

PLANNING APPLICATION REPORT

Case Officer: Jacqueline Houslander and East Dart

Parish: Dartmouth **Ward:** Dartmouth

Application No: 1585/20/FUL

Agent/Applicant:

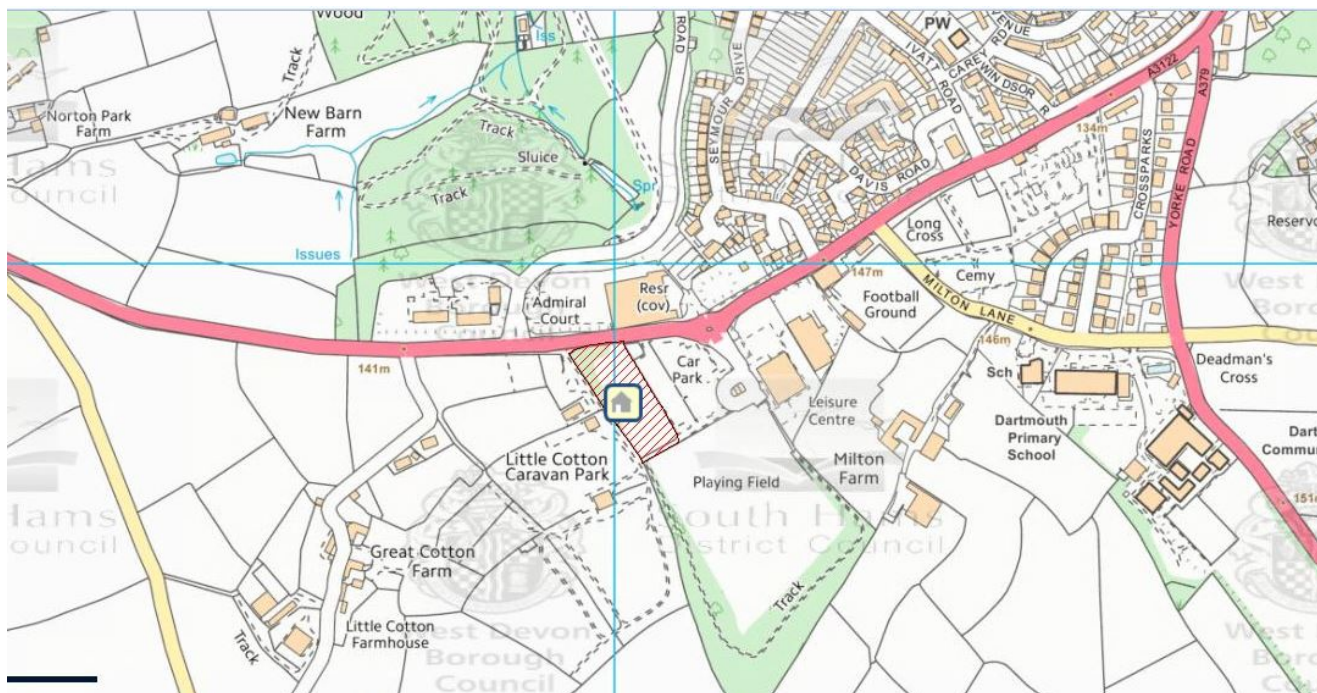
Mr Alistair Powe - KTA
Kensington Court
Pynes Hill
Exeter
EX2 5TY

Applicant:

Torbay and South Devon NHS Foundation Trust
Torbay Hospital
Lowes Bridge
Torquay
TQ2 7QAA

Site Address: Land adjacent to Dartmouth Park and Ride site, Wessex Way, Dartmouth

Development: READVERTISEMENT (Revised Plans Received) Construction of new two storey Health and Well-being Centre and associated external works



Reason item is being put before Committee: The land upon which the development will be located is land owned by South Hams District Council.

Recommendation:

Delegate approval to Head of Development Management, in conjunction with Chairman to conditionally grant planning permission, subject to a Section 106 legal obligation for the following:

A contribution towards the design and implementation for a residents parking scheme on surrounding streets at any time over the next 10 years should on street parking for the use of this facility spill into such areas.

In the event that the Section 106 legal Agreement remains unsigned six months after this resolution, that the application is reviewed by the Head of Development Management in consultation with the Chairman of the Committee, and if no progress is being made delegated authority is given to the Head of Development Management to refuse to application in the absence of an agreed S106 Agreement.

Conditions (list not in full)

1. Time limit
2. Accord with plans
3. No external lighting until agreed with LPA
4. Adherence to Ecology report
5. Unexpected contamination
6. Protection of hedgerows
7. No removal of hedgerow
8. Cycle parking in place before occupation
9. Parking to be completed prior to occupation
10. Surfacing of P& R to be complete prior to it being brought into use.
11. Tree protection scheme to be agreed
12. Landscaping scheme to be submitted and agreed.
13. Landscape maintenance schedule
14. Archaeology – written scheme of investigation
15. Samples of materials upon slab level
16. Refuse provision
17. Fencing details
18. CMP
19. Percolation testing
20. Groundwater monitoring
21. Design of surface water management scheme to be submitted
22. Design of surface water management during construction
23. Details of adoption and maintenance arrangements
24. Details of carbon reduction measures
25. Details of cycle way
26. Levels of building.
27. Protection measures for T14

Key issues for consideration: Principle of the development; Location of development; impact on landscape, trees, ecology; parking and access;

Site Description: The application site is located adjacent to the existing park and ride facility off the A3122 on the south west fringe of Dartmouth. The site is currently used as an overflow area to the park and ride.

The land is relatively level, with native field boundaries to the east and south, a Devon hedge to the north and with trees comprising large Scots Pine and small sycamore inside of the Devon hedges. The A3122 runs alongside the northern hedge of the site.

Opposite the site on the other side of the A3122 is a supermarket. To the east beyond the park and ride is the Dartmouth Leisure Centre. To the west land which is subject to a mixed use consent for residential, employment and a local centre. The reserved matters are

currently under consideration and some of the site is already being built out. The site is currently laid to grass. To the south of the site there are playing fields.

