

## PLANNING APPLICATION REPORT

**Case Officer:** Wendy Ormsby

**Parish:** Stokenham **Ward:** Stokenham

**Application No:** 3193/18/ARM

**Agent/Applicant:**

Miss Robyn Nicholl - Barton Willmore  
101 Victoria Street  
Bristol  
BS1 6PU

**Applicant:**

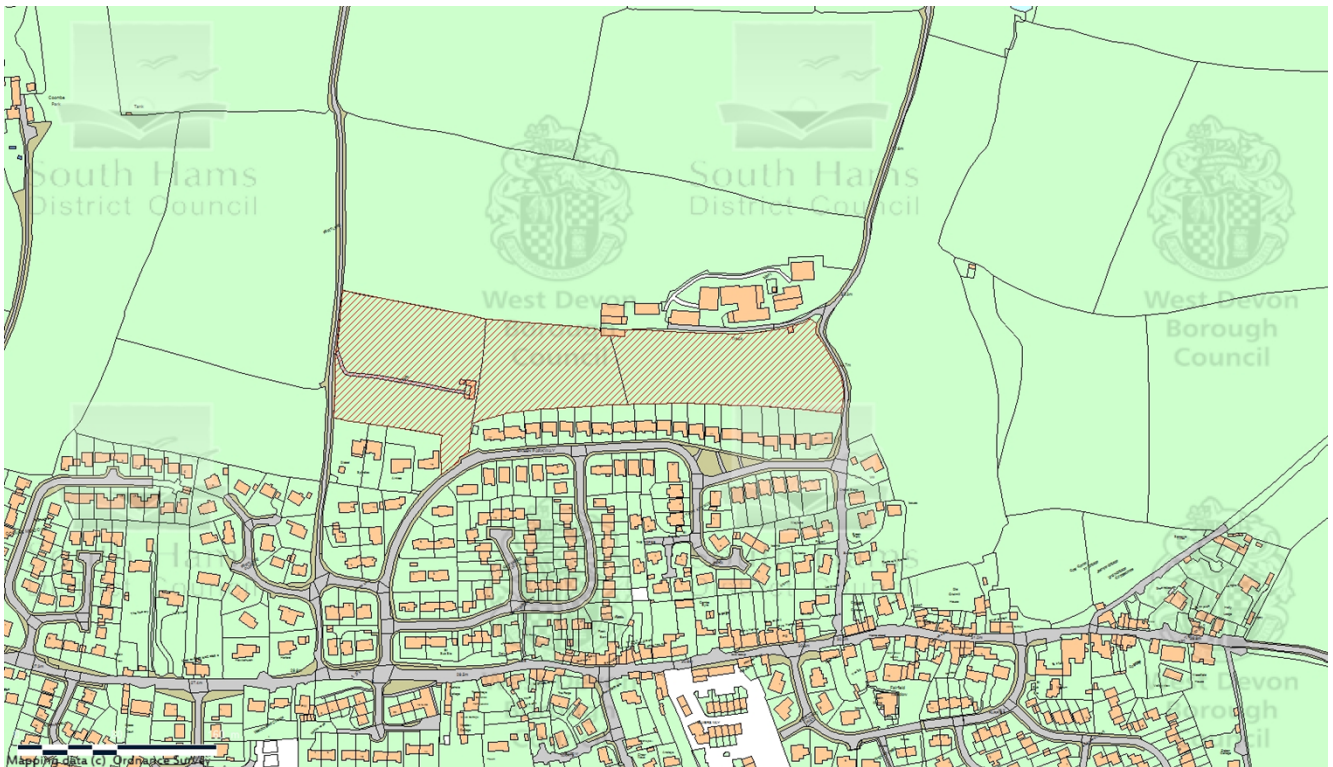
Acorn Property Group  
C/O Agent

**Site Address:** Land to the rear of Green Park Way, Chillington, TQ7 2HY

**Development:** Reserved Matters application for the development of 63 no. dwellings (including market, affordable and retirement housing), landscaping and associated works following grant of Outline consent 0771/16/OPA

