

# West Devon Development Management and Licensing Committee



West Devon  
Borough  
Council

<b>Title:</b>	<b>Agenda</b>								
<b>Date:</b>	<b>Tuesday, 27th February, 2024</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
Cllr Cunningham	Cllr Mann								
Cllr Guthrie	Cllr Moody								
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 - 8**

Meeting held on 12 December 2023 and the minutes of the Sub Licensing Committee held on 6 February 2024

**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:

<https://apps.westdevon.gov.uk//PlanningSearchMVC/>

**(a) 2215/22/FUL**

**9 - 52**

**Land North of B3257, Bere Alston, Yelverton, PL20 7DG**

READVERTISEMENT (revised plans & documents) Erection of community convenience retail store (Coop), access, vehicle parking & landscaping

**(b) 3349/23/FUL**

**53 - 64**

**Five Acres, Woolacombe Road, Bere Alston PL20 7EA**

Demolition of two agricultural outbuildings & erection of new dwelling

**6. Planning Appeals Update**

**65 - 66**

**7. Update on Undetermined Major Applications**

**67 - 70**



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# Agenda Item 4

Minutes of a meeting of the **WEST DEVON DEVELOPMENT MANAGEMENT & LICENSING COMMITTEE** held on **TUESDAY** the **12th** day of **December 2023** at **10.00am** in the **COUNCIL CHAMBER, KILWORTHY PARK**

**Present** Cllr R Cheadle – Chairman  
Cllr T Southcott – Vice-Chairman

Cllr A Cunningham	Cllr J Moody
Cllr S Guthrie	Cllr C Mott
Cllr P Kimber	Cllr S Wakeham
Cllr U Mann	

Head of Development Management (JH)  
Senior Planning Officer (BRH)  
Environmental Health Officer (JW)  
Senior Democratic Services Officer (KH)

**\*DM&L.36 APOLOGIES FOR ABSENCE**

Apologies were received from Cllr Leech and Cllr Jory for who Cllr Kimber substituted.

**\*DM&L.37 DECLARATION OF INTEREST**

There were no declarations of interests.

**\*DM&L.38 URGENT BUSINESS**

There was no urgent business brought forward to this meeting.

**\*DM&L.39 CONFIRMATION OF MINUTES**

The updated minutes from the Committee meeting held on 31 October 2023, the minutes from the Committee meeting held on 21 November and the minutes from the Licensing Sub-Committee meeting held on 24 October were agreed as a true and correct record.

**\*DM&L.40 PLANNING, LISTED BUILDING, TREE PRESERVATION ORDER AND ENFORCEMENT REPORTS**

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

**(a) Application No. 1769 /23/FUL Ward: Buckland Monachorum**

**Site Address: Uphill, Yelverton PL20 6DF**

**Development: Use of walled garden for weddings, workshops**

**& food events, construction of four ancillary buildings within the walled garden, use of part of adjacent barn for wedding ceremonies & construction of external staircase to barn (part retrospective) (resubmission of 2992/22/FUL)**

**Recommendation: Conditional Approval**

**Conditions**

1. Standard time limit
2. Accord with plans
3. Use (weddings, workshops & food events)
4. Walled garden (catering)
5. Tie to Listed Building
6. Number of events
7. Time of events – to protect the barn owls and amenity of neighbours
8. Number of guests
9. Sustainable travel plan
10. Lighting plan
11. Noise management plan
12. Amplified music
13. Ecological appraisal
14. Existing nesting site (prior to commencement)
15. New nesting site (prior to commencement)
16. Barn owl monitoring
17. Remove when no longer required

**Key issues for Committee consideration:**

- Locality (countryside)
- Heritage (Listed Building)
- Landscape
- Ecology (barn owl)
- Amenity (noise and lighting)
- Highways and access

The Planning Officer gave a presentation to the Members on the application. The business plan submitted showed up to 15 courses per calendar year. Up to 10 Day/evening events per calendar year, up to 20 small events/elopement weddings per year and up to 10 late finish events per calendar year. 16 letters of representation were received in support and 16 against the application.

In response to a Member question the Planning Officer stated that the associated Listed Building application was not being heard at Committee as it related to minor works to the barn and no objections had been received. It was confirmed that the glass house would also be used as a gardening space.

The Environmental Health Officer stated that the noise heard from the boundary of the site would be ambient and blend into the background.

She stated that it would be for the owner to demonstrate they are complying with the noise levels. A noise management plan had been received from the applicant. A noise limiter was to be used to cut back

any music being played too loudly. If the noise levels were too high and complaints received, it would be dealt with by Environmental Health Officer and in some circumstances a Noise Abatement Notice could be considered. She said those to the south of the site would be less likely to hear noise as most of the winds are from the south or southwest. She said measurements are not taken for any particular planning applications, however, they are aware that most noise in the countryside is recorded at around 25 decibels.

The Planning Officer explained that sound proofing in the barn along with provision of a new barn owl box, monitoring and a guest exclusion zone meant the barn owl currently living in the barn would be protected. In terms of heritage assets, there is a phased schedule of repairs to the buildings. With regard to Policy TTV26, Development in the Countryside, the Planning Officer explained whilst the policy would not wholly support the proposal, there were heritage and economic benefits, which weighed in favour of the proposal.

### **Speakers**

Murray Ross - Objector

Christopher Hayes – Supporter/Applicant

Mr Ross spoke on behalf of a neighbouring resident. He stated that the site had been operating for almost 24 months as a wedding venue without planning permission and had demonstrated to have had an impact on residential amenity by way of noise and disturbance. He stated the residents were unable to sit in their gardens during events at the site due to the noise. The residents had commissioned their own noise assessment which had been submitted to the Council. He made comment to the traffic impact stating the nearest bus stop was  $\frac{3}{4}$  mile away, with the last bus to Plymouth leaving at 10pm. Guests using the bus would need to leave and walk a dark unlit county lane with no footway. He stated the venue was in an unsustainable countryside location within an Area of Outstanding Natural Beauty, where tranquillity and dark skies are to be protected.

The applicant stated he had been running the venue for three years, holding up to 7 events each year. At pre-application, a Planning Officer, Police Licencing Officer, Environmental Health Officer and Heritage Specialist were present and all were consulted throughout the process of the application. There would be 20 events with provision of amplified music, 10.00- midnight and 10.00- 22.00 hours. Not all would be weddings, some would be feasting nights with long tables and feasting platters.

A system would be installed to give the applicant full control over the music being played at the events.

Local amenity had been at the forefront of considerations when starting the application process and feedback was sought on improvements. This resulted in not allowing certain types of music and putting up more signage to ensure guests found the venue. This led to the nearest neighbour to the site being at the meeting in support of the application. As a young family they prided themselves in using locally produced produce. Staff employed were all from the local area.

One Member asked if there were plans for solar panels or electric

charging points in the future. The applicant responded by saying the cost of charging points and the lack of 3 phase electricity locally meant they weren't looking to install any immediately. The barn would be the only suitable source for installing solar panels and given the listed status of the barn, there may be conflicting issues. The applicant confirmed that the larger events would run between May to September. He stated a zonal system is a targeted speaker system and sits above the dance floor within a marquee. He stated that they would be employing staff on an all year round basis.

He would be getting the sound equipment built once the application was given consent. He commented that he was a qualified noise assessor at work with HSE and he would be dealing with any complaints through a complaints log. Liaising with Environmental Health he would respond to any complaints.

The Development Management and Licensing Committee had most of their issues addressed during the questioning of the presenters and as such there was very little debate.

**Committee Decision: Conditional Consent in line with the Officer's recommendation- Conditions as set out in the Planning Officer's report**

**\*DM&L.41 PLANNING APPEALS UPDATE**

The Head of Development Management took Members through the appeals that had been given decisions. Application 2391/22/HHO, a householder application for a rear extension at Southmoor, Thorndon Cross, with officer recommendation for refusal was upheld on appeal by the Inspector.

The Planning Officer had refused due to the effect on the character and appearance of the host building, the rural location and also due to the site being close to the Dartmoor National Park. The Inspector had concluded the only views of the extension would be from some distance away and didn't feel the primacy of the host dwelling would be diminished. A Member felt the Inspectors decision should be questioned. The original application was refused due to size and scale. An application was presented for a smaller extension with this extra extension being proposed. The Parish Council had felt the Neighbourhood Plan had not been considered.

The Inspector agreed with the decision on Application 3844/22/FUL at Exbourne for the refusal of three dwellings. He felt the bulk and massing of the development would create a mass of development where there was none currently. It would also have a harmful effect on an oak tree with a tree preservation order on it.

Application 4242/21/FUL for a five-bedroom house in Highampton was dismissed on Appeal. It was submitted as being of outstanding architectural value under para. 80 (5) of the NPPF, being an unusual design with a fish hatchery under the building.

Application 1183/23/HHO for an extension to a converted barn at 2 Fowley Barns, Okehampton was upheld on appeal. The Inspector felt



the extension would have a neutral effect on the character and appearance of the surrounding area.

**\*DM&L.42 UPDATE ON UNDETERMINED MAJOR APPLICATIONS**

The Head of Planning stated that the applicant for application 2915/19/FUL, The Wool Grading Centre at North Tawton, was trying to resolve a flooding issue. The Planning Officer overseeing the case has given them until Christmas to submit additional information. If this is not received the Officer would be looking for a recommendation for refusal. Regarding application 4004/21/FUL, Former Hazeldon Preparatory School, Tavistock, information was awaited from the applicant by the Heritage Officer for works on Hazeldon House. He had been in conversation with the architect and plans are expected to be provided on the back of that conversation.

(The Meeting ended at 11.25 am)

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**Chairman**

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**MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE  
HELD ON TUESDAY 6 February 2024**

**Present:**

Cllr A Cunningham (Sub-Committee Member)  
Cllr N Jory (Sub-Committee Member)  
Cllr U Mann (Sub Committee Member)  
Cllr C Mott (Sub Committee Member)  
Cllr T Southcott (Sub-Committee Member)

Alan Parr, Lawyer (via MS Teams)  
Naomi Stacey, Senior Licensing Officer  
Kathy Hoare, Senior Democratic Services Officer  
Harry Lionis, Licensing Officer

**\*LSC 6 APPOINTMENT OF CHAIRMAN**

It was **RESOLVED** that Cllr T Southcott be appointed Chairman for the duration of the Sub-Committee meeting.

**\*LSC 7 DECLARATION OF INTEREST**

There were no declarations of interest declared.

**\*LSC 8 EXCLUSION OF PUBLIC AND PRESS**

It was **RESOLVED** that, in accordance with Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting during consideration of the following items of business as the likely disclosure of exempt information as defined in paragraph 1 of Schedule 12A to the Act is involved.

**\*LSC 9 TO DETERMINE WHETHER TO GRANT A HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER LICENCE**

The Senior Licensing Officer introduced the exempt report and set out the reasons for the Sub-Committee being required to determine this application.

Following discussion, the Committee **RESOLVED** that the Licence Application be refused.

\*LSC 10

**TO DETERMINE WHETHER A DRIVER REMAINS A FIT AND PROPER PERSON TO HOLD A HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER LICENCE**

The Senior Licensing Officer introduced the exempt report and set out the reasons for the Sub-Committee being required to determine this application.

Following discussion, the Committee **RESOLVED** that the Licence be revoked.

(The meeting closed at 11.20am)

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Chairman

## COMMITTEE REPORT

<b>Case Officer:</b>	Peter Whitehead		
<b>Parish:</b>	Bere Ferrers	<b>Ward:</b>	Bere Ferrers
<b>Application No:</b>	2215/22/FUL		
<b>Applicant:</b>	Westcountry Land (Kenwyn) Ltd C/O Agent	<b>Agent:</b>	Mr Russell Dodge - Business Location Services Ltd 1 Riverside House Heron Way Newham, Truro TR1 2XN
<b>Site Address:</b>	Land North of B3257, Bere Alston, Yelverton, PL20 7DG		
<b>Development:</b>	READVERTISEMENT (revised plans & documents) Erection of community convenience retail store (COOP), access, vehicle parking & landscaping		



**Reason item is before Committee: At the request of the Head of Development Management due to the level of public interest.**

**Recommendation: Refusal**

**Reasons for refusal:**

1. In the opinion of the local planning authority, there is a considerable risk that the proposed retail store would not, as the applicant maintains, claw back trade currently lost from the catchment to stores in Tavistock and Plymouth but would, by reason of its size and out of centre location, draw and divert trade and footfall from retail stores in the village centre, rendering one or more of them vulnerable to closure. The proposal would thus have a significant adverse impact on the vitality and viability of the existing village centre and is considered contrary to policy DEV16 of the Plymouth and South-West Devon Joint Local Plan 2014-2034 and paragraph 95 of the National Planning Policy Framework (NPPF), together with policy C1 of the of the Bere Peninsula Neighbourhood Plan.
2. The application site lies in the open countryside outside the settlement of Bere Alston on land situated within the Tamar Valley National Landscape, (a designated Area of Outstanding Natural Beauty). The proposal involves the construction of a large retail store building, with considerable tree planting understood to be proposed in part to screen the building from view, in addition to the removal of existing roadside Devon banks and provision of new recessed banks to allow for access to the site. In the opinion of the local planning authority, the imposition of a building of this scale and presence on land typified by its open character and inclusion of tree screening in a landscape character area typified by the presence of limited trees on exposed plateaus would be harmful to the landscape character and scenic beauty of the area. The loss of roadside hedge bank and proposed footways would also be harmful and, overall, the development would urbanise and significantly detract from the site's current contribution to the rural setting and pleasant entrance to the village. Furthermore, the external lighting of the store would harmfully impact upon the relative tranquillity, including dark skies, experienced on this rural fringe of the settlement and the Tamar Valley National Landscape harming rather than conserving and enhancing the landscape and scenic beauty of the National Landscape, and would be contrary to policies SPT1, DEV20, DEV23 and DEV25 of the Plymouth and South-West Devon Joint Local Plan 2014-2034 and policy E1 of the Bere Peninsula Neighbourhood Plan together with paragraphs 180 and 182 of the National Planning Policy Framework (NPPF).
3. The proposed store, by reason of its out of centre location, footway links, scale and retail offer is considered likely to rely upon a significant number of trips by private car rather than on foot, cycle or other sustainable transport choices. The proposal thus fails to support a pattern of sustainable growth and a move towards low carbon development and is contrary to the objectives of sustainable development and conflicts with policies SPT1, SPT2, DEV15 and DEV29 of the Plymouth and South-West Devon Joint Local Plan 2014-2034, in addition to paragraph 8 of the National Planning Policy Framework (NPPF).
4. The application site currently comprises open countryside beyond the edge of the settlement, likely to be occasionally visited by farm machinery but otherwise typified by tranquillity and an absence of artificial illumination. In the view of the local

planning authority, the introduction of the retail store on the site would unacceptably impact upon the level of amenity and living conditions currently experienced by the residential occupiers of Highfield which adjoins the south-west corner of the site, by reason of noise, activity, disturbance and light pollution resulting from the development from early morning to late evening each day, contrary to policies DEV1 and DEV2 of the Plymouth and South-West Devon Joint Local Plan 2014-2034 and paragraphs 123 and 191 of the National Planning Policy Framework (NPPF).

**Key issues for consideration:**

Principle of development/sustainability, retail considerations: sequential test and retail impact, impact upon natural environment, highways/access, sustainable location, neighbour amenity, impact upon historic environment, land contamination, biodiversity, drainage, low carbon development, crime and anti-social behaviour

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**Site Description:**

The site lies just beyond the eastern edge of the village of Bere Alston and comprises part of a field laid to grass.

The eastern, southern and west site boundaries are marked by relatively low grass-covered Devon banks, which are not topped with hedging and offer clear views across the site. There is currently no gateway into the field directly from the B3257, access into the field (and hence the site) being gained via a gateway from the adjoining field to the east. The site slopes down by some 3m approx. from the eastern corner (adjoining the B3257) to the western site boundary (i.e. from 153.50m AOD – 150.50m AOD). It measures some 0.29ha.

Turning to look at the site's wider environs, open fields and countryside lie to the north and east of the site.

To the south, the site has a frontage onto the B3257, the main road into the village though as noted the site currently has no direct access onto this road. Down View, an existing residential cul-de-sac, lies on the south side of the B3257, separated from the road by a stone bank and a grass verge which widens towards the junction (a crossroads) of the B3257 and The Down to the west. Down View is accessed off The Down and has no direct access onto the B3257. Land to the east of Down View is currently the subject of a planning application for a residential development of 31 dwellings (ref. 2435/23/FUL) and is allocated for housing development in the Bere Peninsula Neighbourhood Plan.

A single detached bungalow (Highfield) lies to the south-west corner of the site, at the crossroads of the B3257 with The Down (to the south) and a minor lane (to the north) which adjoins the application site to the west. A small number of dwellings front onto the eastern side of this lane. These dwellings form the eastern edge of the village, the main built-up area of the village lying to the west.

There is no footway on the south side of Bedford Street (the continuation of the B3257 leading westwards into the village centre) but a footway does exist on the north side of Bedford Street. Alexandra Drive and Broad Park Road also provide footways leading towards the village centre.

The site lies within the Tamar Valley National Landscape, this being a designated Area of Outstanding Natural Beauty.

### **The Proposal:**

Full planning permission is sought for the construction of a convenience retail store, access, vehicle parking & landscaping on the site.

The submitted Planning Statement states that the intended occupier of the store is the Co-op, which currently operates from a smaller store in the centre of the village.

The plans have been revised during the consideration of the application (and re-consultation undertaken), involving alterations to the site access and landscaping details. The scheme as originally submitted and as revised will be discussed below.

The site layout depicts the construction of a new vehicular and pedestrian access onto the B3257 situated roughly halfway along the site frontage. The store building is to be situated to the west of this, the store car park to the east.

The store building measures approximately 25.5m long x 15.5m wide x 5.9m high.

Internally, the store building has a sales area of 235m<sup>2</sup>, together with a 'back of house' area containing freezers, staff toilet, office, cleaning and service area measuring some 118m<sup>2</sup>, giving the building a gross internal area (GIA) of some 353sq.m. The entrance to the store is to the south-east corner. A wall-mounted ATM is included to the side of the entrance doors.

The building is pitch roofed (low pitch) and is proposed to be externally clad with 'natural Cornish stone walling' and vertical timber boarding, with a roof clad with powder coated corrugated metal sheeting (coloured anthracite grey). Design precedents provided in the accompanying Design and Access Statement indicate that the detailing of the building and facing materials have been chosen to emulate traditional agricultural buildings.

The store, yard area and car park would be illuminated with a range of free-standing bollard lights, floodlights and streetlamps, together with bulkhead lights attached to the building. The submitted plans also show freestanding signage and associated lighting to the site frontage, though these advertisements (and their lighting) do not form part of this application.

A new section of Devon bank is proposed to enclose the northern boundary of the site (which runs across the middle of the field) and the eastern boundary with the adjoining field.

