

# West Devon Development Management and Licensing Committee



<b>Title:</b>	<b>Agenda</b>								
<b>Date:</b>	<b>Tuesday, 3rd October, 2023</b>								
<b>Time:</b>	<b>10.00 am</b>								
<b>Venue:</b>	<b>Chamber - Kilworthy Park</b>								
<b>Full Members:</b>	<p style="text-align: center;"><b>Chairman</b> Cllr Cheadle <b>Vice Chairman</b> Cllr Southcott</p> <p><i>Members:</i></p> <table style="margin-left: auto; margin-right: auto;"> <tr> <td>Cllr Cunningham</td> <td>Cllr Mann</td> </tr> <tr> <td>Cllr Guthrie</td> <td>Cllr Moody</td> </tr> <tr> <td>Cllr Jory</td> <td>Cllr Mott</td> </tr> <tr> <td>Cllr Leech</td> <td>Cllr Wakeham</td> </tr> </table>	Cllr Cunningham	Cllr Mann	Cllr Guthrie	Cllr Moody	Cllr Jory	Cllr Mott	Cllr Leech	Cllr Wakeham
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Cllr Jory	Cllr Mott								
Cllr Leech	Cllr Wakeham								
<b>Interests – Declaration and Restriction on Participation:</b>	Members are reminded of their responsibility to declare any disclosable pecuniary interest not entered in the Authority's register or local non pecuniary interest which they have in any item of business on the agenda (subject to the exception for sensitive information) and to leave the meeting prior to discussion and voting on an item in which they have a disclosable pecuniary interest.								
<b>Committee administrator:</b>	Kathy Hoare - Democratic Services Specialist								

**1. Apologies for Absence**

**2. 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;

**3. Items Requiring Urgent Attention**

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

**4. Confirmation of Minutes**

**1 - 4**

Meeting held on 5 September 2023

**5. Planning Applications**

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

**(a) 1314/23/OPA**

**5 - 14**

**"Land At SX 567 996", Inwardleigh**

Outline Planning Application (with all matters reserved apart from access) for up to four holiday units & stable block

**(b) 4490/22/HHO**

**15 - 22**

**58 Whitchurch Road, Tavistock**

**READVERTISEMENT** (revised plans) Householder application for proposed demolition of single storey garden room & erection of two storey extension, over cladding of existing external envelope with insulation, slating & render systems & replacement windows & doors with thermally broken PPC aluminium & new porch to north east elevation

- |           |  |                |
|-----------|--|----------------|
| <b>6.</b> | <b>Planning Appeals Update</b>                   | <b>23 - 24</b> |
| <b>7.</b> | <b>Update on Undetermined Major Applications</b> | <b>25 - 28</b> |

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# Agenda Item 4

Minutes of a meeting of the **WEST DEVON DEVELOPMENT MANAGEMENT & LICENSING COMMITTEE** held on **TUESDAY** the **5th** day of **September 2023** at **10.00am** in the **COUNCIL CHAMBER, KILWORTHY PARK**

**Present:** Cllr R Cheadle – Chairman  
Cllr T Southcott – Vice Chair

Cllr A Cunningham  
Cllr S Guthrie  
Cllr P Kimber  
Cllr T Leech

Cllr U Mann  
Cllr C Mott  
Cllr M Renders  
Cllr S Wakeham

Head of Development Management (JH)  
Senior Planning Officer (CH)  
Head of Legal Services and Monitoring Officer (DF) (Via MS Teams)  
Community Housing Officer- Assets (TM)  
Democratic Services Officer (KH)

**\*DM&L.8 APOLOGIES FOR ABSENCE**

Apologies were received from Cllr N Jory (for whom Cllr P Kimber substituted) and from Cllr J Moody (for whom Cllr M Renders substituted).

**\*DM&L.9 DECLARATION OF INTEREST**

There were no declarations of interest.

**\*DM&L.10 URGENT BUSINESS**

There was no urgent business brought forward to this meeting.

**\*DM&L.11 CONFIRMATION OF MINUTES**

The minutes from the Committee meeting held on 18 July 2023 were approved as a true and correct record.

**\*DM&L.12 PLANNING, LISTED BUILDING, TREE PRESERVATION ORDER AND ENFORCEMENT REPORT**

The Committee proceeded to consider the report that had been prepared by the relevant Planning Officer on the following application and considered also the comments of the Town Council together with other representations received, which were listed within the presented agenda report and summarised below:

**(a) Application No. 1318/23/FUL Ward: Tavistock North**

**Site Address: The Kiosk, Bus Station, 20 Plymouth Road,  
Tavistock, PL19 8AY**

**Development: Conversion of existing offices into three flats  
with associated courtyard area & soft**

## landscaping to front

### **Recommendation: Conditional approval subject to:**

#### **Conditions:**

Standard time limit;  
Accord with plans;  
Temporary accommodation only;  
Details of stone for boundary walls to be agreed;  
Windows to be retained and restored unless replacements agreed;  
Conservation rooflights;  
Details of door to be agreed;  
Details of hard and soft landscaping;  
Adhere to ecology report and confirmation submitted from Ecologist;  
Lighting strategy to be submitted prior to commencement; and  
No clearance or works during bird nesting season.

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

- **Heritage** – Conservation Area and World Heritage Site:  
  
No objection from Council Heritage Specialist, subject to recommended conditions.
- **Affordable Housing provision**  
Council-owned temporary accommodation will reduce spending of placements. Proposal supports motions of the Housing Crisis
- **Loss of employment space**  
Permitted by policy DEV14 where there are demonstrable Community benefits. Identified need for temporary accommodation considered to outweigh loss of employment space considering Housing Crisis. Assets consider the site no longer suitable for commercial let.
- **Highways**  
No parking provided but acceptable given site location. Less demand compared to current use.
- **Ecology**  
Detailed mitigation agreed with Ecologist and Natural England licence will be required.
- **Design and Landscape**  
No changes to exterior of building. Landscape works acceptable.
- **Amenity**  
Mix of residential and commercial uses surrounding, change to residential use therefore raises no concerns -no objections received. Minimal external amenity space provided but proximity to town, parks etc. means that this is acceptable.

**Recommendation: Conditional Approval**

During questions, Members of the Committee asked if (the Committee was minded to support the officer recommendation) whether soundproofing could be added as a further condition. In reply, the Planning Officer considered that it would not be needed given the thickness of the walls of the building. However, if in the future, noise was to become an issue, it could be pursued through the Environmental Health service. The Community Housing Officer added that acoustic testing was taking place and noise insulation between floors would be installed along with secondary glazing. Nevertheless, Members felt that, given the location, it would be reasonable for a condition to be imposed for the amenity of the occupiers of the flats.

**Committee Decision: That the Head of Development Management be authorised to grant conditional planning consent subject to a further condition relating to the soundproofing of the proposed flats, the wording of which to be agreed with the Chairman and the Vice-Chairman of the Development Management and Licensing Committee.**

**\*DM&L.13 PLANNING APPEALS UPDATE**

The Head of Development Management talked about an appeal on Lower Longford Farm at Highampton, where an appeal on a replacement dwelling was dismissed. The Inspector had agreed on most of the reasons that it had been refused for by the Local Planning Authority.

Members noted that an appeal on Moorview Lodge at Grenofen was upheld. The application had been for an extension on a house that had already been extended many times over several years. The case officer felt that the proposed design and siting was inappropriate in a rural area. However, the Inspector had deemed that the extension was acceptable.

**\*DM&L.14 UPDATE ON UNDETERMINED MAJOR APPLICATIONS**

The Head of Development Management updated Members on the current major applications. The applicant for an application for development at land adjacent to Baldwin Drive, Okehampton had decided to take the application to appeal on the grounds of non-determination. In terms of its status, the appeal had yet to be considered.

