

# West Devon Development Management and Licensing Committee



<b>Title:</b>	<b>Agenda</b>								
<b>Date:</b>	<b>Tuesday, 16th April, 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 27 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) 0054/24/FUL**

**9 - 22**

**The Sculpture School, Moorview Farm, Bondleigh. EX20 2AP**

Retention of 3 holiday lets in the for or 2 shepherds huts, conversion of attic space above the Sculpture School and addition of photovoltaic panels

**(b) 2435/23/FUL**

**23 - 54**

**Land at SX 453 669, Bere Alston**

READVERTISEMENT (revised plans & documents) 31no new dwellings, associated access road, pedestrian link, landscaping, public open space & drainage

**6. Planning Appeals Update**

**55 - 56**

**7. Update on Undetermined Major Applications**

This page is intentionally left blank

# Agenda Item 4

Minutes of a meeting of the **WEST DEVON DEVELOPMENT MANAGEMENT & LICENSING COMMITTEE** held on **TUESDAY** the **27th** day of **February 2024** 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 M Ewings	Cllr C Mott
Cllr P Kimber	Cllr S Wakeham

Head of Development Management (JH)  
Senior Planning Officer (BH)  
Principal Planning Officer (PW)  
Assistant Director – Planning (AW)  
Senior Democratic Services Officer (KH)  
Principal Highways Development Management Officer (PT)

**\*DM&L.43 APOLOGIES FOR ABSENCE**

Apologies were received from Cllr T Leech, Cllr S Guthrie and U Mann. It was noted that Cllr M Ewings substituted for Cllr U Mann.

**\*DM&L.44 DECLARATION OF INTEREST**

There were no declarations of interests.

**\*DM&L.45 URGENT BUSINESS**

There was no urgent business brought forward to this meeting.

**\*DM&L.46 CONFIRMATION OF MINUTES**

The Minutes from the Development Management and Licencing Committee meeting held on 12 December 2023 were agreed as a true and correct record. The minutes from the Licensing Sub Committee meeting held on 6 February 2024 were agreed as a true and correct record.

**\*DM&L.47 PLANNING, LISTED BUILDING, TREE PRESERVATION ORDER AND ENFORCEMENT REPORTS**

The Committee proceeded to consider the reports and presentations that had been prepared by the relevant Planning Officer on the following applications 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. 2215/22/FUL                      Ward: Bere Ferrers**

**Site Address: Land North of B3257, Bere Alston, Yelverton**

**Development: Readvertisement (revised plans & documents)  
Erection of community convenience retail store (Co-op)  
access, vehicle parking & landscaping.**

The Principal Planning Officer gave a presentation to the Members. He had clarification that the proposed opening times were 7am to 10pm, not 6am to 11pm as stated in the report. An amended lighting plan had been supplied showing the impact of hedging to the site boundaries. This indicated that light would not spill into Highfield's garden and impact upon residential amenity in this way. The reason for refusal was thus amended to delete the reference to light impact.

He referred to SPT6(3) in the Joint local Plan (JLP) which sets out that:

For the Thriving Towns and Villages Policy Area:

- i. The town centres of the Main Towns – primarily main food/convenience shopping and other retail and services as appropriate to the role of the centre.
- ii. Retail and community centres of the smaller towns and larger villages – primarily to top-up food shopping and local services

Reference was also made to DEV16(3) which sets out that any proposal which would have a significant adverse impact on the vitality and viability of an existing centre would not be permitted.

Policy Dev16 (in the JLP) states that any development outside the settlement area that has a significant adverse impact on the investment and vitality on and investment in an existing centre would not be acceptable.

Any permission granted would be for a convenience store and not specific to a Co-op store. The council's retail consultant stated that no evidence has been shown that there is sufficient local expenditure to support both a larger Co-op store and the remaining stores in the centre. The proposed store was significantly smaller than those in the nearby town of Tavistock and that questioned whether shoppers would change their shopping patterns and no longer rely on shopping outside the catchment should the application be approved.

**Recommendation: Refusal**

**Key issues for Committee 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**

The Principal Planner said in his view the edge of the settlement boundary would be the houses to the west of the proposed site. A

Member questioned if policy SPT1 and SPT2 could be met on this application by virtue of business growth and enabling a sustainable local community with a mix of local services along with a vibrant mixed-use centre. The Principal Planner responded by stating his concern was on the overall impact of the proposal on the centre of the village and the more specific retail shops in the centre such as the butchers.

Another Member commented that development was taking place in Bere Alston primarily for younger people and the allocated sites on the opposite side on the B3257 and they could walk to the store or call in on their way to work and asked if the bus route was altered would it make it a more viable site. The Planning Officer indicated that the site was further away from the houses on the western side of the village and the concerns of the retail consultant was that the site on the eastern edge of the village would draw trade from the centre of the village, to the centres' detriment and potentially increase car use. The Head of Development Management pointed out that although the two residential development sites mentioned were allocated in the Neighbourhood Plan they had yet to be approved. Therefore, Members needed to focus of the application before them. The Principal Planner stated if Members were minded to grant Permission, then delivery times and opening times could be conditioned.

### **Speakers included the agent, Parish Councillor and Ward Member**

The applicant stated that he had lived in the area and was passionate about what was best for the village. The proposal would significantly reduce the need to travel to the nearest store located in Tavistock and would enhance the sustainability of Bere Alston. The current Co-op store was not fit for purpose and delivery lorries block the main street. The proposed site immediately abuts the current settlement boundary and cannot be seen from anywhere without seeing the existing adjacent buildings. He stated the Council's retail consultant based in Glamorgan had clearly not been to Bere Alston.

In response to a question from the committee he stated staff would catch the bus or walk to work at the proposed site. He commented on the poor disabled access at the current store in the village.

The Parish Councillor stated the proposal was well supported when it was presented at the Parish Council meeting. He said there was a regular bus service currently passing the site and that Stagecoach had confirmed that buses could drive into the site.

He said the proposal from Devon Highways to move the 30 mph speed limit to Quarry Corner was welcomed. He voiced concern for the visibility of the pedestrian crossing, especially at night.

The Principal Planning Officer in reply to a Member questions confirmed the retail study for the council was a desk top study.

The Ward Member said the proposal would give people job opportunities. It is a growing village and adequate services need to be in place. She stated an average family would save an average of £5.64 per week with not travelling to Tavistock to do their weekly shop.

It would ease congestion and promote walking. The new bus stop that would be put in would help people visiting family and friends at the other end of the village. A hand delivered survey of the village revealed 66% wanted the new Co-op.

In debate a Member commented that Highways would look for a sum of £5k for investigation of the moving of the speed limit further out along the B3257, however this was subject to the approval of the County Councils democratic process. Therefore, there was no guarantee should the application be approved, that the speed limit would be moved. The Principal Planning Officer stated the current footway was in line with guidance for the current speed limit.

The Highways Officer said should the 30mph speed limit be extended it would come with street lighting along the road. However, the store would have overspill of lighting should the speed limit not be moved.

A member said they were balancing policy whilst being mindful that the Bere peninsula was an isolated area. Another Member said that when voting the committee needed to reflect on how there could be potential damage to the core of the village if the life of the village is drawn away. The Head of Planning reminded the Committee it was a balanced decision that wouldn't be easy and to bear in mind the JLP policies that were relevant. If smaller shops in the village were to close because of the creation of a store on the proposed site then that would be contrary to planning policies.

After the debate, Members were asked to vote on the Planning Officer's recommendation.

The vote went against the recommendation of refusal and the Head of Planning asked the Committee to make another proposal. A Member made the recommendation to approve the application subject to a suitable LVIA Assessment. The Head of Planning stated that an LVIA had already been submitted, which was why there was a reason for refusal based on the impact of the development proposal on the National Landscape (Tamar Valley AONB)

The Head of Planning made a recommendation to the Committee that they defer the decision as there would need to be consideration of a S106 agreement which could look to secure obligations on the use and goods in relation to the proposed store and to secure restrictions on the use of the existing store within the centre of the village. In addition, the conditions needed further consideration and discussion with the applicant.

There may be more carbon reductions measures that



could be put forward. A Member asked that consideration was also given to the National Landscape and to the lighting. Another Member suggested native, semi-mature specimens for landscaping.

The Assistant Director for Planning suggested that the application is brought back to Committee as a refusal but with measures in place that were appropriate should the application be approved.

**Committee Decision: Deferred – the application to be brought back to committee as a refusal but with conditions in place should the Committee wish to approve.**

**(b) Application No. 3349/23/FUL**

**Ward : Bere Ferrers**

**Site Address: Five Acres, Woolacombe Road, Bere Alston**

**Development: Demolition of two agricultural outbuildings & erection of new dwelling**

**Recommendation: Refusal**

**Key issues: Location, principle of development, housing need, design, scale and massing, drainage, highways, biodiversity, low carbon**

The Senior Planning Officer gave a presentation to the Committee. The poor pedestrian connectivity to the village centre was seen as an issue. As was the current over provision of 3-bedroom property in Bere Alston.

The applicant had not submitted enough evidence to comply with planning policy DEV32 with regard to low carbon. A Member asked why an application with insufficient detail was brought to Committee. The Senior Planner responded by saying it is difficult to invalidate an application if the applicant has submitted the required information. It could be seen as partly determining the application at the validation stage. As the application was being recommended for refusal for other reasons, it would not have been fair to the applicant to seek further information on carbon measures, when the outcome would have been a recommendation for refusal.

The application was called in by a Ward Member for issues of scale and siting. The application did go through pre application planning advice and unfortunately the applicant was misdirected to apply a policy that wasn't relevant to this application.

**Speakers included the agent, Parish Councillor and Ward Member**

The agent stated that the applicants lived on the site in a

two-bedroomed bungalow with their father and two children  
In pre-application it was stated that it may be plausible to propose a modest single dwelling in or part of the same footprint as the existing agricultural buildings and to use the existing access onto the road. One of the reasons for refusal was that the site was not well connected to the village, although in the Neighbourhood Plan the proposed site was adjacent to and opposite two allocated sites at Woolacombe Road providing for a proposed 20 and 30 dwellings.

The Parish Councillor outlined the proposed development sites in the Neighbourhood Plan on a slide so that the Committee could see how close they were to the application site. He stated that Woolacombe Road was one of the quietest roads in the village. He stated that recently there were 60 applications for the two 3-bedroom properties advertised in the village, which outlined the need for 3-bedroom properties.

The Ward Member stated the application would be for an infill between two bungalows. It would be on a brown field site.

The Senior Planning Officer stated the proposal was for an independent 3-bedroom open market dwelling. When considering policy DEV8 the Senior Planner Officer stated smaller properties are required.

### **Committee Decision: Refusal**

#### **\*DM&L.48 PLANNING APPEALS UPDATE**

The Head of Planning took Members through the appeal on Collaven Manor, Sourton for an oak framed gym and annex outbuilding within the setting of a Listed Building. It was refused for being a harm on the setting of a Listed Building. The appeal was dismissed.

A householder application for the Old Rectory at Bratton Clovelly for a garage and loft to a 2-storey assisted dwelling went to appeal due to non-determination. The Officer wrote a report which recommended refusal. The appeal was dismissed. The Old Mill site, Okehampton, had an application to demolish some derelict buildings on the site. The chimney is listed and the buildings were within the curtilage of the listed chimney. Within the application the buildings were described as A,B,C & D. The inspector concluded a spilt decision. The Inspector allowed for demolition of building D but not for buildings A,B & C. He felt that building D was in a bad structural state.

#### **\*DM&L.49 UPDATE ON UNDETERMINED MAJOR APPLICATIONS**

The Chairman stated that the application on Hazledon was due to come to that Committee meeting, however the applicant wanted to provide more information so asked for more time.

(The Meeting ended at 12.50pm)

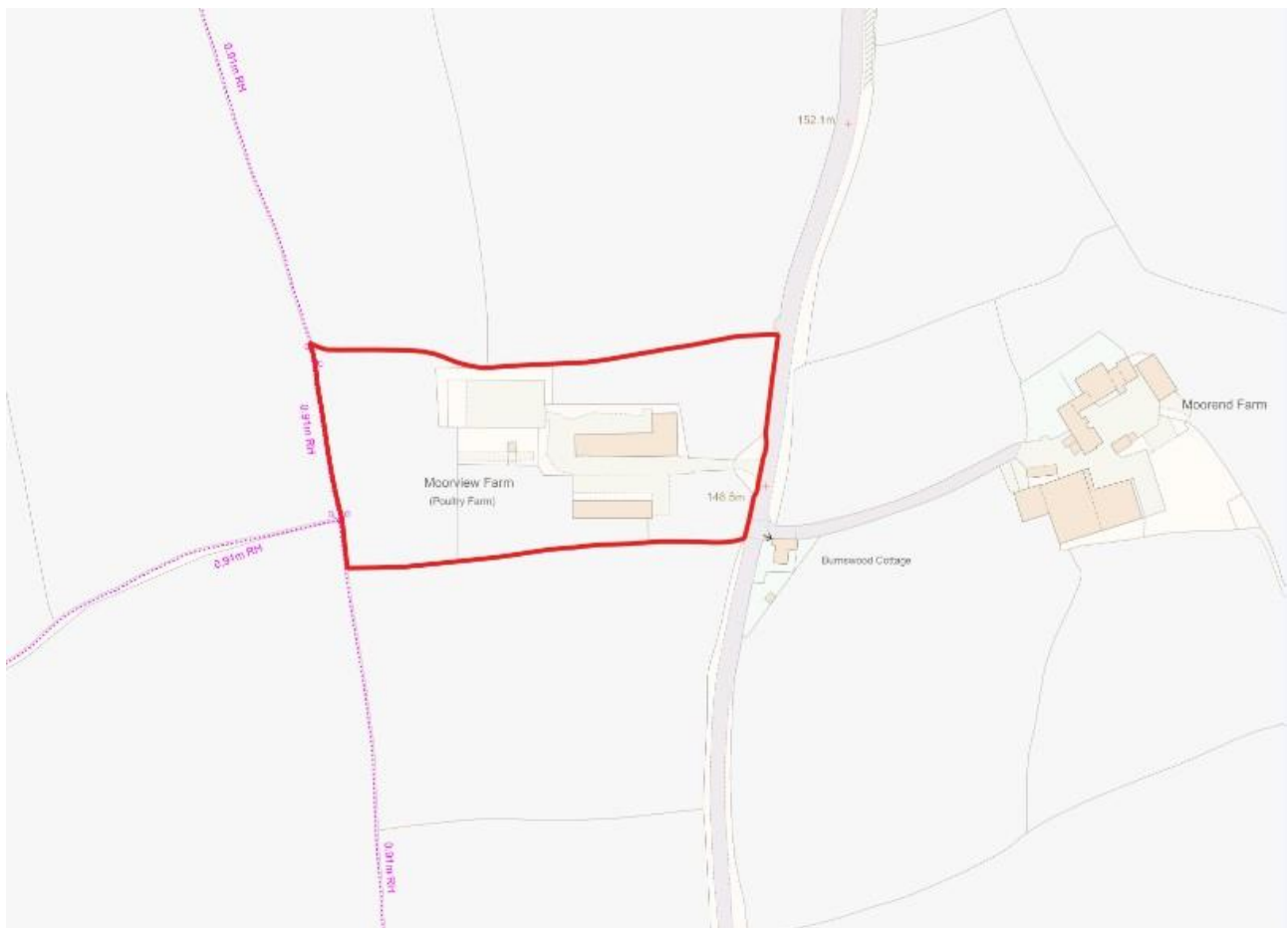
---

**Chairman**

This page is intentionally left blank

## COMMITTEE REPORT

<b>Case Officer:</b>	Hayley Easter		
<b>Parish:</b>	Broadwoodkelly	<b>Ward:</b>	Exbourne
<b>Application No:</b>	0054/24/FUL		
<b>Applicant:</b>	Mr & Mrs A Sinclair The Sculpture School Moorview Farm Buckland Brewer Bideford Devon Bondleigh Devon EX20 2AP	<b>Agent:</b>	Mr Steven Sherry - Sherry Consultants Snows Hill Buckland Brewer Bideford EX39 5EJ
<b>Site Address:</b>	The Sculpture School Moorview Farm Bondleigh EX20 2AP		
<b>Development:</b>	Retention of 3 holiday lets in the form of 2 shepherd huts, conversion of attic space above sculpture school and addition of photovoltaic panels		



**Reason item is before Committee:** Called by Cllr Casbolt for the following reasons:

*I request that the application be called in to the Development Management and Licencing Committee so that they might consider the issue. In particular I am concerned about the over emphasis of the detriment provided by the proposal, in particular your assertion that “users would be reliant on the private car”, compared to the very real benefits afforded by the proposal – not least to the local economy.*

*Specifically:*

*The NPPF identifies 3 dimensions of suitable development – economic, social and environmental. I believe this application accords with all of those aims.*

*SPT1 states that opportunities for business growth should be both encouraged and supported; environmentally conscious business development takes place; and a low carbon economy is promoted.*

*SPT2 covers sustainable rural communities including having the appropriate level of facilities to meet identified needs – including the provision of educational and training opportunities, employment uses, health, care, arts, culture....*

*TTV1 allows development to proceed if it can be demonstrated to support the principles of sustainable development set out in SPT1 and 2*

*TTV2 supports the growth of rural businesses and enterprise and the delivery of rural tourism and leisure developments that benefit rural businesses, communities and visitors and respect the character of the countryside...*

*TTV26 allows isolated development in exceptional cases and should enhance the immediate setting of the site...*

*DEV15 emphasises that support will be given to proposals in rural locations which seek to improve the balance of jobs within rural areas and diversify the rural economy. This includes avoiding a significant increase in the number of trips required by private car...*

*DEV20 covers the quality of the built environment including the use of materials and design solutions and delivering landscape design that is appropriate to the location of the development..*

*DEV23 covers landscape character and emphasises that the design should be appropriate to the landscape context.*

*I note that nowhere in these policies does it state that reliance on the private car is a reason for refusal and, in any event, the proposal is designed to do just the opposite i.e. reduce the need to students and visitors to travel daily to the site from another location.*

*These are just a snapshot of policies which I believe that the application meets fully, and my contention is that the benefits from approval of the application outweigh any potential harm that might occur in the event of limited development being approved. I would like the DM&L Committee to consider this application generally, to consider the benefits and to appreciate the changes that the applicants have made to the proposals.*

**Recommendation:** Refusal

## Reasons for refusal:

1. The development would result in tourism accommodation in an unsustainable rural location with restricted access to services and amenities whereby users would be reliant on the private car. The proposal is therefore contrary to policies SPT1, SPT2, TTV1, TTV2, TTV26 and DEV15 of the Plymouth and South West Devon Joint Local 2014- 2034.