The Proposal: The construction of a health care facility including primary and community care services for Dartmouth. The aim of the proposal is to bring health and wellbeing services under one roof. The building would accommodate services currently provided by Torbay and South Devon NHS Foundation Trust at Dartmouth Clinic; Dartmouth Medical Practice; Dartmouth Caring and a retail Pharmacy.

Access to the site would be via the existing park and ride access off the roundabout on the A3122. 24 parking spaces are proposed for the Heath hub and the remainder of the parking will be provided for Park and Ride overflow. The parking areas are proposed as brick pavements for the health hub parking, tarmac for the park and ride overflow, but areas where the spaces are over tree roots are proposed as a non-dig cellular confinement system.

The proposed building is located on the northern part of the site. The building itself is over 2 stories and is roughly T shaped, with one edge against the eastern boundary of the site and a projection in the midpoint of that building towards the west. In terms of use of the building, the Pharmacy is proposed on the south eastern corner of the building. The main entrance is located in the junction between the pharmacy and the westwards element of the building. In the remainder of the ground floor there are office spaces, audiology; outpatients; staff room; consulting rooms; podiatry reception and lobby, lifts and storage spaces.

On the first floor, there are 8 GP consulting rooms; 7 nurse consult/treatment rooms; Phlebotomy room; administrative space; managers office; meeting room and a patient waiting area.

Externally the building is proposed as brick on the ground floor, with timber cladding on the first floor. The timber cladding is proposed as being laid vertically across most of the elevation, but above and below the windows the cladding is horizontal. This creates a degree of articulation on the first floor elevations. The cladding overhangs the brickwork on the ground floor by a small amount.

Around the proposed building the brick pavements extend into the area of parking and also around all sides of the building. At the rear of the building is the entrance to the Dartmouth Caring facilities. Plant and mechanical units are also at the rear as are two bike stores. A further 2 bike stores are proposed at the north eastern end of the car park.

Three electric vehicle (EV) parking points are proposed along the eastern edge of the site, within the area identified as parking for the Heath hub. Three disabled spaces are also proposed in front of the entrance to the Health Hub as well as a patient drop off point.

Consultations:

- County Highways Authority: No in principle objections subject to revised plans to provide:
 - Two way flow at the vehicle access and details of pedestrian footway;
 - a give way line to give way to cars entering the car park;
 - No entry signs for the one way system;
 - Tactile paving and dropped kerbs for partially sighted and blind patients;
 - Cycle parking to be provided and clearly shown on the plans;
 - The proposed cycle link to the north west of the building is welcomed and recommend its provision should be tied down as a planning condition or legal agreement.

- Provision of a contribution of money towards the provision of residents parking scheme in the surrounding area should parking spill into these areas over the next 10 years
- Environmental Health Section: No comments
- Dartmouth Town Council: Support
- Stoke Fleming Parish Council: Support. Having been to the Cotton development and viewed the site, we now would like to add the following additional comments. We note that a considerable number of trees on the boundary between this site and the adjacent one are to be removed. That belt of trees is a distinctive local feature and forms part of the proposed bat corridor. We feel these should only be removed if absolutely necessary.
- Blackawton Parish Council: Support
- Dittisham Parish Council: Support
- DCC Archaeology: The proposed development lies in an area of known archaeological potential with regard to known prehistoric activity in this landscape. Archaeological investigations in advance of development on sites to the west have demonstrated the presence of Bronze Age and Iron Age settlement. As such, groundworks for the construction of the proposed development have the potential to expose and destroy archaeological and artefactual deposits associated with these heritage assets. A programme of archaeological work shall be submitted which should investigate, record and analyse the archaeological evidence that will otherwise be destroyed by the proposed development.
- DCC Drainage: No objection in principle subject to the imposition of pre commencement conditions relating to percolation and ground water monitoring.
 - Historic England: No comments
- Landscape: No objection subject to a condition requiring a soft and hard landscaping scheme and details of lighting.
- Tree officer:
 1. No objection on arboricultural merit in respect of the massing and siting of the facility, noting a requirement for pre-commencement agreement.
 2. Objection to the car parking scheme as described
 3. Holding Objection in respect of the cycleway/ footway in the absence of Arboricultural Impact Assessment work as described.
- Biodiversity: It is evident that the recommendations from the consultant ecologist which were intended to avoid impact on an assumed light-sensitive bat commuting/foraging feature have not been heeded. The following points are noted:

The building abuts the hedgerow/tree line – with windows on the western elevation. This layout/design would illuminate the hedgerow. It also does not leave room for any meaningful corridor alongside the hedgerow/tree line feature. It is also noted that car parking spaces would be directly adjacent to the hedgerow/tree line.

- The scheme includes reference to removal of 13 trees. Notwithstanding the Pre Development Tree Survey was written by the same consultants as the PEA (Reports 4 Planning), the PEA makes no reference to the proposal for loss of 13 trees, nor makes no assessment of the implications. In addition to any loss of biodiversity value associated with the trees themselves, there may be impact on the coherence of the hedge/tree line forming the western boundary of the site (and its contribution to the bat commuting/foraging feature) – this requires assessment.
- The Design and Access Statement includes reference to the proposed approach to site lighting in section 4.7. Whilst neither detailed (in terms of locations of lights) nor modelled (in terms of lux), reference is made to aiming to achieve an average of 20 lux for the security perimeter, and 20 lux for the carpark. This is significantly in excess of 0.5 lux as is typical for any dark corridor intended for continued bat passage.
- The proposal has to be seen in the context of its surrounds, and ‘in-combination’ with other developments with respect to the South Hams SAC and the requirement to ensure continued Landscape Connectivity for greater horseshoe bats. I have referenced the approach taken on the site to the southwest, which effectively borders the continuation of the same tree/hedgeline to the south. The approach taken on the adjacent site was intended to enable the continued ability of light sensitive bats to use the tree/hedgeline feature. The same should follow for the proposal.”
- Police Architectural Liaison: A site specific security needs assessment (SNA) was requested by Alistair Powe of KTA Architects prior to the above proposal being submitted for planning approval. The content of the Police Designing Out Crime Officers (DOCO) survey, in the main, is referenced in the Design and Access Statement at 4.12 - Designing out crime - Security needs assessment, and I am pleased to advise that much of the advice and recommendations appear to have been considered and implemented where possible in the proposed scheme.

