minimal and the depiction of the existing trees suggests there is more existing landscaping than there is. Would urge LPA to require a much greener site than currently proposed. Specifically would like to see some if not all pitches separated by native mixed hedging.

X1 neutral letter received, summary of comments as follows:

- I support the application with two reservations:

- Lighting - The 5 proposed bulkhead light fittings will, despite the eyelid design throw a lot of light horizontally. As an adjoining owner I request that the lighting design be amended to ensure no direct light leaves the site.
- Landscaping - The proposed additional landscaping seems quite minimal and the depiction of the existing trees suggests there is more existing landscaping than there is. I would urge the authority to require a much greener site than is currently proposed. Specifically I would like to see some if not all the pitches separated by native mixed hedging.

Relevant Planning History

56/0810/78/3 - Construction of storm sewage overflow chamber. Conditional Approval.

ANALYSIS

1.0 Principle of Development/Sustainability:

- 1.1 The higher level policies of the Plymouth and South West Devon Joint Local Plan (JLP), (SPT1 and SPT2) set the context for what the Local Planning Authority considers sustainable development. Policy SPT1 combines Economic, Societal and Environmental principles of sustainability and SPT2 envisages sustainable rural communities where residents have good access to a range of services and a positive sense of place is reinforced by development.
- 1.2 From these higher level aims a strategic vision for growth is introduced through Policy TTV1. This policy creates a hierarchy for development with the sustainable centres at the top, where growth is prioritised and the countryside at the bottom where development is restricted. TTV2 states that the LPA will support proposals which reinforce the sustainable settlement hierarchy and which deliver a prosperous and sustainable pattern of development.
- 1.3 The application site is within the settlement boundary of Totnes (Policy En1 of the Neighbourhood Plan), with Totnes being defined as a Main Town in the JLP. TTV1 states that the main towns will be prioritised for growth to enable them to continue to thrive, achieve strong levels of self-containment, and provide a broad range of services for the wider area. TTV2 reinforces the sustainable settlement hierarchy and sets out objectives of rural sustainability, including, amongst other things, the growth and expansion of rural businesses and enterprises, the delivery of sustainable rural tourism and leisure developments that benefit rural businesses, communities and visitors, and the provision of sustainable transport accessibility appropriate to the specific context of the proposal.) Policy C9 of the Totnes Neighbourhood Plan supports the principle of leisure or river related development at Steamer Quay, and policy DEV15 of the JLP supports proposals which seek to improve the balance of jobs within the rural areas and diversify the rural economy. Policy E1 of the Neighbourhood Plan supports proposals which reinforce the local economy and the function of Totnes as a market town.
- 1.4 The application site has been used as a caravan site for a number of years, with Google Imagery showing motorhomes/caravans on the site from 2006. The site is operated by the Caravan and Motorhome Club and a copy of their exemption certificate has been provided. The exemption certificate is granted under Paragraph 12 of the Caravan Sites and Control of Development Act 1960 (the Act) and permits the Caravan and Motorhome Club to use land for the purposes set out in Paragraphs 4, 5 and 6 of the Act. As such, the principle of the use of the site as a caravan site is established. As the club hold an exemption certificate planning permission is not therefore required for the change of use of the site and permission is required only for the operational development and engineering operations.

- 1.5 The Design and Access Statement explains that the all-weather pitches will offer the best access to those with mobility issues and their installation will offer a high level of usability under the Equality Act 2010. The service points, internal works to the facilities building, tractor store, barrier and office/reception building are proposed to improve the operation of the site. The improved facilities will assist in keeping the site tidy and in good condition, and will improve the visitor/customer experience.
- 1.6 The principle of the proposed development is considered to be acceptable, according with Policies SPT1, SPT2, TTV1, TTV2, and DEV15 of the JLP, and Policy En1, E1, and C9 of the Totnes Neighbourhood Plan.

2.0 Design/Landscape:

- 2.1 The application site lies within Totnes, in a built up area of the town. When the site is not in use, it appears as an open area of green space, with little built development in the main area of the site, other than the access road and two service points. However, when in use as a caravan site this character significantly changes with vans/motorhomes, associated vehicles and other paraphernalia being visible from Steamers Quay Road. The existing garage/office/back office, wardens pitch (with high close boarded timber fencing surrounding), storage areas and service points are permanently on site and make it clear that the land is used as a tourism site. Whilst the formalisation of the pitches, along with the provision of new service points and a MMWP (which are simple in design and low in height) will change the character of the site, this is unlikely to be a significant change and it is not considered such will detrimentally harm the character of the site and surrounding area, providing an appropriate landscaping scheme is secured and that existing trees/hedges are retained wherever possible.
- 2.2 The renovation works to the toilet block are all internal and therefore its external appearance will not change. The tractor store is located between the electricity substation and the water board building, on an existing hardstanding area. The building has a maximum height of 3.1m and is simple in design. The office/reception building is a prefabricated container which was not considered to be in keeping with the area. However, the Planning Agent confirmed that the external walls could be clad in timber to match the tractor store. This is considered to be acceptable and can be secured by condition.
- 2.3 Subject to conditions, including to secure a detailed landscaping scheme, it is not considered that the development will harm the character of the area or site, according with DEV20 and DEV23 of the JLP and Policy C9, En1, En2, En4, and C1 of the NP.
- 2.4 The site is also within the Conservation Area Buffer Zone and is adjacent to a number of Listed Buildings. Given the low level of the development proposed; the existing use of the site as a caravan site, with existing associated development; the proposed landscaping scheme; the separation distance; and intervening landscaping and boundary treatments; it is not considered that the proposed development will harm the setting of adjacent Listed Buildings or the Conservation Area. The development is considered to accord with DEV21 of the JLP and En3 of the NP, which seeks to protect the historic environment.

3.0 Neighbour Amenity:

- 3.1 There are residential properties to the north east, east, south and west (opposite side of Steamers Quay Road) of the site. The site has been operated by the Caravan and Motorhome Club for a number of years, under an exemption certificate. Therefore, the use of the land as a campsite is established and the relationship with surrounding properties has existed throughout. The proposed development, including formalisation of the pitches, and associated operational development, will visually alter the site but is unlikely to harm neighbouring residential amenities, when comparing to the existing use of the site. The

lighting strategy includes lighting with a maximum of 8.4w LED luminaire. Given the position of the lighting, separation distances to neighbouring properties, and the existence of landscaping and boundary treatments, it is not considered the lighting will harm neighbouring residential amenities.

3.2 The development is considered to accord with DEV1 of the JLP which seeks to protect neighbouring residential amenities and Policy En2 and C9 of the NP.

4.0 Highways/Access:

4.1 No objections have been raised from the Highways Department following relocation of the proposed barrier further within the site, to allow a vehicles to enter the site entrance gates and wait at the barrier, without overhanging onto the path/Steamers Quay Road. The access roads through the site are circular, enabling a one way system to be used.

4.2 The site is already used as a camp site, operated by the Caravan and Motorhome Club and therefore it is not anticipated that the traffic generation will change. The site is in a sustainable location where visitors are able to access key services and facilities via sustainable transport modes, during their stay.

4.3 The development is considered to accord with DEV29 of the JLP and E7, E8 and E10 of the NP.

5.0 Drainage/Flood Risk:

5.1 The site lies within Flood Zone 3 and is within a Critical Drainage Area, being located close to the River Dart (west of the site).

5.2 The use of the land as a camp site is established and this is not what is being considered under the current application. The Flood Risk Assessment highlights that, as the site is not used by static caravans/park homes, but mobile vehicles, the site can be evacuated at any time when flood warnings are received. The Environmental Health/Licensing Team were consulted and raised no objection to the proposed development, but advised that the flood evacuation plan is available to all users of the site, and that the site operators must be signed up to the National Flood Warning service. An advisory note can be added to remind the applicants/developer of such. The Environment Agency also raised no objections providing a condition is imposed to ensure that the level of the site is not raised.

5.3 In respect of waste/foul water disposal, a copy of correspondence with South West Water has been provided where it is confirmed that there are combined sewers showing in the vicinity of the site which are suitably sized for the development. There is also a 4" water main on Steamer Quay Road which is stated to be suitably size and therefore capacity should be available in the existing system. Environmental Health raised no concerns with regard to foul water drainage.

