

## PLANNING APPLICATION REPORT

**Case Officer:** Jacqueline Houslander  
and Cornwood

**Parish:** Shaugh Prior **Ward:** Bickleigh

**Application No:** 2266/19/FUL

**Agent/Applicant:**  
Rowan Edwards Ltd  
21 Plymouth Road  
Tavistock  
PL19 8AU

**Applicant:**  
Mr N Clarke  
Lilymoor  
Lee Moor  
PL7 5AF

**Site Address:** Land at SX 570 617, Lee Moor, PL7 5JD

**Development:** Erection of 4 dwellings (re-submission of 3151/18/FUL)

**Reason item is being put before Committee** This application was submitted after a positive pre app response and then a subsequent refusal. The Head of DM has requested that it be heard by the Development Management Committee.



**Recommendation: Refusal**

### Reasons for refusal

1. The proposed dwellings are located on the very edge of the settlement of Lee Moor in an area which is characterised by Moorland. The proposed dwellings would urbanise this edge of settlement location to the detriment of the Moorland landscape. As such it would not conserve and enhance the natural landscape and would be contrary to Policy DEV23 in the Plymouth and South West Devon Joint Local Plan.

2. The proposed dwellings are introducing a material (timber cladding) which is uncommon in this rural village and being located on a very visible hillside on the rural edge of the village would be inappropriate. In addition the layout of the dwellings runs counter to much of the rest of the development in the immediate locality, creating a pattern of development which jars with existing development and is considered inappropriate, contrary to Part 1 of Policy DEV10.
3. The proposed dwellings do not respond to a locally identified housing need and evidence has not been provided to justify a local need. As such the proposal would not meet Policy TTV25, TTV27 and Policy DEV8 of the Plymouth and South West Devon Joint Local Plan.
4. The proposed development would produce dwellings within close proximity to existing neighbouring gardens such that they would cause harm by overlooking and loss of privacy to the rear gardens, contrary to Policy DEV1 in the Plymouth and South West Devon Joint Local Plan.
5. Insufficient drainage information for the proposed dwellings has not been provided and as such the proposal cannot demonstrate that the development can be adequately drained, which is contrary to Policy DEV35 paragraphs 4 and 8 which seek to ensure development proposals have appropriate measures in place for both surface water run-off and foul drainage.

**Key issues for consideration:** Location of development; housing mix; local housing need; landscape; design; highways; community facilities, drainage, amenity, meeting community infrastructure needs and mitigating impacts of development?

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

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The Government has advised that the New Homes Bonus scheme will end after the 2020-2021 financial year and 20-21 is the last year's allocation. The 2020-21 NHB allocation for the Council will be based on dwellings built out by October 2019. A statement about a replacement scheme is expected in the New Year.

This application will be built after the October 2019 cut off for the New Homes Bonus funding, so no NHB funding will be received.

However, the Council does not know whether a replacement scheme is likely or not to pay the Council similar funding levels.

For information, under the New Homes Bonus scheme an amount of £1,337 was payable to the Council for an individual property, with an extra £280 if the property was for affordable housing.

Members are advised that this is provided on an information basis only and is not a material planning consideration in the determination of this application.

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**Site Description:**

The site consists of a field understood to be in equestrian use situated to the south of the dwellings forming Montague Terrace. Those directly adjacent to the site are the result of a more recent development. The site benefits from an existing field access on its eastern boundary with the road/track that serves the terrace and passes the site from northeast to southwest.

Directly adjacent to the site there is a metal profile building which was granted retrospective planning consent as a replacement agricultural building. This building is outside of the red-edged site area but within the applicant's ownership as defined by the blue line on the plans. This building is not shown as being removed and therefore is assumed to be retained.