Representations:

Representations from Residents

Comments have been received and cover the following points:

Object: 4

- 3 electric charging points is insufficient for a Council who have declared a climate emergency
- The development is required to be low carbon by policy DEV32
- Residents of Dartmouth have not been consulted about the cuts and changes to their healthcare provision, which is unlawful.
- There is a conflict of interest regarding SHDC, who if the plans are approved will become landlords of proposed hub and gain rent over 25 years.
- The people of Dartmouth need access to NHS services not a café
- SHDC is enabling the Trust and CCG to privatise our NHS in return for monetary return
- The hospital site will be developed for the benefit of few, as will the clinic
- The environment will be affected by the earth being ripped open, by breathing in the debris.
- The people of Dartmouth do not want this expensive building.
- We already have a GP practice
- We have pharmacies (2)

- The building is ugly.
- If this is approved the town will lose its hospital, which will be developed for greed and bring long term chaos to the town centre for many years.
- There will be no benefit for the residents from this development.
- There is a perfectly good hospital in the town, which could be brought back to the required standards, for a fraction of the cost.
- There is also a perfectly good clinic in the town, which could also be brought up to scratch with minimal cost to the public purse.
- The pharmacy and café are completely unnecessary as there are far too many cafes in the town as well as one in the supermarket opposite.
- The pharmacy here could result in loss of jobs at the two existing pharmacies
- The promise of inpatient care has not been delivered – a promise made since the beginning and a promise many townsfolk still believe will be delivered in this facility.
- Park and ride spaces will be lost, thus a loss of tourist revenue
- The public were not properly informed about these proposals
- This centre is not in the best interests of the residents of Dartmouth.

Support: 2

- As many car charging pints as possible please.
- Co locating health services in modern purpose built premises will dramatically improve health care provision in Dartmouth, with good transport links and adequate parking
- The bus and private vehicle drop off area may be affected by visitor traffic
- I hope natural ventilation is proposed rather than aircon and that air or ground source heat is incorporated.

Relevant Planning History

15/1480/96/10

Townstal Road Dartmouth

Construction of park and ride facilities including new roundabout on A3122 (Regulation 3 LPA own development authorised by Minute LR 22/96),
Conditional Approval 31/10/1996

15/1263/97/10

Park & Ride Site at Townstal Road Dartmouth

Removal of condition (g) of permission 9/15/1480/96/10 to enable all year round use of facility, Regulation 3 LPA own development pursuant to a decision by Management Team dated 22 July 1997.

Conditional approval 04/09/1997

15/1264/97/10

Park & Ride Site at Townstal Road Dartmouth

Retrospective application for amendments to approved plans 9/15/1480/96/10 Regulation 3 LPA own development pursuant to a decision by Management Team dated 22 July 1997,
Conditional approval 04/09/1997

ANALYSIS

Principle of Development/Sustainability: The principle of this development must be considered against the strategic policies of the Plymouth and South West Devon Joint Local Plan (JLP), which forms the development plan for this area. The Joint Local Plan Supplementary Planning Document (SPD) is also relevant to the detailed consideration of the

proposal. The Dartmouth Neighbourhood Plan is at an early stage in the Neighbourhood Plan (NP) process, having had the area designated and is currently at the information gathering stage. At this stage the NP is not part of the Development Plan.

In considering policies SPT1 and SPT2 of the JLP, there is a presumption in favour of sustainable development. SPT1 providing the principle behind sustainable development and SPT2 providing the detail behind sustainable settlements. Policy TTV1 provides the hierarchy for growth in the Thriving Towns and Villages policy area. The main towns are the first tier in that hierarchy and Dartmouth is identified in the Plan as a main town.

In terms of sustainability the Plan acknowledges that main towns are the most sustainable places for growth (para.5.8). *“Strengthening the role of the six Main Towns and recognising that, after Plymouth, these are the most suitable locations for sustainable growth.”*

TTV1 states ... *“The Main Towns - which will be prioritised for growth to enable them to continue to thrive, achieve strong levels of self-containment, and provide a broad range of services for the wider area.”*

The Plan also demonstrates the vital role that the main towns provide in terms of supporting their rural hinterlands and villages.

In terms of principle and sustainability the proposal meets the strategic aims and focus of Policies SPT1, SPT2 and TTV1.

Policy SPT6 sets out the spatial role for main town centre uses. And indicates at part 3.i that the main town centres should be the appropriate location for *“primarily main food / convenience shopping and other retail and services as appropriate to role of the centre.* The JLP does not definitively define what other town centre services might be but instead refers to the definition provided in the NPPF glossary, which defines main town centre uses as: *Retail development (including warehouse clubs and factory outlet centres); leisure, entertainment and more intensive sport and recreation uses (including cinemas, restaurants, drive-through restaurants, bars and pubs, nightclubs, casinos, health and fitness centres, indoor bowling centres and bingo halls); offices; and arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities).* The NPPF promotes a sequential approach to the consideration of these uses outside of town centres. However the list of uses does not include a health and well being hub. Whilst health and fitness centres are mentioned, officers would suggest that these are more along the lines of a health centre associated with sport and recreation, rather than GP services. It is therefore concluded that it is not necessary to undertake a sequential test for this development.