With regard to access, and the frontage onto the B3257, the plans have been revised since the application was first submitted. Initially, the plans depicted the removal of the Devon bank to the west side of the access, leaving the frontage open to this side, and the access was designed on the basis that the speed limit on the B3257 at this point would be reduced to 30mph. However, as discussed below, there is no agreement with the highway authority to change the speed limit, and the access shown (including visibility splays) on the revised plans thus reflects the national speed limit that applies. The revised plans do, however, show the provision of Devon hedge to the east and west sides of the access, outside the visibility splays, and this returns and runs alongside the access into the site.



The proposals also include off-site works within the public highway comprising the provision of a pedestrian footway to the west side of the access, linking with a pedestrian crossing across the B3257 and, in turn, a further section of footway on the opposite side of the B3257 as far as the junction with The Down. It is noted that provision of the crossing point on the south side of the B3257 would involve the removal of a section of stone bank that forms the boundary between the B3257 and 1 Down View. The slight modification of the carriageway of the B3257 is also proposed, with the carriageway including land which currently comprises part of the grass verge on the south side of the road. From discussions with the County Highway Authority this land, including the stone bank referred to, is understood to be part of the public highway and comprise land within the ownership of the County Highway Authority.

In terms of parking, the customer car park is situated to the east of the access and contains 18 spaces, including 1 space for disabled persons and 1 space for parents with children. 2 further spaces are included for staff. A delivery compound is provided to the rear (north) of the store, together with an enclosed plant area. EV charging is proposed to 'at least one EV parking space for staff as well as EV charging within the customer car park that will include the provision for rapid charging and cabling'. The exact number of EV parking spaces is not stated. Cycle parking is also proposed.

Landscaping within the site takes the form of tree planting and around the eastern, northern and western periphery of the car park and store, including a 'buffer' between the store building and Highfield to the south-west and native hedge planting atop the Devon banks.

It is proposed that the store will operate 7 days a week from 6.00am – 11.00pm Mondays-Fridays and Saturdays and 6.00am – 11.00pm on Sundays and Bank Holidays.

### **Consultations:**

- Bere Ferrers Parish Council: The Parish Council responded to the application upon submission as follows:

*"The Council resolved to recommend the approval of the above planning application, subject to the following considerations:*

*1 The Neighbourhood Plan does not specifically deal with applications for retail development outside the specified central area and there is a slight ambiguity on how such matters should be dealt with. The emphasis of the Council going against the Neighbourhood plan is very much by exception as this is a unique application and does not change the councils view of residential development outside of the permitted development areas as set out by the plan.*

*2. However, the Council decided that on Planning Balance, having a larger store adjacent to the planning boundary, on the edge of Bere Alston with its improved accessibility outweighed the disadvantages of the present cramped store which has difficult accessibility. However, our recommendation was subject to the following:*

*a. It was felt that the proposed footway with pedestrians required to cross the very busy main road twice when accessing from the village was fraught with danger and was unacceptable. The sight lines from the proposed site are poor on either side. The south side*

verge does not appear able to have the width to accommodate a two metre footway without removing the Devon hedge bank.

b. Even though there is a proposal to impose a 30mph limit, it is a fact that many motorists do not immediately slow down and during the hours of darkness pedestrians would not be seen as there is no street lighting in this area.

c. The second crossing point at Bedford st and Woolacombe rd. (leading to hamlets south of Bere Alston,) is the busiest in the village with h.g.v's , buses, modern tractors forming part of traffic turning at this site.

d. A pavement on the north side would be acceptable.

3 To assist accessibility for residents, where a large proportion of them are of mature years, we suggest that discussions should take place with DCC and the bus company to allow the hourly bus service to enter the store area with provision made for the vehicle to either safely reverse or an amendment to the road layout so that it could traverse around the proposed car park.

4 If this was not possible then bus stops should be provided on each side of the road opposite the store entrance.

5 Consideration should be given to extending the 30mph service to just past the entrance to the Bowling Club., as the latter is becoming an increasingly popular venue for many social events from garden shows to weddings.

6 The site is within the AONB and on the edge of the World Heritage area. We are therefore concerned that any environmental damage should be mitigated, especially to the bio-diversity of the area. This should include:

a. The avoidance of light pollution that will cause disturbance to night flying creatures.

b. The planting only of native vegetation that will contribute to the bio diversity of the area.

c. The avoidance of noise pollution that will confuse creatures that use sonar and echolocation for navigation and effect local residents.

7 A remote site could attract Anti-Social Behaviour which would cause disruption to local residents; we suggest that CCTV cameras be installed which would also have the benefit of protecting the premises.

a. The owner of Highfield has stated that the store and the intervening tree boundary will have an overbearing presence on his bungalow and conservatory, which face in that direction. It is difficult to ascertain the extent of the problem from the plans that have been supplied. We ask that the Planning Officer should advise the Developer as required.

b. The south west corner of the site, is shown in the 1737 map as Gallows Gate by Gallows St. as in the 17th century it was the site of the village gibbet with the belief that bodies may have been buried within the south western edge. We suggest that the County Archaeologist be informed of this proposed development to ascertain whether these concerns are sustainable.

c. It is our view that at least one electric charging point should be installed for public usage.

d. In spite of the developer using an electric supply from sustainable sources, we still consider that not putting solar panels on the roof is a missed opportunity which would benefit climate change.

8 The Developer has stated that the building has been designed to replicate agriculture buildings within the area but on the gable end of the proposed store, facing east, which is part of the village Gateway, there is a huge Blue Co-op sign and two other road signs

*to the west and east of the store. These are unacceptable and one double fronted sign of reasonable size should be sufficient to indicate the location.*

*9 We note that the Developer has changed the opening hours to 7am to 10pm seven days a week and ask that this be confirmed.*

*10 Finally we would suggest to the Developer that as the bus service is hourly and the store is on top of the Permian Ridge, that passenger's comfort should be considered with the provision of a waiting area and accessible toilet within the store. This might mean a small enlargement of the store but would be justified in customer care terms for which the Co-op has a good reputation."*

On 12/02/24, the Parish Council submitted an email setting out as follows:

*"We have been in lengthy communication with Devon Highways asking that the speed limit coming into the village be reduced at 30 mph, as currently it is the national speed of 60 mph. This would mean that the proposed pedestrian cross to the new store would be within the 60 mph speed limit.*

*We have therefore been advised to put in a request to West Devon Borough Council to produce a 106 order offered by the Co-Op Developer for road improvements and the reduction of the speed limit 30 mph, is incorporated into the 106 agreement."*

- **County Highways Authority** – originally objected but has now withdrawn their objection and (as of 15/02/24) recommends conditions and an appropriate legal agreement to secure the provision of proposed off-site highway works (an uncontrolled crossing and footways) together with a contribution of £5,000 towards the investigation and consideration of a reduced speed limit (30mph) on this stretch of the B3257 and, if such is approved following the due democratic process, the installation of any associated signage and additional ancillary lighting or illumination.
- **Tamar Valley AONB** - detailed concerns which are discussed in the body of the report
- **Natural England** – no objection
- **DCC Historic Environment Archaeology Team** – no objection subject to condition
- **DCC Ecology** – no objection subject to conditions
- **Environmental Health Officer** – no objection subject to conditions
- **LLFA (Drainage)** - no objection
- **Police Designing Out Crime Officer** – comments

#### Representations:

Two rounds of public consultation have taken place.

Following this, a total of 39 letters of representation have been received which object to the application. The broad grounds of objection listed in these representations are as follows:

- Bere Alston is a rarity – a village with a functioning High Street. Moving the primary shop to the outskirts of the village will likely affect footfall at the pharmacy, butchers, post office, Premier, Jon Brown's, pub and fish and chip shop.
- This proposed development falls between stools. It does not meet the needs of the many customers who spontaneously pop into the existing centrally located Co-op or the needs of drivers who, having got onto their cars and on the road to Tavistock, might still decide to drive past the store to do their weekly shop in Tavistock where there is greater choice.
- Most people would still continue to do their main weekly shop elsewhere as the Co-op is more expensive. Similarly sized Co-op shops at Yelverton and in Tavistock are still mainly used as “top up shops.” The more extensive range of products available in the larger supermarkets will always be more attractive so there is little likelihood that a slightly bigger Co-op store in Bere Alston will result in residents doing their weekly shop there.
- Existing shops in the village are sufficient to meet everyone’s everyday needs. New store not needed.
- The village has managed for many years with the current store and the applicant’s concerns regarding delivery vehicles and working conditions have not materially changed in many years – so what has changed now?
- No survey has been undertaken to identify what the village needs.
- The Co-op has had the monopoly for a long time and charge whatever prices they want. The Premier store is now a well stocked shop with a wide range of products at prices that suit every budget. There are 4 other Co-op stores close to Bere Alston which charge different prices for the same items. Closure of the Premier store would mean Co-op is the only convenience store in the village. The village cannot afford to lose its existing shops or Post Office. There would be no way to do banking, collect and send parcels.
- The travel distance to other stores is a non-issue now a lot of villagers use online shopping (and have food and products home delivered)
- This development will cause a detrimental effect to the village with a loss of other businesses (Butcher, Spar, Bakery and Pharmacy)
- The threat to the local independent traders on Fore Street should not be underestimated. The proposal ‘could potentially rip the heart out of the village over time’ and ‘kill the centre of the village.’
- Whilst the proposal will create jobs, they will be low paid. The jobs lost by potentially drawing business away from the existing shops cannot be justified.
- What happens if this new Co-op store fails in a few years by which time the High Street shops have gone?
- The existing Co-op store could be extended to the rear instead
- This is village with an aging population so why put the store on the outskirts of the village, a more central location should be sought.
- The village has a vibrant variety of well used shops which are located in the middle of the village and are accessible to everyone.
- The existing Co-op shop is in the centre of the village and within walking distance of residents.
- Moving the location of the shop will affect elderly persons who will no longer be able to access the shop on foot to get essential shopping
- The site is located at the top of a steep hill on the outskirts of the village, which will dissuade people from walking to it.
- Accessing the proposed site will require transport for many people.
- For residents who need the store most - carless residents, the elderly, mothers with young children who just want to pop in for a top-up shop the proposed premises would be extraordinarily inconvenient. On the very edge of the village it is remote for most on foot –

how many non-drivers will want to struggle up the hill which is only partially paved or take a bus which may require a wait to catch a returning bus (unless a targeted bus run is instituted)?

- The road is narrow and unsuitable and the development will cause traffic congestion.
- The development will result in a high volume of traffic
- The proposals would require pedestrians to cross Bedford St twice. The proposal would increase traffic using Bedford Street which is already a busy and narrow road and increase hazardous for pedestrians, horse riders, cyclists and dog walkers.
- Visibility for traffic entering Bedford Street from the junction besides Highfields is restricted. Increasing traffic using Bedford Street will make this junction more dangerous.
- Broad Park Road will become a rat run for motorists trying to avoid traffic issues that the position of the Co-op may cause
- The traffic survey was conducted during lockdown when vehicle movement figures were low
- Shouldn't Highways have been asked for a review of the proposal and provided its position before this stage?
- The site lies in an Area of Outstanding Natural Beauty on the approach to the village. The development would seriously affect the character of the village, ruin the countryside and magnificent views.
- The visual impact of the store upon entering the village would be overwhelming
- The site is on a hill and the building would impact upon long range views. It would be seen for miles around and spoil the look of the area.
- The application proposes the loss of a green field site / loss of agricultural land.
- The proposal would impact upon wildlife
- The proposal would increase traffic and noise in a quiet part of village.
- The proposal would result in light pollution. This area is a recognised "Dark Sky" area and on clear nights the number of stars, constellations and satellites that are currently clearly visible with the naked eye would be seriously degraded
- The proposal would result in the destruction of Devon bank. The road widening proposals would result in the loss of Devon banks, grass verge and flowers that have been maintained for many years
- The lowering of hedges would negate any visual benefits of tree planting.
- The site should be left agricultural or a brownfield site found.
- The building has been designed to look like a barn yet it would be festooned with signage.
- The building will look incongruous.
- The building has an urban-looking Co-op sign heralding a building more characteristic of a motorway service station and which, despite supposed copying "vernacular architecture" would not blend in with any nearby buildings / the surrounding area.
- Planning permission for another estate next to the Bowling Club was turned down so why allow this on a green field site with commanding views?
- Accessing the proposed site would necessitate private car use and hence use fossil fuels and thus cause pollution.
- The proposal includes no renewable energy, solar panels, etc
- The proposed opening hours from 6am to 11pm would mean lights on early and later, which would affect the residential amenity of adjoining dwellings
- Noise from cooling fans, refrigeration units, etc would affect the residential amenity of adjoining dwellings
- The development would result in loss of privacy and amenity to the bungalow (Highfield) directly adjoining the site
- The late opening hours and location of the store would encourage anti social behaviour and vandalism; and hence fear of crime for adjoining residents.

- The ATM would encourage theft.
- The development would set a precedent
- The application goes against a number of policies highlighted in the Plymouth & South West Devon Joint Local Plan (2014-2034); namely SO8 (paragraph 4) & SO9 (paragraph 7); SO10 (paragraphs 2 & 3); also DEV15 (avoid increase in private car trips); DEV18 (protecting local shops and services); and DEV25 (paragraphs 1, 2, 3 & 4).
- The development is not supported by the Neighbourhood Plan; Policies T3, EC1 & H2
- The Neighbourhood Plan planned to ensure the village approach would be safeguarded from inappropriate development.

Following the two rounds of public consultation, a total of 29 letters of representation have been received which support the application. The broad grounds of support listed in these representations are as follows:

- The village has grown in the last 40 years but its amenities have not
- The existing Co-op store is not fit for purpose
- The current store is too small.
- The existing store is crowded if there is more than about 5 customers in the store at once.
- The village and surrounding area could do with a larger store, with a bigger and better range of products
- The existing Co-op store has no disabled access or access for pushchairs / nowhere to stow them.
- Parking in the main street and surrounding areas is impossible. The proposal will ease congestion and leave the street safer
- Lorries cause problems - the roads aren't designed to accommodate them.
- The proposal will bring job opportunities.
- The proposal will push the 30mph limit back further from the houses and provide a safer crossing point.
- Though it's 'up the hill' for some, which might pose a problem for those with mobility issues, there will still be stores in the village centre that are accessible.
- The Post Office, Premier, pharmacy and butchers will still bring footfall into the centre.
- An additional shop unit being made available when the current Co-op closes might bring extra benefits. The proposal would free up a commercial unit for another use.
- Users of the highly valued Post Office, Chemist, Butcher and hairdresser would ensure that the footfall would be maintained to the other shops.
- If the Co-op was relocated, parking would be easier and we would be far more likely to support the butcher, post office, chemist, Pub, cafe and remaining supermarket.
- The proposal would allow shoppers to do a larger shop without having to drive to Tavistock - would love to see a larger range of products and be able to do a big shop locally without having to leave the village to shop in Tavistock, some 5-6 miles away.
- The proposal would reduce the shop's carbon footprint by reducing travel to Tavistock.
- The proposal offers plenty of parking
- The proposal would reduce fuel costs and emissions needed for the weekly shop, with most people currently driving to Tavistock.
- The Neighbourhood Plan identified that 80% of the residents shop off the Peninsula.
- There's a bus stop nearby.

A total of 2 letters of representation have been received which are 'undecided'.

In addition to broad points already included above the broad grounds in these letters are as follows:

- The 87 bus could be used to access the store subject to satisfactory bus stops.
- It would help if the store had seating inside and toilets for use of customers awaiting the bus. Pedestrian access and crossing points should be provided with footways wide enough for mobility scooters.
- What would happen to the existing shop premises? It should be redeveloped as affordable housing.

## Relevant Planning History

None.

## ANALYSIS

### 1. Principle of Development/Sustainability

1.1 JLP Policy SPT1 seeks to support growth and change that delivers a more sustainable future for Plymouth and South West Devon, including a sustainable economy, environment and society. JLP Policy SPT2 applies principles of sustainable linked neighbourhoods and sustainable rural communities to guide how development and growth takes place in the area, including by requiring development to support the overall spatial strategy through the creation of neighbourhoods and communities which, amongst other things: have reasonable access to a vibrant mixed used centre; provide higher density living appropriate to the area, in sustainable locations; have a good balance of housing types and tenures; are well served by public transport, walking and cycling opportunities; have safe, accessible health and wildlife rich local environment; have services/facilities that promote equality and inclusion; and provide a positive sense of place and identity.

1.2 The relevant spatial policy that seeks to ensure these aims are met is TTV1 – Prioritising growth through a hierarchy of sustainable settlements. This applies in the Thriving Towns and Villages policy Areas.

1.3 Bere Alston is listed amongst the ‘Smaller Towns and Key Villages’ within Tier 2 which, having regard to TTV1(2), *“will receive support for growth commensurate with their roles in supporting the small villages and hamlets”* and policy TTV2 sets out that the LPAs will support developments that “reinforce the sustainable settlement hierarchy and which deliver a prosperous and sustainable pattern of development.”

1.4 The Bere Peninsula Neighbourhood Plan (BPNP) does not allocate the site for development. Whilst the BPNP does not identify a development or settlement boundary around the village, the site, an agricultural field which abuts similar fields to the north and east, logically lies outside the settlement and in planning terms comprises open countryside.

1.5 This being so, it is additionally necessary to consider policy TTV26 of the JLP. Whilst the site lies in the countryside, it is not considered to be ‘isolated’ based on the ‘Bramshill’ definition and given that it adjoins dwellings within the village to the west and no consideration need be given to TTV26(1).

1.6 Turning to the criteria of TTV26(2): (i) there is no public right of way or bridleway within the site and none is affected; (ii) the proposal relates to a new building on a greenfield site, the site does not contain existing buildings that could be converted; (iii) the proposal is neither complementary to nor does it appear to directly prejudice any active agricultural operations; and (iv) the proposal does not respond to an agricultural or other need that requires a countryside location. With regard to (v) which seeks to avoid the loss of Best and Most Versatile farmland, Natural England's map of agricultural land grading shows the site forming part of a substantial area of Grade 3 land extending across to Dartmoor to the east. However, this map is indicative and does not make a distinction between Grade 3a and 3b (with 3a falling within the definition of "Best and Most Versatile"). Given the relatively modest size of the site in relation to the extent of Grade 3 land in the surrounding area, and the modest loss of farmland that would result, Officers do not consider an in-principle objection could reasonably be sustained by reason of the land's indicative grading and lack of evidence to determine the actual land grade. With regard to (vi), the development would not enhance the immediate setting of the site. Landscape impact is considered in more detail below. Accordingly, the development finds no obvious support from the 6 criteria listed.

1.7 Ultimately, it is considered that justification for the development of this unallocated site, hinges upon consideration of the proposal against retail policy – and through this determine whether a retail store in this location would support the requirements of policies SPT1 and SPT2.