**Reason item is being put before Committee:** At the request of the Ward Member for the follows reasons:

- Pedestrian access
- Drainage and drainage maintenance
- Overlooking from Plots 47 and 48



## **Recommendation:** Conditional Approval

### **Conditions**

1. RM time for commencement
2. Accords with plans
3. Secure delivery and maintenance of planting
4. Details of thresholds where steps to dwellings are proposed to be agreed
5. Details of electricity sub-station to be agreed and landscaping around sub-station to be agreed
6. Plots 2 and 3 no door access onto rear flat roof projection and flat roof not be used as a balcony/terrace/amenity area
7. Colours of materials to be used in external hardsurfaces to be agreed
8. Details of boundary treatments and retaining walls to be agreed and implemented
9. External levels, including levels of gardens and public open space to be agreed
10. No raised decks or terraces to be provided/construction unless otherwise agreed by LPA
11. Details of hedge and tree planting along the southern site boundary to be agreed in writing by LPA and provided and maintained
12. Materials to be agreed
13. Roof to be clad in natural slates nailed and not hooked.

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

Whether the details of external appearance, scale, landscaping and layout provide a high quality design and layout that sits comfortably in the wider landscape as well as within the general character of the area; impact on the amenity of existing neighbours, quality of the environment for future residents.

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

The Government have advised that the New Homes Bonus scheme will end after the 2019-2020 financial year and this year is the last year's allocation (which was based on dwellings built out by October 2018). A statement about a replacement scheme is expected in September 2019.

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### **Site Description:**

Chillington is located approximately 7km east of Kingsbridge, 2km east of Frogmore, 1.5km west of Stokenham, and 3km west of the coast and Torcross. The Kingsbridge Estuary is also nearby.

Chillington is centred on the A379 which is the main route from the coast at Torcross to Kingsbridge. The historic centre of the village sits either side of the road and more modern development has spread north and south of the main road. The road is the boundary of the South Devon Area of Outstanding Natural Beauty, which lies to the south of the road.

Chillington has a small village shop and post office, a doctor's surgery, a village hall and a pub. A primary school is located in nearby Stokenham. The village is on the No. 3 bus route from Dartmouth to Kingsbridge.

The application site is situated on the northern edge of Chillington. To the north, east and west of the site lie open fields, to the south are the residential dwellings of the village, with the dwellings of Green Park Way adjoining the southern site boundary.

The 3 hectare site consists of three agricultural fields which sit behind the houses on Green Park Way, and are currently used for keeping horses. The site's boundaries are formed by a mix of trees and hedgerows, fences and stone walls. There are also trees and hedges of varying quality along the field boundaries within the site, some of these trees are covered by a TPO.

The site is sloping, rising from south to north. To the north east of the site is a group of commercial buildings. There is one existing building within the site which will be demolished.

### **The Proposal:**

Outline planning has been granted on this site for up to 65 dwellings with details of vehicular access agreed. The site is allocated for up to 65 dwellings in the Plymouth and South west Devon Joint Local Plan (JLP).

The application seeks to agree the reserved matters of layout, scale, external appearance and landscaping of this outline consent. 35% affordable housing and 10 age restricted retirement homes are included as agreed at the outline stage.

The proposed layout is linear in nature and this is led by the elongated shape of the site and the contours of the land. A single vehicular access from Green Park Way leads northwards into the site and then heads east and west. The main road through the site will be built to adoptable standard with a footpath on one side of the road, shared surface access roads serve smaller segments of the cul de sac.

A pedestrian link from the north east corner of the site is proposed onto Coleridge Lane.

The layout retains most of the existing field hedgerow boundaries and retains protected trees that are within the site. Supplementary landscaping is proposed to soften the site boundaries, to provide screening to the south and to create a green, pleasant environment within the site. Informal areas of public open space are provided within the site,

The scheme includes a mixture of detached, semi-detached and terraced homes and includes two x small, 2 storey apartment buildings. 1.5 storey buildings are included within the north and western part of the site and within the south east corner, although these SW units are on raised ground. A number of the house types are split level to address the slope of the site.

