

# PLANNING APPLICATION REPORT

**Case Officer:** Kate Cantwell  
Strete

**Parish:** Frogmore & Sherford **Ward:** Allington and

**Application No:** 0356/18/FUL

**Agent/Applicant:**  
Mrs Amanda Burden  
59 Fore Street  
Totnes  
Devon  
TQ9 5NJ

**Applicant:**  
Mr J Flew  
c/o Agent

**Site Address:** Land at SX768460, West of Netherton Barns, Netherton, Kingsbridge, TQ9 7RQ

**Development:** Change of use of land to accommodate two omni pods for self-catering holidays

**Recommendation:** Refusal



**Reason for taking to committee:** At the request of the HOP Development Management

## Reasons for refusal

1. The proposal would result in development in the countryside in a remote location that does not relate well to existing buildings or settlements. In the absence of a compelling case for an exception to the policy requirements for development in the countryside, the proposal would result in unessential, unsustainable development in the countryside, inaccessible from local services, and to the detriment of local landscape character and therefore is contrary to policies SPT1, SPT2, TTV1, TTV2, TTV26, DEV15 and DEV23 of the Plymouth and South West Devon Joint Local Plan.
2. The proposed development, together with upgrading of the vehicle access, proposed paths, parking, bin storage and use of the surrounding ground for outdoor recreation areas, by reason of the design, siting and separation from the nearby existing buildings, would fail to conserve or enhance the sensitive landscape character of the area contrary to policies SPT1, TTV1, TTV26, DEV20 and DEV23 of the Plymouth and South West Devon Joint Local Plan.
3. The proposed development fails to provide for the disposal of foul waste contrary to policies DEV2 and DEV35 of the Plymouth and South West Devon Joint Local Plan.

**Key issues for consideration:** Principle of the development and whether this is a sustainable location, design, landscape, foul drainage and amenity.

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### Site Description:

- Not in South Devon AONB
- Flood Zone 1 (although Flood Zone 2/3 is further downslope in the fields owned by the applicant to the south).
- No listed buildings nearby
- SSSI Impact Risk Zone – but the proposed development does not meet the description which requires a consultation with Natural England

The site is located in the countryside and near to some existing residential properties, the closest being 50m to the north east of the site. The applicant considers Netherton to be a 'hamlet', but consisting of a few dwellings with no local services, it seems that a 'settlement' is a more accurate description.

The site is currently an agricultural field bordered by post and rail fence to the east and west, a hedgebank and stone wall along the north, and the southern boundary is marked by a watercourse and woodland. The site is steeply sloping from north east to south west and an unclassified lane runs along the northern boundary.

**The Proposal:** A "Unique luxury glamping experience that is a suitable holiday destination for visitors who are physically impaired." Rental from Easter to October half term. Each pod to accommodate 2 adults with no more than 4 visitors on site at any one time. The pods are

located within a steeply sloping field and so would not be accessible by car. A parking area is indicated on the submitted drawing near the field entrance and upslope from the pods.

Pods measure 8m x 4m x 3m and timber clad with a grey composite roof. Each unit includes a wet room. Includes a built in covered deck. A fire pit and BBQ are to be provided for each unit.

Units to be delivered for the season by a crane.

No surface water drainage is proposed as the small units are intended to drain naturally to the surrounding ground. Units to be connected to mains water and electricity.

### **Consultations:**

- County Highways Authority                      Standing Advice applies
- SHDC Environmental Health Specialist      No comments              received
- Parish Council                                      No comments received
- Landscape Specialist                          Objection
- Strategic Planning                              Objection
- Drainage Specialist

As an internal consultee we advise the LPA on foul and surface water drainage matters to ensure the development complies with the relevant legislation and guidance, including but not limited to, the NPPF and Flood and Water Management Act 2010.

We are no longer providing formal responses for the following applications that meet the Low and Medium risk criteria.

- House Holder
- Replacement dwelling & Change of use.
- Small scale minor (1-2 units)

Please look at the relevant guidance document on the website and assess accordingly. The guidance is arranged by application type, and identifies the requirements for each risk group.

If the application meets the minimum requirements then please include a suitable informative or conditions. If the application doesn't meet the requirements, or issues of flooding come to light during the consultation process then please re-consult and we will be happy to advise.