## **2. Retail Considerations – Sequential Test and Retail Impact**

2.1 The submitted Planning Statement states that the intended occupier of the store is the Co-op, which currently operates from a smaller store in the centre of the village. The Statement sets out as follows:

*“3.1 The proposed community convenience retail store will be operated by the Coop. The Co-op have identified a market need for a retail store in Bere Alston which comprises a large village settlement within the Tamar Valley. The Co-op have been operating from their existing store within the centre of Bere Alston since 1945. Given the size and location of the existing store within its limited size and lack of car parking and access for delivery vehicles the Co-op have outgrown the store and would like to provide a new retail offer to residents and visitors to Bere Alston and the surrounding area.*

*3.2 The existing Co-op store comprises a net sales area of some 78 sqm (approx.) and is significantly undersized for a Co-op store offer. The aisles within the existing store are cramped and the layout is poor with an inadequate service area making the store a poor shopping experience and fails to meet customer needs and expectations. The existing store also presents a challenging working environment and conditions for the employees.*

*3.3 Given that only 10% of residents do their main shop within Bere Alston, based on the community questionnaire results from the Bere Alston Neighbourhood Plan, and the fact that the nearest retail store is at Tavistock some 7 miles distant, there is an identified need to provide enhanced retail facilities in the village which would provide greater retail choice and reduce the need to travel.*

*3.4 Due to the geography of Bere Alston there are considered to be no suitable alternative sites within the village suitable for a Co-op store. The Co-op consider that based on customer research of the locality that there is need for a small convenience store in Bere Alston which is considered to be entirely appropriate in context of the size and function of the village and the surrounding area.*



*3.5 The Co-op are the UK's largest convenience retailer and all stores are operated on 100% renewable energy together with sustainable environmental and waste management. The Co-op consider that the proposed community convenience retail store for Bere Alston would facilitate the relocation and expansion of the Co-op in the village and provide an enhanced retail offer to local residents and visitors. The proposed store would provide residents and visitors alike with a retail facility that would reduce the need to travel to shop to nearby Tavistock. The proposed development will benefit the environment through the reduction in the need to travel with the need for less car journeys to other retail centres. The proposed convenience store will also have social benefits for the local community as there will be options for local residents to walk or cycle to access the store. The proposed retail store will provide economic benefits through the creation of additional employment."*

2.2 Of particular note at this juncture the Statement also sets out that:

*"4.7 The Co-op currently employs some 10 persons in their existing store and the proposed convenience retail store will create up to 22 new permanent full and part-time jobs resulting in total employment of some 22 jobs which in itself will provide significant benefit to the local economy.*

*4.8 The store will have an emphasis on fresh food and will stock a wide range of fruit and veg, award winning fresh food and British meat and poultry. There may also be an instore bakery that would serve fresh bread and cakes; and*

*4.11 It is proposed that the existing Co-op premises in the centre of the village will be refurbished and re-let for commercial uses resulting in additional local employment creation."*

2.3 A letter has also been received from the Co-op which summarises the perceived deficiencies with the existing store and advises that "... we are now seeking a new convenience store which is fit for purpose and will serve the needs of Bere Alston for the foreseeable future.

*The proposed store will continue to serve the residents and, importantly, will provide an improved and wider range of goods for both top up and main food shops. Significantly being able to provide a store to cater for main food shops will reduce the need for residents to travel elsewhere.*

*If the relocation scheme is not delivered, it is unlikely that the existing store will remain viable beyond 2025."*

2.4 Whilst it is noted that the intended occupier of the store is stated to be the Co-op, officers also recognise that planning permission runs with the land and that any planning permission granted would not be personal to the Co-op or restrict any other retail operator from utilising and implementing the permission, or indeed from the retail operator changing in the future. This should be understood and the application considered on this basis.

2.5 In terms of planning policy, policy C1 of the Bere Peninsula Neighbourhood Plan (NP) sets out that "The Plan supports retail development to the recognised shopping core of Bere Alston that would satisfy clearly identified local needs and which are consistent with this plan." Thus, by implication, the policy does not support retail development outside the shopping core and the current proposal is considered to conflict with this policy. Policy EC1 which supports small scale expansion of existing retail premises is not directly relevant to this proposal.

2.6 Turning to the JLP, attention focuses on policy DEV16 (Providing retail and town centre uses in appropriate locations) which sets out that proposals for retail development will be assessed in relation to their support for the spatial strategy of the local plan and the sequential hierarchy of centres. Policy SPT6 is relevant in this regard, setting out that in

the TTV area, the retail offer in the smaller towns and larger villages will be primarily for top-up food shopping and local services. DEV16 goes on to state proposals for development in out of centre locations should be supported by a sequential test that demonstrates there are no other sequentially preferable suitable and available sites within or on the edge of an appropriate centre within the hierarchy of centres and an impact assessment, stating that *“Any proposal which would have a significant adverse impact on the investment in and/or the vitality and viability of an existing centre or prejudice the deliverability or investment in a proposed centre will not be permitted.”*

2.7 DEV16 reflects the national policy of para 94 and 95 of the NPPF which set out:

*“94. When assessing applications for retail and leisure development outside town centres, which are not in accordance with an up-to-date plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold (if there is no locally set threshold, the default threshold is 2,500m<sup>2</sup> of gross floorspace). This should include assessment of:*  
*a) the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal;*  
*and*  
*b) the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and the wider retail catchment (as applicable to the scale and nature of the scheme).*

*95. Where an application fails to satisfy the sequential test or is likely to have significant adverse impact on one or more of the considerations in paragraph 94, it should be refused.”*

2.8 In terms of the requirement for the sequential test and impact test, DEV16 sets a threshold of 250 square metres (gross) for development in the Thriving Towns and Villages Policy Area. In this case, the gross internal area (GIA) of the proposed building is some 353sq.m, thus exceeding the threshold and requiring consideration of these policy tests.

2.9 In this regard, the application is accompanied by a Retail Planning Statement (RPS/RPR) (Dec 2022) completed by Alder King (AK), which in turn has been reviewed by Reeves Retail Planning Consultancy Ltd (RRPC) on behalf of the LPA (June 2023). Further detail provided by AK in October 2023 has also been reviewed by RRPC and responded to in January 2024. All four reports/responses are referenced in the precis below.

2.10 With regard to the sequential test, AK (Dec 22) have considered a range of sites closer to the centre of the village than the application site to help determine whether any land that is available or is expected to be available within a reasonable period would be sequentially preferable for this development than the application site which lies beyond the edge of the village. The sites considered include various public car parks close to the village centre, vacant retail premises at 9 Fore Street and several land parcels on Bedford Street. All these sites were discounted by AK, who consider all the sites too small to accommodate the development and some of them unsuitable or unavailable for other reasons too. No other sequentially preferable sites have been identified by the LPA or in representations received during the application process, and the findings of AK are therefore not disputed. This being so, it is agreed that there are no other sequentially preferable suitable and available sites within or on the edge of the centre that could

adequately accommodate the development. The proposal thus passes the sequential test (DEV16(2)).

2.11 Given that the application proposes retail development in an out of centre location, it is also necessary to consider the impact of the development upon existing retail premises and the vitality and viability of the centre as a whole – and this is where the views and conclusions of AK and RRPC differ.

2.12 A total of 13 retail and commercial units are identified within the village centre including the existing Co-op store, Premier convenience store, a further grocery store (Jan Brown), J&S Downing butchers, Village Store & Bakery (inc Post Office), Bere Peninsula pharmacy, a hair salon, an estate agent, together with a fish and chip shop (Tap Hill), Edgecumbe Hotel/pub and 3 cafes.

2.13 AK's RPS states that *'Bere Alston provides a viable and vital centre' referring to it providing 'a good range of goods and services and reasonable footfall across the centre' and 'The centre benefits from providing a dual local/tourist role with a mix of operators/business which contributes to its vibrancy.'* Their RPS also notes that there were no vacant units at the time of the survey (Dec 22) *'which is a strong indication of the [centre's] health and vitality.'* This does not quite accord with the case officer's findings in March 2023 at which time one unit ("TWTW") was closed and appeared to have been closed for some time and one of the cafés had also closed *'due to soaring energy prices.'* Nevertheless, it is agreed that the centre provides a wide range of services and these broad conclusions are not contested.

2.14 The perceived shortcomings of the existing Co-op store are broadly set out in the excerpt of the submitted Planning Statement produced above, and in a letter from the Co-op itself. AK (Oct 23) reference the Co-op's letter stating that they have *"confirmed that the constraints at their store are so significant that it is unlikely that the store will remain viable beyond 2025 and therefore, unfortunately, it is likely that they will need to close the store."* *With regard to the future of the existing premises, AK state "Co-op own the freehold of their existing store and will not decide upon its future until such time that the new store is trading. However, it is likely that Coop will retain the freehold and lease the unit to another occupier. The unit has not yet been actively marketed so, at this time, the potential end user is unknown. The unit will be marketed should planning permission be granted for their relocated store."* *In a similar vein, the submitted Planning Statement states "It is proposed that the existing Co-op premises in the centre of the village will be refurbished and re-let for commercial uses resulting in additional local employment creation" and "The existing shop will be retained in retail use and would be available to local businesses creating the potential for employment opportunities."*

2.15 The future of the existing premises will be returned to further below. However, with regard to the proposed new store AK's RPS (Oct 22) states that *'By relocating to larger premises the Co-op intends to serve a larger top-up/small trolley shop than at present and the store will not compete directly with other existing village shops.'*

2.16 The RPS (Oct 22) evidences a survey (dated October 2013) carried out to support the Bere Alston NP which indicated that 10% of residents currently do their main food shop in the village, with the vast majority of villagers doing their main food shop in Tavistock, some 6 miles away; which benefits from a Morrisons, Tesco's and Lidl in addition to a range of small shops. The report also references the NP questionnaire which also indicates that 25% of residents undertake their top-up shopping outside the village.

2.17 AK explain that the proposed store is intended to recapture and claw back some of this expenditure leakage by introducing a larger convenience store within the village which will sell a wider range of good than the existing Co-op or other convenience retailers in the village and will provide ‘a potential alternative to comparatively sized and larger stores’ outside Bere Alston. (It is noted at this point that policy SPT6 indicates that retail stores in villages such as Bere Alston are primarily for top-up food shopping and local services in line with the settlement hierarchy). It is also stated that the store will provide an improved shopping environment with wider aisles and more checkouts and is not proposing to introduce a butchers, bakers or fishmongers. In response to queries in RRPC’s initial response (June 23) querying whether the store will in reality claw back trade, AK elaborate (Oct 23) as follows:

*“17. Firstly, it is important to note that Co-op are an experienced retailer and would not invest in a new larger store in a location if the population within the catchment could not support it. In this instance they also benefit from knowing/trading in the local area and being part of the Bere Alston local community for a number of decades. When relocating and investing in a new store in a town/village the improvements provided in the relocated store need to be able to generate an increased turnover to be able to support the relocation. Co-op has confirmed to us that this increase in turnover will be generated by the clawing back of trade currently lost to competing stores some distance from Bere Alston.*

*18. Notwithstanding the above, it is considered evidently clear that the proposal will claw back trade from other stores outside the catchment for the following reasons:*

- the proposed relocated Co-op is intended to serve a larger basket/small trolley shop than at present. It will sell a wider range of convenience goods and will serve a top-up and larger basket/small trolley main-food shop. Co-op will be specifically providing trolleys and larger baskets on wheels at the store to allow this shop to take place. If this type of shop didn’t take place they would not be providing such facilities.*
- The size of the proposed relocated Co-op store will be 3x larger than the existing store, providing 235sq m net floorspace compared to the existing Co-op which provides just 77sq m net floorspace.*
- The proposed store will provide some 99.5 bays (shelving units) of convenience goods. In contrast the existing store which provides just 43 bays. The table below compares some of the difference in the range of goods provided at the existing and proposed stores:*

	<i>Existing Co-op Store</i>	<i>Proposed Relocated Co-op Store</i>
<i>Food to Go Total</i>	<i>1</i>	<i>4</i>
<i>Produce Total</i>	<i>2</i>	<i>6</i>
<i>Frozen Total</i>	<i>3</i>	<i>5</i>
<i>Ambient Total</i>	<i>22.5</i>	<i>51</i>
<i>Kiosk Total</i>	<i>1.5</i>	<i>2.5</i>

- The qualitative and accessibility improvements of the new store, irrespective of the*

*increase in store size would attract additional residents who currently do not shop at the existing Co-op due to these constraints/deficiencies.”*

2.18 AK (Oct 23) (and the Co-op) consider that the Primary Catchment Area (PCA) for the store, broadly consistent with the Bere peninsula, currently has an estimated population of 3076, and predict this will grow to 3150 by 2026. On this basis, they consider the total convenience expenditure derived from the PCA to be £7.4M, and then consider the convenience turnover of the existing and proposed stores:

*“31. Turning firstly to the convenience goods turnover of the existing Co-op store in Bere Alston, given that the store is trading Co-op has been able to provide information on its turnover. Co-op has confirmed that the per annum convenience goods turnover of the store is circa £1.34m. Of this turnover they consider that around 5% is likely to be derived from outside the PCA by visitors/tourists. Accordingly, the PCA derived turnover of the store is estimated to be £1.27m (2023), and is assessed to increase, after making an allowance for floorspace efficiency increase (utilising Retail Planner Briefing Note 20), to £1.32m.*

*32. The convenience goods turnover of the proposed relocated larger store has also been confirmed by Co-op. Prior to investing and committing to any new store the retailer will assess what the expected turnover of the store will be. For their proposed relocated store, Co-op anticipate the store will generate a convenience goods turnover of £2.34m per annum at 2026 of which 95% of the turnover is likely to be drawn from the PCA (£2.22m).*

*“Convenience Turnover of Existing and Proposed Co-op Store, 2026”*

	<i>Total Convenience Goods Turnover (£m)</i>	<i>% of Turnover from PCA</i>	<i>PCA Derived Turnover (£m)</i>
<i>Existing Co-op Store</i>	1.38	95	1.32
<i>Proposed Relocated Co-op Store</i>	2.34	95	2.22

*33. The uplift in convenience goods turnover resulting from the relocation of the Co-op store is just £0.9m (@2026). The PCA derived turnover of the existing Co-op store represents just 18% of the estimated total available convenience goods expenditure in the PCA at 2026. Whilst marginally higher, at 30%, the PCA derived turnover of the proposed Co-op store still represents only a relatively small proportion of the estimated total available convenience goods expenditure in the PCA.*

*34. The comparison goods turnover generated from up to 24sq m of retail sales area of the proposed relocated store would be minimal. Given the variable/seasonal nature and very small amount of this turnover, an assessment of available spend/comparison expenditure has not been separately assessed.”*

2.19 AK (Oct 23) consider that some expenditure leakage/outflow is likely to continue, given existing main-food convenience provision in Tavistock and further afield Plymouth but argue that existing level of outflow (£5.57M / 75%) demonstrates existing convenience

goods provision in Bere Alston is not meeting the retail needs of its residents/catchment with unsustainable shopping patterns taking place and residents disadvantaged of an accessible/walkable convenience store. With the new store in place, they predict leakage to be reduced to 63% - with £0.91M clawed back by the new store.

2.20 AK (Oct 23) conclude:

*“41...to support the proposed relocated store, only 12% of expenditure generated by residents within the PCA needs to be recaptured. Even after the opening of the relocated Co-op, the above assessment shows that the majority of convenience goods expenditure generated by residents in Bere Alston’s catchment area (63%) is likely to continue being spent in stores a distance outside the PCA. It is considered that this level of outflow is still unsustainably high even after the proposal.*

*42. The proposed relocated store will improve the range, choice and quality of local services and reducing the need to travel for convenience shopping. Accordingly, it would contribute positively towards the creation of sustainable communities, in line with prevailing policy.”*

2.21 In summary then, the applicant’s case is that the proposed store will not result in a ‘significant adverse impact’ on the vitality or viability of the village and that the proposal will assist in ensuring Bere Alston continues to function as a sustainable settlement by enabling residents to have access to an appropriately sized convenience goods store.

2.22 The initial response of RRPC (June 23) (Commissioned by the Council to independently review the AK report) raised a number of questions/concerns regarding the AK’s Retail Planning Statement (Dec 22) and, ultimately, the potential impact of the new store on the existing retail offer in the village centre. In summary:

- RPPC considered that the surveys referenced in the Alder King report should be treated with caution. The survey referenced in the Bere Peninsula Neighbourhood Plan was undertaken in October 2013 and is therefore a decade old, during which convenience shopping patterns have changed significantly with the rise of internet shopping. Queries were also raised regarding the catchment of the store, noting that the Neighbourhood Plan covers a wide area, and that not all residents of the NP area would necessarily look to Bere Alston to meet their shopping needs. RRPC also noted that a high proportion of people appear to commute to jobs outside of Bere Alston, which may also affect their shopping patterns. These points were flagged, given that Alder King’s arguments and conclusions rely, in part, upon these surveys.
- In the absence of consideration of the available expenditure in the catchment and the expected turnover of the store, RPPC did not consider it clear whether even 100% retention would be sufficient to support the new store and the existing convenience shops in the centre.
- RRPC did not consider it clear whether the offer to be provided by the new Co-op would be significantly different from that currently provided, to allow it to claw back trade from the stores currently being used for main food shopping. RRPC noted that the Morrisons in Tavistock has a net sales area of 2,760 sqm and the Lidl 957 sqm and are therefore more than 10 times and 4 times larger than the proposed store respectively and considered it questionable whether many shoppers would change their shopping patterns if the current application was approved.

- RRPC raised the concern that there was no evidence provided that there would be sufficient local available spend to support both a larger Co-op store and the rest of the convenience shops in the centre.
- RRPC considered it would be helpful to see an appropriate quantitative assessment comparing the available expenditure in the area with the turnover of the proposed store and expected levels of market penetration to better understand the likely impact of the development on the existing shops in the centre and determine whether the proposed development would have a significant adverse impact on Bere Alston Local Centre, or not.
- RRPC noted that the convenience offer in the centre is critical to its overall health, with nearly 40% of units in this use. However, the new Co-op is likely to provide more convenience floorspace than that provided by all the convenience retailers combined, going on to state “If available expenditure is limited, the increased competition would be expected to draw more trade from the existing outlets, which in turn could lead to the closure of one or more of them. With the closure of the existing Co-op unit, this could represent a potentially significant adverse impact on the centre, despite its current health.”
- Finally, RRPC noted that the Council should also consider whether there has been any recent investment in the village centre that would be adversely affected by the development proposal, or any committed or planned investment that we are not aware of.