## Key issues for consideration:

Holiday accommodation, Sustainability, Design, Landscape, Trees, Biodiversity and Ecology, Highways and Low Carbon Development

---

## Site Description:

The site is an existing Sculpture School known as 'The Sculpture School'. The site is located west of Bondleigh and to the north west of North Tawton, on the west side of the A3124 that travels north/south. The site is 1.4ha, has a relatively high location and the surrounding countryside has open views.

The site is accessed via the A3124 via an existing access. The site has existing buildings, parking area and greenspace which are used in connection with the existing business. To the west of the site is an existing field of which part has been planted with trees.

## The Proposal:

The proposal is retrospective for the retention of 2x Shepherd Huts and 1 x 1 bed apartment which has been created within part of the upper floor of the existing sculpture school building. The proposal includes the addition of PV panels to the existing building.

The 2x Shepherd Huts are sited on the land to the west of the site within a separate field. The units have footpath access to each Hut, a 'garden' area with hot tub, seating and decking, provide living space, bathroom, bedroom and kitchen facilities.

The 1 bed apartment provides a decked seating area, open plan living area, bathroom and bedroom facilities with externally stepped access via the rear of the existing sculpture school building. Within the submitted Design and Access Statement (DAS), the agent confirms that due to the COVID pandemic and the financial situation of the business, the applicants completed the works to form the 3x units of accommodation. The date of installation has not been confirmed but works to install the Shepherd Huts are seen on satellite imagery in June 2022.

**Constraints:** There are no site designations.

## Consultations:

- **Bondleigh Parish Council:** No response
- **Broadwoodkelly Parish Council:** No response
- **Sampfurd Courtenay Parish Council:** The Parish Council have no comments to make on this application.
- **Drainage Officer:** No objection – if recommended for approval, a condition is recommended.
- **Environmental Health Officer:** A package treatment plant is proposed, and we have no concerns regarding this.
- **Highways Officer:** No highway implications
- **Landscape Officer:** Summary: Since the previous application, no changes have been made to the proposals, and the mitigation measures described do not overcome the reason for refusal for 2153/23/FUL, which was concerned with the adverse effects of the development

on the undeveloped, pastoral character of the landscape. (See below Design/Landscape section for full comments).

## Representations:

15 letters of representation have been received which all support the proposals; a summary of the comments is detailed below:

- **Support:** We fully support the application. The school is renowned within the UK and is a cultural asset. We support the Shepherds Huts.
- **Economic comments:** independent small businesses should receive full support to survive and thrive. Businesses do diversify in order to survive. The accommodation will help the viability of the school. This will benefit local economy, pubs, restaurants and cafes. This will bring in revenue. The Shepherd's huts will continually support the business. The financial viability of the school is fundamental and essential.
- **Accommodation:** the proposal will provide on-site accommodation locally. It is logical to provide on-site accommodation.
- **Transport/Travel:** The accommodation will stop commuting from further afield and stop/reduce travel to and from their accommodation. Ample parking is provided and good access from the highway. The proposal will reduce traffic. There are sustainable transport options available. The increase of potential 3 cars isn't the end of the world.
- **Design and landscape:** the Huts have no negative impact and cannot be seen. The design of the Huts is good, they fit well to the countryside and is in keeping of the local area. Huts are topical of the area. The Huts are hardly visible from the road.
- **Community:** The school bring in local people. The school's offering is a benefit to the local community. The school will enhance our community. The school is a valuable asset since 2014.
- **Location:** The school is in a rural location. There are no close neighbours and will not disturb anyone. There are no amenities, regular bus or transport links.
- **Environment:** Trees have already been planted and the owners care for their environment. The proposed EV car charging will be invaluable.
- **Other:** There are no negative impacts of the proposed development. The School is too important to risk. Concerns are raised that West Devon Borough Council is not of the same opinion to locals. Common sense should prevail.
- **Letter from Visit Devon:** The letter supports the proposal for 2x Shepherd's Huts. The School is a successful operation for the last 9 years and attracts visitors from the UK and internationally. The School is a unique cultural attraction and contributes to the local visitor economy and community is highly valued. The site is in a rural position and close to the A3124, the site has several agricultural style buildings. The Shepherd's Huts are at the rear of the site and are not visible from the road or surrounding area. There is extensive tree planting, the huts are tastefully done and are not permanent structures. Visit Devon feels this development is beneficial to the visitor economy and will enable people to stay whilst attending courses and will reduce the number of journeys from people's accommodation. By refusing permission will potentially jeopardise the future of the School and wish for West Devon Borough Council to support grant permission.

## Relevant Planning History:

- **2153/23/FUL** - READVERTISEMENT (amended site location plan) Retention of 3 holiday lets in the form of 2 shepherd huts & conversion of attic space above sculpture school (part retrospective). Refused 17/08/2023.
- **0319/23/PR5** – Pre Application Enquiry for – Retention of existing 2 holiday lets & proposed 2 shepherd huts & 2 tree houses. Closed Partial Support. 23 March 2023.
- **0896/22/FUL** – Change of use of part existing studio to form a holiday let, create new extension to form new photographic studio; install Shepherd's huts & construct Tree Houses



for holiday accommodation; form parking in Existing Equine Sand School & install new sewerage treatment plan. Withdrawn 21 September 2022.

- **00790/2015** - Application for change of use building and land and construction of a building for use as a sculpture design workshop and sculpture school. Conditional Approval 2 March 2016.
- **01478/2014** – Pre Application Enquiry for change of use of land and construction of building for use as a sculpture design workshop and sculpture school. Closed Officer Support. 16 June 2015.
- **01107/2014** – Pre Application Enquiry for change of use of building and land to sculpture design workshop and school. Closed Officer Support. 12 December 2014.

## ANALYSIS

### 1.0 Background:

#### 1.1 Within 0319/23/PR5, the Officer confirmed:

*“The policy context has changed quite considerably since the previous permission in 2015. In March 2019 the Council’s local plan ‘Plymouth and South West Devon Joint Local Plan’ was adopted and this has changed the Council’s approach towards development in a number of areas not least how we consider businesses and tourist uses in the countryside.”*

*“On the site you have introduced two shepherds huts and converted part of the upper floor of your newer building to provide a 1 bed apartment, in order to provide holiday accommodation on the site.”*

*“Officers do not consider your site to be within a sustainable location. It lies around 3 miles from North Tawton, 3 miles from Sampford Courtenay and 2 miles from Broadwoodkelly, the nearest named sustainable settlements. This distance is quite far for someone to walk there and back, and the nature of the route, which requires users travelling along the A3124 is likely to deter most people from cycling. Furthermore, officers would not wish to encourage people cycling along this fast section of road. There are no bus stops close to the site. With limited alternative transport options available, occupiers of the proposed units are likely to reliant on the private car for the majority if not all of their trips. This would not be a sustainable approach to development. While the requirement to provide a sustainable travel plan provides an opportunity to demonstrate how the sustainability of the site could be improved, in reality because of its location and poor connectivity to the nearest settlements officers are questioning whether you will be able to address this”.*

#### 1.2 The pre-application also confirmed the following matters must be considered in a full application:

*“Highway matters, drainage, ecology, landscape (how does the proposal meet the policy tests of conserving and enhancing the landscape) and how the proposal seeks to reduce its reliance on carbon emissions in accordance with JLP policy DEV32 and the Climate Emergency Planning Statement. Also, in accordance with JLP policy DEV15 the application will need to demonstrate how the proposal would be meeting an identified local need, which should be specific to the proposed use and the location, and not of a generic or anecdotal nature”.*

1.3 Since the previous refusal (2153/23/FUL), this application has been received to the LPA. The latest submission includes the addition of a ‘Personal Statement by Andrew Sinclair MRSS SWAc’, a Carbon Reduction Statement (December 2023), and a Landscape Appraisal by AB Landscape Design. These, as well as all the other submitted documents have been duly considered within the decision-making process.

### 2.0 Principle of Development/Sustainability:

2.1 Policy SPT1 of The Plymouth and South Devon Joint Local Plan 2014-2034 (JLP) sets out that LPA's will support growth and change which delivers a more sustainable future within the plan area. Sustainability underpins all the guiding principles by promoting a sustainable economy, sustainable society and sustainable environment.

2.2 Policy SPT2 of the JLP applies principles of sustainable linked neighbourhoods and sustainable rural communities as a guide of how growth and development take place across the plan area. Development can support the overall spatial strategy by creating neighbourhoods and communities which, amongst other criteria, are well served by public transport, walking and cycling opportunities, and should have an appropriate level of services to meet local needs.

2.3 Within Policy TTV1, LPAs throughout the plan area distribute growth and development in accordance with a hierarchy of settlements. This includes, Main Towns, Smaller Towns and Key Villages, Sustainable Villages and Smaller Villages, Hamlets and the Countryside. After reviewing the site location, the site is not within a main town, smaller town or key village or a sustainable village and would therefore fall into the last category of smaller villages, hamlets and the countryside.

2.4 Under Policy TTV1, development in the countryside will only be permitted if it can be demonstrated to support the principles of sustainable development and sustainable communities. Policy TTV2 then goes on to indicate specific objectives of rural sustainability, namely, reinforcing the sustainable settlement hierarchy, locating housing where it will maintain rural vitality, the delivery of affordable homes and accessibility to sustainable transport options. Development in this fourth layer of the hierarchy will only be permitted if it can be demonstrated to support the principles of sustainable development and sustainable communities (Policies SPT1 and 2 including as provided for in Policies TTV26 and TTV27. Policy TTV27 is not relevant to this proposal because it is for exception sites.

2.5 Policy TTV26 provides criteria for assessing development in the countryside. The Policy requires the LPA to protect the special characteristics and role of the countryside, as well as avoiding isolated development in the countryside unless exceptional circumstances permit otherwise. For these purposes, a development will be isolated if it is physically separate or remote from a settlement. What is a settlement and whether a development is physically separate or remote from a settlement, are matters for planning judgment.

2.6 Applying Policy TTV26 to the proposals, the judgment is that whilst the existing Sculpture School business is extant, the site is not located within any settlement and as such the LPA are considering TTV26(1 and 2).

2.7 Part 1 of TTV26 applies to isolated development in the countryside which aims to avoid development and only permit it in exceptional circumstances. *The following provisions will apply to the consideration of development proposals:*

*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.”*

2.8 In considering the above criteria, Officers consider that the proposal does not meet any of the above. The application is not proposing to meet an essential need for a rural worker, nor does it propose to save a significant heritage asset or protect an historic asset or re-use a redundant or disused building for an appropriate use. The design will be considered later within this report.

2.9 Part 2 of TTV26 applies to all development in the countryside and states that the LPAs will protect the special characteristics and role of the countryside. The following provisions will apply to the consideration of development proposals:

*“2. Development proposals should, where appropriate:*

- i. Protect and improve public rights of way and bridleways.*
- ii. Re-use traditional buildings that are structurally sound enough for renovation without significant enhancement or alteration.*
- iii. Be complementary to and not prejudice any viable agricultural operations on a farm and other existing viable uses.*
- iv. Respond to a proven agricultural, forestry and other occupational need that requires a countryside location.*
- v. Avoid the use of Best and Most Versatile Agricultural Land.*
- 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.”*

2.10 Dependent on the proposal under consideration, not every part of this policy would be engaged or relevant. However, in this case, the proposal does partly comply with part (ii) as the 1 bed apartment does re-use part of an existing building which is within the host building of the Sculpture School. However, none of the other criteria are met. Officers acknowledge the re-use of part of an existing building, but this is outweighed by the fact that the application does not respond to a proven agricultural, forestry or other occupational need that requires development of the application site. Officers note that the 2x Shepherds Huts have been installed on land within the countryside and on Grade 3 Agricultural Land which is of good to moderate quality and there is no adequate justification pursuant to the policy given for siting the development in the location used. However, the Grade 3 land is sited within the confines of the original red line.

2.11 Policy DEV15 sets out the policy approach to supporting the rural economy and explains that camping, caravan, chalet or similar facilities that respond to an identified local need will be supported, provided the proposal is compatible with the rural road network and has no adverse environmental impact. The policy also requires that development 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. Furthermore, it recommends unused existing buildings are within the site, where possible.

2.12 Part 1 of DEV15 supports appropriate and proportionate expansion of existing employment sites. Part 2 of DEV15 states that the development and expansion of small businesses in rural areas will generally be supported. Furthermore, Paragraph 88 b) of the NPPF also states:

*“Planning policies and decisions should enable: the development and diversification of agricultural and other land-based rural businesses”*

2.13 The wider site is already an established Sculpture School business approved under 0896/22/FUL. The provision of holiday accommodation (in the form of 2x Shepherd Huts and 1x 1 bed apartment) could be considered as business diversification which aligns with Policy DEV15 (1). This will be considered below.

2.14 Policy DEV15 allows some flexibility to enable appropriate development within rural areas, where it can be demonstrated that it can be achieved sustainably whilst avoiding a significant increase in the number of trips via the use of a private car. Also, DEV15 promotes the use of sustainable transport including walking and cycling. To assess this, a Sustainable Travel Plan (STP) is required to consider the impact and provide mitigation.

2.15 An STP has been provided and the key points state:

- The site is centrally located within Devon, it is close to main population centres such as Okehampton, Exeter, Tavistock and Barnstaple.
- The rural location of the site and its destination as a place of study and learning is such that the main means of travel to the site is by car.
- Other means of access are available. There are several public footpaths, bridleways and cycle routes which connect the site to the surrounding area.
- Public transport to the site is also available. The 5B bus from Barnstaple to Exeter passes the site 6 times a day and can be hailed from the entrance to the school.
- One of the core benefits of the new holiday lets is that they can be let to students of the Sculpture School. At present, these students travel from all over the world to visit and learn. Currently, students stay in local hotels, hostels and bed and breakfasts accommodation in the area and then travel into the school each day.
- The proposed holiday lets could provide accommodation for these students, removing the need for students to seek local accommodation and to travel into the site. The three accommodation units could conceivably reduce journeys to the site by up to 15 a week.
- To further emphasise this, information on public transport and other transport options will be made available to those booking the accommodation within any marketing information and as part of any website within the owner’s control.
- EV Charging points can be provided.

2.16 Further information is within the Carbon Reduction Statement (Section 4 – Assessment of Travel Options to Burnswood Studios):

- 6 buses a day travel past the site and are hailed from the entrance to the School.
- There is the Tarka railway between Barnstaple and Exeter and beyond.
- The nearest station is Eggesford at 6.9 miles away. Guests can be collected and returned to the station which is a 13.8mile round trip.
- There are 17 return trips each day between Exeter St Davids and Eggesford
- Currently, students stay nearby for accommodation between North Tawton (~ 6.0 miles) to Lewdown (~19.8 miles).
- (Calculations are provided regarding number of trips and carbon saving).
- The accommodation is likely to provide use 20 weeks of each calendar year.

2.17 Additional information is provided within the Business Plan:

- Now the train service to Okehampton has been re-connected, our guests can arrive by train and hire bikes locally, or we can collect them from the station. There is an hourly bus service from Exeter and Okehampton, so those travelling without a vehicle can arrive by bus and be dropped outside our front gate.
- We have established links with many local businesses to provide food hampers for breakfasts, bbq’s, drinks, flowers etc. which can be delivered to our guests here, saving the need for travel.