Dwellings on the southern boundary have been designed with dropped eaves and limited window openings to minimise overlooking and dominance, Slate hanging has been used in the upper elevations in some buildings to drop the perceived height of buildings. Buildings on the southern boundary are mainly 1.5 storey.

Architectural styles vary within the scheme but follow a coherent theme, the design is contemporary but reflects the vernacular in terms of roof slope, materials and scale. The materials include natural slate and render as the dominant materials with some buff brick and timber proposed.

The development seeks to address sustainability through a fabric first approach to building design through the use of triple glazing in some homes and low u-value building materials. Ventilation will use 'whole house' mechanical ventilation with heat recovery units – this saves energy by using waste heat from extracted air to preheat the fresh intake air.

In addition the majority of houses have a southern orientation to maximise passive solar gain.

Low water usage fittings will be installed to minimise water consumption

All the 2 bed + homes have a minimum of two off street parking spaces allocated, the one bed units have one allocated space. Of these allocated spaces approx. 50% rely on tandem parking provision. There are however an additional 21 unallocated (visitor) parking spaces within the vicinity of the homes that mainly rely on tandem parking.

The housing mix is as follows:

## Affordable

6 x 1 bed apartments (50 – 67 sq m)

2 x 2 bed apartments (64 – 81 sq m)

9 x 2 bed dwellings (79 sq m)

5 x 3 bed dwellings (93 sq m)

## Market

29 x 3 bed dwellings (114 – 136 sq m)

12 x 4 bed dwellings (139 – 160 sq m)

The application includes a proposed drainage strategy which has been discussed in detail with DCC Flood Risk team, however drainage was conditioned at outline stage as a pre-commencement condition and does not have to be agreed at reserved matters stage.

## Consultations:

- County Highways Authority: Object – Adequate information has not been submitted to satisfy the Highway Authority that surface water is being adequately managed.
- RSPB: Recommends increase in financial contribution from £2,581 to £74, 193 to reflect the current minimum area of habitat and cost. Recommend features to provide opportunities for biodiversity including integral nest sites at a ratio of one per dwelling and permeable garden boundaries including a minimum of one 'hedgehog hole' in each garden fence.
- SHDC Trees: No objection subject to mitigation planting
- AONB: No comment received
- SHDC Landscape: No objections subject to conditions to secure delivery and maintenance of planting
- SHDC Affordable Housing: Support. The tenure mix of 50% affordable rent and 50% shared ownership complies with the Section 106 Agreement. The housing mix supports an identified housing need. We would expect to see some provision for visitor parking and cycle storage
- Police AOL: Drainage areas to the south should be inaccessible to avoid antisocial behaviour/crime. Pedestrian link needs care in design to be safe – should be straight and lit and well overlooked, insufficient usable parking spaces which can lead to social conflict. Rear garden gates should be 1.8m and robust and lockable from both sides. Needs more information about 2<sup>nd</sup> pedestrian link Inadequate parking provision 3/12/18
- DCC Flood Risk: Additional information required.
- SWW: No objection to surface water being managed by soakaways. Public water main running through the site requires a 3m easement and cannot be included in private areas
- Town/Parish Council

Objection. Parish Council remained concerned on a number of issues that included drainage, overlooking and loss of privacy, light pollution and the reduction in screening from 6m to 2m along with the need to minimise nuisance to neighbours and the wider community during construction.

Parish Council endorsed concerns raised by Devon County flood management team in their letter of objection dated 8th January and looked forward to satisfactory resolution. It was noted that the Highways Authority had also objected and although the stated grounds for objection related to the insufficient detailed plans for pedestrian access at the northeast of the site they also raised concern regarding the effectiveness of the drainage strategy making reference to securing a bond through the APC process which would allow for the Option B drainage strategy to be implemented. Parish Council would be grateful for further information on the Option B and Bond.

There appeared no clarity on provision of a public footpath, as requested for pedestrian access, as it appeared to go in and out of plans. Therefore parish council would request that such provision be conditioned to be constructed within any planning approval.