However some of the objections to the scheme mention the location of the development on the south west edge of the town and the fact that the hospital and clinic site within the town could be restored. This is a valid concern. Dartmouth Hospital site is within the central part of the town. However it is on a restricted site, where parking is very difficult, and expansion is impossible because of the development surrounding it. Additionally, the nature of the town centre with densely knit development and steep slopes, makes the provision of a large building such as this more difficult, particularly when there are many listed buildings within the town, it would be inappropriate to locate a building such as this in the town centre itself. As for other sites further out from the town centre, the sloping nature of the land would not be appropriate for a building of this scale and the AONB landscape designation around the south east and northern parts of the town would also be inappropriate for a large

development such as this. The amalgamation of the other facilities in this area, with the park and ride, supermarkets allocated new employment and residential development (through TTV4) as well as regular bus services from the town centre out to Townstal area provides a well serviced, sustainable location for such services. The need to provide more efficient GP services is also a priority which is becoming more relevant in remote locations such as this.

The application site lies within the TTV4 allocation on the JLP. This allocation states:

Land at Cotton is allocated for residential led mixed-use development. Provision is made for in the order of 450 new homes and 10,800 m of employment floorspace (Use Classes B1).

Development should provide for the following:

- 1. A local community hub.***
- 2. Retention of the existing sports pitches with any re-ordering only acceptable if it would result in enhancement of the facility.***
- 3. Provision of both formal and informal open space.***
- 4. Strategic landscaping, open space, and tree planting to address the scale and prominence of the site, to help mitigate any adverse visual impact on the AONB, and to soften the edges of the development onto the undeveloped countryside.***
- 5. A scale, density, design and southern extent of development which is not overly prominent when viewed from the surrounding countryside.***
- 6. Positive frontages onto the adjoining road network, especially the main road.***
- 7. Delivery of enhanced connectivity with the lower town for public transport, pedestrians and cyclists.***
- 8. A lighting strategy, which minimises the impact of light spill to the surrounding countryside.***

The application is submitted based on the fact that it contributes to the development and consolidation of the local community hub (part 1. Above). That hub includes the two supermarkets, the playing fields, the leisure centre, the park and ride and ultimately the employment and retail space on the adjoining residential and employment site. Para. 5.34 in the supporting text of the JLP states that the community hub will “*facilitate the creation of a high quality, distinct community that also benefits from links to services in Dartmouth.*”

The allocation clearly seeks to ensure that the surrounding countryside is protected and requires the provision of strategic landscaping and tree planting to “*address the scale and prominence of the site, to help mitigate any adverse visual impact on the AONB, and to soften the edges of the development onto the undeveloped countryside.*”

The application submission has not provided any additional planting proposals, and officers consider that additional planting on the southern boundary may be beneficial to accord with the allocation. There is discussion in the Design and Access and the ecology statement about additional planting to plug gaps in the existing western and northern boundaries. This same approach could also be provided along the southern boundary where the planting is also a little gappy. This edge of the site fronts onto the community playing fields and the countryside is beyond to the south. It is here where additional planting would help to soften the edge of the built development. Indicates that additional planting will be provided. A condition will be imposed on the consent to secure additional landscaping in this area.

Design: The design of the proposal is described in detail in the Design and Access Statement submitted with the proposal, which includes massing studies; daylight and sunlight studies;

review of views into the site, from all directions; there are some significant areas of trees around the site, particularly on the northern and western boundaries. Originally the scheme indicated a number of these trees to be removed, however as the scheme has proceeded through the planning process and various consultees have responded the scheme has been revised such that there are now 3 trees to be removed to the north of the site in order to accommodate the building and a further 4 on the western boundary. As a result the trees nature of these boundaries to the site will be maintained.

The building design has been improved since its first iteration, with the timber cladding becoming a more fundamental aspect of the design. The orientation of the timber changes across the elevation and therefore adds a degree of shadow and articulation to the façades. The brick and timber will need to be agreed via a condition to ensure that they are complementary to each other.

Policy DEV20 seeks to ensure that development proposals are of a high quality design. The policy seeks to ensure that the development has taken account of the context of the site. In this case the context is quite mixed, with a supermarket opposite, a leisure centre to the east and residential development (Townstal) further to the north and east. Adjacent to the application site, is the TTV4 Land at Cotton allocated site, which is allocated for mixed use – 450 new homes and 10,800 of employment floorspace (B1).

In the not too distant future the proposal site will be enclosed by significant residential and employment land.

In terms of local vernacular, there is little traditional development. The supermarket is set down from the road and has a curved roof, with a highly glazed frontage. The elevation to the road is has large timber beams supporting the roof which have been emphasised as an architectural feature, with render and glazing. There is an element of timber cladding at one end of the building.

The leisure centre similarly has a curved roof, with render, glazed and panelled elevations. The other supermarket further to the east has a monopitched roof with metal cladding and render. The petrol filling station next to the supermarket has a pitched roof with a grey tile roof and rendered walls. The supermarkets and leisure centre are all set apart from each other with car parking and some landscaped areas.

Residential development in the upper part of Townstal comprises render and concrete tile roofs, tile hanging, brick quoins and detailing.

The context is thus very mixed and the only common feature of the larger buildings is the fact that they all have an element of cladding and have less traditional roof forms.

In light of the mixed context, the proposal for timber cladding at first floor relates to the larger buildings in the area. The heavily treed setting also requires a more natural finish, which timber provides. The flat roof is not considered to be offensive and represents a simple and uncluttered roof form, which is not trying to be anything other than what it is. It is considered that the proposal has to some degree acknowledged the built context of the site, whilst balancing this against the functional needs of the building.

Views of the site from the A3122 are important and the tree line along the top of the application site with the road is an important local feature. The fact that most of this tree line is to be retained ensures that the building will only be briefly glimpsed as one drives along west to east. The building will be more visible from the east when driving along the A3122 out of Dartmouth. However the existing hedge along the roadside and the hedge along the

eastern boundary provide some screening of the ground floor and parking areas. The timber cladding will be seen against the treed setting north and west. Officers consider this will be a positive addition and will not jar with the setting.

It is considered that the proposal meets policy DEV20 in the JLP.

Landscape: The application site is on the edge of the built up area of Dartmouth, albeit once the cotton development site to the west is built out it will be far less on the edge. However currently the impact of development on the countryside to the north, south and west must be a consideration for the development. Policy DEV23 seeks to ensure that development conserve and enhances both landscape and townscape character. The proposal retains many of the trees along the north and west boundaries and is keen to fill gaps in the vegetative setting (which will be secured through a suitable condition). The building is set at the northern part of the site so as to be closer to the existing development on the northern side of the main road.

