

South Hams Development Management Committee



Title:	Agenda										
Date:	Wednesday, 5th April, 2023										
Time:	10.00 am										
Venue:	Council Chamber - Follaton House										
Full Members:	<p style="text-align: center;">Chairman Cllr Foss</p> <p style="text-align: center;">Vice Chairman Cllr Rowe</p> <p><i>Members:</i></p> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">Cllr Abbott</td> <td style="width: 33%;">Cllr Long</td> </tr> <tr> <td>Cllr Brazil</td> <td>Cllr Pannell</td> </tr> <tr> <td>Cllr Brown</td> <td>Cllr Pringle</td> </tr> <tr> <td>Cllr Hodgson</td> <td>Cllr Reeve</td> </tr> <tr> <td>Cllr Kemp</td> <td>Cllr Taylor</td> </tr> </table>	Cllr Abbott	Cllr Long	Cllr Brazil	Cllr Pannell	Cllr Brown	Cllr Pringle	Cllr Hodgson	Cllr Reeve	Cllr Kemp	Cllr Taylor
Cllr Abbott	Cllr Long										
Cllr Brazil	Cllr Pannell										
Cllr Brown	Cllr Pringle										
Cllr Hodgson	Cllr Reeve										
Cllr Kemp	Cllr Taylor										
Interests – Declaration and Restriction on Participation:	Members are reminded of their responsibility to declare any disclosable pecuniary interest not entered in the Authority's register or local non pecuniary interest which they have in any item of business on the agenda (subject to the exception for sensitive information) and to leave the meeting prior to discussion and voting on an item in which they have a disclosable pecuniary interest.										
Committee administrator:	Amelia Boulter - Democratic Services Specialist 01822 813651										

- 1. Minutes** **1 - 10**

To approve as a correct record the minutes of the meeting of the Committee held on 15 March 2023;
- 2. Urgent Business**

Brought forward at the discretion of the Chairman;
- 3. Division of Agenda**

to consider whether the discussion of any item of business is likely to lead to the disclosure of exempt information;
- 4. Declarations of Interest**

In accordance with the Code of Conduct, Members are invited to declare any Disclosable Pecuniary Interests, Other Registerable Interests and Non-Registerable Interests including the nature and extent of such interests they may have in any items to be considered at this meeting;
- 5. Public Participation**

The Chairman to advise the Committee on any requests received from members of the public to address the meeting;
- 6. Planning Applications**

To see Letters of Representation and further supplementary information relating to any of the Applications on the agenda, please select the following link and enter the relevant Planning Reference number:
<http://apps.southhams.gov.uk/PlanningSearchMVC/>

 - (a) 2914/22/FUL** **11 - 24**

"Rendoc", Herbert Road, Salcombe, Devon

READVERTISEMENT (revised plans) Demolition of existing building & replacement with two residential units
 - (b) 0161/23/HHO** **25 - 34**

"Vermilion", Herbert Road, Salcombe

Householder application for extension & alterations to include replacement garage, single storey rear extension & habitable accommodation at second floor level with new roof structure (Resubmission of 2475/22/HHO)

- (c) 0271/23/FUL 35 - 46
"Land at Spirewell Farm", Traine Road, Wembury

New single storey three bed dwelling with agricultural occupancy condition (re-submission of 4421/21/FUL)

***** The following Applications will not be heard before 2.00pm *****

- (d) 4234/22/ARM 47 - 54
"West Prawle Farm", East Portlemouth

Application for approval of reserved matters following outline approval 1067/20/OPA for provision of an agricultural workers dwelling

- (e) 0090/23/FUL 55 - 64
"Land At Sx 512 631", New Road To Roborough Down, Roborough Down, Plymouth, Devon

Use of land for dog walking and exercise, provision of hard standing, fencing and shelter (resubmission 2503/22/FUL)

- (f) 4477/22/FUL 65 - 72
"Alston Well", Alston Farm, Slapton, Kingsbridge

Use of existing self-contained annexe accommodation as casual self-contained holiday let accommodation (retrospective)

7. Planning Appeals Update 73 - 74

8. Update on Undetermined Major Applications 75 - 80

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MINUTES of the MEETING OF THE DEVELOPMENT MANAGEMENT COMMITTEE held in the COUNCIL CHAMBER, FOLLATON HOUSE, TOTNES, on WEDNESDAY, 15 March 2023

Members in attendance			
* Denotes attendance			
∅ Denotes apologies			
*	Cllr V Abbott	*	Cllr M Long
*	Cllr J Brazil	∅	Cllr K Pringle
*	Cllr D Brown	*	Cllr H Reeve
*	Cllr R J Foss (Chairman)	*	Cllr R Rowe (Vice Chair)
*	Cllr J M Hodgson	*	Cllr B Taylor
∅	Cllr K Kemp	*	Cllr D O’Callaghan (substituting for Cllr K Kemp)
*	Cllr G Pannell	*	Cllr P Smerdon (substituting for Cllr K Pringle)

Other Members also in attendance and participating:

Cllr J Pearce and Cllr J Sweett

Officers in attendance and participating:

Item No:	Application No:	Officers:
All agenda items		Head of Development Management; Senior Planning Officers; Monitoring Officer; IT Specialists and Senior Democratic Services Officer

DM.63/23 MINUTES
The minutes of the meeting of the Committee held on 15 February 2023 were confirmed as a correct record by the Committee.

DM.64/23 DECLARATIONS OF INTEREST
Members and officers were invited to declare any interests in the items of business to be considered and the following were made:

Cllr B Taylor declared an Other Registerable Interest in application 6(a) and (e) (minutes DM.66/23 (a) and (e) below refer because he is a member of South Devon AONB Partnership Committee. The Member remained in the meeting and took part in the debate and vote thereon.

DM.65/23 PUBLIC PARTICIPATION
The Chairman noted the list of members of the public, Town and Parish Council representatives, and Ward Members who had registered their wish to speak at the meeting.

DM.66/23 PLANNING APPLICATIONS
The Committee considered the details of the planning applications prepared by the Planning Case Officers as presented in the agenda

papers, and considered also the comments of Town and Parish Councils, together with other representations received, which were listed within the presented agenda reports, and **RESOLVED** that:

**6a) 4118/22/FUL "Edgecombe House", West Buckland
Parish: Thurlestone**

Development: New dwelling & site landscaping (Re-submission of 3247/22/FUL)

Case Officer Update: The Case Officer provided an amendment on the ridge height of Rose Cottage, with the height given referring to an outbuilding of Rose Cottage. Ridge height of Rose Cottage should read 107.43 (+4.53m). This application was within the Buckland Settlement Boundary and supported open market housing within the settlement boundaries. On the site visit a question was asked on the cut in and it was reported that, if granted approval, there would be a 1.5 m cut into the lower level. Objections were received from the 3 neighbouring properties. There was a flood zone at the bottom of the site, however, no flood risk issues for this dwelling.

In response to questions raised, it was reported that:

- an ecology report was submitted and the ecology officer was happy subject to appropriate conditions being included;
- the previous application which was withdrawn had 4 bedrooms and the outbuilding proposed to be a study. In these revised proposals, the study had been moved into the house and reduced to 3 bedrooms;
- foul drainage would drain into the existing sewer.

Speakers were: Objector – None, Supporter – James Wells, Parish Council – Cllr R Lewis, Ward Members – Cllrs Pearce and Long.

In response to questions, the Supporter responded that:

- slate hung was used in parts of the village and the use of this material would ground the building and reduce the mass;
- they were looking at different options to facilitate bats;
- they have designed a home which provided a good level of amenity and adapted for later living;
- the scale of the home was considered appropriate to that setting.

In response to questions raised, the Parish Councillor reported that:

- from the plans 75% of the property would be glazed;
- the neighbourhood plans stated that housing was to be provided for young people and families which contributed to the local area.

One Ward Member reported that the development was allowable, however the scale of the property, element of the design, the setting and impact on the natural environment was a concern. Members needed to

consider the principle of the development alongside what the Parish Council had raised in their Neighbourhood Plan. The Member questioned whether this property met that housing need and addressed the requirement in the area. The Member asked that the Committee give serious consideration to the design and the slate hanging and whether the scale and design was appropriate, the glazing and the impact on bats and the neighbours had been considered. Finally, the Member emphasised that this was an important habitat.

The second Ward Member reported that when the Neighbourhood Plan was approved there was a high turnout and the basis of the plan had been to promote sustainable development. This dwelling could be adapted for later living and there was a shortage of this type of dwelling in this area with very few properties that could be adapted for later life.

During the debate, Members felt that the main intention of the Neighbourhood Plan was for affordable housing. It was felt that the scale and affordability of this property was out of reach for young people and families. However, some thought that the proposal was reasonable and in particular the Section 106 principal residency which would avoid a lot of the issues that had been raised by the Parish Council.

The Head of Development Management highlighted that it would be difficult to defend a decision to refuse this application and recognised that the Housing Needs Survey was now 7 years old.

Members requested a condition to have no external lighting and the meeting was adjourned to allow officers to look at policies.

The proposer and seconder were happy to accept a change to condition 7 whereby it be altered to no external lighting.

Recommendation: Conditional approval subject to completion of S106 to secure principal residency

Committee decision: Delegated approval granted to the Head of Development Management in consultation with the Chair and Vice-Chair and Cllr Brown and Cllr Taylor to amend condition 7 to no external lighting.

Conditions: Standard time limit
Accord with plans
Construction Management Plan
CEMP to be submitted
Adherence to recommendations of ecology report
Works to take place outside of nesting season
Details of external lighting
Accord with Tree Protection Plan

Removal of PD rights
Rooflights to be obscure-glazed
Windows to east elevation to be obscure-glazed
Surface water drainage details to be submitted
Details of materials
Natural local stone
Natural slate
Accord with energy statement
PV panels to be installed prior to occupation
EV charging points to be installed prior to occupation
Flue to be of a matte, dark finish
S106 to secure principle residency

**6b) 0116/23/FUL "Higher Farleigh Meadow", Diptford
Parish: Diptford**

Development: Application to regularise & retain an agricultural storage building (resubmission 2156/22/FUL) (Retrospective)

Case Officer Update: The Case Officer reported that an additional letter of support had been received that had raised no new issues. An application on this site had previously been presented to Committee in November 2022 and had been refused. The barn had been reduced slightly but was considered to remain too large for the site and was therefore recommended for refusal. There were no concerns with the design and use and a smaller building could be potentially be supported.

Speakers were: Objector – none, Supporter – Amanda Burden, Parish Council – None, Ward Members – Cllrs Pannell and Smerdon

In response to questions raised, the Supporter reported that:

- the fire engine currently on site had been put up for sale and would be removed from the site along with the shipping container;
- the fire engine sat across three of the open bays currently used for security, once removed the building would be clad on all four sides;
- the applicant wants to grow their own food.

One of the Ward Members raised that the Parish Council had objected to this application and queried whether the scale of the building was appropriate and the reduction in size sufficient enough to overcome those objections.

The second Ward Member wished to have their say during the debate.

During the debate, some Members felt that there was a need to support small scale farming and secure accommodation on site for tools and machinery. The applicant had made a small reduction and with the

removal of the fire engine and the shipping container recommended approval and this was seconded.

Other Members felt that if they went against the officer's recommendation this could then proliferate throughout the Area of Outstanding Natural Beauty and would significantly change the landscape. A number of Members still felt that the barn was too big.

It was then put to the vote that the application be conditionally approved, with delegated authority being granted to the Head of Development Management in consultation with the Chair and Vice-Chair, Cllr Smerdon and Cllr Hodgson to finalise the decision. In support, it was felt that the size of the building was proportionate and the approval decision should include the following conditions:

- Accordance with plans
- Restricted to agricultural use
- No external lighting
- Removal of fourth bay within 6 months
- Removal of container and fire engine within 6 months and no other vehicles to be put on site
- No caravan or mobile homes on the site

When put to the vote, the proposal was lost.

The vote was then taken to refuse the application (in line with the officer recommendation).the

Recommendation: Refusal

Committee decision: Refusal

**6c) 3111/21/HHO - "1 Lee Mount", Buckfastleigh
Parish Council: Staverton**

Development: Householder application for proposed garden room and studio.

Case Officer Update: The Case Officer highlighted a mistake in the report with the incorrect application number quoted. Within flood zone 2 and 3 and Policy TTV29 – residential extensions and replacement dwellings in the countryside requires extensions to be appropriate in scale and design in the context of the setting of the host dwelling. The application was not connected to the main building and would be ancillary, however, overall size and design of this proposal would compete with the main dwelling and it was not considered to fulfil policy requirements. In addition, no information had been provided on biodiversity and the application was not considered to comply with policies DEV26 and DEV32.

In response to questions raised, it was reported that the caravan has

currently been on site for at least 3 years.

Speakers were: Objector – None, Supporter – None, Parish Council – None, Ward Councillor – Cllr J Hodgson.

The Ward Member highlighted that the new building would be a working space and garden room for the current resident to live in. The Parish Council had raised no objections as long as it was ancillary to the main building. The application was not intended to be a residential building and was not visible and the Member understood that this was slightly unusual but the main dwelling was very small.

During the debate, most Members felt that this application did not comply with the 50% rule and were therefore of the view that the application should be refused. In contrast other Members felt that the proposals were acceptable and met local need.

Recommendation: Refusal

Committee decision: Refusal

**6d) 3679/22/FUL 92 High Street, Totnes
Town Council: Totnes**

Development: Change of use from shop to residential of part of the ground floor & entire first & second floors comprising two dwellings & second floor roof conversion/extension

The Case Officer: The Case Officer highlighted Policy DEV 18 (Protecting local shops and services) and Policy E3 (The Town Centre) of the emerging Totnes Neighbourhood Plan 'Within the town centre's primary shopping area, as defined in the Joint Local Plan, ground floor space and shopping frontages should be retained predominantly in retail use'. The key issues included:

- Loss of retail space;
- C3 Residential Use – includes holiday;
- Neighbour amenity;
- Lack of outdoor amenity;
- Lack of parking.

It was highlighted to Members that floors above shops could be converted without the need for planning permission.

Speakers were: Objector – None, Supporter – Richard Smith, Town Council – Cllr G Allen (statement read out), Ward Members, Cllr J Sweett

In response to questions, the Supporter reported that:

- the application met housing needs;

- they recognised trading over three floors was not efficient;
- the showroom would operate from the ground floor and the rest would be used as accommodation;
- there was no parking allocation at the site;
- anecdotally within the area there was a high percentage of shops with accommodation above.

The Ward Member highlighted the need to retain retail in the town centre and that the previous owner had retired. Totnes was a thriving market town and she therefore could not support the officer's recommendation that the application be conditionally approved. In addition, the Member stated that the lack of parking was an issue and the application contradicted Policies DEV18 and DEV 17.

During the debate, Members raised that Totnes did not have principle residency and any property could be let out. Transport was an issue, however this proposals might encourage people to arrive in a more sustainable way. The loss of retail space on the ground floor was recognised and Members questioned whether this was significant grounds for refusal. Finally, an additional condition was requested on the access and collection of refuse and this was accepted by the proposer and seconder.

Recommendation: Conditional Approval

Committee decision: Delegated to the Head of Development Management in consultation with Chair and Vice-Chair, Councillor Brazil and Cllr Rowe for approval subject to the inclusion of a condition that details how refuse from the retail unit shall be dealt with and stored shall be submitted to and agreed in writing with the Local Planning Authority prior to occupation. The agreed arrangement shall be maintained and retained in accordance with the agreed details for the life of the development until such time as an alternative strategy has been agreed in writing with the Local Planning Authority.

Conditions:

1. Standard time limit
2. Accord with plans
3. Accord with ecological appraisal
4. Materials to match
5. Conservation rooflights
6. Restrict change of use of ground floor

**6e) 3985/22/FUL "Squares Quay Car Park", Kingsbridge
Town Council: Kingsbridge**

Development: Proposed siting of 2 containers for paddle boarding school

Case Officer Update: The Case Officer reported they have received 47 letters of representation on this application. Kingsbridge Harbour Master had raised no objections. The officer made specific reference to Policy DEV17 'promoting competitive town centres' 'In the town centres of the Thriving Towns and Villages Policy Area the LPAs will enable and where appropriate support measures to enhance the economy'. In addition, the key issues for the Committee to consider included:

- visual impact;
- impact on the car park (paraphernalia, loss of car parking, conflict between users, stake park);
- flood Zone 2/3 and critical drainage area.

Speakers were: Objector – None, Supporter – Crispin Jones, Town Council - None, Ward Members – Cllr D O'Callaghan

The Supporter reported that during the peak of summer would expect 60 people a day to be using the facilities.

The Ward Member raised that the other Ward Member and Town Council supported this application. This was a successful award winning business that would bring the whole place to life and attract visitors and footfall to the town. Also, conditional approval of this application would dovetail into the new stake park and be great for young people.

During the debate, Members welcomed this application and felt that these types of activities would revitalise our parks.

Recommendation: Conditional Approval

Committee decision: Conditional Approval

Conditions:

1. Time limit (temporary 2 year consent)
2. Accord with plans
3. External lighting

DM.67/23

PLANNING APPEALS UPDATE

Members noted the list of appeals as outlined in the presented agenda report.

DM.68/23

UPDATE ON UNDETERMINED MAJOR APPLICATIONS

Members noted the update on undetermined major applications as outlined in the presented agenda report.

(Meeting commenced at 10:00 am. Meeting concluded at 1:31 pm. Meeting adjourned at 11:05am)

Chairman

Voting Analysis for Planning Applications – DM Committee 15 March 2023

<i>Application No:</i>	<i>Site Address</i>	<i>Vote</i>	<i>Councillors who Voted Yes</i>	<i>Councillors who Voted No</i>	<i>Councillors who Voted Abstain</i>	<i>Absent</i>
4118/22/FUL	"Edgecombe House", West Buckland	Conditional Approval	Cllrs Abbott, Brown, Foss, Reeve, Smerdon and Taylor (6)	Cllrs Hodgson, Long and O'Callaghan (3)	Cllrs Brazil, Pannell and Rowe (3)	
0116/23/FUL	"Higher Farleigh Meadow", Diptford	Refused	Cllrs Abbott, Brazil, Foss, O'Callaghan, Long, Pannell, Reeve and Taylor (8)	Cllrs Brown, Hodgson, Rowe and Smerdon (4)		
3111/21/HHO	"1 Lee Mount", Buckfastleigh	Refused	Cllrs Abbott, Brazil, Brown, Foss, O'Callaghan, Long, Pannell, Reeve, Rowe, Smerdon and Taylor (11)	Cllr Hodgson (1)		
3679/22/FUL	92 High Street, Totnes	Conditional Approval	Cllrs Abbott, Brazil, Brown, Foss, Pannell, Reeve, Rowe, Smerdon and Taylor (9)	Cllrs Hodgson and Long (2)	Cllr O'Callaghan (1)	
3985/22/FUL	"Squares Quay Car Park", Kingsbridge	Conditional Approval	Cllrs Abbott, Brazil, Brown, Foss, Hodgson, O'Callaghan, Long, Pannell, Reeve, Rowe, Smerdon and Taylor (12)			

PLANNING APPLICATION REPORT

Case Officer: Bryony Hanlon

Parish: Salcombe **Ward:** Salcombe and Thurlestone

Application No: 2914/22/FUL

Agent:

Mr Nigel Dalton
Nigel Dalton Architectural
Unit 4H
South Hams Business Park
Churchstow
Kingsbridge
TQ7 3QH

Applicant:

Mr E & D Basham
Rendoc
Herbert Road
Salcombe
TQ8 8HW

Site Address: Rendoc, Herbert Road, Salcombe, Devon, TQ8 8HW



Development: (Original application) Demolition of existing lower ground floor basement flat (separate) to 1No. dwelling to be replaced with 2No. new proposed dwellings.