2.23 RRPC’s final advice note (Jan 24) responds to the additional detail provided by AK (Oct 23) and is in large part reproduced below:

*“The additional information relating to retail impact provided in the RPR is helpful in addressing our previous request for further information. The assumed catchment area and information on available expenditure seem reasonable, as do the turnover forecasts.... However, there are a few comments/ assumptions made by AK that we cannot agree with, nor do we consider that the information presented fully addresses our concerns regarding impact.*

*Specifically, with respect to the former:*

- *An increase in market share from 18% to 30% is not ‘marginally higher’ (RPR, para 33). It is significant and represents a 75% increase on the existing share;*
- *It cannot be assumed that trade leakage to larger stores outside of Bere Alston represent unsustainable shopping patterns (para 39), nor would it be expected that a small town or village of around 3,000 people would ever be self-sufficient in this regard (para 41). The larger stores would be expected to attract less frequent visits but with higher expenditure per trip. We would also expect that a proportion of them would be made as linked trips, perhaps linked with employment or other shopping journeys. Without further evidence from AK therefore we consider little weight can be given to the suggestion that the proposed development will have any significant effect on travel patterns. We also consider that given the difference in size between the proposed Co-op and the existing stores in Tavistock (RRPC1, page 4) trade leakage from the area will remain high;*
- *The ambition that the Co-op has to serve a larger basket/small trolley shop than at present (para 40) is understandable and some increase would be expected as a result of the improved offer.*

*However, it has to be remembered that the purpose of this assessment is to test how realistic this is and to then consider the impact it may have on other outlets; and*

- *We agree that there have been some changes in shopping patterns in recent years (para 40) but there have been some more recent suggestions that the cost of living*

*crisis has seen a reversal of the trend of using smaller shops more frequently, with people going back to larger but less frequent shopping trips. If this is the case then the proportion of main food shopping trips that the Co-op can attract becomes increasingly important.*

*As a result of the above, we continue to have concerns regarding the proposed development and whether it will trade as AK are suggesting. We have therefore undertaken our own analysis to try to understand if the trading scenario proposed by the Co-op and AK is realistic. This is based on considering main food and top up shopping patterns separately.*

*Taking the AK data as a starting point the available expenditure in the area in 2026 is forecast to be £7.43m (Table 1) and this will be split between main food and top-up shopping trips. We have not been able to determine the expenditure split used in the Council's most recent Retail Study (PBA, 2017) but is common practice to assume a 70:30 or 75:25 split of expenditure between the two types of spend. Assuming the higher top-up shop, this would suggest that there is £5.20m of expenditure available in the study area to support main food shopping and £2.33m for top-up shopping.*

*We also know from the surveys undertaken for the Neighbourhood Plan that 90% of residents are undertaking their main food shopping outside of Bere Alston and 25% are doing top-up shopping elsewhere (RPS, paras 4.29 and 4.25). Current spend would therefore be as follows:*

	<i>Main Food</i>	<i>Top-Up</i>	<i>Total</i>
<i>Available Spend in Study Area (£m)</i>	<i>£5.20</i>	<i>£2.23m</i>	<i>£7.43m</i>
<i>Retention in Bere Alston(10% main food; 75% topup)</i>	<i>£0.52m</i>	<i>£1.68</i>	<i>£2.2m</i>
<i>Leakage from Study Area</i>	<i>£4.68m</i>	<i>£0.56m</i>	<i>£5.24m</i>

*This suggests that current turnover of Bere Alston is slightly higher than AK suggest (RPR, para 37) but is consistent with their estimate.*

*Turning now to the proposed store, the case being made by the Co-op is that it is main food shopping that will be clawed back, and, based on the above, we would agree that this would have to be the source of most of the uplift, if the store is to trade as forecast, as the potential to increase top-up retention would seem to be limited - some trade leakage will always be seen. With retention already at 75%, increasing it beyond 80% seems unlikely and therefore only £0.11m of the £0.9m uplift (RPR, para 33) would be expected from this source.*

*This means that the Co-op will need to claw back £0.79m of main food shopping under the AK trading scenario, which represents a more than doubling of what they are achieving now and would increase main food retention levels to 25%.*

*In the absence of any information on the reasons why people are shopping as they are and/or their views on the Co-op offer, it is not possible to determine whether this is a realistic trading scenario if a larger Co-op store is provided, but our opinion is that it may be difficult to achieve given the considerably more extensive offer in Tavistock (Morrisons, Lidl and Tesco) (RRPC1, page 4).*



*The alternatives will be that the new store will not trade as forecast or will achieve the forecast sales by taking more money from the existing shops in Bere Alston.*

*This links to our other key concern regarding the RPR, namely that it fails to consider the impact of the proposal on Bere Alston centre. The analysis provided in the RPR assumes that that all of the new trade will come from clawback, which in our view is unrealistic. However, even if that were the case, the centre will lose the current Co-op expenditure. In 2026 we estimate that the Co-op's turnover will be £1.39m (based on the figures in para 31 of the RPR) and the other shops will be trading at £0.54m (RPR, Figure 1.4), giving a total convenience turnover of £1.93m. The closure of the Co-op would therefore represent a 72% impact, which would increase if any of the existing stores were to see even a limited amount of trade diversion.*

*This level of impact would normally be considered to be significantly adverse, but it also has to be borne in mind that the Co-op store could close at any time (RPR, para 14). Therefore, the key consideration in our view, is the extent to which other town centre outlets are likely to be impacted by the expanded Co-op offer (RPR, para 18) and the relocation of the store. Our thoughts are as follows:*

- Premier convenience store – overall we consider that the impact on the Premier convenience store is likely to be minimal given its offer would already overlap with that provided by the Co-op. The more extensive offer at the proposed Co-op would be unlikely to impact noticeably on trade to the Premier store and in practice the store could see a small uplift in sales from people wanting to continue to shop in the centre;*
- Butcher – it would be expected that the Co-op will increase their fresh and frozen meat offer in a larger store and this could be expected to increase competition for the butcher. It is also likely that some people who currently visit the butchers and Co-op at the same time, will not do so if the Co-op relocates. The proposal would therefore be expected to have a negative impact on the butchers;*
- Village store (including Bakery and Post Office) – the general store sells a range of comparison goods and also benefits from the post office counter and a bakery. As with the butchers, we would expect an improved bakery offer in a larger Co-op store and therefore the proposal is likely to have an adverse impact on the bakery element of the Village Store offer, for the same reasons as the butcher. Any change in footfall in the centre as a result of the relocation of the Co-op would be unlikely to affect the Post Office, but the impact on the comparison offer could also be adverse depending on the offer provided at the Co-op. At 24 sqm net selling space (RPR, para 34), there is potential for a significant degree of overlap; and*
- Pharmacy – we consider that the pharmacy could be adversely impacted by the proposed Co-op as the range of toiletries, baby goods and health and beauty products is likely to be expanded in the Co-op, and, as with the butchers and bakers, the Co-op's move away from the centre is likely to decrease linked shopping trips.*

*Overall, three of the four retail stores in the centre could be adversely affected by the proposal. With the difficult trading conditions and increased costs being faced by all retailers and the restricted catchment stores in Bere Alston have, any or all of them could be vulnerable if the Co-op proposal were to be approved.*

*The other retail and commercial uses in the centre comprise a takeaway/fish and chip shop, a pub and hotel, 3 cafes/tearooms, a unisex hair salon, and an estate/letting*

agent (RPS, paras 4.14- 4.16). These are not likely to be affected by the relocation plans.

*This leaves a situation where not approving the current application could lead to the closure of the Co-op in a few years time (RPR, para 14), with a resulting loss of footfall and trade then, or its relocation now, leading to the loss of the anchor store in the centre and potentially other convenience and comparison store closures. The key to which would be the preferable outcome for Bere Alston and its centre, is therefore likely to depend on what happens to the current Co-op unit.*

#### The Future of the Existing Co-op unit

*The RPR confirms that the existing Co-op unit is owned by the company on a freehold basis, but do not provide any clear plans for its future, merely indicating that that it is 'likely' that the Co-op will retain the freehold and lease the unit to another occupier. Whilst it may be the case that the Co-op could close the existing store and/or dispose of the unit at any time, the impact this would have would be different from that likely to arise if the closure is due to the relocation of the Co-op use. This is because if the existing shop were simply to close, this would 'free up' that expenditure for other outlets in the centre and this in turn would increase the probability that a new convenience retailer could be attracted to the centre.*

*As set out above, the relocation of the Co-op to the application site, will have an adverse impact on the centre, both directly through the closure of the existing Co-op store and trade diversion from the other shops and indirectly through what we would expect to be a reduced draw to the centre. If the existing unit were to stay vacant or the retail use were to be lost, then this would result in a further adverse impact. As the Co-op own the freehold of the unit, it is within their power to provide further reassurances to the Council as to their plans for the unit. Without this, we conclude that the impact of the development would be significantly adverse and, would result in a greater impact on the centre than the Co-op closure in isolation.*

#### Conclusions

*Having reviewed the additional information provided in the RPR, we can now advise that we consider that the Applicant has demonstrated compliance with the sequential test. The Applicant has also set out a case which suggests that the projected turnover of the new store could be achieved through the clawing back of expenditure that is currently being lost to larger stores in the area.*

*Having reviewed the case made, we consider that the potential for the proposed store to clawback expenditure is probably more limited than AK suggest. Further, whilst not considered by AK, we are of the view that a larger, relocated Co-op will have an adverse impact on a number of the remaining retail businesses in the centre, in addition to the closure of the Co-op itself.*

*Whether this impact can be kept to a level that is acceptable or would be significantly adverse cannot be determined with any certainty, but in monetary terms alone, the loss of the Co-op's trade would normally be considered to be significantly adverse. However, given that the Co-op could close at any time, it is the degree to which the current proposal could be worse than the closure of the Co-op in isolation which is likely to be a key factor in determining this application.*

*Our view is that the closure of the Co-op store in the centre and the unit remaining vacant / being occupied by a non-commercial use, would result in a significant adverse impact, but this impact would be compounded were the application proposal to be approved. This is because the loss of footfall in the centre and direct impacts of the new development on three of the existing retailers, could result in the loss of one or more of these operators, in addition to the Co-op closure. This would result in a significant adverse impact, as the retail offer is clearly a major draw to the centre.*

*This impact could be mitigated if the existing Co-op unit were to be occupied by an alternative use that attracts footfall to the centre, but there is nothing in the information provided by the Applicant that indicates this would be the case. Without this we consider the risk of a significantly adverse impact on the vitality and viability of the centre is considerable and for that reason we would suggest the application should be refused, based on retail planning considerations alone.*

*Should the Council reach a different view and seek to determine the application positively, we would recommend that conditions relating to the use of the new unit would be required, relating to the net sales area of the new unit, the mix of convenience and comparison floorspace provided and the additional counters and concessions that could be provided, the latter to be restricted to ensure that any overlap with the offer within the centre is minimised.”*

2.24 The perceived shortcomings of the existing Co-op store are set out in the submitted Planning Statement (see above). It is also understood that the Co-op have stated that it is unlikely that the existing Co-op store will remain viable beyond 2025; and that AK thus conclude that *“it is likely that they will need to close the store.”* As RRPC set out, the Co-op can choose to close the existing store if and when they choose. The LPA clearly has no control over the Co-op in this regard; and your officers do not consider the LPA could adequately control the future use of the premises either – notably to ensure the existing premises remain occupied or, indeed, remain occupied with a use that genuinely supports the retail offer of the village centre and thus supports the centre’s continued vitality and viability. It is not considered, for example, that permission could be granted for the new store subject to a legal agreement to ensure the existing premises remain occupied with a use that supports the village centre in perpetuity. (It is also, again, necessary to note that the application is simply for a convenience store not specifically a Co-op store, mindful that any convenience food retailer could occupy the store should permission be granted).

2.25 From the advice provided by RRPC, your officers conclude that the proposed new store falls between two stools. In the view of RRPC the store is of a size likely to provide more convenience floorspace than all the convenience retailers in the village combined, yet still too small to realistically compete with larger stores in Tavistock and claw back lost trade and change shopping patterns (noting that the village’s role is nevertheless primarily to provide for top-up shopping as per SPT6). It is understood that RRPC’s concern is that the new store’s additional trade would thus, in no small part, be drawn from the remaining stores in the village centre, to their detriment.

2.26 RRPC conclude that the closure of the existing Co-op, the village centre’s anchor store, would be compounded by the impact of the new store, the loss of footfall and diversion and drawing of trade from the village centre, leaving the remaining retail stores vulnerable and potentially resulting in the loss of one or more of them.

2.27 Whilst the impact of the new retail store cannot be predicted with absolute precision or certainty, RRPC clearly takes the view that the proposal would have a *'significant adverse impact'*, concluding that *"the risk of a significantly adverse impact on the vitality and viability of the centre is considerable and for that reason we would suggest it should be refused, based on retail planning considerations alone."*

2.28 Policy DEV16 also seeks to resist retail proposals that would prejudice future investment in a town or village centre. Whilst officers are not aware of any current investment proposals that may be impacted upon, officers are mindful that reduced trade and footfall in the village centre resulting from the proposal could impact upon likely investment in the village centre going forward.

2.25 In conclusion, whilst acknowledging the support for the proposal provided in representations, your officers consider the retail evidence supports the refusal of the application, the proposal being in conflict with policy DEV16 which sets out that *"Any proposal which would have a significant adverse impact on the investment in and/or the vitality and viability of an existing centre or prejudice the deliverability or investment in a proposed centre will not be permitted."*

2.27 Refusal is also considered consistent with paras 94 and 95 of the NPPF cited above.

### **3. Impact upon the Natural Environment**

3.1 The site lies within the Tamar Valley National Landscape, this being a designated Area of Outstanding Natural Beauty.

3.2 In terms of landscape character, the site lies within the Middle Tavy Valley landscape character area, the distinctive characteristics being:

*"Underlain by Devonian mudstone and sandstone geology, creating a much gentler topography than the adjacent basalt of Dartmoor, with less exposed rock.*

*Rolling higherland in the east and west, divided by the steep-sided valley of the River Tavy.*

*Steep, narrow streams flowing across areas of high land contrasting with the wider, meandering channel of the River Tavy.*

*Extensive areas of dense mixed woodland lining the steep sides of the Tavy valley and its tributaries; elsewhere, woodland limited to roadside copses and individual oaks, with some riparian trees.*

*Improved pasture over much of the area, with pockets of estate parkland, watermeadows and orchards, together creating a lush, green landscape.*

*Stone-faced hedgebanks dividing medium-sized semi-regular fields, with survival of post-medieval 'Barton' fields resulting from estate tenure; much of the area has a strongly historic character.*

*Extensive areas of unenclosed heathland, scrub, bracken and woodland in the eastern part of the area at Roborough Down and West Down.*

*Historic features such as buildings, bridges and estate parkland creating a sense of time-depth and supporting notable populations of bats.*

*Long history of mining from medieval times apparent within the landscape.*

*Settlement generally consisting of dispersed farms, with occasional nucleated villages; 20th century expansion of Tavistock, and larger villages such as Buckland Monachorum and Crapstone.*

*Straighter roads on higher land, but twisting, sunken lanes with hedgebanks on valley sides.*

*Open views from higher land over the Tamar and Tavy valleys, and towards Dartmoor, contrasting with the sense of enclosure and tranquillity felt within the valleys.”*

3.3 The application is supported by a Landscape and Visual Impact Assessment (LVIA), landscaping and lighting details in addition to the usual suite of plans.

3.4 The Tamar Valley National Landscape (AONB) Planning Officer was consulted on this proposal when first received, and pursuant to revised plans, too. The responses received raise consistent concerns regarding the proposal. The first response upon submission advised as follows:

*“We have reviewed the submitted information with this application, which is situated in the Tamar Valley AONB, within the Middle Tavy Valley landscape character type. A distinctive characteristic of this landscape type is the open rolling uplands contrasting with the steep wooded valley sides and moorland character to the east which is recognised as being a rare valley and water landscape and a landscape of high visual quality which are special qualities of the TVAONB.*

*The site lies on the outskirts of the settlement of Bere Alston and sits within a pastoral landscape enclosed by hedge banks, elevated above wooded valleys.*

*It is located along a principal route into, and out of, the settlement with a public right of way immediately to the south enabling views of the site.*

*The site sits beyond Highfield, a small, detached bungalow, which is separated from the built-up area of the settlement by an intervening rural lane. This northern side of the B3257 forming a pleasant agricultural setting of the settlement and contrasting with the established pattern of housing development and recreation space on the southern side of the highway which is more integrated with the settlement.*

*The proposed retail building, together with associated access and hard landscaping, will appear as a relatively substantial and conspicuous single development on this edge of the village, having an urbanising impact on the rural landscape character and setting of the settlement.*

*The proposed tree planting scheme on the eastern portion of the site appears ornamental and does not respond sympathetically to the surrounding landscape character and rural setting which comprises Devon hedge banks and small copses. As such, there is potential for it to draw attention to the development rather than help mitigate its impact.*

*Dark skies and tranquillity are a special feature of the TVAONB. Policy 3.5.4 of the Management Plan is to ‘Maintain, and where possible increase, levels of tranquillity throughout the AONB to ensure this special quality is sustained’.*

*The existing co-op store is situated within the central commercial core of the settlement and the activity and noise generated by the use, and servicing, is consistent with its central location. To relocate the store on the edge of this rural settlement will have an impact on the relative tranquillity, including dark skies, experienced on this rural fringe of the settlement.*

*We could not see a lighting strategy/night-time LVIA assessment within the submission, however, it is realistic to assume that there will be a requirement for lighting of pedestrian routes (to, and within, the site), car parking areas and desire for illuminated signage given the hours of operation sought by the retailer (0600 to 2300). This,*

*together with the headlights of vehicular traffic and delivery vehicles (which can often be in the early morning or late evening), will lead to an appreciable increase in light spill into the night-time landscape on this edge of the settlement.*

*The proposed lighting strategy also needs to be understood in respect of protected species.*

*There are open views into the site from the access point onto a substantial hard landscaped area which is not softened by the proposed landscaping at the access point (which is understood to be at low level to allow for visibility splays). The visual proposal sheet reveals the visibility of the rear service area from this vantage point. The residential development to the south is accessed from a minor road to the south-west and retains the hedge bank and enclosed rural character of the B3257 into the settlement. This scheme*

*seeks to remove the existing hedge bank and introduce new pavement on the western portion of the site frontage, rather than within the site, which will detract from the character of the enclosed rural lane which is bound by hedge banks.*

*The proposed scheme will have an impact on the rural landscape setting of the village and on the relative tranquilly experienced in this transition zone into the open countryside. No lighting information/impact assessment has been submitted and the layout and landscaping proposals submitted do not satisfactorily mitigate impact nor demonstrate how the proposal will conserve or enhance the character and appearance of this part of the AONB as a nationally designated landscape.”*

3.5 The second response dated 20/06/2023 (upon receipt of lighting details and amended soft landscaping details) advises:

*“We note that there are no proposed amendments to the scheme and therefore refer you back to our previous comments and the impact of such a use on the periphery of the village in contrast to one within the village centre.*

*The landscaping could be reviewed to better reflect the occurrence of small copses within the local landscape at field junctions and effort does not seem to have been made to consider alternative options for a splayed hedgebank and its return within the site and opportunities for siting the footway behind. The hedgebank could be allowed to grow up and consider layout and landscaping within the immediate access area to help soften impact and reduce open views into expanses of hard landscaping within the site as indicated by the ‘Proposed Visual in Context’ submission.*

*Notwithstanding the above comments, the proposed use will necessitate lighting to meet its functional operation and safety of persons on the site and this will make the development conspicuous in this setting and have an impact on the local night-time landscape. The lighting schedule does not respect existing background lighting levels and as such will lead to an appreciable increase in light pollution within this rural transition zone. There seems to be a proliferation of signage lighting along the site frontage (and on the building) and streetlights within the site, not to mention the incorporation of floodlights within the site. The visibility of the site being more apparent in winter months when any lighting will be in greater operation and native broadleaf trees included in any landscaping proposal will not be in leaf.”*

3.6 The final response dated 14/12/2023 reflects the final revisions, including revised access and landscaping details, and advises as follows:

*“The proposal now seeks to contain the proposed pavement on the northern side of the B3257 within the development site, which will have a minor positive impact when viewed against the scheme as a whole.*

*The proposed splayed hedgebank along the site frontage does not appear to reflect the robust character and scale of those within the local landscape. It is also noted that the proposed footpath along the southern edge of the B3257 is now formally part of the proposals, contained within the line edged red on the site location plan. The coloured masterplan infers that this will necessitate the removal of the roadside hedgebank which will have a negative landscape character and visual impact, urbanising this rural fringe.*

*The revisions do not alter our position on this application. Please refer to all of our previous comments which still apply.”*

3.7 It is noted that the site for the store building, part of an agricultural field lying in the open countryside, nevertheless adjoins the village to the west, and existing residential development and land allocated for residential development to the south.