With regard to overlooking and loss of privacy it was noted that with regard to AONB objections the ridge heights were restricted to 8.5m but maximums were currently 8.9m. Limiting of heights on boundaries and set back distances had therefore not been complied with as ridge heights on Plots 1, 2 and 3 were 1.67 above OPA. It was also a concern that screening had reduced from 6m to 2m.

Parish Council received a sketch plan, from a resident, showing the effect of the elevated platform and noted the applicant's plans continued to misrepresent the location of 47 Green Park Way's living room extension and the large screening tree that no longer existed. Parish Council had requested plots 46 and 47 be deleted from this scheme and were grateful that plot 46 was removed, but the effect remained.

Parish Council requested that the Planning Authority condition and enforce the reasonable construction management requests made previously by them and endorsed the sensible suggestions made by Mr Harlington on behalf of the Green Park Way Association.

It was advised by a resident that the watercourse designation was being referred to as 'land drainage' which was of concern and needed to be rectified as this was notably a historic watercourse that had fed the village.

Further information was required on what proposals there were for lighting which should be conditioned to be low lit with glimmer/guard screening.

Regarding water runoff it was felt that trying to hold water up a hill and then force it elsewhere by pumping and not utilising gravity would undoubtedly go wrong and any loose gravel on roads could go towards blocking any attenuation/drainage. As this was a more complicated drainage system precise clarification was required to be set out within any planning condition as to how it would be maintained in future, who was responsible and how it would be backed up.

### **Representations:**

Approximately 85 letters of objection (a number of residents have written more than once) have been received raising issues that include the following:

- Residents group want involvement in and strict adherence to a Construction Management Plan including a direct point of contact with a senior person representing the developer. They would also like:
  - Programme of work, road closures and power/water outages
  - Hours of work to be agreed
  - Delivery routes to be agreed
  - Sheet/mesh screening to be added to scaffolding on the south site boundary to provide privacy
  - Lighting control
  - Noise mitigation measures
  - Control of contractor and staff parking

- Road cleaning/wheel washing
  - Consultation over type of planting adjacent to existing properties
  - Control of construction material storage etc.
  - Insurance over damage to private property
  - Survey of road and services on Green park Way before work starts
- Spring on site needs to be accounted for in drainage scheme
- Soakaways too close to existing homes on Green Park Way
- Who will manage and maintain soakaway?
- Swales near southern boundary could cause flooding
- Who will sweep the roads and driveways to control silt as set out in management plan?
- Trees shown to be planted on soakaways – will this work?
- Overlooking from plots 18, 19 and 20 to existing neighbours to No 17 GPW
- Significant overlooking - including from plots 43, 46-47 and 44-45
- Criminal activity possible behind plots 14, 17, 18 and 22
- Reference is made to gas fired boilers – where is the gas coming from – tanks? If so where will they be sited?
- Where will lighting be sited?
- Do not want responsibility of maintaining new rear boundary hedges
- Overbearing impacts on existing neighbours
- Adverse landscape impact
- Adverse impact on the AONB
- Inadequate infrastructure such as school places and doctors
- Why is drainage tank under plots 44-46 not buried like others?
- Why are tallest houses sat on this raised platform?
- Cross sections to show impact of plots 46 and 47 have not been provided as requested
- Pump station could be noisy, will it vibrate? How will it be maintained?
- Pump station is an impractical solution – what if it fails?
- Already suffer flooding – this will make risk greater
- Pedestrian safety concern if pedestrian access is provided onto Coleridge lane
- Drainage scheme is inadequate and flooding will occur
- Houses are taller than agreed at outline stage
- Landscape buffer on southern boundary shown at outline stage has been lost
- Possible impact on village water supply
- Homes do not meet local housing need
- Parts of the site are being built up rather than dug into the slope – making neighbour impact worse
- Increase in noise and smells
- Who will maintain landscaping
- Landscaping will take time to grow and be effective
- Inadequate parking for plots 44-51 and 63-64
- Access location will shine lights into house opposite – should be re-angled to avoid this
- Underbuild is being used to raise heights of dwellings
- Suburban layout is out of character with the area
- Risk of landslips
- Noise pollution
- Object to siting of large drainage tanks close to boundary with Green Park Way
- Plans on web site do not provide enough information
- Plans are wrongly labelled
- Why has 6m deep landscape corridor on southern boundary been removed?
- Will overlook private swimming pool at No 43 GPW
- Object to loss of 5 Elm trees
- Shared space roads are no longer supported by DOT
- Noise and disturbance during construction
- Unadopted roads will fall into disrepair