5.4 In respect of surface water disposal, a revised Drainage Strategy was submitted with the application. The strategy confirms that an infiltration type drainage system is unsuitable for the site due to the underlying ground conditions comprising of firm clays. Therefore, it is proposed to discharge surface water to the 300mm diameter culvert which crosses the site, at a restricted flow rate of 1.5l/s. The all-weather pitches are to be constructed of Type B (partial infiltration) sub base, incorporating a series of perforated pipes located at the base of the coarse graded aggregate, with pea gravel finish. The loop road is constructed of permeable asphalt to allow rainwater to be attenuated within the sub base, and conveyed within the perforated pipe system. The roof area associated with the re-developed toilet and shower block shall discharge via diffuser units into the nearest 2 no. all weather pitches.

This will again be attenuated within the sub base storage and conveyed within the perforated pipe system.

- 5.5 The Drainage Strategy was reviewed by the Local Authorities Drainage Officer, and was confirmed to be acceptable. The Environment Agency raised no objections to the Drainage Strategy, advising that the Culvert running across the site is not an EA Asset.
- 5.6 Subject to conditions, it is considered that the development accords with DEV35 of the JLP and En2(i) of the Neighbourhood Plan.

6.0 Ecology/Trees:

- 6.1 A Preliminary Ecological Assessment has been submitted with the application which identified no ecological constraints to the proposed development, providing precautionary measures are followed and that the existing native hedgerows and bramble scrub should be retained. However, the report states that artificial light levels may increase as a result of the proposed development, and that if this is the case a Habitats Regulations Assessment and extensive bat survey would be recommended. Given such recommendation, a lighting strategy has also been provided with the application. Recommendations are also made to achieve biodiversity net gain across the site.
- 6.2 DCC Ecology reviewed the submitted Ecology Assessment and Biodiversity Net Gains Metric and requested further information in respect of the 'dark areas' of site, details of pollution control measures (to prevent pollution entering watercourse), original format spreadsheet showing biodiversity net gain, and mitigation measures for hedges and trees during construction.
- 6.3 On review of the information, DCC Ecology raised no objections to the proposed development, subject to conditions requiring compliance with the lighting strategy and Preliminary Ecological Assessment, conditions securing a Construction and Environmental Management Plan and a Landscape and Ecological Management Plan, and a condition to limit vegetation clearance or demolition within bird nesting season. DCC Ecology did acknowledge that the scheme would result in 7.44% biodiversity net gain. Policy DEV26 of the JLP requires net gains in biodiversity for all major development proposals. It states that *'The level of biodiversity net gain required will be proportionate to the type, scale and impact of development. Enhancements for wildlife within the built environment will be sought where appropriate from all scales of development.'* The JLP SPD advises that all major development proposals will be required to provide 10% biodiversity net gains. Paragraph 7.89 – 7.90 states that:
- 7.89 This policy and guidance should also be considered in light of the government's ambition to deliver a 10 per cent net gain in biodiversity as set out in the 25 Year Environmental Plan (159) and the recent response report to the consultation on introducing a mandatory approach to net gain: Net gain - Summary of responses and government response July 2019(160). In particular, the government has indicated the 10 per cent requirement may become mandatory and may apply to smaller developments.*
- 7.90 The guidance set out in this SPD anticipates this outcome and not only amplifies the implementation of DEV26.5 but encourages minor developments to also deliver measurable net gain.'*
- 6.4 Whilst the LPA would prefer for 10% to be achieved, the application is a minor development proposal. As such, and acknowledging that the Environment Act 2021 requirements do not yet apply, it is considered that the provision of 7.44% biodiversity net gains is sufficient to comply with DEV26 of the JLP and Part A6 of the Climate Emergency Planning Statement which seeks to deliver biodiversity net gain and habitat improvements.

6.5 In respect of the impact of the development on trees/hedges within the site, an Arboricultural Impact Assessment (AIA) and supporting information was provided and reviewed by the Tree Officer. The Tree Officer raised no objections to the proposed development, subject to a pre-commencement condition being imposed to secure an Arboricultural Method Statement, in line with the recommendations of the AIA.

6.6 The development is considered to, subject to conditions, accord with DEV26 and DEV28 of the JLP and policies C9, En2, En5, and En6 of the Neighbourhood Plan.

7.0 Low Carbon Development:

7.1 A DEV32 Checklist has been provided which states the following:

- All weather pitches to be porous
- Local materials to be used where possible
- FSC certified timber to be used
- Biodiversity net gain to be provided
- Solar panels to be installed on toilet block
- X1 dual Electric charging point

7.2 The measures set out above are considered to be acceptable to meet the requirements of Policy En7 of the NP, and DEV32 of the JLP which requires proposals to identify opportunities to minimise the use of natural resources in the development over its lifetime, such as water, minerals and consumable products. It is important to note that the application was submitted prior to adoption of the Climate Emergency Planning Statement.

7.3 In addition to the above, whilst the nature of the development is likely to require travel by car, the sustainable location of the site is likely to encourage visitors to walk or cycle to key services and facilities during their stay. Such accords with the aims of E7 and E8 of the Neighbourhood Plan and DEV32 of the JLP.

8.0 Conclusion:

8.1 The development is considered to be acceptable and is recommended for conditional approval.

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

Planning Policy

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

SPT9 Strategic principles for transport planning and strategy

SPT10 Balanced transport strategy for growth and healthy and sustainable communities

SPT11 Strategic approach to the Historic environment

SPT12 Strategic approach to the natural environment

SPT13 Strategic infrastructure measures to deliver the spatial strategy

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

TTV3 Strategic infrastructure measures for the Main Towns

DEV1 Protecting health and amenity

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

DEV15 Supporting the rural economy

DEV20 Place shaping and the quality of the built environment

DEV21 Development affecting the historic environment

DEV23 Landscape character

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

DEV33 Renewable and low carbon energy (including heat)

DEV35 Managing flood risk and Water Quality Impacts

DEL1 Approach to development delivery and viability, planning obligations and the Community Infrastructure Levy

Neighbourhood Plan

The Totnes Neighbourhood Plan referendum was held on 16th November 2023. The Neighbourhood Plan is due to be 'made' at the Executive meeting on 30th November 2023. Therefore, significant weight should now be given to the Totnes Neighbourhood Plan in the decision-making process.

Relevant Policies:

Policy V1: Local Identity

Policy En1: Sustainable development and the settlement boundary

Policy En2: Development and design

Policy En3: Historic and built character
Policy En4: Landscape setting of Totnes
Policy En6: Enhancing local environmental capacity
Policy En7: Renewable energy generation
Policy En8: Domestic and small scale waste management
Policy E1: The local economy
Policy E6: The green economy
Policy E7: Sustainable transport
Policy E8: Walking and cycling
Policy C1: The public realm
Policy C9: Steamer Quay

Other material considerations:

- National Planning Policy Framework
- Plymouth and South West Devon Joint Local Plan Supplementary Planning Document
- Climate Emergency Planning Statement

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 the following drawing numbers:

- Site Location Plan, STE-2022-P-100, Dated Aug 22
- Mobile mini 20x 8ft Office
- Proposed Reception Unit, STE-2022-P-201, Dated Sept 22
- Proposed Barrier Details, STE-2022-P-467 Rev A, Dated 10/2/23
- Proposed Road and Path Details, STE-2022-P-471 Rev A, Dated Nov 23
- Proposed Tractor Store and Elevations, STE-2022-P-472, Dated Aug 22
- Proposed UA Service Point, STE-2022-P-452, Dated Aug 22
- Proposed M.V.W.P Details, STE-2022-P-455, Dated Aug 22
- Proposed Site Plan, STE-2022-P-102 Rev B, Dated 10/2/23

- Proposed Standard Non Awning Serviced Pitch Details, STE-2022-P-403 Rev B, Dated Nov 23
- Proposed Facilities Block Plans and Elevations, STE-2022-P-301 Rev A, Dated Nov 22
- Proposed Site Wide Lighting Strategy, STE-2022-P-110, Dated Oct 22
- Biodiversity Net Gain Assessment, CSA environmental February 2022
- DIALux, STEAMER, 28/11/2022 - Site 1
- Drainage Construction Details, L40032 101, dated 07/11/23

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. Notwithstanding the submitted details and approved plans, prior to commencement of the development hereby permitted, a Landscape Scheme shall have been submitted to, and approved in writing by the Local Planning Authority.

The Landscape Scheme shall be prepared by an appropriately qualified professional, and shall be based on the Post-Development Habitats Plan, CSA/6270/101 (Appendix B of the Biodiversity Net Gain Assessment, CSA environmental, dated February 2022), the Proposed Site Plan, STE-2022-P-102 Rev B, Dated 10/2/23, and the Tree Protection Plan, BHA_5427_02, dated 27/2/23 (within the Arboricultural Impact Assessment by Barton Hyett Associates).