**The Proposal:**

The proposal is to erect two pairs of two storey semi-detached open market dwellings up the slope of the site. Unlike the existing properties that are aligned so as to front onto the road and

along the contours that serves Montague Terrace the proposed dwellings are aligned at approximately 90 degrees to this linear form of development. Each dwelling would thus drop down the slope. The slope is currently approximately a 1:10 fall. The proposed dwellings are 3 bedroomed with a lounge and separate kitchen dining area on the ground floor.

The elevations indicate a render ground floor with a timber clad first floor on the west elevation. A lean to porch is proposed over the front doors. Natural slate is proposed for the roofs. Windows are proposed as aluminium covered upvc and the doors are proposed as timber.

### **Consultations:**

- County Highways Authority: No objection  
“The Highway Authority notes the road that serves the site is a partly unmade private road, which is in need of repair. The proposals look to add four houses to the private street, which already has a number of properties served off it. In an ideal world the road should be repaired following construction, however as the road is private whether this happens is a matter for the applicant to agree with the existing street administrators.”
- Environmental Health Section: Request unsuspected contamination condition
- Town/Parish Council: Support. The PC would still recommend in support of this application subject to the following issues being addressed/conditions being attached:
  1. A condition should be attached relating to a condition survey of the existing lane prior to the works commencing so any damage caused during construction works can be put right. The applicant should also be made to re-surface the lane in order to bring it up to an appropriate standard commensurate with the increased use it will get.
  2. The existing oak tree along the frontage should be protected.
  3. At least one or more of the units should be affordable.
  4. Has any consideration been given to the increased demand this will place on foul water drainage connections? This needs to be addressed.
  5. The design of the dwellings is particularly poor for such a rural location and the PC would suggest that a more appropriate building design be considered which utilises materials which are more natural to the surroundings of the proposed units. If this cannot be achieved then we would suggest that this could result in a recommendation of refusal of the application.
- Tree Officer: No objection on arboricultural merit subject to satisfactory review of the following document prior to commencement.  
Revised tree protection plan.
- Open Space Sport and Recreation: Joint Local Plan policies DEV 4 and DEV 27 set out the rationale for seeking OSSR provisions as key infrastructure for securing the delivery of sustainable development and meeting the various needs of the community. Until a new SPD is adopted, levels of reasonable contributions for OSSR provisions are detailed within the SHDC OSSR Supplementary Planning Document (2006).

The application is a re-submission of application 3151/18/FUL and is for the provision of four new 4-bed dwellings.

Current OSSR facilities in Lee Moor comprise a play area and playing field. The Play Audit undertaken in 2017 as part of the Joint Local Plan evidence Base (OSSR Study, 2017)

scores the play area 2 out of 5 (weaknesses, needs improvement) and notes that the Parish Council are looking to improve the site.

The South Hams Playing Pitch Strategy (latest update June 2019) notes that the changing rooms at the Lee Moor playing field are in need of an upgrade.

It is highly likely that any new residents would use the existing play and sports facilities, which are key pieces of the village OSSR infrastructure. New residents would add pressure to these facilities which have already been identified as in need of improvement, and the pressure would require mitigating to assist with making the facilities sustainable.

A financial contribution would thus be required in accordance with the SHDC OSSR SPD (2006) to improve the local facilities and mitigate the impact of the development. Applying Tables 3 and 6 of the 2006 SPD the required contribution would be as follows:

£11,900 towards improvements to changing facilities at Lee Moor Playing Field

£7,600 towards improvements to Lee Moor Play Area

Drainage: The drainage engineers have objected to the proposal on the basis of lack of information with regard to the surface and foul water drainage.

Subsequent information has been received.

Devon County Council Education: The proposed development creates the need for 1 additional primary school place and 0.6 secondary pupils. The two schools affected are Shaugh Prior Primary School and Ivybridge Community College. The primary school has capacity but the secondary does not and therefore a requirement of £13,152. A contribution towards transport is also requested for both primary and secondary. This equates to: £4,003 for the primary pupil and £3,315 for the Secondary contribution. A further legal cost of £500 is also required from the County Council.