- All products are locally supplied from within 5 miles of the studio, building the local economy as well as keeping the carbon-footprint low.
- The accommodation will be of enormous benefit to those students unwilling or unable to drive because it is just a short walk from our school premises.
- We plan to have bicycles available on site for our guests to borrow or will provide them with contact details for bike hire locally.
- There is nowhere to stay within walking distance of our property, and the main road between
- North Tawton and Winkleigh is not walkable due to the volume of heavy industrial traffic and no footpaths exist.

2.18 It is accepted by Officers that the Sculpture School is an existing business which utilises an existing access via the A3124. Notwithstanding this, within the previous pre-application and previous refusal Officers considered that the site was not within a sustainable location.

2.19 The site's location is around 3 miles from North Tawton, 3 miles from Sampford Courtenay and 2 miles from Broadwoodkelly, the nearest named sustainable settlements. As such, these distances are quite far for someone to walk to any of the aforementioned places there and back. Also, due to the nature of the routes, which requires users travelling along the A3124, there is no public footpath and due to the fast speed of the road, is likely to deter most people from walking and cycling. As such, Officers are still of the opinion that the site is not in a sustainable location.

2.20 It is acknowledged that a bus service is available and EV car charging points will be provided, which is positive. However, the nearest train station is still 6 miles away and users will still need to be transported by private vehicle to and from and this is not a sustainable benefit of the scheme. Therefore, with limited alternative transport options available, occupiers of the proposed units are likely to be reliant on the private car for the majority of their trips. Therefore, the site could not be described in terms of accessibility to be a sustainable location.

2.21 Whilst users of the holiday units may use the accommodation differently to permanent residencies and as a result, have varying patterns of movements, users would still be likely to visit shops, some services and eating establishments and therefore occupants would still need access to a range of local services and facilities at varying times of the day and evening. On the other hand as stated in the submitted documents, if the users of the school were to utilise the onsite accommodation a reduction in the number of car journeys by those people would occur. This is a finely balanced issue as officers can see that there would potentially be some benefit in terms of private car use as well as some disbenefits.

2.22 With regards to the NPPF, it sets out that the planning system should actively manage patterns of growth in support of promoting sustainable transport objectives including opportunities to promote walking, cycling and public transport use. Officers accept that sustainable transport methods vary between rural and urban areas, but in this case, the unsustainable location away from facilities and services is not considered to accord with the NPPF.

2.23 In accordance with Policy DEV15, the application needs to demonstrate to the LPA how the proposal would be meeting an identified local need, which should be specific to the proposed use and the location, and not of a generic or anecdotal nature. The submitted evidence which includes a Business Plan indicates that revenue from the accommodation will support the Sculpture Schools income. The Plan continues stating that the School was impacted by the COVID-19 Pandemic and the units will help to alleviate the cash-flow income of the art world.

2.24 Officers accept that there would be an economic benefit from renting out the units to the applicants business and potentially an employment benefit of cleaners and maintenance of the units. Similarly, the proposal would seek to diversify the existing onsite business. On the other hand, the provision of 2 Shepherd Huts and the 1 bed apartment in the countryside where occupants would have a dependence on the private vehicle is not sustainable tourism, as identified above in the NPPF.. As such, although the policies of the JLP do not exclude rural tourism and farm diversification, they do seek to establish a pattern of development that is based on the principles of

sustainability, and this location is particularly unsustainable and does therefore not comply with Policy DEV15 of the JLP in this respect. When viewed overall, the benefits would not outweigh the harm found due to the unsustainable location, poor access to local services and facilities other than by private vehicles.

2.25 Therefore Officers consider on balance that the proposal is contrary to Policies SPT1, SPT2, TTV1, TTV2, TTV26 and DEV15 of the JLP.

### 3.0 Design/Landscape:

3.1 Policy DEV20 requires developments to achieve high standards of design that contribute to townscape and landscape by protecting and improving the quality of the built environment. This is achieved by adhering to criteria including the use of materials and design solutions that are resilient to their local context and will endure over time, having proper regard to the pattern of local development whilst also respecting the wider development context and surroundings in terms of style, local distinctiveness, siting, layout orientation, visual impact, views, scale, massing, height, density, materials, detailing, historic value, landscaping and character, and the demands for movement to and from nearby locations. A good quality sense of place and character is arrived under DEV20 through good utilisation of existing assets such as quality buildings, heritage assets, trees and landscaping features and attention to the design details of the scheme.

3.2 Policy DEV23 seeks to conserve and enhance the landscape and scenic and visual quality of the landscape, avoiding significant and adverse landscape or visual impacts. Proposals should be located and designed to respect scenic quality and maintain an area's distinctive sense of place and reinforce local distinctiveness. DEV23 also requires a high architectural and landscape design quality appropriate to its landscape context.

3.3 Policy DEV28 seeks to conserve trees, woodlands and hedgerows and requires development to be designed to avoid the loss or deterioration of woodlands, trees or hedgerows.

3.4 With regards to the 2x Shepherd Huts, the design of the units are blue panelled external walls with timber windows, sheet roofing and timber access steps. Policy DEV20 requires development to have regard and respect to the wider context in terms of visual impact, materials, landscape and character. The units are not considered to represent traditional rural design and appearance and the blue panelled walls are at odds with the setting. As such, the units are not considered to assimilate well into the rural setting.

3.5 However, having reviewed the wider area within which the site is located, it is apparent to Officers that the Huts are not visible from locations outside of the site. There are no public right of ways near to the site. Policy DEV23 states that development will conserve and enhance landscape character and DEV23(3) requires proposals to be of high quality architectural and landscape design appropriate to its landscape context. The two Shepherd Huts are sited on land west of the existing buildings of the Sculpture School, to access the huts is via a pedestrian gravel track which leads south and then veers up and north to the Huts (there's no vehicular access). Within the siting of the Huts, various additions have been added such as pot plants, external lights, tree planting, fire pits, table and chairs, decking, hot tubs, seating and timber fencing. Visually the add paraphernalia which is at odds with the existing landscape character.

3.6 Since the previous application a submitted Landscape Appraisal has been received and reviewed by Officers. Section 8.0 Mitigation lists potential mitigation that could be incorporated into the scheme. For the Huts this includes potential removal of domestic elements when the Huts are not in use, addition of close-board fencing and screens as well as the retention and management of the tree planting. The LPA's Landscape Officer has reviewed the submitted documents and considers that since the previous application, no changes have been made to the proposals, and the mitigation measures described do not overcome the reason for refusal for application 2153/23/FUL, which was concerned with the adverse effects of the development on the undeveloped, pastoral character of

the landscape. However as described above the lack of visibility of the huts from anywhere outside of the site, makes justifying a reason for refusal on this issue difficult.

3.7 It is noted that extensive planting has taken place within the field to the south and this has been confirmed by the applicants. Officers acknowledge that tree planting is an enhancement with regards to DEV28 and the existing landscaping, particularly the hedgerows around the field where the huts are located as well as the additional landscaping proposed will aid the assimilation of the huts into the landscape setting.

3.8 With regards to the one-bedroom apartment, it is acknowledged that this has been built within part of an existing building. As such there are limited visual impacts from this part of the proposal.

3.9 Therefore, when considering the submitted Landscape Appraisal, the development and its associated design and landscape impacts as a whole, although the shepherd's huts do not represent traditional rural buildings, on balance, and based on the lack of publicly available views of the site, Officers consider that the impact on the landscape is insufficient to defend a refusal reason.

3.10 Having said this, officers would potentially have a different view if further accommodation was submitted for this site as it may result in them being more visible in the wider landscape.

#### 4.0 Neighbour Amenity:

4.1 Policy DEV1 protects health and amenity by ensuring that development does not cause any adverse impact on residents. Issues such as overshadowing, privacy and noise from development, amongst others, are considered. Policy DEV2 states that development should avoid any harmful impacts on items such as soil, air, water or noise pollution.

4.2 With regards to the one-bedroom apartment, it is noted that this has been constructed above the existing building and Sculpture School. As such, Officers previously raised concerns during the pre-application regarding the relationship between the apartment and activities associated with the business. During the site visit of the previous application, Officers were shown the insulation that is currently being installed to add soundproofing. Furthermore, due to the access of the apartment which is separate to the existing access for the building Officers consider that although there is some neighbour amenity harm, and as the proposal is only for the retention of one unit, it is not considered significant to warrant a reason for refusal.

4.3 With regards to the two Shepherds Hut, there are no neighbouring dwellings in the immediate vicinity of the site and the proposal is not therefore considered to have a significant impact on residential amenity. As such the proposal is considered to accord with Policies DEV1 and DEV2 of the JLP with regards to neighbour amenity.

#### 5.0 Highways/Access:

5.1 Policy DEV29 and DEV15 of the JLP require consideration of the impact of developments on the wider transport network and require safe traffic movements and vehicular access to and from the site.

5.2 The proposal makes use of an existing access and contains sufficient parking and turning space within the site. However, with the construction of three additional units and as the proposed use is for holiday accommodation there will be more regular trips made. The LPA have consulted Devon County Council's (DCC) Highways Officer and they have confirmed there are no highways implications. As such, and after consideration, Officers Consider the addition of three units will on balance be acceptable as the proposals make use of an existing access the proposals do not conflict with Policy DEV29 of the JLP.

#### 6.0 Drainage:

6.1 Policy DEV35 (Managing Flood Risk and Water Quality Impacts) of the JLP requires sustainable water management measures to be incorporated within proposals. It further states that development will not be permitted without confirmation that sewage / wastewater treatment facilities can accommodate or will be improved to accommodate the new development.

6.2 The site is not within an area prone to flooding. The application form confirms that surface water will dispose via a soakaway. In terms of foul drainage, an FDA form and a Flood Risk Assessment & Drainage Strategy has been submitted showing that there are no sewers in the vicinity and a package treatment plant is proposed, with soakaway to be designed and constructed in accordance with British Standards and maintained as per manufacturer's specifications. DCC's Environmental Health Team have no concerns regarding the proposals. As such, the proposal is not considered to raise any issues with respect to flood risk or drainage and the development would be in compliance with Policy DEV35 of the JLP

#### 7.0 Biodiversity and Ecology:

7.1 Policies SPT1 and DEV26 of the JLP require the submission of adequate information to assess the impact of a proposal on biodiversity and overall gains in biodiversity are to be achieved by protecting and enhancing species and habitat.

7.2 An updated Ecological Impact Assessment Report (EIAR) was completed in December 2023 and has been submitted within the submission. It is noted within the 'Summary' section the updated report considers solar panels as well as the 1 bed apartment and 2x Shepherds Huts.

7.3 The report summarises the found habitats were of limited ecological value and as the groundworks have been completed, the mitigation/recommendations with precautionary measures would ensure no significant harm would be caused. No evidence or potential for roosting bats was found and no evidence of breeding birds would noted. The report recommends mitigation, compensation, and enhancement features and if implemented, the proposals would accord with policy DEV26 of the JLP.

#### 8.0 Low Carbon Development:

8.1 The JLP supports the transition to a low carbon economy through Policy DEV32 by requiring all developments to consider the energy hierarchy and how the environmental impact of their proposal can be minimised. Furthermore, the Plymouth and South West Devon Climate Emergency Planning Statement requires proposals for demolition and rebuilt to calculate the impact using an approved methodology.

8.2 Policy DEV33 of the JLP relates to renewable and low carbon energy, and supports renewable energy development (subject to various criteria).

8.3 A Carbon Reduction Statement has been submitted and reviewed. Officers note within Paragraph 1.1 it states: "*All of the infrastructure has been installed in the field for an additional 2 Shepherd's Huts. This assessment is based on all 4 Shepherd's Huts being useable as well as the attic conversion*". Notwithstanding this, the description of development is for 2x Huts and 1x unit within the converted building. Therefore, Officers have not considered the elements for the other 2x Huts which are discussed as they do not form part of the proposal.

8.4 The information submitted states that the Huts have been designed using sustainable insulation and the timber is sustainably sourced. The proposal includes the addition of PV panels on the existing School building on the south elevation and the installation of EV car charging points. Overall, Officers consider the addition of panels and EV car charging points are benefits of the proposal and are in accordance with DEV32 and DEV33.

#### 9.0 The Planning Balance:



9.1 It is acknowledged by Officers that the previous application was refused, and this application seeks to resolve the issues previously raised. As such, Officers find that the recommendation is finely balanced, when considering that the Sculpture School exists on the site already, that there is an economic benefit to the area as a result of the School being there, but officers must in considering development proposals consider the Development Plan as a whole.

9.2 Policy DEV15 seeks to support proposals in suitable locations and considers development and expansion of small businesses in rural areas. When considering the development, it will provide tourism accommodation which would generate an economic benefit when occupied to the Sculpture School and will positively contribute towards the business finances all within a rural economy.

9.3 As previously stated, the Sculpture School is an extant business and site which was approved prior to the adoption of the JLP. There are policies in the Development Plan which sometimes pull in different directions. Officers recognise in West Devon that the rural economy is important, but equally sustainable development is at the heart of national guidance as well as the JLP. It underpins the ethos of the JLP. If the application is approved, the resultant development would be tourism accommodation located in an unsustainable rural location with restricted access to services and amenities whereby users would be reliant on the private car. As such, this must weigh against the economic benefits. If it were in a settlement the consideration would be very different and we must always have the need to protect the countryside (TTV26) in our minds when considering development in the rural areas of West Devon.

9.4 Whilst finely balanced, Officers consider the economic benefits (which would be mainly confined to the applicant, rather than wider benefits to the rural economy) of the holiday accommodation does not outweigh the unsustainable location which is within the fourth tier of the settlement hierarchy under policy TTV1. The School itself would of course still be there – it is the location of the holiday accommodation which is at odds with the planning policies in the Development Plan. As a result, Officers recommend refusal as the proposal fails to accord with JLP Policies SPT1, SPT2, TTV1, TTV2, TTV26 and DEV15.

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

## **Planning Policy**

### Relevant policy framework

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

The relevant development plan policies are set out below:

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

SO11 Strategic Objective – Delivering High Quality Development

SPT1 Delivering sustainable development

SPT2 Sustainable linked neighbourhoods and sustainable rural communities

TTV1 Prioritising growth through a hierarchy of sustainable settlements

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

TTV26 Development in the Countryside

TTV29 Residential extensions and replacement dwellings in the countryside

DEV1 Protecting health and amenity  
DEV2 Air, water, soil, noise, land and light  
DEV8 Meeting local housing need in the Thriving Towns and Villages Policy Area  
DEV10 Delivering high quality housing  
DEV15 Supporting the rural economy  
DEV20 Place shaping and the quality of the built environment  
DEV23 Landscape character  
DEV26 Protecting and enhancing biodiversity and geological conservation  
DEV28 Trees, woodlands and hedgerows  
DEV29 Specific provisions relating to transport  
DEV32 Delivering low carbon development  
DEV35 Managing flood risk and Water Quality Impact

There is no adopted neighbourhood plan.

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

**Plymouth and South West Devon Joint Local Plan Supplementary Planning Document (2020)**  
**Plymouth and South West Devon Climate Emergency Planning Statement (2022)**

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

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

**Reasons for Refusal:**

1. The development would result in tourism accommodation located in an unsustainable rural location with restricted access to services and amenities whereby users would be reliant on the private car. The proposal is therefore contrary to policies SPT1, SPT2, TTV1, TTV2, TTV26 and DEV15 of the Plymouth and South West Devon Joint Local 2014- 2034.

## OFFICER'S REPORT

<b>Case Officer:</b>	Lucy Hall		
<b>Parish:</b>	Bere Ferrers	<b>Ward:</b>	Bere Ferrers
<b>Application No:</b>	2435/23/FUL		
<b>Applicant:</b>	Burrington Estates Winslade House Winslade Park Exeter, Devon EX5 1FY	<b>Agent:</b>	Mr Simon Coles - CarneySweeney Ltd Broadwalk House Southernhay West Exeter  EX1 1TS
<b>Site Address:</b>	Land At Sx 453 669, Bere Alston		
<b>Development:</b>	31no new dwellings, associated access road, pedestrian link, landscaping, public open space & drainage		



**Reason for taking application to committee:** At the request of Cllr Saxby on the basis *It is a large application and deserves thought from a number of people. The key planning reason is Policy H2. Development considerations for Land to North of Woolacombe Road in the Bere Alston in the Bere Peninsula Community and Neighbourhood Plan.*

**Recommendation:** Conditional approval

**Conditions:**

1. Standard three year time limit
2. Development to accord with approved plans
3. Materials schedule
4. Landscaping for public open space
5. Written scheme of investigation (pre commencement)
6. Unsuspected contamination
7. Highway Infrastructure (pre commencement)
8. Highway infrastructure (pre commencement)
9. Highway infrastructure to be kept free from obstruction
10. Method of Construction Statement (pre commencement)
11. Surface water drainage
12. Waste collection strategy
13. Landscaping scheme to be implemented
14. Construction management plan
15. Removal of PD rights
16. Details of rear garden gates to be submitted
17. Pedestrian route to the Down and Bowling club to be completed prior to occupation of plots 17, 22 and 23.
18. Provision of Devon hedge at entrance to site
19. Open space to be retained in perpetuity
20. Protection zone to secure existing hedging
21. No harm to existing hedgerows
22. Details of boundary treatment to be provided
23. Landscape and ecological management plan
24. Renewable energy technologies to be provided
25. Lighting strategy
26. Construction and environmental management plan
27. Development in accordance with ecological impact assessment
28. Biodiversity net plan to be provided

**Section 106**

- £5,000 towards the investigation, consideration and, if approved, installation of an extended 30 m.p.h. speed limit together with any necessary alterations to signage and street lighting.
- Public access and on-going management and maintenance of the on-site public open space, including any play provision, in accordance with an approved Management Plan in perpetuity.
- On-site LAP with a minimum of three items of play equipment (or equivalent play value), minimum 100m<sup>2</sup> activity zone and minimum 10m buffer from boundary of adjacent dwellings.
- Off-site play contribution of £20,073.60 towards “improvements to, and on-going maintenance of, play facilities at the Down Recreation Ground and/or Bere Alston Parish Hall and/or Underways”.
- Off-site sports contribution of £25,835 towards “improvements to, and on-going maintenance of, the changing rooms at Down Recreation Ground and/or static exercise equipment in the village of Bere Alston and/or improvements to the basketball area behind Bere Alston Village Hall”
- £24,133.00 towards secondary school transport (being £5.84 x 190 days in the academic year x 5 years at secondary school x 4.35 secondary pupils).