The Landscape Scheme shall include, but is not limited to:

- Details of proposed mitigation to replace the trees which are shown to be removed on/in the approved plans and the Arboricultural Impact Assessment, dated June 2023 by Barton Hyett Associates, in accordance with Table 28 of the Plymouth and South West Devon Joint Local Plan 2014-2034 Supplementary Planning Document 2020;
- the location, number, species, density, form and size of proposed tree, hedge and shrub planting, and areas of grassland;
- the method of planting, establishment and protection of tree hedge and shrub planting, and on-going management of such; and
- a timetable for the implementation of all landscape treatment.

All elements of the Landscape Scheme shall be implemented and maintained in accordance with the approved details, including in accordance with the approved timetable. For a period of 10 years following practical completion of the approved landscaping scheme, any plant material that dies, fails or is damaged shall be replaced in accordance with the original approved details.

Reason: In the interests of the character and appearance of the site and the area in which it is set, and in the interests of the provision of biodiversity net gains. This condition is imposed in accordance with Policy DEV20, DEV23 and DEV26 of the Plymouth and South West Devon Joint Local Plan 2014-2034, and policies C9, En1, En2, En3 En4, C1 and C9 of the Totnes Neighbourhood Plan 2019-2034.

This condition is pre-commencement to enable a landscaping scheme to be secured prior to any works being carried out that could harm existing landscape/biodiversity features within the

site. Ensuring the site is appropriately landscaped is important to ensure the development integrates into the surrounding context.

4. Prior to the commencement of development a detailed Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The LEMP shall be based on the following:

- Post-Development Habitats Plan, CSA/6270/101 (Appendix B of the Biodiversity Net Gain Assessment, CSA environmental, dated February 2022)
- Proposed Site Plan, STE-2022-P-102 Rev B, Dated 10/2/23
- Opportunities for Ecological Enhancements listed in Paragraph 5.11 of the Preliminary Ecological Appraisal, prepared by CSA Environmental, CSA/6270/01, Dated September 2022
- Landscape Scheme approved for Condition 2 and 11 imposed on this Decision Notice.

The development shall be carried out in accordance with the approved LEMP.

Reason: In the interests of the character and appearance of the site and the area in which it is set, and in the interests of the provision of biodiversity net gains and the protection of protected species and habitats. This condition is imposed in accordance with Policy DEV20, DEV23, DEV26 and DEV28 of the Plymouth and South West Devon Joint Local Plan 2014-2034, and policies En1, En2, En3 En4, En5, En6, C1 and C9 of the Totnes Neighbourhood Plan 2019-2034.

This condition is pre-commencement to enable a LEMP to be secured prior to any works being carried out that could harm existing ecological/landscape features within the site.

5. Prior to commencement of the development hereby permitted a Construction and Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall include, but is not limited to, the following:

- Details of site specific measures to control and monitor impacts arising in relation to construction, traffic, noise and vibration, dust and air pollutants, land contamination, ecology, pollution to the river dart and nearby watercourses, and ground water.
- A timetabled Protected Species Mitigation Strategy that includes all measures recommended in the Preliminary Ecological Appraisal (PEA), prepared by CSA Environmental, CSA/6270/01, dated September 2022.

Reason: In the interests of the protection of protected species and habitats, including the nearby County Wildlife Site and Marine Conservation Zone. This condition is imposed in accordance with Policy DEV26 and DEV28 of the Plymouth and South West Devon Joint Local Plan 2014-2034, and policies En2, En5, En6, and C9 of the Totnes Neighbourhood Plan 2019-2034.

This condition is pre-commencement to enable a CEMP to be secured prior to any works being carried out that could harm protected sites, species and/or habitats.

6. Prior to commencement of the development hereby permitted, an Arboricultural Method Statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority. The AMS shall include the details set out in the Arboricultural Impact Assessment (AIA) dated

June 2023 by Barton Hyett Associates. The development shall be carried out in strict accordance with the approved AMS and the AIA.

Reason: In the interests of the character and appearance of the site and the area in which it is set, in the interests of the prevention of the loss or deterioration of trees and hedgerows, and in the interests of the provision of biodiversity net gains. This condition is imposed in accordance with Policy DEV20, DEV23, DEV26 and DEV28 of the Plymouth and South West Devon Joint Local Plan 2014-2034, and policies En1, En2, En3 En4, En5, En6, C1 and C9 of the Totnes Neighbourhood Plan 2019-2034.

7. Prior to the erection of the tractor store hereby permitted, shown on drawing number: STE-2022-P-472, details of the stained timber cladding to be used on the external walls, and details of the finish colour of the sliding folding door to the garage, shall be submitted to and approved in writing by the Local Planning Authority.

The tractor store shall be constructed in accordance with the approved details and maintained in accordance with such thereafter.

Reason: In the interests of the character and appearance of the site and the area in which it is set. This condition is imposed in accordance with Policy DEV20, DEV23 of the Plymouth and South West Devon Joint Local Plan 2014-2034, and policies En1, En2, En3 En4, C1 and C9 of the Totnes Neighbourhood Plan 2019-2034.

8. Prior to installation/construction on site, details of the finish colour of all new bollards, and details of all new fences, gates and walls, excluding those listed in the below bullet point list, shall be submitted to and approved in writing by the Local Planning Authority.

- Barrier shown on the Proposed Barrier Details Plan, STE-2022-P-467 Rev A
- Gates, walls and fences shown on the Proposed UA Service Point Plan, STE-2022-P-452
- Gates, walls and fences shown on the Proposed M.V.W.P Details Plan, STE-2022-P-455
- Gates, walls and fences shown on the Proposed Standard Non Awning Services Pitch Details Plan, STE-2022-P-403 Rev B

The bollards, gates, fences and walls shall be installed in accordance with the approved details and maintained thereafter.

Reason: In the interests of the character and appearance of the site and the area in which it is set. This condition is imposed in accordance with Policy DEV20, DEV23 of the Plymouth and South West Devon Joint Local Plan 2014-2034, and policies En1, En2, En3 En4, C1 and C9 of the Totnes Neighbourhood Plan 2019-2034.

9. Prior to the reception unit shown on Drawing Number: STE-2022-P-201, Dated Sept 22, being brought onto the site, details of timber cladding to the external walls of such shall be submitted to and approved in writing by the Local Planning Authority.

The external walls of the reception unit shall be clad in timber, in accordance with the approved details, at all times that the reception unit is sited on the land.

Reason: In the interests of the character and appearance of the site and the area in which it is set. This condition is imposed in accordance with Policy DEV20, DEV23 of the Plymouth and

South West Devon Joint Local Plan 2014-2034, and policies En1, En2, En3 En4, C1 and C9 of the Totnes Neighbourhood Plan 2019-2034.

10. The development shall be carried out in strict accordance with the Drainage Strategy by R G Parkins, Ref: L40032.DS/001D, Version D, dated 18th October 2023, and the approved plans listed in Condition 2, unless otherwise agreed in writing by the Local Planning Authority. The approved surface water drainage scheme shall be installed and operational prior to first use of the development hereby permitted, and shall be maintained thereafter.

Reason: To ensure the development is not at risk of flooding and does not increase the risk of flooding elsewhere. This condition is imposed in accordance with Policy DEV35 of the Plymouth and South West Devon Joint Local Plan 2014-2034, and Policy En1 of the Totnes Neighbourhood Plan 2019-2034.

11. The development shall be carried out in strict accordance with the DEV32 checklist submitted with the application and the approved plans. The Electric Vehicle Charging Point (shown on STE-2022-P-102 Rev B), which shall be a dual charging point, and the Solar Panels (shown on STE-2022-P-301 Rev A) shall be installed prior to first use of the standard non awning serviced pitches, the reception unit, the tractor store and the refurbished toilet/shower block, and shall be maintained thereafter.

Reason: In the interests of minimising the use of natural resources in the development over its lifetime and to ensure compliance with the requirements of DEV32 of the Plymouth and South West Devon Joint Local Plan 2014-2034 and En7, E7 and E8 of the Totnes Neighbourhood Plan 2019-2034.

12. The development shall be carried out in strict accordance with the Preliminary Ecological Appraisal (PEA), prepared by CSA Environmental, CSA/6270/01, dated September 2022. Prior to first use of the development hereby permitted, the bat roosting and bird nesting opportunities, and log piles and hibernacula referred to in Paragraph 5.11 of the PEA shall be installed on site, in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority. The bat roosting and bird nesting opportunities, and log piles/hibernacula shall be maintained in accordance with the approved details thereafter.