READVERTISEMENT (Revised plans) Demolition of existing building & replacement with two residential units.

Recommendation: Conditional approval

Conditions:

1. Time limit
2. Accord with plans
3. Surface water drainage
4. Natural slate sample

5. Privacy screens
6. Timber louvres
7. Air source heat pump
8. Solar panels
9. Low carbon measures
10. Accord with ecological mitigation
11. Garages and driveways to be retained for the parking of motor vehicles
12. Removal of PD rights

Key issues for consideration:

Principle of development, design, scale and massing, neighbour amenity, drainage, biodiversity, highways, low carbon.

Reason for call in:

Cllr Pearce wishes the Committee to consider the issue of bedrooms in the basement with no external windows, plus the safety implications for the pool arrangement relative to the new dwelling. Cllr Long wishes the Committee to consider the scale, massing, design, materials, street scene impact and internal configuration.

Site Description:

The site is located within the built form of Salcombe, c. 0.45km south west of the town centre, on the northern side of Herbert Road. The site hosts a detached building, which hosts two dwellings; one of which comprises the main part of the house, with other a flat in the basement. Vehicular access and parking is available at the front of the dwelling, with an integral garage provided in the eastern part of the building. The building has been extended and altered during its lifetime; it has a hipped roof with flat roofed dormers, flat roofed side and rear extensions, along with a small balcony to the rear. The building is finished in painted render, concrete tile and slate. There is a larger rear garden partly laid to lawn with open air swimming pool, Jacuzzi and shed.

The Proposal:

The original application comprised;

- The demolition of the existing building and the replacement with two detached dwellings
- The dwellings are of a contemporary design, of simple, pitched roof form, with first floor rear balconies
- Reconfigured vehicular access to provide for one access for each dwelling, with off-road parking and garaging
- The provision of a small paved yard at the front of each dwelling, with steps down from Rendoc Road, an area for the storage of bins and a small area for planting

During the life of the application, the plans were revised and readvertised. The main changes comprised:

- Addition of timber louvres on the glazing on the principal elevation of both dwellings facing Herbert Road
- Addition of 1.8m high obscure glazed privacy screens on the first floor rear balconies of each of the dwellings
- Provision of EV charging points, solar PV panels and an air source heat pump to each dwelling
- Provision of a communal access to the rear gardens via a shared pathway between the two dwellings

One minor correction to the plans was received after the consultation period had closed; this amendment retracted the eaves of the westernmost dwelling in order that it did not overhang the boundary with St. Malo.

Consultations:

- DCC Highways Authority (original application) Refer to standing advice
- Town Council (original application) Objection
Objection as this was overdevelopment of the site and the ridge heights were too high. The three storey design together with the loss of the front garden would have an adverse impact on the streetscene. The design did not tie in with neighbouring properties which was contrary to NDP policy B3(b). The proposed development went right up to the boundary edge which would impact neighbours and the additional height would also impact the light amenity of Corner Acre. The existing property consisted of a main house and a small one bedroom flat which did not receive planning permission but had subsequently been granted a Certificate of Lawfulness. For this reason alone it did not appear 'in the spirit of planning law' that a one bedroomed flat could then become a 4 bedroomed house and escape the provisions of NDP policy H3 re Principal Housing. If approval was given there needed to be a condition that the two houses could not be subdivided into smaller units in perpetuity.
- Town Council (revised application) Objection
Objection - apart from the addition of solar panels and minor amendments to the street elevation, nothing has really changed. On that basis our objection is as before, it is overdevelopment of the site and the ridge heights are too high. The three storey design together with the loss of the front garden will have an adverse impact on the streetscene. The design does not tie in with neighbouring properties which is contrary to NDP policy B1 para 3(b). The proposed development goes right up to the boundary edge which will impact neighbours and the additional height will also impact the light amenity of Corner Acre. The existing property consists of a main house and a small one bedroom flat which did not receive planning permission but had subsequently been granted a Certificate of Lawfulness. For this reason alone it does not appear 'in the spirit of planning law' that a one bedroomed flat could then become a 4 bedroomed house and escape the provisions of NDP policy H3 re Principal Housing. If approval is given there needs to be a condition that the two houses could not be subdivided into smaller units in perpetuity.

Representations:

Representations from Residents

One letter of support was received for the original scheme and includes the following points:

- Notwithstanding the details of the proposed plans, I support the redevelopment of the site. This redevelopment will not only enhance the street scene, but will create housing that will be lived in, within the residential area of Herbert Road.

Four letters of objection were received for the original scheme and include the following points:

- This proposal is overdevelopment of the site with excessive scale, height and massing. Herbert Road is turning from an area of detached houses set back from the road in gardens into an uncoordinated terrace with all new developments trying to build boundary to boundary.
- Number of properties :- the planning design and access statement states the scheme proposes no change in the number of dwellings on the site How does turning the basement of the original house into a small s/c unit justify the creation of an additional property more than 50% larger than the size of the whole current dwelling?
- Increase in size:- This proposal is a massive increase in bulk compared to the current sizeable property. Doc 8881256 shows that the existing floor space is 170sq m , each proposed unit is
- 264sq m an increase of 358sq m. Each proposed unit is more than 50% bigger than the current building (which is designated as 2 dwellings!)
- Height:- the proposed roof height is raised more than 1m and will be 1.3m above its neighbour Codner Acre.
- Unit 2 is proposed right on the upper site boundary. Being greatly taller and without the slope of the current roof and with the neighbouring property set well back, and the massive bulk of the building extending into the back garden this will be very block like and will affect the vistas of the hills from people walking down Herbert Road.

- Building line :- the block plan of the site proposal show that the building is well forward of the building line which crosses just in front of St Valery's garage.
- Design :- this is harsh, block like and the grey cladding especially looks industrial. With this appearance and the additional height it is important that the buildings are set back from the road as much as possible to reduce their effect.
- Excessive glazing to the front of the property facing Herbert Road will cause light pollution, overlook to properties across the street and be a hazard to birds.
- The garage in Unit 1 is smaller, is it long enough to park a large SUV, the standard car for Salcombe visitors?
- The three storey design resulting in an increase in ridge height, together with the loss of garden area would have an adverse impact on the street. In addition, there is insufficient parking allowance to cater for two, four bedroom houses.
- There appears to be no access to the rear of the properties other than through the living area.
- The bins are on display at the front of the properties.
- Rear balconies affecting neighbours amenity.

Three letters of objection were received for the revised scheme and include the following points:

- Overdevelopment to the detriment of neighbouring dwellings and the character of Salcombe.
- One dwelling with an unauthorised one bedroom unit is now proposed to be turned into two, three storey dwellings. The height of the roof should be reduced. The existing dwelling is certainly ugly and would benefit from improvement but more thought should be given to parking and landscaping in keeping with other properties.
- Whilst we're submitting an 'objection', (in relation to the roof ridge heights and concerns about over-development) we believe that the current planning issues that the application presents, may be resolved with a reconsideration of some aspects of the design itself.
- For example, a semi-detached arrangement might begin to address some of the following aspects:
 1. Unit 2, presently proposed to be constructed against the shared boundary with neighbouring St. Valery, could be re-sited and constructed against the proposed Unit 1 dwelling to create a semi-detached structure. This would create a clear separation from the boundary line.
 2. The overall height of the proposed Unit 2 in relation to the existing building - Moving Unit 2 down the sloping site on Herbert Road will lower the height of the present proposed ridge and therefore could bring the new ridge height below the existing building's ridge.
 3. The massing/overdevelopment still inherent in a semi-detached structure, could be mitigated by off- setting one of the Units by setting it back a little from the road thus breaking up the elevation.
 4. Amenity issues – The above would allow more possible space for enhanced amenity on the Herbert Rd side in terms of planting in the front of the unit which is set back.

Relevant Planning History

Planning Application Reference	Proposal	Site Address	Decision	Appeal
41/0696/77/3: FUL	New enclosure to private swimming pool	Rendoc Herbert Road Salcombe	Refusal: 19 Jul 77	
41/1650/78/3: FUL	Dormer rooms in roof.	Rendoc Herbert Road Salcombe	Conditional approval: 03 Jan 79	
2433/17/FUL	Demolition of existing single dwelling to provide 4 new dwelling units	Rendoc Herbert Road Salcombe	Withdrawn	
2193/18/FUL	Demolition of existing single dwelling to provide 4 new dwelling units (Re-submission of 2433/17/FUL)	Rendoc Herbert Road Salcombe	Refusal: 04 Sep 18	Dismissed (refusal): 23 May 19

3761/20/PR4	Scoping Only - Pre Application Enquiry For - Demolition of existing dwelling to provide 2 new dwellings	Rendoc Herbert Road Salcombe	Pre-application: (Partial support) 11 Mar 21	
0475/22/CLE	Certificate of Lawfulness for existing use of lower ground floor (basement) flat as a separate, independent dwelling	Rendoc Herbert Road Salcombe	Cert of Lawfulness (Existing) Certified: 07 Apr 22	

ANALYSIS

1.0 Principle of Development/Sustainability

1.1 The site is located within the built form of Salcombe and hosts two dwellings contained within a single building; the principle of development within this context is therefore established, subject to compliance with the other protective designations relevant to this highly sensitive location.

1.2 Objections have been received on the basis that the proposal is not within the “spirit” of the law, given that the application seeks to replace a dwelling that had become lawful through the passage of time. While these comments are noted, a Certificate of Lawfulness (0475/22/CLE) confirmed that the dwelling was lawfully used as a self-contained independent dwelling and that Officers do not have any scope for discretion in the matter. As such, the planning application has been determined on the basis that the site hosts two independent dwellings which will be replaced by two such dwellings; policy H3 of the Salcombe Neighbourhood Plan is therefore not triggered and no dwelling is subject to a principal residence requirement.

1.3 The Town Council have requested that the units are conditioned to ensure that they are not further subdivided. Section 55 (2B) (3) of the Town and Country Planning Act 1990 (as amended) states that; “For the avoidance of doubt it is hereby declared that for the purposes of this section—

- (a) the use as two or more separate dwellinghouses of any building previously used as a single dwellinghouse involves a material change in the use of the building and of each part of it which is so used”

On this basis, any such subdivision would require express permission and Officers do not consider that a condition is necessary.

1.4 The proposal has been considered against the provisions of DEV8, which require that developments provide a mix of housing sizes, types and tenure appropriate to the area. The policy also recognises particular needs associated with redressing an imbalance within the housing stock, households with specific need and for dwellings most suited to younger people, working families and older people who wish to retain a sense of self-sufficiency.

1.5 The Strategic Housing Market Needs Assessment that underpins the housing mix policies within the JLP places suggests that household change to 2034 will present a need for smaller homes that meet the needs of a broader cross-section of our communities, particularly couples with no children and single person households.

1.6 Housing data from the 2011 Census indicate that Salcombe has a relatively balanced spread of housing types available (flats 33%, detached dwellings 29%, semi-detached 16%, terraced 22%), and a relatively good spread of housing sizes (1 bedroom 10%, 2 bedrooms 25%, 3 bedrooms, 37%, 4 bedrooms 28%); the replacement of one four bedroomed dwelling with another would have a neutral impact and the replacement of one one bedroomed flat with a four bedroomed dwelling would have a minor adverse impact in terms of bedroom size. Officers recognise local concerns associated with the replacement of a one bedroomed flat with a four bedroomed dwelling but that in the context of the data available, and the modest current over-provision of flats within the Salcombe housing mix at present,

the adverse impacts of the proposal were not, on balance, considered harmful enough to merit using DEV8 as a reason for refusal.

2.0 Design, Scale and Massing

2.1 The proposal centres around the demolition of an existing dormer bungalow with basement flat and its replacement with two detached, two storey dwellings. The proposal has generated significant objection to the scheme in terms of the increase in floorspace, ridge height and massing of development on the site, along with the projection forward of the building line of the existing structure. Officers would note that the existing plot is particularly generous and that two dwellings, with parking, garaging and outdoor amenity space can be accommodated within the site boundary and still comply with Nationally Described Space Standards and the SPD, without appearing as an overdevelopment of the site. While the dwellings do provide an increase in the floorspace for each dwelling compared to the existing two units on the site, there are no fixed upper limits for any increase in floorspace for sited within the towns within the current policy framework, it is just one of the elements that is considered in the planning balance.

2.2 Objectors have also commented that the contemporary design is out of keeping with the street scene. The residential area surrounding Herbert Road is a well-established part of Salcombe; there are a wide variety of dwellings in this area, but most of them are individually designed and sited on their respective plots, with the streets arranged in a grid pattern. Officers would note that the existing building is representative of its time and that it is not of significant architectural value in its own right such that it would warrant retention. Officers acknowledge that the proposal will result in an increase in development on the plot but consider that the development in the area surrounding the site is sufficiently varied that the proposal will not appear incongruous. The contemporary design has attracted both criticism and praise; the current policy framework does not preclude a contemporary design and Officers consider that the simple form and clean lines of the design will not appear unduly visually prominent within the street scene.

2.3 The original scheme attracted objection based on the existent of glazing on the principal elevation facing Herbert road. Officers requested that the applicant add timber louvers over the glazing; this still allows light into the rooms and provides additional privacy for the occupants but helps to break up the expanse of glazing and to reduce light spill within the street scene. Officers consider it necessary to secure the details of the timber louvres by condition, in the interests of visual amenity. While timber cladding is not part of the local vernacular in Salcombe where its use is proposed, each case will be considered on its own merits. In this instance, the area to be clad is comparatively small relative to the whole building and having regard to the use of the cladding to break up the glazing for the reasons set out above, in combination with the general architectural quality of the surrounding area, it is not considered that the use of cladding is so significantly harmful as to warrant refusal.

2.4 The applicant has proposed the use of natural slate within the scheme; this is welcomed, with the details to be secured by condition in the interests of visual amenity.

2.5 It is noted that concerns have been raised regarding the visibility of bins at the front of the dwellings; it is not uncommon for bins to be visible within residential areas and Officers do not consider that this element would result in a significant detrimental appearance within the street scene.

2.6 Officers are satisfied that both dwellings are provided with sufficient outdoor amenity space and that the dwellings have been designed to minimise impacts on adjoining neighbours and each other. Officers would also note that the dwellings have been designed as a complementary pair, each with their own variation of the shared contemporary design themes. However, given the generous floorspace available for each dwelling and in order to ensure that any future development on the site did not erode the original design intent of the scheme such that the design was compromised or that residential amenity was eroded, Officers consider it necessary to remove permitted development rights for each of the dwellings.

2.7 On this basis, the proposal is considered to accord with the provisions of DEV1, DEV10, DEV20, DEV23 and SALC B1.

3.0 South Devon AONB

3.1 Policy DEV25 requires that proposals “conserve and enhance the natural beauty of the protected landscape with particular reference to their special qualities and distinctive characteristics or valued attributes”. The proposal meets the first policy test, in that the design and palette of materials have a neutral impact on the AONB itself, as the proposal is located well within the built form of Salcombe and changes to character and appearance of the residential area will be localised only, thereby conserving the natural beauty of the AONB. While it does not offer enhancement, given the small scale of the proposal and having regard to the current condition of the site, including the presence of an existing residential dwelling, the proposal is considered acceptable with regard to the provisions of DEV25 and SALC ENV1.

4.0 Neighbour Amenity

4.1 The original scheme included first floor rear balconies on both dwellings and a number of concerns were raised on this basis; Officers requested that 1.8 m high obscure glazed privacy screens be added, which the applicant agreed to during the revisions to the scheme. Officers consider that these screens are sufficient to mitigate overlooking, with the details to be secured by condition in the interests of the residential privacy and amenity of adjoining occupiers. On this basis, the proposal is considered to accord with the provisions of DEV1.

4.2 In a similar vein, objectors noted that the original scheme did not provide for access to the rear garden of both dwellings without going through the house itself. Whilst this matter is not determinative, this has been rectified through the revised scheme, which includes a shared pedestrian path between the two buildings.

5.0 Highways/Access:

5.1 The proposal includes reconfigured access arrangements compared to the existing to provide one separate access for each dwelling. Officers would note that the Devon County Council Highways Engineer has referenced Standing Advice in the response; Officers would note that in this assessment, Herbert Road is identified as an unclassified (Class Z) road. On this basis, the applicant is not required to provide a turning facility within the site boundary.

5.2 Concerns have been raised that the dwellings are not provided with sufficient parking spaces; it is widely acknowledged that parking in this part of Salcombe is limited and that there are double yellow lines outside the application site on Herbert Road. The driveway to Unit 1 is c. 10.6 m x 4.5 m, which would allow for two cars to park in tandem in front of the garage, with a further car inside the garage, which measures 4.7m x 6.6m (allowing for the internal access door). The garage, with its EV charging point, and the driveway meet the SPD guidance in terms of the space available to accommodate three cars for a four bedrooomed dwelling (paragraphs 8.4-8.11).

5.3 Unit 2 is also a four bedrooomed dwelling; the driveway measures c. 8.4m x 4.4m and the garage c. 8.9m x 4.7m. While the driveway is a little short of the space required by the SPD, Officers do not consider that this would have a significant impact on highways safety in its own right.

5.4 Officers consider it necessary to secure the garages and driveways for parking through condition, to ensure that adequate parking facilities are available to accommodate traffic associated with the development. On this basis, the proposal is considered to accord with the provisions of DEV29, T1 and the guidance contained within the SPD.

6.0 Drainage

6.1 The applicant has provided a copy of South West Water's acceptance of foul and surface water drainage connections, in the event that a soakaway cannot be provided within the rear garden for dwelling two. Dwelling one cannot accommodate a soakaway as the open air swimming pool is being retained and there is insufficient space remaining to accommodate a soakaway and comply with

Building Regulations. Officers consider that this approach is acceptable, with details of soakaway testing for dwelling two, plus details of flow attenuation for both dwellings to be secured by condition to ensure surface water runoff does not increase to the detriment of the public highway or other local properties as a result of the development. On this basis, the proposal is considered to accord with the provisions of DEV35.

7.0 Low Carbon

7.1 The applicant has included the provision of an air source heat pump within the proposal. While the principle of this element is acceptable, full details of the ASHP must be secured by condition in order to safeguard the interests of residential amenity and the natural environment. On this basis, the proposal is considered to accord with the provisions of DEV1, DEV2, DEV26, DEV28 and DEV32.

7.2 The applicant has also included solar panels on the eastern roof plane of each of the dwellings; this is considered acceptable, with the details to be secured through condition in the interests of visual amenity and to ensure the development contributes toward delivering a low carbon future and supports the Plan Area target to halve 2005 levels of carbon emissions by 2034 and increase the use and production of decentralised energy; and in accordance with policy DEV32.