## **Representations:**

### **Representations from Residents**

Objections with the following concerns (5 letters):

- Lack of parking
- There has been too much expansion of this rural village
- There is massive disruption when anyone decides to build a new house
- Numerous wildlife including cuckoos, ponies, sheep, peregrines.
- If anything is needed in the village it is a fire station or doctor's surgery.
- Construction traffic and future resident's traffic would cause damage to the retaining wall which borders the road and rear gardens of St Aubyns terrace. The wall is currently in a poor state of repair and additional traffic would compound the issue.
- Also concerned for the oak tree which we know has a preservation order on it.
- The track leading to the development is unstable – there are two areas where the track has given way due to pressure (No. 1 St Aubyn Terrace and No. 12 ). An additional 8 parking spaces above the gardens of St Aubyns terrace will be detrimental
- Overdevelopment of the site and the area which is countryside.
- This resubmitted application does not address the previous reasons for refusal in terms of the scale and nature of the development in an area of countryside on the periphery of the village.
- Why are so many houses squeezed into a site which is not adequate?
- The track sits on a steep side and is already subsiding into the terrace

## **Relevant Planning History**

42/0784/10/F: FUL

Proposal Retrospective application for replacement agricultural building

Site Address Barn at SX 57086176 adj Montague Terrace Lee Moor  
Decision Conditional approval: 09 Jun 10

42/1967/14/PREMIN: PRE

Proposal Pre - application enquiry for proposed erection of 4no. Semi-detached units (total 8 units)

Site Address Land at SX661761 Lee Moor Plymouth

Decision Pre application - No Officer support given: 29 Oct 14

3828/17/FUL

Relocation of existing agricultural/maintenance building from the Eastern boundary to the Western boundary of the site

Land at SX 570 617, adjacent to Montague Terrace, Lee Moor

Conditional Approval 20/12/2017

3151/18/FUL

Erection of 4 New Dwellings

Site Address Land at SX661761 Lee Moor Plymouth

Refusal 1/ 3/2019

## **ANALYSIS**

### Principle of Development/Sustainability:

The Joint Local Plan provides a hierarchical approach to the acceptability or not of residential development and its location based on the presumption in favour of sustainable development advocated in the NPPF 2019.

Policy SPT1 promotes sustainable development and SPT2 provides detailed criteria which indicates what is a sustainable settlement. Policy TTV1 refers specifically to the hierarchy of settlements where new development is accepted in the Thriving Towns and Villages Policy Area. The focus of new residential development should be in the main towns of the Policy Area, this is followed by Smaller towns and Key Villages. The next on the hierarchy are the sustainable villages and finally the smaller villages, hamlets and the countryside, where residential development is more restricted and has to meet relevant criteria to be acceptable. LeeMoor is identified in the JLP as a Sustainable Village.

The application site lies at the periphery of the village beyond any built development in this part of the village, although St Aubyns terrace, below the site does extend beyond to the south. However this is lower down the slope and so is more closely associated with the main part of the village.

Policy TTV26 relates to development in the countryside. This site lies on the edge of the village and because there are no settlement boundaries is in the countryside. Part 2 of Policy TTV26 is relevant to this type of development – Part 1 of the policy only relates where development is isolated. For development in the countryside the policy states:

*“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."*

Part iv is of most relevance as it requires development to be required for agricultural or forestry purposes or an occupational need which requires a countryside location. No such justification has been provided in this case. The proposed development would not meet Policy TTV26.

The Council can now demonstrate a 5 year housing land supply which means that windfall proposals such as this must be fully policy compliant to be justified over and above those sites which are allocated within the JLP.

Lee Moor is identified in the JLP as a Sustainable Village and as such land adjacent to the settlement can be considered under Policy TTV27 which states that *"Proposals for residential development on sites adjoining or very near to an existing settlement which would not otherwise be released for this purpose may be permitted provided that it can be demonstrated that*

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

In this case, no evidence has been submitted which indicates there is a local need for 3 bedroom semi-detached dwellings. The proposed dwellings are also for the open market, which would not comply with part 2 of Policy TTV27.