### **Representations:**

No letter of representation were received as a result of the public consultation

### **Relevant Planning History**

N/A

## **ANALYSIS**

### **Principle of Development/Sustainability:**

Emerging Joint Local Plan Policy TTV1: Prioritising growth through a hierarchy of sustainable settlements, aims to focus development in the main towns and villages and only to permit development in the countryside where it can be demonstrated to support the principles of sustainable development and sustainable communities with reference to policies SPT1 and 2 and as provided for by TTV26.

JLP policy SPT1: Delivering sustainable development seeks to support growth and change that delivers a more sustainable future and follows principles of sustainable development where “opportunities for business growth are both encouraged and supported ... [and] environmentally conscious business development takes place”. This proposal is not growth of an existing business but would be the development of a new one, however the key qualifier in this strategic policy is the second part. The section on landscape later in the report explains how the proposal fails to be environmentally conscious through adverse impacts on landscape character, and so conflicts with this policy.

SPT1 also seeks to reduce the need for greenfield development, protect natural assets, deliver overall gains in biodiversity and respecting and maintaining local distinctiveness and sense of place. By introducing an unusual built form, with no functional or visual connection to the adjacent buildings, this development in a remote agricultural field does not accord with the environmental requirements of SPT1.

The first part of JLP Policy TTV26: Development in the countryside, sets out criteria development should meet if it is isolated. The location is considered to be isolated in the sense of being remote from a settlement and having no functional or visual link to the nearest dwellings and buildings. The nearest buildings are principally agricultural buildings, or associated traditional buildings and cottages which are residential. This is not a settlement and even so, the additional of new structures as proposed, some 50m away is still to all intents and purposes isolated. The development would not protect the special characteristics and role of the countryside as it fails to meet any of the qualifying criteria of that policy, principally because it would not re-use traditional buildings (criteria ii), it would not be complementary to and may prejudice a viable agricultural operations on a farm (even grazing) and other viable agricultural uses (criteria iii), and it does not enhance the immediate setting of the site (criteria vi). With the only connection to local services and facilities being by public footpaths, accessibility other than by car would be poor which demonstrates the isolation of the site.

The site is not in a sustainable location. It is in the countryside and is not adjacent to or well related to any settlement identified in the JLP. It lies approximately 3km south of East Allington (a Sustainable Settlement), approximately 5m north east of Kingsbridge (a Main Town), and approximately 2.5 km north of Sherford (a settlement not identified in the JLP settlement hierarchy). The links between these settlements are generally restricted to the public highway which is a network of narrow country lanes with few passing places. East Allington Footpath 6 does extend most of the way between the site and East Allington village, and is likely to be used for a leisure walk to the village and local pub, but this is not sufficient to offset the otherwise remote nature of the site and its distance from the main road transport routes in the area which renders the location unsustainable.

The Council's JLP Team have been consulted to comment from a strategic planning perspective. Comments are provided here in full:

*“With regard to the above application, I find that the location should be considered entirely unsuitable for development of this nature, based in its location well beyond the settlement pattern of the South Hams and reliance upon a narrow, rural transport network. This view is endorsed by recent appeal decision APP/K1128/W/18/3217159 at Lower Leigh Farm [in which the Inspector comments:].*

*“These matters are further built upon by Policies TTV1 and TTV2, which set out the development strategy for the Thriving Towns and Villages and which aim to prioritise growth through a hierarchy of sustainable settlements and deliver sustainable development. Amongst other things, these policies make it clear that development in hamlets and the countryside will only be permitted where they can be shown to support the principles of sustainable development and sustainable communities. Policy TTV2 indicates that the delivery of sustainable rural tourism will be supported if it would benefit rural businesses, communities and visitors, and respect the character of the countryside and historic settlements.*

*8. Tourism development is referred to in Policy DEV15, which sets out measures through which the rural economy will be supported. In particular it explains that chalet or similar facilities that respond to an identified local need will be supported, provided they are compatible with the rural road network and have no adverse environmental impact. This policy also indicates that development proposals should demonstrate a safe access to the existing highway network, and avoid a significant increase in the number of trips requiring the private car.*