Reason: In the interests of the character and appearance of the site and the area in which it is set, and in the interests of the provision of biodiversity net gains and the protection of protected species and habitats. This condition is imposed in accordance with Policy DEV20, DEV23, DEV26 and DEV28 of the Plymouth and South West Devon Joint Local Plan 2014-2034, and policies En1, En2, En3 En4, En5, En6, C1 and C9 of the Totnes Neighbourhood Plan 2019-2034.

13. No vegetation clearance shall take place during the bird nesting season (01 March to 31 August, inclusive) unless the developer has been advised by a suitably qualified ecologist that the works will not disturb nesting birds and written confirmation of such has been submitted to the Local Planning Authority.

Reason: In the interests of the protection of protected species and habitat. This condition is imposed in accordance with Policy DEV26 and DEV28 of the Plymouth and South West Devon Joint Local Plan 2014-2034, and policies En2, En5, En6, and C9 of the Totnes Neighbourhood Plan 2019-2034.

14. There shall be no changes to the existing ground levels of the site unless details of such are first submitted to and approved in writing by the Local Planning Authority. Where details are approved, the development shall be carried out in accordance with such details.

Reason: To ensure that there are no detrimental impacts to flood storage or flood flow routes. This condition is imposed in accordance with DEV35 of the Plymouth and South West Devon Joint Local Plan 2014-2034 and En2 of the Totnes Neighbourhood Plan 2019-2034.

15. The development shall be carried out in accordance with the below documents/drawings:

- DIALux, STEAMER, 28/11/2022 - Site 1
- Proposed Site Wide Lighting Strategy, STE-2022-P-110, Dated Oct 22

No external lighting shall be installed within the site other than that shown on the Proposed Site Wide Lighting Strategy, STE-2022-P-110, Dated Oct 22.

Reason: In the interests of the character and appearance of the site and the area in which it is set, and in the interests of the provision of biodiversity net gains and the protection of protected species and habitats. This condition is imposed in accordance with Policy DEV20, DEV23, DEV26 and DEV28 of the Plymouth and South West Devon Joint Local Plan 2014-2034, and policies En1, En2, En3 En4, En5, En6, C1 and C9 of the Totnes Neighbourhood Plan 2019-2034.

16. The low level bollard lights installed on the 47no. non-awning pitches, shown on Drawing Number: STE-2022-P-110, dated October 2022, shall be turned off at all times that the associated pitch is not in use. Except for any security lighting approved at part of condition 9, all lighting shall be turned off when the site is closed.

Reason: In the interests of the character and appearance of the site and the area in which it is set, and in the interests of the provision of biodiversity net gains and the protection of protected species and habitats. This condition is imposed in accordance with Policy DEV20, DEV23, DEV26 and DEV28 of the Plymouth and South West Devon Joint Local Plan 2014-2034, and policies En1, En2, En3 En4, En5, En6, C1 and C9 of the Totnes Neighbourhood Plan 2019-2034.

17. Notwithstanding the provisions of Part 5, Class A, and Part 2, Class A of Schedule 2 of the Town and Country (General Permitted Development)(England) Order 2015, or any Order or Statutory Instrument Revoking and re-enacting that Order, unless shown on the approved plans or forming part of the approved details for condition 6, no gates, fences or walls shall be installed/constructed on site.

Reason: In the interests of the character and appearance of the site and the area in which it is set. This condition is imposed in accordance with Policy DEV20, DEV23 of the Plymouth and South West Devon Joint Local Plan 2014-2034, and policies En1, En2, En3 En4, C1 and C9 of the Totnes Neighbourhood Plan 2019-2034.

18. Notwithstanding the provisions of Part 5, Class A, and Part 2, Class A of Schedule 2 of the Town and Country (General Permitted Development)(England) Order 2015, or any Order or Statutory Instrument Revoking and re-enacting that Order, unless shown on the approved plan, no new buildings or structures shall be erected or sited on the site.

Reason: In the interests of the character and appearance of the site and the area in which it is set. This condition is imposed in accordance with Policy DEV20, DEV23 of the Plymouth and

INFORMATIVES

1. The applicant/developer is advised to ensure that the sites Flood Warning and Evacuation Plan is available to all users of the site and that all site operators are signed up to the National Flood Warning Service.
2. You should note that certain wildlife habitats and species are subject to statutory protection under the Wildlife and Countryside Act 1981 (as amended) and/or the Habitats Regulations 1994. It is a criminal offence to breach the provisions of these legal constraints and if your development impacts upon such sites or species you are advised to take advice from a competent ecologist who has experience in the habitats/species involved and, as necessary, any relevant licenses from Natural England.
3. The responsibility for ensuring compliance with the terms of the approval rests with the person(s) responsible for carrying out the development. The Local Planning Authority uses various means to monitor implementation to ensure that the scheme is built or carried out in strict accordance with the terms of the permission. Failure to adhere to the approved details can render the development unauthorised and vulnerable to enforcement action.
4. This authority has a pro-active approach to the delivery of development. Early pre-application engagement is always encouraged. In accordance with Article 35(2) of the Town and Country Planning Development Management Procedure (England) Order 2015 (as amended) in determining this application, the Local Planning Authority has endeavoured to work proactively and positively with the applicant, in line with National Planning Policy Framework, to ensure that all relevant planning considerations have been appropriately addressed.

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PLANNING APPLICATION REPORT

Case Officer: Chloe Allen

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

Application No: 2839/23/FUL

Agent/Applicant:

Mrs Helen Morris-Ruffle -Visionary
Planning UK
Trevean
2 Penmelen
Camelford
PL32 9UH

Applicant:

N. Horne
Damask Barn
Brownstone
Modbury, Devon
PL21 0SQ

Site Address: Land At Sx 740 393, The Fish Quay, Gould Road, Salcombe



Development: Construction of food preparation unit associated with Crab Shed restaurant

Reason item is being put before Committee: Development is on land owned by South Hams District Council

Recommendation: Conditional Approval.

Conditions:

1. Time limit
 2. Approved plans
 3. FRA mitigation measures (pre-commencement agreed 24.10.2023)
 4. CEMP
 5. Materials
 6. Temporary period
 7. Restricted use – in connection with the Crab Shed
-
1. Informative – Natural England consent required. <https://www.gov.uk/guidance/protected-areas-sites-of-special-scientific-interest>
 2. Developer needs to ensure they have appropriate risk assessments in place etc. to ensure their employees can safely access the unit in a busy operational car park.

Key issues for consideration:

- Principle of development
- Design/landscape
- Neighbour amenity
- Highways/access
- Flood risk
- Ecology
- Low carbon development

Site Description:

The application site is located within Salcombe, within the car park to the south/east of Gould Road; the car park is owned by South Hams District Council. The existing Crab Shed building is positioned to the south of the application site. The application site is a gravel area to the north of a number of parking spaces. North of the site is timber fencing and a number of other timber clad buildings.

The site is within the Salcombe to Kingsbridge Estuary SSSI, the South Devon AONB, Cirl Bunting buffer zone, Flood Zone 2/3, Landscape Character Type 4A: Estuaries, the Undeveloped Coast, and the Salcombe Neighbourhood Plan area.

The Proposal:

The proposal seeks to install an outbuilding opposite the Crab Shed restaurant to provide a preparation area, storage and a staff resting area. The building measures 3m by 7m and has a height of approximately 2.4m. The building would be raised off the ground slightly to achieve a finished floor level of +3.275m AOD.

The outbuilding would be finished in a wooden clad weatherboard to match the Crab Shed Restaurant. It would have a flat roof, finished in GRP or EPDM; doors and windows would be UPVC, double glazed.

The Crab Shed is a seafood restaurant comprising an indoor and outdoor seating area, with small bar and kitchen cooking and preparation area for the staff. The new outbuilding is stated to be required due to the very limited area available within the existing building for food preparation, storage and cooking, and for a staff rest room.

The outbuilding would include an open plan room. Each side will serve worktop space, food and equipment storage, and cold storage. A kitchen sink would be installed for preparation, but no cooking facilities are proposed. The cooking will still be completed in the main restaurant. There will be a small worktop/seating area to the end of the building for the employee's welfare.