Policy TTV25 allows for approximately 550 homes in the Sustainable Villages. The policy states that the LPAs will be seeking Neighbourhood Plans in these villages to provide for the identified local housing need. The policy States: *"Development within the sustainable villages, including the indicative level of housing set out in Figure 5.8, should be provided through neighbourhood plans, unless such provision would conflict with other policies of the JLP."*

Where villages do not have Neighbourhood Plans, which is the case here, the policy states *"LPAs will still support development that meets the identified local needs of local communities and development which responds positively to the indicative housing figures set out in Figure 5.8. All development proposals, whether in villages which have neighbourhood plans or not, will be considered against the other policies of this plan"*.

Figure 5.8 in the JLP is a table which sets out the indicative numbers of dwellings different sized villages should provide in the plan period. For Lee Moor, which is a smaller sustainable village the number is 10 dwellings.

The Policy therefore requires that if developments in sustainable villages without a Neighbourhood Plan can be acceptable, it is based on the dwellings meeting an identified

affordable housing local need. In this case no such need has been put forward. The proposed dwellings are market housing and there is no information available at present about the local need for market or affordable housing in Lee Moor. As a result whilst the number of houses proposed is under 10 and so could contribute to deliver the indicative number in paragraph 5.8 table, there is no identified local need which the proposed dwellings are meeting and so as such the proposal fails to comply with Policy TTV25.

Policy DEV8 also requires that housing development should be provided based on local need. *“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. The most particular needs in the policy area are:*

*i. Homes that redress an imbalance within the existing housing stock.*

*ii. Housing suitable for households with specific need.*

*iii. Dwellings most suited to younger people, working families and older people who wish to retain a sense of self-sufficiency.”*

No such evidence has been provided to justify the 3 bedroom semi-detached market dwellings proposed.

Referring to the ONS data for the Shaugh Prior Parish, it appears that the spread of dwelling types across the parish is broadly similar to the South Hams average, with a smaller proportion of 1 bedroom residential units in the parish and a higher proportion of detached and terraced dwellings in the Parish. Semi-detached properties may meet one need, but the need is for 1 bed units which this proposal does not meet a local need.

The proposal fails to meet policy TTV25 and DEV8 in relation to local housing need.

#### Design/Landscape:

The landscape character of the site, despite the presence of the existing buildings, still reads as being part of the moor. Policy DEV23 in the JLP relates to the landscape impact of development proposals. Development *“should conserve and enhance landscape, townscape and seascape character and scenic and visual quality, avoiding significant and adverse landscape or visual impacts.”*

The site acts as a transitional break between the terraces of dwellings to the north and the more rural/moorland edge. The proposed dwellings are shown as being orientated at right angles to the main grain of development along Montague Terrace.

Whilst the proposed orientation reduces the visual profile when viewed from the road it appears as a rather forced/contrived response to accommodate the number of dwellings as proposed and as such reads as an incongruous form of development that harms the character of both the rural landscape setting and the townscape, which runs with the contours of the land.

The layout also sees the access road to the dwellings running upslope from east to west, which will further add to the hard urbanity of the development against the rural/moor landscape. The layout also forces the parking to be located to the front of the dwellings and there is substantial provision because of the number of units being proposed. This is again of concern as this means that the development will present a rather cluttered presence to the wider locality with cars parked to the front of the development. Again this will harm the current landscape character and it is not well resolved in design terms.



Policy DEV10 seeks to ensure housing proposals meet good standards of design. It seeks to ensure that development should be of a high quality and provide adequate space to achieve good living standards. Part 1 of the policy seeks to ensure that development integrates with adjacent developments and does not appear unrelated. This impacts on the building design, materials and layout. The proposed design of the dwellings indicates pitched roof houses, with a natural slate roof, render and timber clad walls and typical modern elevations. The render and natural slate can be found locally in Lee Moor. The timber cladding is a more modern addition and is not typically found in the village. With the site lying at the edge of the village with moorland beyond the use of timber cladding is considered inappropriate and stone or slate hanging in this location would be more appropriate.