- Inadequate parking provision
- Roads are too narrow
- Claim riparian right to uninterrupted flow of water – proposal includes re-directing a stream
- Additional tree planting required to screen neighbours
- Ridge heights now 2m higher than illustrated at outline stage – will be equivalent to a 4 storey building viewed from GPW gardens
- Light pollution from large windows
- High density development
- Development too large for the village
- Request traffic order to restrict commercial traffic movements into Cotmore Way outside of set hours
- Affordable homes and retirements homes cannot afford to maintain unadopted roads
- Unsustainable development

## Relevant Planning History

0771/16/OPA – outline planning application for planning permission to erect up to 65 dwellings, landscaping and associated works at land at SX 791 430, to rear of Green Park Way, Chillington, Devon

## ANALYSIS

### Principle of Development/Sustainability:

The principal of development has been agreed in the grant of the outline planning permission. This reserved matters application seeks to agree matters of layout, scale, external appearance and landscaping

### Landscape impact:

The site is on land rising northwards beyond the northern built up boundary of Chillington. It is not within a designated landscape but is within the setting of the South Devon AONB which lies south of the A379. At outline stage careful consideration was given to the potential landscape impacts of this development and it was identified that the western part of the site was most sensitive where building heights should be limited to 1.5 and where a strong landscape buffer would be required on the northern boundary to improve the landscape setting of the village.

Policy DEV25 of the JLP states that:

*The highest degree of protection will be given to the protected landscapes of the South Devon AONB, Tamar Valley AONB and Dartmoor National Park. The LPAs will protect the AONBs and National Park from potentially damaging or inappropriate development located either within the protected landscapes or their settings.*

The landscape impact of the proposed development has been considered by the Council's landscape specialist who has commented as follows:

*In considering this application and assessing potential impacts of the development proposal against nationally protected landscapes, in addition to the Development Plan, the following legislation, policies and guidance have been considered:*

- *Section 85 of the Countryside and Rights of Way (CRoW) Act;*
- *Sections 12 and 15 of the NPPF in particular paragraphs; 127, and 170, 172 & 173;*

- *The National Planning Practice Guidance (NPPG) particularly Section 8-001 to 8-006 on Landscape; and*
- *The South Devon AONB Management Plan and its Annexes*
- *Joint Local Plan - DEV23 Landscape Character and DEV25 Nationally protected landscapes*

### Landscape comments

*The current revisions (Hard and Soft landscape plans and planting plans Rev G; dated 25.04.2019) and submissions relating to landscape planting and mitigation are noted. This followed substantive discussions over initial concerns relating to impacts arising from the submitted layout, and the approach to mitigation and planting throughout the site.*

*The sensitivity of the site, accepting its location outside of the South Devon AONB but within the setting were noted in the outline stage and have sought to guide and influence the initial approach for a landscape led development; this has proved challenging.*

*Discussions over the life of the application have led to some improvement in layout including setting into the ground and slightly orientating the dwellings located on the upper slopes, reducing the numbers of dwellings in the eastern corner, and more recently the addition of planting around the perimeters of the site to achieve higher standards of planting to mitigate the quantum of units. There remains some disappointment at the overall densities of the build which, if reduced, would have allowed for greater spacing between dwellings; and therefore providing an opportunity for additional planting within setting of individual buildings and garden spaces, and achieving a lower density transition of the village edge with the rural setting.*