Trees: The tree officer originally had a holding objection, expressing concerns about the car parking scheme and concerns about the proposed cycleway/ footway in the north west corner of the site and the lack of Arboricultural Impact Assessment of that route. This information was requested and received.

The tree officer still has some concerns about the information received but considered that the additional information required can be dealt with via planning conditions.

Neighbour Amenity: There are no immediate residential neighbours currently to the development and the space immediately adjacent on the TTV4 allocated site is currently designated for employment space. There are currently no immediate residential neighbours to the development whose residential amenity would be impacted by the development proposed.

Highways/Access: The Highway Authority noted that the facility and park and ride will be accessed off a private road and made comments in relation to:

Two way flow at the vehicle access and details of pedestrian footway; a give way line to give way to cars entering the car park; No entry signs for the one way system; tactile paving and dropped kerbs for partially sighted and blind patients; cycle parking to be provided and clearly shown on the plans; the proposed cycle link to the north west of the building is welcomed and recommend its provision should be tied down as a planning condition or legal agreement. The changes have been made to the plans in accordance with the Highway Authority requirements. It is proposed that the cycleway shall be the subject of a condition to seek further detailed drawings (to satisfy the Tree officer) and to ensure it links to the cycleway on the A3122.

The Highway authority also require a contribution to the provision of residents parking schemes in surrounding streets.

Drainage: As this is a major application the drainage details have been reviewed by the Lead Local Flood Authority at Devon County Council. They have recommended a number of pre commencement conditions be applied to any consent. These pre commencement conditions have been imposed.

The drainage proposal comprise 4 soakaway's to act as infiltration mechanisms for surface water runoff generated from the building and parking areas. The soak-away's have been designed for a 1:100 year flood event + 40% for climate change. The soakaways have been

designed for the worst possible scenario. It is proposed that private sewers on the site will take the run off to the 4 proposed soakaways. Any events above the 1:100 year event will use the car park for exceedance volumes.

The foul drainage will go to an existing public sewer which South West Water have confirmed has capacity.

Ecology: A preliminary ecology appraisal was submitted in support of the application. The report concluded that the trees around the site were not likely to support bat roosts, and judged therefore to be of negligible or low bat roosting potential. The main body of the site being open grassland was unlikely to be suitable for foraging or commuting bats. However the trees and hedgerows to the north and west (and possibly the others) are likely to be used by various bat species for foraging and commuting. The hedgerows are connected to a network of field boundaries to the south and woodland and hedgerow to the north of the site.

The recommendations in the report include that if bats are found in standing timber or felled timbers a licensed bat worker should be consulted to discuss the best way to proceed. It was noted in the report that the site does not fall within the South Hams SAC Greater Horseshoe Bat Sustenance Consultation Zone or within any of the associated interconnecting 'Strategic Flyways'. The report also recommends that:

"i. unless further survey (eg in the form of evening bat activity surveys spread out across the extended summer months) demonstrates a lack of material use of them by

foraging/commuting bats, it be assumed that the north and west boundary hedgerows (together with associated trees and scrub) be of material importance to foraging/commuting bats and steps be taken to ensure that the proposed development does no impact on any such use. As well as the retention and supplementation of boundary hedgerows as per paragraph 4.6 above, we suggest that such steps would include:

a) maintaining boundary hedgerows tall (2-3+ m in height);

b) retaining associated trees (wherever possible) and/or replacing any lost trees with new planting of appropriate native species;

c) control of external lighting such as to prevent material spill onto boundary features (namely hedgerows/trees) and ensure the maintenance of dark flight corridors along such features."

It was noted in the report that the site does not fall within the South Hams SAC Greater Horseshoe Bat Sustenance Consultation Zone or within any of the associated interconnecting 'Strategic Flyways'.

Badgers may have used the site, although no evidence of sets was found.

Hazel dormouse had been previously identified in field boundaries to the 600-700m to the west (2010) and 400 metres to the south west (2013).

Nesting birds would use the trees, and reptiles are unlikely to use the site in its current state of management.

Other recommendations covered: Suitably qualified ecologist should be brought in to advise on removal of shrub /hedgerow in case there are any dormouse present; new boundaries should take account of the need for badgers to cross the site; and removal of trees should be restricted to outside of the bird nesting season.

The report also acknowledges that native hedgerow is a Biodiversity Action Plan priority habitat and so the report recommends that:

"i. all existing boundary hedgerows (including hedge-banks) are retained;

ii. serious consideration be given to reinforcing any gappy/weak sections of existing boundary hedgerow with supplementary planting of appropriate native shrubs."

The Council's ecologist reviewed the report and stated:

It is evident that the recommendations from the consultant ecologist which were intended to avoid impact on an assumed light-sensitive bat commuting/foraging feature have not been heeded. The following points are noted:

- *The building abuts the hedgerow/tree line – with windows on the western elevation. This layout/design would illuminate the hedgerow. It also does not leave room for any meaningful corridor alongside the hedgerow/tree line feature. It is also noted that car parking spaces would be directly adjacent to the hedgerow/tree line.*
- *The scheme includes reference to removal of 13 trees. Notwithstanding the Pre Development Tree Survey was written by the same consultants as the PEA (Reports 4 Planning), the PEA makes no reference to the proposal for loss of 13 trees, nor makes no assessment of the implications. In addition to any loss of biodiversity value associated with the trees themselves, there may be impact on the coherence of the hedge/tree line forming the western boundary of the site (and its contribution to the bat commuting/foraging feature) – this requires assessment.*
- *The Design and Access Statement includes reference to the proposed approach to site lighting in section 4.7. Whilst neither detailed (in terms of locations of lights) nor modelled (in terms of lux), reference is made to aiming to achieve an average of 20 lux for the security perimeter, and 20 lux for the carpark. This is significantly in excess of 0.5 lux as is typical for any dark corridor intended for continued bat passage.*
- *The proposal has to be seen in the context of its surrounds, and 'in-combination' with other developments with respect to the South Hams SAC and the requirement to ensure continued Landscape Connectivity for greater horseshoe bats. I have referenced the approach taken on the site to the southwest, which effectively borders the continuation of the same tree/hedgeline to the south. The approach taken on the adjacent site was intended to enable the continued ability of light sensitive bats to use the tree/hedgeline feature. The same should follow for the proposal."*

The additional information is awaited, but is expected to be received and agreed prior to the committee meeting.