The layout of the dwellings is also of concern. The prevailing layout in this part of the village is of terraces of development along the contour lines of the slopes of the village. The proposal runs counter to this and is at 90 degrees to the slope and results in a development which steps down the slope and a highly visible access road. This does not integrate well with the existing development as required by the policy. It is therefore considered that the proposal does not meet part 1 of the policy.

Part 5 of Policy DEV10 seeks to ensure that National Space Standards are achieved in new housing developments. The application submission provided a table indicating the room sizes, overall floor area and storage space proposed. The dwellings meet those prescribed standards.

Neighbour Amenity: The proposed dwellings are approximately 8 metres from the two adjacent dwellings which have their gables facing the application site, but also the distance will mean that the rear garden of the closest dwelling will potentially suffer loss of privacy and overlooking from the proposed dwellings. Policy DEV1 seeks to ensure residential amenity of existing dwellings is not affected by new development. Whilst there have been no concerns raised by the current occupiers of the adjacent dwelling, it is considered that the proximity of the proposed dwellings will result in overlooking of the rear of the adjacent property resulting in a loss of privacy in conflict with policy DEV1 of the JLP.

Highways/Access: The proposed dwellings will be accessed off a road which is currently equivalent to a farm track. It is then proposed to construct a road off the track at 90 degrees up the slope. The access road will have 8 parking spaces accessed directly off the new road. A turning space is provided beyond the end of the access road to the dwellings. The Highway Authority provided the same comments as provided on the previous application for this site, raising no objection, but mention the condition of the access road and suggest that it would benefit from some repairs, however the road is private and so it is not something that the Highway Authority can insist on. The proposal meets policy DEV29

Drainage: The drainage proposed for the site is foul drainage to an existing sewer and surface water to soakaways located in the parking areas at the front of the proposed dwellings. It is also proposed that the access road will be surfaced with permeable paving / surfacing. The Drainage engineers initially objected on the basis of lack of information. Additional information was requested however the information provided was still insufficient. Therefore the proposal fails to provide suitable and appropriate drainage facilities at this point. The proposal is therefore contrary to Policy DEV2 and DEV35.

Section 106 Agreement: The Open Space, Sport and Recreation Team have requested a sum of money to contribute towards local play facilities. In addition Devon County Council Education have requested a contribution towards secondary education and towards primary



and secondary school transport costs as the nearest primary school is at Shaugh Prior and the Community college at Ivybridge is the nearest Secondary school. Both schools require contributions to meet the additional demand occupants would place on those facilities.

As the application is being recommended for refusal then it is not possible to agree a Section 106 Agreement. The applicant has however submitted a Unilateral Undertaking to provide for the contributions requested. Ref to DEV30 and DEL1.

#### Tamar Estuaries SAC

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 condition, and this approach has been agreed by Natural England.

Ecology: There were no identified ecology issues with the site a PEA was submitted in support of the application which indicated that there would be no wildlife impacts from the development of the site.

A tree survey was also provided in support of the development which identified two oak trees along the northern boundary of the site. The tree officer has reviewed the survey information and has no objection to the proposal subject to a condition securing tree protection.

#### The pre- application advice

Prior to the submission of the previously refused planning application (3151/18/FUL) the applicant submitted a pre application enquiry for the provision of 8 dwellings, 4 semi-detached pairs in the current site and in the land to the west of the current application site. The access road was at the rear (north) of the proposed properties.

The pre application response was sent via an email on 23rd April 2018. In summary the response indicated that:

- The site was outside of the settlement boundary and so in conflict with the Councils housing policies
- The Council could not demonstrate a 5 year housing land supply and so the weight to be applied to the housing policies is diminished
- Lee Moor is otherwise considered to be a sustainable settlement
- The residential development of this site is supported in principle
- Whilst no objection from the highway authority, It is recommended that the private road should be upgraded.
- The proposal was subject to an affordable housing requirement because of the numbers of dwellings proposed.