7.3 The applicant has also provided a copy of the DEV32 checklist which details the measures included within the design and build of the dwellings in order to reduce the carbon footprint associated with the project and comply with the provisions of DEV32. It is considered necessary to secure these details through condition in order to ensure the development contributes toward delivering a low carbon future and supports the Plan Area target to halve 2005 levels of carbon emissions by 2034 and increase the use and production of decentralised energy; and in accordance with policy DEV32.

7.4 For clarity, Officers would note that as the application was submitted prior to 01 December 2022 the provisions of the Climate Emergency Planning Statement with respect to the carbon impact of the demolition phase do not apply.

8.0 Biodiversity

8.1 The applicant has provided a Preliminary Ecological Appraisal to confirm that there are no ecological constraints to development on the site. The Appraisal contains a number of precautionary recommendations and measures to deliver biodiversity net gain, in order to safeguard the interests of protected species, which are necessary to secure through condition. On this basis, the proposal is considered to accord with the provisions of DEV26.

9.0 Conclusion

9.1 Officers note that the proposal challenges the limits of acceptability under the current policy framework but it is not considered that the proposal would result in demonstrable harm given the site constraints and context. On balance, the proposal is considered acceptable and it is therefore recommended that the application be granted conditional 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 26 March 2019, the Plymouth & South West Devon Joint Local Plan 2014 - 2034 is now part of the development plan for Plymouth City Council, South Hams District Council and West Devon Borough Council (other than parts of South Hams and West Devon within Dartmoor National Park).

On 26 March 2019 of the Plymouth & South West Devon Joint Local Plan was adopted by all three of the component authorities. Following adoption, the three authorities jointly notified the Ministry of Housing, Communities and Local Government (MHCLG)* of their choice to monitor the Housing Requirement at the whole plan level. This is for the purposes of the Housing Delivery Test (HDT) and the 5 Year Housing Land Supply assessment. A letter from MHCLG to the Authorities was received on 13 May 2019 confirming the change.

On 14 January 2022 the Department for Levelling Up, Housing and Communities published the HDT 2021 measurement. This confirmed the Plymouth, South Hams and West Devon's joint HDT measurement as 128% and the consequences are "None".

Therefore a 5% buffer is 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 5.97 years at end of March 2022 (the 2022 Monitoring Point). This is set out in the Plymouth, South Hams & West Devon Local Planning Authorities' Housing Position Statement 2022 (published 19 December 2022).

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

The relevant development plan policies are set out below:

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

SPT1 Delivering sustainable development
SPT2 Sustainable linked neighbourhoods and sustainable rural communities
SPT3 Provision for new homes
SPT9 Strategic principles for transport planning and strategy
SPT10 Balanced transport strategy for growth and healthy and sustainable communities
SPT12 Strategic approach to the natural environment
TTV1 Prioritising growth through a hierarchy of sustainable settlements
TTV2 Delivering sustainable development in the Thriving Towns and Villages Policy Area
DEV1 Protecting health and amenity
DEV2 Air, water, soil, noise, land and light
DEV8 Meeting local housing need in the Thriving Towns and Villages Policy Area
DEV9 Meeting local housing need in the Plan Area
DEV10 Delivering high quality housing
DEV20 Place shaping and the quality of the built environment
DEV23 Landscape character
DEV25 Nationally protected landscapes
DEV26 Protecting and enhancing biodiversity and geological conservation
DEV28 Trees, woodlands and hedgerows
DEV29 Specific provisions relating to transport
DEV31 Waste management
DEV32 Delivering low carbon development
DEV35 Managing flood risk and Water Quality Impacts

Neighbourhood Plan

Following a successful referendum, the Salcombe Neighbourhood Plan was made at Executive Committee on 19 September 2019. It now forms part of the Development Plan for South Hams District and is used when determining planning applications within the Salcombe Neighbourhood Area. It is not considered that the proposal conflicts with the policies below;

SALC ENV1 Impact on the South Devon Area of Outstanding Natural Beauty
SALC ENV2 Green Infrastructure throughout the Parish
SALC B1 Design Quality and safeguarding Heritage Assets
SALC T1 Car and trailer parking in Salcombe
SALC H3 Principal Residence

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

Considerations under Human Rights Act 1998 and Equalities Act 2010

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

Conditions

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 by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

Site Location Plan 1102.21.01

Proposed Drainage Plan 22.016 03.00 Rev A

Received by the Local Planning Authority on 26 September 2022

Proposed Sections 1102.21.10 revision B

Proposed Site Plan 1102.21.04 revision B

Proposed Long Elevations 1102.21.05 revision B

Proposed Elevations (unit 1) 1102.21.06 revision B

Proposed Elevations (unit 2) 1102.21.07 revision B

Proposed Plans (unit 1) 1102.21.08 revision B

Proposed Plans (unit 2) 1102.21.09 revision B

Received by the Local Planning Authority on 16 February 2023

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. Notwithstanding the submitted details, prior to the installation of any part of the surface water management scheme or before development continues above ground level, whichever is the sooner, full details of the most sustainable drainage option shall be submitted to and approved in writing by the Local Planning Authority (LPA). Design steps as below:

1. Soakaway testing to DG 365 to confirm the use of soakaways or to support an alternative option. Three full tests must be carried out and the depth must be representative of the proposed soakaway. Test results and the infiltration rate to be included in the report.

2. If infiltration is suitable then the soakaway should be designed for a 1:100 year return period plus an allowance for Climate change (currently 40%).

3. If infiltration is not suitable then an offsite discharge can be considered. Attenuation should be designed for a 1:100 year return period plus an allowance for Climate change (currently 40%).

4. The offsite discharge will need to be limited to the Greenfield runoff rate. This must be calculated in accordance with CIRIA C753. The discharge must meet each of the critical return periods. Full details of the flow control device will be required.

5. A scaled plan showing full drainage scheme, including design dimensions and invert/cover levels of the soakaways/attenuation features, within the private ownership. The soakaways should be sited 5m away from all buildings and highways to accord with Building Regulations and 2.5m from all other site boundaries for best practice.

6. The drainage scheme shall be installed in strict accordance with the approved plans, maintained and retained in accordance with the agreed details for the life of the development.

Reason: To ensure surface water runoff does not increase to the detriment of the public highway or other local properties as a result of the development.

4. Prior to their installation details (such as a product brochure, technical specification sheet and colour photographs) of the natural roofing slate to be used in the construction of the proposed development shall be submitted to and approved in writing by the Local Planning Authority.

The natural slate used on all new buildings with pitched roofs must accord with the hierarchy of origin as well as meeting the requirements to be compatible with local vernacular and design:

- Reclaimed UK or European slates where available with proof of origin from supplier
- New UK derived slates with proof of origin from supplier
- New European derived slates with proof of origin from supplier
- No other natural slate products will be considered acceptable

All new roof slates and natural stone must be covered by a minimum warranty period of 50 years. Where possible, a product should be obtained that has an Environmental Product Declaration (EPD). If an EPD is not available, a verifiable certificate of origin or provenance will need to be supplied.

The development shall then be carried out in accordance with those samples as approved. The slates shall be fixed in the traditional manner using nails not hooks and retained and maintained for the lifetime of the development.

Reason: In the interests of visual amenity.

5. The 1.8m high obscure glazed privacy screens as detailed on drawings 1102.21.06 Rev B and 1102.21.07 Rev B on the north east and south west elevations of each of the first floor rear balconies hereby permitted shall be installed prior to the use of any balcony and shall thereafter be retained and maintained.

Reason: In order to safeguard the residential amenity and privacy of adjoining occupiers.

6. Prior to occupation of any building hereby approved, the timber louvres on the south east elevation of each of the dwellings shall be installed. The timber louvres shall be retained and maintained for the lifetime of the development.

Reason: In the interests of visual amenity.

7. Notwithstanding the information submitted, prior to installation full details of the Air Source Heat Pump hereby approved shall be submitted to and approved in writing by the LPA. The equipment shall then be installed, maintained and retained in accordance with those details for the lifetime of the development, unless otherwise agreed in writing by the LPA. The Air Source Heat Pump must be removed as soon as reasonably practicable when no longer required.

Reason: In order to safeguard the interests of residential amenity and the natural environment.

8. Prior to their installation, details of the solar panels to be used in the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The panels shall be of a visually recessive design. Prior to occupation of any building hereby approved, the panels shall be installed in accordance with those details as approved and retained and maintained for the lifetime of the development. The panels shall be removed as soon as reasonably practicable when no longer required.

Reason: (1) In the interests of visual amenity.

(2) To ensure the development contributes toward delivering a low carbon future and supports the Plan Area target to halve 2005 levels of carbon emissions by 2034 and increase the use and production of decentralised energy; and in accordance with policy DEV32.

9. The low carbon measures identified in the DEV32 Checklist shall be implemented in order to achieve regulated carbon emissions levels of at least 20 per cent less than that required to comply with Building Regulations Part L. 2013. Development shall take place in accordance with the approved details prior

to the first use of any building to which they relate and shall be retained and maintained for the lifetime of the development.

Reason: To ensure the development contributes toward delivering a low carbon future and supports the Plan Area target to halve 2005 levels of carbon emissions by 2034 and increase the use and production of decentralised energy; and in accordance with policy DEV32.

10. The recommendations, mitigation and enhancement measures of the Ecological Report, by Butler Ecology on 12 August 2022, shall be fully implemented prior to the commencement of the use hereby approved and adhered to at all times. In the event that it is not possible to do so all work shall immediately cease and not recommence until such time as an alternative strategy has been agreed in writing with the Local Planning Authority.

Reason: To safeguard the interests of protected species.

11. The garages and driveways hereby permitted shall be kept available at all times for the parking of motor vehicles by the occupants of the dwellings and their visitors and for no other purpose.

Reason: To ensure that adequate parking facilities are available to accommodate traffic associated with the development.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order, 2015, as amended (and any Order revoking and re-enacting this Order), no development of the types described in the following Classes of Schedule 2 and 14 shall be undertaken without the express consent in writing of the Local Planning Authority other than those expressly authorised by this permission:-

- (a) Part 1, Class A (extensions and alterations)
 - (b) Part 1, Class AA (enlargement of a dwellinghouse by construction of additional storeys)
 - (c) Part 1, Classes B and C (roof addition or alteration)
 - (d) Part 1, Class D (porch)
 - (e) Part 1, Class E (a) swimming pools and buildings incidental to the enjoyment of the dwellinghouse and; (b) container used for domestic heating purposes/oil or liquid petroleum gas)
 - (f) Part 1, Class F (hardsurfaces)
 - (g) Part 1, Class G (chimney, flue or soil and vent pipe)
 - (h) Part 1, Class H (microwave antenna)
- Schedule 2
- (i) Part 2, Class A (means of enclosure)
- Part 14 Renewable energy
- (j) Class A (solar equipment)
 - (k) Class B (stand alone solar equipment)
 - (l) Class C (ground source heat pumps)
 - (m) Class E (installation or alteration of flue for biomass heating) (n) Class F (installation or alteration of flue for combined heat and power)
 - (o) Class G (installation or alteration of air source heat pumps)
 - (p) Class H (installation or alteration of wind turbine)
 - (q) Class I (installation or alteration of stand alone wind turbine)

Reason: To enable the Local Planning Authority to exercise control over development which could materially harm the character and visual amenities of the development and locality.

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PLANNING APPLICATION REPORT – Householder Developments

Case Officer: Liz Payne

Parish: Salcombe **Ward:** Salcombe and Thurlstone

Application No: 0161/23/HHO

Agent:

Mr Joe Owen - Derry Owen Architects
Derry Owen Architects
Unit 5 Homelands
Higher Union Road, Kingsbridge
TQ7 1EQ

Applicant:

Carmen Redondo
Vermilion
Herbert Road
Salcombe
TQ8 8HN

Site Address: Vermilion, Herbert Road, Salcombe, TQ8 8HN



Development: Householder application for extension & alterations to include replacement garage, single storey rear extension & habitable accommodation at second floor level with new roof structure (Resubmission of 2475/22/HHO)

Reason item is before Committee: Cllr Pearce and Cllr Long have referred the application to committee for the following reason:

- Poor design and impact on street scene;
- Neighbour amenity;
- Delivery of renewable technology in light of Climate Emergency.

Recommendation: Conditional Approval

Conditions:

Standard time limit
Adherence to plans
Adherence to ecological mitigation
Development to be outside of nesting season
Air Source Heat Pump details
Drainage
Extension not be used as a terrace
No external lighting

Key considerations: Design, AONB, Neighbour Amenity, Ecology, Parking provision.

Site description:

The site currently hosts a detached two storey dwelling with gardens to the front and rear. The property has a unique Dutch barn style roof and the clay tiles cover the external walls of the first floor; the lower walls are rendered and a gable projection over the porch includes a section of timber cladding.

The property faces north onto Herbert Road which hosts a mix of house styles and materials. Herbert Road slopes steeply downhill from west to east. While Vermilion follows an approximate building line with the neighbours to the west, it is set forward of properties to the east. As such, the east elevation of the property is clearly visible from the street scene. To the south, the property has a good sized garden which falls downhill towards the south and is bounded by a thick layer of shrubs and trees. Views to the south look towards the first floor of neighbouring properties along Devon Road and the open countryside on the far side of Salcombe Harbour. To the west the neighbour 'Breton' is set on slightly higher ground and the gardens are separated by a tall conifer hedge.

The site is located within the South Devon Area of Outstanding Natural Beauty.

Proposal:

The application proposes to enlarge the size of the first floor and provide living accommodation within the roof space by a hip to gable extension, raising the ridge height of the roof and the provision of dormer windows to the rear. The front gable projection would be replaced with a similar sized gable projection. The application also proposes a flat-roofed single storey rear extension and single storey side extension and replacement garage, the existing garage being demolished. The property as extended/remodelled would be externally finished with painted render and natural slate.

The current application proposes a revised scheme following the refusal of an earlier application (2475/22/HHO).

Revised plans have been submitted during the life of the application and this report considers drawing number 2648.02 rev. B.

Consultations:

- County Highways Authority: no highways implications

- Salcombe Town Council: object, see comments
- DCC Ecologist: ok, subject to conditions

PUBLIC CONSULTATIONS

Representations:

Representations from Residents

5 letters of representations have been received and cover the following points:

- Object to this application;
- Welcome change to natural slate roof;
- Garage roof is unnecessarily high;
- Garage adjoins house and creates a terracing effect;
- Dimensions of the garage mean it could be easily converted into living accommodation;
- Increase in roof height would significantly affect the skyline and be oppressive for the street scene;
- Extension is too large;
- Large window in gable is unneighbourly and will enable looking down into surrounding properties;
- Gable window is closer to Whinfield and will look down onto roof light of main bedroom;
- Concerns that the plans are not accurate – no dimensions and chimneys do not appear correct;
- Raising of roof height will mean the property will appear as the same height as the neighbour uphill;
- Garage is hard against boundary wall with Whinfield and would be overbearing and block light to the entrance hall and passage way, ground floor bathroom and office;
- The garage wall would be unmaintainable as built on boundary and within 1m of neighbour;
- Will result in a 3 storey structure in an environment of 2 storey structures and increased mass is emphasised by hip to gable roof extension;
- Large east facing gable window is closer to Whinfield and looks down;
- Contrary to SALC B1 and SALC Env1.

Representations from Statutory Consultees

Salcombe Town Council made the following comments:

The east facing gable window is too large and will overlook the neighbouring property Whinfield – if approved there needs to be a condition that the flat roof remains as such and is not to be used as a terrace.

Relevant Planning History

2475/22/HHO – 09 November 2022 – refuse

Householder application for extension & alterations to include replacement of integral garage, single storey rear extension with part balcony over, habitable accommodation at second floor level with new roof structure. The application was refused for two reasons: 1/ that the development, by reason of its design and materials, did not have adequate regard to the neighbouring properties or wider surroundings; and, 2/ that the proposed single storey extension and rear dormer windows, by reason of design, scale and proximity to the boundary would cause an unacceptable impact on the residential amenities of the neighbouring properties.

ANALYSIS

1. Principle of Development/ Sustainability

1.1. The site is a residential property within the built up area of Salcombe and the principle of alterations and extensions is therefore acceptable.

2. Design, scale and massing

2.1. Policy DEV20 of the Joint Local Plan (JLP) requires development to meet good standards of design. Proposals must have proper regard to the pattern of local development and wider surroundings in terms of (amongst other things), style, local distinctiveness, scale, materials, historic value, and character. DEV23 requires development to conserve and enhance the townscape by maintaining a local area's distinctive sense of place and reinforcing local distinctiveness. Policy SALC B1 of the Salcombe Neighbourhood Plan requires development to respond to and integrate with the local built surroundings and use high quality materials that complement the traditional palette of materials. Contemporary design solutions will be supported providing it respects the context and setting.

2.2. There is a mix of house types and styles used along Herbert Road and within the neighbouring streets, although they all have a pitched roof design and many incorporate a gable feature to the front. The majority are of two storey design although there are some larger three storey properties, particularly those that are responding to a change in ground level and often these have second floor windows within the apex of a gable elevation.

2.3. The proposed alterations to the existing dwelling would result in the increase in height and mass of the first floor and roof and a number of letters of representations have raised concern in regards to this and the creation of living accommodation in the roof. In itself officers do not consider that this increase would result in a scale of development that would dominate or be out of keeping with the street scene.

2.4. Letters of representation have suggested that the garage extension would be too high and would create a terracing effect as it is attached to the host dwelling. The chosen parapet design of the roof creates a higher roof height but would result in a clean and uncluttered finish. The finished height would be comparable with the first floor levels of the host dwelling and is considered acceptable. The garage would be attached to the host dwelling and adjoin the boundary wall. However, the single storey scale of the garage, the topography of the site and the lower ridge height of the neighbour's outbuilding would prevent a terracing effect between neighbouring properties. It is also noted that the guidance on terracing effects set out in the SPD at paragraphs 13.40 onwards guides against two-storey extensions on/close to flank boundaries, not single storey extensions as in this case.

2.5. Other letters have suggested the ground floor extension is too large. The extension would be single storey and subservient to the host dwelling. It would result in a footprint comparable with the neighbouring property and would sit comfortably within the plot.

2.6. The proposed development would utilise external materials common to the immediate area and would incorporate a pitched roof design with a smaller, subservient flat roof extension to the side and rear in keeping with the street scene. The dormer windows are proportionate to the roof plane and are sited on the rear elevation. For the above

reasons the proposal is considered to have a neutral impact on the street scene and complies with the provisions of policies DEV20, DEV23 and DEV25 of the JLP and policies SALC B1 and SALC ENV1 of the Salcombe Neighbourhood Plan.

3. Impact on the AONB

3.1. Policy DEV25 requires that proposals “conserve and enhance the natural beauty of the protected landscape with particular reference to their special qualities and distinctive characteristics or valued attributes”. With consideration to the context of the site, that being within a built up area, and the level of fenestration generally within the surrounding area, it is not considered that the level of fenestration would result in unacceptable levels of light pollution. The proposal meets the first policy test, in that the design and palette of materials have a neutral impact on the AONB itself, as the proposal is located well within the built form of Salcombe and changes to character and appearance of the residential area will be localised only, thereby conserving the natural beauty of the AONB. While the proposal does not offer enhancement, given the small scale of the proposal and having regard to the current condition of the site, including the presence of an existing residential dwelling, the proposal is considered to comply with the requirements of policy DEV25.