*9. Lower Leigh Farm plainly does not accord with the locational and accessibility requirements detailed above, and because of this I share the Council’s view that the appeal site has to be regarded as lying in an unsustainable location, only really accessible by private car...”*

*The design and access statement for the Netherton proposal describes the proposal site as being two miles from East Allington, 3 miles to Kingsbridge. The proposal at Lower Leigh Farm described in the above appeal was within 2-3 kilometres of Loddiswell, Kingsbridge and Churchstow, so closer than the Netherton proposal. As such I see no reason to suggest that Netherton is any more sustainable a location than one already described as being unsustainable. This would be contrary to policies SPT1, SPT2, TTV1, TTV2, TTV26 and DEV23.*

*Subsequent approvals, not least 1855/19/FUL at Buckland Park Farm, Bantham have taken into account other material consideration, including relevant planning history, before applying the planning balance that weighed benefits versus impacts and coming to a decision. As such these decisions cannot be used to infer a particular policy approach or interpretation that could be applied to other proposals, as the circumstances of each application are different and distinct.*

*I also consider that the proposal at Netherton contains nothing more than anecdotal justification of ‘need’, and that the proposal does not accord with the requirements of DEV15.”*

This advice concurs with the case officer assessment already provided above and, overall therefore, the proposed development is not acceptable in principle.

## Economic considerations

This application suggests the development will diversify the use of the land but does not specify from what existing use. The application does not claim that any jobs will be created by the development, but suggests that the land will have dual use as grass/silage production and the proposed holiday accommodation. The slope of the land however is steep and the land levels drop from approximately 73m AOD at the entrance to approximately 50m AOD at the foot of the slope. This would make vehicular access for grass/silage collection difficult and weather dependant to ensure safe ground conditions. It is also noted that the current site arrangement does not allow for such vehicular access and it is more likely that the land is used for grazing which is not compatible with the residential holiday accommodation use, and therefore could not be defined as agricultural diversification.

This casts some doubt on whether the development would truly deliver agricultural or other business diversification/growth opportunities which JLP policy SPT1 and TTV2 (Delivering sustainable development in the Thriving Towns and Villages Policy Area) might otherwise support. TTV2 supports the “*growth and expansion of rural businesses and enterprise*” but the application describes no existing business connected with the development. The policy also seeks to support “*sustainable rural tourism and leisure developments that benefit rural businesses, communities and visitors and respect the character of the countryside and historic settlements.*” The location has already been determined as not sustainable, and the adverse impacts on local character is discussed in detail in the later sections of this report. Therefore, the development conflicts with the qualifying criteria for rural businesses to secure support through this policy.

The applicant argues that there is a demand for glamping sites in the local area, but provides no evidence to substantiate this. It should be noted that ‘demand’ is also distinct from ‘need’, and as the development is not associated with the viability of an existing rural business no argument has been made in that respect either.

The development is proposed to be in situ for the Easter to October only and so would not extend the tourist season. It is also noted that the necessary associated infrastructure (paths and levelling to accommodate the buildings) would remain outside the holiday period with the associated adverse visual impact therefore being year-round.

JLP policy DEV15: Supporting the rural economy, offers support for “*proposals in suitable locations which seek to improve the balance of jobs within the rural areas and diversify the rural economy.*” It has already been established that this is not a suitable location as it is not a sustainable location. However the provisions which the policy also applies are not all met. Criteria 2. Offers support for:

*“Business start-ups, home working, small scale employment and the development and expansion of small business in residential and rural areas [which] will generally be supported, subject to an assessment that demonstrates **no residual adverse impacts on neighbouring uses and the environment.**”*

The qualifying part of this policy highlighted in bold is discussed in more detail in later sections of this report, but in summary the development does not meet this test. There is no re-use of existing buildings which the policy prioritises in criteria 4. The accommodation would be located in the middle of a field, not against any boundary, with no functional or visual link to the adjacent dwellings and buildings and some 50m distant being accessed directly from the road. They are oriented to face into the valley to the south west

and away from existing nearest development and no alternative is possible due to the slope of the land.