The applicant is clearly concerned that the pre app was relatively positive and when a planning application was subsequently submitted, it was refused.

In essence the difference between the consideration of the proposals now and the pre application in 2017/2018 is the adoption of the Plymouth and South West Devon Joint Local Plan and the fact that the Council can now demonstrate a 5 year Housing Land supply which means the current policies relating to housing delivery have full weight.

The adoption of the JLP means that settlement boundaries have been removed. Housing need is now a more fundamental consideration in the planning decision making process because of the need to provide a balanced housing mix in the Thriving Towns and Villages Policy Area.

Whilst the JLP had not been formally adopted when the decision (3151/18/FUL) had been issued, it was just about to be adopted and in determining planning applications at that time the JLP was given greater weight as an emerging document than it would have been given when the pre app response was sent out in the middle of 2018.

Additionally and importantly, when decision (3151/18/FUL) was made it had been established that the Council had a 5 year housing land supply, which had not been the case when the pre application was considered. The lack of a 5 year housing land supply had meant that the Councils housing policies were not up to date, as stated in the NPPF 2012 – para. 14. The result being that some housing developments on the edge of settlements were found to be acceptable if the settlement was considered to be sustainable. Lee Moor at the time and also now (under the JLP) is considered to be a sustainable settlement.

As discussed above there are current development plan policies which the proposed dwellings do not comply with, but at the time of the pre app these policies were of very limited weight in the planning decision making process.

Low carbon development is covered by Policy DEV32. It seeks to reduce carbon related emissions as a result of development. The proposal has not identified any carbon saving initiatives. The proposal would therefore not be in accordance with Policy DEV32. However, it is not proposed to provide a reason for refusal in relation to this aspect of the development because the applicant has not been asked to go to additional expense in providing such information when there were already in principle concerns with the proposal.

#### Conclusion and Planning Balance:

The proposal lies on the edge of the village and is in the countryside because of the very rural setting that it sits within. It does not comply with the countryside policy TTV26 or the exceptions site policy TTV27. Lee Moor is identified in the JLP as a Sustainable village, which would allow for up to 10 additional dwellings within the settlement or adjacent to it if they met a demonstrable affordable housing need. The delivery of the dwellings should either be through the Neighbourhood Plan process or by providing for a locally identified housing need. No such justification has been provided and so as such the proposal fails to meet Policy TTV25 and DEV8.

In landscape terms this site is classed as countryside and the development is located in a landscape which is rural in nature and reflects the Moorland setting of the village. It is considered that the imposition of development which runs contrary to the prevailing built form and character of the village; includes an access road which also runs contrary to the contours would have a significant adverse impact on the landscape and would not conserve and enhance that landscape setting. As such the proposal is also contrary to Policy DEV23 of the JLP.

At the time of writing the report the Unilateral Undertaking for the OSSR and Education contribution has been received and subject to confirmation by the legal department could provide for the OSSR and Education contributions generated by the development. However

the payment of planning obligations does not override the 'in principle' concerns already identified and it is 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

TTV27 Meeting local housing needs in rural areas

DEV1 Protecting health and amenity

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

DEV4 Playing pitches

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

DEV26 Development in the countryside

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

DEV32 Delivering low carbon development

DEV33 Renewable and low carbon energy (including heat)

DEV35 Managing flood risk and Water Quality Impacts

DEL1 Approach to development delivery and viability, planning obligations and the Community Infrastructure Levy

Other material considerations include the policies of the National Planning Policy Framework (NPPF) including but not limited to paragraphs 11, 77 -79, 170 and guidance in Planning Practice Guidance (PPG).

**Neighbourhood Plan:** There is currently no Neighbourhood Plan in place in this area.

**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.