Consultations:

- **Principle Assets Officer** – No objection.
- **Natural England** – No objection.
- **Highways** – No objection
- **Town Council** – No comments to make
- **Economic Development** – Strongly supportive. Believe the development will facilitate the growth and expansion of the business, without having a detrimental impact on the local area. The business operates in a key segment of the marine sector which is recognised as a priority for council support. Furthermore, by supporting this business, the council will be ensuring the continuation of a high-quality marine-focused business which may otherwise be lost from the town.
- **DCC Ecology** – No objection subject to condition to require compliance with CEMP.
- **Environment Agency** – As development involves a non-residential extension with a footprint of less than 250sqm then it falls within the scope of their Flood Risk Standing Advice. Therefore do not need to be consulted on the application and can determine without formal comment. They have been consulted on 2981/23/VAR and will be commenting on the FRA. Advice provided on flood mitigation measures which could be incorporated.

Representations:

None.

Relevant Planning History

41/2440/12/PREMIN - Pre-application enquiry for proposed new crab shed to include cafe' and interpretation building. Not concluded

41/0189/13/F - Full planning application for erection of new seafood cafe/restaurant and retail outlet. Conditional Approval

3655/19/VAR - Application for removal or variation of condition 9 of planning consent 41/0189/13/F. Withdrawn as applicant did not wish to proceed with application – business sold

1137/23/VAR - Variation of condition 9 (flood survey & removal of permitted building) of planning approval 41/0189/13/F to postpone the proposed Flood Survey from 2033 and allow the building to be retained on site until 2044. Withdrawn due to EA objection.

1247/23/FUL - Construction of small food preparation room to supplement kitchen for Crab Shed Restaurant. Withdrawn after being informed the following is required:

- Preliminary Ecological Appraisal
- Site Location Plan
- Climate Emergency Planning Form
- Carbon Reduction Statement
- Flood Risk Assessment
- Surface Water Drainage Assessment/Plan
- Foul Drainage Scheme

2881/23/FUL – Application for variation of Condition 9 (Flood survey & removal of Permitted Building) of Planning Consent 41/0189/13/F to postpone the proposed flood survey. Withdrawn – duplicate application (see 2981/23/VAR)

2981/23/VAR - Variation of condition 9 (flood survey & removal of permitted building) of planning approval 41/0189/13/F to postpone the proposed Flood Survey from 2033 and allow the building to be retained on site until 2044 (retrospective) (resubmission of 1137/23/VAR). Awaiting determination.

ANALYSIS

1.0 Principle of Development/Sustainability:

- 1.1 The application proposes the siting of a temporary building to be used in connection with the Crab Shed restaurant. The Crab Shed is a seafood restaurant comprising an indoor and outdoor seating area, with small bar and kitchen cooking and preparation area for the staff. The new outbuilding is stated to be required due to the very limited area available within the existing building for food preparation, storage and cooking, and for a staff rest room.
- 1.2 The outbuilding would include an open plan room. Each side will serve worktop space, food and equipment storage, and cold storage. A kitchen sink would be installed for preparation, but no cooking facilities are proposed. The cooking will still be completed in the main restaurant. There will be a small worktop/seating area to the end of the building for the employee's welfare.
- 1.3 The proposal would allow the Crab Shed business to grow/ operate more efficiently, which is supported by SPT1, DEV14 and DEV15 of the JLP, and the site is within a 'Small Town/Key Village', where growth is supported commensurate with their roles in supporting the small villages and hamlets, as stated in TTV1. Supporting text to TTV1 states that 'In order to maintain their function, a proportionate amount of new growth is appropriate to ensure that services and facilities are not lost, but can be sustained and enhanced where appropriate.' It is noted that the application site is outside of the settlement boundary shown on Figure 18 of the Neighbourhood Plan. However, the site is in very close proximity to the settlement boundary, has good sustainable transport connections to key services and facilities, and is part of an existing car park for Salcombe residents/visitors. Additionally, whilst DEV16 of the JLP seeks to locate town centre uses, such as restaurants, within the town centres, this proposal is in connection with an existing restaurant and is to provide better facilities for the operation of the business and for staff welfare.

- 1.4 Additionally, Objective 3 of the Salcombe Neighbourhood Plan states that 'The Plan will support developments, of a scale and use that are sensitive to their surroundings, which provide employment space for local people recognizing that priority should be given to businesses on which the local Salcombe economy primarily depends namely; fishing, tourism, marine and associated service industries. The plan supports any increase in all year round local employment opportunities within Salcombe through a combination of rehabilitation, re-use and redevelopment of sites principally focused on the Island Street, Gould Road and Shadycombe area...The plan will support the promotion of tourism and the tourism related businesses in the town'.
- 1.5 Economic Development were consulted and supported the proposal, considering that the development will facilitate the growth and expansion of the business, without having a detrimental impact on the local area. It is stated that 'the business operates in a key segment of the marine sector which is recognised as a priority for council support. Furthermore, by supporting this business, the council will be ensuring the continuation of a high-quality marine-focused business which may otherwise be lost from the town.'
- 1.6 Given the above, the proposal is considered to accord with JLP Policies SPT1, SPT2, TTV1, DEV14 and DEV15 and the aims of the Neighbourhood Plan.
- 1.7 It is noted that condition 9 imposed on 41/0189/13/F requires the existing crab shed building to be removed by 15th March 2033. As the proposed development is for additional space in connection with the Crab Shed, and its location and design would likely make it unsuitable for a separate commercial use, it is considered necessary to require removal of the proposed structure by 15th March 2033. It is also acknowledged that application 2981/23/VAR seeks to allow the Crab Shed building to remain until 15th March 2044, being supported by a Flood risk Assessment, however, as this application has not yet been approved, it is not guaranteed that such will be permitted. It is also noted that the EA have objected to the increased time frame.

2.0 Design/Landscape:

- 2.1 The application site is within an existing car park and the development will be positioned adjacent to an existing timber fence and timber clad buildings. Whilst the sensitive location of the site is noted, being within the South Devon AONB, and Undeveloped Coast, the proposed development is temporary and small scale, and will be seen in the context of the surrounding built development. Subject to conditions to ensure the external materials of the building are appropriate, it is not considered that the proposal will harm the character or appearance of the site or the surrounding area, including the special qualities of the South Devon AONB and the character of the Undeveloped Coast. Additionally, as the proposal is for a building to be used ancillary to the existing restaurant, it cannot be located outside the Undeveloped Coast.
- 2.2 The proposal is therefore considered to accord with DEV20, DEV23, DEV24 and DEV25 of the JLP, and Policies SALC Env1, SALC Env5, SALC Env6, and SALC B1 of the Neighbourhood Plan.

3.0 Neighbour Amenity:

- 3.1 The development is not located in close proximity to any residential properties and therefore will not harm the amenity of occupants of such, according with DEV1 of the JLP.

4.0 Highways/Access:

- 4.1 Paragraph 110 of the NPPF requires safe and suitable access to be achieved for all users. DEV29 of the JLP requires developments to contribute positively to the achievement of a high quality, effective and safe transport system, and Policy SALC T1 of the Neighbourhood Plan states that development will not be permitted within the Parish if it results in a loss in the number of public car parking spaces.
- 4.2 The application site is located within a large public car park and has good sustainable transport connections to key services and facilities in Salcombe. The application was reviewed by the Principle Assets Officer and, following relocation of the door into the building, no objections were raised.
- 4.3 The development is considered to accord with DEV29 of the JLP, Paragraph 110 of the NPPF and SALC T1 of the Neighbourhood Plan.