Other issues:

Climate Change: Policy DEV32 in the Joint Local Plan, requires that the carbon footprint of development should be reduced. In response to this the Design and Access statement indicates that:

- The concept design makes use of enhanced building fabric and high-spec glazing to reduce the effects of solar gain and reduce heat losses.
- Natural ventilation is provided via occupant-controlled openable windows, and high-percentage heat recovery ventilation is provided to ensure comfortable temperatures in areas of high internal heat gain.
- high efficiency luminaires and daylight dimming in perimeter rooms, with absence detection where appropriate.
- Heating is provided by electric air source heat pumps, with gas and other fossil fuels being avoided entirely in the building; this measure optimises energy efficiency and negates local air quality impacts, whilst offering the building a clear potential to become Net Zero Carbon as the grid decarbonises.
- the roof of the building has been designed to accommodate up to 150 square metres of photovoltaic panels to harness the power of sunlight to self-generate a high proportion of the building's annual energy needs.

Whilst these proposals are very helpful in reducing the carbon footprint of the development and would meet the requirements of Policy DEV32, details of these measures are not

included on the plans and relevant details have not been provided. It is therefore proposed to place a condition on the consent to ensure these measures are fully incorporated.

Objections to the development: The objections to the development focus around the principle of the development in this location; questions as to why the hospital within Dartmouth is not refurbished and used instead; the risk to the pharmacies in the town; lack of public consultation about the health care cuts; questions over the benefits to South Hams District Council and the use of public money; the building is ugly; loss of park and ride spaces and that the proposal is not in the interest of the residents of Dartmouth.

Some of the objections do not relate to the planning merits of the case and therefore are not relevant to the planning decision. However the views about the design of the building are relevant and have been discussed and explained earlier in this report. The issue of the location of this facility have also been addressed in the report and conclude that whilst the hospital is right in the centre of Dartmouth and thus in a sustainable location, the restrictions on that site, in terms of density of development; lack of space for expansion; impact on the conservation area versus the location in the community hub of the TTV4 allocation, with a good range of facilities and excellent public transport links to Dartmouth do benefit the residents and the benefits of providing a larger area of formal park and ride provide wider benefits to the residents of Dartmouth, for tourism.

The concerns raised by Stoke Fleming Parish Council have been addressed, such that far fewer trees are now being removed from the site.

Police Architectural Liaison: It is clear from the response received from the PLA that the pre application discussion with them has resulted in a scheme which receives their approval.

Conclusion:

The proposal meets the relevant Development Plan policies as discussed. It is in a main town where such services should be focussed, it is part of the TTV4 allocation contributing towards the creation of a community hub; in design and landscape terms it is acceptable and so is recommended for approval.

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

Planning Policy

Relevant policy framework

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

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

was received on 13 May 2019. This confirmed the Plymouth, South Hams and West Devon's revised joint Housing Delivery Test Measurement as 163% and that the consequences are "None". It confirmed that the revised HDT measurement will take effect upon receipt of the letter, as will any consequences that will apply as a result of the measurement. It also confirmed that that the letter supersedes the HDT measurements for each of the 3 local authority areas (Plymouth City, South Hams District and West Devon Borough) which Government published on 19 February 2019. On 13th February 2020 MHCLG published the HDT 2019 measurement. This confirmed the Plymouth, South Hams and West Devon's joint HDT measurement as 139% and the consequences are "None".

As a result of Government policies and guidance regarding lockdown due to Covid 19, the 2020 Housing Survey was delayed by approx. 2 months as site visits could not take place. The 2020 5YLS update is therefore delayed by four months and will now be published in November 2020. The impact from Covid 19 is likely to slightly reduce the supply identified for 2020/21 due to 2-3 months of limited/nil construction activity during lockdown. There is no evidence to suggest that this would have a material change to the JLP Authorities 5YLS position, given the substantial 5YLS position at the 2019 monitoring point i.e. 6.4YLS which represents a surplus of 1,977 deliverable dwellings above what is required over the period 2019-2024 to demonstrate a 5YLS.

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
SPT6 Spatial provision of retail and main town centre uses
SPT8 Strategic connectivity
SPT9 Strategic principles for transport planning and strategy
SPT10 Balanced transport strategy for growth and healthy and sustainable communities
SPT11 Strategic approach to the Historic environment
SPT12 Strategic approach to the natural environment
SPT13 Strategic infrastructure measures to deliver the spatial strategy
TTV1 Prioritising growth through a hierarchy of sustainable settlements
TTV2 Delivering sustainable development in the Thriving Towns and Villages Policy Area
TTV3 Strategic infrastructure measures for the Main Towns
DEV1 Protecting health and amenity
DEV2 Air, water, soil, noise, land and light
DEV14 Maintaining a flexible mix of employment sites
DEV16 Providing retail and town centre uses in appropriate locations
DEV19 Provisions for local employment and skills
DEV20 Place shaping and the quality of the built environment
DEV26 Protecting and enhancing biodiversity and geological conservation
DEV28 Trees, woodlands and hedgerows
DEV29 Specific provisions relating to transport
DEV30 Meeting the community infrastructure needs of new homes
DEV31 Waste management
DEV32 Delivering low carbon development
DEV35 Managing flood risk and Water Quality Impacts

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

Neighbourhood Plan: Dartmouth Neighbourhood Plan is at Regulation 7 stage having had an area for the plan designated.

Other material considerations include the policies of the National Planning Policy Framework (NPPF) including but not limited to paragraphs 2, 11, 127, 153, 163, 170, and guidance in Planning Practice Guidance (PPG).