3.8 It is also accepted that the building has been designed to emulate a traditional agricultural building, and it is agreed that at some distance the building would resemble a barn, at least in terms of form and scale. In terms of appearance, it is recognised that the materials palette includes natural materials, including stone as well as timber boarding and roof cladding that also support the impression of an agricultural building and use neutral colours to create a more visually recessive form of development; though officers note that the building also includes windows and would, when built, likely include advertisements/signage too as per the submitted elevations (though this does not form a component of the current application).

3.9 Overall, officers raise no objection to the design of the building in itself. However, in terms of its impact upon the landscape and its setting, whilst it would be viewed against the backdrop of development in the village when approaching the site from the east, the open and undeveloped foreground to the village is considered to be an important part of its setting, and your officers concur with the views of the Tamar Valley National Landscape (AONB) Planning Officer that the building would constitute a substantial and conspicuous development that would adversely affect the setting of the settlement.

3.10 The proposed landscaping has been improved during the processing of the application, with the inclusion of replacement Devon banks fronting the site, although the provision of footways on either side of the B3257 would still urbanise the entrance into the village; the footway on the south side of the B3257 being formed in part on the existing highway verge, although the crossing point would also involve the removal of part of stone bank that forms the boundary with Down View. (Officers are conscious that the off-site works to the south side of the B3257 would not be proposed, or necessary, other than to serve the proposed retail store). Beyond this, the soft landscaping within the site is not entirely successful in the view of officers either and does not mitigate the harm caused by the imposition of what amounts to a substantial building in the open landscape. Tree planting is proposed wrapping around the east, north and west of the building. The LVIA addendum sets out that *“The landscape proposals incorporate primary measures to mitigate the effects of the massing and scale of the development from the TVAONB. The soft landscaping scheme on the eastern edge of the proposed development consist of a wildlife buffer and a range of tree and shrub specimens in order to respond sensitively to the landscape character and provide more effective visual mitigation.”* However, by attempting to screen the building in this way, the proposal is considered to introduce landscaping that is also out of character and context with this landscape character type, the extent of tree planting being at odds with the character of exposed plateaus which are

typified by copses and small groups of trees on exposed plateaus, rather than dense woodland, which is more representative of valley sides in this landscape character area.

3.11 Concerns are also raised regarding the illumination of the building and wider site, given the site currently forms part of the dark landscape beyond the edge of the settlement. It is proposed that the store would operate from 6am to 11pm. This would mean the store/site would be illuminated for significant periods of time, particularly during the winter months, with additional illumination associated with headlights of customers and staff cars as well as delivery vehicles. Activity associated with the store would also impact upon the level of tranquillity currently experienced on the site and the countryside beyond it.

3.12 Para 182 of the NPPF advises that “Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues.” It is also material that s.85 of the Countryside and Rights of Way Act 2000 similarly requires that:

*“...in exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty, a relevant authority shall have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty”.*

3.13 Policy DEV25 (Nationally protected landscapes) of the JLP is consistent with the above setting out that *“The highest degree of protection will be given to the protected landscapes of the South Devon AONB, Tamar Valley AONB and Dartmoor National Park. The LPAs will protect the AONBs and National Park from potentially damaging or inappropriate development located either within the protected landscapes or their settings”* and *“Give great weight to conserving landscape and scenic beauty in the protected landscapes.”* The policy also requires development proposals to *“Be designed to prevent impacts of light pollution from artificial light on intrinsically dark landscapes and nature conservation interests.”*

3.14 Policies DEV20 and DEV23 in particular reinforce DEV25 inter alia seeking proposals that contribute positively and/or conserve and enhance landscape, are located and designed to respect scenic quality, deliver landscape design that is appropriate to the location of the development, are sited to have proper regard to the pattern of local development and located and designed to prevent erosion of relative tranquillity and intrinsically dark landscapes.

3.15 Policy E1 of the Bere Peninsula Neighbourhood Plan (BPNP) is also relevant, seeking to avoid adverse impacts by maintaining and enhancing the Peninsula's environmental assets, having regard to the guidance and policies set out in the AONB Management Plan, locate new development so as to conserve and enhance specific landscapes, areas of tranquillity and historic features that contribute to the local character and quality of the area and include landscaping schemes that retain, where possible, existing features such as trees and hedgerows and reinforce local landscape character.

3.16 For the reasons given, the proposal would not conserve the landscape and scenic beauty of this protected landscape, and conflicts with policies DEV25, DEV20 and DEV23 of the JLP and policy E1 of the BPNP.



3.17 Before concluding this section, it is necessary to consider para 183 of the NPPF which states that *“When considering applications for development within National Parks, the Broads and Areas of Outstanding Natural Beauty, permission should be refused for major development other than in exceptional circumstances.”* The meaning of ‘major development’ in this context does not reflect the definition of ‘major development’ in the Town and Country Planning (Development Management Procedure) (England) Order 2015 (DMPO). Footnote 64 to the NPPF advises that *‘For the purposes of paragraphs 182 and 183, whether a proposal is ‘major development’ is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined.’* Whilst the DMPO definition is not used, it is nevertheless of note that the proposal relates to a building with a gross internal area (GIA) of 353m<sup>2</sup> on a site of 0.29ha whereas the DMPO definition for major development would involve a building of 1000m<sup>2</sup> or more or a site exceeding 1ha. It is also noted that the proposal does not fall to be considered as EIA development, having regard to the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

3.18 Overall, having regard to the site’s context and relationship to the built environment (outside but adjoining the village to the west), the building’s height and footprint/scale relative to its environs and impact of the intended use, it is not considered the proposal would amount to a ‘major development’ in an Area of Outstanding Natural Beauty (National Landscape) having regard to NPPF para 183. Whilst the view is reached that the proposal would not conserve/enhance and would therefore conflict with Policy DEV25 of the JLP and the requirement of s.85 of the Countryside and Rights of Way Act 2000, it is not considered that the proposal would reasonably be considered to have a significant adverse impact mindful of the foregoing.

#### **4. Highways, Parking and Access**

4.1 The application originally received proposed the formation of a new vehicular and pedestrian access onto the B3257. The proposals anticipated that the speed limit on this stretch of road would be reduced from the national speed limit to 30mph and thus detailed visibility splays to suit. The plans also proposed a footway running westwards from the proposed access linking with an uncontrolled pedestrian crossing and a further stretch of footway extending to the crossroads with The Down.

4.2 The initial response of the County Highway Authority advised as follows: *“The application is for a community convenience retail store, with an identified anticipated end user (Co-Op). The Co-Op already operate a store in the centre of Bere Alston, so it is assumed it would relocate to the proposed location. Unusually, for an application such as this, there have been no pre-application discussions with the planning authority nor highway authority and the scope of the Transport Statement in support of the application has not been pre-agreed with the highway authority.*

*The site has been visited by an officer from the highway authority (as always) specifically with this application information available.*

*The proposed development is broadly acceptable in highway terms but there are some issues raised by the application and the supporting information which require clarification, amendment or additional information before the proposals are suitable to enable the highway authority to recommend conditions be imposed on any permission that the planning authority may grant.*

*1. The applicant refers in the prepared Transport Statement (TS) to the possibility of relocating the speed limit on the B3257 further to the east. Regrettably, this is not a*

*straightforward procedure and is subject to a separate democratic process (for which success cannot be guaranteed) and the highway authority will only approve the amendment to the revision to a speed limit if it is satisfied that their strict criteria are met.*

*This being the case, the sight lines shown at the access will have to be shown to meet with contemporary standards for the prevailing 85th%ile speed. From observed speeds at the site visit, 2.4 metres X 43 metres is acceptable in the leading traffic direction, but trailing traffic direction should be 2.4 metres X 70 metres (in the absence of any evidence that the 85 percentile speed is lower). In the event that the speed limit variation process is successful, it is at that point that the visibility standards could then be reduced to comply with the speed limit; the applicant cannot anticipate the successful reduction in speed limit at the application stage (because it may not succeed).*

*2. The turning area for the deliveries area should ideally accommodate the on-site turning geometry of a full size articulated LGV. It is understood that the current store in the village has deliveries from large rigid LGVs and it would be useful for clarification as to why an articulated vehicle turning facility is not needed.*

*3. The pedestrian crossing point on the B3257 is referred to as 'uncontrolled' (which it should be) but some of the pictures in the Design and Access Statement show a road marked crossing which would not be acceptable to the highway authority.*

*4. There is reference made, at paragraph 6.2.4 in the TS to a Road Safety Audit. The Road Safety Audit does not appear to be part of the application documentation and should have been carried out by an auditor approved by Devon County Council. A copy of the Road Safety Audit is required.*

*5. A Travel Plan is not normally required for this type of use by the highway authority, but it is confirmed that, from the highway authority's point of view, there are no adverse comments to make about what is proposed (subject to cross-referenced comments from the TS above).*

*6. The number of parking spaces to be provided for new development is ultimately a matter for the planning authority to determine, but the highway authority has no adverse comments to make about the number provided or the layout of the spaces, or the methodology used by the applicant to establish the number provided.*

*7. There should be bus-stops provided with suitable safe pedestrian connections to the site in the immediate vicinity of the proposed development on B3257..."*

4.3 The County High Authority then provided additional comments, notably objecting to the application, on 31/08/2023:

*"Further observations following receipt of additional information dated 17th October 2022 (Safety Audit and Amended Plan) and confirmation from planning authority that the application is to be determined with the information submitted.*

*The applicant has submitted the Safety Audit mentioned in the original submissions, together with a further plan, C21119-TP002 Rev:F, which further relies on the principle of relocating the speed limit further to the east with carriageway markings to support the change.*

*Since making the original consultation response, the highway authority's Traffic Management Team have confirmed that the highway authority would not agree to the relocation of the 30 m.p.h. speed limit because current policy dictates the speed limit on this length of road is to be primarily based on the prevailing 85th%ile speeds. The area is not sufficiently built-up or urbanised to justify a 30 mph SPL.*

*This being the case, the sight lines for the access serving the proposed development have to be based upon the prevailing 85th%ile speed, as mentioned in point 1 of my previous*

*formal response; 2.4 metres by 43 in the leading traffic direction, 2.4 metres by 70 metres in the trailing direction (to the same side of the road. The plans that have been provided do not show visibility splays to that standard.*

*In addition, points 2, 3 and 7 of the highway authority's earlier observations remain unaddressed by the applicant to the satisfaction of the highway authority and for that reason it is recommended that the application be refused on highway safety grounds.”  
Recommendation and reasons for refusal:*

*Adequate information has not been submitted to satisfy the Local Planning Authority that the proposal is acceptable in terms of visibility splays, pedestrian crossing details, bus facilities and on site turning facilities, and thereby not adequately establishing that the use of the site will be safe and suitable for all users, contrary to paragraphs 110, 111 and 112 of the National Planning Policy Framework published 2021”*

4.4 The County Highway Authority further responded to revised plans on 09/11/23, removing its objection to the scheme and advising as follows:

*“A further amended plan showing the visibility splays based on the prevailing vehicle speeds has now been received by the planning authority and this addresses the fundamental point arising from point 1 in the highway authority's original response. Other issues raised in the previous responses can easily be resolved at the Highway Agreements / construction stage, so the highway authority are able to revise the formal response as detailed below.*

*Further observations following receipt of amended plan C21119-TP001(J) dated 9th November 2023 The previous observations detailed above apply equally to the current amended plan, but the reference number is changed in the recommendation below.*

*Recommendation:*

*Subject to the developer first entering into an appropriate legal agreement to provide, at their own expense, the footways, carriageway widening and other associated works all as generally detailed on plan C21119-TP001(J), prior to the proposed opening of the development hereby proposed.'*

4.5 A further response has now been received (15/02/24) which amends the Highway Authority's position with regard to the speed limit, advising as follows:

*“The assessment of need for a speed limit change in relation to this application is aligned with the considerations for the proposed adjacent housing development. Whilst our Policy would consider the supermarket as a frontage, it remains the fact that the frontage activity in this location does not satisfy the requirements of the County's speed limit Policy, nor National Guidance, for the introduction of a 30 mph speed limit or the extension of the existing one.*

*Nonetheless within the County's Policy there is scope for departure where there is a compelling case.*

*The views of the community have been noted, as is the offer from the developer to fund any change to speed limit through the Section 106 process. Therefore the highway authority would accept, in this instance, a proposal from the developer for such a change along with any engineering their consultants feel appropriate to ensure compliance with that change in speed limit.*

*It must be noted that reviewing through the departure process cannot provide a guaranteed outcome but it is correct this is reviewed following significant public interest.”*

4.6 The response then goes on to provide an amended recommendation, recommending the imposition of planning conditions, but seeking to ensure that any

permission is subject to the developer first entering into an appropriate legal agreement to provide,  
at their own expense:-

(i) the footways, carriageway widening and other associated works all as generally detailed on plan C21119-TP001(J), prior to the proposed opening of the development hereby proposed,  
and (ii) a contribution of £5,000 towards the investigation, consideration and, if approved following the due democratic process, the installation of any associated signage and additional ancillary lighting or illumination.

4.6 The plans now tabled for consideration predate the Highway Authority's response of 15/02/24 and reflect the existing speed limit on the road and include appropriate visibility splays.

4.7 Whereas the original plans indicated the removal of the Devon bank to the west of the access, leaving the site frontage open, the current (revised) plans include the provision of Devon banks either side of the access, set back to reflect the necessary visibility splays. The plans continue to propose a footway to the west of the new access linking to an uncontrolled pedestrian crossing over the B3257 and the provision of an additional length of footway as far as the junction with The Down (on what is currently highway verge). This would link with an existing footway leading round onto The Down and the cul-de-sac of Down View.

4.8 It is recognised that a number of representations, including those of the Parish Council, have been received raising concerns regarding pedestrian access to the site, in particular referencing the lack of a continuous footway to the site from the village centre and concerns regarding the fact that pedestrians would need to cross Bedford Street at least twice to reach the site. These concerns are understood. It is indeed acknowledged that there is no footway on the south side of Bedford Street (the continuation of the B3257 leading westwards into the village centre) though a footway does exist on the north side of Bedford Street for some distance. Alexandra Drive and Broad Park Road also provide footways leading towards the village centre). The location of the site and access thereto is not ideal in this respect, though no objection has been raised by DCC Highways on grounds of pedestrian safety; and on this basis it is not considered a reason for refusal could reasonably be sustained.

4.9 In terms of car parking, a total of 18 spaces are proposed to serve customers, with 2 spaces proposed to serve staff; totalling 20 spaces in all. Guidance on car parking requirements within the SPD seeks to secure 1 space per 28m<sup>2</sup> for A1 Shops with less than 370m gross floorspace. In this case, the store has a gross floorspace of 353m<sup>2</sup>, which would equate to a requirement for 13 spaces @ 1 space per 28m<sup>2</sup>. The provision of 20 spaces thus exceeds the standard. However, it is acknowledged that the site lies on the eastern periphery of the village. Measures for sustainable communities provided in the JLP in relation to SPT2 include a convenience store being within a walking distance of 800m. In this case, whereas the existing Co-op store lies in the village centre within 800m of all dwellings in the village, locating the new store on the eastern periphery of the village, will mean that it is located more than 800m from dwellings on the western side of the village. This being so, it is reasonable to conclude that more customers will choose to access the store by car, and a car park with 20 spaces is thus likely to be required.

4.10 Overall, the County Highway Authority now raises no objections to the proposal and is content that outstanding details can be secured by a legal agreement and planning conditions.

4.11 Policy DEV29 seeks to ensure that development contributes positively to the achievement of a high quality, effective and safe transport system in the Plan Area. On the basis of the advice of the County Highways Authority, your officers are content that the proposal would meet the requirements of this policy in this regard, subject to the imposition of appropriate conditions and a legal agreement.

## **5. The sustainability of the store's location**

5.1 Policy DEV29 also seeks to promote sustainable transport choices, which links in with SPT2's reference to development's supporting the overall spatial strategy through the creation of neighbourhoods and communities that are well served by public transport, walking and cycling opportunities and have reasonable access to a vibrant mixed use centre, which meets daily community needs for local services such as neighbourhood shops. Given that the site lies beyond the edge of the village in the countryside, attention is also drawn to policy DEV15 which seeks to ensure locations are suitable and advises at DEV15(8)(ii) that proposals should *"Avoid a significant increase in the number of trips requiring the private car and facilitate the use of sustainable transport, including walking and cycling, where appropriate. Sustainable Travel Plans will be required to demonstrate how the traffic impacts of the development have been considered and mitigated."*

5.2 Reference is also drawn to policy T1 of the BPNP which states that all proposals for business/commercial development will be encouraged to enable the use of sustainable modes of transport, e.g. by installing electric vehicle charging points at properties, provision of cycle paths where possible and facilitating access to public transport.

5.3 The Parish Council's response sought agreement for buses to enter the site or for bus stops to be provided on each side of the road opposite the store entrance, and for provision of a waiting area and accessible toilet within the store. The scheme as proposed does not include such provisions. That said, it is understood that bus services 87 and 87A which link Bere Alston with Tavistock stop on The Down (known as 'The Grove' bus stops) some 80m from the application site. Additional bus stops are located approximately 300m to the west of the site onto Whitehall Drive as well as 430m to the north-west along Broad Park Road. The submitted Travel Plan references the document 'Planning for Public Transport in Development' which states that 400m is the desirable maximum walking distance to local bus services, equating to a walking time of five minutes. The bus stops on The Down are close enough to the site to meet the needs of customers and officers do not consider a reason for refusal could reasonably be sustained regarding the absence of the measures requested by the Parish Council. Moreover, whilst the County Highway Authority's initial response requested bus stops, the County Highway Authority has verbally confirmed to the case officer that the bus stops on The Down are satisfactorily close to serve the store.