Part 8 of policy DEV15 says development proposals should:

*“ii. Avoid a significant increase in the number of trips requiring the private car and facilitate the use of sustainable transport, including walking and cycling, where appropriate. Sustainable Travel Plans will be required to demonstrate how the traffic impacts of the development have been considered and mitigated.*

*iii. Demonstrate how a positive relationship with existing buildings has been achieved, including scale, design, massing and orientation.*

*iv. Avoid incongruous or isolated new buildings. If there are unused existing buildings within the site, applicants are required to demonstrate why these cannot be used for the uses proposed before new buildings will be considered.”*

The location would rely on private car use, not only due to the remote location (discussed earlier), but especially for the intended customers as the units are designed to accommodate people with disabilities. The development would not have a positive relationship with existing buildings being 50m away and down slope with a separate access. Their design is similar to a Nissen hut with peaked ridge and having an oblong footprint. This design and their position in the landscape would be highly incongruous and unusual in this location and so on these counts conflicts with the policy also.

Overall, the support that the JLP gives for economic development cannot be applied to this proposal.

### **Design/Landscape:**

The Landscape Specialist comments are included here in full as they provide a detailed assessment of this matter with which the case officer concurs:

#### ***Landscape Specialist Comments***

*The proposed development is located close to the small hamlet of Netherton, a rural settlement comprising of a cluster of traditional farmsteads and properties. The 2 holiday units (pods) would be positioned within an agricultural field to the south-west of Netherton, about a small tributary stream which feeds into Bowcombe Creek on the Kingsbridge estuary.*

*It is situated right on the boundary of two Devon Character Areas; this often makes for a more complex landscape where differing key characteristics are seen in close proximity, increasing sensitivity to change as they merge. Whilst principally within the Salcombe and Kingsbridge Estuaries CA, its location on the upper slopes of a small valley side away from the easily recognised tidal waterways, it is more strongly influenced and characteristic of the adjacent Mid Avon and West Dart Valleys and Ridges CA; whilst the surrounding farmland sits on rounded ridges, the landscape reflects a dissected plateau landform with an inland character, enclosed by adjacent woodland (protected by a TPO) and principally pastoral fields. There is no definite grain or pattern to these valleys, creating a sense of disorientation, further contributed*

to by the lightly settled nature of this scenic landscape, enclosed by winding lanes flanked with high Devon hedgebanks (emphasising the convex slopes).

Whilst not within a nationally protected landscape, it is highly valued for its scenic quality, with associated valleys within the adjacent South Devon AONB (approximately 2km to the south-west). Similarly, away from settlements and roads, levels of tranquillity are amongst the highest in South Devon. The associated guidelines for the DCAs seek to protect and manage:

- Protect the landscape's **high levels of tranquillity** through the control and management of development
- Protect the **sparse settlement pattern** of farmsteads and nucleated villages or hamlets nestled in valleys and landform dips on plateau; ensure that any new development respects local vernacular building styles and settlement forms, whilst incorporating sustainable design
- Manage and re-link fragmented patches of unimproved **species-rich grassland**; support farmers in extensively grazing these areas as integral parts of their farming systems.

Similarly the Landscape Character type also identify a number of valued attributes which are strongly reflected locally. This includes:

- Secluded, rural tranquil valley landscape
- Intact historic settlement pattern of small nucleated villages and dispersed farmhouses, with distinct Devon vernacular
- The intimate winding narrow roads and sunken lanes enclosed by Devon hedges which contribute to
- the hidden, secluded and historic character

It is summarised as an intact landscape character, with an overriding sense of tranquillity and remoteness, with increasing pressure from forms of development which adversely affect the rural character, and also increased recreational pressure resulting in elevated traffic levels on narrow winding lanes, again affecting tranquillity, and 'new leisure development eroding the rural character.'

With the identified baseline position, as summarised above, the proposed development would clearly conflict with a number of the valued attributes and important characteristics of this highly scenic and particularly tranquil rural landscape. The nature of the proposal, although considered '...tasteful, innovative and thoughtful' would have an adverse impact on the character and, locally, the visual amenity.