(The Meeting ended at 10.30 am)

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**Chairman**

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## PLANNING APPLICATION REPORT

**Case Officer:** Bryony Hanlon

**Parish:** Inwardleigh **Ward:** Okehampton North

**Application No:** 1314/23/OPA

**Agent:**

Mr Richard White  
Moor Planning  
Treglenes  
St. Breward  
Bodmin  
PL30 4LU

**Applicant:**

Mr R Kneebone  
RK Holdings Ltd  
Trevozah Barton  
South Petherwin  
Launceston, Cornwall  
PL15 9LT

**Site Address:** Land At Sx 567 996, Inwardleigh



**Development:** Outline Planning Application (with all matters reserved apart from access) for up to four holiday units & stable block

**Recommendation:** Refusal

**Reasons for refusal:**

1. The proposal has not been supported by a locationally specific proven need for equestrian related holiday accommodation in this isolated rural location, where travel to and from the site is most likely to be via the private car, thus undermining the aims of policy DEV32, which seeks to deliver a low carbon future. This harm is not outweighed by the economic benefits of the proposal. In this regard, the proposal does not represent sustainable development, contrary to the provisions of SPT1, SPT2, TTV1, TTV2, TTV26 (1i, 2iv), DEV15 (7, 8 ii, iv), DEV29 (6, 7, 8),

DEV32 of the Plymouth and South West Devon Joint Local Plan 2014-2034; and the National Planning Policy Framework (notably but not limited to paragraphs, 7, 8, 152 and 154b).

2. The provision of formalised accommodation for people and horses, with associated intensification of use, including activity at the site late into the evening, will result in a detrimental impact on local landscape character and tranquillity, contrary to the provisions of DEV20 (2, 4) and DEV23 (1, 4, 7) of the Plymouth and South West Devon Joint Local Plan 2014-2034.

**Key issues for consideration:**

Principle of development, proven need for a countryside location, proven need for holiday accommodation, highways, biodiversity, drainage, low carbon.

**Reason for call-in:** Cllr Ball would like the Committee to consider the tension between the economic benefits of local businesses in rural locations with respect to policies DEV15 and DEV32.

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**Site Description:**

The site is located within open countryside c. 0.8km east of Inwardleigh. The site comprises the south eastern portion of an open field, c. 0.2 Hectares in size and bounded by mature hedge banks and trees. The site is accessed from Prisam Lane to the south, via an existing field gate and unmetalled track; the lane leads to the A386 to the east.

**The Proposal:**

The applicant wishes to apply for outline consent for the siting of up to four holiday units and associated stabling on the site. All matters, other than access, would be considered via a Reserved Matters application at a later date in the event the current application were to be approved.

**Consultations:**

- Devon County Highways Authority    No objection subject to condition
- Devon County Ecologist    No objection subject to conditions
- Parish Council    Objection

The Council discussed this and raised concerns about the development. Concerns were raised about the site being adjacent to a site of special scientific interest - (SSSIs) Southmoor Farm and that the proposed development is on agricultural land/open countryside. Leaving less land for agricultural purposes, mention was also made of the grade of agricultural land being lost. Concerns were also raised about the road access onto the A386. The council objects to this planning application. Various letters of objection have been raised/received from parishioners.

- Devon and Cornwall Police    See comment

**Representations:**

**Representations from Residents**

Two letters of support have been received and include the following points:

- Well sited for equestrian use.
- Will boost the local economy by supporting other local businesses.

Five letters of objection have been received and include the following points:

- Unsuitable countryside location.
- Access roads are unable to cope with additional traffic given their poor condition.
- Ecological benefits of the land will be lost, particularly if the land is drained.
- The land is very wet and unsuitable for building.
- Will result in disruption to daily farming activities and livestock.

## Relevant Planning History

Planning Application Reference	Proposal	Site Address	Decision
2973/2002/OKE: COU	** Amended Proposal ** Change of use to Equestrian Course exercise area car park and erection of office/store	Preston Inwardleigh Okehampton Devon EX20 3AL	Conditional Consent: 12 Nov 02

## ANALYSIS

### 1.0 Principle of Development/Sustainability

1.1 The Plymouth and South West Devon Joint Local Plan sets out the framework for consideration of all new development proposals within the Plymouth, West Devon and South Hams Local Planning Authority Areas. Policy SPT1 Delivering Sustainable development requires that proposals uphold the principles of sustainability with respect to their economic, social and environmental components. This is considered in tandem with policy SPT2 Sustainable linked neighbourhoods and sustainable rural communities, which directs growth according to the spatial strategy. These policies are supported by policy TTV1 Prioritising growth through a hierarchy of sustainable settlements, which organises the settlements of the TTV policy area (which covers much of West Devon) into a hierarchy. Growth is directed to the main towns in the first instance, to promote self-containment in order to support new growth and to support existing services and is then directed to the countryside in response to a specific locational need.

1.2 The JLP does not define settlement boundaries, but states within paragraph 5.5 that development outside of built up areas will be considered in the context of policy TTV26 (development in the countryside). Owing to its physical separation from the nearest settlement, Officers would regard the site as part of the countryside. Policy TTV2 recognises the specific objectives of rural sustainability and TTV26 sets out the tests for development in the countryside. The first part of the policy covers isolated development and the second part applies to all proposals.

1.3 The JLP SPD (11.50) states that the Council applies the test of isolation in a manner consistent with the Braintree<sup>1</sup> case and any superseding judgment. The recent Bramshill<sup>2</sup> judgment affirmed that the essential conclusion in Braintree (at para. 42 of that judgment) was that in determining whether a particular proposal would be "isolated", the decision-maker must consider 'whether [the development] would be physically isolated, in the sense of being isolated from a settlement'. What is a "settlement" and whether the development would be "isolated" from it are both matters of planning judgment for the decision-maker on the facts of the particular case.

1.4 In this instance, the site is located c. 0.8km north of Inwardleigh village; access is provided via a single track metalled lane with no footpath or street lighting along much of the route and on this basis, the proposal is considered to be isolated from a settlement and both clauses of TTV26 apply.

1.5 Clause 1 of TTV26 specifies that;

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

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

<sup>1</sup> Braintree DC v SSCLG [2018] EWCA Civ 610.

<sup>2</sup> Bramshill v SSHCLG [2021] EWCA Civ 320.

*v. Protect or enhance the character of historic assets and their settings.*

1.6 The proposal does not fall within any of the examples given above but it is not considered that equestrian holiday accommodation meets the test of “exceptional circumstances” that would justify an isolated countryside location. The applicant has stated that an equestrian use justifies a rural location, however, it does not automatically follow that such a use would justify an isolated rural location, nor that a holiday use would justify an isolated rural location. Objectors have raised concerns that the location is unsuitable for the proposal.

1.7 The site occupies land that benefits from extant consent under 2973/2002/OKE for the change of use to an equestrian course, exercise area, car park and erection of office/store. However, Officers would note that this consent does not include stabling or any living accommodation.

1.8 Clause 2 requires that development;  
*should, where appropriate;*

*i. Protect and improve public rights of way and bridleways.*

*ii. Re-use traditional buildings that are structurally sound enough for renovation without significant enhancement or alteration.*

*iii. Be complementary to and not prejudice any viable agricultural operations on a farm and other existing viable uses.*

*iv. Respond to a proven agricultural, forestry and other occupational need that requires a countryside location.*

*v. Avoid the use of Best and Most Versatile Agricultural Land.*

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

1.9 Each of the criteria are considered below in turn

*i. Protect and improve public rights of way and bridleways.*

The proposal does not require any changes to public rights of way.