5.4 The application is supported by a Travel Plan that identifies measures to encourage the use of sustainable forms of transport for staff and customers. Whilst this is so, the application seeks to relocate a retail store that is centrally located and within walking distance (800m as per JLP figure 3.2) of all dwellings within the settlement, with a new store on the edge of the settlement that is more than 800m from some dwellings - i.e.

those on the opposite side of the village. It is thus reasonable to conclude that the proposed store is less sustainably located in terms of access on foot or cycle than the existing store (and other stores in the village centre); though officers acknowledge that the Council has no control over whether this store stays open or not. Nevertheless, whether the site of the proposed store is compared to the existing store/village centre or considered in isolation (given the store could be occupied by any operator), given the distance from the village centre, the fact that some dwellings in the village would be more than 800m from the site, the fact that the proposed store lies uphill from the village centre and lack of continuous footways along routes to the store, it is reasonable to conclude that overall customers would be less likely to access the proposed store by foot on cycle, and that more would be inclined to access the proposed store via car.

5.5 The applicant's case is also that a larger convenience store for the local community would result in significantly fewer car journeys, with fewer trips to the supermarkets in Tavistock and Plymouth – and hence an overall reduction of car journeys. Your officers do not accept this argument, mindful that RRPC's retail advice is that the proposed store is not large enough to compete with stores outside the village and that residents would therefore still be likely to drive to Tavistock etc for main food shopping. On the face of it therefore, for all these reasons, it is considered that the proposal would likely result in an increase in car movements rather than a reduction; and therefore fail, too, to support a move towards low carbon development as sought more broadly by DEV32.

5.6 For these reasons, the proposal is considered to conflict with SPT1, SPT2, DEV15 and DEV29 of the JLP.

## **6. Residential Amenity**

6.1 Protection of health and amenity is provided for by policy DEV1 of the JLP which seeks to ensure that new development provides for satisfactory daylight, sunlight, outlook, privacy and the protection from noise disturbance for both new and existing residents, workers and visitors. The policy sets out that *'Unacceptable impacts will be judged against the level of amenity generally in the locality.'* DEV2 also covers issues of residential amenity, stating that *'Development proposals which will cause unacceptable on- or off-site risk or harm to human health, the natural environment or living conditions, either individually or cumulatively, will not be permitted'* and referring to harmful impacts arising from noise pollution and also setting out that development should *'limit the impact of light pollution on local amenity.'*

6.2 The nearest residential property, a bungalow called Highfield, adjoins the application site to the south-west. Further dwellings lie to the west, on the opposite side of the lane which adjoins the western site boundary, and to the south, on the opposite side of the B3257.

6.3 In terms of daylight and sunlight, the proposed store building lies to the north-east of Highfield and would not thus result in light loss or overshadowing. In terms of outlook, the rear elevation of Highfield is not parallel to the side elevation of the retail store. At its closest point, Highfield is approximately 15m from the side elevation of the retail store. This distance increases to 20m+ as the gap between the buildings increases.

6.4 The guidance of the SPD advises (para 13.28) that to protect outlook the minimum distance between a main habitable room window and a blank wall, should be at least 12m

and that this distance should be increased for a three-storey development normally to at least 15m.

6.5 In this case, the retail store will be some 5.9m high. This is lower than the roof height of a standard two-storey dwelling.

6.6 This being so, the separation distance between Highfield and the retail store is deemed adequate to ensure no demonstrable loss of outlook or overbearing impact results. It is not considered dwellings to the west or south would be demonstrably affected either.

6.7 It is noted that the Parish Council's response includes the following statement *"The owner of Highfield has stated that the store and the intervening tree boundary will have an overbearing presence on his bungalow and conservatory, which face in that direction."* The submitted plans indicate a 'landscape buffer and planting' on the strip of land to the north-east of Highfield's garden, comprising trees and wildflower grass mix at ground level. The planting schedule refers to a mix of native and ornamental tree species being planted across the site. The submitted landscape plan is, however, preliminary and a more detailed plan would be sought by condition, were the application be recommended for approval. A planting scheme would not be agreed that officers considered would have an overbearing impact upon Highfield.

6.8 There will not be any overlooking from the retail store building either as the side elevation facing Highfield contains no windows. Whilst the layout indicates a path around the exterior of the retail store, much of the space between the store building and Highfield's garden is proposed to be landscaped which will further reduce the impact of the building upon Highfield's occupiers. It is not considered dwellings to the west or south would be demonstrably affected either.

6.9 With regard to noise disturbance, the vehicular access serving the store, car park and turning head for HGVs would be situated to the north-east side of the store building and would thus be situated some distance away from Highfield – approximately 45m (min) from the dwelling and 35m (min) from Highfield's garden. The proposed footway would be somewhat closer.

6.10 The store's external plant enclosure and yard area would be situated to the rear of the store building, the plant enclosure being approximately 15m from rear boundary of Highfield's garden and approximately 22m from the rear wall of the dwelling. The nearest dwelling to the west (17 Alexandra Drive) lies at a greater distance from the plant enclosure.

6.11 In this regard, the Environmental Health Officer as advises as follows:

*"No consideration of potential noise from the plant enclosure has been included in the application. In the D&A the applicant suggests that air source heat pumps may be included as well as refrigeration and air conditioning equipment. The site layout chosen locates the delivery bay and the plant enclosure close to the only adjacent residential property and garden which is disappointing, and the enclosure suggested is just a timber hit and miss fence which would afford little in the way of noise attenuation. Ideally the plant area should not have a direct line of sight with the residence or its garden, and the development should include enhanced boundary mitigation measures. We would recommend that the following condition which would deal with this is included on any approval:*

*“Noise emitted from any refrigeration unit, cooling system, extract ventilation system or any other specific noise source, including the loading bay and air source heat pumps, shall be inaudible beyond the boundary of the adjacent residential premises. Before the development commences, details of any acoustic mitigation required to achieve this noise level shall be submitted to and agreed in writing by the Local Planning Authority and the equipment shall not be used until and unless the mitigation has been installed as agreed. For these purposes, “inaudibility” shall be determined as the specific noise level (after correction factors have been applied) being at least 5dB less than the lowest background noise level measured at the time of the assessment in accordance with BS4142:2014. Reason: To protect adjoining occupiers from excessive noise.”* On the basis that the impact of noise on Highfield and dwelling to the west could be controlled by condition, officers are satisfied the proposal would not conflict with Policies DEV1 or DEV2 in the JLP in relation to noise impacts.

6.12 With regard to the store’s operating hours, information provided with the application indicates that the store would open at 6am and close at 11pm. This contrasts with the existing store in the village centre which operates from 7am to 10pm. The Environmental Health Officer states *“we would consider this excessive for a rural store serving a small community. Other rural Co-ops and even some larger stores have determined that opening between 7am and 10pm is sufficient to serve the community. As this is a small store we recommend that deliveries should also only take place within these hours and this should be conditioned.”*

6.13 Finally, turning to the illumination of the store and wider site, policy DEV2 seeks to resist proposals that cause unacceptable on- or off-site risk or harm to human health, the natural environment or living conditions by reason, inter alia, of light pollution. It is proposed that the store building, yard area and car park would be illuminated with a range of free-standing bollard lights, floodlights and streetlamps, together with bulkhead lights attached to the building. The submitted details indicate that lighting from the site would provide some illumination beyond the site boundaries, including Highfield’s garden; though it is noted that some of this illumination relates to a freestanding sign to the site frontage which does not form part of this application.

6.14 It is recognised that the Environmental Health Officer raises no objection, other than regarding the proposed operating hours of the store/delivery times (which could be amended/controlled by condition). However, officers are conscious that policy DEV1 sets out that *‘Unacceptable impacts will be judged against the level of amenity generally in the locality.’* Highfield currently abuts open countryside, and any noise and disturbance within the field logically associated with periodic activity by agricultural machinery and lighting associated therewith. In contrast, the development will introduce noise and activity from early in the morning until late in the evening, associated with deliveries, other activities in the service yard and the comings and goings of customers by car and on foot. The proposed illumination of the site also contrasts with the existing dark, unlit field, and as noted the plans indicate that some, though admittedly limited, illumination would extend into Highfield’s garden.

6.15 On balance, having regard to the site’s existing tranquillity and lack of illumination, it is considered that the development would give rise to a level of light, noise, activity and disturbance for long hours of the day that would reasonably harm the living conditions of the occupiers of Highfield, contrary to policies DEV1 and DEV2 in the JLP.



## **7. Impact upon Historic Environment**

7.1 The site lies outside and remote from the World Heritage Site and is also remote from listed buildings and other heritage assets. It is therefore concluded that the proposal will not affect the setting of any heritage asset.

7.2 DCC Archaeology have responded however to advise that the site is in an area of archaeological potential, the junction of the B3527, Bedford Street and Woolacombe Road being recorded on historic mapping as the site of a gallows and advising that “Executed felons were frequently buried in the vicinity of crossroads gallows. As such, groundworks for the construction of the proposed development have the potential to expose burials and other archaeological features associated with the gallows. The impact of development upon the archaeological resource here should be mitigated by a programme of archaeological work that should investigate, record and analyse the archaeological evidence that will otherwise be destroyed by the proposed development.” DCC Archaeology recommends that the application be supported by a Written Scheme of Investigation (WSI) setting out a programme of archaeological recording work to be undertaken in mitigation for the loss of heritage assets. Such a WSI has been submitted and subsequently approved, and compliance with this would be secured by planning condition.

7.3 Subject to the above, the proposal is considered to accord with policies DEV21 and DEV22 of the JLP.

## **8. Land contamination**

8.1 The application is supported by a comprehensive geotechnical report. This has been reviewed by the Environmental Health Officer who accepts the report and its findings and recommends that the standard “Unexpected Contamination” condition be included on any approval.

8.2 The proposal would thus accord with policy DEV2 of the JLP which seeks to ensure proposals will not cause unacceptable risk or harm to human health or the environment from ground pollution.

## **9. Biodiversity**

9.1 As noted, the site is largely comprised of grassland, with hedgebanks to the east, south and west. The northern boundary is currently unmarked, as the site forms part of a larger field.

9.2 The application is supported by an Ecological Assessment which found the site did not identify the presence of any protected species on site. It is noted that the vegetated hedges could provide some limited potential habitat for common species of reptiles. In terms of bats, the absence of trees and low-lying hedge banks likely restrict bat activity to commuting and foraging only. The site is not covered by any statutory designation for nature conservation importance, with the closest such site, comprising Plymouth Sound and Estuaries SAC and Tamar and Tavy Estuary SSSI, located approximately 1.3km north. This SAC and SSSI area separated from the site by existing built development,

roads and open countryside and as such no direct impacts to the qualifying features of protected site are anticipated.

9.3 The proposals as revised involve the removal and replacement/rebuilding of the hedgebank to the southern boundary, filling in existing gaps to the eastern boundary hedgebank and construction of a new hedgebank along the northern hedgebank. Whilst the proposals remove and replace the hedgebanks to the south, the overall length of hedgerow will increase with some 84m of new hedgerow formed to the northern boundary to improve connectivity. The Ecological Assessment references other biodiversity enhancements including the installation of bird and bat boxes on the building and native ornamental tree planting. Whilst noting that the planting of additional trees might enhance biodiversity, officers are conscious that dense tree cover is not a feature of plateau sites in this landscape character area. A lighting report has also been supplied indicating that the proposed lighting scheme has been devised to be bat-friendly.

9.4 Natural England advises that the proposed development will not have significant adverse impacts on Plymouth Sound and Estuaries SAC & Tamar Estuaries Complex SPA and has no objection.

9.5 DCC Ecology has also been consulted and generally accepts the conclusions of the submitted Ecological Assessment, recommending conditions to ensure development is carried out in accordance with recommendations of the Ecological Assessment and requiring approval of Construction and Environmental Management Plan (CEMP) Landscape and Ecological Management Plan (LEMP) to secure biodiversity enhancement. The ecologist does, however, query the inclusion of ornamental species in the landscaping scheme asking that they be replaced with native species and queries too whether the lighting strategy is in line with the recommendations provided within the ecology report. Both these matters could be controlled by conditions seeking a revised landscaping scheme and further details of the lighting strategy

The proposal is considered to accord Policy DEV26 (which seeks the protection, conservation, enhancement and restoration of biodiversity and geodiversity across the Plan Area) with matters of detail dealt with via the imposition of conditions.

## **10. Drainage**

10.1 The site lies within Flood Zone 1 – i.e. a site at low risk of flooding. Surface water drainage arising from the development is proposed to be disposed of via a soakaway below ground within the car park. The Council's Principal Projects Officer has reviewed the drainage arrangements and notes that there should have been scope to use a pond/swale on this site (which would have potentially brought a biodiversity benefit) but concludes that the proposal complies with the drainage hierarchy and raises no objection.

10.2 On this basis the proposal is considered to comply with the requirements of policy DEV35 of the JLP.

## **11. Low carbon development**

11.1 Policy DEV32 sets out that the need to deliver a low carbon future for Plymouth and South West Devon should be considered in the design and implementation of all

developments, in support of a Plan Area target to halve 2005 levels of carbon emissions by 2034 and to increase the use and production of decentralised energy. Of note, the submission of this application predates the LPA's adoption of the Climate Emergency Planning Statement (CEPS). The application is not therefore bound by the additional requirements set out therein.

11.2 The application is supported by a Carbon Reduction Statement. To minimise resource use, this statement refers to the use of locally sourced timber and stone and use of low energy LED lighting. To make the building resilient to climate change, this statement refers to the orientation of the building with windows facing south to maximise solar gain, the use of a soakaway and biodiversity net gain. The statement also states *"The fundamental reason / need for the development, to provide a better and larger convenience store for the local community, would result in significantly fewer car journeys. The size of the existing Co-op store in Bere Alston means that many residents currently have to travel to Plymouth or Tavistock to do their weekly shopping. The proposed new store would allow the residents to pick up everything they need locally, drastically reducing travel distances."*

11.3 In terms of renewable energy, it is noted that no PV solar is proposed to the building's roof; and it is acknowledged that this is raised as a concern in some representations. The use of roof mounted PV solar in protected landscapes is not straightforward, with possible glint and glare adding to the harmful impact of the building. The submitted Carbon Reduction Statement sets out that the Co-op only uses energy from renewable energy sources and notes that the store will be heated using an ASHP sited in the plant area. EV charging is also proposed with 'at least one EV parking space for staff as well as EV charging within the customer car park that will include the provision for rapid charging and cabling. The exact number of EV parking spaces to be provided is yet to be determined.'

11.4 Compliance with DEV32 could be secured via a condition(s) to cover the above and secure approval of final details.

## **12. Crime and anti-social behaviour**

12.1 It is recognised that the Parish Council and various local representations raise concerns regarding anti-social behaviour, crime and vandalism arising in part from the remote location of the site and late opening hours. DEV20 seeks to ensure new development adequately contributes towards high standards of community safety and reduce opportunities for crime and fear of crime.

12.2 The Police Designing Out Crime Officer notes that the Design and Access Statement (DAS) makes no reference to crime prevention or security measures being proposed and goes on to list a number of helpful measures: a lockable barrier at the site access, the use of CCTV and lighting, security fencing/lockable gates to the delivery/loading area, secure cycle stands, a privacy square around the ATM and use of safety glass and security locks.

### 13. Conclusions and Planning balance

13.1 The application proposes the construction of a retail store. The application makes clear that the proposal is intended to be a replacement store for the Co-op. However, officers are conscious that planning permission runs with the land and that any store operator could occupy the store upon the grant of planning permission or in the future. (It would be unusual to apply a personal condition to a retail store). The application has been considered with this in mind. However, with regard to the application as submitted, whereas the existing Co-op is situated in the centre of the village and constitutes the anchor store in the cluster of retail and associated premises situated there, the proposed store would be situated on a field just beyond the eastern edge of the village.

13.2 The shortcomings of the existing Co-op store are highlighted by the agent and reflected in a number of representations made by local residents in support of the application, which reference the limited size of the store and hence the limited range of products offered, the poor, cramped shopping environment, poor access for less ambulant persons and/or access for parents with children etc and difficulties for delivery vehicles and servicing.

13.3 The applicant maintains that the proposed store seeks to overcome these concerns, with a larger store with appropriate parking and servicing facilities. A wider range of products would be provided, offering customers a larger basket/small trolley shop than at present.

13.4 The submitted Retail Planning Statement (RPS) produced by Alder King sets out that the store will seek to increase its market share by recapturing some 12% of the market share, considering this can be clawed back from trade currently lost to larger stores in Tavistock (Morrisons, Tesco and Lidl) and elsewhere.

13.5 RRPC do not share Alder King's view that trade would necessarily be recaptured from stores outside Bere Alston, considering there to a considerable risk that trade would instead be drawn from the remaining stores in the village centre, rendering one or more of them vulnerable to closure, and also considering that the location of the new store, remote from the village centre, would divert trade and reduce footfall to stores in the centre. Overall, taking on-board RRPC's advice, your officers conclude that the benefits of the new store would not be outweighed by the harm given a considerable risk that the proposed store would have a 'significantly adverse impact' on the vitality and viability of the village centre.

13.6 On this basis, the proposal would not accord with overall spatial strategy set out in SPT1 which supports a sustainable society where communities have access to a mix of local services to meet the needs of local people and SPT2 which seeks to ensure development supports the overall spatial strategy through the creation of neighbourhoods and communities which, inter alia, have reasonable access to a vibrant mixed use centre, which meets daily community needs for local services such as neighbourhood shops. The proposal would also conflict with policy DEV16 which sets out that retail proposals will be assessed in relation to their support for the spatial strategy of the local plan and the sequential hierarchy of centres and that any proposal which would have a significant adverse impact on the vitality and viability of an existing centre will not be permitted.

13.7 With regard to its siting, putting the matter of retail impact to one side, it is agreed that there are no sequentially preferable sites for the provision of a new store closer to the

village centre. The choice of site, to the east side of the village abutting the B3257, the main road into the village, is also noted.

13.8 That said the site currently comprises an agricultural field which forms part of the open countryside beyond the edge of the settlement. As the site is designated as an Area of Outstanding Natural Beauty and forms part of the Tamar Valley National Landscape, national and local policy set a high bar for all new development, policy DEV25 requiring that the LPAs will protect the AONBs and National Park from potentially damaging or inappropriate development located either within the protected landscapes or their settings” and *“Give great weight to conserving and enhancing the landscape and scenic beauty in the protected landscapes.”* In this case, the introduction of a substantial building, provision of access and associated footways and new tree planting on what is currently an open field characteristic of the wider rural landscape would harm rather than conserve and not enhance the landscape and scenic beauty of the Tamar Valley National Landscape, contrary to policies DEV25, DEV23 and DEV28 of the JLP and policy E1 of the BPNP. Had there been a persuasive retail need for the development and clear community benefits in this regard (and compliance with SPT1, SPT2 and DEV16), it would have been reasonable to weigh the landscape harm against this in the planning balance in forming a judgement. In the event, however, the landscape harm is unjustified and constitutes a second reason for refusal.

13.9 Officers also have concerns regarding the location of the site with regard to the likelihood that customers and staff would access the store on foot, cycle or other sustainable transport modes, and consider it likely that many customers would choose to visit the store by car, in conflict with policies SPT1, SPT2 and DEV29. This concern constitutes a third reason for refusal.