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.

Proposed conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted. Reason: To comply with Section 91 of the Town and Country Planning Act, 1990 (as amended).

2. The development hereby approved shall in all respects accord strictly with drawing number(s) DH-KT-XX-XX-DR-A-1922-01.00-1 Site Location Plan; 1922-02.00 -9 proposed ground floor plan, received by the Local Planning Authority on 8/06/2020.

1922-04.02-P2 Proposed courtyard elevations; 1922-04.00-3 Proposed north and south elevations; 1922-03-01-P3 Sections C-C and B-B; 1922-02.02-P3 Proposed roof plan; received by the Local Planning Authority on 25/8/2020.

1922-04.01-P4 Proposed east and west elevations; 1922-01.20-P13 Proposed site plan; 1922-02.01-P11 Proposed first floor plan, received by the Local Planning Authority on 20/11/2020.

Further plans to be submitted – update at Committee.

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. The building and car park shall not be used until a scheme for external lighting has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the position, type, luminance and cowling of all external lights to the building and car parking areas. Upon the commencement of the use the external lighting shall accord strictly with the approved details and shall only be used during the opening hours of the building and car park.

Reason: To safeguard the appearance of the locality and the amenities of adjoining residents.

4. Notwithstanding the details set out on the submitted drawings, the development hereby permitted shall be carried out in accordance with the comments and recommendation set out in the Ecological Appraisal dated November 2020 from

'Reports for Planning', including the provision of new access for bats, guidance on timber treatment, precautions during building works and timing of operations. The approved accesses shall remain in place and the openings kept unobstructed thereafter.

Reason: To safeguard the welfare of a protected species of wildlife, in the interests of the amenity of the area and the Conservation (Natural Habitats) Regulations 1994 and the 1981 Wildlife and Country Act (as amended).

5. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an investigation and risk assessment and, where necessary, a remediation strategy and verification plan detailing how this unsuspected contamination shall be dealt with. Following completion of measures identified in the approved remediation strategy and verification plan and prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority.

Reason: No site investigation can completely characterise a site. This condition is required to ensure that any unexpected contamination that is uncovered during remediation or other site works is dealt with appropriately.

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

Reason: In order to protect hedgerows of amenity, wildlife or historical importance.

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

Reason: In order to protect hedgerows of amenity, and wildlife importance.

8. The building hereby approved shall not be occupied until space/ buildings have been laid out within the site for the parking of bicycles in accordance with the approved plan. Thereafter these spaces/buildings shall be kept permanently available for bicycle parking.

Reason To encourage more sustainable transport modes.

9. The building shall not be occupied until the land for vehicle parking shown on the approved drawings has been laid out, surfaced and drained, and that land shall not thereafter be used for any purpose other than the parking of vehicles used by persons working, visiting or attending at the site.

Reason: To ensure there is adequate parking provided for the use of the building as a Health and wellbeing Hub.

10. The park and ride area shall be laid out, surfaced and drained prior to it being brought into use. It shall not be used for any purpose other than the parking of vehicles by persons using the park and ride facility or as overflow for people attending the Health and Well-being Hub.

Reason: To ensure the park and ride facility has adequate parking spaces to accommodate visitors to the town.

11. No development shall take place, or any equipment, machinery or materials be brought onto the site for the purpose of development until:
- (i) The erection of fencing to delineate a Protection Zone to protect retained trees has been constructed in accordance with location and construction details shown on [the approved plans Tree protection scheme. Within the Protection Zone nothing shall be stored or placed, nor bonfires lit, nor any works take place, nor shall any change in ground levels or excavations take place unless they are agreed in writing in advance by the Local Planning Authority.
 - (ii) Protection Zone signs, as attached to this notice, are fixed to the protective fence at no more than 20 metre intervals. The fence and signs shall be retained and maintained until all equipment, machinery and surplus materials have been removed from the site.
 - (iii) All tree felling or tree surgery works as detailed on the approved plans and or as otherwise agreed in writing by the Local Planning Authority have been completed. All tree works shall be undertaken in accordance with British Standard 3998 (Tree Work).

Reason: In order to protect trees of public amenity value.

12. Prior to ground works being undertaken on the site, a hard and soft landscaping scheme shall be submitted, including the location of new trees; the species proposed; trees and planting to take place on the southern boundary of the site, to be agreed by the Local Planning

13. No occupation shall take place until a schedule of landscape maintenance for a minimum period of 10 years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.

Reason: In the interests of public amenity and local landscape character.

14. No development shall take place until the developer has secured the implementation of a programme of archaeological work in accordance with a written scheme of

investigation (WSI) which has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out at all times in accordance with the approved scheme, or such other details as may be subsequently agreed in writing by the Local Planning Authority.

Reason: To ensure, in accordance with Policy DEV21 in the Plymouth and South West Devon Joint Local Plan 2014 - 2034 and paragraph 199 of the National Planning Policy Framework (2019), that an appropriate record is made of archaeological evidence that may be affected by the development

15. Development shall not proceed beyond slab level/dpc until a schedule of materials and finishes, and samples of the materials to be used in the construction of the external surfaces, including roofs, and floor scape have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out only in accordance with the details so approved.

Reason: To enable the Local Planning Authority to consider the details of the materials.

16. Adequate provision shall be made for the storage of and disposal of domestic and medical refuse, the details of which shall be agreed in writing with the Local Planning Authority and the provision shall be implemented in accordance with the approved scheme before any part of the development is first occupied and thereafter the provision shall be retained in accordance with the approved scheme.

Reason: In the interests of the amenities of the area.

17. Prior to the occupation of the building hereby approved, details of the fencing locations and materials shall be submitted to and approved by the Local Planning Authority.