1.10 *ii. Re-use traditional buildings that are structurally sound enough for renovation without significant enhancement or alteration.*

This clause is not relevant to the proposal.

1.11 *iii. Be complementary to and not prejudice any viable agricultural operations on a farm and other existing viable uses.*

The site is located on land with an extant consent for equestrian development and will not require any further significant land take or alterations to access arrangements. The proposal will not therefore prejudice any existing viable uses. Objections have been received on the basis that the proposal will disrupt farming activities but Officers do not consider that the siting of the proposal and associated riding activities would result in a significant detrimental impact on the operation of other farms in the area, as the site benefits from its own access and is enclosed by boundary planting.

1.12 *iv. Respond to a proven agricultural, forestry and other occupational need that requires a countryside location.*

The applicant has stated that a Launceston based equestrian business wishes to lease the site in order to expand their offer and provide holiday accommodation. The applicant has provided market information to set out the value of the equestrian sector to the British economy and supporters have noted the economic benefits of the proposal in their letters. Officers consider that there is sufficient land available for grazing in order to provide a sufficient standard of welfare for the horses as required by policy TTV28. The applicant has set out the proximity of the site to a number of off-road riding routes and has noted that the site benefits from an extant consent for equestrian use, namely the provision of an off-road riding track. However, the applicant has not provided sufficient evidence to demonstrate a locationally specific need for equestrian holiday accommodation.

1.13 The applicant has highlighted a recent appeal decision that supported the co-location of holiday accommodation with a public house under reference APP/Q1153/W/20/3265247. Officers note the appeal decision but would consider the circumstances are materially different, given that the public house was an established business (rather than an extant consent for such a use) and that the business offered catering facilities, which the Inspector considered would be likely to reduce some of the off-site trips for meals and drinks. Officers would note that, notwithstanding the extant consent, the site does not support an existing equestrian business per se, it provides an area for off-road riding which is leased by third parties and nor does it offer stabling, accommodation or catering facilities.

1.14 The applicant has stated that the extant consent is not subject to any restrictions on vehicle trips associated with its use and that the co-location of holiday accommodation would result in fewer trips than daily visits from a livery use. Officers would note that the extant consent does not include permission for stables and as such, comparison with a livery use is not useful. Officers acknowledge that the extant consent is not subject to any restrictions on vehicle trip numbers but consider that the introduction of the holiday use would result in additional trips by visitors, associated with the need to access facilities and amenities, including meals and drinks. The applicant has noted that “visitors exploring the local area by horse represents the use of a more sustainable transport mode” however, this has not been justified in terms of carbon accounting when compared to the private car, nor is it likely that the visitors would access daily services and amenities via horse, particularly in winter, during dark evenings or inclement weather. The applicant has supplied a Sustainable Travel Plan which acknowledges the reliance on the private car given the location of the development; it sets out that EV chargers will be provided, information on public transport will be provided to guests and that car sharing will be encouraged between staff. However, these measures are reliant on goodwill and as such, cannot be relied upon to mitigate the impacts of the proposed development as required by policy DEV15 (8ii) and DEV29 (7).

1.15 Officers would draw the applicant’s attention to a number of other appeal decisions where holiday accommodation in unsustainable locations was not supported, as set out in the Officer report for 2153/23/FUL, which refused the co-location of holiday accommodation at The Sculpture School, Bondleigh due to the unsustainable rural location with continued reliance on the private car and associated carbon footprint. Other appeals were also referenced in the report setting out details of recent appeal decisions within the Joint Local Plan area which considered similar issues;

- “APP/K1128/W/18/3217159 - was dismissed on the grounds that the site was in an unsustainable location with poor accessibility, and the proposed accommodation would be reliant on the private car. The decision notes: “the absence of any meaningful services or facilities in this small hamlet, coupled with the lack of convenient public rights of way in the locality, leads me to conclude that it would be highly likely that occupiers of the proposed holiday unit would have to travel by private car on a daily basis.”
- APP/Q1153/W/20/3244500 - was dismissed on the grounds that the site was not in a suitable location with particular regard to access to services and facilities. The decision notes: “with the lack of realistic transport alternatives and occupants of the development thus having little choice other than to rely on driving to and from the site, neither could the development be regarded as promoting sustainable transport choices and having no adverse environmental impact”.
- APP/Q1153/W/22/3303994 - was dismissed on the grounds that the appeal proposal would not be suitably located with regards to services and facilities and, therefore, future users would be likely to be reliant on private motor vehicles for most trips. This would conflict with the environmental dimension of sustainable development. The decision notes: “given the lack of accessible alternative transport modes, users of the holiday accommodation would be almost entirely reliant on private motor vehicles. Whilst dependence on private vehicles may be expected in rural countryside locations, the appeal scheme would only exacerbate this level of reliance. It would contribute to a pattern of development that would cause environmental harm as a result of increased car journeys and hence carbon emissions. As such, the proposal does not promote sustainable transport choices and could not be described as having no adverse

environmental impact. Whilst I note that electric vehicle charging points could be included within the proposal, the use of such vehicles cannot be guaranteed nor required”.

- APP/Q1153/W/21/3274316 – was dismissed on the grounds that the appeal proposal has a policy conflict in terms of the location of the site. The decision notes: “I therefore conclude on this issue that the site would not provide a suitable location for the proposed holiday use. The development would not comply with Policies TTV2 and DEV15 of the Local Plan. As it has not been clearly demonstrated that the proposal would contribute to a sustainable pattern of development, there would also be conflict with the broader objectives of Policies SPT1 and TTV1”.

1.16 While the applicant has co-located the holiday accommodation on a site with an extant consent for equestrian use this does not meet the test for an isolated countryside location in its own right, nor does the extant consent justify further development in the form of stabling or holiday accommodation.

1.17 v. Avoid the use of Best and Most Versatile Agricultural Land.

The Parish Council have raised concerns that the proposal will result in agricultural land being lost. Officers would confirm that the site occupies poor quality Grade 4 agricultural land and as such, the proposal complies with the provisions of this clause.

1.18 vi. Help enhance the immediate setting of the site and include a management plan and exit strategy that demonstrates how long term degradation of the landscape and natural environment will be avoided. The site currently benefits from mature boundary planting; the applicant has noted that additional measures are proposed through the Landscape and Ecological Management Plan as considered later in this report. Were the development otherwise acceptable, it would have been necessary to secure the details of the LEMP (to include the exit strategy for the site should the development no longer be required), in the interests of visual amenity and biodiversity. It would also have been considered necessary to prevent the installation of external lighting without express planning permission, in the interests of the rural character of the surrounding landscape and in the interests of nocturnal biodiversity. On this basis, the proposal could have complied with this clause; the impact of the development on wider landscape character is considered later in this report.

1.19 Policy SPT1 identifies a range of principles of sustainable development and SPT2 details a number of principles of sustainable linked neighbourhoods and sustainable rural communities. In support of policy SPT2, figure 3.2 provides a number of ‘aspirational’ measures of sustainable neighbourhoods and communities, such as walking distances to a bus stop, a local convenience store and a primary school. As a holiday let, the proposal would not require all of these amenities but due to the separation distance from higher tier settlements, it is acknowledged that the site is located in an unsustainable location, even when considered in a rural context and as such, the creation of a new holiday accommodation would not normally be supported in this location.