The introduction of two pods into this steeply sloping agricultural field, where they are prominently located on the upper slope to allow access for all, would change the strongly rural character, failing to conserve or enhance the landscape character and visual amenity. Whilst consideration has been given to a degree to limiting the wider impacts in terms of the built form and associated activities, although the pods themselves are 8m long, it is the officer view that to accommodate the requirements and needs of the identified users, with level, accessible areas, and fully serviced, then the surrounding landform and associated structures will need to be engineered to such



*a degree that the overall development will appear incongruous with its highly rural setting. This could not be successfully mitigated and fails to conserve the identified character, and as such, is contrary to JLP landscape policy DEV23 and NPPF para170.*

The application states that the site is level and screened by surrounding woodland, which is not accurate. There are hedgebanks and a section of low stone wall along the northern (upslope) boundary, the southern boundary is marked by the watercourse and woodland and the western and eastern boundaries are marked by a post and rail fence. Importantly, however, because the site has a steep change in levels from the north eastern access point to the south/south western boundary it is exposed to views from surrounding land and in particular gate gaps to the south west.

The application states that the access to be resurfaced with rolled stone. This would be possible without planning permission for an agricultural use, but the parking of 4 domestic vehicles in the elevated position visible from the adjacent country lane would be unusual in this location. It is common for an agricultural vehicle or single car to be parked inside a field access for the maintenance of the land, but the proposed parking area would be unusual and would not conserve or enhance the landscape character. The plans also show the parking area to be used for bin storage which would further domesticate and conflict with this remote agricultural and rural setting.

In addition to JLP policy DEV23: Landscape character, DEV20: Place shaping and the quality of the built environment also requires development proposals to meet good standards of design and contribute positively to landscape. The style in terms of the shape and fenestration of the proposed units does not reflect or appear to be guided by local distinctiveness and the surrounding agricultural uses with traditional buildings, and the location in terms of siting, orientation and visual impact has already been analysed and found to be inappropriate in this setting. This fails to conserve or enhance the sense of place which is ostensibly agricultural and not residential.

### **Neighbour Amenity:**

The separation between the site and closest dwelling is approximately 50m. The distance and intervening hedges and change in land levels avoid potential noise and privacy issues for both existing and proposed occupants. It is unlikely that there will be significant noise disturbance for the occupants of the nearest dwellings as the proposed buildings would be positioned facing away (south west) from the existing dwellings. However, the adverse impact on tranquillity would diminish and there would be an adverse impact on amenity in terms of the ability for people to enjoy the tranquillity of this area as a natural landscape resource. More detailed consideration of tranquillity can be found in the section above.

Assuming waste would be frequently collected and disposed of appropriately there should be no adverse amenity effects from the bins storage area.

### **Ecology:**

The submitted wildlife trigger list indicated no Preliminary Ecological Assessment was necessary. The development would result in a small area of improved grassland being lost to the development to the extent of the footprint of the two pods and the pedestrian access paths. There are no statutory biodiversity designations which relate to the site. While the biodiversity/ecological impacts of the development are negligible, the application does not include any proposals to enhance biodiversity which is required by JLP policy DEV26 which

states *“delivery of net gains in biodiversity should be designed to support the delivery of the identified biodiversity network that crosses the Plan Area ... [and] Enhancements for wildlife within the built environment will be sought where appropriate from all scales of development.”*

Biodiversity net gains in this case should not be difficult to secure on land surrounding the buildings which is also in the ownership of the applicant. However no proposals are put forward by the applicant in this case and so as it stands the development conflicts with DEV26.

### **Highways/Access:**

No changes were originally proposed to the site access other than the existing field access being surfaced with rolled stone. However the case officer site visit identified that the visibility from the access toward the west was poor due to the stone wall and road alignment. The access is gained from the north eastern corner of the site, right onto a T junction on a narrow lane with poor visibility and no passing place. While the agricultural use of the field could continue unregulated, earlier sections of this report explain that the slope of the site suggest it is unlikely that large agricultural equipment and vehicles would need to access the site which lends itself to grazing. Were the development to be approved, a revised site access might be necessary with advice from DCC Highways and with minimal intervention to retain the agricultural character and avoid loss of the traditional stone wall west of the access. Vehicles would need to enter the site from the east only if no changes were made to the existing access in order to provide a suitable angle for turning into the site and to avoid blocking the road with a vehicle manoeuvre.