Reason: To ensure appropriate materials, are agreed and the height is appropriate and that badgers are accommodated

18. Prior to commencement of any part of the site the Local Planning Authority shall have received and approved a Construction Management Plan (CMP) including
- (a) the timetable of the works
 - (b) daily hours of construction
 - (c) any road closure
 - (d) hours during which delivery and construction traffic will travel to and from the site, with such vehicular movements being restricted to between 8.00 a.m. and 6.00 p.m. Mondays to Fridays inc. 9.00a.m. to 1.00 p.m. Saturdays and no such movements taking place on Sundays or Bank holidays unless agrees by The local Planning Authority in advance.
 - (e) the number and sizes of vehicles visiting the site in connection with the development and the frequency of their visits
 - (f) the compound/location where all building materials, finished or unfinished products, parts, crates, packing materials and waste will be stored during the demolition and construction phases
 - (g) areas on site where delivery vehicles and construction traffic will load or unload building materials, finished or unfinished products, parts, crates, packing materials and waste with confirmation that no construction traffic or delivery vehicles will park on the

County Highway for loading or unloading purposes unless prior written agreement has been given by the Local Planning Authority;

(h) hours during which no construction traffic will be present on the site;

(i) the means of enclosure of the site during construction works;

(j) the details to promote car sharing amongst construction staff in order to limit construction staff vehicles parking off site;

(k) details of wheel washing facilities and obligations;

(l) the proposed route of all construction traffic exceeding 7.5 tonnes;

(m) details of the amount and location of construction worker parking; (n) photographic evidence of the condition of adjacent public highway prior to commencement of any work.

Reason: In the interests of Highway Safety and amenity

19. No part of the development hereby permitted shall be commenced until a programme of percolation tests has been carried out in accordance with BRE Digest 365 Soakaway Design (2016), and the results approved in writing by the Local Planning Authority. A representative number of tests should be conducted to provide adequate coverage of the site, with particular focus placed on the locations of the proposed infiltration devices/permeable surfaces.

Reason: To ensure that surface water from the development is discharged as high up the drainage hierarchy as is feasible.

Reason for being a pre-commencement condition: This data is required prior to the commencement of any works as it will affect the permanent surface water drainage management plan, which needs to be confirmed before development takes place.

20. No part of the development hereby permitted shall be commenced until the full results of a groundwater monitoring programme, (undertaken over a period of 4 months if taking place between December and April or over 12 months, if being undertaken at another time of year) has been submitted to, and approved in writing by, the Local Planning Authority. This monitoring should be conducted to provide adequate coverage of the site, with particular focus placed on the locations and depths of the proposed infiltration devices.

Reason: To ensure that the use of infiltration devices on the site is an appropriate means of surface water drainage management.

21. No part of the development hereby permitted shall be commenced beyond slab level until the detailed design of the proposed permanent surface water drainage management system has been submitted to, and approved in writing by, the Local Planning Authority. The design of this permanent surface water drainage management system will be in accordance with the principles of sustainable drainage systems, and those set out in the Proposed Greenfield Development Health and Wellbeing Centre Dartmouth Flood Risk Assessment Report (Report Ref. ES19.135, Rev. A, dated 1 May 2020). No part of the development shall be occupied until the surface water management scheme serving that part of the development has been provided in accordance with the approved details and the drainage infrastructure shall be retained and maintained for the lifetime of the development.

Reason: To ensure that surface water runoff from the development is managed in accordance with the principles of sustainable drainage systems.

Advice: Refer to Devon County Council's Sustainable Drainage Guidance.

22. No part of the development hereby permitted shall be commenced beyond slab level until the detailed design of the proposed surface water drainage management system which will serve the development site for the full period of its construction has been submitted to, and approved in writing by, the Local Planning Authority. This temporary surface water drainage management system must satisfactorily address both the rates and volumes, and quality, of the surface water runoff from the construction site.

Reason: To ensure that surface water runoff from the construction site is appropriately managed so as to not increase the flood risk, or pose water quality issues, to the surrounding area.

Reason for being a pre-commencement condition: A plan needs to be demonstrated prior to the commencement of any works to ensure that surface water can be managed suitably without increasing flood risk downstream, negatively affecting water quality downstream or negatively impacting on surrounding areas and infrastructure.

Advice: Refer to Devon County Council's Sustainable Drainage Guidance.

23. No part of the development hereby permitted shall be commenced beyond slab level until the full details of the adoption and maintenance arrangements for the proposed permanent surface water drainage management system have been submitted to, and approved in writing by, the Local Planning Authority.

Reason: To ensure that the development's permanent surface water drainage management systems will remain fully operational throughout the lifetime of the development.

Reason for being a pre-commencement condition: These details need to be submitted prior to commencement of any works to ensure that suitable plans are in place for the maintenance of the permanent surface water drainage management plan, for the reason above.

24. Prior to development beyond slab level, the details of the location of the photovoltaics; the ventilation system; the ground source heat pump; the glazing and shall be submitted to and agreed by the Local Planning Authority. The measures shall be implemented in accordance with that agreement.

Reason: To ensure that the development reduces its carbon footprint and complies with policy DEV32 of the Plymouth and South West Devon Joint Local Plan.

25. Prior to the construction of the cycle route in the north west corner of the site, detailed plans will be submitted to and approved by the Local Planning Authority. The cycle route will be constructed in accordance with the agreed details.

Reason: To ensure that a detailed proposal has been approved and to ensure any proposal does not impact on the trees in this area of the site.

26. No development shall be commenced until the proposed ground floor levels of the development hereby permitted have been submitted to and approved in writing by the

Local Planning Authority and the development shall be constructed in accordance with the approved floor levels.

Reason: To enable the Local Planning Authority to consider these details in the interests of the appearance of the locality.

27. Prior to the commencement of any work in the locality of tree T14, as shown in the Arboricultural statement, proposals for the specialist scaffold (in accordance with BS5837); the proposed constructional solution to the RPA incursion around T14, shall be submitted to and approved by the Local Planning Authority. The works around the tree shall be carried out in strict accordance with the agreed details.

Reason: To protect the health of the tree into the future.

Additional informative:

The proposed depth of the soakaways is different from the depth of the infiltration testing. Further testing would need to be carried out to assess the soil infiltration rate of the proposed zone of infiltration for the soakaways should the applicant decided to maintain the proposed depth of soakaways.