13.10 Finally, it is concluded that the proposal is unneighbourly and would result in an unacceptable impact upon the living conditions of the dwelling that adjoins the site to the south-west (Highfield) in terms of noise, disturbance and light pollution, mindful of the current level of amenity enjoyed by this property. The proposal is thus deemed to conflict with policies DEV1 and DEV2 of the JLP.

13.11 It is acknowledged that a large number of representations have been submitted by local residents both in opposition to and in support of the application; and these have all been taken into account as part of the consideration of the proposal.

13.12 The support of the Parish Council is also acknowledged (albeit caveated as set out in their full response above).

13.13 Nevertheless, after careful consideration your officers consider the application conflicts with the policies cited above and a recommendation of refusal is thus made.

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

## **Planning Policy**

### Relevant policy framework

Section 70 of the 1990 Town and Country Planning Act requires that regard be had to the development plan, any local finance and any other material considerations. Section 38(6)

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

On 26 March 2019 of the Plymouth & South West Devon Joint Local Plan was adopted by all three of the component authorities. Following adoption, the three authorities jointly notified the Ministry of Housing, Communities and Local Government (MHCLG)\* of their choice to monitor the Housing Requirement at the whole plan level. This is for the purposes of the Housing Delivery Test (HDT) and the 5 Year Housing Land Supply assessment. A letter from MHCLG to the Authorities was received on 13 May 2019 confirming the change.

On 14<sup>th</sup> 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  
SPT5 Provision for retail 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  
DEV16 Providing retail and town centre uses in appropriate locations  
DEV20 Place shaping and the quality of the built environment  
DEV21 Development affecting the historic environment  
DEV22 Cornwall and West Devon Mining Landscape World Heritage Site  
DEV23 Landscape character  
DEV25 Nationally protected landscapes  
DEV26 Protecting and enhancing biodiversity and geological conservation  
DEV28 Trees, woodlands and hedgerows  
DEV29 Specific provisions relating to transport  
DEV32 Delivering low carbon development  
DEV35 Managing flood risk and Water Quality Impacts

## **Neighbourhood Plan - A Neighbourhood Plan for the Bere Peninsula to 2034**

Policy E1: Protecting the Local Environment

Policy E2: Supporting Biodiversity

Policy E3: Progressing towards a Low Carbon Environment

Policy EC1. Small Scale Expansions

Policy T1. Sustainable Transport

Policy C1. Neighbourhood and Village Shopping

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:

**Tamar Valley 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)**

### **Considerations under Human Rights Act 1998 and Equalities Act 2010**

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

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## OFFICER'S REPORT

<b>Case Officer:</b>	Bryony Hanlon		
<b>Parish:</b>	Bere Ferrers	<b>Ward:</b>	Bere Ferrers
<b>Application No:</b>	3349/23/FUL		
<b>Applicant:</b>	Mr And Mrs C Cox C/O Agent Luscombe Maye 59 Fore Street Totnes TQ9 5NJ	<b>Agent:</b>	Mrs Amanda Burden Luscombe Maye 59 Fore Street Totnes TQ9 5NJ
<b>Site Address:</b>	Five Acres, Woolacombe Road, Bere Alston, PL20 7EA		
<b>Development:</b>	Demolition of two agricultural outbuildings & erection of new dwelling		



## **Recommendation: Refusal**

### **Reasons for refusal:**

1. The site is not well connected to the village in terms of pedestrian access, without supporting justification, making it increasingly likely that journeys between the site and the centre of the village would be made by car, thus undermining the transition to a low carbon future, contrary to the provisions of SPT1, SPT2, TTV1, TTV2, TTV26 (2iv), DEV29 (5, 7), DEV32, in the Joint Local Plan, T1 of the Bere Peninsula Neighbourhood Plan and the guidance contained within but not limited to paragraphs, 7, 8, 157 and 159 (a) of the National Planning Policy Framework 2023.
2. The provision of a further three bedroomed dwelling would perpetuate an imbalance in the housing stock relative to the local population, failing to respond to long term population trends, contrary to the provisions of DEV8 of the Joint Local Plan.
3. Insufficient information has been provided to demonstrate that the proposed development complies with the provisions of policy DEV32 of the Plymouth and South West Devon Joint Local Plan 2014-2034 and the Climate Emergency Planning Statement; without such evidence it is not possible to assess such compliance with the said policy.
4. The site falls within the 12.3km Zone of Influence where new residential development will have a recreational impact on the Tamar European Marine Site (comprising the Plymouth Sound and Estuaries SAC and Tamar Estuaries Complex SPA). No mitigation has been provided and therefore the proposed development will have an adverse impact on the integrity of the designated European sites contrary to the Conservation of Habitats and Species Regulations 2017, policies DEV26 (2) and DEL1 (3iv) of the Joint Local Plan and paragraph 186 (a) of the National Planning Policy Framework.

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

Location, principle of development, housing need, design, scale and massing, drainage, highways, biodiversity, low carbon.

**Reason for Call-In:** Both Ward Members would like the Committee to consider the application in terms of its scale and siting.

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### **Site Description:**

The site is located beyond the built form of Bere Alston, c. 0.13 km south east of the edge of the village. The site is accessed via the public highway (Woolacombe Road), a Class E road leading south east from Bere Alston. Woolacombe Road does not benefit from any street lighting or a public footpath along the route between the village and the application site; much of the route from the village is beyond the 30mph speed limit. The adjoining site hosts a detached bungalow (with two addresses; Five Acres and Meadowcroft) with garden to the west and south, a stable block to the north and a collection of farm buildings to the east. The site has parking and turning to the north of the dwelling, with a circular route for vehicles available around the stable block. The site is bounded by a mature hedge bank to the north and west, with open fields to the east and south. The site is located within the Tamar Valley National Landscape.

### **The Proposal:**

The applicant wishes to demolish two of the existing outbuildings and construct a dwelling in their place. The dwelling is designed in a contemporary style, with clean lines and centres around a dual pitched roof, with the first floor accommodation set into the apex, with a small stone gable on the south elevation. The majority of the dwelling is finished in render, with some natural timber cladding and a natural slate roof. The dwelling has two bedrooms and a bathroom at first floor level, with the main living accommodation on the ground floor, with a further bedroom and dedicated study. The dwelling is provided with two parking spaces, a wraparound garden and a new boundary hedge to the east and south.

### **Consultations:**

- Parish Council Support  
The Council support the application. It is sympathetic new dwelling for a local family to live in and will not overlook or clash with neighbouring properties. The elevation will be below the proposed new estate, planned to be build next to this property.
- DCC Highways No highways implications
- WDBC Environmental Health No objection

### **Representations:**

#### Representations from Residents

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

- The applicants require additional space for extended family living.
- The applicants have a local business and would like to be close to their customers.

### **Relevant Planning History**

- 1347/2001/TAV Change of use of annexe into letting accommodation.
- 4168/22/PR4 Full Pre App - Pre Application Enquiry For - Conversion or Creation of 1-2 dwellings on site

## ANALYSIS

### Principle of Development/Sustainability

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.

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.

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

*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.*

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.

The junction between Woolacombe Road and The Down (one of the main routes through Bere Alston) is c. 130m from the application site when walking along Woolacombe Road. There is no footway or street lighting along this section of road, which is subject only to the National Speed Limit (60mph). The road is single track along this section, with high hedges along much of its route and is only overlooked by dwellings for a short section closest to the village. The route is likely to be unappealing to most pedestrians, especially those with small children (including those in buggies) or with mobility issues, particularly during dark winter mornings and evenings. While the site is not considered isolated for the purposes of TTV26, the site is not well connected to the village, thus making it increasingly likely that journeys between the site and the village would be made by car.

Whilst not a determinative factor in the current application, it is noted that an application is currently with WDBC awaiting determination under 2435/23/FUL for 31 new dwellings, an associated access road, pedestrian link, landscaping, public open space and drainage on the land between Five Acres and the existing edge of the village. For reference, application 2435/23/FUL contains an internal pedestrian link from the dwellings to the existing development to the north west but it does not include any changes to the public highway to provide a pedestrian footway at the roadside. However, while the site has been allocated for development under policy TTV24 (1) consent has not yet been granted. In a similar vein, the site to the south west is also allocated for development under TTV24 (2) but no application has yet been submitted for the site.

It is acknowledged that the applicant sought Pre-Application Advice from the LPA prior to submission of the application. Unfortunately, the applicant was misdirected to apply the provisions of TTV27 of the JLP to their application. Policy TTV27 provides support for affordable housing subject to the following criteria;

*Proposals for residential development on sites adjoining or very near to an existing settlement which would not otherwise be released for this purpose may be permitted provided that it can be demonstrated that:*

- 1. It meets a proven need for affordable housing for local people.*
- 2. It includes a mix of affordable and market housing products where necessary to be financially viable. This includes open market housing, providing it does not represent more than 40 per cent of the homes or 40 per cent of the land take excluding infrastructure and services.*
- 3. Management of the scheme will ensure that the dwellings continue to meet the identified need in perpetuity.*
- 4. The proposal meets the requirement of all other relevant policies of the Plan.*

Officers would stress that the proposal is adjacent to an allocated site but that no consent is in place for this site. As such, the current application is not considered to be “adjoining or very near to an existing settlement” for the purposes of TTV27. Furthermore, the proposal

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

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

comprises the construction of one open market dwelling; it is not proposed as “affordable housing” which is defined in the JLP as “Housing, whether for rent, shared ownership or outright purchase, provided at a cost considered affordable in relation to incomes that are average or below average, or in relation to the price of general market housing”. As such, policy TTV27 does not apply.

The second part of policy TTV26 applies as considered below;

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

The proposal does include any changes to public rights of ways or bridleways.

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

The application site does not contain any traditional buildings.

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

The existing buildings are not related to an active farming enterprise; conversion to residential use would be unlikely to prejudice adjacent land uses.

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

The proposal comprises the development of one open market dwelling that is not supported by any specific locational need that requires a countryside location.

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

The proposal relates to the redevelopment of existing buildings and does not require additional land take. As such the best and most versatile agricultural land is not impacted by the development proposed.

*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 is located within the Tamar Valley National Landscape and the applicant has supplied a Landscape and Visual Amenity Statement provided by Greenearth Landscape. Officers consider that the proposal will be visible from parts of the surrounding landscape but is not considered to be unduly visually prominent within the views available. The applicant has proposed a new boundary hedge bank and additional tree planting to visually contain the development. Were the development otherwise acceptable, Officers would have secured this landscaping through condition, in the interest of biodiversity, public amenity and the conservation and enhancement of the local landscape character, in accordance with the provisions of DEV20, DEV23, DEV25, DEV26, E1 and E2. In a similar vein, it would have been necessary to restrict the installation and operation of external lighting, in the interests of nocturnal biodiversity and to limit the impact of light pollution on the dark skies of the Tamar Valley National Landscape, in accordance with the same policies.

It is noted that the application received letters of support during the consultation process, including from the Parish Council, with benefits associated with extended family living and in order for the applicants to be close to their customers. However, the personal circumstances of the applicant are not determinative and are not a material planning consideration, as such the application has been assessed as presented; i.e. an unrestricted open-market dwelling in a countryside location.

While the site is not considered physically isolated for the purposes of TTV26, its siting is not justified with a specific locational need. The site is not well connected to the village in terms of pedestrian access, thus making it increasingly likely that journeys between the site and the village would be made by car, contrary to the provisions of SPT1, SPT2, TTV1, TTV2, TTV26 (2iv), DEV29 (5, 7) and DEV32 of the JLP, policy T1 of the Bere Alston Neighbourhood Plan, as well as the guidance contained within but not limited to paragraphs, 7, 8, 157 and 159 (a) of the National Planning Policy Framework 2023.

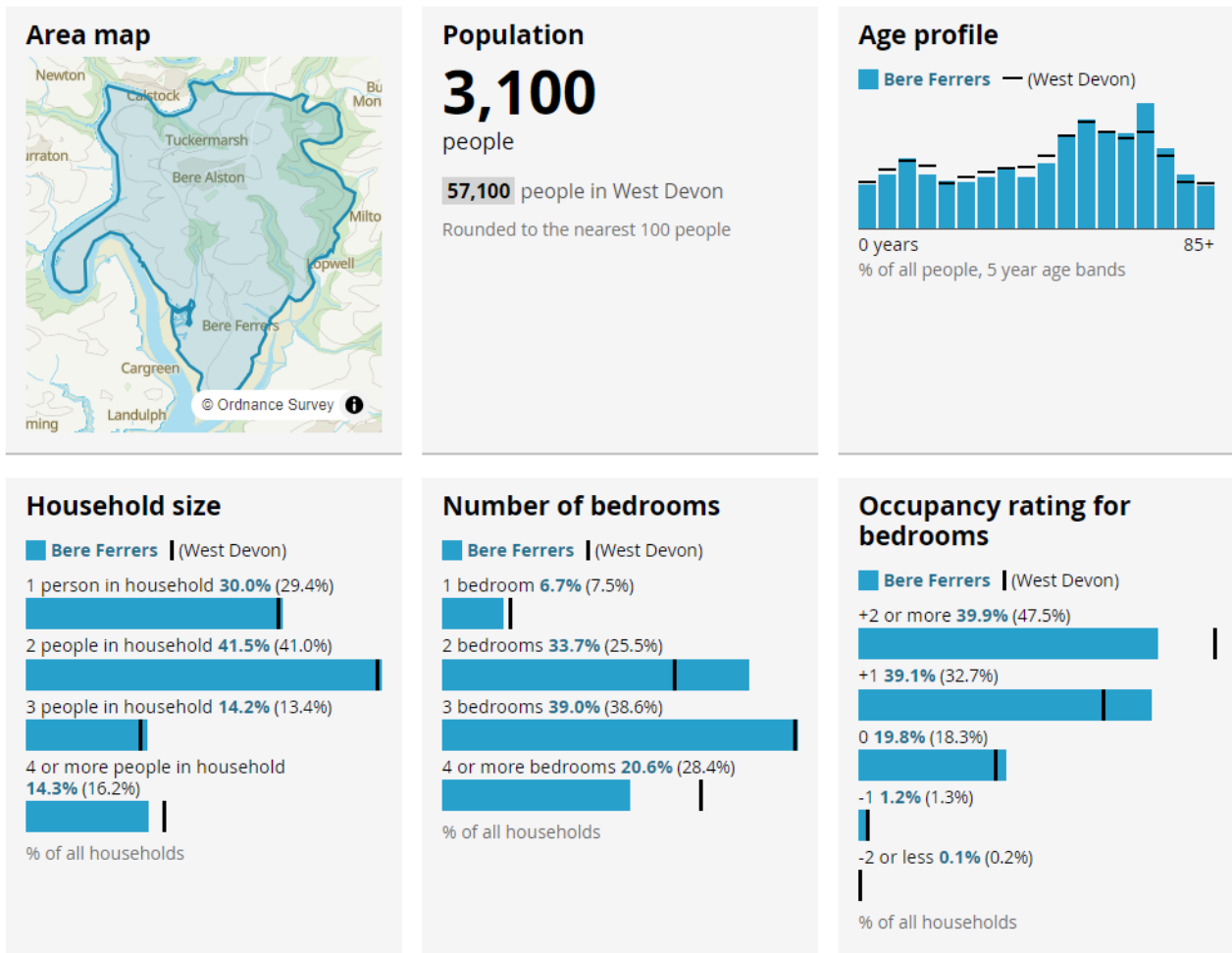
#### Housing Need and Mix

The proposal has been considered against the provisions of policy DEV8 in the Joint Local Plan, which require that developments provide a mix of housing sizes, types and tenure appropriate to the area. The policy also recognises particular needs associated with redressing an imbalance within the housing stock, households with specific need and for dwellings most suited to younger people, working families and older people who wish to retain a sense of self-sufficiency.

The Strategic Housing Market Needs Assessment that underpins the housing mix policies within the JLP suggests that household change to 2034 will present a need for smaller homes that meet the needs of a broader cross-section of our communities, particularly couples with no children and single person households.

The applicant seeks to create an open market dwelling with three bedrooms (the study may also be used as a bedroom but the SPD allows the provision of a dedicated home office to be excluded from bedroom number calculations). Housing data from the 2021 Census indicate that within the Parish of Bere Ferrers c. 39% of all dwellings have three bedrooms, however, the majority of households in the Parish comprise only one or two people and as a result, under-occupancy of the existing housing is very high.

# Bere Ferrers



Source: Office for National Statistics - Census 2021

As such, the provision of a further three bedroomed dwelling would perpetuate an imbalance in the housing stock relative to the local population, failing to respond to long term population trends, contrary to the provisions of DEV8 in the JLP

## Design/Landscape

The dwelling provides c. 75 sqm of floor space at ground floor level and c. 34 sqm at first floor. This complies with the Nationally Described Space Standards for a three bed roomed dwelling and a four bed roomed dwelling with capacity for up to six persons. The dwelling is also provided with c. 200 sqm of garden, which complies with the standards set out in paragraph 4.138 of the SPD.

The dwelling has been designed in a contemporary style with clean lines but uses traditional materials, including natural stone, natural slate and timber. The first floor living accommodation has been set into the apex of the roof in order to reduce the ridge height; fenestration is limited, with much of the southern plane of the roof used to site solar panels. The dwelling is considered to accord with the provisions of DEV20, DEV23 and DEV25. Were the development otherwise acceptable, it would have been necessary to secure the details of the materials through condition, in the interests of visual amenity and accord with the provisions of the Climate Emergency Planning Statement and Policy DEV32.



### Neighbour Amenity

The site is c. 22m north east of the neighbour at Meadowcroft and c. 70m north west of the neighbour to the south east at Fourways. The site is c. 10m east of the existing stable block. Were the development otherwise acceptable it would have been necessary to require that the first floor windows in the west elevation of the dwelling were obscure glazed and fixed shut to safeguard the privacy of the neighbouring occupants at Meadowcroft, noting that this bedroom (bedroom 2) benefits from rooflights on the north elevation for additional light, outlook and ventilation. On this basis, the proposal is considered to accord with the provisions of DEV1(1).

### Highways/Access

The proposal will utilise the existing access to the public highway and provides two off-road parking spaces for the dwelling. The Devon County Council Highways Engineer has advised that there are no impacts in terms of highways safety associated with the proposal. Notwithstanding the issues associated with the unsustainable location, the proposal is unlikely to give rise to significant increased risk to highways safety and accords with the provisions of DEV29.

### Low Carbon

Policy DEV32 and the recently adopted Climate Emergency Planning Statement (CEPS) both accelerate the transition to a low carbon society by requiring development to identify opportunities to minimise energy consumption, maximising energy efficiency but also delivering on site carbon or renewable energy systems. In particular M1 (onsite renewable energy generation) requires developments to achieve regulated carbon emissions levels of 20 per cent less than that required to comply with Building Regulations Part L.