- Affordable Housing to be social rent tenure, and retained in perpetuity. AH to include local connection criteria to the parish of Bere Ferrers in line with our local allocations policy.
- Financial contribution to provide for the shortfall in AH provision to ensure 30%.
- Financial contribution towards Tamar EMS.
- Contribution towards provision of public art to be agreed with Local Planning Authority on the highway verge.
- Off site BNG

### **Informative**

1 x public right of way, 2 x highways, 1x Police

---

### **Site Description:**

The application site lies on the eastern edge of Bere Alston, to the south of the B3257. The site is adjacent to Bere Alston Bowling Club, which lies to the east. The field is relatively flat and is currently grassed. The field is surrounded by Devon hedges.

To the west of the application site is a residential development of 16 semi-detached houses (known as The Down). There is a road within that site which extends to the boundary with the application site, but it is not proposed to extend that road into the site, however there will be a pedestrian access to the site from that point in the neighbouring development.

To the north is the B3257 road between Tavistock and Bere Alston and beyond that agricultural fields. To the south is Woolacombe Road, off which four bungalows are served which lie on the opposite side of Woolacombe Road.

The whole site lies within the Tamar Valley National Landscape (AONB).

### **The Proposal:**

The application seeks full planning permission for the construction of 31 dwellings, together with associated works including an access road, pedestrian link, landscaping, public open space and drainage and carbon reduction measures.

The proposal includes a mix of 1, 2, 3 and 4 bed dwellings, with 9 (29%) of these homes proposed as affordable. Plots 13 and 24 – 31 would be affordable and comprise an equal mix of 1, 2 and 3 beds. The remaining 21 units would be open market and comprise a mix of 2, 3 and 4 bed units.

An area in the upper middle part of the site is proposed as open space both informal and a Local Area of Play (LAP). The northern boundary of the site will be reinforced with native hedgerow and tree planting. A woodland block is proposed in the north east corner of the site. An existing Public Right of Way (PROW) crosses the site and this has been improved and slightly diverted within the layout and is adjacent to the proposed open space. The changes to the footpath will be subject to a separate application to the County Council to change the route of the footpath slightly. The access to the site will be off the road to the south, Woolacombe road, which currently serves 6 other properties, two detached properties to the south east and 4 opposite the application site.

The development layout shows a new access off Woolacombe road which extends northwards through the site, with a slight change in direction. There are turns both right and left as you enter the site which serve 5 dwellings to the right and 5 to the left. Progressing along the route in a northerly direction, with houses along both sides of the road to the area of open space, above which the road extends right and left with a crescent of 6 houses across the north of the site. The road and footpath cut across the open space.

The design of the dwellings is traditional with pitched roofs and gable walls. Materials proposed are a mixture of render, stone clad, slate roofs and slate hanging.

The proposed development is very similar to a scheme which was submitted to the Council in 2019 – 3424/19/FUL.

**Consultations:**

Bere Ferrers Parish Council (attached as appendix 1)  
Objection

National Highways  
No objection

Tamar AONB Unit  
Objection (largely addressed, discussed within report)

Waste (WDBC)  
Request further information although confirmed it can be secured via planning condition.

Ecology (DCC)  
No objection conditions recommended

Rights of Way (DCC)  
No objection

Environmental Health (WDBC)  
No objections, Conditions recommended.

Highway Authority (DCC)  
No objections, conditions and financial contribution recommended.

Open Space, Sport and Recreation  
No objection, conditions and s106 clauses recommended

Trees (WDBC)  
No objection, condition recommended

Education (DCC)  
No objection but request financial contribution towards secondary school transport

Devon & Cornwall Police  
Overall no objection, some concerns raised regarding some rear boundaries

Landscape (WDBC)  
No objection

Local Lead Flood Authority  
No objection subject to condition

Affordable Housing (WDBC)  
No objection subject to legal agreement

**Representations:**

The Council has received approx. 26 letters of representation from third parties, all objecting to the proposal. The comments can be seen in full on the Councils website but are summarised here as follows: -

- Is there a need for additional housing? Any additional housing should be provided within the village. Planning committee unanimously rejected the previous proposal.
- Well known drainage issues within the village and additional housing will exacerbate it. Infrastructure cannot cope as confirmed by a Govt inspector in 2007.

- Proposed access road goes over the public right of way. Not safe for pedestrians using the right of way through the site to the bowling club.
- Proposal will push light pollution beyond village boundaries causing harm to wildlife and surrounding properties.
- Woolacombe Road is well used by walkers, horse riders and agricultural vehicles. 20 homes have been approved in the adjoining field.
- If approval is forthcoming, Council should impose a one way system along Woolacombe Road. This would reduce potential for accidents at the cross roads.
- Hedge along the proposed development boundary is a valuable natural asset.
- Access to the site, from Woolacombe Road or B3257, would be dangerous. Woolacombe Road is too narrow to cope with additional traffic and is devoid of footpaths.
- Proposal would have adverse impact on the Tamar Valley National Landscape and undermine the green belt.
- The issues raised by the inspector have not been adequately addressed. Site should be accessed from B3257.
- Why will the Highway Authority not reduce the speed limit along the B3257?
- Proposed design is ill-conceived, cramped and replicates generic house types.
- Proposal is dominated by vehicle hardstanding.
- Proposed housing density conflicts with NP policy H6 which restricts
- Noise impact should be assessed based on current daytime and night time levels.
- Parking is proposed but it is inevitable more cars will use the 'Woolacombe Cross' cross-roads, a dangerous junction.
- Many of the garden sizes fall to comply with requirements set out in policy DEV10 and the SPD.
- Gateway site into the village and the design of the houses is out of keeping with the prevailing character in the village.

### Relevant Planning History

- 3424/19/FUL Application for 31no. new dwellings and associated access road and pedestrian link – refused, appeal dismissed

### ANALYSIS

#### 1.0 Principle of Development/Sustainability:

- 1.1 The application site is allocated for residential development in both the adopted Plymouth and South West Devon Joint Local Plan (JLP) and the Made Bere Peninsula Neighbourhood Plan (NP). The relevant policies are set out below.

*JLP TTV.24 (1) Woolacombe Road, Bere Alston, 30 homes, Main policy considerations/things to be provided for by the development: -*

- a. Layout, design and location of structural landscaping to be guided by landscape assessment.*
- b. Mitigation of recreational impact on SAC.*
- c. Contribution towards rail link between Tavistock and Bere Alston.*
- d. Ensuring that proposals are well integrated with the existing development.*

*Bere Peninsula Neighbourhood Plan*

*Policy H2. Development considerations for Land to North of Woolacombe Road (Ref: WD\_48\_19\_08/14)*

*This site is intended to provide some 30 new homes of an appropriate range, mix and type to meet local needs, over the period 2017-26. Its development is expected to be carried out in consultation with West Devon Borough Council (including the AONB Management Body) and the Bere Ferrers Parish Council. Any proposal, deemed major development in the*

*AONB will be required to demonstrate the exceptional circumstances and public interest required by the National Planning Policy Framework.*

*Any application should be accompanied by a Landscape Visual Impact Assessment, a Transport Statement (which includes an assessment of the likely impact on the rail network), an approved Waste Water and Surface Water Drainage Strategy, an assessment as how the proposed development is intended to meet local housing needs, as well as other required documents.*

*The development should demonstrate compliance with the relevant policies of the adopted Development plan and policies H6 and Policy H7 of this plan.*

*The proposals must also have regard to the following requirements:*

- The development should create a positive visual frontage onto the main road into the village (B3257), providing a positive gateway to the village that is in character with the area.*
- The preferred site access should be directly onto the main road to Bere Peninsula Neighbourhood Plan Tavistock (B3257) into /out of the village. However, if this does not prove feasible, an alternative access onto Woolacombe Road would be acceptable.*
- Include landscape treatment of the countryside edge, with an enclosing hedge and banks, as well as selected tree planting to assist the new development to sit down when viewed from a distance.*
- Limit the height of development so that it is not prominent in the landscape.*
- Provide homes with sufficient space to meet basic lifestyle needs, and where appropriate include reasonably sized gardens.*
- Arrange the houses, where appropriate, so that they centre on open public green spaces, to be provided within the development.*
- Include a children's play space if required, and retain the public right of way.*
- Be designed to mitigate any potential adverse impacts upon existing residential and community interests - this development may be required by legal obligation to provide or contribute towards wider and long term planning benefits associated with the alleviation of any such impacts.*

1.2 On the basis the site is allocated for development, the principle of residential development is supported. Careful consideration of the proposal is required to ensure it accords with the provisions set out within the allocation policies, as well as other relevant policy considerations.

1.3 The proposal constitutes major development within the National Landscape and due regard therefore needs to be paid to the tests set out within the National Planning Policy Framework (NPPF). The following extract is from the previous report.

*The NPPF 2019 in relation to housing development makes reference in para.172 to major development in the AONB areas:*

*“Planning permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:*

- a) The need for the development, including in terms of any national considerations and the impact of permitting it, or refusing it, upon the local economy;*
- b) The cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and*
- c) Any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.*



*Two issues of relevance to this are firstly that the site is allocated in an adopted development plan and its location in the AONB was analysed at the time the site was allocated in the JLP and the Neighbourhood Plan.*

*Secondly, the whole of Bere Alston is within the AONB designation. Therefore in order to provide for the towns residential needs, any site would have some degree of impact on the landscape quality of the AONB. As the NP states in para. 08.d.iii.01 “While it is recognised that all the achievable development options will impact to a greater or lesser extent on the area's special landscape character, this needs to be balanced against the requirement to provide for local housing needs in the most sustainable way to ensure the area remains a vibrant, living community.”*

*The Neighbourhood Plan (NP) goes on to state “The two site allocations North [this site is the northern site] and South of Woolacombe Road have been assessed in the housing report of survey as being the most suitable, available and achievable alternatives for housing development. Their development has been assessed as having the least impact on the character and special qualities of the AONB and World Heritage designations, as well offering the best opportunities to moderate any potential impacts from development. They also offer the greatest opportunity to minimise the impact of through traffic in the village, and the land to North of Woolacombe Road also provides an opportunity to improve the main gateway to Bere Alston.”*

1.4 On the basis the Neighbourhood Plan process assessed the development allocations against the 3 tests for major development in the NPPF, Officers do not consider it is necessary to assess the development further against the NPPF requirements. It is noted that the NPPF has been amended since the previous report was written. The tests remain the same but they are now set out in paragraph 183.

1.5 The balance of housing need, landscape quality, public benefit, highways matters and a range of other considerations will be assessed throughout this report.

## **2.0 Access into the Site – B3257 or Woolacombe Road**

2.1 NP policies H2 states

*The preferred site access should be directly onto the main road to Bere Peninsula Neighbourhood Plan Tavistock (B3257) into /out of the village. However, if this does not prove feasible, an alternative access onto Woolacombe Road would be acceptable.*

2.3 NP policy T3 states

*Any proposals for residential development of the North Woolacombe Road site (ref WD-48-19-08/14) should consider incorporating a new, combined residential and bowling club access junction on the B3257 to avoid multiple access points on to the B3257, financed by S106 levy. This would also avoid the need for site construction traffic to use existing roads within the recent, adjacent development with the associated safety risks for residents, particularly children. However, if this does not prove feasible, an alternative access onto Woolacombe Road would be acceptable.*

2.4 Planning permission was sought in 2019 (ref 3424/19/FUL) to bring forward the allocation, with access off Woolacombe Road. The application was refused for the following reason.

*Policies H2 and T3 in the Bere Peninsula Neighbourhood Plan identify a preference for the access to this allocated site being off the B3257 road. The application has not sufficiently demonstrated that the use of the preferred access is not feasible, and the proposal is therefore in contravention of Policies H2 and T3 of the Plan. The proposal also*

*fails to meet Policy DEV29.1 and DEV29.2 in the Plymouth and South West Devon Joint Local Plan.*

- 2.5 An appeal was lodged, ref APP/Q1153/W/21/3283705. The appeal was dismissed on the basis the Inspector was not satisfied the applicants had demonstrated it wasn't feasible to provide an access off the B3257. Paragraph 19 states *'Therefore in the absence of substantive evidence that an access from the B3257 is not feasible, I find that the proposal is contrary to Policies H2 and T3 of the NP, the requirements of which are set out above.'*
- 2.6 Following the appeal, the applicants explored whether it would be feasible to provide the access off the B3257, possibly shared with the bowling club, and engaged with planning officers and the Highway Authority in pre application discussions. As part of pre application submission, drawings showing the extent of visibility splays required if access was provided off the B3257, and a letter from the Bowling Club was provided.
- 2.7 Based on the information provided Officers were satisfied that it was sufficient to demonstrate access off the B3257 wasn't feasible and a shared access point with the Bowling Club also wasn't feasible. The following is an extract from the pre application response.

*The 30mph speed restriction sign is located to the west of the site, just north of Down View. I understand from correspondence received from the Highway Authority during the course of the pre application enquiry that any proposal to move the 30mph sign west is unlikely to be supported as it would not comply with the County Council's strict criteria and policies for 30mph speed limits. This means that the visibility splay will need to be designed in accordance with the recorded 85 percentile speeds (116 metres in the trailing traffic direction and 93 metres in the leading traffic direction). The Highway Authority have confirmed that they 'would be prepared to accept the sight line in the trailing traffic direction measured to the centre line of the road, rather than the same side of the road, but the leading traffic direction one must be measured to the same side of the to the notional running edge of the carriageway.' In order to provide the required visibility splay third party land will be required. I understand you have contacted the owners of adjoining housing development whose land you would require and they have confirmed they would not be prepared to transfer any land. I have seen the exchange of emails between the respective parties. On this basis Officers are satisfied you have demonstrated it is not feasible to provide an access off the B3257, a requirement of NP policy H2.*

*The bowling club have provided a letter advising that they would not be prepared to consider a shared access on the basis it could have a detrimental impact on the club. I have seen a copy of this letter and am satisfied it demonstrates it is not feasible to provide a shared access, a requirement of NP policy T3.*

- 2.8 The application has attracted a lot of local opposition, with many concerned that the reasons the appeal was dismissed have not been adequately addressed, and questioning whether accurate information was presented as part of the pre application enquiry. The Parish Council have also strongly objected to the application on the basis the previous reason for refusal hasn't been addressed.
- 2.9 Officers remain satisfied that adequate information was provided at the pre application stage and supported by comments from the Highway Authority, consider it has been demonstrated access from the B3257 isn't feasible. In their latest comments on an undetermined application to the north of the site for a proposed 'retail store' (co-op) (ref 2215/22/FUL) the Highway Authority provided the following comments regarding a proposed 30mph limit.

*'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.'*

- 2.10 While the Highway Authority is prepared to consider a review of the speed limit, at this stage there is no certainty on when this review would occur or any guarantee it will be supported and if it is supported, there is no certainty on when the revised speed limit would be introduced. Furthermore, as the applicants have demonstrated to Officers, even with a reduced speed limit, access from the B3257 would still rely on visibility splays which cross third party land.

### **3.0 Affordable housing provision**

- 3.1 JLP policy DEV8.3 requires at least 30% on-site affordable housing provision for all schemes proposing 11 or more units. On this scheme that equates to 9.3 units on this site. The proposal is offering 9 affordable dwellings, 2x 1 bed flats: 3x 2 bed houses and 4x 3 bed houses. The Council's Affordable Housing Officer has confirmed that the size of the proposed affordable units reflects the housing need in the Bere Alston/Bere Ferrers area through the Housing Needs Survey and Devon Home Choice register. A S106 planning obligation is required to ensure the homes remain affordable in perpetuity, and occupation is restricted to those with a local connection criterion to the parish of Bere Ferrers.