1.20 JLP policy TTV2 supports ‘the delivery of sustainable rural tourism and leisure developments that benefit rural businesses, communities and visitors and respect the character of the countryside and historic settlements.’ JLP policy DEV15 supports proposals for ‘camping, caravan, chalet or similar facilities that respond to an identified local need, are compatible with the rural road network, and have no adverse environmental impact’. There is also a requirement to demonstrate safe access to the existing highway network, reduce the reliance on the private car with the submission of a sustainable travel plan, demonstrate a positive relationship with existing buildings and avoid incongruous or isolated new buildings.

1.21 The site is served by a limited public transport offer; bus service 630 connects rural villages of this part of the Borough with Okehampton, with a stop in Inwardleigh village and a stop on the A386. The stop on the A386 also serves services 5A and 317 but services are limited, particularly in the evenings, weekends and Bank Holidays when it is likely people would wish to access pubs, restaurants and other local attractions. Given the limited availability of public transport, in combination with the lengthy walk down the unlit road to the village or the bus stop on the A386 with no footway, it is more likely that

journeys to the site would be likely to be made via the private car, undermining the aims of policy DEV32, supported by policies DEV15 and DEV29, which recognise the need to deliver a low carbon future to halve 2005 levels of carbon emissions by 2034.

1.22 The proposal has not been supported by a locationally specific proven need for equestrian related holiday accommodation in this isolated rural location, where travel to and from the site is most likely to be via the private car, thus undermining the aims of policy DEV32, which seeks to deliver a low carbon future. This harm is not outweighed by the economic benefits of the proposal. In this regard, the proposal does not represent sustainable development, contrary to the provisions of SPT1, SPT2, TTV1, TTV2, TTV26 (1i, 2iv), DEV15 (7, 8 ii, iv), DEV29 (6, 7, 8), DEV32 and the guidance contained within but not limited to paragraphs, 7, 8, 152 and 154b.

## 2.0 Design/Landscape

2.1 The site is located within the open countryside within Landscape Character Type 1F Farmed lowland moorland and Culm grassland. This landscape is characterised as a “wild and exposed landscape” with “high levels of tranquillity and remoteness”, “distinctive Culm grassland habitats” and a “sparse settlement pattern with isolated farms and farmsteads and few roads” (p.111-112, LCA, 2017). Developmental pressure for equestrian centres is recognised as a force for change that “dilute[s] perceptions of tranquillity and remoteness locally” (p.110, LCA, 2017). It is noted that the plans are indicative at this stage and notwithstanding the extant consent for one office building, Officers do not consider that the introduction of further buildings in the form of stables and habitable accommodation would comply with the provisions of DEV20. The siting of development in this isolated rural location fails to demonstrate “proper regard to the pattern of local development and the wider development context and surroundings in terms of style, local distinctiveness, siting, layout, orientation, visual impact, views, scale, massing, height, density, materials, detailing, historic value, landscaping and character, and the demands for movement to and from nearby locations”. Policy DEV23 requires that proposals are “located and designed to prevent erosion of relative tranquillity and intrinsically dark landscapes” and are “located and designed to respect scenic quality and maintain an area’s distinctive sense of place and reinforce local distinctiveness.” Officers consider that the provision of formalised accommodation for people and horses, with associated intensification of use, including activity at the site late into the evening, will result in a detrimental impact on local landscape character and tranquillity, contrary to the provisions of DEV20 (2,4) and DEV23 (1, 4, 7).

## 3.0 Low Carbon

3.1 Paragraph 152 of the NPPF articulates the need for the planning system to support the transition to a low carbon future in a changing climate. The JLP also supports the transition to a low carbon future through policy DEV32, which directs applicants to follow the “energy hierarchy” when designing their schemes to ensure low carbon measures are integral to new development. This is further supported by the provisions of the Climate Emergency Planning Statement, which requires that applicants set out how their developments have been designed to include climate change mitigation and adaptation measures. A suitably worded condition could have been included to ensure that DEV32 compliance measures were integrated in to the design at reserved matters stage, although Officers note that any such measures are unlikely to outweigh the impacts associated with the inherently unsustainable location of the development.

## 4.0 Neighbour Amenity

4.1 The site is not in close proximity to any residential dwellings and when considered in combination with the scale and nature of the proposal, Officers do not consider that the proposal would give rise to significant detrimental impacts on neighbour amenity through noise and disturbance, overlooking or odours. On this basis, the proposal is considered to accord with the provisions of DEV1 and DEV2.

## 5.0 Biodiversity

5.1 The Parish Council have raised concerns that the site is adjacent to a Site of Special Scientific Interest (Southmoor Farm). For clarity, the application site is 0.5km south west of the site, while the land approved for equestrian use under 2973/2002/OKE does lie adjacent to the SSSI and part of its northern boundary is contiguous with that of the SSSI.

5.2 The Devon County Council Ecologist has reviewed the proposal and has confirmed that the impacts of the proposal can be suitably mitigated by condition. The conditions are noted below;

1. The details for reserved matters will include the submission of a Landscape and Ecological Management Plan which will include details relating to habitat creation, species specification and management. This will need to be agreed with the LPA.
2. An Ecological Management Plan for the wider Preston Moor County Wildlife Site will be submitted to and agreed in writing with the LPA.
3. No external lighting shall be installed at any time at the application site without the written permission of the Local Planning Authority. Reason: In the interests of nocturnal biodiversity.
4. Development shall be carried out in accordance with the actions set out in the Ecological Impact Assessment. This condition shall be discharged when the consultant ecologist confirms in writing to the LPA that the recommendations have been implemented.
5. Prior to the commencement of any site works, a repeat survey for the presence of badgers on the site and surrounding suitable habitat, with associated mitigation/ compensation measures, shall be submitted to and approved in writing by the LPA.

5.3 Were the development otherwise acceptable, the conditions would have been imposed in the interests of biodiversity. On this basis, the proposal is considered to accord with the provisions of DEV26 and DEV28.

#### 6.0 Highways/Access

6.1 The Parish Council have raised concerns about the road access onto the A386. The Devon County Council Highways Engineer has reviewed the proposal and has confirmed that; "there are no objections to the proposed development from a highway safety point of view subject to the access and visibility splays being provided and maintained as shown on the application drawings." The following condition has been recommended in the event that the application were otherwise acceptable:

1. No part of the development hereby approved shall be brought into its intended use until the access, access drive, parking facilities, visibility splays and turning area have been provided and maintained in accordance with the application drawings and retained for that purpose at all times.
2. REASON: To ensure that adequate facilities are available for the traffic attracted to the site.

6.2 On this basis, when considered solely in terms of highways safety, the proposal is considered to accord with the provisions of DEV29.

#### 7.0 Surface Water Drainage

7.1 Concerns have been raised about the suitability of the site for building given the groundwater conditions and concerns have also been raised about the ecological impact of draining the site. Officers note these concerns and would reiterate that the ecological impacts could have been covered by conditions as set out above. The applicant has proposed the use of a soakaway to dispose of surface water from the development. This is acceptable in principle and were the development otherwise acceptable, the details of percolation testing would have been secured by pre-commencement condition to ensure surface water runoff does not increase to the detriment of the public highway or other local properties as a result of the development. On this basis, the proposal is considered to accord with the provisions of DEV35.

#### 8.0 Foul Drainage

8.1 The applicant has proposed to dispose of foul drainage via a new package treatment plant. This approach is considered acceptable in principle, with the details to be secured by condition were the development as a whole otherwise acceptable, to ensure a satisfactory and sustainable foul water drainage system is provided, retained and maintained to serve the development. On this basis, the proposal is considered to accord with the provisions of DEV35.



## 9.0 Other Matters

9.1 Devon and Cornwall Police have reviewed the proposal and have provided the following comments; “Thieves can be brazen, so all equestrian dealt with above equipment such as tack, saddlery, rugs/blankets etc should also be securely stored when not in use. As a preventative measure all valuable equipment should be forensically marked and a record of the asset or serial numbers recorded. It is also beneficial to photograph any valuable equipment which could be shared to assist identification should they be stolen.