5.0 Flood Risk

- 5.1 The application site is located within Flood Zone 2/3. DEV35 of the JLP and Paragraph 159 and 167 of the NPPF require a sequential approach to be used for development proposed in areas known to be at risk from any form of flooding.
- 5.2 However, Paragraph 168 of the NPPF states '*Applications for some minor development and changes of use should not be subject to the sequential and exception tests but should still meet the requirements for site-specific flood risk assessments set out in footnote 55.*' Paragraph 051 of Planning Practice Guidance – Flood risk and coastal change, confirms that minor development includes minor non-residential extensions (industrial/commercial/leisure etc) where they have a floorspace of less than 250sqm. Planning Practice Guidance – Flood risk assessment: the sequential test for applicants, confirms that developments involving changes of use do not need to pass the sequential test, unless the development is a caravan, camping chalet, mobile home or park home site. As such, it is not considered that the development is required to pass the sequential or exceptions tests.
- 5.3 Notwithstanding the above, the development does still need to be made safe for its lifetime and not increase the risk of flooding elsewhere, as required by DEV35 of the JLP and Paragraph 159 and 167 of the NPPF. Paragraph 168 of the NPPF makes it clear that a site specific flood risk assessment would be required for the current proposal.
- 5.4 A Flood Risk Assessment has been submitted with the application which advises that:
- Site lies outside any recorded extents of historical tidal flooding
 - Site is wholly within Tidal Flood Zone 3 which denotes a risk of flooding greater than 1 in 200 (0.5%)
 - Application reference: 41/0189/13/F was approved for the existing Crab Shed building subject to a condition requiring the building to be removed and land restored to its former condition on or before 15 March 2033. The reason for the condition was due to the flood risk of the site and the EA requiring an updated flood survey in 2033.
 - Crab Shed has finished floor level of 3.215m AOD which was deemed acceptable by the EA up to the year 2033
 - Ground elevations of the proposed development area varies between 2.98m and 3.13m AOD, with levels shown to slope toward the south east and Batson Creek.
 - Flood depths in the design 1 in 200 year event could range up to 0.54m (3.52m AOD) to 0.62m (3.60m AOD) across the application site.
 - Plans show finished floor levels to be 3.275m AOD, which are 0.06m above the flood level of the Crab Shed existing building.
 - Mitigation measures proposed include:
 - o Raised wiring and power outlets at ground level

- Damp proof membranes to be included within the design to minimise the passage of water through ground floors
- Air brick cover to be installed
- Non-return valves to be installed on all new drainage
- All new plumbing insulation to be of closed cell design
- Finish to be water resistant render with lime based plaster finish, hydraulic lime coating or ceramic tiles
- Plasterboard placed horizontally as a sacrificial material, not vertically
- Insulation to be low adsorption board or semi rigid self-draining wool bats
- Owner to sign up to the South Devon coast at the Kingsbridge and Avon estuaries EA flood warning service

5.5 The FRA is broadly acceptable, however the mitigation measures listed do not all directly relate to the proposed development and lack the required level of detail. The Environment Agency were consulted and referred to their standing advice, also providing advice on the mitigation measures which could be incorporated. It is considered that sufficient mitigation measures could be secured through a pre-commencement condition for an amended FRA to be submitted. This should include, but is not limited to: all wiring and power outlets being above predicted flood depths; floor level no lower than 3.275m AOD; flood resilient materials and design; details of how the development would be anchored to the ground; and details of an emergency/ flood evacuation plan.

5.6 Surface water is to be connected to a new water harvesting butt (min. 200 ltr.) and foul drainage is to connect to the main sewer. Informal discussions were carried out with the Drainage Officer who raised no concerns with the surface water drainage proposed, acknowledging that the development is small scale, is to be raised off the ground, is a temporary, portable structure, and is in close proximity to the estuary.

5.7 Subject to conditions it is considered that the development complies with DEV35 of the JLP and the relevant sections of the NPPF.

6.0 Ecology

6.1 The application site is within the SSSI Salcombe to Kingsbridge Estuary. Natural England raised no objections to the proposed development. DCC Ecology requested a Construction and Environmental Management Plan to ensure that the development does not result in pollution or harm to the SSSI. They also advised that consent from Natural England will be required, and an informative note has been added to advise the applicants of such.

6.2 A CEMP was submitted by and reviewed by DCC Ecology and no objections were raised providing a condition is imposed to secure compliance with the CEMP.

6.3 Subject to conditions, it is considered that the proposed development will not harm protected species or habitats, or the SSSI, according with DEV26 of the JLP and SALC Env5 of the Neighbourhood Plan.

7.0 Low Carbon Development

7.1 A Carbon Reduction and Natural Resource Minimisation Statement has been submitted, along with a completed CEPS form. These state that:

- New materials carefully considered for their carbon-saving potential. Roofing features and UPVC windows/doors will provide effective insulation.
- Local material providers to be used
- Timber to be sourced from sustainable sources
- Rainwater harvesting butt to be installed

- No heating to be installed
- No additional parking required

7.2 Given the scale of the development and its temporary nature, it is considered that sufficient consideration has been given to how the use of natural resources can be minimised in the development, according with DEV32 of the JLP.

8.0 Conclusion:

8.1 The principle of development is considered to be acceptable, and it is considered that an appropriate design can be achieved providing material details are secured by condition. Flood risk and ecology matters can be addressed via condition.

8.2 Subject to conditions, it is considered that the proposed development is acceptable and therefore the application is 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).

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
 SPT6 Spatial provision of retail and main town centre uses
 SPT8 Strategic connectivity
 SPT9 Strategic principles for transport planning and strategy
 SPT10 Balanced transport strategy for growth and healthy and sustainable communities
 SPT12 Strategic approach to the natural environment
 SPT13 Strategic infrastructure measures to deliver the spatial strategy
 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
 TTV25 Development in the Sustainable Villages
 DEV1 Protecting health and amenity
 DEV2 Air, water, soil, noise, land and light
 DEV10 Delivering high quality housing
 DEV14 Maintaining a flexible mix of employment sites
 DEV15 Supporting the rural economy
 DEV16 Providing retail and town centre uses in appropriate locations
 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
 DEV28 Trees, woodlands and hedgerows
 DEV29 Specific provisions relating to transport
 DEV31 Waste management
 DEV32 Delivering low carbon development
 DEV33 Renewable and low carbon energy (including heat)
 DEV35 Managing flood risk and Water Quality Impacts
 DEL1 Approach to development delivery and viability, planning obligations and the Community Infrastructure Levy

Neighbourhood Plan

The Salcombe Neighbourhood Plan (SNP) is made and full weight is attributed to this document.

The relevant policies of the SNP include:

SALC Env1, SALC Env5, SALC Env6, SALC B1, SALC T1

Other Material Planning Considerations:

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:

- Plymouth & South West Devon Joint Local Plan 2014-2034 Supplementary Planning Document (Adopted July 2020)
- SOUTH Devon AONB Management Plan 2019-2024

- Landscape Character Assessment for South Hams and West Devon
- Climate Emergency Planning Statement

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/Informatives:

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 & Block Plans J553-10-01 Rev A, dated July 23
- Existing Site Plan, J553-10-02, dated July 23
- Proposed Site Plan, J553-15-01 Rev A, dated July 23
- Existing and Proposed Elevations, J553-10-03, dated July 23

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. Notwithstanding the submitted details, prior to commencement of the development hereby permitted, an amended Flood Risk Assessment (FRA) shall be submitted to and approved in writing by the Local Planning Authority. The FRA shall include details of the flood resistance and resilience measures which are to be incorporated into the development, including, but not limited to:

- wiring and power outlets to be installed above predicted flood depths
- finished floor levels to be set no lower than 3.275m AOD
- details of how the development will be anchored to the ground

- details of flood resilient materials and design
- flood warning and evacuation plan

The development shall be carried out in strict accordance with the approved details and shall be maintained and operated in accordance with such thereafter.

Reason: To reduce the risk of flooding to the proposed development and future users in accordance with Policy DEV35 of the Plymouth and South West Devon Joint Local Plan and Paragraph 167 of the National Planning Policy Framework.

4. The development shall be carried out in strict accordance with the Construction Environmental Management Plan (CEMP), carried out by EcoLogic (Andrew Charles BSc (Hons), MSc, MCIEEM), dated October 2023. In accordance with Paragraph 5.2 of the CEMP, a suitably qualified ecologist shall be appointed as an 'Ecological Clerk of Works' throughout construction of the development hereby permitted.

Reason: In the interests of the protection of protected species, habitats and sites. This condition is imposed in accordance with Policy DEV26 and SPT12 of the Plymouth and South West Devon Joint Local Plan 2014-2034.

5. Prior to their installation on site, or prior to first use of the development hereby permitted, whichever is the sooner, a schedule of external materials to be used in the construction of development hereby permitted shall be submitted to an approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details and maintained in accordance with such thereafter.

Reason: In the interests of the character and appearance of the development and the visual amenity of the area in which it is set, including the South Devon Area of Outstanding Natural Beauty and the Undeveloped Coast. This condition is imposed in accordance with DEV20, DEV23, DEV24 and DEV25 of the Plymouth and South West Devon Joint Local Plan 2014-2034.

6. The development hereby permitted shall be removed from the site and the land restored to its former condition on or before 15th March 2033.

Reason: The development is only approved because of its association with the existing business at the Crab Shed. This condition is also improved to reduce the risk of flooding to the proposed development and future users. The condition is imposed in accordance with Policy DEV14, DEV15, DEV16 and DEV35 of the Plymouth and South West Devon Joint Local Plan and Paragraph 167 of the National Planning Policy Framework.