- 3.2 With only 9 affordable housing units being provided on site, there will be a shortfall below the policy requirement. The Council's Affordable Housing Officer recommends a financial contribution to make up the full allocation of 30%, secured through a S106 planning obligation.

### **4.0 Housing Mix**

- 4.1 JLP policy SPT2 defines sustainable linked neighbourhoods and sustainable rural communities as places which, amongst a number of other criteria *'have a good balance of housing types and tenures to support a range of household sizes, ages and incomes to meet identified housing needs.'* The Council's housing mix policy 'DEV8' requires *'a mix of housing sizes, types and tenure appropriate to the area and as supported by local housing evidence should be provided, to ensure that there is a range of housing, broadening choice and meeting specialist needs for existing and future residents.'*

- 4.2 The Neighbourhood Plan process identified in the Housing Provision Survey carried out in October 2016 that there was a need for 50 new dwellings in the NP area over the Plan period (up to 2034) and that the need should be met in Bere Alston because of its sustainability. In terms of type of housing needed the Plan states in Volume 2 para. 04. d.ii.03 that a range of house types should be provided. The demand at the time of the Survey was for 56% 1 bed; 29% 2 bed; 12% 3 bed and 3% 4 bed. There was however a recognition that such a large proportion of 1 bed dwellings was likely to be un-economic for

developers. There was also recognition of the need for affordable housing. The requirement at the time was for 40% affordable, however that figure through the JLP process has been reduced across the Plan area to 30%. The findings of the report have been reflected more broadly in the NP, indicating in Policy H7, that a broad range of housing, a mix of housing type, size and tenure to meet the current and future demographic characteristics and requirements of the parish. It states that particular regard should be had to the need for 1 and 2 bed housing, so as to meet the needs of the aging population and single people. The policy also reflects the need for affordable rent and shared ownership housing.

- 4.3 The open market housing mix comprises 2x 2bed; 9x 3 bed and 11x 4 bed, which is similar to that which was proposed in 2019, which Officers deemed to be acceptable. The following is an extract from that report.

*However, the majority of housing is 3 and 4 bed units, in both semidetached format and detached. Whilst the NP did identify a need for more detached housing and flats and maisonettes, which were in preference to semidetached and terraced housing. The current proposal does have a lot of detached housing - 15 in number and 2 flats, 6 pairs of semis and 2 terraces of 3. The proposal does meet the NP requirements in part. The NP does recognise that as referenced in the NPPF that housing sites must be deliverable and as such "the sites and the scale of development identified in the Plan should not be subject to such a scale of obligation and policy burdens that their ability to be developed viably is threatened. Therefore, in applying these wider policy requirements it is important to balance them so as not to act as an overall constraint on site delivery." So whilst there could have been more 1 bed dwellings or flats in the scheme, it must be noted that because the site is an edge of village site in the AONB, there is a need for a more landscape focussed approach to the development – hence the large area of open space in the top centre of the site. The use of detached houses in the northern part and most exposed(to the wider AONB landscape) part of the site allows for more tree planting and vegetation creating a more landscaped appearance on the site.*

- 4.4 For the reasons set out above Officers are satisfied that the proposed open-market mix remains acceptable.

## **5.0 Landscape:**

- 5.1 The site lies within the Tamar Valley National Landscape (NL). NLS are a national designation and afforded the highest status of protection within the NPPF where great weight is to be given to conserving and enhancing landscape and scenic beauty, with particular reference to special qualities and distinctive characteristics or valued attributes. This is consistent with s.85 of the Countryside and Rights of Way Act 2000 which 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".*

- 5.2 This legal duty is another material consideration, as opposed to forming part of the development plan.

- 5.3 The need to conserve and enhance the NL is reinforced within JLP policies DEV23 and DEV25 and throughout the NP including within policy E1. In addition to the Development Plan, the following legislation, policies and guidance are of relevance;

- Section 85 of the Countryside and Rights of Way (CRoW) Act;
- The National Planning Policy Framework
- The National Planning Practice Guidance on Landscape; and
- The Tamar Valley AONB Management Plan and its Annexes.

- 5.4 The proposal has been reviewed by the Tamar Valley AONB Unit and the Council's landscape officer. While both the AONB Unit and landscape officer are supportive of the principle of development, within their initial consultation responses they raised some concerns. The AONB Unit requested that the woodland block proposed in the north-eastern corner was extended; structural planting introduced along the eastern boundary, questions regarding structural planting as the landscape plans appeared to show some inconsistencies and concerns regarding the material choices which were not considered to be locally distinctive.
- 5.5 Further information was provided by the applicants to try and address some of these concerns. While there have been discussions between the case officer, landscape officer and AONB Unit, the AONB Unit have not provided any further comments on the additional information. The landscape officer's response to the changes is summarised below.

*I appreciate that there have been some amendments to the proposed planting, and the minor changes made are noted.*

- *2 no. additional trees are proposed on the northern boundary, and this small increase in appropriate, native tree planting in this part of the site is welcomed.*
- *2no. additional trees are proposed in the eastern part of the POS (only one native Crataegus tree, and one Magnolia, which is a non-native, evergreen specimen shrub/ tree). This minor increase in tree canopy cover on the eastern boundary is welcomed, although it is disappointing that additional new native tree planting has not been considered possible within the mixed, native boundary hedge.*
- *The Corylus avellana in front of plot 12 has been replaced by a specimen shrub, which is welcomed.*
- *The tall-growing shrubs proposed in front of ground floor windows have been changed, which is welcomed.*
- *The relocation of trees from private plots on the northern boundary is welcomed, as this is an issue that has been repeatedly highlighted by Officers as necessary throughout the consultation responses, so has long been expected.*
- *The Co-op scheme, and the potential effects it will have on the approach to the village, and on the perceptions of the effects of this proposed development, are all noted. The cumulative effects of both potential developments make it all the more imperative to achieve the best possible landscape enhancements within the protected landscape.*

*To summarise, 3 additional native trees are proposed, with no new trees within existing eastern hedgerows, and this results in a net increase of 2no. trees over and above what was originally proposed, which does not seem to represent much of a further enhancement.*

*The proposed tree planting in the north-east corner of the site, in combination with the existing tree planting to the east ( the 'Jubilee' planting) that is on land owned by others, will ultimately provide a degree of screening of the development from the B3257 approach to the village.*

*Other points made are noted, and it is disappointing that the applicant believes that it is unrealistic to achieve a greater level of enhancement along the eastern boundary, which is what was shown on their own Landscape Strategy plan. I think that it unlikely that this latest iteration of the planting plans will fully address the concerns raised by the Tamar Valley National Landscape's Planning Officer.*

*However, although application 3424/19/FUL was refused planning permission and subsequently dismissed at appeal, I am mindful that the landscape proposals are very little different from the scheme that was previously recommended by Officers for approval. So, on that basis alone, a continued landscape objection is not felt to be appropriate.*

- 5.6 The application has been reviewed by the police 'Designing out Crime Officer'. While overall they are supportive of the proposal, they have requested that the rear boundary treatment of plots 19, 20, 21 and 22 are reconsidered as they currently propose a 0.9m post and rail fence, abutting the maintenance corridor. Robust fencing or hedging to a height of 1.8m is suggested. This has been further explored between the case officer and the applicant, and while the concerns are understood a hedge is not considered to be feasible and a 1.8m high fence would result in landscape harm.
- 5.7 While it is unfortunate that the changes proposed do not go far enough to address all of the concerns, on balance they are considered to be acceptable, and the proposal is considered to accord the provisions of the relevant development plan policies including DEV23, DEV25 and E1.

## **6.0 Design**

- 6.1 The JLP and NP through policies DEV10, DEV20, DEV23 and H6 seek to deliver high quality development that makes a positive contribution to the landscape. The proposed design is similar to the previous application, which Officers considered to be acceptable, and the following is an extract from that report. Officers position remains that the design is acceptable.

*It is considered that the location of the site on the edge of the village and in the AONB better befits a traditional approach, with more landscaping than would perhaps normally be required. The immediate context of the site is mixed, a new development to the west bungalows and houses to the northwest and the same to the south east. Policy DEV20 requires that development has taken account of context. In this case the context is mixed and predominately bungalows. As has been previously stated the use of bungalows on a site of this size would not achieve the numbers in the allocation. Officers therefore considered the traditional centre of the village for context and after some revisions, the properties are now evidently modern on proportion, but do have pitched roofs with natural slate; render stone and slate hung elevations, which will provide a quality to their appearance and reflect the materials used in the centre of the village. Officers consider that this is an acceptable approach in this case.*

*There is a mixture of dwelling heights within the vicinity of the site, the development immediately to the west comprise 2 storey properties and there is a two storey property further to the east on the B3257 which is also 2 storey. The development along the B3257 towards the centre of Bere Alston are primarily bungalows with the odd 2 storey house intermingled. All of the proposed dwellings are 2 storey. The flats (2 in number) are also within a 2 storey building. Whilst it may seem appropriate to provide bungalows on the site, because of the properties further west along the road, the size of the site and the numbers in the allocation would not be achieved if they were all bungalows. It is unlikely that the housing mix needed for the village would be achieved if bungalows were utilised across the site.*

*The proposed dwellings are approximately 7.5 metres in height, which is quite typical for a modern property. The roof pitch is in line with other properties in Bere Alston. Officers consider that the 2 storey dwellings are not excessive for 2 storey development and is acceptable.*

## **7.0 Neighbour Amenity:**

- 7.1 The NPPF requires all developments to provide a high standard of amenity. JLP policy DEV1 requires proposals to safeguard the health and the amenity of local communities, through ensuring that new development provides for satisfactory daylight, sunlight, outlook, privacy and the protection from noise disturbance for both new and existing residents,

workers and visitors. Unacceptable impacts will be judged against the level of amenity generally in the locality.

- 7.2 The relationship between the proposal site and adjoining uses was considered in the previous report, with an extract below.

*The development is adjacent to a new development to the west. The nearest property to the adjacent development is approximately 14 metres away, with others being more than 21 metres away. There is an existing hedgerow on the boundary between the two sites and the proposed dwelling is side on to the adjacent property meaning the only windows on that elevation are bathroom and utility rooms. It is therefore considered that the impact in terms of any loss of residential amenity to that property is not significant.*

*Further south on the site, there is a distance of just over 15 metres between plot 14 and the adjacent property. However this is also at an oblique angle, and there is the hedgerow between them. There may be some opportunity for both properties to overlook from upper floor windows, but this is no different than in any scenario within towns where it is possible from upper floor windows to look into neighbours gardens.*

*To the east of the site is the bowling green and as such no residential amenity issues. To the south on the other side of Woolacombe road there are 3 bungalows. There is between 19 and 25 metres between the proposed dwelling walls and the front walls of the bungalows and there is an existing Devon Bank at the edge of the development site as well as the boundaries to the bungalows between. This is considered an acceptable distance to avoid any loss of residential amenity. The proposal is therefore considered to meet policy DEV1 of the JLP and policy H7 in relation to relationship of the proposal to adjacent developments.*

- 7.3 When considering the relationship between the proposed dwellings, Officers are satisfied that the proposed relationships are acceptable. JLP policy DEV10.5 requires all new dwellings to meet National Described Space Standards, and provide sufficient external amenity space or private gardens, with further advice on the recommended minimum provision set out within paragraphs 4.137 to 4.140 of the Supplementary Planning Document (SPD).

- 7.4 All of the properties comply with National Described Space Standards. While most of the external amenity spaces meet the requirements, some fall short, as per the previous application where it was deemed to be acceptable.

*However the applicants have made some changes and provided a schedule of garden sizes and it now transpires that of the 31 plots there are now 8 where the outdoor amenity space is slightly under what is required in the SPD. It is considered that on a site of this size, which also has some quite challenging physical dimensions the properties all have outdoor space as well as a large area of public open space in the midsection of the site. As such it is considered that overall the proposals meet Policy DEV10 requirements*

## **8.0 Highways/Access:**

- 8.1 The application has been reviewed by the Highway Authority who are satisfied the proposal is acceptable.

*The application is similar in all respects from the highway authority's perspective to the previously submitted application, WD/3424/19, which was considered acceptable from a highway safety point of view.*

*The Transport Statement prepared by the applicant's consultant details the anticipated traffic and trip generation to and from the site and the highway authority are generally in*

*agreement with its content and conclusions. Appropriate conditions and the requirement for the applicant to contribute towards the investigation and alteration of the speed limit terminal points in the vicinity of the site access are recommended.*

- 8.2 The application has also been reviewed by the Public Rights of Way Team at Devon County Council. They have raised no objections with the proposal but have requested that the Public Right of Way 'Bere Ferrers Footpath 20' is not obstructed by the proposed development.

## **9.0 Ecology**

- 9.1 JLP policies SPT12 and DEV26 requires development to protect, conserve, enhance and restore biodiversity and geodiversity across the plan area.
- 6.2 A number of supporting documents have been provided including Updated Ecological Impact Assessment (EclA) January 2024 by GE Consulting, External Lighting Rev: 02 Hydrock issued 02.11.20, Landscape Strategy P23-1465\_EN\_0001\_A 15/11/23. Letter from Carney Sweeney Planning dated 04.01.2024 and 0834 BNG Metric 4.0 November 2023.
- 6.3 The proposal has been reviewed by the Ecologist at Devon County Council. The AONB Unit have also previously commented that the proposal does not fully address the impacts on greater horseshoe bats.
- 6.4 However, the initial concerns raised have now been addressed with further information. The AONB Unit has not commented further on the impact to greater horseshoe bats but on the basis the County Ecologist has withdrawn their objection, Officers are satisfied this has been adequately addressed. Conditions are recommended to cover the submission of a landscape and ecological management plan, provision of a lighting strategy, landscape strategy, construction and environmental management plan. Conditions are also requested to ensure the development accords with the provisions set out within the ecology report and to restrict vegetation clearance during bird nesting season.
- 6.4 The ecologist is also satisfied sufficient information has been provided regarding Biodiversity Net Gain (BNG) to demonstrate compliance with JLP policy DEV26. A condition requiring the submission of a BNG plan is proposed as well as a legal agreement to secure off-site habitat creation.

## **7.0 Archaeology**

- 7.1 The site is in an area of known archaeological potential, meaning that groundworks would have the potential to expose archaeological remains. The Council has not received any comments on this application from the County Archaeologist. However, on the previous application they requested a written scheme of investigation is required during the application process or as a planning condition. A condition could be imposed on this consent if permission was forthcoming.

## **8.0 Education**

- 8.1 The Education Authority have requested £24,133.00 towards secondary school transport. School transport currently costs £5.84 per pupil per day from Bere Alston to Tavistock. (being £5.84 x 190 days in the academic year x 5 years at secondary school x 4.35 secondary pupils). The contribution is applicable to all of the proposed dwellings and will be secured through a S106 planning obligation.



8.2 The Education Authority are satisfied the nearest primary school Bere Alston Primary School, and nearest secondary school, Tavistock College have sufficient capacity. Similarly, no request is made for early years provision or primary education transport.

## 9.0 Open Space, Sport and Recreation

9.1 The OSSR provision was discussed in detail with the applicants on 3424/19/FUL and the following response reflects what was previously agreed.