4. Neighbour Amenity

4.1. Joint Local Plan (JLP) policy DEV1 Protecting health and amenity seeks to safeguard health and amenity of local communities. The first requirement for development is to ensure that it provides for satisfactory daylight, sunlight, outlook, privacy and the protection from noise disturbance for both new and existing residents. The JLP SPD provides further guidance on how development can be designed to protect privacy, outlook and daylight.

4.2. Letters of representation have raised concern that the proposed window within the apex of the gable on the east elevation would provide opportunity to look into a roof light of Whinfield. The SPD advises that a distance of 21m should be maintained between windows of habitable rooms which directly look into each other. In this case there would be a distance of approximately 10m between the windows. However, the windows would not directly face each other given the angle of the roof light and in addition, some overlooking already occurs from the existing windows within the east elevation of Vermilion. Moreover, during the life of the application the gable window has been reduced in size so that the opportunity to look out over the neighbouring roof light is reduced. Given the presence of windows in the existing roof space of Vermilion, officers consider that the proposed window would not be materially harmful to the residential amenities of neighbouring occupiers.

4.3. The existing garage is sited close to the side boundary with Whinfield, and the proposed replacement garage would be similarly sited. The replacement garage would also follow the broad siting of the existing garage, extending back some 5m approx. from the front wall of the dwelling. Whilst the flat roof of the replacement garage would be higher than the eaves height of the existing garage, it is not considered the relationship would have a materially harmful impact upon the occupiers of Whinfield, having regard to the extent of change, the location of the garage to the side of Whinfield and the fact that part of it would be concealed by an existing outbuilding (art gallery) to Whinfield. Accordingly, it is concluded that the garage would not harmfully impact upon the residential amenities of Whinfield's occupiers.

4.4. The proposed scheme incorporates an Air Source Heat Pump. As details of the noise levels of the ASHP have not been submitted the decision will be conditioned so that further details are submitted and agreed by the Local Planning Authority prior to installation.

4.5. The proposal thus accords with DEV1 'Protecting health and amenity' and the Joint Local Plan Supplementary Planning Document.

5. Ecology

5.1. The submitted ecological survey indicated that the dwelling is used as a day roost by low numbers of common pipistrelle. The works would be subject to obtaining a European Protected Species (EPS) licence and would qualify under a bat low impact class license (BLICL). The authority must consider whether Natural England are likely to grant an EPS licence which would permit the proposal to lawfully proceed. For home improvements and small scale housing developments, Natural England do not request a reasoned statement showing compliance with the first two tests of derogation. The DCC Ecologist has recommended that the mitigation measures included in the submitted ecology report satisfy the third test and it is therefore considered likely that an EPS licence would be granted. The proposed mitigation within the submitted Bat Emergence/Activity Surveys Mitigation & Compensation Measures report is capable of being secured by condition to ensure the proposal is acceptable and complies with the requirements of JLP Policy DEV26.

6. Parking

6.1. The development proposes to replace the existing garage with a larger garage attached to the house. The proposed garage does not meet the SPD parking dimensions in regards to length as set out in the SPD, but Officers would not wish to encourage a larger garage due to the potential impact on neighbour amenity or design. The proposed garage would be large enough for a car to enter and park, meeting the requirements for a standard parking space and the width of the garage would allow room to exit and walk round the car and provide space for EV charge points. As the existing garage does not meet current parking standards, the proposed garage is considered to have a neutral impact on parking provision. Two parking spaces are also retained on the driveway as part of the proposed scheme. As such the development is in accordance with DEV29.

7. Climate Emergency Considerations

7.1. The Climate Emergency Planning Statement responds directly to the Climate Emergency declarations issued by South Hams and West Devon Councils and identifies measures for new development to meet the challenge of climate change. It builds on existing planning policies set out within the Plymouth and South West Devon Joint Local Plan and its supplementary planning document, embraces new standards and proposes new requirements.

7.2. The submitted plans show the scheme would incorporate a minimum of 1kw solar panels and an Electric Vehicle Charging point. In addition, the siting of an Air Source Heat Pump is also proposed. As such, the details as submitted meet the required measures as set out in the Climate Emergency Planning Statement.

8. Summary

8.1. The proposal is considered to be of an acceptable design and scale for the site and will not result in a harmful impact on the visual amenities of the area or harmfully

impact upon the AONB. It is further considered that the proposal would not result in material harm in terms of overlooking or have an overbearing impact upon neighbours. Given the size of the existing garage the proposal is considered to have a neutral impact on parking provision for the site. The proposal is considered to overcome the reasons for the refusal of the earlier application, ref. 2475/22/HHO.

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

Planning Policy

Relevant policy framework

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

The relevant development plan policies are set out below:

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

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
DEV1 Protecting health and amenity
DEV2 Air, water, soil, noise, land and light
DEV20 Place shaping and the quality of the built environment
DEV23 Landscape character
DEV25 Nationally protected landscapes
DEV26 Protecting and enhancing biodiversity and geological conservation
DEV29 Specific provisions relating to transport
DEV32 Delivering low carbon development
DEV35 Managing flood risk and Water Quality Impacts

Neighbourhood Plan

Following a successful referendum, the Salcombe Neighbourhood Plan was adopted at Executive Committee on 19 September 2019. It now forms part of the Development Plan for South Hams District and should be used in deciding planning applications within the Salcombe Neighbourhood Area. Relevant policies include:

Policy SALC Env1 Impact on the South Devon Area of Outstanding Natural Beauty (AONB);
Policy SALC B1 Design Quality and safeguarding Heritage Assets.

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

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 by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall in all respects accord strictly with drawing numbers: 2648.SLP and 2648_03_Rev. A received by the Local Planning Authority on 26 January 2023 and 2648.SBP_rev.A and 2648_03_rev.A received by the Local Planning Authority on 16 March 2023.

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 development hereby approved shall be carried out in accordance with the submitted Protected Species Survey (from Green Lane Ecology dated August 2022). Upon completion of works, written confirmation by the consultant ecologist that features for bats have been correctly installed shall be submitted to the Local Planning Authority.

Reason: To safeguard the welfare of a protected species of wildlife

4. All vegetation clearance works and enabling/demolition works to the building should be undertaken outside the bird nesting season (March to August inclusive). Where this is not possible the site should be inspected by an ecologist prior to works commencing to confirm the presence/absence of nesting birds. Where the presence of nesting birds is confirmed, the ecologist must provide advice to the contractor which will ensure an offence under the Wildlife and Countryside Act 1981 as amended is not committed. A record of all site visits and advice to contractors must be kept to be provided to the LPA on request.

Reason: In the interests of the protected of protected habitats and species.

5. Prior to their installation, details of the air source heat pumps including levels of sound emissions shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: In the interests of neighbour amenity.

6. The drainage scheme shall be installed in strict accordance with the approved plans, maintained and retained in accordance with the agreed details for the life of the development.

Reason: To ensure surface water runoff does not increase to the detriment of the public highway or other local properties as a result of the development.

7. The roof area of the extension hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of further permission from the local planning authority.

Reason: To safeguard the amenity of the locality and the privacy of neighbouring properties.

8. No external lighting shall be installed on the site unless details of such lighting, including design, location, the intensity of illumination, have first been submitted to and approved in writing by the Local Planning Authority. Any external lighting shall accord with the details so approved.

Reason: In the interests of the protection of protected habitats and species.

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PLANNING APPLICATION REPORT

Case Officer: Graham Smith

Parish: Wembury **Ward:** Wembury and Brixton

Application No: 0271/23/FUL

Agent/Applicant:

Mr Andy Coughlan - Cogi Design
The Chicken Shed
Beacon Hill
Newton Ferrers
PL8 1DB

Applicant:

Mr Robert Stephens
Traine Road
Wembury
PLQ 0EN

Site Address: Land at Spirewell Farm, Traine Road, Wembury, PL9 0EN



Development: New single storey three bed dwelling with agricultural occupancy condition (re-submission of 4421/21/FUL)

Recommendation: Refuse

Reason for decision level: At request of Cllr Daniel Brown *Based on the finely balanced nature of this application, I'd like for it to be considered by the Development Management Committee. There are competing factors to consider including the nature of development in the AONB versus the significant ecological design of the home.*

Reasons for refusal:

1. The proposal is considered to lack the requisite evidence or exceptional circumstances that would warrant justification for an additional dwellinghouse at this countryside location and is therefore contrary to Policies SPT1, SPT2, TTV1, TTV2 and TTV26 of the Plymouth and South West Devon Joint Local Plan 2014-2034 (JLP) which promotes sustainability by directing growth to sustainable settlements unless there are exceptional circumstances.
2. The development is proposed in a sensitive landscape and designated Area of Outstanding Natural Beauty (AONB) and has not been supported by an appropriate landscape visual assessment. At an elevated location the design is not considered to conserve or enhance the protected landscape and instead would have a harmful impact on the character and setting of the AONB contrary to policies DEV20, DEV21 and DEV25 of the JLP and NPPF (paragraph 176)
3. The formation of a new access onto Traine Road along with the requisite visibility and large area of the existing green field converted to residential curtilage would result in the loss of a significant length of an established hedgerow and open field both of which are currently considered to make a positive contribution to the rural character of the AONB and provide a degree of separation between dwellings. These aspects of the development are considered to contribute towards a coalescence introducing an incongruous urban addition that would increase light pollution to intrinsically dark skies and would be at odds with the prevailing countryside character contrary to policies DEV21 and DEV25 of the JLP and NPPF (paragraph 176).
4. The site falls within the 12.3km zone of influence where new residential development will have a recreational impact on the Tamar European Marine Site (comprising the Plymouth Sound and Estuaries SAC and Tamar Estuaries Complex SPA). No mitigation has been provided and therefore the proposed development will have an adverse impact on the integrity of the designated European sites contrary to the Conservation of Habitats and Species Regulations 2017.

Key issues for consideration:

Principle of Development, Design/Landscape, Residential Amenity, Ecology, Drainage, Biodiversity, Carbon Reduction

Site Description:

The application site is triangular shaped and part of a field within the open countryside. The area given on the form is 0.32ha although reference is made in the supporting documents to a wider agricultural holding at Spirewell Farm which comprises of a main cluster of buildings including agricultural outbuildings but also buildings converted into holiday lets. The agricultural holding of Spirewell Farm is described as being 600 acres with 200 acres used for a 'shooting' enterprise. The applicant is both the farm/estate manager and gamekeeper and presently resides in an agricultural workers unit on the approach to the main cluster of buildings within the farm which are accessed off Traine Road.

This site is part of an open field adjacent to Traine Road and has a well-established Devon Hedgbank along its frontage. Levels across the application site are relatively flat however the topography is naturally undulating and the site is at a relatively elevated location. This part of the landscape is within the South Devon Area of Outstanding Natural Beauty (AONB).

The Proposal:

Permission is sought for a detached dwellinghouse, single storey in height with its own dedicated garden ground, parking and access onto Traine Road. The property would contain 3 bedrooms, a small office and attached garage/workshop with external area of decking on projecting outwards from the southern elevation. The dwelling would incorporate a shallow pitched roof design standing seam roof

over the dwelling and 'big 6' fibre cement roofing over the garage that would have a separate sloping roof. On the walls a mixture of larch cladding and render is proposed. The intended design aesthetic is described as being a simple farm building.

Consultations:

- County Highways Authority – refer to standing advice
- Environmental Health Section - note that contamination details have been submitted along with construction management plan and that foul drainage would be discharged into a drainage field via a package treatment plant. On this basis, subject to conditions, no objections.
- Town/Parish Council – No objection
- Agricultural consultant – After a review of the submitted evidence it is not considered that the situation has changed and no support is given.
- Landscaping consultant – The absence of a Landscape Visual Assessment is noted and previous concerns about the development encroaching in the open undeveloped countryside of the AONB still apply.

Representations:

49 representations were received in total including 23 in support of, and 26 objecting to, the proposal. Included in the objections are letters received from The South Hams Society and Devon CPRE.

The points of support can be summarised as follows:

- There is no justification to refuse this. Agricultural workers have a hard enough life and the industry is not expected to get better and developments that support agriculture should be approved, this proposal is described as essential to the needs of the farm business and will be restricted to agricultural workers only.
- Neighbours, friends of the applicant and employees of Spirewell Farm consider the business to be very important to the local area and describe the applicant as a local family man and farmer who works hard and is compassionate about wildlife and conservation but couldn't otherwise afford a house in the area due to prices.
- The holiday lets shouldn't be seen as a possibility for residency as they provide necessary income for the farm to make money
- The development would blend into its surroundings and is described as aesthetically pleasing and low impact with a good design, suitable access and materials.
- The site is not isolated located close to the public highway where other houses are, it is questioned why shouldn't the applicant be allowed to build one?
- The estate is important to the local economy and should therefore be supported in any expansion.
- There is an agricultural need for the dwelling and if approved it would provide accommodation and create jobs
- The energy efficiency savings and 'eco-friendly design' is described as a key benefit and why the building would be sustainable.
- Permitting more dwellings and increasing the supply would help address the housing crisis.
- There would be minimal impact on the landscape, ecology, flooding, some consider that it could not be seen, hidden by hedges.
- There will be no loss of amenity or impact on the local highway.
- Reference is made to a recently approved application (reference: 0735/22/VAR) which is considered to be more prominent than this one.

The points of objection can be summarised as follows:

- There were no notices of this application on site and the site is described as 'greenfield' and 'isolated', 'prominent', 'prime agricultural' with 'inadequate transport links' and not a sustainable location with the site located outside the main village and its development boundary.
- SHDC have a 5 year land supply and an agricultural tied dwelling does not qualify in supply of new homes therefore points raised relating to housing supply.
- The area is subject to great pressure for development and there is an increased importance of retaining green areas. Other dwellings in the immediate vicinity were built prior to the AONB designation.
- The access is on the corner of a very narrow lane, beside a footpath and at 8 metres in width is much more significant than a normal residential access allowing heavy vehicles to enter and egress and the development will lead to mud on the highway. It is noted that Highways previously objected and this proposal is described as more dangerous creating an additional access leading to even greater threats to road safety.
- It is highlighted that the applicant is privately funding the construction through personal expenses, that the land will be gifted to them and ownership will be separate to the farm. The location of the site separate from the farm buildings ensures that 'separation' from the farm at a later date is easier and the agricultural tie can easily be removed. If the farm required another dwelling they would apply but haven't and this proposal is seen as an attempt to boost the value of the farm 'by the back door'
- The separate location would involve intensive daily vehicular traffic between the proposed dwelling and the farm with a significant environmental cost.
- The functional need for an additional unit is disputed as the applicant already resides on site in a substantial property hidden from view and much of the labour required is just for day workers with no need for an additional person to be there 24 hrs. The evidence submitted is described as not meeting the very detailed requirements set out in local policy requiring a suitably qualified professional to provide a full report including justification. Instead the information given is described as misleading and not sufficient to justify an additional unit.
- No AONB statement of need has been provided in line with validation requirements or sufficient landscape/visual impact assessment undertaken by a suitably qualified professional that would specify how the development would preserve and enhance the character in line with policy requirements.
- The red line boundary is excessive and it is asked if the LPA are content for this much land to be changed to residential purposes?
- Given that the supporting information fails to establish a need the development should be treated as any other open market dwelling, reference is made to several other applications for similar developments which have been refused for local people in the interests of the AONB.
- It would be more appropriate, environmentally friendly, practical and sensible if one of the existing properties were utilised for this purpose or if this dwelling was sited nearer the farm with safer access and less disturbance to neighbours. It is suggested that the applicant doesn't want a 24 hour operation near the holiday lets and therefore is unwilling to consider alternative locations and it is asked if the operation near holiday lets is not acceptable next to the holiday lets why is it acceptable to move it closer to existing residents?
- The properties immediately adjacent would be subjected to increased agricultural traffic, customers and visitors over a 24hr period at an area already described as dangerous resulting in a loss of safety for pedestrians and cyclists and other impacts from the potential use including intolerable noise, disturbance, loss of privacy (with inadequate screening between properties) and light pollution at a currently dark landscape.
- The same concerns raised to the previous application would apply in this instance, the area is an AONB and green space hosting wildlife and residents fear a decline of species such as owls will be exacerbated by proposals such as this.
- The landscape impact is described as adverse and irreversible.
- It is unclear what the substantial area of land within the site would be used for and suggested that it would become a secondary farmstead, agricultural holding or dog compound.

- The applicant has working dogs who bark and already cause disturbance some distance away and it is envisaged that the proposal will relocate the dogs nearer to residents increasing noise pollution.
- The road is not suitable for any additional traffic or an extra access as it is already dangerous for pedestrians and cyclists with vehicles passing the site at very high speeds, the increase in visibility will make this worse. The adjoining footpath is well used by pedestrians and horse riders as part of a coast to coast path. SHDC are considering it to be designated as a 'quiet lane' status and this proposal would not align with that aspiration.
- The farm has alternative sites in the wider area (at Layford Lane) where a dwelling could be sited with reduced impact.
- The shoots are described as invitational and not commercial, however, this part of the operation and the holiday lets are not agricultural and should be ignored for the purposes of demonstrating a need. The agricultural land associated with this farm is mainly let out to other farmers for sheep grazing or is arable with work contracted out.
- It is essential that the site is visited and the main farm for context and to test the exaggerated claims made regarding need, suitability and location.
- The owners of the nearby property at 'Castledene' were twice refused planning permission for a similar proposal and if this were approved by the LPA this would set a dangerous precedent for future proposals to come forward in the AONB.
- The dwelling is described as considerable in scale, not in keeping with local vernacular, incongruous and intrusive, damaging to the environment, character and infrastructure and highly visible from the lane as the hedge is deciduous. To infill this site would be contrary to the policies which protect the countryside from inappropriate development and the LPA should consider the use of an independent design review to fully consider these aspects of the application.
- The removal of approximately 58 metres of Devon Hedgebank is described as permanent causing lasting damage to the rural environment. Proposals with a lesser impact have been refused by the LPA previously. Additional planting that will be required will obstruct valued coastal views.
- The proposal doesn't comply with adopted and emerging Planning Policy or the AONB management plan.
- Another dwelling would cause additional strain on local services with limited access to electricity and water.
- Reference is made to the Sutton Springs 'landmark decision' which has made lifting an agricultural tie much easier in circumstances where property prices are high and agricultural wages are low which are precisely the conditions found in South Hams.
- The evidence shows local residents favour conservation of the AONB and if approved this would serve the private interests of the applicant at the expense of the local community as a whole.
- It is noted that many of the supporters of this application appear to live very far away from the site itself.
- The applicant's claim that they have been a farmer of the land for 5 generations is described as false.
- Whilst Wembury Parish Council supported the application they did not discuss or consider the material considerations and their support is given no value from objectors.

Relevant Planning History:

4421/21/FUL – New single storey three bedroom dwelling **WITHDRAWN** after concerns raised regarding justification, access and landscape impact.