9.2 If any of the doors to the stables are outward opening, the hinges maybe exposed and could be vulnerable to attack. Where this is the case hinge bolts should be fitted to be adjacent to each hinge to prevent the being force open by removing or damaging the hinges.

9.3 It is recommended that for the holiday units that the external doors are equivalent to PAS24:2022 to provide security when the property is unoccupied.”

9.4 These comments are not determinative to the application but the applicant is advised to review them for future reference.

## 10.0 Conclusion

10.1 The proposal is recommended for refusal for two reasons; firstly, that the proposal has not been supported by a locationally specific proven need for equestrian related holiday accommodation in this isolated rural location, where travel to and from the site is most likely to be via the private car, thus undermining the aims of policy DEV32, which seeks to deliver a low carbon future. This harm is not outweighed by the economic benefits of the proposal. In this regard, the proposal does not represent sustainable development, contrary to the provisions of SPT1, SPT2, TTV1, TTV2, TTV26 (1i, 2iv), DEV15 (7, 8 ii, iv), DEV29 (6, 7, 8), DEV32 and the guidance contained within but not limited to paragraphs, 7, 8, 152 and 154b. Secondly, that the provision of formalised accommodation for people and horses, with associated intensification of use, including activity at the site late into the evening, will result in a detrimental impact on local landscape character and tranquillity, contrary to the provisions of DEV20 (2,4) and DEV23 (1, 4, 7).

***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 26 March 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 14 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 19 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 21 March 2019 and West Devon Borough Council on 26 March 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  
SPT12 Strategic approach to the natural environment  
TTV1 Prioritising growth through a hierarchy of sustainable settlements  
TTV2 Delivering sustainable development in the Thriving Towns and Villages Policy Area  
TTV26 Development in the Countryside  
TTV28 Horse related developments in the countryside  
DEV1 Protecting health and amenity  
DEV2 Air, water, soil, noise, land and light  
DEV3 Sport and recreation  
DEV15 Supporting the rural economy  
DEV20 Place shaping and the quality of the built environment  
DEV23 Landscape character  
DEV26 Protecting and enhancing biodiversity and geological conservation  
DEV28 Trees, woodlands and hedgerows  
DEV29 Specific provisions relating to transport  
DEV31 Waste management  
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) including but not limited to paragraphs 7, 8, 152 and 154b and guidance within the 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, Climate Emergency Planning Statement, Landscape Character Assessment, LUC, 2017.

#### **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 – Householder Developments

**Case Officer:** Nicola Glanville

**Parish:** Tavistock

**Application No:** 4490/22/HHO

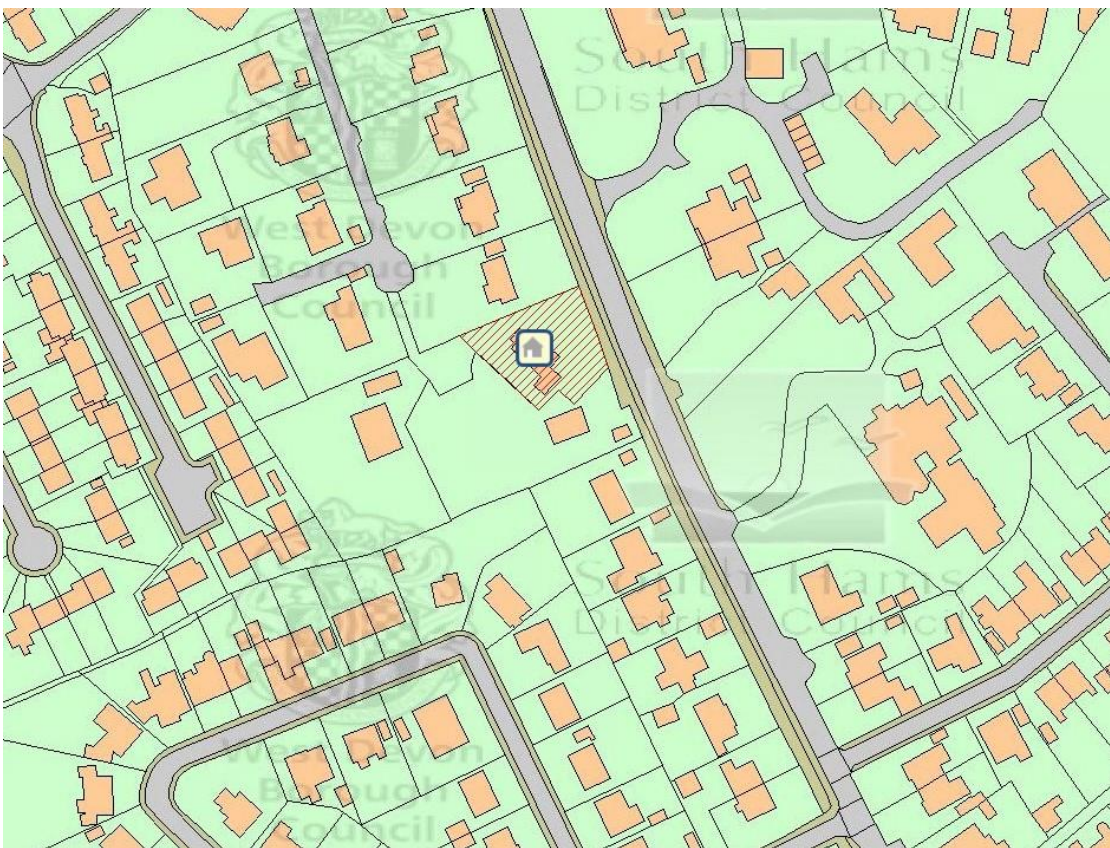
**Agent (if applicable):**

Mr Damon Pearce - Le Page Architects  
Limited  
Plumer House  
Tailyour Road  
Plymouth  
PL6 5DH

**Applicant:**

Mr John Taylor  
29 King Street  
Tavistock  
Devon  
PL19 0DX

**Site Address:** 58 Whitchurch Road, Tavistock, PL19 9BD



**Development:** READVERTISEMENT (revised plans) Householder application for proposed demolition of single storey garden room & erection of two storey extension, over cladding of existing external envelope with insulation, slating & render systems & replacement windows & doors with thermally broken PPC aluminium & new porch to north east elevation

**This application has been called to Committee by Cllr Mandy Ewings for the following reasons:**

'I would like to call Application 4490/22/HHO to the October DM&L committee, the reasoning being related to Policy Dev 20 of the JLP. With regard to the design of this application, I have a contrary view in terms of the planning judgements reached.'

**Recommendation:**

Refusal

**Reasons for refusal**

1. The proposal is considered to be an unacceptable development in terms of its design, siting, size, scale and materials. The proposed two-storey A-symmetric modern extension to the east elevation (side) and south elevation (principal elevation) would be a dominant addition that relates poorly to the existing dwellinghouse and does not have proper regard to the traditional appearance and pattern of local development of the row of detached dwellings that form its setting and the wider development context and surroundings in terms of style, local distinctiveness, siting, visual impact, scale, massing, materials and detailing contrary to Joint Local Plan Policy DEV20 (2, 3 and 4) and the councils Supplementary Planning Document - 13 APPENDIX 1: Residential extensions and alterations (July 2020).

**Key issues for consideration:**

Design, scale and massing. Visual impact on the host dwelling and its setting.