*For a site of this size, we would normally expect:*

- *on site open space provision in line with policy;*
- *either a split of Local Area for Play (LAP) on site and off site contribution towards a Locally Equipped Area for Play (LEAP) or a sole off site contribution to a LEAP; and*
- *an off-site financial contribution towards improvements to local playing pitches/sports facilities.*

### *Open Space*

*The JLP sets a requirement of 1.91ha/1000 people accessible natural greenspace. Based on the proposed housing mix, and the household sizes set out in Table 9 of the JLP Developer Contributions Evidence Base, there would be 80 new occupants and a requirement for 1,528m<sup>2</sup> accessible natural greenspace. The layout shows an area of public open space which is relatively central and well overlooked by adjacent properties. It is also considered to complement the existing public right of way.*

*Although I believe the quantity of public open space falls slightly below the policy requirement (c.1,330m<sup>2</sup> versus policy requirement of 1,528m<sup>2</sup>), this is not considered to be significant enough to raise an objection in relation to open space provision.*

*The s106 agreement would need to secure public access and on-going management and maintenance of the on-site public open space, including any play provision, in perpetuity.*

*Full details of the hard and soft landscaping of the public open space, including the provision of bins and benches, should be secured via planning condition.*

### *Play*

*The layout proposes provision of an on-site LAP. As raised with the applicant through previous discussions, we do not generally recommend the provision of an isolated LAP due to limitations in terms of range of equipment and age of children catered for. The JLP SPD states at paragraph 7.143 that "Typically, the LPAs will not be seeking LAPs unless there is a clear local need for such a space".*

*However, taking into account previous comments from the applicant regarding pedestrian safety to the current village play area, and following lengthy discussions on application 3424/19/FUL, we would accept an on-site play area alongside a reduced financial contribution towards off-site facilities (which are considered highly likely to be used by new residents due to their location adjacent other recreation and/or community facilities). In this regard, it is noted that the JLP Developer Contributions Evidence Base states for developments in the range of 10-49 dwellings that "While in general LAPs are not supported, in the 10-49 range the Councils may consider a split of LAP on site and off site contribution to a LEAP (if there is evidence of local need), or a sole off-site contribution to LEAP".*

*To allow for provision of the on-site LAP, a reduced off-site financial contribution of £20,073.60 was previously agreed. This contribution would be used towards "improvements to, and on-going maintenance of, play facilities at the Down Recreation Ground and/or Bere Alston Parish Hall and/or Underways".*

*The on-site play area will need to be carefully designed. Full details of the on-site LAP, including proposed equipment, any fencing and surfacing would need to be secured by planning condition. The s106 agreement would need to secure a minimum of three items of play equipment (or equivalent play value), minimum 100m2 activity zone and minimum 10m buffer from boundary of adjacent dwelling.*

#### *Sports Facilities*

*Through previous liaison with the Parish Council the following sports projects were identified and an off-site sports facility contribution of £25,835 was agreed:*

- o Updating/rebuilding of changing rooms at the Recreation Ground*
- o Static exercise equipment for The Down and close to Parish Hall*
- o Re vamp of the basketball area behind the village hall*

*The Parish Council has confirmed that its priority project is the updating/rebuilding of the changing rooms at the Recreation Field.*

### **10.0 Carbon Reduction**

- 10.1 JLP policy DEV32 and NP policy E3 seeks to ensure that all development reduce their carbon footprint.
- 10.2 During the life of the application there have been discussions between the case officer and the agent regarding the proposed measures that will be used to ensure compliance with the relevant policies including DEV32.5 which says '*All major development proposals should incorporate low carbon or renewable energy generation to achieve regulated carbon emissions levels of 20 per cent less than that required to comply with Building Regulations Part L.*'
- 10.3 The proposal offers a fabric first approach as well as air source heat pumps, PV panels and electric vehicle charging points to all properties. The roof plans have been amended to ensure the PV panels will be installed on west facing roof slopes as thermal gain is higher in the afternoon/evening providing better output compared with southern elevations. These measures will be secured via condition.
- 10.4 These measures go beyond what was proposed with the previous application, responding to the Plymouth and South West Devon, Climate Emergency Planning Statement, which has been adopted in the interim since the previous application was considered, and are considered to be acceptable.

### **11.0 Drainage**

- 11.1 The proposal has been reviewed by the Local Lead Flood Authority who have no in principle objections with the proposal but recommend a pre commencement condition.

### **12.0 Tamar Special Area of Conservation:**

- 12.1 The site falls within the Zone of Influence for new residents have a recreational impact on the Tamar European Marine Site (comprising the Plymouth Sound and Estuaries SAC and Tamar Estuaries Complex SPA). This Zone of Influence has recently been updated as part of the evidence base gathering and Duty to Cooperate relating to the Joint Local Plan. A scheme to secure mitigation of the additional recreational pressures upon the Tamar European Marine Site can be appropriately secured by a unilateral undertaking and this approach has been agreed by Natural England.
- 12.2 Policy E2 in the NP also promotes support for biodiversity through conformity with national and Local Plan policies and identified the importance of specifically protected areas. It also seeks to ensure that a financial contribution be made towards mitigating the recreational

impacts of new residents on the Tamar SAC.

- 12.3 In this case the contribution towards the Tamar Estuary is being provided in the Section 106 Agreement for the site.

### **13.0 Trees**

- 13.1 JLP policy DEV28 requires developments to be designed to avoid the loss of deterioration of woodlands, trees or hedgerows, and in the event, this cannot be avoided appropriate mitigation should be provided to ensure a 'net gain'.
- 13.2 The proposal has been reviewed by the Council's tree officer who is satisfied there are no significant arboricultural features present on or off site that '*may bear potential to act as material constraints to the application on strictly arboricultural merit.*' However a condition is recommended to ensure the protection of the rural hedge.

### **14.0 Other Matters**

- 14.1 NP policy H2 requires the provision of a gateway. This has been discussed between the case officer and the applicant. Officers recommend the S106 obligation includes a financial contribution to allow the LPA to explore a piece of public art on the highway verge to the north of the site.

### **15.0 Planning Balance**

- 15.1 The proposed development is very similar to a scheme which was submitted as a planning application in 2019, to bring forward the allocation. That scheme was refused by the Local Planning Authority on the basis it had not been adequately demonstrated that access from the B3257 wasn't feasible. The subsequent appeal was dismissed. The applicants have undertaken further work to explore whether it is feasible to provide an access off the B3257 but have determined that it is not, and Officers have no reason to disagree with the assessment.
- 15.2 Often planning policies pull in different directions, but in the overall planning balance an assessment needs to be made as to whether there is compliance with the development plan as a whole. While the overall housing market mix and extent of proposed landscaping mitigation weighs against the proposal, there are many benefits associated with this scheme including the provision of nine, much needed affordable houses, provision of open space and contributions towards existing infrastructure including education and the proposed renewable energy technologies which go further than the previous scheme.
- 15.3 When assessed against the development plan as a whole Officers are satisfied that the proposed development is acceptable and recommend approval subject to conditions and a S106 obligation.

***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 19th December 2023 the Department for Levelling Up, Housing and Communities published the HDT 2022 measurement. This confirmed the Plymouth, South Hams and West Devon's joint measurement as 121% and the policy consequences are "None".

Therefore no buffer is required to be applied for the purposes of calculating a 5 year housing land supply at the whole plan level. The combined authorities can demonstrate a 5-year housing land supply of 5.84 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 26th February 2024).

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

The relevant development plan policies are set out below:

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

SPT1 Delivering sustainable development  
SPT2 Sustainable linked neighbourhoods and sustainable rural communities  
SPT3 Provision for new homes  
SPT7 Working with neighbouring areas  
SPT8 Strategic connectivity  
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  
TTV24 Site allocations in the Smaller Towns and Key Villages  
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  
DEV21 Development affecting the historic environment  
DEV23 Landscape character  
DEV25 Nationally protected landscapes  
DEV26 Protecting and enhancing biodiversity and geological conservation  
DEV27 Green and play spaces  
DEV28 Trees, woodlands and hedgerows  
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**

The Bere Peninsula Neighbourhood Plan is a made plan and the following policies are relevant to this application:

Proposal H1. Allocate land for 50 new homes at Bere Alston for local needs, 2017-34  
H2 Development considerations for Land to North of Woolacombe Road (Ref: WD\_48\_19\_08/14)  
H6 Housing Density and Design  
H7 Housing Need  
T1 Sustainable Transport  
T2 public transport  
T3 Bere Alston Gateway  
E1 Protecting the Local Environment  
E2 Supporting Biodiversity  
E3. Progressing towards a Low Carbon Environment

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.

---

## **Planning Conditions**

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

Reason: To comply with Section 91 of the Town and Country Planning Act, 1990 (as amended).

2. The development hereby approved shall in all respects accord strictly with drawing numbers:

2203-MAL-XX-XX-DR-A-018 P03 PROW Plan  
2203-MAL-A-017 P03 Amenity Area Plan  
2203-MAL-A-006 P06 Proposed Site Sections 2  
2203-MAL-A-005 P05 Proposed Site Sections 1  
2203-MAL-XX-DR-A-114 Plots 29-31 Type F and H – AFF  
2203-MAL-XX-DR-A-109 Plots 17,20 Type E2 4b8p OM House  
2203-MAL-XX-DR-A-108 Plots 7, 16 – Type C2 – 3b5p OM House  
2203-MAL-XX-DR-A-113 Plots 27-28 Type H 3b4p AFF  
2203-MAL-XX-DR-A-111 Plot 22 – Type E3 4b8p OM House  
2203-MAL-XX-DR-A-107 Plots 14-15 Type B 3b5p OM  
2203-MAL-XX-DR-A-106 Plots 12, 13 Type C1 & H OM

2203-MAL-XX-DR-A-104 Plots 8-9 Type A – 2b3p OM  
 2203-MAL-XX-DR-A-105 Plots 10-11 Type B 3b4p OM  
 2203-MAL-XX-DR-A-103 Plots 6, 23 Type C1 3b5p OM House  
 2203-MAL-XX-DR-A-102 Plots 2, 5 Type D2 4b7p OM House  
 2203-MAL-XX-DR-A-101 Plots 1, 3, 4 Type D1 4b7p OM House  
 2203-MAL-ZZ-01-DR-A-003 Rev P25 Proposed Site Plan  
 0700 Rev P5 Highway Engineering Layout  
 0600 Rev P4 External Works Layout  
 0760 Rev P5 Vehicle Swept Path Analysis  
 0740 Rev P5 Proposed Surfacing Specification Layout  
 0730 Rev P5 Highway Long Sections  
 2203-MAL-A-004 P07 Boundary Treatment Plan  
 0760 0630 Rev P1 Earthworks Layout  
 2203-MAL-XX-DR-A-110 Plots 18, 19, 21 Type E1 4b8p OM House  
 2203-MAL-XX-DR-A-112 Plots 24-26 Type G 2b4p AFF  
 2203-MAL-XX-DR-A-114 Plots 29-31 Type F and H AFF  
 2203-MAL-A-001 P2 Site Location Plan  
 2203-MAL-XX-XX-DR-A-019 proposed site roof plan

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

3. No development beyond slab level shall commence until a schedule of materials and finishes, and samples of the materials to be used in the construction of the external surfaces, including roofs, have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out only in accordance with the details so approved.

Reason: To enable the Local Planning Authority to consider the details of the materials in accordance with policies DEV10, DEV20, DEV23 and DEV25 of the Plymouth and South West Devon Joint Local Plan and policies H2, H6 and E1 of the Bere Peninsula Neighbourhood Plan.

4. Prior to development beyond slab level, full details of the hard and soft landscaping of the public open space, including play equipment, fencing, surfacing, bins and benches shall be submitted to and approved by the Local Planning Authority. The open space shall then be constructed and equipment placed in accordance with the agreed details, and retained in perpetuity.

Reason: To ensure the space is appropriately landscaped and supplied with associated equipment, as on the approved plans in accordance with policies SPT2, DEV1, DEV10, DEV23 and DEV27 of the Plymouth and South West Devon Joint Local Plan and H2, H6 and E1 of the Bere Peninsula Neighbourhood Plan.

5. No development shall take place until the developer has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation (WSI) which has been submitted to and approved in writing by the Planning Authority. The development shall be carried out at all times in accordance with the approved scheme, or such other details as may be subsequently agreed in writing by the District Planning Authority.

Reason: To ensure, in accordance with policy Dev21 of the Plymouth and South West Devon Joint Local Plan and the National Planning Policy Framework, that an appropriate record is made of archaeological evidence that may be affected by the development.

6. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the

Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an investigation and risk assessment and, where necessary, a remediation strategy and verification plan detailing how this unsuspected contamination shall be dealt with.

Following completion of measures identified in the approved remediation strategy and verification plan and prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority.

Reason: No site investigation can completely characterise a site. This condition is required to ensure that any unexpected contamination that is uncovered during remediation or other site works is dealt with appropriately in accordance with policy DEV2 of the Plymouth and South west Devon Joint Local Plan.

7. No part of the development hereby approved shall be commenced until:
- a) The access road has been laid out, kerbed, drained and constructed up to base course level for the first 20 metres back from its junction with the public highway.
  - b) The ironwork has been set to base course level and the visibility splays required by this permission laid out.
  - c) A site compound and car park have been constructed to the written satisfaction of the Local Planning Authority.

Reason: To ensure that adequate on site facilities are available for all traffic attracted to the site during the construction period, in the interest of the safety of all users of the adjoining public highway and to protect the amenities of the adjoining residents in accordance with policies DEV1 and DEV29 of the Plymouth and South West Devon Joint Local Plan.

8. The occupation of any dwelling in the development shall not take place until the following works have been carried out to the written satisfaction of the Local Planning Authority:
- a) The cul-de-sac carriageway including the vehicle turning head within that phase shall have been laid out, kerbed, drained and constructed up to and including base course level, the ironwork set to base course level and the sewers, manholes and service crossings completed;
  - b) The cul-de-sac footways and footpaths which provide that dwelling with direct pedestrian routes to an existing highway maintainable at public expense have been constructed up to and including base course level;
  - c) The cul-de-sac visibility splays have been laid out to their final level;
  - d) Any agreed street lighting for the spine road and cul-de-sac and footpaths has been erected and is operational;
  - e) The car parking and any other vehicular access facility required for the dwelling by this permission has/have been completed;
  - f) The verge and service margin and vehicle crossing on the road frontage of the dwelling have been completed with the highway boundary properly defined;
  - g) The street nameplates for the spine road and cul-de-sac have been provided and erected.

Reason: To ensure that adequate access and associated facilities are available for the traffic attracted to the site in accordance with policies DEV26 and DEV29 of the Plymouth and South West Devon Joint Local Plan.

9. When once constructed and provided in accordance with condition 8 above, the carriageway, vehicle turning head, footways and footpaths shall be maintained free of obstruction to the free movement of vehicular traffic and pedestrians and the street lighting and nameplates maintained to the satisfaction of the Local Planning Authority

Reason: To ensure that these highway provisions remain available in accordance with policy DEV29 of the Plymouth and South West Devon Joint Local Plan and policies T1 and T2 of the Neighbourhood Plan.

10. Prior to the commencement of development, a Method of Construction Statement shall be submitted to and agreed in writing by the Local Planning Authority. The Method of Construction Statement shall include details of:
- (a) parking for vehicles of site personnel, operatives and visitors
  - (b) loading and unloading of plant and materials
  - (c) storage of plant and materials
  - (d) programme of works (including measures for traffic management)
  - (e) provision of boundary hoarding behind any visibility zones (shall be/has been) submitted to and approved in writing by the Local Planning Authority.

The development should proceed in strict accordance with the details agreed.

Reason: In the interest of highway safety in accordance with policy DEV29 of the Plymouth and South West Devon Joint Local Plan.

11. No development hereby permitted shall commence until the following information has been submitted to and approved in writing by the Local Planning Authority:
- (a) Soakaway test results in accordance with BRE 365, groundwater monitoring results in line with our DCC groundwater monitoring policy and evidence that there is a low risk of groundwater re-emergence downslope of the site from any proposed soakaways or infiltration basins.
  - (b) A detailed drainage design based upon the approved Flood Risk Assessment and Drainage Strategy and the results of the information submitted in relation to (a) above.
  - (c) Detailed proposals for the management of surface water and silt runoff from the site during construction of the development hereby permitted.
  - (d) Proposals for the adoption and maintenance of the permanent surface water drainage system.
  - (e) A plan indicating how exceedance flows will be safely managed at the site.

No building hereby permitted shall be occupied until the works have been approved and implemented in full accordance with the details agreed under (a) - (e) above.

Reason: The above conditions are required to ensure the proposed surface water drainage system will operate effectively and will not cause an increase in flood risk either on the site, adjacent land or downstream in line with SuDS for Devon Guidance (2017) and national policies, including NPPF and PPG and policy DEV35 of the Plymouth and South West Devon Joint Local Plan.

12. Prior to occupation of the dwellings a waste collection strategy shall be submitted to and approved in writing by the Local Planning Authority and the provision shall be implemented in accordance with the approved scheme before any dwelling is first occupied and thereafter the provision shall be retained in accordance with the approved scheme.

Reason: To minimise and properly manage waste arising from the development, in the interests of the amenities of the area in accordance with policy DEV31 of the Plymouth and South West Devon Joint Local Plan.

13. All elements of the landscaping scheme as shown on drawing numbers P23-1465-EN-11-A (sheet 1 of 2), P23-1465-EN-12-A (sheet 2 of 2) and P23-1465-EN-01-B (landscape strategy) shall be implemented in the first planting season following reasonable completion of the development, or first occupation of the buildings (whichever is sooner) and maintained in accordance with the approved details unless otherwise agreed in writing by the local planning authority. Any plant that dies, is removed or fails to thrive within the first ten years



after implementation shall be replaced with a plant of the same specification unless otherwise agreed in writing with the local planning authority.

Reason: In the interest of public amenity and the conservation and enhancement of the local landscape character and the conservation and enhancement of the landscape character and the natural beauty of the National Park, taking account of the particular landscape characteristics of the site and its setting, in accordance with policies DEV23, DEV25 and DEV26 of the Plymouth and South West Devon Joint Local Plan and policy E1 of the Neighbourhood Plan.