7. The development hereby permitted shall only be used for purposes ancillary to the business operating from the building labelled as the 'Crab Shed, Salcombe' on the Proposed Site Plan, Drawing Number: J553 -15-01 Rev A.

Reason: The development is only approved because of its association with the existing business at the Crab Shed. This condition is also improved to reduce the risk of flooding to the proposed development and future users. The condition is imposed in accordance with Policy DEV14, DEV15, DEV16 and DEV35 of the Plymouth and South West Devon Joint Local Plan and Paragraph 167 of the National Planning Policy Framework.

INFORMATIVES

1. This authority has a pro-active approach to the delivery of development. Early pre-application engagement is always encouraged. In accordance with Article 35(2) of the Town and Country Planning Development Management Procedure (England) Order 2015 (as amended) in determining this application, the Local Planning Authority has endeavoured to work proactively and positively with the applicant, in line with National Planning Policy Framework, to ensure that all relevant planning considerations have been appropriately addressed.
2. You should note that certain wildlife habitats and species are subject to statutory protection under the Wildlife and Countryside Act 1981 (as amended) and/or the Habitats Regulations 1994. It is a criminal offence to breach the provisions of these legal constraints and if your development impacts upon such sites or species you are advised to take advice from a competent ecologist who has experience in the habitats/species involved and, as necessary, any relevant licenses from Natural England.
3. The responsibility for ensuring compliance with the terms of the approval rests with the person(s) responsible for carrying out the development. The Local Planning Authority uses various means to monitor implementation to ensure that the scheme is built or carried out in strict accordance with the terms of the permission. Failure to adhere to the approved details can render the development unauthorised and vulnerable to enforcement action.
4. The applicant is advised that consent from Natural England is required for the development. Additional information can be found here: <https://www.gov.uk/guidance/protected-areas-sites-of-special-scientific-interest>
5. The applicant/developer is advised to ensure they have appropriate risk assessments in place to ensure that their employees can safely access the development, which is located within a busy operational car park.

South Hams District Council Agenda Item 7

DEVELOPMENT MANAGEMENT COMMITTEE 13-Dec-23

Appeals Update from 31-Oct-23 to 23-Nov-23

Ward Charterlands

APPLICATION NUMBER: **2803/22/VAR** APP/K1128/W/23/3315808
APPELLANT NAME: Mr And Mrs S Hamblin
PROPOSAL: Application for variation of conditions 2 (approved plans), 3 (roof specification), 4 (samples), 5 (landscaping), 6 (Japanese Knotwood survey) & 7 (ecology) of planning consent 3545/17/FUL
LOCATION: Seafront Marine Drive Bigbury On Sea TQ7 4AS **Officer delegated**
APPEAL STATUS: Appeal decided
APPEAL START DATE: 11-July-2023
APPEAL DECISION: Upheld
APPEAL DECISION DATE: 09-November-2023

Ward Ermington and Ugborough

APPLICATION NUMBER: **0907/23/PIP** APP/1128/W/23/3325992
APPELLANT NAME: Mr K Harris
PROPOSAL: Application for Permission in Principle for the erection of up to 2no dwellings
LOCATION: Land West Of Park Hill Cottages Chapel Street Ermington **Officer delegated**
APPEAL STATUS: Appeal Lodged
APPEAL START DATE: 08-November-2023
APPEAL DECISION:
APPEAL DECISION DATE:

Ward Ivybridge East

APPLICATION NUMBER: **1491/22/HHO** APP/K1128/D/23/3327410
APPELLANT NAME: Mr Jamie Gibbs
PROPOSAL: Householder application for building a gym in the back garden (retrospective)
LOCATION: 1 Allens Road Ivybridge PL21 0PW **Officer delegated**
APPEAL STATUS: Appeal Lodged
APPEAL START DATE: 07-November-2023
APPEAL DECISION:
APPEAL DECISION DATE:

Ward Newton and Yealmpton

APPLICATION NUMBER: **0531/23/FUL** APP/K1128/W/23/3326277
APPELLANT NAME: Mr Wright
PROPOSAL: Demolition of existing barn & construction of two new dwellings following approvals 0360/19/PDM, 3716/19/PDM & 1567/19/FUL & associated landscaping
LOCATION: West Pitten Barns West Pitten Plympton PL7 5BB **Officer delegated**
APPEAL STATUS: Appeal Lodged
APPEAL START DATE: 02-November-2023
APPEAL DECISION:
APPEAL DECISION DATE:

Ward Salcombe and Thurlestone

APPLICATION NUMBER: **0856/23/FUL** APP/K1128/D/23/3327556
APPELLANT NAME: Mr and Mrs Bruce Tindale
PROPOSAL: Alteration to existing garage to form ancillary accommodation (resubmission of 2614/22/FUL)
LOCATION: Summerstrand Eddystone Road Thurlestone TQ7 3NU **Officer delegated**
APPEAL STATUS: Appeal Lodged
APPEAL START DATE: 06-November-2023
APPEAL DECISION:
APPEAL DECISION DATE:

APPLICATION NUMBER: **2230/23/HHO** APP/K1128/D/23/3330393
APPELLANT NAME: Mr & Mrs N Maxey
PROPOSAL: Householder application for single storey extension & works to existing window to create new entrance, alterations to external terrace & steps
LOCATION: Rockhaven Courtenay Street Salcombe TQ8 8DQ **Officer delegated**

APPEAL STATUS: Appeal Lodged
 APPEAL START DATE: 21-November-2023
 APPEAL DECISION:
 APPEAL DECISION DATE:

APPLICATION NUMBER: 3888/21/FUL APP/K1128/W/22/3303945
APPELLANT NAME: Mr & Mrs Tom & Vicky Todd
PROPOSAL: Replacement dwelling, extension and remodeling of summerhouse and associated landscaping
LOCATION: Fort Charles Cliff Road Salcombe TQ8 8JU **Officer delegated**
 APPEAL STATUS: Appeal Lodged
 APPEAL START DATE: 15-March-2023
 APPEAL DECISION: Dismissed (Refusal)
 APPEAL DECISION DATE: 14-November-2023

APPLICATION NUMBER: 1359/23/HHO APP/K1128/D/23/3328220
APPELLANT NAME: Mr Phillip Howling
PROPOSAL: Householder application for repair & replacement structure to retaining bank on garden boundary (part retrospective) (resubmission of 3886/22/HHO)
LOCATION: Crab Pot Hope Cove TQ7 3HN **Officer member delegated**
 APPEAL STATUS: Appeal Lodged
 APPEAL START DATE: 06-November-2023
 APPEAL DECISION:
 APPEAL DECISION DATE:

APPLICATION NUMBER: 3559/22/FUL APP/K1128/W/23/3325981
APPELLANT NAME: Mr James Holt
PROPOSAL: Demolition & replacement of existing dwelling & garage
LOCATION: Atlantic Lodge Hope Cove TQ7 3HH **Officer member delegated**
 APPEAL STATUS: Appeal Lodged
 APPEAL START DATE: 31-October-2023
 APPEAL DECISION:
 APPEAL DECISION DATE:

Ward South Brent
APPLICATION NUMBER: 0551/23/PDM APP/K1128/W/23/3321395
APPELLANT NAME: Mr Steve Haskell
PROPOSAL: Application to determine if prior approval is required for a proposed change of use of agricultural buildings/barns to 1No (class C3) & for associated development (Class Q (a +b)) (Resubmission of 2547/22/PDM & 3429/22/PDM)
LOCATION: The Cedars South Brent TQ10 9LW **Officer delegated**
 APPEAL STATUS: Appeal Lodged
 APPEAL START DATE: 13-September-2023
 APPEAL DECISION: Upheld
 APPEAL DECISION DATE: 15-November-2023

Ward Stokenham
APPLICATION NUMBER: 0037/23/HRN APP/HGW/540
APPELLANT NAME: Mr Andrew Wakeham
PROPOSAL: Application for Hedgerow Removal Notice to remove 130 metres of hedgerow to enable access for grazing and allow cultivations to go with contours to eliminate soil washing and erosion
LOCATION: Land At Sx 7741 3960 South Pool **Officer delegated**
 APPEAL STATUS: Appeal Lodged
 APPEAL START DATE: 11-July-2023
 APPEAL DECISION: Dismissed (Refusal)
 APPEAL DECISION DATE: 16-November-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) with rear curtilage (Resubmission of 1105/20/HHO)
LOCATION: Dartside Manor Street Stokenham TQ6 0EX **Officer delegated**
 APPEAL STATUS: Appeal decided

APPEAL START DATE: 30-May-2023
APPEAL DECISION: Upheld
APPEAL DECISION DATE: 09-November-2023

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Undetermined Major applications as at 23-Nov-23

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

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

Description: READVERTISEMENT (revised plans and description of development) Outline application for up to 360 dwellings, associated landscaping and site infrastructure. All matters reserved except for new access points from Towerfield Drive and Pick Pie Drive.