The requisite Climate Emergency Compliance Form has been submitted which sets out the measures proposed in order to comply with the provisions of DEV32; these include an air source heat pump and solar panels which are welcomed. However, full SAP calculations for the new dwelling have not been provided; the carbon implications of demolishing the existing buildings have not been considered and insufficient information is available to demonstrate full compliance with DEV32 of the JLP. As the proposal was otherwise unacceptable, it was considered unreasonable to put the applicant to further expense in producing this information.

### Biodiversity

The applicant has provided a Preliminary Ecological Appraisal to confirm that there are no ecological constraints to development on the site. The Appraisal contains a number of recommendations in order to safeguard the interests of protected species, which would be appropriate to secure through condition, were the development considered otherwise acceptable. On this basis, the proposal is considered to accord with the provisions of DEV26 of the JLP and E2 of the Bere Peninsula Neighbourhood Plan.

### Surface Water Drainage

The applicant has proposed the use of a soakaway to dispose of surface water from the proposed scheme; were the development otherwise acceptable it would have been considered appropriate to secure these details by 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.

### Foul Drainage

The applicant has proposed to dispose of foul drainage via a new package treatment plant. The WDBC Environmental Health Officer has reviewed the scheme and the details submitted are acceptable in principle, 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.

### Tamar European Marine Site

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.

The Habitats Regulations Assessment of the JLP concluded that the recreational impacts on designated sites arising from planned residential development, either alone or in combination with other plans or projects need to be addressed. To enable the planned development to proceed, the Conservation of Habitats and Species Regulations 2017 requires that appropriate mitigation measures are in place to ensure that the proposed development will not result in an adverse impact on the integrity of the designated European sites. Recreational mitigation will be delivered through the Recreation Mitigation and Management Scheme for the Plymouth Sound and Estuaries Marine Site which requires all residential development within a 12.3km zone of influence to contribute towards the costs of the plan. Without mitigation new residential and tourist development, in combination with other development, could have a significant effect. The rate for a 3 bedroom house is £467.91 which can be agreed via Unilateral Undertaking or as part of a s106.

As the proposal is considered to be unacceptable on principle this obligation has not been sought but the lack of mitigation having been provided forms an additional refusal reason. To address this, a Unilateral Undertaking or S106 legal agreement would be required to secure the mitigation contribution to mitigate for the recreational impacts of the proposed development on the Tamar European Marine Site.

### Conclusion

The site is not well connected to the village in terms of pedestrian access, without supporting justification, making it increasingly likely that journeys between the site and the village would be made by car, thus undermining the transition to a low carbon future. In addition, the provision of a further three bedroomed dwelling in an area with an oversupply of this type of dwelling, in combination with high levels of under occupancy in the existing stock, would exacerbate the imbalance in the existing housing stock. The application has not been supported by sufficient information to demonstrate compliance with policy DEV32 or been accompanied by mitigation for recreational impacts on the Tamar European Marine Site, although were the development otherwise acceptable, this could have been addressed through the submission of additional information. As such, the application 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 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".

The 2021 HDT result remains the latest test result that is applicable for applying policy consequences as the Government has not published the 2022 HDT as it considers the test to be an unfair test upon LPA's and in need of review. The 2021 HDT result for the 3 JLP authorities is above 95% therefore there continues to be no policy consequences and a 5% buffer only is required for the purposes of the 2023 5YHLS.

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 5.39 years at end of March 2023 (the 2023 Monitoring Point). This is set out in the Plymouth, South Hams & West Devon Local Planning Authorities' Housing Position Statement 2023 (published 19 December 2023).

[\*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

SPT3 Provision for new homes

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  
TTV26 Development 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  
DEV9 Meeting local housing need in the Plan Area  
DEV10 Delivering high quality housing  
DEV20 Place shaping and the quality of the built environment  
DEV23 Landscape character  
DEV25 Nationally protected landscapes  
DEV26 Protecting and enhancing biodiversity and geological conservation  
DEV28 Trees, woodlands and hedgerows  
DEV29 Specific provisions relating to transport  
DEV30 Meeting the community infrastructure needs of new homes  
DEV31 Waste management  
DEV32 Delivering low carbon development  
DEV35 Managing flood risk and Water Quality Impacts  
DEL1 Approach to development delivery and viability, planning obligations and the Community Infrastructure Levy

### **Neighbourhood Plan**

Following a successful referendum, the Bere Peninsula Neighbourhood plan was made at Hub Committee on 17 October 2018.

The relevant policies are noted below;

Policy E1: Protecting the Local Environment  
Policy E2: Supporting Biodiversity  
Policy E3: Progressing towards a Low Carbon Environment  
Policy H4. Unallocated Development  
Policy T1. Sustainable Transport

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

Tamar Valley 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)

### **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 27 Feb 2024

Appeals update for 12 Dec 2023 to 5 Feb 2024

<b>Ward:</b>	<b>Bridestowe</b>
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<b>0100/23/FUL</b>		<b>PINS Ref: APP/Q1153/W/3326151</b>
<b>Original Decision:</b>	Refusal	<b>Appeal Status:</b> Appeal Refused
<b>Appellant Name:</b>	Prime Oak	<b>Appeal Start Date:</b> 15 Nov 2023
<b>Site Address:</b>	Collaven Manor Hotel, Sourton, Okehampton, EX20 4HH	<b>Appeal Decision:</b> Dismissed (Refusal)
<b>Proposal:</b>	Erection of oak framed home office, gym & annexe outbuilding	<b>Appeal Decision Date:</b> 26 Jan 2024

<b>3568/22/HHO</b>		<b>PINS Ref: APP/Q1153/W/23/3316577</b>
<b>Original Decision:</b>		<b>Appeal Status:</b> Appeal Refused
<b>Appellant Name:</b>	Angus McCully	<b>Appeal Start Date:</b> 15 May 2023
<b>Site Address:</b>	The Old Rectory, Bratton Clovelly, EX20 4LA	<b>Appeal Decision:</b> Dismissed (Refusal)
<b>Proposal:</b>	Householder application for conversion of garage/loft to two-storey assisted living space with access lift	<b>Appeal Decision Date:</b> 20 Dec 2023

<b>0328/23/FUL</b>		<b>PINS Ref: APP/Q1153/W/23/3327354</b>
<b>Original Decision:</b>	Refusal	<b>Appeal Status:</b> Start Letter Received
<b>Appellant Name:</b>	Mrs Natasha Barnes-Hutchinson	<b>Appeal Start Date:</b> 3 Jan 2024
<b>Site Address:</b>	The Old Railway Cottage, Patchacott, EX21 5AS	<b>Appeal Decision:</b>
<b>Proposal:</b>	Construction of a log cabin for dog grooming purposes	<b>Appeal Decision Date:</b>

<b>Ward:</b>	<b>Exbourne</b>
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<b>4149/22/HHO</b>		<b>PINS Ref: APP/Q1153/D/23/3332302</b>
<b>Original Decision:</b>	Refusal	<b>Appeal Status:</b> Start Letter Received
<b>Appellant Name:</b>	Mr & Mrs Vallance	<b>Appeal Start Date:</b> 24 Jan 2024
<b>Site Address:</b>	Chapple Orchard, Sampford Courtenay, EX20 2TJ	<b>Appeal Decision:</b>
<b>Proposal:</b>	Householder application for extensions & alterations to existing dwelling	<b>Appeal Decision Date:</b>

<b>4439/22/FUL</b>		<b>PINS Ref: APP/Q1153/W/23/3330619</b>
<b>Original Decision:</b>	Refusal	<b>Appeal Status:</b> Start Letter Received
<b>Appellant Name:</b>	Mr And Mrs C Richards	<b>Appeal Start Date:</b> 18 Dec 2023
<b>Site Address:</b>	Land At Ss 673 037, Bondleigh	<b>Appeal Decision:</b>
<b>Proposal:</b>	Proposal for removal of previously agreed Class Q barns that allowed three, three-bedroom dwellings. Replacement dwellings are sought comprising three new-build homes	<b>Appeal Decision Date:</b>

<b>Ward:</b>	<b>Okehampton South</b>
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<b>1861/21/CAC</b>		<b>PINS Ref: APP/Q1153/W/22/3309071</b>
<b>Original Decision:</b>	Refusal	<b>Appeal Status:</b> Appeal Split Decision
<b>Appellant Name:</b>	Okehampton Skills and Sports Trust	<b>Appeal Start Date:</b> 25 Apr 2023
<b>Site Address:</b>	The Old Mill, Mill Road, Okehampton	<b>Appeal Decision:</b> Split Decision

<b>Proposal:</b>	READVERTISEMENT (Revised plans received) Conservation area consent for demolition of redundant stone warehouse buildings	<b>Appeal Decision Date:</b> 2 Jan 2024
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<b>Ward:</b>	<b>Tamarside</b>
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<b>1403/23/PIP</b>		<b>PINS Ref: APP/Q1153/W/23/3329278</b>
<b>Original Decision:</b>	Refusal	<b>Appeal Status:</b> Start Letter Received
<b>Appellant Name:</b>	Mr L Paul	<b>Appeal Start Date:</b> 14 Dec 2023
<b>Site Address:</b>	Land At Sx 369 854, Liftondown	<b>Appeal Decision:</b>
<b>Proposal:</b>	Application for Permission in Principle for erection of a dwelling	<b>Appeal Decision Date:</b>

<b>Ward:</b>	<b>Tavistock North</b>
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<b>0198/23/HHO</b>		<b>PINS Ref: APP/Q1153/W/23/332589</b>
<b>Original Decision:</b>	Refusal	<b>Appeal Status:</b> Start Letter Received
<b>Appellant Name:</b>	Mr And Mrs Graham and Judy Jeeves	<b>Appeal Start Date:</b> 10 Jan 2024
<b>Site Address:</b>	Orchard Hill, Madge Lane, Tavistock, PL19 0DY	<b>Appeal Decision:</b>
<b>Proposal:</b>	Householder application for loft conversion with single dormer to rear of property. Side flat roof garden room to replace flat roof conservatory	<b>Appeal Decision Date:</b>

## West Devon Borough Council

### Undetermined Major Applications

as at 05 Feb 2024



West Devon  
Borough  
Council

2915/19/FUL			
<b>Officer:</b>	Steven Stroud	<b>Valid Date:</b> 18 Dec 2019	<b>Expiry Date:</b> 18 Mar 2020
<b>Location:</b>	Wool Grading Centre, Fore Street, North Tawton		<b>Extension Date:</b> 31 May 2023
<b>Proposal:</b>	READVERTISEMENT (Revised plans received) Conversion of existing Grade II listed mill buildings (Building A) into 11 open market townhouses & redevelopment for B1 office use. Conversion/re-erection of Building B into 3 open market dwellings		
<b>Officer Comments:</b>	The applicant has requested the viability appraisal to consider. This has been provided. Case officer is going to ask if the applicant would like to withdraw or proceed to a decision.		
2441/21/FUL			
<b>Officer:</b>	Steven Stroud	<b>Valid Date:</b> 13 Sep 2022	<b>Expiry Date:</b> 13 Dec 2022
<b>Location:</b>	The Old Woollen Mill, Fore Street, North Tawton		<b>Extension Date:</b> 31 May 2023
<b>Proposal:</b>	READVERTISEMENT (revised plans) Hybrid application for full planning for 24 dwellings, office unit (class E), and café and business unit(class E); and 13 dwellings as outline permission (Self Build Plots).		
<b>Officer Comments:</b>	. The applicant has requested the viability appraisal to consider. This has been provided. Case officer is going to ask if the applicant would like to withdraw or proceed to a decision		
4004/21/FUL			
<b>Officer:</b>	Steven Stroud	<b>Valid Date:</b> 26 Apr 2022	<b>Expiry Date:</b> 26 Jul 2022
<b>Location:</b>	Former Hazeldon Preparatory School, Parkwood Road, Tavistock, PL19 0JS		<b>Extension Date:</b> 11 Nov 2022
<b>Proposal:</b>	READVERTISEMENT (revised plans & 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		
<b>Officer Comments:</b>	The applicants have requested that the application be deferred so that the heritage comments can be addressed, prior to it being placed before the Planning Committee.		
4113/21/OPA			
<b>Officer:</b>	Steven Stroud	<b>Valid Date:</b> 16 Nov 2021	<b>Expiry Date:</b> 15 Feb 2022
<b>Location:</b>	Rondor And Gunns Yard, North Street, Okehampton		<b>Extension Date:</b> 20 May 2022
<b>Proposal:</b>	Outline application with some matters reserved for the development of 19 No. dwellings with new private access road, parking and external works		
<b>Officer Comments:</b>	Delegated approval granted. Awaiting completion of S106. Awaiting signature by applicant.		
0107/22/OPA			
<b>Officer:</b>	Steven Stroud	<b>Valid Date:</b> 13 Jan 2022	<b>Expiry Date:</b> 14 Apr 2022
<b>Location:</b>	Land north of, Green Hill, Lamerton	<b>Page 67</b>	<b>Extension Date:</b> 01 Jun 2022

<b>Proposal:</b>	READVERTISEMENT (additional information & amended description) Outline application for proposed development of 19 dwellings with access & external works with all matters reserved other than the access		
<b>Officer Comments:</b>	Legal advice has been sought to determine the compliance with Policy TTV27. Advice received and now under consideration.		
<b>3198/22/ARM</b>			
<b>Officer:</b>	Clare Stewart	<b>Valid Date:</b> 27 Jan 2023	<b>Expiry Date:</b> 28 Apr 2023
<b>Location:</b>	Land Adjacent To Lifton Strawberry Field, Lifton		<b>Extension Date:</b> 31 May 2024
<b>Proposal:</b>	Application for approval of reserved matters following outline approval 1408/20/OPA for access & adoptable road layout		
<b>Officer Comments:</b>	Further details submitted by agent, under consideration.		
<b>4440/22/OPA</b>			
<b>Officer:</b>	Peter Whitehead	<b>Valid Date:</b> 23 Jan 2023	<b>Expiry Date:</b> 24 Apr 2023
<b>Location:</b>	Land Adjacent To Baldwin Drive, Radford Way, Okehampton		
<b>Proposal:</b>	Outline planning permission with some matters reserved (access) for a mix of around 60 1 to 4 bedroom residential dwellings & associated infrastructure		
<b>Officer Comments:</b>	Appeal lodged against non-determination. Start date received from PINS.		
<b>2384/23/FUL</b>			
<b>Officer:</b>	Clare Stewart	<b>Valid Date:</b> 16 Aug 2023	<b>Expiry Date:</b> 15 Nov 2023
<b>Location:</b>	Land At Sx 455 868, Cross Roads, Lewdown		<b>Extension Date:</b> 01 Dec 2023
<b>Proposal:</b>	Construction of 20 dwellings & associated estate road, gardens & open space		
<b>Officer Comments:</b>	Consultation responses received and now under officer consideration.		
<b>2435/23/FUL</b>			
<b>Officer:</b>	Lucy Hall	<b>Valid Date:</b> 16 Aug 2023	<b>Expiry Date:</b> 15 Nov 2023
<b>Location:</b>	Land At Sx 453 669, Bere Alston		
<b>Proposal:</b>	READVERTISEMENT (revised plans & documents) 31no new dwellings, associated access road, pedestrian link, landscaping, public open space & drainage		
<b>Officer Comments:</b>	Ongoing discussions between case officer and agent to address outstanding technical matters.		
<b>3374/23/ARM</b>			
<b>Officer:</b>	Clare Stewart	<b>Valid Date:</b> 20 Oct 2023	<b>Expiry Date:</b> 19 Jan 2024
<b>Location:</b>	Land to the North and West of Lifton Strawberry Fields, Lifton, PL16 ODE		
<b>Proposal:</b>	Application for approval of reserved matters following outline approval reference 1408/20/OPA for the erection of an industrial building & associated works		
<b>Officer Comments:</b>	Same site as other Strawberry Fields application – need to be considered alongside each other. Awaiting additional information from applicant.		
<b>3647/23/ARM</b>			
<b>Officer:</b>	Clare Stewart	<b>Valid Date:</b> 14 Nov 2023	<b>Expiry Date:</b> 13 Feb 2024
<b>Location:</b>	Land At Sx 455 868 (Cross Roads Farm), Cross Roads, Lewdown		
<b>Proposal:</b>	Application for approval of reserved matters following outline approval 2808/21/VAR for access, layout, appearance, landscape & scale		
<b>Officer Comments:</b>	Under consideration. Awaiting additional drainage information from the applicant.		



<b>4165/23/FUL</b>			
<b>Officer:</b>	Clare Stewart	<b>Valid Date:</b> 18 Dec 2023	<b>Expiry Date:</b> 18 Mar 2024
<b>Location:</b>	Tavistock Woodlands, Gulworthy		
<b>Proposal:</b>	Installation of platforms, masts and suspended track to accommodate a safety rail attraction; heritage visitor interpretation provision; open space, landscaping and additional parking.		
<b>Officer Comments:</b>	Under consideration. Still awaiting key consultation responses.		
<b>0014/24/FUL</b>			
<b>Officer:</b>	Bryony Hanlon	<b>Valid Date:</b> 15 Jan 2024	<b>Expiry Date:</b> 15 Apr 2024
<b>Location:</b>	North Park, Fore Street, North Tawton, EX20 2EB		
<b>Proposal:</b>	Provision of a covered area for protection & storage of pallets on existing hard standing.		
<b>Officer Comments:</b>	Within consultation period.		
<b>0034/24/FUL</b>			
<b>Officer:</b>	Clare Stewart	<b>Valid Date:</b> 03 Jan 2024	<b>Expiry Date:</b> 03 Apr 2024
<b>Location:</b>	Land at SX 373 834, Lifton		
<b>Proposal:</b>	Construction & operation of water abstraction & pumping facility with associated access arrangements, landscape planting & other ancillary works		
<b>Officer Comments:</b>	Within consultation period.		
<b>0440/24/OPA</b>			
<b>Officer:</b>	Clare Stewart	<b>Valid Date:</b> 24 Jan 2024	<b>Expiry Date:</b> 24 Apr 2024
<b>Location:</b>	Development Site at SX 502 991 Crowden Northlew		
<b>Proposal:</b>	Outline residential application with all matters reserved except access for up to 20 dwellings including 30% affordable dwellings (resubmission of 4083/21/OPA)		
<b>Officer Comments:</b>	Within consultation period.		
<b>0077/24/FUL</b>			
<b>Officer:</b>	Bryony Hanlon	<b>Valid Date:</b> 18 Jan 2024	<b>Expiry Date:</b> 18 Apr 2024
<b>Location:</b>	Ashbury Hotel Higher Maddaford Southcott EX20 4NL		
<b>Proposal:</b>	Extension of existing tennis court building		
<b>Officer Comments:</b>	Within consultation period.		
<b>0255/24/ARM</b>			
<b>Officer:</b>	Lucy Hall	<b>Valid Date:</b> 29 Jan 2024	<b>Expiry Date:</b> 29 Apr 2024
<b>Location:</b>	Jethros Coach House Lewdown EX20 4DS		
<b>Proposal:</b>	Application for reserved matters submission in respect of appearance, landscaping, layout & scale following outline consent 1666/20/OPA for the erection of 30 dwellings		
<b>Officer Comments:</b>	Within consultation period.		