ANALYSIS

1. Principle of Development/Sustainability:

- 1.1 The Plymouth and South West Devon Joint Local Plan ('JLP') sets an overarching strategy for delivering sustainable development that complements the existing settlement pattern within the

plan area. The high-level strategy for delivering sustainable development is expressed within policies SPT1 and SPT2, with other policies amplifying and giving effect to those requirements.

- 1.2 The adopted JLP establishes a hierarchy of settlements to which development will be directed, and those settlements are named as part of policy TTV1. Policy TTV1 of the JLP sets out the Council's development strategy across the Thriving Towns and Villages Policy Area. The policy describes how the settlement hierarchy of (1) Main Towns, (2) Smaller Towns and Key Villages, (3) Sustainable Villages and (4) Smaller Villages, Hamlets and the Countryside will be used to inform whether a development proposal can be considered sustainable or not.
- 1.3 Policy TTV26 is considered to be relevant as paragraph 5.5 of the JLP explains, that policy will be applied 'outside built-up areas'. As a matter of planning judgement the site is considered to fall outside the discernible built-up area of Wembury and is considered to constitute Countryside development, which is in the bottom/fourth tier of the Council's settlement hierarchy.
- 1.4 Consequently, for the purposes of policy TTV1 of the JLP, the proposal site is considered to be located within the fourth tier of the Council's settlement hierarchy, which relates to Smaller Villages, Hamlets and the Countryside. In such circumstances policy TTV1 explains that: *'development will be permitted only if it can be demonstrated to support the principles of sustainable development and sustainable communities (Policies SPT1 and 2) including as provided for in Policies TTV26 and TTV27.'* Policy TTV27 provides no support to the applicant in this case because the scheme is not for rural exception housing.
- 1.5 Policy TTV26 of the JLP relates to development in the Countryside. The aim of the policy, as articulated in the first line, is to protect the special characteristics and role of the countryside. The policy is divided into two different sets of policy requirement; the first part applies to development proposals considered to be in isolated locations. The JLP SPD (§11.50) states that the Council applies the test of isolation in a manner consistent with the Braintree¹ case and any superseding judgment. The recent Bramshill² judgment affirmed that the essential conclusion in Braintree (at para. 42 of that judgment) was that in determining whether a particular proposal is for "isolated homes in the countryside", the decision-maker must consider 'whether [the development] would be physically isolated, in the sense of being isolated from a settlement'. What is a "settlement" and whether the development would be "isolated" from it are both matters of planning judgment for the decision-maker on the facts of the particular case.
- 1.6 Whilst the application site proposes development that would be beyond the discernible settlement/built up area of the village, it would not be remote from it. It follows that the proposed house would not be isolated within the understood meaning provided by the JLP.
- 1.7 Policy TTV26 (2) states:

"2. Development proposals should, where appropriate:

- i. Protect and improve public rights of way and bridleways.*
- ii. Re-use traditional buildings that are structurally sound enough for renovation without significant enhancement or alteration.*
- iii. Be complementary to and not prejudice any viable agricultural operations on a farm and other existing viable uses.*
- iv. Respond to a proven agricultural, forestry and other occupational need that requires a countryside location.*
- v. Avoid the use of Best and Most Versatile Agricultural Land.*
- vi. Help enhance the immediate setting of the site and include a management plan and exit strategy that demonstrates how long-term degradation of the landscape and natural environment will be avoided".*

- 1.8 Not all of the above criteria are engaged for example there is no public right of way or bridleway within the site and the agricultural land classification is good to moderate. The proposal does not reuse an existing traditional building despite the farm containing buildings that could potentially be used as accommodation for agricultural workers. These have already been converted to holiday let accommodation as part of a farm diversification strategy that happened some time ago and are now described as a crucial source of income along with a hunting operation, both of which are described as supporting the agricultural operations. It is argued that the development will be complementary to an existing agricultural operation however there was no financial evidence submitted to show that there is a viable agricultural operation on the farm. Instead the evidence in support describes the future of farming to be uncertain due to what government subsidies will be available. The insistence of the applicant that these holiday lets could not be considered as they provide much needed income raises concerns over how reliant the agricultural operation is on the aspects of the wider business and that, as a stand-alone operation, it is not viable.
- 1.9 With respect to criteria (iii) and (iv) Officers would expect for an application of this nature and scale to include financial accounts and/or a business plan demonstrating the viability of the agricultural operation. A separate agricultural appraisal would also provide evidence of a functional need for an additional agricultural workers dwelling. Neither of these have been submitted. It is important to ascertain that the business could sustain the costs associated with the construction of the dwelling and remain financially viable and that the amount of units were commensurate with the functional requirements of the agricultural enterprise. An agricultural consultant, who gave comments for the previously withdrawn application scheme, remains of the opinion that there is insufficient evidence that would demonstrate a functional need for a second full time worker on the site. Even if there was, one of the other 3 houses within the holding, on top of the existing agricultural workers unit, would be suitable to provide the requisite accommodation.
- 1.10 Officers will consider the design and landscape impact later in this report, however, with regards to criteria (vi) of TTV26(2), it is not considered that this proposal will help enhance the immediate setting of the site or safeguard against the long term degradation of the landscape. Instead it would provide an additional dispersed dwelling requiring its own separate access and physically separate and poorly related to the other agricultural buildings. Officers would consider that the development would lead to an erosion of the natural characteristics of the site with no exit strategy in the event of the agricultural operation failing which, by the applicant's own admission, is vulnerable to external conditions. As such the proposal is not considered to accord with the criteria of TTV26(2) and is therefore also contrary to the adopted spatial strategy and policies SPT1, SPT2 and TTV1 of the JLP.

2. Design/Landscape:

- 2.1 Policy DEV20 of the JLP requires developments to achieve high standards of design that contribute to townscape and landscape and Policy DEV23 seeks to conserve and enhance the landscape and scenic and visual quality of development, avoiding significant and adverse landscape or visual impacts. As the site is within the AONB, Policy DEV25 is also applicable, which gives great weight to conserving landscape and scenic beauty. This approach is in line with NPPF paragraph 176.
- 2.2 In terms of the South Hams AONB Management Plan, the site is located in the 1A Open Coast Plateaux landscape character type whose key characteristics and valued assets include, open high plateaux, limited woodland, regular medium to large field pattern, with stone boundary walls and dense low hedges with occasional hedgerow oaks, sparse settlement pattern, with isolated farms or large houses and extensive views.
- 2.3 The Landscaping consultant, who objected to the previous application, continues to have concerns about this application, the design of which remains largely similar. Firstly, officers

would consider that the existing open green field and hedgerow along the site frontage make a positive contribution to the wider landscape in which they are part of.

- 2.4 The loss of part of an agricultural field, the proposed change to the field pattern by subdividing a field and the introduction of domestic uses onto the site are considered to represent an adverse effect on landscape character. The introduction of domestic activity on an undeveloped site in the AONB would, it is considered have some adverse effect on the site's and adjoining areas level of tranquillity. A large expanse of floor to ceiling glazing is proposed on the southern elevation and a concern would remain about the potential adverse effects that the proposed development might have on this part of the AONB and its intrinsic dark skies that are considered to be an asset. A large section of the hedge at the front would require to be removed in order to achieve the requisite visibility. The site plan shows that this would be replanted albeit visibility would need to be maintained at all times which would introduce a sterilised and engineered component to the site frontage, more inkeeping with an urban environment at a location that has historically had a natural edge.
- 2.5 The proposal is not supported by the kind of landscape visual assessment that would recognise what the existing landscape character is and provides justification for the design. Instead it is stated that the height is kept low to ensure that the house is invisible below the hedge, that the dwelling will resemble an agricultural barn and views from the distance are dismissed. Officers would have concerns regarding the design. Whilst it is acknowledged that the height will minimise the impact somewhat, and that the housing in the immediate vicinity are mainly single storey, the design of this dwelling incorporates a very shallow pitched roof. The materials selected include standing seam roof, 'big six' over a barn style roof and timber cladding and these are not considered to be suitably in keeping with the local vernacular for dwellinghouses in the vicinity which tend to comprise of render and slate or tiled roof. Given the sensitivity of the location it is important that the design is of a suitable quality which takes cognisance of the surrounding built environment and contributes to local distinctiveness. Instead the choice of design and materials are considered to be at odds with its surroundings and it is not agreed that this dwellinghouse will have the appearance of a simple barn, especially at night where the extent of glazing raises concerns regarding an increase of light pollution at what is an intrinsically dark sky.
- 2.6 The existing site also provides a degree of natural separation between properties and with incremental development over the years the development of the site would also start to form a coalescence of two existing clusters of properties along a stretch of road that forms part of the South-West Coastal Path. Overall it is considered that the development proposed would lead to the unnecessary erosion of the natural environment at this location. The significant residential curtilage and subdivision of the field, the removal of a large part of the natural frontage and its maintenance to provide visibility, and the design and choice of materials which are considered to be at odds with its surroundings. Accordingly the proposal is not considered to comply with Policies DEV20, DEV21 and DEV25 of the JLP or NPPF (paragraph 176).

3. Neighbour Amenity:

- 3.1 Policy DEV1 of the JLP requires consideration of the impact on the nearest neighbours particularly in terms of overshadowing and any potential loss of privacy. There are not any dwellings in the immediate vicinity that the proposed house would have an adverse impact on in terms of overlooking or overshadowing. On this basis it is considered that the proposal would not result in an unacceptable loss of residential amenity and raises no conflicts with Policy DEV1 of the JLP.

4. Highways/Access:

- 4.1 Policy DEV29 of the JLP requires consideration of the impact of developments on the wider transport network, and requires safe traffic movements and vehicular access to and from the

site. As detailed above The Highways Authority has confirmed that, subject to their standing advice being adhered to, that the proposal raises no concerns with regards to the impact of this development on the road network. As such the proposal is considered to comply with Policy DEV29 of the JLP.

5. Drainage:

- 5.1 Policy DEV35 (Managing Flood Risk and Water Quality Impacts) of the JLP and requires sustainable water management measures to be incorporated and states that development will not be permitted without confirmation that sewage/wastewater treatment facilities can accommodate or will be improved to accommodate the new development. The site is not within an area prone to flooding and a soakaway would be provided within the field in accordance with SHDC guidance providing 40cu/m of storm water. In terms of foul drainage a package treatment plant is proposed which will discharge below ground level. It is considered that conditions could suitably deliver an acceptable scheme if permission were to be granted. As such the proposal is contrary to Policy DEV35 of the JLP.

6. Ecology:

- 6.1 Policy DEV26 of the JLP requires protection, conservation and enhancement of biodiversity. A phase 1 habitat survey & preliminary ecological appraisal was submitted in support of the application which found the site to be of limited ecological value and recommended some measures to be employed such as plating and bat boxes in order to achieve a biodiversity net gain. In the event of planning permission being approved a condition could secure the measures that would effectively mitigate the impact. On this basis the proposal is not considered to conflict with Policy DEV26 of the JLP.

7. Carbon Reduction:

- 7.1 The JLP supports the transition to a low carbon future with DEV32 requiring developments to identify opportunities to minimise the use of natural resources and reduce the energy load. The Climate Emergency Planning Statement 2022 places greater responsibility on applicants to demonstrate energy efficiency. This is in line with Paragraph 8(c), 152 and 157(b) of the NPPF articulating the need for the planning system to support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change and for development to propose solutions for carbon reduction.
- 7.2 The Climate Emergency Compliance Form has been submitted demonstrating a commitment to the requisite energy efficiency savings which could in turn be secured through condition if permission were to be granted. Officers are satisfied that the proposal minimises carbon emissions and incorporates an air source heat pump and solar PV panels on the roof in the proposed plans. Subject to a condition that these are implemented the proposal is not considered to conflict with DEV32, the Climate Emergency Statement and the relevant paragraphs of the NPPF.

8. Other Matters:

- 8.1 The site falls within the Zone of Influence for new residents have a recreational impact on the Tamar European Marine Site (comprising the Plymouth Sound and Estuaries SAC and Tamar Estuaries Complex SPA). This Zone of Influence has recently been updated as part of the evidence base gathering and Duty to Cooperate relating to the Joint Local Plan. The normal means for securing this contribution is via unilateral undertaking and legal agreement. At this stage no such undertaking has been received and the proposal therefore fails to secure the necessary contribution.

9. Conclusion:

9.1 Following careful consideration of the submission it is not accepted that sufficient justification has been given to allow officers to provide a favourable recommendation for an additional agricultural workers unit at this countryside location. Development in the countryside is only justifiable in planning terms if it is fully supported by robust evidence demonstrating need and viability. Even then the site is in a sensitive location and landscape protected. The relevant planning policy takes cognisance of the intrinsic beauty of the countryside and development will not be supported if it does not conserve or enhance. Officers have found the impact of this development to be harmful and the relevant policy gives great weight to protecting the natural assets against incongruous additions that would erode tranquillity and the rural character. On this basis the proposal is considered to result in an unjustified and inappropriate development and officers would recommend refusal.

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

Planning Policy

Relevant policy framework

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

On 26 March 2019 of the Plymouth & South West Devon Joint Local Plan was adopted by all three of the component authorities. Following adoption, the three authorities jointly notified the Ministry of Housing, Communities and Local Government (MHCLG)* of their choice to monitor the Housing Requirement at the whole plan level. This is for the purposes of the Housing Delivery Test (HDT) and the 5 Year Housing Land Supply assessment. A letter from MHCLG to the Authorities was received on 13 May 2019 confirming the change.

On 14th January 2022 the Department for Levelling Up, Housing and Communities published the HDT 2021 measurement. This confirmed the Plymouth, South Hams and West Devon's joint HDT measurement as 128% and the consequences are "None".

Therefore a 5% buffer is 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 5.97 years at end of March 2022 (the 2022 Monitoring Point). This is set out in the Plymouth, South Hams & West Devon Local Planning Authorities' Housing Position Statement 2022 (published 19th December 2022).

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

The relevant development plan policies are set out below:

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

SPT1 Delivering sustainable development

SPT2 Sustainable linked neighbourhoods and sustainable rural communities

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
DEV8 Meeting local housing need in the Thriving Towns and Villages Policy Area
DEV20 Place shaping and the quality of the built environment
DEV23 Landscape character
DEV25 Nationally protected landscapes
DEV26 Protecting and enhancing biodiversity and geological conservation
DEV28 Trees, woodlands and hedgerows
DEV29 Specific provisions relating to transport
DEV32 Delivering low carbon development
DEV35 Managing flood risk and Water Quality Impacts

Neighbourhood Plan

There is no adopted Neighbourhood Plan for the area.

Other material considerations include the policies of the National Planning Policy Framework (NPPF) including but not limited to paragraph 176 and guidance in Planning Practice Guidance (PPG).

Additionally, the following planning documents are also material considerations in the determination of the application:

Plymouth and South West Devon Climate Emergency Planning Statement 2022.

Considerations under Human Rights Act 1998 and Equalities Act 2010

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

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PLANNING APPLICATION REPORT

Case Officer: Bryony Hanlon

Parish: East Portlemouth **Ward:** Stokenham

Application No: 4234/22/ARM

Agent:

Mrs Amanda Burden
Luscombe Maye
59 Fore Street
Totnes
TQ9 5NJ

Applicant:

Mr And Mrs S Tucker & Mr J F Tucker
West Prawle Farm
East Portlemouth
TQ8 8PW

Site Address: West Prawle Farm, East Portlemouth, TQ8 8PW



Development: Application for approval of reserved matters following outline approval 1067/20/OPA for provision of an agricultural workers dwelling.

Recommendation: Refusal

Reasons for refusal:

1. It has not been demonstrated that there is a functional need on the farm holding for a dwelling of the scale proposed, thus rendering the dwelling unaffordable for a rural worker in perpetuity, contrary to the provisions of SPT1, SPT2, TTV1, TTV2 and TTV26.

2. The proposal would read as an incongruous addition to the landscape to the detriment of local landscape character and tranquillity, thereby failing to conserve and enhance the landscape and scenic beauty of this part of the South Devon Area of Outstanding Natural Beauty, contrary to the provisions of DEV20 (2, 4, 5), DEV21, DEV23 (1, 2, 3, 4, 6, 7), DEV24 (3, 5), DEV25 (2, 3, 8) and paragraphs including but not limited to 130, 134, 176 and 178 of the NPPF.

Reason for call in: Cllr Brazil wishes the Committee to consider the scale of the dwelling.

Key issues for consideration:

Design, scale and massing, impact on South Devon Area of Outstanding Natural Beauty, the Heritage Coast and the Undeveloped Coast, low carbon, drainage.

Site Description:

The site lies within the open countryside of South Devon Area of Outstanding Natural Beauty, the Heritage Coast and the JLP Undeveloped Coast policy area. The site is c. 2.2km south east of East Portsmouth and c. 1.6km north west of East Prawle. The site is accessed via an unmetalled track approximately 0.25km long, leading from the public highway to the north, which runs from East Portsmouth to East Prawle. The track leads into an unmetalled yard that serves the existing farm building; there are a series of drainage ponds to the south west of the site and a mast c. 0.2km south east of the site. The South West Coast Path runs along the coast c. 0.80km south of the site.

The Proposal:

The applicant has outline approval for an agricultural worker's dwelling under 1067/20/OPA; the application is to obtain approval for the reserved matters. The application seeks approval for a two storey, reverse living, detached dwelling with detached single storey garage, along with driveway, off-road parking and turning and a garden to the rear. The dwelling measures a maximum of 16.2m by 9.8m excluding the first floor deck; the floor area measures approximately 277m² in total, with c. 26m² dedicated to the porch and farm office at ground floor level. The dwelling is faced with local stone and finished with a pitched, slate roof; there is a first floor deck across the full length of the west elevation, with full height glazed doors at both ground and first floor. The dwelling includes a porch, leading to an office, with three bedrooms (two en-suite) and a family bathroom at ground level, with a kitchen diner, tv room, en-suite guest bedroom and further cloakroom at first floor level. The first floor deck is accessed via steps leading up from the parking area or from the kitchen diner. The detached garage is of simple rectangular form with a slate roof; there are solar pv panels on the south elevation. The garage hosts the plant room for the battery and air source heat pump equipment. The garage is fitted with two single garage doors on the west elevation and measures 7m x 10m.

Consultations:

- DCC Highways Authority No highways implication
- SHDC Environmental Health Section No objection
- Parish Council No comments to make

Representations:

Representations from Residents

Eight letters of support have been received and includes the following points:

- As a close neighbour of John and Sophie I fully support this application for their home. John and his family are an integral part of the community in this sparsely populated area. The house looks very much in keeping and suitable for their growing family and for looking after the farm.
- (This is my personal opinion and is not representative of my position as a parish councillor).
- This plan enables the continued farming of a family farm by a committed and active family through the provision of housing in an area that has a pitiful supply of affordable housing.