Comment: Along with 4185/19/OPA a year-long PPA initially agreed until end of December 2020 was extended to September 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 December 2023

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

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

Description: READVERTISEMENT (revised plans) Outline application for provision of up to 1,640 new dwellings up to 1,200 sqm of commercial, retail and community floorspace (A1-A5, D1 and D2 uses) a new primary school areas of public open space including a community park new sport and playing facilities new access points and vehicular, cycle and pedestrian links strategic landscaping and attenuation basins a primary substation and other associated site infrastructure. All matters reserved except for access.

Comment: Along with 4181/19/OPA] a year-long PPA initially agreed until end of December 2020 was extended to September 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 December 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	22-Dec-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/awaiting a further drainage report from applicant. S106 HoT broadly settled and NHS contribution agreed. JLP response has been received which requires further consideration

	Valid Date	Target Date	EoT Date
0544/21/FUL Chloe Allen	15-Feb-21	17-May-21	31-Oct-23

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

Description: Construction of 16 dwellings with associated access and landscaping

Comment: Extension of time agreed until 31st October 2023 (likely to be a rolling extension of time as application paused whilst 2733/23/VAR being considered. If 2733/23/VAR approved, likely 0544/21/FUL will be withdrawn).

	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 are still awaited for this phase and are expected before the end of November 2023

		Valid Date	Target Date	EoT Date
2982/21/FUL	Charlotte Howrihane	13-Oct-21	12-Jan-22	4-Jan-24

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

Description: Erection of 20 residential units (17 social rent and 3 open market) with associated car parking and landscaping

Comment: Delegated authority to approve, awaiting S106 which is with Legal

		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 and 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. Further drainage details received and with LLFA.

		Valid Date	Target Date	EoT Date
4317/21/OPA	Steven Stroud	5-Jan-22	6-Apr-22	22-Nov-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
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: s106 under negotiation

		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 and documents) Construction of 39 No. two-storey dwellings with associated Landscaping

Comment: Awaiting updated plans following external/independent design review

		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 and 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

	Valid Date	Target Date	EoT Date
2412/22/OPA Clare Stewart	25-Jul-22	24-Oct-22	31-Oct-23

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

Description: READVERTISEMENT (amended description and documents) Outline application with some matters reserved for residential development and associated access

Comment: Approved by Committee on 18/10/23 subject to S106 completion, which is in progress.

	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
1887/23/ARM Tom French	1-Jun-23	31-Aug-23	

Address: Sherford Housing Development Site, Land South & South West of A38 Deep Lane junction & East of Haye Road, Plymou

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') for 284 residential dwellings, on parcels L1-L12, including affordable housing and associated parking along with all necessary infrastructure including, highways, drainage, landscaping, sub stations, as part of Phase 3B of

Comment

	Valid Date	Target Date	EoT Date
1888/23/ARM Tom French	1-Jun-23	31-Aug-23	

Address: Sherford New Community, Land south west of A38, Deep Lane and east of Haye Road, Elburton, Plymouth, PL9 8DD

Description: Application for approval of reserved matters for 269 no. dwellings on parcels B1-11, including affordable housing and associated parking along with all necessary parcel infrastructure including drainage and landscaping, as part of Phase 3B of the Sherford new Community, pursuant to approval 0825/18/VAR (which was an EIA development and an Environmental Statement was submitted)

Comment

	Valid Date	Target Date	EoT Date
2058/23/ARM Tom French	9-Jun-23	8-Sep-23	

Address: Sherford New Community, Phase 3 A/B Land south of Main Street, Plymouth, PL8 2DP

Description: Application for approval of reserved matters application for strategic infrastructure including strategic drainage, highways, landscaping and open space, as part of Phase 3 A/B of the Sherford New Community pursuant to Outline approvals ref 0825/18/VAR (the principle permission that was amended by this consent was EIA development and was accompanied by an Environmental Statement)

Comment

	Valid Date	Target Date	EoT Date
1619/23/FUL Peter Whitehead	28-Jul-23	27-Oct-23	

Address: Land At Sx 5083 6341, Roborough Down, Plymouth,

Description: Construction of a ground mounted solar PV array and ancillary infrastructure

Comment

	Valid Date	Target Date	EoT Date
2505/23/VAR Peter Whitehead	2-Aug-23	1-Nov-23	

Address: Deer Park Inn, Dartmouth Road, Stoke Fleming, TQ6 0RF

Description: Application for variation of Condition 2 (approved plans) of planning consent 0679/18/FUL

Comment

		Valid Date	Target Date	EoT Date
2733/23/VAR	Chloe Allen	9-Aug-23	8-Nov-23	30-Nov-23

Address: Stowford Mill, Harford Road, Iybridge, PL21 0AA

Description: Application for variation of condition 3 (approved drawings) of planning consent 27/1336/15/F (part retrospective)

Comment: Application under consideration

		Valid Date	Target Date	EoT Date
2169/23/FUL	Lucy Hall	21-Aug-23	20-Nov-23	

Address: Foundry and Fabrication Totnes Ltd, Babbage Road, Totnes, TQ9 5JD

Description: READVERTISEMENT (revised plans) Demolition of existing foundry buildings and construction of new two storey foundry building and welfare facilities

Comment

		Valid Date	Target Date	EoT Date
3167/23/VAR	Lucy Hall	19-Sep-23	19-Dec-23	

Address: Coombeshead Solar Farm, Diptford, TQ9 7NG

Description: Application variation of condition 5 (use of land) of planning consent 17/0265/14/F

Comment

		Valid Date	Target Date	EoT Date
3159/23/VAR	Tom French	19-Sep-23	19-Dec-23	

Address: Sherford New Community, Land South of Main Street, Elburton, Plymouth, PL8 2DP

Description: Application for removal or variation of condition 1 (approved plans) of planning consent 1431/21/ARM "Application for approval of Reserved Matters for 259no. dwellings on parcels 12, 13, 14, 15, 16, 17, 18, 19, 20, 23, 24, including affordable housing and associated parking along with all necessary parcel infrastructure including drainage and landscaping as part of Phase 2D of the Sherford New Community, pursuant to approval 0825/18/VAR (which was EIA development and an Environmental Statement was submitted)"

Comment

		Valid Date	Target Date	EoT Date
3251/23/VAR	Peter Whitehead	27-Sep-23	27-Dec-23	

Address: Development Site At Sx 580 576, Seaton Orchard, Sparkwell,

Description: Application for variation of condition 20 (windows) of planning consent 3445/18/FUL

Comment

		Valid Date	Target Date	EoT Date
3292/23/VAR	Bethan Tanton	29-Sep-23	29-Dec-23	

Address: Sherford New Community, Elburton, Plymouth,

Description: Application for variation of condition 1 (approved plans) of planning consent 0489/19/ARM

Comment: Application under consideration

		Valid Date	Target Date	EoT Date
3203/23/FUL	Charlotte Howrihane	16-Oct-23	15-Jan-24	

Address: Land at SX 808 599, Totnes,

Description: Demolition of 36 two/three bed flats to be replaced with 35 new homes, consisting of one, two and three bed accommodation for social rent, as well as landscaping, car parking and associated works

Comment: new application, currently in consultation period

		Valid Date	Target Date	EoT Date
2929/23/FUL	Peter Whitehead	25-Oct-23	24-Jan-24	

Address: Land at Littlehempston Water Treatment Works, Hampstead Farm Lane, Littlehempston,

Description: Installation of photovoltaic solar arrays together with transformer stations, site accesses, internal access tracks, security measures, access gates, other ancillary infrastructure and landscaping and biodiversity enhancements

Comment

		Valid Date	Target Date	EoT Date
3857/23/VAR	Charlotte Howrihane	20-Nov-23	19-Feb-24	

Address: Brutus Centre, Fore Street, Totnes,

Description: Variation of condition 1 (approved plans) of planning consent 1614/22/VAR to replace timber cladding with render

Comment

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