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**Consultations:**

- County Highways Authority - No Highways Implications
- Environmental Health Section - No comment
- Town/Parish Council - Support

The measures being undertaken to improve the energy efficiency of the property were welcomed.

**PUBLIC CONSULTATIONS**

**Representations:**

**Representations from Residents**

None received

**Relevant Planning History**

[00881/2015 Mr & Mrs J Taylor](#)

Householder application for an extension to existing garage.  
Mulberry House 58 Whitchurch Road Tavistock Devon PL19 9BD

**Conditional Approval**  
11 August 2015

## **Site & Surroundings**

The site is a large 4-bedroomed (ensuite to master bedroom) detached dwellinghouse located along Whitchurch Road, Tavistock.

The site forms one of a row of large detached dwellings, which back on to Whitchurch Road and look out across the lower end of the town towards Callington Road. The Plots are large and the dwellings are well spaced apart. The site steeply slopes away from Whitchurch Road to the south-west with the dwelling being set down lower than the road. Vehicular access is gained from both Whitchurch Road and below the site from Mohun's Close. A garage/store belonging to the site is also accessed from Mohun's Close.

A separate dwellinghouse No.58B was built within the garden of No.58A to the north-east of the site, which is also in the ownership of the applicant.

The site is not Listed, nor is it within a designated area of landscape or Heritage protection.

## **Proposal**

The proposal is for the demolition of an existing single storey extension that projects beyond the front elevation. This is to be replaced with a much larger two storey extension to the south-east (side) and south-west (front) elevations and a new porch to the north east elevation. Opportunities to improve the energy efficiency of the existing building are to be carried out including cladding the building with slate, replacing existing render and incorporating insulation, replacement windows & doors with thermally broken PPC aluminium.

The proposal would create a dwelling with a large 'open-plan' living area on the ground floor with 5-bedrooms, 2 ensuites and a dressing room and stairwell access to a converted roof space (to be used as storage) on the first floor.

The existing single-storey garden room to be demolished is approx. 7.5m x 4m. The two-storey element of the proposal measures 6m x 11m with a further 3m x 3m of ground floor accommodation provided to the front of the host dwelling, covered by an A-symmetric roof.

The distance between the proposal and the new garden boundary fence at its nearest point would be approx. 3m.

## **Analysis:**

### 1.0 Principle of Development

1.1 The proposal is within the curtilage of an existing 1920's dwellinghouse. The principle of extensions within the domestic curtilage of a property is acceptable. The acceptability of the proposal will however need to be considered in terms of visual impact and siting, particularly with regards to the impact on the host dwelling and its wider setting.

## 2.0. Design

2.1. The proposal is not within a designated Heritage or Landscape protection area.

2.2. The proposal has been assessed against Policy DEV20 of the Joint Local Plan

2.3. Policy DEV20 'Place shaping and the quality of the built environment' requires that development proposals will be required to meet good standards of design, contributing positively to both townscape and landscape, and protect and improve the quality of the built environment by amongst other things:

i. Using materials and design solutions that are resilient to their context and will endure over time.

ii. Having proper regard to the pattern of local development and the wider development context and surroundings in terms of style, local distinctiveness, siting, layout, orientation, visual impact, views, scale, massing, height, density, materials, detailing, historic value, landscaping and character, and the demands for movement to and from nearby locations.

iii. Achieving a good quality sense of place and character through good utilisation of existing assets such as quality buildings, heritage assets, trees and landscape features and attention to the design details of the scheme.

iv. Delivering locally distinctive design.

v. Delivering landscape design that is appropriate to the location of the development, with full consideration given to its future management and maintenance and the need for landscape measures that are resilient.

vi. Rectifying and repairing damaged environments and townscapes.

2.4. The policy seeks to ensure that all development has regard to key design principles for high quality places, which are echoed by the SPD. Design is not just about the architecture of a building. It is also about the spaces within which the development sits, the quality of the relationships between the development and surrounding areas, and the appropriateness of the design of the building in its context. Together these types of consideration combine to create high quality places that people find attractive, enhance townscape and are easy to live in.

2.5. The councils Supplementary Planning Document (SPD 2020) gives clear guidance on good design principles and appropriate design for Front and Side extensions in Appendix 1: Residential extensions and alterations:

*13.36 of the SPD states: 'Extensions that project forward of the existing house will generally be resisted. Where a street has a clear established building line, the only development that might be acceptable at the front is likely to be a small, sympathetically designed porch. In certain circumstances, an exception may be allowed where there is no obvious building line, where the property is set back from other houses, or where front extensions are a feature of houses in the street or dwellings in more rural locations where there is no 'street scene'.'*

13.37 of the SPD states: *'In order to ensure that a side extension does not over-dominate the existing house or street-scene, it should generally be subordinate (smaller) in scale to the original dwelling and set back from the front of the property, especially in a street characterised by regularly spaced properties of similar design and scale. The individual characteristics of the site and proposal will determine the exact set back distance required, however a distance less than 1m will rarely be considered acceptable.'*

13.39 of the SPD states: *'Where an extension is set back, the roof of the extension should be lower than that of the main house. This ensures that the extension is subordinate. Side extensions should also be of a width to ensure they appear less important than the original dwelling.'*

13.40 of the SPD states: *'In some situations the erection of a two-storey side extension could create or contribute to an effect known as 'terracing'. This is where side extensions almost link up with neighbouring properties ... Piecemeal joining up of individual properties is also likely to appear visually obtrusive and the loss of space can be harmful to the whole character and amenity of an area.'*

13.41 of the SPD states: *'To avoid a terracing effect, a gap should be left between the extension and the boundary with the neighbouring property. This gap should generally be at least 1.5m wide. Where it is not feasible to leave a gap, an alternative is to set the extension further back from the front of the house. The required set-back distance to avoid the appearance of terracing will vary, however a set-back distance of at least 2m may be necessary.'*

13.42 of the SPD states: *'Where there is an existing ground floor extension that is not set back from the front of the house (as is the case with this site), then a proposed first floor extension should normally be set back by at least 2m to ensure that subordination is maintained and terracing avoided.'*

2.6. The proposed side/front extension is partially visible from the public realm and forms a backdrop to views across the town to the moors of DNP behind the site.

2.7. The proposed two-storey element to the principal elevation is a dominant form that relates poorly to the existing dwellinghouse. The proposal would have a detrimental impact on the visual appearance of the principal elevation of the dwellinghouse and the broader street-scene, without significant public benefit.

2.8. The proposed zinc cladding does not match the materials used in the existing dwellinghouse and is not considered appropriate in the context of the setting. The siting, scale and design of the proposal are also not supported.

2.9. The proposal is considered to be an unacceptable development in terms of its siting, design, size, scale and materials. Although there is an existing single storey flat roofed 'garden room' extension that projects forward of the front building line, this extension was built many years ago (prior to the JLP & SPD) and can be said to detract from the simplicity of the original dwelling. The proposal would replace this old extension and introduces a new modern A-symmetric building style to the front of the dwellinghouse using large areas of glazing and zinc cladding and proposes a dominant side extension with no drop in its

ridgeline or recessed walls to make it sub-ordinate to the host dwelling. The proposed design of the building changes the character of the host dwelling and is uncharacteristic of the style of buildings found adjacent to the site. The host dwelling has been consumed by the extension and its original features removed. As the building is visible from Whitchurch Road and from below the site, the current design-scheme is not considered to provide positive change to the character of the area and would erode the traditional appearance of the row of detached 1920s dwellings and local street scene, without significant public benefit.

3.0. Officers do not consider that the new extension to the SW/SE elevations reflects the architectural style of the host dwelling or that of the character of the row of detached dwellings to the lower side of Whitchurch Road and it is therefore considered contrary to DEV20.