Access around the site is proposed by ‘topping’ of a small pedestrian path to each unit – no details were provided. Pedestrian paths of any sort cutting through the field would be detrimental to the landscape character. While these may not be seen from the adjacent lane to the north, they may be seen in longer views from the gate gaps to the south west. In addition, the landscape has an intrinsic character which is valuable regardless of specific views into the site and surfaces footpaths, in combination with the parking area, bin storage and the units themselves would be inappropriate in this setting.

Notwithstanding the visual impacts of the accesses and paths, the requirements of policies DEV15.8.i. and JLP policy DEV29 are satisfied because there is an existing serviceable access and the road network is capable of accommodating the small level of additional traffic.

### **Drainage and services:**

A water treatment plant with associated drainage field is proposed to be installed but details are not provided other than on the submitted form FDA1. The application suggests a package treatment plant which would require a separate planning consent to install. Without any details for disposal of foul waste, the development fails to accord with JLP policies DEV2: Air, water, soil, noise, land and light, and DEV35: Managing flood risk and water quality impacts.

The application also states each unit will be connected to mains water and electricity but no details of this are provided. Engineering works for this would require separate planning consent. It is noted that a more rudimentary cable and overland pipe could be intended which is unlikely to require consent, although the visual impact of this option could be detrimental to the character of the location. Visible infrastructure to support the units is not desirable in this sensitive and remote rural location.

**Environmental Health:**

No comments were received from the Environmental Health Specialist following consultation. However from the information provided by the applicant on the submitted forms, the risk of contamination appears to be low and so if this application were being recommended for approval, an 'Unsuspected Contamination' planning condition would be appropriate and accord with policies DEV1: Protecting health and Amenity and DEV2: Air, water, soil, noise, land and light.

**Other Matters:**

The Design and Access Statement says that the pods will be equipped for disabled access, however the location of them on a steeply sloping site appears to prevent or at least hinder access to the units by people with mobility impairments.

The application states that the land will continue to be farmed when the pods are in use and in place with mowing for hay/silage in the spring. An appropriate for the proposed pedestrian paths may not prevent this, but no detail is provided and the land required is not included in the plans. The relatively small footprint of each pod would result in a marginal loss of ground to productive agricultural use, but the associated infrastructure for electricity and drainage connections may hinder the agricultural use and details of how this would be avoided have not been provided.

The submitted plan should have included additional land within the red line areas because the change of use would apply to land surrounding the pods for amenity use which is described in the written submission and for the access paths. However, the amendment of these plans would not have changed the LPAs position on the principle of the development.

No submission has been made to address the requirements of DEV32: Low carbon development.

**Conclusion:**

The site is not considered a sustainable location as it is over 3km from services and facilities in the closest settlements which would rely on use of private car increasing traffic along extremely narrow remote roads. Future holiday makers would be reliant on motor vehicle to meet their daily needs in surrounding settlements. Additional trips on these roads as well as the introduction of a new development and associated infrastructure would erode the tranquillity of the location and result in adverse landscape and local character impacts. There is no provision for foul waste to be disposed of and land around the buildings the use of which would also be changed has been excluded from the submitted plans. The proposal does not meet the criteria of JLP policies supporting economic growth and the applicant makes no argument in terms of the need or justification based on the growth or diversification of an existing rural business. Overall therefore, the proposed development is contrary to the strategic policies of the JLP which establishes a clear settlement hierarchy for the location of new development and is contrary to detailed policies relating to landscape character, the rural economy, biodiversity and environmental protections. The application is therefore recommended for refusal.

***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.**

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  
DEV1 Protecting health and amenity  
DEV2 Air, water, soil, noise, land and light  
DEV15 Supporting the rural economy  
DEV20 Place shaping and the quality of the built environment  
DEV23 Landscape character  
DEV29 Specific provisions relating to transport  
DEV32 Delivering low carbon development  
DEV35 Managing flood risk and Water Quality Impacts

Other material considerations include the policies of the National Planning Policy Framework (NPPF) including but not limited to paragraphs 8, 83, 84 and 170 and guidance in Planning Practice Guidance (PPG). Additionally, the following planning documents are also material considerations in the determination of the application: South Hams Landscape Character Assessment.

### **Neighbourhood Plan**

The Frogmore and Sherford area has applied for designation only (Reg 5, 5a, 6 and 7) so there is no draft plan to take into account.

### **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.