*However, there has been a consistent approach to ensuring that impacts resulting from the proposed development do not adversely harm the setting of the AONB, and the wider landscape character, returning to the LVIA and reviewing of the more sensitive viewpoints. This has seen an overall improved northern edge to Chillington, and with the combination of existing hedgebanks and trees that extend south, down through the site, achieving reasonable screening and division of the development, and with the additional new planting around the periphery, the overall development is now broadly acceptable in landscape terms. On this basis, the development proposal accords with JLP policies which seek to conserve and enhance the landscape character and visual amenity.*

### Recommendation

*No objection subject to conditions*

### Suggested Conditions

*Secure submitted landscape planting schemes and longer term establishment.*

The proposed development is considered acceptable in terms of its wider landscape impact and impact on the setting of the AONB

### **Design and landscaping:**

Policies DEV10 (Delivering high quality housing) and DEV20 (Place shaping and the quality of the built environment) of the JLP give guidance on the standards new housing development should achieve.

The supporting Design and Impact Statement demonstrates a considered approach to the design and layout of the proposed development that reflects and addresses the site topography and local context.

The scale and massing broadly follows the parameters advised at the outline stage, concentrating 1.5 storey dwellings on the north and west parts of the site. It is noted that within the south eastern parts of the site the ground is made up where it drops more steeply to sit buildings level with the new road;



this does make them more elevated by 2 – 2.6m. Being in the lower corner of the site however the landscape impact of this is considered to be acceptable.

The linear layout is dictated by the shape and topography of the site, efforts have been made to make the layout more organic than originally proposed at pre-application stage to help the scheme sit more comfortably in the landscape.

Provision of informal open green space and retention of exiting landscape features within the site helps to break up the massing of the development and introduce a feeling of space and greenness within the development. Many of the dwellings have front gardens which further softens the scheme. The use of a varied palette of hard surfacing materials will also add visual interest.

A variety of contemporary house types are proposed that are a successful blend of modern and vernacular. The dwellings mostly maintain traditional pitched natural slate roofs but incorporate modern box style dormers and glazing styles. Materials mostly reflect the vernacular including coloured render and natural slate hanging but also propose some buff brick and timber cladding. The use of timber cladding is minimal and used mostly to articulate smaller architectural features within the scheme and is considered acceptable. The use of buff brick however does not reflect the vernacular and officers recommend that the applicant give further consideration to the use of this material, natural stone being an appropriate alternative. The details of materials can be dealt with by condition.

For the most part appropriate boundary treatments are proposed but in some parts there are close board timber fences addressing the public realm; this is discouraged as fencing deteriorates over time and presents a 'backland' feel; officers consider that adjacent to the public realm hard boundaries should be either natural stone walls or painted render. This detail can be dealt with by planning condition.

Subject to the above, the general layout, design and orientation of the dwellings is appropriate for the site and will create an interesting and pleasant living environment that will complement the character of the area.

### **Neighbour Amenity:**

Concern has been raised by a number of residents of the adjoining houses in Green Park Way with regard to the development being overbearing and causing loss of privacy. The building up of land in areas such as plots 48 – 51 has been questioned where the land is built up by as much as 2.6m

Since submission the scheme has been amended and plot 47 (previously adjoining the southern side of plot 46) has been omitted and a hip added to the southern roof slope of plot 46. This has been done to reduce the overbearing impact on the neighbour below.

The properties on the north side of Green Park Way have until now enjoyed privacy in their gardens and rear aspects; to varying degrees their rear gardens are more or less secluded from the development site; some have existing vegetation which will help to screen, others have open boundaries to the development. Some loss of privacy is an inevitable consequence of large scale development such as this however efforts have been made to minimise this and keep it to acceptable levels.

The most sensitive part of the site is the southern eastern boundary. The distance between the rear facing elevations of the proposed and existing dwellings is an average 30m, this meets the industry standard of 30m (taking into account the change in levels). The eaves are lowered on these dwellings at the rear to minimise the perceived massing and window sizes are kept to a minimum.

The outline illustrative plan showed a dense band of tree planting along this southern boundary, the planting indicated as part of this application is less substantial, it shows a new hedgerow planted to the south with some tree planting. Officers consider additional tree planting could be provided along this boundary for screening purposes and it is proposed that this is dealt with by planning condition.