- The character of the house - local stone / natural slate tiles - will be in keeping with the overall aesthetic of other properties in the area. I wholly support this application.
- It is wonderful to see a young local farming family making their own home in the area. The plans proposed are sympathetic to the beautiful natural surroundings and will further enhance the local community. We fully support this application.
- A continuity of land management is important. The land in question has been managed by the same family for many years. I for one fully support this application.
- This property will improve the existing site. The materials being locally sourced makes for a more sympathetic and natural look. The continued custodianship of a local farm by the same family is something to be encouraged at a time when corporations are buying up huge swathes of British farmland.
- John and his growing family are wonderful neighbours. We fully support their application to help them move into a much needed new home.
- The use of local stone to clad the walls and natural slate for roofs will create a house with a robust and Prawnian character.
- I am familiar with the setting of this proposed house and feel that the character, style and positioning of the new building is sympathetic and appropriate. I believe that it could enhance the existing site buildings. The provisions set out for natural landscaping are well conceived.
- Facilitating provision of homes for local families to maintain the landscape and heritage of a rural community is an important aim for local planners.

Relevant Planning History

Planning Application Reference	Description	Site Address	Decision
1067/20/OPA	Outline application with all matters reserved for provision of an agricultural workers dwelling	West Prawle Farm East Portlemouth TQ8 8PW	Conditional approval: 20 Nov 20
0981/22/FUL	Provision of an agricultural tied 4 bedroomed house	West Prawle Farm East Portlemouth TQ8 8PW	Withdrawn

ANALYSIS

Principle of Development/Sustainability

The principle of an agricultural worker's dwelling has been established under 1067/20/OPA, with all matters reserved. The dwelling is subject to an agricultural worker's tie as the development is in an area where there is a presumption against new development except where an agricultural or horticultural need has been established. It is noted that there is local support for the proposal.

The dwelling however, is considered to be of a size and scale that is excessively large in relation to the nature of the operations on site. Whilst there is no size threshold specified in local or national policy previously this LPA consider proposals up to 175m² of residential accommodation to be the normal size for a functional agricultural worker dwelling and have discouraged proposals that exceed this unless there is a convincing business justification for a larger unit. In this case, the dwelling would provide 277m² of space, with a further 70m² within the detached garage.

It is unclear what essential need exists for a dwelling of the size proposed other than the personal preference of the applicant. As a property of the size and scale proposed is unlikely to be affordable for the average agricultural worker, the development is not considered to realistically secure the use as a rural workers' unit in perpetuity.

Officers are mindful that the applicant is a partner in the farm business. However local and national planning policy give no reference to the size differential between an owner-occupier and that of an employed agricultural worker. The essential needs in this instance is for a worker to be present on site

to care for animals at all times rather than serving as an administrative base or extended accommodation for personal use.

It is noted that the old PPS7 Annex A is still used today as guidance by the Planning Inspectorate which states:

“Agricultural dwellings should be of a size commensurate with the established functional requirement. Dwellings that are unusually large in relation to the agricultural needs of the unit, or unusually expensive to construct in relation to the income it can sustain in the long terms, should not be permitted. It is the requirements of the enterprise, rather than those of the owner or occupier, that are relevant in determining the size of the dwelling that is appropriate to a particular holding.”

It has not been demonstrated that the onsite operations would justify a functional need for a larger dwelling and consequently Officers are not assured that the dwelling would remain affordable as a rural workers' unit in perpetuity. On this basis the proposal is contrary to policy TTV26 and also fails to accord with the principles of rural sustainability contained in policies SPT1, SPT2, TTV1 and TTV2.

Design/Landscape

Policy DEV20 requires developments to achieve high standards of design that contribute to townscape and landscape by protecting and improving the quality of the built environment. Policy DEV23 seeks to conserve and enhance the landscape and scenic and visual quality of development, avoiding significant and adverse landscape or visual impacts. Proposals should be located and designed to respect scenic quality and maintain an area's distinctive sense of place and reinforce local distinctiveness. DEV23 also requires a high architectural and landscape design quality appropriate to its landscape context.

The site is within the South Devon AONB, the Heritage Coast and the JLP Undeveloped Coast. The site falls within the “Open Coastal Plateaux” character type, with an uninterrupted view to the south west out to sea across the “Coastal slopes and combes” character area. The open coastal plateaux are characterised by “the seemingly remote, windswept character of the high open plateau, sparsely settled with high levels of tranquillity and in places, where the undulating topography limits light pollution from nearby major conurbations, dark night skies can be experienced” and it is recognised that the character has been “weakened by non-vernacular buildings” (p.24, LUC, 2017). The coastal slopes and combes share similar characteristics in terms of their remote and undisturbed character, with guidance for future development designed to “protect the combes' characteristic sense of seclusion and remoteness, ensuring limited new development is contained within existing settlement limits and any new farm buildings are integrated into their landscape setting (e.g. through woodland planting)” (P.87, LUC, 2017).

The highest degree of protection is afforded to the unique and protected landscapes of the South Devon AONB and the Undeveloped Coast through policies DEV24 and DEV25. These policies require the LPA to safeguard against potentially damaging or inappropriate development either within the protected landscape or its setting and to ensure that development protects, maintains and enhances the unique landscape and special qualities of the area. These aims are echoed in NPPF paragraph 130 which requires development to be sympathetic to the landscape setting and paragraph 176 which gives great weight to conserving and enhancing landscape and scenic beauty in AONB.

Officers note that the applicant has incorporated natural slate and stone, in order to try and integrate the development with the local development in the wider area. Officers are also mindful that the development occupies a natural hollow in the land; while the applicant has tried to set the dwelling down relative to the surrounding levels, this has been undermined by the two storey design, with extensive glazing and balcony at first floor level. This part of the design is likely to give rise to additional light pollution in an area where tranquillity is high and dark skies form an important component of the AONB's special qualities. The dwelling does not comprise a locally distinctive design or one that would protect or enhance the rural character but would introduce an incongruous addition to the detriment of local landscape character, tranquillity and the dark skies of the South Devon AONB. The proposal is therefore considered contrary to the provisions of DEV20 (2, 4, 5), DEV21, DEV23 (1, 2, 3, 4, 6, 7), DEV24 (3, 5), DEV25 (2, 3, 8) and paragraphs including but not limited to 130, 134, 176 and 178 of the NPPF.

Highways/Access

The site is served by an existing vehicular access; this comprises c. 0.25km of unmetalled track leading from the public highway to the application site. Officers note that the DCC Highways Engineer has no objections to the proposal and Officers are satisfied that the access, provision of turning and off-road parking spaces are adequate to serve a single agricultural worker's dwelling. The proposed garage has been considered against the provisions of the SPD and fails to comply with the internal dimensions required for a garage (6.5m x 3.5m). However, the proposal is c. 0.4m narrower than the SPD requires, which Officers do not consider would result in a significant detrimental impact to highways safety and this does not justify a refusal. Officers note that the garage does include provision for the plant room and some storage but are mindful that the floorspace is equivalent to a two bedroomed dwelling and have reservations as to the need for such a large building.

Were the development otherwise acceptable, Officers would have imposed a condition to ensure that the garage was used only for purposes incidental to the main dwellinghouse and not as a separate unit of accommodation, as the establishment of an additional unrestricted unit of accommodation would not be supported in this countryside location and would have a poor spatial relationship with the main dwelling. Officers are also mindful of the proximity of the sea and given the impact of the marine environment on vehicles, Officers would also require that the garage was kept available for the storage of motor vehicles to prevent a proliferation of further garages within this countryside setting.

Low Carbon

Condition 8 of the Outline consent requires details of how the development would meet the objectives of JLP Policy DEV32 to be submitted and agreed, and thereafter implemented and maintained in perpetuity. The applicant has included solar panels within the scheme; to be sited on the roof of the garage, which is considered acceptable in principle. The applicant has provided a report setting out the measures that have been incorporated into the design of the building in order to minimise energy usage; these also include the installation of an EV charging point and an air source heat pump. Were Reserved Matters approval to be given, condition 8 of the Outline consent would still need to be formally discharged separately.

Drainage

Condition 4 of the Outline consent requires details of the surface water management scheme to be submitted and approved (and thereafter implemented and maintained as approved). Condition 5 of the Outline consent requires details of the method of foul drainage disposal to be submitted and approved (and thereafter implemented and maintained as approved). Whilst details in relation to these matters have been submitted with this Reserved Matters application (and appear acceptable in principle), conditions 4 and 5 would still need to be discharged separately.

Ecology

The Outline application did not trigger a Preliminary Ecological Appraisal as a validation requirement, and the decision notice does not require any details regarding biodiversity net gain to be submitted at Reserved Matters stage.

Neighbour Amenity

Due to the separation between the application site and the nearest residential dwellings, Officers do not consider that the proposal would have an impact on residential amenity nor be negatively impacted by existing residential development. Officers are mindful that the development is adjacent to an agricultural building used to accommodate livestock but in the context of a tied agricultural worker's dwelling, Officers consider that the siting is acceptable, given the need to be close to the livestock. On this basis, the proposal is considered to accord with the provisions of DEV1 and DEV2.

Conclusion

The proposal is recommended for refusal for two reasons: firstly, that it has not been demonstrated that there is a functional need on the farm holding for a dwelling of the scale proposed, thus rendering the dwelling unaffordable for a rural worker in perpetuity, contrary to the provisions of SPT1, SPT2, TTV1,

TTV2 and TTV26. Secondly, that the proposal would read as an incongruous addition to the landscape to the detriment of local landscape character and tranquillity, thereby failing to conserve and enhance the landscape and scenic beauty of this part of the South Devon Area of Outstanding Natural Beauty, contrary to the provisions of DEV20 (2, 4, 5), DEV21, DEV23 (1, 2, 3, 4, 6, 7), DEV24 (3, 5), DEV25 (2, 3, 8) and paragraphs including but not limited to 130, 134, 176 and 178 of the NPPF.

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 26 March 2019, the Plymouth & South West Devon Joint Local Plan 2014 - 2034 is now part of the development plan for Plymouth City Council, South Hams District Council and West Devon Borough Council (other than parts of South Hams and West Devon within Dartmoor National Park).

On 26 March 2019 of the Plymouth & South West Devon Joint Local Plan was adopted by all three of the component authorities. Following adoption, the three authorities jointly notified the Ministry of Housing, Communities and Local Government (MHCLG)* of their choice to monitor the Housing Requirement at the whole plan level. This is for the purposes of the Housing Delivery Test (HDT) and the 5 Year Housing Land Supply assessment. A letter from MHCLG to the Authorities was received on 13 May 2019 confirming the change.

On 14 January 2022 the Department for Levelling Up, Housing and Communities published the HDT 2021 measurement. This confirmed the Plymouth, South Hams and West Devon's joint HDT measurement as 128% and the consequences are "None".

Therefore a 5% buffer is 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 5.97 years at end of March 2022 (the 2022 Monitoring Point). This is set out in the Plymouth, South Hams & West Devon Local Planning Authorities' Housing Position Statement 2022 (published 19 December 2022).

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

The relevant development plan policies are set out below:

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

SPT1 Delivering sustainable development
SPT2 Sustainable linked neighbourhoods and sustainable rural communities
SPT3 Provision for new homes
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
TTV1 Prioritising growth through a hierarchy of sustainable settlements
TTV2 Delivering sustainable development in the Thriving Towns and Villages Policy Area
TTV26 Development in the Countryside
TTV29 Residential extensions and replacement dwellings in the countryside
DEV1 Protecting health and amenity

DEV2 Air, water, soil, noise, land and light
DEV8 Meeting local housing need in the Thriving Towns and Villages Policy Area
DEV9 Meeting local housing need in the Plan Area
DEV10 Delivering high quality housing
DEV15 Supporting the rural economy
DEV16 Providing retail and town centre uses in appropriate locations
DEV20 Place shaping and the quality of the built environment
DEV21 Development affecting the historic environment
DEV23 Landscape character
DEV24 Undeveloped coast and Heritage Coast
DEV25 Nationally protected landscapes
DEV26 Protecting and enhancing biodiversity and geological conservation
DEV28 Trees, woodlands and hedgerows
DEV29 Specific provisions relating to transport
DEV31 Waste management
DEV32 Delivering low carbon development
DEV35 Managing flood risk and Water Quality Impacts

Neighbourhood Plan

A Neighbourhood Plan is currently under preparation for the Saltstone Neighbourhood Plan Area which includes the Parish of East Portlemouth but it has not yet reached a stage where it can be considered material to the decision making process.

Other material considerations include the policies of the National Planning Policy Framework (NPPF) including but not limited to paragraphs 130, 134, 176 and 178 and guidance within the Planning Practice Guidance (PPG). Additionally, the following planning documents are also material considerations in the determination of the application: Plymouth and South West Devon Joint Local Plan Supplementary Planning Document 2020, South Devon AONB Management Plan (2019-2024).

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.

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PLANNING APPLICATION REPORT

Case Officer: Graham Smith

Parish: Bickleigh **Ward:** Bickleigh & Cornwood

Application No: 0090/23/FUL

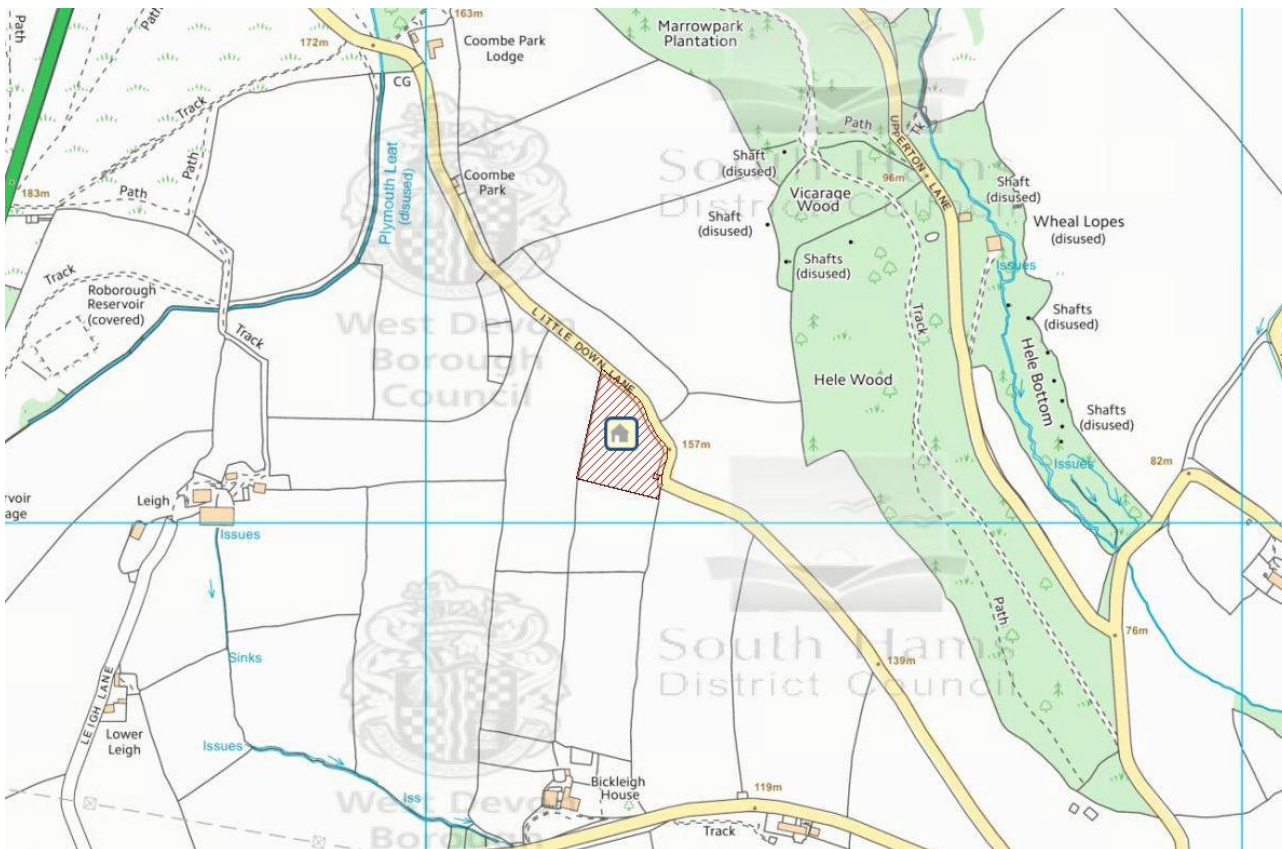
Agent/Applicant:

Mrs Amanda Burden - Luscombe Maye
Luscombe Maye
59 Fore Street
Totnes
TQ9 5NJ

Applicant:

Mr J Haines
C/O Agent
Luscombe Maye
59 Fore Street, Totnes
TQ9 5NJ

Site Address: Land At Sx 512 631, New Road To Roborough Down, Roborough Down, Plymouth, Devon



Development: Use of land for dog walking and exercise, provision of hard standing, fencing and shelter (resubmission 2503/22/FUL)

Reason for decision level: At the request of Cllr Barry Spencer

- The JLP does not adequately deal with this type of application
- There is a public need for this type of facility in the area
- Random dog attacks on farm animals are far too common and this facility will help to alleviate this problem
- I don't feel that the Woolwell extn application before the Council at the moment has been adequately considered, and doing so would change the dynamics of the application considerably

Recommendation: Refuse

Reasons for refusal:

1. The proposal is considered to represent an unsustainable and unjustified form of isolated development in the countryside with travel patterns associated with the business inevitably resulting in increased daily vehicular movements to and from the site, contrary to the adopted spatial strategy that only allows countryside development in exceptional circumstances and requires rural businesses to be fully justified in terms of their contribution towards a sustainable economy. In this regard the development is considered to be contrary to Policies SPT1, SPT2, TTV1, TTV26 and DEV15 of the Plymouth and South West Devon Joint Local Plan 2014-2034 (JLP), Policy Bick15 of the Bickleigh Parish Neighbourhood Plan 2016-2034 (BPNP) and NPPF (paragraph 124(c)).

2. The proposed development will increase activity at this undeveloped countryside location and the increased levels of activity combined with the associated physical development is considered to fail to conserve or enhance the local character, appearance and tranquillity of the site and surrounding area contrary to Policies DEV20 and DEV23 of the JLP, Bick07 of the BPNP and NPPF paragraphs 130(c) and 174(a).

3. The proposal fails to give a robust account of the carbon footprint of the development or detail a range of measurable outcomes and techniques that would reduce carbon emissions over the long term and the isolated nature of the site and type of development is considered to leave customers heavily reliant on car travel and there is no effective mechanism to mitigate this adverse environmental impact contrary to DEV32 and the adopted Plymouth and South West Devon Climate Emergency Planning Statement 2022.

Key issues for consideration:

Principle of Development, Visual Impact/Landscape, Residential Amenity, Ecology, Drainage, Highway Implications

Site Description:

The site is triangular shaped and part of an open field accessed off Little Down Lane midway between Bickleigh and Roborough to the north of New Road and is surrounded by fields on all sides. Mature Devon Hedgebanks define the northern, eastern and western boundaries. The topography is naturally undulating at this location with the site relatively elevated and a gentle gradient throughout.

The Proposal:

Permission is sought to use the field for dog walking and exercise. A 1.8 metre high fence would be erected along the southern boundary to provide an enclosed space where dogs can be let off the leash. Other development associated with the proposal would include an area of hardstanding to provide off street parking for visitors and a 3x3m metre timber shelter that would have a pitched, felt roof measuring 2.5 metres at the highest point of the apex. The existing farm access would be widened by 2ft and 15ft metal gate inserted.