3.1. DEV20 (2) requires proposals to have (amongst other things) proper regard to the wider development context and surroundings in terms of design, scale, siting and materials. Given the discussion above, Officers conclude that the proposal fails to consider the host dwelling or wider setting and therefore is contrary to DEV20.

#### 4.0. Amenity

4.1. The foot print of the proposal encroaches on the boundary of the neighbouring property No58B and fencing has recently been moved to accommodate the proposal. However, the side facing walls of both No.58A and the proposed extension do not contain any windows that would pose any issues of over-looking.

4.2 Although the proposed extension is large and is not considered to be subservient to the host dwelling by way of its proposed size and form, the two adjacent properties are in large enough plots and are sited at a slight angle to each so not to overlook, therefore the proposal is not considered to result in a loss of amenity.

4.3 The proposal is therefore considered acceptable in terms of amenity and accords with JLP Policy DEV1.

#### 5.0 Highways

5.1. The proposal has No Highways Implications

#### 6.0 Drainage

6.1 The site is within Flood Zone 1 so an FRA is not required. Officers consider the application accords with DEV35 and is therefore acceptable. Surface water is to be disposed of via a soakaway.

#### 7.0 Carbon Reduction

7.1 The following Carbon reduction measures have been proposed within the application:

- Integrated solar panels
- Improvements to Building fabric and insulation
- Electric car charging point



This is a Householder application and the proposal is considered to accord with Local Plan policy DEV32.

## 8.0 Ecology

8.1 An Ecology Report was submitted (30/11/2022) that states no protected species were present on inspection. Therefore the proposal would have no impact on protected species and Officers consider that the proposal accords with DEV26.

## 9.0 Trees

9.1. No trees will be affected by the proposal. Therefore Officers consider that the proposal accords with DEV28.

## 10.0 Conclusion

10.1. In totality, the proposal is considered contrary to policies DEV20 within the Joint Local Plan and the guidance within the Supplementary Planning Document and various paragraphs of the NPPF. For the reasons stated above, the proposal is recommended for refusal.

***This application has been considered in accordance with Section 38 of the Planning & Compulsory Purchase Act 2004.***

## **Planning Policy**

### Relevant policy framework

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

On 26 March 2019 of the Plymouth & South West Devon Joint Local Plan was adopted by all three of the component authorities. Following adoption, the three authorities jointly notified the Ministry of Housing, Communities and Local Government (MHCLG)\* of their choice to monitor 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 13<sup>th</sup> January 2021 MHCLG published the HDT 2020 measurement. This confirmed the Plymouth, South Hams and West Devon's joint HDT measurement as 144% and the consequences are "None".

Therefore a 5% buffer is applied for the purposes of calculating a 5 year land supply at a whole plan level. When applying the 5% buffer, the combined authorities can demonstrate a 5-year land supply of 5.8 years at end March 2021 (the 2021 Monitoring Point). This is set out in the Plymouth, South Hams & West Devon Local Planning Authorities' Housing Position Statement 2021 (published 12th November 2021).

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

The relevant development plan policies are set out below:

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

SPT1 Delivering sustainable development  
SPT2 Sustainable linked neighbourhoods and sustainable rural communities  
TTV1 Prioritising growth through a hierarchy of sustainable settlements  
TTV2 Delivering sustainable development in the Thriving Towns and Villages Policy Area  
DEV1 Protecting health and amenity  
DEV2 Air, water, soil, noise, land and light  
DEV10 Delivering high quality housing  
DEV20 Place shaping and the quality of the built environment  
DEV26 Protecting and enhancing biodiversity and geological conservation  
DEV29 Specific provisions relating to transport  
DEV31 Waste management  
DEV32 Delivering low carbon development  
DEV35 Managing flood risk and water quality impacts

Neighbourhood Plan – A Neighbourhood Plan Area for Tavistock has been designated but has not progressed to the next formal stage.

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

Joint Local Plan SPD  
Plymouth and South 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.

**West Devon Borough Council** **Agenda Item 6**  
**PLANNING AND LICENSING COMMITTEE 3-Oct-23**  
**Appeals Update from 12-Aug-23 to 18-Sep-23**

**Ward Bere Ferrers**

APPLICATION NUMBER: **1347/22/FUL** APP/Q1153/W/22/3312197  
 APPELLANT NAME: Mr D Helcoop  
 PROPOSAL: Application for erection of holiday let  
 LOCATION: Morwell Down Bungalow Morwellham PL19 8JH **Officer member delegated**  
 APPEAL STATUS: Appeal decided  
 APPEAL START DATE: 26-May-2023  
 APPEAL DECISION: Dismissed (Refusal)  
 APPEAL DECISION DATE: 23-August-2023

**Ward Bridestowe**

APPLICATION NUMBER: **4513/23/CLE** APP/Q1153/X/23/3321143  
 APPELLANT NAME: Mr & Mrs Derek and Lesley Day  
 PROPOSAL: Certificate of lawfulness for existing use of single storey building as domestic dwelling.  
 LOCATION: Higgedy Piggledy Cottage Polehayes Beaworthy EX21 **Officer delegated**  
 APPEAL STATUS: Appeal Withdrawn  
 APPEAL START DATE: 30-May-2023  
 APPEAL DECISION: Withdrawn  
 APPEAL DECISION DATE: 25-August-2023

**Ward Buckland Monachorum**

APPLICATION NUMBER: **3598/22/HHO** APP/Q1153/D/23/3315294  
 APPELLANT NAME: Dr & Mrs I Robinson  
 PROPOSAL: Householder application for proposed extension in place of existing conservatory & widening existing vehicular entrances by removal of existing stonework  
 LOCATION: Brook Barn Milton Combe PL20 6HP **Officer member delegated**  
 APPEAL STATUS: Appeal Lodged  
 APPEAL START DATE: 15-May-2023  
 APPEAL DECISION: Split decision  
 APPEAL DECISION DATE: 14-August-2023

**Ward Exbourne**

APPLICATION NUMBER: **3723/22/VAR** APP/Q1153/W/23/3315904  
 APPELLANT NAME: Mr Chris Conway  
 PROPOSAL: Application for removal of condition 5 (use of dwelling) of planning consent 2100/22/FUL  
 LOCATION: Holbrook Broadwoodkelly EX19 8EF **Officer delegated**  
 APPEAL STATUS: Appeal decided  
 APPEAL START DATE: 03-May-2023  
 APPEAL DECISION: Upheld  
 APPEAL DECISION DATE: 04-September-2023

APPLICATION NUMBER: **3844/22/FUL** APP/Q1153/W/23/3321991  
 APPELLANT NAME: Fog Developments  
 PROPOSAL: Erection of three dwellings (revised scheme) (resubmission of 0332/22/FUL)  
 LOCATION: Land At SS 599 022 Exbourne **Officer delegated**  
 APPEAL STATUS: Appeal Lodged  
 APPEAL START DATE: 30-August-2023  
 APPEAL DECISION:  
 APPEAL DECISION DATE:

**Ward Hatherleigh**

APPLICATION NUMBER: **4242/21/FUL** APP/Q1153/W/23/3321661  
 APPELLANT NAME: Mr N Berridge  
 PROPOSAL: READVERTISEMENT (Revised plans and description) Application under paragraph 80(e) of the NPPF for the erection of a five bedroom dwelling, a breeding lake and three small zooplankton propagation ponds, together with associated works  
 LOCATION: Legge Farm Highampton EX21 5LF **Officer member delegated**  
 APPEAL STATUS: Appeal Lodged

APPEAL START DATE: 30-August-2023  
APPEAL DECISION:  
APPEAL DECISION DATE:

**Ward Milton Ford**

APPLICATION NUMBER: **1842/22/FUL** APP/Q1153/W/23/3317976  
APPELLANT NAME: Mr M Bassett  
PROPOSAL: Creation of farm track (part retrospective)  
LOCATION: Lane to the east of Summer Green Lamerton PL19 8FJ **Officer delegated**  
APPEAL STATUS: Appeal Lodged  
APPEAL START DATE: 23-August-2023  
APPEAL DECISION:  
APPEAL DECISION DATE:

**Ward South Tawton**

APPLICATION NUMBER: **1275/23/HHO** APP/Q1153/D/23/3325879  
APPELLANT NAME: Mr Andrew Penny  
PROPOSAL: Householder application for proposed car port  
LOCATION: 3 Langdown View Spreyton EX17 5AZ **Officer member delegated**  
APPEAL STATUS: Appeal Lodged  
APPEAL START DATE: 22-August-2023  
APPEAL DECISION:  
APPEAL DECISION DATE:

## Undetermined Major applications as at 8-Sep-23

	Valid Date	Target Date	EoT Date
2915/19/FUL Steven Stroud	18-Dec-19	18-Mar-20	31-May-23

**Address:** Wool Grading Centre, Fore Street, North Tawton,

**Description:** READVERTISEMENT (Revised plans received) Conversion of existing Grade II listed mill buildings (Building A) into 11 open market townhouses and redevelopment for B1 office use. Conversion/re-erection of Building B into 3 open market dwellings

**Comments:** Need for re-plan due to EA objection. Sketch revised layout with Heritage for comment. Going through viability review.

	Valid Date	Target Date	EoT Date
4113/21/OPA Steven Stroud	16-Nov-21	15-Feb-22	20-May-22

**Address:** Rondor And Gunns Yard, North Street, Okehampton,

**Description:** Outline application with some matters reserved for the development of 19 No. dwellings with new private access road, parking and external works

**Comments:** Written as approval. Dele authority given. Awaiting completion of s106.

	Valid Date	Target Date	EoT Date
0107/22/OPA Steven Stroud	13-Jan-22	14-Apr-22	1-Jun-22

**Address:** Land north of, Green Hill, Lamerton,

**Description:** READVERTISEMENT (additional information and amended description) Outline application for proposed development of 19 dwellings with access and external works with all matters reserved other than the access

**Comments:** Further recon carried out following receipt of further detail and completion of viability review. Comments received under consideration.

	Valid Date	Target Date	EoT Date
4004/21/FUL Steven Stroud	26-Apr-22	26-Jul-22	11-Nov-22

**Address:** Former Hazeldon Preparatory School, Parkwood Road, Tavistock, PL19 0JS

**Description:** READVERTISEMENT (revised plans and documents) Refurbishment of Hazeldon House to form a single dwelling (including demolition of non-listed structures), demolition of all other structures (including former classroom blocks) on site, the erection of 10 open market dwellings, reinstatement of original site access, restoration of parkland, associated infrastructure (including drainage and retaining structures), landscaping, open space, play space, removal of some trees, parking and boundary treatments

**Comments:** Revised plans received, out for consultation. Site visit undertaken. Currently under review.

	Valid Date	Target Date	EoT Date
2441/21/FUL Steven Stroud	13-Sep-22	13-Dec-22	31-May-23

**Address:** The Old Woollen Mill, Fore Street, North Tawton,

**Description:** READVERTISEMENT (revised plans) Hybrid application for full planning for 24 dwellings, office unit (class E), and cafe and business unit (class E) and 13 dwellings as outline permission (Self Build Plots).

**Comments:** Need for re-plan due to EA objection. Sketch revised layout with Heritage for comment. Going through viability review.

	Valid Date	Target Date	EoT Date
4440/22/OPA Peter Whitehead	23-Jan-23	24-Apr-23	

**Address:** Land Adjacent To Baldwin Drive, Radford Way, Okehampton,

**Description:** Outline planning permission with some matters reserved (access) for a mix of around 60 1 to 4 bedroom residential dwellings and associated infrastructure

**Comments:** Appeal lodged against non-determination.

	Valid Date	Target Date	EoT Date
		Page 25	

**Address:** Land Adjacent To Lifton Strawberry Field, Lifton,

**Description:** Application for approval of reserved matters following outline approval 1408/20/OPA for access and adoptable road layout

**Comments:** Under consideration. Further details submitted by agent September 2023, rolling EoT.

	Valid Date	Target Date	EoT Date
0474/23/VAR Clare Stewart	9-Feb-23	11-May-23	8-Jun-23

**Address:** Land Adjacent To Callington Road, Callington Road, Tavistock,

**Description:** Application for variation of condition 2 (approved plans) of planning consent 3345/18/ARM

**Comments:** Under consideration. Further information received from agent September 2023.

	Valid Date	Target Date	EoT Date
0998/23/OPA Clare Stewart	5-Jun-23	4-Sep-23	18-Sep-23

**Address:** Hawley House, Church Road, Highampton, EX21 5LS

**Description:** Outline Application with all matters reserved for residential development for up to 19 dwellings to include public open space (resubmission of 1266/22/OPA)

**Comment:** Decision to be issued imminently (officer/member delegated refusal).

	Valid Date	Target Date	EoT Date
2045/23/FUL Clare Stewart	13-Jun-23	12-Sep-23	

**Address:** Manor House Hotel, Okehampton, EX20 4NA

**Description:** Change of use from agricultural land to use ancillary with Manor House Hotel (Retrospective)

**Comment:** Under consideration.

	Valid Date	Target Date	EoT Date
1116/23/VAR Hayley Easter	15-Jun-23	14-Sep-23	

**Address:** Land south of North Tawton Primary Substation, North Tawton, EX20 2DA

**Description:** Application for variation of conditions 2 (approved drawings), 3 (programme of archaeological work), 4 (CEMP), 5 (LEMP), 6 (site decommissioning and remediation strategy) and 7 (details of all external materials) of planning consent 2094/21/FUL

**Comment:** In consultation period

	Valid Date	Target Date	EoT Date
2584/23/FUL Bryony Hanlon	16-Aug-23	15-Nov-23	

**Address:** Rathkenny Stud, Higher Lowton Stables, Bondleigh, EX20 2AL

**Description:** Proposed horse gallop and associated fencing

**Comment:** In consultation period

	Valid Date	Target Date	EoT Date
2384/23/FUL Clare Stewart	16-Aug-23	15-Nov-23	

**Address:** Land At Sx 455 868, Cross Roads, Lewdown,

**Description:** Construction of 20 dwellings and associated estate road, gardens and open space

**Comment:** In consultation period (expires 5/10/23)

	Valid Date	Target Date	EoT Date
2435/23/FUL Lucy Hall	16-Aug-23	15-Nov-23	

**Address:** Land At Sx 453 669, Bere Alston,

**Description:** 31no new dwellings, associated access road, pedestrian link, landscaping, public open space and drainage

**Comment:** In consultation period

		Valid Date	Target Date	EoT Date
2596/23/FUL	Bryony Hanlon	17-Aug-23	16-Nov-23	

**Address:** Rathkenny Stud, Higher Lowton, Bondleigh, EX20 2AL

**Description:** Proposed horse paddocks

**Comment:** In consultation period

		Valid Date	Target Date	EoT Date
2074/23/FUL	Clare Stewart	31-Aug-23	30-Nov-23	

**Address:** Land At Sx 608 563 Known As Plot A, Higher Stockley Mead, Okehampton,

**Description:** Construction of building for warehouse use (Class B8) together with parking area

**Comment:** in consultation period (expires 12/10/23).

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