The applicant has stated that the raised ground level of plots units 46, 50, 51, and 29-37 are necessary to achieve an acceptable gradient of the road and to provide level access into the properties to comply with Part M of the Building Regulations. Having regard to the distance from neighbours the relationship is not considered to be unduly overbearing.

Concerns have been raised about the full height first floor windows in plots 18, 19 and 20 and the potential to overlook properties in Green Park Way. These elevations are 38m from the nearest existing neighbour which is considered to be an adequate separation distance.

Plots 1 -5 have single storey flat roof projections at the rear with full height windows at first floor. Conversion of these flat roofs to terraces would be likely to cause significant overlooking issues therefore it is proposed to apply a condition such that planning permission would be needed to use the roofs as exterior amenity space.

On balance the impact on residential amenity is considered to be acceptable and to accord with policy DEV1 of the JLP.

#### **Highways/Access/Parking:**

On the west side of the site adequate and convenient on plot parking is provided, with a minimum of 2 side by side parking spaces per plot plus garages. On the central and eastern side the development is denser however and there is reliance on tandem parking. This has been addressed by the developer with the introduction of 21 visitor spaces within this area; this should result in an acceptable level of parking provision and limited pressure for unplanned on street parking. Where there are continuous rows of parking such as in front of units 32-37 the pairs of spaces have separation gaps to allow adequate space to allow easy access into and out of parked cars.

A pedestrian access point is proposed onto Coleridge Lane in the north east corner of the site. This route meets the road directly opposite a rural public right of way (PROW) so allowing easy connection into recreational walking routes. The path will also allow greater permeability and inter-connectivity with the village.

Objections have been raised on the basis that there are no footways on Coleridge Lane and it is dangerous with heavy goods vehicles accessing the industrial site to the north.

There is a safe pedestrian route into Green Park Way with footpaths available to all residents. The Highway Authority have raised no objection to this access onto Coleridge Lane on safety grounds and there are benefits to providing this connectivity to the PROW

Matters relating to highways, access and parking are considered to be acceptable.

#### **Drainage:**

This application includes a surface water management strategy. At outline stage drainage was a strong matter of contention with local residents very concerned about flood risk having regard to existing flood problems in the village and flooding that already occurs from time to time from the site, caused in part by a layer of impermeable clay close to the surface.

The outline application was granted subject to conditions requiring that prior to the commencement of development a detailed scheme of surface water management be agreed, informed by percolation testing.

A scheme has been submitted and at the request of DCC Leal Local Flood Authority (LLFA) further work and amendments undertaken. A scheme is now agreed in principal subject to further percolation testing within a recently dug bore hole.

Detailed drainage does not have to be agreed at this stage however as it a pre-commencement condition not a reserved matter. The applicant acknowledges that if the drainage scheme has to be revised in a way which impacts on layout that a revised reserved matters application would need to be submitted.

## **Planning Balance**

The proposed development will deliver a high quality scheme which respects its rural setting and sensitive landscape location. The impact on neighbours has been mitigated as far as is reasonably possible and the impacts are acceptable and accord with Policy DEV1 of the JLP.

The proposed reserved matters of layout, external appearance, scale and landscaping are acceptable and as such it is recommended that conditional reserved matters approval be granted.

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

## **Planning Policy**

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 development plan for Plymouth City Council, South Hams District Council and West Devon Borough Council (other than parts South Hams and West Devon within Dartmoor National Park) comprises the Plymouth & South West Devon Joint Local Plan 2014 - 2034.

Following adoption of the Plymouth & South West Devon Joint Local Plan by all three of the component authorities, monitoring will be undertaken at a whole plan level. At the whole plan level, the combined authorities have a Housing Delivery Test percentage of 166%. This requires a 5% buffer to be applied for the purposes of calculating a 5 year land supply at a whole plan level. When applying the 5% buffer, the combined authorities can demonstrate a 5-year land supply of 6.5 years at the point of adoption.

Adopted policy names and numbers may have changed since the publication of the Main Modifications version of the JLP.