14. Prior to commencement of any part of the site the Local Planning Authority shall have received and approved a Construction Management Plan (CMP) including
- (a) the timetable of the works
  - (b) daily hours of construction
  - (c) any road closure
  - (d) hours during which delivery and construction traffic will travel to and from the site, with such vehicular movements being restricted to between 8.00 a.m. and 6.00 p.m. Mondays to Fridays inc. 9.00a.m. to 1.00 p.m. Saturdays and no such movements taking place on Sundays or Bank holidays unless agrees by the local Planning Authority in advance.
  - (e) the number and sizes of vehicles visiting the site in connection with the development and the frequency of their visits
  - (f) the compound/location where all building materials, finished or unfinished products, parts, crates, packing materials and waste will be stored during the demolition and construction phases
  - (g) areas on site where delivery vehicles and construction traffic will load or unload building materials, finished or unfinished products, parts, crates, packing materials and waste with confirmation that no construction traffic or delivery vehicles will park on the County Highway for loading or unloading purposes unless prior written agreement has been given by the Local Planning Authority;
  - (h) hours during which no construction traffic will be present on the site;
  - (i) the means of enclosure of the site during construction works;
  - (j) the details to promote car sharing amongst construction staff in order to limit construction staff vehicles parking off site;
  - (k) details of wheel washing facilities and obligations;
  - (l) the proposed route of all construction traffic exceeding 7.5 tonnes;
  - (m) details of the amount and location of construction worker parking;
  - (n) photographic evidence of the condition of adjacent public highway prior to commencement of any work.

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

Reason In the interests of Highway Safety and residential amenity in accordance with policies DEV1 and DEV29 of the Plymouth and South West Devon Joint Local Plan.

15. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order, 2015 (and any Order revoking and re-enacting this Order), no development of the types described in the following Classes of Schedule 2 shall be undertaken without the express consent in writing of the Local Planning Authority, other than those expressly authorised by this permission:
- (a) Part 1, Class A (extensions and alterations)
  - (b) Part 1, Classes B and C (roof addition or alteration)
  - (c) Part 1, Class D (porch)
  - (d) Part 1, Class E (a) swimming pools and buildings incidental to the enjoyment of the dwellinghouse
  - (e) Part 1, Class F (hardsurfaces)
  - (i) Part 2, Class A (means of enclosure)

Reason: To enable the Local Planning Authority to exercise control over development which could materially harm the character and visual amenities of the development and locality and to prevent losing the areas of garden which have been identified as providing a net gain in biodiversity in accordance with policies DEV1, DEV10, DEV20, DEV23, DEV25 and DEV26 of the Plymouth and South West Devon Joint local Plan and policies H2, H6, E1 and E2 of the Neighbourhood Plan.

16. Prior to the occupation of the dwellings hereby approved, the design of any rear garden gates shall be submitted to and agreed in writing with the Local Planning Authority. The gates shall be installed in accordance with the agreed details.

Reason: In the interests of designing out crime.

17. Prior to the occupation of plots 17, 22 and 23, the route through to the Down to the west and the bowling green to the east shall have been completed and safe for pedestrian use and made available in perpetuity.

Reason: To ensure the pedestrian routes from the development are provided in accordance with policies SPT2 and DEV29 of the Plymouth and South West Devon Joint Local Plan and policies T1 and T2 of the Neighbourhood Plan.

18. Prior to its construction, detailed drawings of the Devon hedge to be placed at the entrance to the site and around the bin store area for plots 1-5 and specific planting to the northern hedge shall be submitted to and agreed by the Local Planning Authority. The hedge shall be constructed in accordance with the agreed details. The scheme submitted shall be fully implemented in the planting season following the completion of the development and the plants shall be protected, maintained and replaced as necessary for a minimum period of five years following the date of the completion of the planting.

Reason: To ensure the hedge is properly constructed and aligns with the remaining hedge along the Woolacombe road frontage in accordance with policies DEV20, DEV23 and DEV25 of the Joint Local Plan and policies H2 and E1 of the Neighbourhood Plan.

19. The open space in the middle of the site shall be retained as an open space and play area (LAP) and shall not be used for any other purpose without the prior written consent of the Local Planning Authority.

Reason: To ensure the retention of the space for the benefit of the residents and to ensure the landscaped nature of the site in the sensitive National Landscape location in accordance with policies SPT2, DEV10, DEV20, DEV23 and DEV25 of the Joint Local Plan and policies H2 and E1 of the Neighbourhood Plan.

20. No development shall take place, or any equipment, machinery or materials be brought onto the site for the purpose of development until:
- (i) The erection of fencing to delineate a Protection Zone to protect retained hedges has been constructed in accordance with location and construction details shown on to be submitted. Within the Protection Zone nothing shall be stored or placed, nor any works take place, nor shall any changes in ground levels or excavations take place unless they are they are agreed in writing by the Local Planning Authority.
  - (ii) All hedge restoration or management works as detailed to be submitted in accordance with or as agreed in writing by the Local Planning Authority have been completed.

Reason: In order to protect hedgerows of amenity, wildlife or historical importance in accordance with policies DEV23, DEV25 and DEV28 of the Joint Local Plan and policies H2 and E1 of the Neighbourhood Plan.

21. No hedgerow shown for retention shall be removed, damaged or worked on except as detailed in the approved plans. If any retained hedge is removed, or damaged, during construction it shall be replaced with planting (and hedge bank) at the same place and species of such size, species and density (and hedge bank to such construction details) as may be specified in writing by the Local Planning Authority.

Reason: In order to protect hedgerows of amenity, wildlife or historical importance in accordance with policies DEV23, DEV25 and DEV28 of the Joint Local Plan and policies H2 and E1 of the Neighbourhood Plan

22. Prior to their installation, samples of the proposed boundary treatments around and between each plot on plan No: MAL-DR-A-004-RevP9 shall be submitted to and agreed by the Local Planning Authority. The boundary treatments shall be installed in accordance with that agreement.

Reason: To ensure the boundary treatments do not impact on the landscape qualities of the site, in this sensitive NL landscape in accordance with policies DEV20, DEV23 and DEV25 of the Joint Local Plan and policies H2 and E1 of the Neighbourhood Plan.

23. Prior to the commencement of the development, a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The LEMP shall be based upon an up to date ecological survey of the site and shall include details of habitat creation, management and maintenance and protected species mitigation, compensation and enhancement measures, covering construction and post construction phases. The development shall be carried out in strict accordance with the agreed details.

Reason: In the interests of safeguarding ecology and protected/priority species, and providing for net gains to biodiversity, and in accordance with policies SPT12, DEV23, DEV25 and DEV26 of the Plymouth and South West Devon Joint Local Plan and policies E1 and E2 of the Neighbourhood Plan.

24. Notwithstanding the information shown within the Energy and Sustainability Statement by AES Sustainability Consultants Ltd, prior to first occupation all properties shall have installed and be in good working order; air source heat pump, electrical vehicle charging point, PV panels (as shown on the approved roof plan).

Reason: To ensure that the site produces a reduction in its carbon footprint in accordance with JLP policy DEV32 and NP policy E3.

25. Prior to the commencement works a Lighting Strategy shall be submitted to and agreed in writing by the Local Planning Authority. The strategy shall minimise impacts from lighting associated with pre-construction, construction and operational activities, and demonstrate how the current best practice (BCT/ILP, 2023) guidance has been implemented. This shall include details such as the following: artificial lighting associated with public realm lighting, and internal and external lighting associated with the residential development. The agreed lighting strategy shall be strictly adhered to.

Reason: The purpose of this lighting strategy is to ensure the site boundary hedgerows function as dark corridors and bat flight lines (0.5 lux and warm light) in accordance with JLP policy DEV26 and NP policy E2.

26. Prior to commencement (including any site clearance), a construction and environmental management plan shall be submitted to and approved in writing by the Local Planning Authority.

The CEMP shall include the following:

- a. Risk assessment of potentially damaging construction activities.
- b. Details of hedgehog holes and their implementation.

- c. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d. The location and timing of sensitive works to avoid harm to biodiversity features.
- e. The times during construction when specialist ecologists need to be present on site to oversee works.
- f. Confirmation no vegetation clearance will take place during bird nesting season (01 March to 31 August), unless the developer has been advised by a suitably qualified ecologist that the clearance will not disturb nesting birds.
- g. Responsible persons and lines of communication.
- h. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- i. Use of protective fences, exclusion barriers and warning signs.
- j. Containment, control and removal of any Invasive non-native species present on site.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

Reason: To conserve Protected and Priority species and allow the LPA to discharge its duties under the UK Habitats Regulations 2017, the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) and in accordance with policies SPT12 and DEV26 of the Plymouth and South West Devon Joint Local Plan and policy E2 of the Neighbourhood Plan.

27. The development hereby approved shall be carried out in accordance with the actions set out in the Ecological Impact Assessment (EclA) (GE Consulting, January 2024). Prior to the commencement of use, the recommendations, mitigation, compensation, net gain and enhancement measures shall be fully implemented and thereafter retained for the life of the development.

Reason: To safeguard the interests of protected species and biodiversity net gain in accordance with policy DEV26 of the Plymouth and South West Devon Joint Local Plan and policy E2 of the Neighbourhood Plan.

- 28 No development shall commence until a Biodiversity Monitoring Plan to has been submitted to and agreed in writing by the Local Planning Authority. The Biodiversity Management Plan shall include 30-year objectives, management responsibilities, maintenance schedules and a methodology to ensure the submission of monitoring reports.

Monitoring reports will be submitted to the Council during years 2, 5, 7, 10, 20 and 30 from commencement of development unless otherwise stated in the Biodiversity Management Plan, demonstrating how the BNG is progressing towards achieving its objectives, evidence of arrangements and any rectifying measures needed.

Reason: In the interests of ensuring measurable net gains to biodiversity and in accordance with JLP policy DEV26, E2 of the Neighbourhood Plan and the National Planning Policy Framework.

## **Informative**

### **Public Right of Way**

1. The applicant is advised by Devon County Council Public Rights of Way Team that if the proposed houses in any way affect the right of way a formal diversion must be requested from West Devon Borough Council. An application can be downloaded by following this link S257 of the Town and Country Planning Act 1990 If there are any intentions to change the surface of the right of way then the following form will need to be completed <https://www.devon.gov.uk/prow/inspections-and-maintenance/>.

During the construction phase the full width of the path must be kept open and available for the public to use 24 hours a day and suitable safety fencing erected and regularly inspected to separate the public from the building site. If this is not possible then a closure of the route must be applied for. Applications for temporary closure notices can be downloaded from our website. Apply for a temporary closure - Public Rights of Way ([devon.gov.uk](http://devon.gov.uk)).

### Highways

2. The Highway Authority has no objection to the proposed development, but, if it is the applicant's intention to offer any of the roadworks included in the application for adoption as maintainable highways, permission under the Town and Country Planning Act should not be construed as approval to the highway engineering details necessary for inclusion in an Agreement under Section 38 of the Highways Act 1980.
3. The permission hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence must be obtained from the Highway Authority Local Transportation Service before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.

### Police

4. The applicants attention is drawn to the advice from Devon and Cornwall Police, Designing out Crime Officer. *ADQ creates security requirements in relation to all new dwellings. All doors that provide entry into a building, including garage doors where there is a connecting door to the dwelling, and all ground floor, basement and other easily accessible windows, including roof lights, must be shown to have been manufactured to a design that has been tested to an acceptable security standard i.e. PAS 24.*

*As such it is recommended that all external doors and easily accessible windows are sourced from a Secured by Design (SBD) member-company List of Member Companies (Alphabetical). The requirements of SBD are that doors Accredited Product Search for Doors and windows Accredited Product Search for Windows are not only tested to meet PAS 24 (2022) standard by the product manufacturer, but independent third-party certification from a UKAS accredited independent third party certification authority is also in place, thus exceeding the requirements of ADQ and reducing much time and effort in establishing provenance of non SBD approved products.*

### BERE FERRERS PARISH COMMENTS

19<sup>TH</sup> October 2023

### BERE FERRERS PARISH COUNCIL

### COMMENTS ON APPLICATION BY BURREINGTON HOMES

### FOR THE ERECTION OF 31 HOMES

REFERENCE WD 2435/23/FUL

Lucy Hall

Snr Planning Officer

West Devon Borough Council

Kilworthy Park

Tavistock

Dear Lucy,

Please find the comments by this Parish Council on the above application.

The Bere Ferrers Parish Council supports the Bere Peninsula Neighbourhood Plan proposals in respect of the above application which is identical to the previous planning application (3424/19/FUL,) that was refused by West Devon Borough Council on the grounds of :-

"Policies H2 and T3 in the Bere Peninsula Neighbourhood Plan identify a preference for the

access to this allocated site being off the B3257 road. The application has not sufficiently demonstrated that it, "has properly investigated that our preferred access is not feasible,"

The applicants made an unsuccessful appeal to The Planning Inspectorate who dismissed the appeal, stating that the applicant had not demonstrated that a full investigation had taken place to ascertain whether the Northern entrance on to the B3257 was feasible. Accordingly the Appeal was dismissed. She also noted that there were a number of other concerns but in view of the above decision, it was not necessary for her to consider these further.

The Neighbourhood Plan made its decision after consideration that a feature of Woolacombe Road, on the edge of the Village is that it is a quiet rural road, having no pavements, with little traffic but used by horse riders and pedestrians for recreation. The major consideration was that to access the main B3257 (the only main road out of the village,) traffic had a choice of two ways, both having two junctions and both having atrocious visibility causing vehicles to 'creep' out blind into the more important road.

These Neighbourhood Plan decisions came about after consultations with all members of the community, a public meeting, a circulation of a draft plan and a response of 83 % supporting the plan and an overwhelming majority that the road access from this site should be on to the B3257.

As part of the Plan's production it was circulated to many authorities for comments including Devon Highways and the County Council. No adverse comments were received from either authority, regarding the proposal that the entrance to the Burrington site should be on the north side on to the B3257.

We have looked at the statement by Burrington Homes that a northern entrance is still not feasible. We have seen no hard evidence that this is the case and do not accept the superficial way in which they have approached this investigation. Being caught trespassing on land belonging to another could be construed as encouraging a negative reply.

We are disturbed that the Highways Authority cannot recommend that the B3257 30 mph limit should not be extended to either the Bowling Club entrance or the village boundary at Quarry Corner where the large Bere Alston 'Welcome village sign' is situated. We have been informed by the Highways Officer that the reason is because motorists cannot see sufficient entrance drives and views of houses are blocked by hedges, and that this will not convince them that they are in a 30mph zone! So they can bowl on legally with speeds up to 60mph?

This is an outrageous statement which we challenge, because it is obvious that there is a clear view, after passing Quarry Corner en route into the village, of the 17 houses of the Down housing estate to which will be added views of the 31 proposed Burrington Homes houses, and of course there is a proposal for a mini-supermarket on the other side of the B3257 opposite the Burrington site. You will be aware that there are a number of other villages in West Devon where there is little development but in 30mph zones. Milton Abbot and Clawton are two local examples.

The Authority has negotiated a sum of £5,000 to extend the 30mph limit eastwards on Woolacombe road. However, this limit cannot be extended on Bedford St because of some mathematical formula and a decision of the highway authorities' Traffic Management Team, presumably at Exeter but who are not identified and do not publish their decisions, let alone are being known to some County Councillors. Normally applications for an increase in speed limits are dealt with by the SCARF and Local Highways Committee, (HATOC,) who work with Parish & Town Council and where District and County Councillors make the decisions. However, there seems to be a different process for development cases where a small number of Highways Officers make the final decision behind closed doors.

We believe that a 30mph limit is justified because this area when developed will conform with

the DFT advice for rural speed limits on village approach roads, (Setting local speed limits –DFT circular 01/203,) where it is unacceptable for a 60mph limit to be retained on a road with no footways and where pedestrians have to cross the road (about ten feet inside the 30mph sign ,) in what is known as the “slowing down zone.” Other developments could place a ‘crossing place’ for pedestrians within this 60mph zone!

The other major effect of a 30mph zone is the openings required on to the B3257 by Burrington Estates will no longer require such lengthy splays. In fact it could be the same as their proposed Woolacombe road entrance which is easily transposed to the Northern site. Highways state there have been no major accidents, but we are aware of three injury accidents on the above roads and about eight non injury accidents at Collytown cross roads; (including a car overturning,) there is almost certainly more.

With the developer paying the cost of moving the 30mph limit, surely this is a no – loss situation for County Council finances and a win situation for the safety of our adults and children?

In the Planning Inspector’s Appeal decision he stated, ‘Other concerns’ have been raised by interested parties. However, as I am dismissing the appeal it is not necessary for me to consider these further.’ Included in these other matters was the ‘Bat Highway’ covering the Southern Hedgerow including the Developer’s proposed entrance on to Woolacombe road? This has apparently been an undisturbed Bat Highway for over 150 years, if not longer.(Panscape report.)

The report by the LPA Ecologist identified that the highly protected Great Horse Shoe Bat is amongst the species identified over the Southern hedge operating from a nearby site, ‘GBH East.’ Your other advisor Ecla in his report of 12 Oct 2020 stated, “Failure to retain a dark corridor along the southern hedgerow would disrupt use by light-sensitive bat species and would be inconsistent with various policies (Dev 26 NPPF and Conservation of Habits and Species Regulations.

The Parish Council engaged our own Ecologist and his ‘Panscape’ report shows in detail the threat, if the Southern Hedge is ripped apart to provide a 20m splay and entrance. We can see no evidence from the Developer on how he can alleviate this situation and remain within the very stringent laws affecting the protection of the Bat species. It is clear that this material consideration has not been given the ‘consideration to all protected bat species, including greater horseshoe bats by the Developer and the LPA.