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.**

DEV1 Protecting health and amenity

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

DEV3 Sport and recreation

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

DEV10 Delivering high quality housing  
DEV20 Place shaping and the quality of the built environment  
DEV23 Landscape character  
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

**Neighbourhood Plan** – no plan covering this area

### **South Devon AONB Management Plan**

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

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

#### **Conditions in full**

1. The development to which this permission relates must be begun not later than whichever is the later of the following dates:

(i) the expiration of three years from the date of the grant of outline planning permission 0771/16/OPA; or if later

(ii) the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act, 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

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. Details of the timing/phasing for the implementation of the soft landscaping and its long term maintenance shall be included in the Landscape and Ecological Management Plan required by condition 5 of outline planning permission 0771/16/OPA to be submitted and approved in writing by the Local Planning Authority prior to the commencement of development. Development shall take place in accordance with the approved details.

Reason: In the interests of visual and residential amenity

4. Prior to development continuing above slab level on any dwelling hereby approved that will not have a level threshold to a principal door fronting the highway, details of the door threshold including details of steps, ramps and any walls or balustrading shall have been submitted to and approved in writing by the Local Planning Authority. Development shall take place in accordance with the approved details.

Reason: In the interest of visual amenity.

5. Prior to its installation/construction details of the electricity sub-station including landscaping around it shall have previously been submitted to and approved in writing by the Local Planning Authority. Development shall take place in accordance with the approved details.

Reason: In the interest of visual amenity.

6. The roofs of the single storey rear (south) building projections on plots 1, 2 and 3 shall not be used as external amenity or sitting out areas at any time.

Reason: To protect the amenity of adjoining residents.

7. Prior to their installation details including samples and colours of materials to be used in external hardsurfaces within the development hereby approved shall be submitted to and agreed in writing by the Local Planning Authority. Development shall take place in accordance with the approved details.

Reason: In the interest of visual amenity

8. Notwithstanding any details submitted as part of this application, prior to their installation details of all boundary treatments and retaining walls or structures shall be submitted to and approved in writing by the Local Planning Authority. Details shall include measures for biodiversity enhancement such as the provision of hedgehog holes in fencing. Development shall take place in accordance with the approved details and shall be retained as such.

Reason: In the interest of visual and neighbour amenity and biodiversity.

9. Prior to development continuing above slab level on any plot details of external levels within the site as a whole, including levels of gardens and areas of public open space shall have previously been submitted to and agreed in writing by the Local Planning Authority. Development shall take place in accordance with the approved details.

Reason: In the interests of visual and neighbour amenity

10. Notwithstanding the provisions of the Town and Country Planning (England) General Permitted Development Order, 2015, (and any Order revoking and re-enacting this Order), unless previously agreed pursuant to condition 9 above, no raised decks or terraces above 300mm above existing ground levels (measured at any point) shall be provided/constructed within the gardens of any dwelling hereby approved without the express consent in writing of the Local Planning Authority

Reason: In the interests of residential amenity

11. Notwithstanding the details submitted and approved as part of this application, within 3 months of the commencement of development full details of planting proposals along the southern site boundary shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented and maintained in accordance with a timetable and maintenance schedule to be agreed in writing with the LPA as part of these detailed landscape proposals. No dwelling shall be occupied until these landscaping details have been agreed in writing by the Local Planning Authority and the planting and maintenance shall then take place in accordance with the approved details.

Reason: In the interest of visual and neighbour amenity

12. Notwithstanding any details submitted as part of this application, prior to their installation details and samples of all external building materials, including roofing materials, elevational treatments, door and window details and rainwater goods shall have previously been submitted to and agreed in writing by the Local Planning Authority. Development shall take place in accordance with the approved details

Reason: In the interest of visual amenity

13. Roofs shall be clad in natural slates which shall be fixed in the traditional manner using nails and not hooks.

Reason: In the interest of visual amenity

14. Prior to the continuation of development above slab level on any plot full details of the pedestrian access onto Coleridge Lane shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. Development shall take place in accordance with the approved details.

Reason: In the interests of amenity and highway safety