The only solution to our strong concerns is for the Planning Committee to accept that the Developer has still not fully investigated that the Northern entrance is not feasible and for Devon Highways to reconsider their bizarre decision not to recommend at 30mph limit on Bedford St from Quarry Corner to Down crossroads. This would allow the Developer to go ahead with the space available for small splay.

Yours sincerely  
Caroline Metcalf  
Clerk to Bere Ferrers Parish Council

References – Setting local speed limits (DFT circular 01/2013)  
Traffic Advisory Leaflet 01/04/(DFT 2004)  
Panscape Bat report ( web site.-‘supporting information, Burrington Estates 2/10  
Consultation report DCC Ecology 3/10/23

FINAL COMMENTS

**BERE FERRERS PARISH COUNCIL**

**COMMENTS ON APPLICATION BY BURREINGTON HOMES  
FOR THE ERECTION OF 31 HOMES  
REFERENCE WD 2435/23/FUL**

Lucy Hall  
Snr Planning Officer  
West Devon Borough Council  
Kilworthy Park  
Tavistock

Dear Lucy,

Please find the comments by this Parish Council on the above application.

The Bere Ferrers Parish Council supports the Bere Peninsula Neighbourhood Plan proposals in respect of the above application which is identical to the previous planning application (3424/19/FUL,) that was refused by West Devon Borough Council on the grounds of :-

“Policies H2 and T3 in the Bere Peninsula Neighbourhood Plan identify a preference for the access to this allocated site being off the B3257 road. The application has not sufficiently demonstrated that it, “has properly investigated that our preferred access is not feasible,”

The applicants made an unsuccessful appeal to The Planning Inspectorate who dismissed the appeal, stating that the applicant had not demonstrated that a full investigation had taken place to ascertain whether the Northern entrance on to the B3257 was feasible. Accordingly the Appeal was dismissed. She also noted that there were a number of other concerns but in view of the above decision, it was not necessary for her to consider these further.

The Neighbourhood Plan made its decision after consideration that a feature of Woolacombe Road, on the edge of the Village is that it is a quiet rural road, having no pavements, with little traffic but used by horse riders and pedestrians for recreation. The major consideration was that to access the main B3257 (the only main road out of the village,) traffic had a choice of two ways, both having two junctions and both having atrocious visibility causing vehicles to ‘creep’ out blind into the more important road.

These Neighbourhood Plan decisions came about after consultations with all members of the community, a public meeting, a circulation of a draft plan and a response of 83 % supporting the plan and an overwhelming majority that the road access from this site should be on to the B3257.

As part of the Plan’s production it was circulated to many authorities for comments including Devon Highways and the County Council. No adverse comments were received from either



authority, regarding the proposal that the entrance to the Burrington site should be on the north side on to the B3257.

We have looked at the statement by Burrington Homes that a northern entrance is still not feasible. We have seen no hard evidence that this is the case and do not accept the superficial way in which they have approached this investigation. Being caught trespassing on land belonging to another could be construed as encouraging a negative reply.

We are disturbed that the Highways Authority cannot recommend that the B3257 30 mph limit should not be extended to either the Bowling Club entrance or the village boundary at Quarry Corner where the large Bere Alston 'Welcome village sign' is situated. We have been informed by the Highways Officer that the reason is because motorists cannot see sufficient entrance drives and views of houses are blocked by hedges, and that this will not convince them that they are in a 30mph zone! So they can bowl on legally with speeds up to 60mph?

This is an outrageous statement which we challenge, because it is obvious that there is a clear view, after passing Quarry Corner en route into the village, of the 17 houses of the Down housing estate to which will be added views of the 31 proposed Burrington Homes houses, and of course there is a proposal for a mini-supermarket on the other side of the B3257 opposite the Burrington site. You will be aware that there are a number of other villages in West Devon where there is little development but in 30mph zones. Milton Abbot and Clawton are two local examples.

The Authority has negotiated a sum of £5,000 to extend the 30mph limit eastwards on Woolacombe road. However, this limit cannot be extended on Bedford St because of some mathematical formula and a decision of the highway authorities' Traffic Management Team, presumably at Exeter but who are not identified and do not publish their decisions, let alone are being known to some County Councillors. Normally applications for an increase in speed limits are dealt with by the SCARF and Local Highways Committee, (HATOC,) who work with Parish & Town Council and where District and County Councillors make the decisions. However, there seems to be a different process for development cases where a small number of Highways Officers make the final decision behind closed doors.

We believe that a 30mph limit is justified because this area when developed will conform with the DFT advice for rural speed limits on village approach roads, (Setting local speed limits –DFT circular 01/203,) where it is unacceptable for a 60mph limit to be retained on a road with no footways and where pedestrians have to cross the road (about ten feet inside the 30mph sign,) in what is known as the "slowing down zone." Other developments could place a 'crossing place' for pedestrians within this 60mph zone!

The other major effect of a 30mph zone is the openings required on to the B3257 by Burrington Estates will no longer require such lengthy splays. In fact it could be the same as their proposed Woolacombe road entrance which is easily transposed to the Northern site. Highways state there have been no major accidents, but we are aware of three injury accidents on the above roads and about eight non injury accidents at Collytown cross roads; (including a car overturning,) there is almost certainly more.

With the developer paying the cost of moving the 30mph limit, surely this is a no – loss situation for County Council finances and a win situation for the safety of our adults and children?

In the Planning Inspector's Appeal decision he stated, 'Other concerns' have been raised by interested parties. However, as I am dismissing the appeal it is not necessary for me to consider these further.' Included in these other matters was the 'Bat Highway' covering the Southern Hedgerow including the Developer's proposed entrance on to Woolacombe road? This has apparently been an undisturbed Bat Highway for over 150 years, if not longer.(Panscape report.)

The report by the LPA Ecologist identified that the highly protected Great Horse Shoe Bat is amongst the species identified over the Southern hedge operating from a nearby site, 'GBH East.' Your other advisor Ecla in his report of 12 Oct 2020 stated, "Failure to retain a dark corridor along the southern hedgerow would disrupt use by light-sensitive bat species and would be inconsistent with various policies (Dev 26 NPPF and Conservation of Habits and Species Regulations).

The Parish Council engaged our own Ecologist and his 'Panscape' report shows in detail the threat, if the Southern Hedge is ripped apart to provide a 20m splay and entrance. We can see no evidence from the Developer on how he can alleviate this situation and remain within the very stringent laws affecting the protection of the Bat species. It is clear that this material consideration has not been given the 'consideration to all protected bat species, including greater horseshoe bats by the Developer and the LPA.

The only solution to our strong concerns is for the Planning Committee to accept that the Developer has still not fully investigated that the Northern entrance is not feasible and for Devon Highways to reconsider their bizarre decision not to recommend at 30mph limit on Bedford St from Quarry Corner to Down crossroads. This would allow the Developer to go ahead with the space available for small splay.

Yours sincerely  
Caroline Metcalf  
Clerk to Bere Ferrers Parish Council

References – Setting local speed limits (DFT circular 01/2013)  
Traffic Advisory Leaflet 01/04/(DFT 2004)  
Panscape Bat report ( web site.-'supporting information, Burrington Estates 2/10  
Consultation report DCC Ecology 3/10/23

Devon County Council has no objection to the planning application providing the legally recorded Public Right of Way known as Bere Ferrers footpath 20 is not in any way obstructed by this development. If the proposed houses in any way affect the right of way a formal diversion must be requested from West Devon District Council. An application can be downloaded by following this link S257 of the Town and Country Planning Act 1990 If there are any intentions to change the surface of the right of way then the following form will need to be completed <https://www.devon.gov.uk/prow/inspections-andmaintenance/> During the construction phase the full width of the path must be kept open and available for the public to use 24 hours a day and suitable safety fencing erected and regularly inspected to separate the public from the building site. If this is not possible then a closure of the route must be applied for. Applications for temporary closure notices can be downloaded from our website Apply for a temporary closure - Public Rights of Way (devon.gov.uk)

# West Devon Borough Council Agenda Item 6

## Planning and Licensing Committee 17 Apr 2024

Appeals update for 26 Feb 2024 to 25 Mar 2024

<b>Ward:</b>	<b>Bridestowe</b>
--------------	-------------------

<b>0328/23/FUL</b>	<b>PINS Ref: APP/Q1153/W/23/3327354</b>	
<b>Original Decision:</b>	Refusal	<b>Appeal Status:</b> Appeal Refused
<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> Dismissed (Refusal)
<b>Proposal:</b>	Construction of a log cabin for dog grooming purposes	<b>Appeal Decision Date:</b> 18 Mar 2024

<b>Ward:</b>	<b>Buckland Monachorum</b>
--------------	----------------------------

<b>1500/23/FUL</b>	<b>PINS Ref: APP/Q1153/W/23/3332821</b>	
<b>Original Decision:</b>	Refusal	<b>Appeal Status:</b> Start Letter Received
<b>Appellant Name:</b>	Elite Estates Holdings Limited	<b>Appeal Start Date:</b> 14 Mar 2024
<b>Site Address:</b>	Land At Sx 503 676, Stoke Hill Lane, Crapstone	<b>Appeal Decision:</b>
<b>Proposal:</b>	READVERTISEMENT (Revised Application) Construction of five dwellings & associated works	<b>Appeal Decision Date:</b>

<b>Ward:</b>	<b>Drewsteignton</b>
--------------	----------------------

<b>2389/23/FUL</b>	<b>PINS Ref: APP/Q1153/W/23/3334066</b>	
<b>Original Decision:</b>	Refusal	<b>Appeal Status:</b> Start Letter Received
<b>Appellant Name:</b>		<b>Appeal Start Date:</b> 21 Mar 2024
<b>Site Address:</b>	Land at Sx 698 977 North Beer Farm Spreyton	<b>Appeal Decision:</b>
<b>Proposal:</b>	Alterations to north east elevation of agricultural building incl new cladding, 4 roller shutter doors & 4 pedestrian doors (retrospective) & change of use from agricultural to light industrial (Class E)	<b>Appeal Decision Date:</b>

<b>Ward:</b>	<b>Exbourne</b>
--------------	-----------------

<b>4149/22/HHO</b>	<b>PINS Ref: APP/Q1153/D/23/3332302</b>	
<b>Original Decision:</b>	Refusal	<b>Appeal Status:</b> Appeal Refused
<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> Dismissed (Refusal)
<b>Proposal:</b>	Householder application for extensions & alterations to existing dwelling	<b>Appeal Decision Date:</b> 7 Mar 2024

<b>Ward:</b>	<b>Hatherleigh</b>
--------------	--------------------

<b>3486/22/FUL</b>	<b>PINS Ref: APP/Q1153/W/23/3331967</b>	
<b>Original Decision:</b>		<b>Appeal Status:</b> Start Letter Received

<b>Appellant Name:</b>	Mr & Mrs Peter Brierley	<b>Appeal Start Date:</b> 11 Mar 2024
<b>Site Address:</b>	Higher Southcombe Farm, Northlew, EX20 3PD	<b>Appeal Decision:</b>
<b>Proposal:</b>	Erection of dwelling, garage & associated works	<b>Appeal Decision Date:</b>
<b>3651/22/FUL</b>		<b>PINS Ref: APP/Q1153/W/23/3331973</b>
<b>Original Decision:</b>		<b>Appeal Status:</b> Start Letter Received
<b>Appellant Name:</b>	Mr & Mrs Peter Brierley	<b>Appeal Start Date:</b> 11 Mar 2024
<b>Site Address:</b>	Higher Southcombe Farm, Northlew, EX20 3PD	<b>Appeal Decision:</b>
<b>Proposal:</b>	Erection of Building for use as a Wellness Centre & associated facilities	<b>Appeal Decision Date:</b>

<b>Ward:</b>	<b>Tamarside</b>
--------------	------------------

<b>1403/23/PIP</b>		<b>PINS Ref: APP/Q1153/W/23/3329278</b>
<b>Original Decision:</b>	Refusal	<b>Appeal Status:</b> Appeal Refused
<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> Dismissed (Refusal)
<b>Proposal:</b>	Application for Permission in Principle for erection of a dwelling	<b>Appeal Decision Date:</b> 6 Mar 2024

<b>3399/23/OPA</b>		<b>PINS Ref: APP/Q1153/W/24/3336652</b>
<b>Original Decision:</b>	Refusal	<b>Appeal Status:</b> Start Letter Received
<b>Appellant Name:</b>	Mrs J Yates	<b>Appeal Start Date:</b> 15 Mar 2024
<b>Site Address:</b>	Land At Ngr Sx392853, North Road, Lifton	<b>Appeal Decision:</b>
<b>Proposal:</b>	Application for outline planning permission with all matters reserved for erection of a dwelling	<b>Appeal Decision Date:</b>

<b>Ward:</b>	<b>Tavistock North</b>
--------------	------------------------

<b>4288/22/FUL</b>		<b>PINS Ref: APP/Q1153/W/23/3327228</b>
<b>Original Decision:</b>	Refusal	<b>Appeal Status:</b> Appeal Refused
<b>Appellant Name:</b>	Ms J Williams	<b>Appeal Start Date:</b> 17 Nov 2023
<b>Site Address:</b>	22, Glanville Road, Tavistock, PL19 0EB	<b>Appeal Decision:</b> Dismissed (Refusal)
<b>Proposal:</b>	Erection of dwelling (amendment to approved scheme - 1622/21/FUL)	<b>Appeal Decision Date:</b> 27 Feb 2024

<b>0033/23/FUL</b>		<b>PINS Ref: APP/Q1153/W/23/3331815</b>
<b>Original Decision:</b>	Refusal	<b>Appeal Status:</b> Start Letter Received
<b>Appellant Name:</b>	Mr And Mrs Faircloth	<b>Appeal Start Date:</b> 4 Mar 2024
<b>Site Address:</b>	Higher Wilminstone Farm, Wilminstone, PL19 0JT	<b>Appeal Decision:</b>
<b>Proposal:</b>	Change of use of agricultural barn to form storage unit	<b>Appeal Decision Date:</b>



West Devon  
Borough  
Council

# Agenda Item 7

## West Devon Borough Council

### Undetermined Major Applications

as at 25 Mar 2024

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>	A substantially revised scheme has been received. The applicant has been advised that this will be subject to one final round of consultation and then a decision needs to be made. Whilst consultee views of the latest scheme are not yet known, the applicant has been advised that withdrawal in favour of collaborative pre-application engagement is preferable.		
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>	A substantially revised scheme has been received. The applicant has been advised that this will be subject to one final round of consultation and then a decision needs to be made. Whilst consultee views of the latest scheme are not yet known, the applicant has been advised that withdrawal in favour of collaborative pre-application engagement is preferable.		
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> 31 Mar 2024
<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>Extension Date:</b> 31 Mar 2024
<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>	Referred to Committee at request of Cllr Jory		
<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, awaiting further drainage information.		
<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. Now under consideration by PINS.		
<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>Extension Date:</b> 20 Mar 2024
<b>Proposal:</b>	READVERTISEMENT (revised plans & documents) 31no new dwellings, associated access road, pedestrian link, landscaping, public open space & drainage		
<b>Officer Comments:</b>	April committee		
<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>	Awaiting additional drainage information from the applicant		
<b>3983/23/OPA</b>			
<b>Officer:</b>	Clare Stewart	<b>Valid Date:</b> 01 Feb 2024	<b>Expiry Date:</b> 02 May 2024
<b>Location:</b>	Land at SX 461 918 Bratton Clovelly		
<b>Proposal:</b>	Outline application with some matters reserved for residential development for up to 23 dwellings		

<b>Officer Comments:</b>	within consultation period		
<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>	Awaiting additional information from the applicant. Significant number of objections.		
<b>4164/23/OPA</b>			
<b>Officer:</b>	Lucy Hall	<b>Valid Date:</b> 07 Mar 2024	<b>Expiry Date:</b> 06 Jun 2024
<b>Location:</b>	Land at SX 458 868 Lewdown		
<b>Proposal:</b>	Proposed development of 13 No light industrial units with new access road, parking and external works		
<b>Officer Comments:</b>	Under consideration. Significant number of objections.		
<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>	READVERTISEMENT (additional/revised information received) Construction & operation of water abstraction & pumping facility with associated access arrangements, landscape planting & other ancillary works		
<b>Officer Comments:</b>	Re-consultation period expires 04/04/24. Awaiting revised comments from DCC Ecology and EA.		
<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>	Under consideration.		
<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>	Consultation closed and waiting for determination		
<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>	Under consideration		
<b>0379/24/VAR</b>			
<b>Officer:</b>	Clare Stewart	<b>Valid Date:</b> 31 Jan 2024	<b>Expiry Date:</b> 01 May 2024
<b>Location:</b>	Hatherleigh Market, Hatherleigh EX20 3HT		
<b>Proposal:</b>	Application for variation of condition 1 (approved drawings) of planning consent 4416/21/VAR.		
<b>Officer Comments:</b>	Under consideration.		