Consultations:

- County Highways Authority – No objection in principle if minded to approve a condition is recommended to prevent stones and debris from being deposited on the highway.
- Environmental Health – No concerns regarding proposal

- Town/Parish Council – Objection

This represents development in the countryside. The access lane is unsuitable for additional traffic, being single track, in a poor state of repair and subject to flooding on a regular basis.

Representations:

12 letters of support were received. The points raised can be summarised as follows:

- There are few secure dog walking paddocks in the area and the proposal provides a safe, enclosed space to allow dogs to be let off the leash and trained without disturbance.
- Dog owners are unable to let their dogs off the lead in large areas of open space such as Dartmoor or Woodland and some are already travelling up to half an hour to find somewhere so a short trip away would be greatly appreciated.
- Users of the applicant's other facility in Wixenford find it essential and are not always able to book a space and would therefore opt to come here whenever it isn't available.
- The health benefits to people and dogs from walking is highlighted.
- A facility such as this is useful for disabled dog owners and those with multiple dogs who can let their dogs run free in a secure environment.
- There are many other dog owners who are unaware of this application that would support it.

Relevant Planning History

2503/22/FUL – Use of land for dog walking & exercise, provision of hard standing, fencing and shelter
WITHDRAWN

ANALYSIS

1. Principle of Development/Sustainability:

- 1.1. The Plymouth and South West Devon Joint Local Plan 2014-2034 (JLP) contains higher level policies that all applications must be assessed against and which all other Policies cascade down from. Policy SPT1 introduces the central theme of sustainability with all economic, societal and environmental considerations to be aligned along the goal of achieving sustainable outcomes. Policy SPT2 introduces the concept of sustainable linked neighbourhoods and sustainable rural communities where communities have reasonable access to a mixed use centre and good access to facilities to meet their needs well served by public transport. Access to outdoor recreational space is one of the measures of sustainable neighbourhoods and communities.
- 1.2. These higher level policies form the foundation of the spatial strategy for growth which is developed in Policy TTV1. Growth will be prioritised through a hierarchy of settlements, enabling each town and village to play its role within the rural area as follows; 1) Main Towns 2) Smaller Town and Key Villages 3) Sustainable Villages 4) Smaller Villages, Hamlets and the Countryside.
- 1.3. The site subject to this application is in the open countryside and is therefore within tier four with proposals requiring justification against the criteria of Policies TTV26 and TTV27 of the JLP. The development is not for rural exception housing and Policy TTV27 is not therefore engaged.
- 1.4. Policy TTV26 is split into two sections with the first applicable to isolated sites in the countryside. The Local Planning Authority is applying the Bramshill Ruling City & Country Bramshill Ltd v Secretary of State for Housing, Communities and Local Government & Ors (2021) EWCA Civ 320 when considering whether a proposal site should be described as 'isolated' in planning terms. In terms of isolation, in applying the Bramshill ruling, the LPA

will consider "...the word "isolated" in the phrase "isolated homes in the countryside" simply connotes a dwelling that is physically separate or remote from a settlement. Whether a proposed new dwelling is or is not "isolated" in this sense is a matter of fact and planning judgement for the decision-maker in the particular circumstances of the case in hand."

1.5. By virtue of the fact that the site is a field surrounded by other fields, accessed via a country lane with no buildings in the vicinity it is considered to be physically remote from a settlement. As a matter of planning judgement the proposal is considered to constitute isolated development. The relevant criteria of TTV26 is therefore to be considered against the following:

1. *Isolated development in the countryside will be avoided and only permitted in exceptional circumstances, such as where it would:*
 - i. *Meet an essential need for a rural worker to live permanently at or near their place of work in the countryside and maintain that role for the development in perpetuity; or*
 - ii. *Secure the long term future and viable use of a significant heritage asset; or*
 - iii. *Secure the re-use of redundant or disused buildings and brownfield sites for an appropriate use; or*
 - iv. *Secure a development of truly outstanding or innovative sustainability and design, which helps to raise standards of design more generally in the rural area, significantly enhances its immediate setting, and is sensitive to the defining characteristics of the local area; or*
 - v. *Protect or enhance the character of historic assets and their settings.*
2. *Development proposals should, where appropriate:*
 - i. *Protect and improve rights of way*
 - 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*

1.6 With respect to the criteria of TTV26(1) the development is not considered to meet any of the exceptional circumstances that would provide a justification for the use proposed. In terms of TTV26(2) not all of the criteria are activated by a proposal such as this. Officers would agree that the type of use proposed may benefit from an open countryside location however the ideal location would be one where customers could walk to and such an operation doesn't necessarily need a countryside location. The setting is one of undeveloped open countryside and whilst there are some measures that would be in place to mitigate the impact, the proposal is for a permanent use, will require physical development that is considered to impact on the setting, and does not contain an exit strategy. Accordingly the proposal is not considered to comply with Policy TTV26.

1.7 Given that the development seeks permission for a rural business Policy DEV15 is also applicable which does support the rural economy subject to certain provisions to ensure that proposals are sufficiently sustainable. For instance DEV15(2) supports small businesses in the rural area subject to an assessment that demonstrates no residual adverse impacts on neighbouring uses and the environment. DEV15(8) requires proposals to demonstrate safe

access, avoid significant increases in the amount of trips requiring private car, consider design details and avoid isolated new buildings.

- 1.8 The proposal has been accompanied by both a sustainable travel plan (STP) and climate emergency form. It is highlighted that there are bus stops in the wider vicinity, and that there is major housing development proposed with the urban expansion Woolwell where it is expected that customers will live who will benefit from a facility of this nature. The sustainable travel plan predicts approximately 10 trips a day and the climate emergency form seeks to offset this through a contribution.
- 1.9 Firstly the STP needs to establish a robust baseline and commit to measurable annual improvements and it is not considered that the STP submitted achieves this or provides suitable justification for siting the development at this poorly connected location. The suggestion of the proximity of the site to the Woolwell development to make this development more acceptable is also considered to be misdirected. Outline permission is still under consideration for that development. With lots of infrastructure improvements required before homes could potentially be commenced, the likelihood of that development having any residents in the near future is low. In the meantime this business would need to try and attract customers from further afield. In any event there is a significant amount of public open space proposed for Woolwell to meet the recreational needs of all future occupiers. There is no connectivity between the urban extension and the proposed site. Whilst the edge of the allocated site may be proximate to the proposed site, there will be no convenient access for occupiers, meaning an indirect and inconvenient journey distance which is not considered to be something that will reduce reliance on the car.
- 1.10 In order for this business to survive in advance of any potential custom from the Woolwell development they are going to need to create and sustain a client base from well beyond the proposal site. It is considered that this will lock in an unsustainable and carbon intensive pattern of movements for the foreseeable future. In addition, there is no way of controlling where existing customers come from and that the further away ones would cease using this facility once homes are being built at Woolwell. The business operators are unlikely to turn away existing clients once the allocation is being built out. As many of the letters of support confirm users of existing facilities such as this drive to get to them in some cases great distances. The fact that some will potentially drive slightly shorter distances doesn't necessarily mean that this development will result in an environmental benefit. The available research on emissions shows that shorter more frequent car trips are the most damaging. Customers that use the site on the other side of the City are likely to use this as a back-up if it is fully booked. The increased capacity that this proposal will bring is considered to result in significant daily movements with little in place to reduce over the longer term.
- 1.11 The proposal for a contribution to offset the carbon impact associated with vehicle trips acknowledges the fact that the proposal is not sustainable. It is not considered that there is provision to make an effective contribution to achieve carbon neutrality in this instance. A baseline for the STP has not been arrived at and officers would have concerns about the difficulties in obtaining a robust quantification of the carbon cost in the circumstances. Officers would consider the most appropriate response in climate terms is to avoid carbon entering the atmosphere in the first place, offsetting is the very last option, and only then in circumstances where the emission are of critical importance in the first place. Such conditions are not considered to exist in this case.
- 1.12 The NPPF in paragraph 124(c) requires consideration of the scope of developments to promote sustainable travel modes that limit future car use. The nature of this development, along with the country lane it accesses onto and its proximity to public transport all raise concerns about the ability of the development long term to limit future car use. Ultimately the booking system in place will not discern between customers and their proximity to the site or likelihood to use sustainable means of transport, which are limited in the circumstances. People will be free to

book a place whenever it is available and choose the easiest means of accessing the site, which in the majority of cases will be via car.

- 1.13 The Bickleigh Parish Neighbourhood Plan 2016-2034 (BPNP) has its own policy for business development through Policy Bick15. This generally promotes business in Broadly Industrial Estate and Devonshire Meadows but requires all business/commercial development to:
- i. Respect the character of its surroundings by way of its scale and design;*
 - ii. Not harm the surrounding landscape;*
 - iii. Not have an adverse effect on its neighbours;*
 - iv. Not have an adverse impact on the transport network and parking conditions; and*
 - v. Safeguard residential amenity and road safety.*
- 1.14 With respect to criteria i and ii the impact of the development on the character of the site and its surroundings and the landscape is covered later in this report but this has been assessed and officers have found the impact to be unacceptable. As detailed later there are no immediate neighbours, and, subject to a condition, Highways do not object to the proposal. Whilst the proposal would not conflict with Bick15(iii-v) officers would consider that the development does not accord with i and ii, and, as is discussed later, the use and associated development is considered to have an adverse impact on the countryside character and the proposal is not considered to accord with Bick15. The proposal involves a recreational facility and therefore Policy Bick26 of the BPNP is of some relevance which generally seeks to provide additional facilities which meet an identifiable local need, particularly for young people. The use proposed, dog exercising, has traditionally been a more informal arrangement and the Neighbourhood Plan focusses on sports and playing pitches and certainly does not identify a need to improve dog walking provision.
- 1.15 Taking account of the above the proposal is neither considered to contain the kind of exceptional circumstances that would justify countryside development or one that has been demonstrated to result in sustainable economic rural development. On this basis the proposal is not considered to accord with the Development Plan as a whole and the adopted spatial strategy and is contrary to Policies SPT1, SPT2, TTV1, TTV26 and DEV15 of the JLP and Policy Bick15 of the BPNP NPPF (paragraph 124(c))

2. Visual Impact/Landscape

- 2.1 Policy DEV20 concerns itself with effective placemaking and using design as a means of improving the quality of the environment by considering context, design details and the treatment of existing heritage and natural assets. Policy DEV23 seeks to conserve and enhance the landscape and scenic and visual quality of development, avoiding significant and adverse landscape or visual impacts. Proposals should be located and designed to respect scenic quality and maintain an area's distinctive sense of place and reinforce local distinctiveness. DEV23 also requires a high architectural and landscape design quality appropriate to its landscape context. BPNP Policy Bick07 also requires proposals to respect local character and landscape quality. This approach is in line with NPPF paragraphs 130(c) and 174(a).
- 2.2 The existing field is undeveloped and open in nature and is considered to make a valuable contribution to the wider setting of the landscape which is relatively tranquil with well-defined natural boundaries and is overwhelmingly agricultural. The erection of the fence, effectively subdividing a larger field will alter the established pattern. Whilst minimal development is required such as access widening and improvements, car parking/hardstanding area and wooden shelter when all of this is combined along with the increased daily activity within the site and along this quiet country lane officers would consider that the impact of this will be significant and that the development, which will be visible from afar, will neither conserve or enhance this

undeveloped countryside location. It is not considered that conditions could effectively mitigate the impact and the proposal is therefore considered to be contrary to Policies DEV20 and DEV23 of the JLP, Policy Bick07 of the BPNP and NPPF paragraphs 130(c) and 174(a).

3. Residential Amenity

- 3.1 Policies DEV1 and DEV2 of the JLP require an assessment on residential amenity and levels of existing amenity should be maintained. There are no houses in the immediate vicinity and it is not considered that the proposal would have an adverse impact on the amenity of the nearest residents. Accordingly the proposal is not considered to conflict with Policies DEV1 and DEV2 of the JLP.

4. Ecology

- 4.1 Policy DEV26 of the JLP and Policy Bick01 of the BPNP both consideration on the impact of developments on species and for developments to provide appropriate biodiversity net gains. The requisite ecology survey has been submitted and has found no evidence of protected species in the vicinity and also that, subject to recommendations, a biodiversity net gain can be achieved. On this basis the proposal is not considered to conflict with policy DEV26 of the JLP or Bick01 of the BPNP. If permission were to be approved conditions could be secured to limit lighting and ensure that a robust scheme of planting could be secured.

5. Drainage

- 5.1 Policy DEV35 requires consideration of drainage and flooding issues. The development, which would be 'minor' in surface water terms, introduces very little impermeable area and is not within an area prone to flooding. No foul drainage is proposed. It is not considered that the proposal conflicts with Policy DEV35 of the JLP.

6. Highway Implications

- 6.1 Policies DEV29 and DEV15 of the JLP require consideration of the impact on local highways and consideration of any access and parking issues. BPNP Policy Bick17 supports proposals to facilitate traffic management schemes in the interest of increasing safety in the Parish. The Local Highways Authority has advised that, subject to a condition for an upgrade to the access, they have no objections. Accordingly if permission were to be granted a condition could be secured and on this basis the proposal would not conflict with Policy DEV29, the part of DEV15 that considers highway safety and Policy Bick17 of the BPNP.

7. Carbon Reduction

- 7.1 Policy DEV32 of the JLP requires developments to be proactive about reducing carbon emissions and this approach is further strengthened by the recently adopted Climate Emergency Planning Statement 2022. A climate emergency compliance form was submitted and correctly identifies that as no new buildings are proposed many of the criteria do not apply. It does however acknowledge that there will inevitably be car journeys associated with this development and it seeks to offset this by means of financial contribution. It is considered that offsetting should be seen as a last resort and only considered in instances where emissions were essential. It is not considered that the use proposed (dog exercising) would be of such critical importance at this location to warrant deviating from the adopted spatial strategy and setting up a carbon offsetting scheme in perpetuity. In any event officers would have concerns about how the carbon cost of such a development could be quantified in a robust manner. The suggestion for offsetting is not considered to be appropriate or deliverable in the circumstances. It is not considered that the proposed development provides the kind of robust and detailed carbon emissions and an effective strategy for reducing those over the long term. On this basis the proposal is contrary to Policy DEV32 of the JLP.

8. Conclusion

- 8.1 The higher level policies of the JLP support rural enterprise however a fundamental consideration is the sustainability of developments and those which are likely to generate significant daily short car trips and change the character of the countryside are the most difficult to justify. The nature of this use, and its poor connectivity to likely customers is particularly difficult to justify, even in the event of the urban expansion being brought forward in the vicinity the proposal is considered to result in unacceptable daily car trips with little confidence that these would decrease markedly over time. It is not considered that the carbon offsetting is quantifiable or can be justified. In addition the use and associated development combined is not considered to enhance or conserve the surrounding environment, which is undeveloped and agricultural.
- 8.2 A more sustainable option would be to consider a site closer to, or within, one of the sustainable settlements, where customers are more likely to walk or within the planned urban extension which will require enough recreational space to meet the needs of future residents. The evidence submitted in support of the proposal has been carefully considered but is not considered to provide the necessary justification for such a development at this isolated countryside location. Accordingly officers recommend refusal of the application.

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

Planning Policy

Relevant policy framework

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

On 26 March 2019 of the Plymouth & South West Devon Joint Local Plan was adopted by all three of the component authorities. Following adoption, the three authorities jointly notified the Ministry of Housing, Communities and Local Government (MHCLG)* of their choice to monitor the Housing Requirement at the whole plan level. This is for the purposes of the Housing Delivery Test (HDT) and the 5 Year Housing Land Supply assessment. A letter from MHCLG to the Authorities was received on 13 May 2019 confirming the change.

On 14th January 2022 the Department for Levelling Up, Housing and Communities published the HDT 2021 measurement. This confirmed the Plymouth, South Hams and West Devon's joint HDT measurement as 128% and the consequences are "None".

Therefore a 5% buffer is 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 5.97 years at end of March 2022 (the 2022 Monitoring Point). This is set out in the Plymouth, South Hams & West Devon Local Planning Authorities' Housing Position Statement 2022 (published 19th December 2022).

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

The relevant development plan policies are set out below:

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

SPT1 Delivering sustainable development
SPT2 Sustainable linked neighbourhoods and sustainable rural communities
TTV1 Prioritising growth through a hierarchy of sustainable settlements
TTV2 Delivering sustainable development in the Thriving Towns and Villages Policy Area
DEV1 Protecting health and amenity
DEV2 Air, water, soil, noise, land and light
DEV15 Supporting the rural economy
DEV20 Place shaping and the quality of the built environment
DEV23 Landscape character
DEV26 Protecting and enhancing biodiversity and geological conservation
DEV29 Specific provisions relating to transport
DEV32 Delivering low carbon development
DEV35 Managing flood risk and Water Quality Impacts

Neighbourhood Plan

The Bickleigh Neighbourhood Plan was adopted in 2019 and forms part of the Development Plan. The relevant Policies are as follows:

Bick01 Ecology, Geology and Diversity
Bick07 Local Character
Bick15 Business Development
Bick17 Road Safety
Bick26 New Recreation and Play Facilities

Other material considerations include the policies of the National Planning Policy Framework (NPPF) including but not limited to paragraphs 130(c) and 174(a). including and guidance in Planning Practice Guidance (PPG). Additionally, the following planning documents are also material considerations in the determination of the application:

Climate Emergency Planning Statement 2022

Considerations under Human Rights Act 1998 and Equalities Act 2010

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

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PLANNING APPLICATION REPORT

Case Officer: Graham Smith

Parish: Slapton **Ward:** Allington and Strete

Application No: 4477/22/FUL

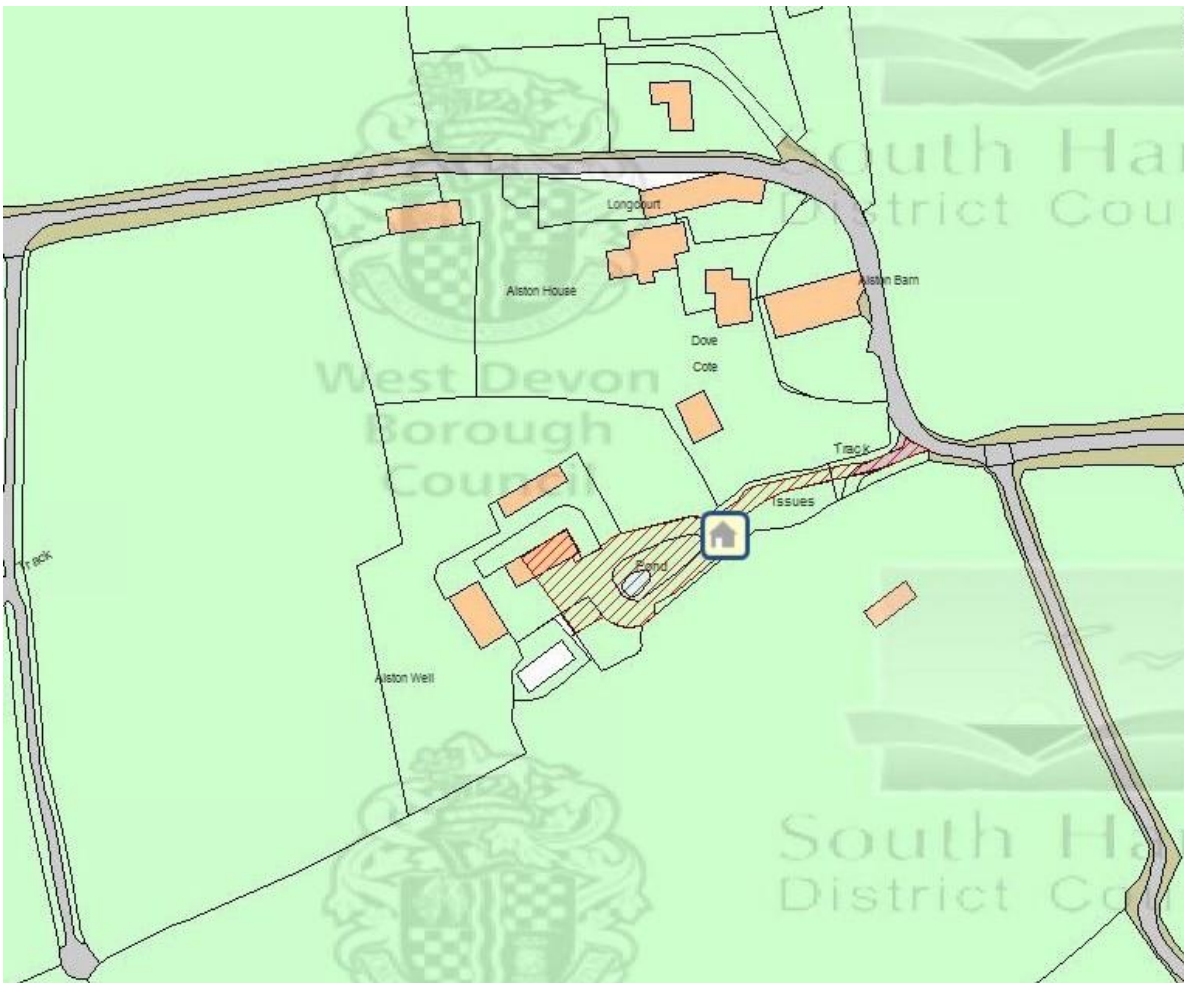
Agent/Applicant:

Mrs Debbie Crowther - Devon HALO
9 Lyte Lane
West Charleton
Kingsbridge
TQ7 2BW

Applicant:

Mrs Katie Panton
Alston Well
Slapton
Kingsbridge
TQ7 2QE

Site Address: Alston Well, Alston Farm, Slapton, Kingsbridge, TQ7 2QE



Development: Use of existing self-contained annexe accommodation as casual self-contained holiday let accommodation (retrospective)

Recommendation: Refuse

Reason for decision level: *At request of councillor Richard Foss I fully understand why you wish to refuse this application, I however take a slightly different view after talking to the applicants they tell me that the people who stay do so to be in quiet open countryside and are into walking etc and are not looking for example the holiday camp type of holiday so therefore I would like to bring this to the committee.*

Reasons for refusal:

1. Visitors of the holiday let accommodation would not have reasonable access to a vibrant mixed use centre which meets daily needs and the remote countryside location does not have a good range of sustainable travel options that would provide an attractive alternative to car travel. The likely reliance of visitors to the site on private car usage would be contrary to the aims of the adopted spatial strategy which seeks to direct growth towards sustainable settlements. There is not considered to be sufficient justification for the proposal to be sited at this unsustainable location and the development is contrary to Policies SPT1, SPT2 TTV1, TTV2, TTV26 and DEV15 of the Plymouth and South West Devon Joint Local Plan 2014-2034 (JLP).

2. The proposal does not deliver in detail any carbon reducing measures and is not therefore considered to secure the kind of measurable decreases for the development that would be necessary to make a positive contribution to transitioning to a low carbon economy and is therefore contrary to both DEV32 of the JLP, the adopted Plymouth and South West Devon Climate Emergency Planning Statement 2022 and NPPF (paragraph 154).

Key issues for consideration:

Principle of Development/Sustainability, Residential Amenity, Highways and Carbon Reduction

Site Description:

The application property is a single storey, one bedroom, barn conversion/reconstruction that has historically been used as an ancillary residential annexe associated with Alston Farm. The site is approximately 2.4km north-west of Slapton and is surrounded by a cluster of buildings to the north including Alston House, Dove Cote and Longcourt and open fields in all other directions with access taken via a private driveway onto a country lane to the north east. There are no landscape designations or listed buildings in the vicinity.

The Proposal

Retrospective planning permission is sought for the use of the annexe as a holiday let. No physical alterations are proposed as part of the application. The application states that the use has been in operation for 3 years without any complaints and longer term letting of the property is not a favourable option as the accommodation is still needed by family members from time to time. The application details a range of other holiday lets in the vicinity but states that there is a need for this type of short term let which appeals to solo travellers and couples with or without dogs.

Information submitted in support of the application comprises of:

- Welcome pack issued to guests
- Sustainable Travel Pack
- Guest reviews
- Planning Statement

The sustainable travel plan states that there are no staff journeys associated with the business as the owner lives in the adjacent property and estimates that the development generates approximately 200 car journeys per annum. It includes measures to increase sustainability such as electric vehicle charging pack, bicycles on demand, home cooked meals and amenity space for the exercising of dogs. The visitors who use the site are described as mainly keen walkers who will often select the property due to its direct links to nature. The nearest bus stop is in Slapton which then provides linkages to Totnes where the nearest railway station is that provides an element of connectivity to the wider area. A conclusion is drawn that there would be no material

increase in traffic movements to and from the site whether self-contained residential accommodation or short term holiday let.

Consultations:

- County Highways Authority - Refer to standing advice
- Town/Parish Council – No comments to make

Representations:

Two letters of representation were received supporting the development. The points made can be summarised as follows:

- The nearest neighbours are supportive of the development and have been fully aware that it has been used as a holiday let and have never experienced any disturbance.
- The continued use is supported as the use causes no inconvenience.

Relevant Planning History

4384/21/FUL – Retrospective application to use existing annexe to property for purposes of Airbnb **WITHDRAWN** due to concerns raised regarding countryside location and poor access to services.

44/1521/15/CLE – Lawful development certificate for ancillary use of outbuilding comprising study/office and ancillary office accommodation **CERTIFICATE GRANTED** 5th October 2015

ANALYSIS

1. Principle of Development/Sustainability:

1.1 The starting point for assessing all planning applications is the higher level policies of the Plymouth and South West Devon Joint Local Plan 2014-2034 (JLP). Policies SPT1 and SPT2 provide the higher level vision that all developments must accord with and from these the other policies cascade downwards to consider more technical matters. The overarching theme is one of sustainability. A sustainable economy is one which encourages and supports sustainable business development and a sustainable society is one in which residents have good access to a mixture of uses. A sustainable environment is to be achieved through the effective use of land, promoting biodiversity and focussing on decreasing the carbon footprint of development. An integral part of Policy SPT2 is the concept of sustainable rural communities and that development creates places where people have good access to a vibrant mixed use centre and are well served by sustainable travel options. Figure 3.2 provides a useful measure of sustainable neighbourhoods and communities and requires consideration of walking distances to the nearest public transport, convenience store, primary school, public open space and a range of other amenities.

1.2 From these higher level policies a spatial strategy is devised through Policies TTV1 and TTV2 of the JLP which establishes a hierarchy of sustainable settlements for where growth will be delivered across the Thriving Towns and Villages Policy Area. The settlements are split up into the following; (1) Main Towns, (2) Smaller Towns and Key Villages, (3) Sustainable Villages and (4) Smaller Villages, Hamlets and the Countryside. These will be used to inform whether a development proposal can be considered sustainable or not. Policy TTV2 promotes the delivery of sustainable rural tourism developments that benefit business, communities and visitors whilst respecting the character of the countryside but also requiring the provision of sustainable transport accessibility. The Supplementary Planning Guidance accompanying the

JLP in paragraph 11.25 states that for proposals for sustainable rural tourism Policy TTV2 should be read along with the specific provisions of TTV26 and DEV15 in order to:

ensure that new tourism facilities respond to opportunities within the established pattern of sustainable settlements, and avoid dispersed and detached tourism facilities that will add seasonal strain on the rural road network.

- 1.3 With respect to the hierarchy in Policy TTV1 the site does not fall within a named settlement and is considered to be in a remote countryside location where developments should be assessed against Policies TTV26 and TTV27. The proposal doesn't involve rural exception/affordable housing and therefore TTV27 is not engaged. Policy TTV26 is split into two parts with the first concerning itself with isolated developments.
- 1.4 The Local Planning Authority is applying the Bramshill Ruling City & Country Bramshill Ltd v Secretary of State for Housing, Communities and Local Government & Ors (2021) EWCA Civ 320 when considering whether a proposal site should be described as 'isolated' in planning terms. In terms of isolation, in applying the Bramshill ruling, the LPA will consider "...the word "isolated" in the phrase "isolated homes in the countryside" simply connotes a dwelling that is physically separate or remote from a settlement. Whether a proposed new dwelling is or is not "isolated" in this sense is a matter of fact and planning judgement for the decision-maker in the particular circumstances of the case in hand."
- 1.5 The property is in a remote location in the open countryside and whilst there are buildings in the vicinity the site is considered to be physically separate from any settlement. As a matter of planning judgement, given the distance between the site and the nearest settlement at Slapton, the proposal is considered to constitute isolated development. As such the LPA are considering the proposal against policies SPT1, SPT2, TTV1, TTV2, TTV26 and DEV15.
- 1.6 The criteria of TTV26 is as follows:
 1. *Isolated development in the countryside will be avoided and only permitted in exceptional circumstances, such as where it would:*
 - i. *Meet an essential need for a rural worker to live permanently at or near their place of work in the countryside and maintain that role for the development in perpetuity; or*
 - ii. *Secure the long term future and viable use of a significant heritage asset; or*
 - iii. *Secure the re-use of redundant or disused buildings and brownfield sites for an appropriate use; or*
 - iv. *Secure a development of truly outstanding or innovative sustainability and design, which helps to raise standards of design more generally in the rural area, significantly enhances its immediate setting, and is sensitive to the defining characteristics of the local area; or*
 - v. *Protect or enhance the character of historic assets and their settings.*
 2. *Development proposals should, where appropriate:*
 - i. *Protect and improve rights of way*
 - 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*

- 1.7 With regard to TTV26 (1) it is not considered that the proposal would meet any of the criteria that would represent exceptional circumstances. The proposal doesn't secure a unit for a rural worker and is not considered to constitute a heritage asset. It appears that the property would continue to be used for residential family purposes when required and the proposal doesn't therefore make use of a redundant building and the use doesn't require a countryside location. There are no physical changes proposed or historic assets in the vicinity.
- 1.8 In terms of TTV26(2) Not all of the above criteria are engaged by a proposal such as this. Clearly the proposal uses an existing building which had previously been used as residential accommodation however it is timber clad and not particularly traditional. The proposal has no impact over rights of way and would not result in a loss of agricultural land. With no physical changes proposed there would be no discernible impact on the setting of the area. There are no apparent links to any agricultural operations or other rural uses and the proposal doesn't respond to an agricultural need. Overall Policy TTV26 provides little planning justification or support for such a proposal in the countryside.
- 1.9 Policy DEV15 provides support for the rural economy by promoting the kind of sustainable growth that there is an identified local need for provided that developments are accessed safely, reusing existing buildings are able to demonstrate no significant increase in the number of trips requiring the private car. There is no known shortfall of tourist accommodation in the vicinity. The proposal is said to appeal to solo travellers and couples, with or without dogs however it identifies 7 other holiday letting operations within a 3km radius of the site and it isn't clear why those properties would not also appeal to solo and couples with dogs.
- 1.10 Clearly the reuse of an established building with no external changes raises no adverse visual amenity issues, and, as detailed above, the Highways Authority has not objected subject to their standing advice being adhered to. However the determining factor in this application is considered to be the remoteness of the site to any facilities and services and the extent to which visitors are likely to be reliant on transport by private car. The sustainable travel plan does contain some measures that may encourage residents to consider more sustainable solutions and it is accepted that people on holiday may choose to walk more. However, with Slapton approximately 2.4km away and the beach approximately 3.6km along narrow unlit roads, both of these locations are more easily accessible by car. All the available research suggests that shorter car journeys are the most damaging to the environment. Not only are visitors more likely to travel to the location via car, officers would consider the most realistic means of getting around that the majority would favour car travel. The provision of EV charging stations and bikes on demand may be taken up by some visitors but this could not be assured or secured via condition.
- 1.11 The exercise area for dogs may also be used by those residents who bring a dog and the availability of cooked home meals is also something that may appeal to some visitors. However residents are probably more likely to favour walks along the beach, visiting a local pub and are still likely to need convenience shopping none of which are particularly attractive pedestrian routes from the site along narrow, unlit and unrestricted country lanes. In many cases a 5 minute drive is preferable to a 30/40 minute walk.
- 1.12 It is conceivable that the proposal will result in an increase in vehicular trips over and above the current use as ancillary family accommodation. Family members would travel to spend time together and are more likely to share trips or a meal together whereas

visitors can come and go separately at their own leisure. In any event it is not considered that visitors of the facility will have reasonable access to a mixed use centre as required by SPT2. The proposal falls significantly short of achieving the kind of distances specified in figure 3.2 of the JLP and officers would consider that the majority of visitors are unlikely to prefer to walk to or from the nearest bus stop or convenience store. Instead this development is considered to result in the kind of detached unit with poor connectivity that would lead to another dispersed facility in the country which is likely to result in an increase in car usage, the environmental impact of which is considered to be significant to the local area. On this basis the proposal is not considered to comply with the adopted spatial strategy and higher level aims of Development Plan as a whole which is committed to delivering sustainable development. As such the proposal is considered to be contrary to SPT1, SPT2, TTV1, TTV2, TTV26 and DEV15 of the JLP.

2. Neighbour Amenity:

- 2.1 Policy DEV1 of the JLP protects residential amenity by requiring consideration of current levels of amenity and what impacts, if any, will occur as a result of development. The development is at a relatively secluded location with no neighbours in the immediate vicinity it is not considered that the development gives rise to any concerns over a loss of privacy or increased disturbance associated with the use. The proposal is not considered to conflict with Policy DEV1 of the JLP.

3. Highways/Access:

- 3.1 Policy DEV29 of the JLP requires consideration of the impact of developments on the wider transport network, and requires safe traffic movements and vehicular access to and from the site. No changes are proposed to the existing established access and there is ample space within the site for parking. Limited traffic uses the country lane the site accesses onto. Highways refer to their standing advice and there is no concerns that this is not achieved. As such the development is compliant in terms of policy DEV29 of the JLP.

4. Carbon Reduction:

- 4.1 The Policies of the JLP are committed to promoting development that seeks to reduce carbon emissions. Policy DEV32 requires developments to identify opportunities to minimise the use of natural resources and to aid the delivery of on-site low carbon or renewable energy systems. The recently adopted Climate Emergency Statement 2022 gives an added urgency and places additional obligations on developers to deliver in response to NPPF which is increasingly underlining that the planning system should support the transition to a low-carbon future (paragraphs 152-154).
- 4.2 Despite identifying that solar panels are a potential option under consideration the development does not deliver these in the form of detailed plans. Similarly the applicant is agreeable to a condition requiring EV charging but has not submitted plans that would deliver these. Reference is made to tree planting and wildflower meadow outwith the application site and there are clearly intentions to landscape in the vicinity which may well be financed by the development. However, in the absence of any detailed proposal it would be difficult to conclude if this would amount to a biodiversity net gain. The applicant is also exploring the possibility electric bikes, again to be financed through profits of the business. Whilst it is clear that consideration has been given to what could be achieved, the lack of details leads to a concern that this could not be effectively conditioned or secured and delivery would be entirely at the discretion of the applicant. It is not therefore considered that this proposal delivers any tangible carbon reduction and the proposal does not therefore accord with Policy DEV32 of the JLP, The Climate Emergency Planning Statement 2022 and NPPF (paragraph 154).

5. Conclusion:

- 5.1 The policies of the JLP are supportive of rural business but crucially sustainable growth is the objective. This development seeks permission for a holiday let use at an unsustainable location and visitors will not therefore have good access to either public transport or basic facilities such as convenience shop on foot or cycle. As a result officers would consider that, once visitors have driven to get to this remote location, their most likely means of travel to get to local amenities would be short trips in the car, which officers would consider to be the most environmentally damaging form of travel. The application represented an opportunity to deliver a carbon reduction and whilst some potential options were explored, none were delivered in detail and officers would not consider that a carbon reduction could be achieved by a suitably worded condition given that there is no clear commitment at this stage. On this basis the proposal is not considered to represent sustainable development and is therefore contrary to the Development Plan and officers would recommend refusal of the application.

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

Planning Policy

Relevant policy framework

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

On 26 March 2019 of the Plymouth & South West Devon Joint Local Plan was adopted by all three of the component authorities. Following adoption, the three authorities jointly notified the Ministry of Housing, Communities and Local Government (MHCLG)* of their choice to monitor the Housing Requirement at the whole plan level. This is for the purposes of the Housing Delivery Test (HDT) and the 5 Year Housing Land Supply assessment. A letter from MHCLG to the Authorities was received on 13 May 2019 confirming the change.

On 14th January 2022 the Department for Levelling Up, Housing and Communities published the HDT 2021 measurement. This confirmed the Plymouth, South Hams and West Devon's joint HDT measurement as 128% and the consequences are "None".

Therefore a 5% buffer is 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 5.97 years at end of March 2022 (the 2022 Monitoring Point). This is set out in the Plymouth, South Hams & West Devon Local Planning Authorities' Housing Position Statement 2022 (published 19th December 2022).

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

The relevant development plan policies are set out below:

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

SPT1 Delivering sustainable development
SPT2 Sustainable linked neighbourhoods and sustainable rural communities
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
DEV15 Supporting the rural economy
DEV20 Place shaping and the quality of the built environment
DEV23 Landscape character
DEV29 Specific provisions relating to transport
DEV32 Delivering low carbon development

Neighbourhood Plan

There is no adopted Neighbourhood Plan for this area.

Other material considerations include the policies of the National Planning Policy Framework (NPPF) including but not limited to paragraphs 154 and guidance in Planning Practice Guidance (PPG). Additionally, the following planning documents are also material considerations in the determination of the application:

Plymouth and South West Devon Climate Emergency Planning Statement 2022

Considerations under Human Rights Act 1998 and Equalities Act 2010

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

DEVELOPMENT MANAGEMENT COMMITTEE 5-Apr-23

Appeals Update from 3-Mar-23 to 20-Mar-23

Ward Blackawton and Stoke Fleming

APPLICATION NUMBER: **1178/22/ARM** APP/K1128/W/22/3308361
 APPELLANT NAME: Minto Care Dartmouth 2 Ltd/Baker Estates Ltd
 PROPOSAL: Application for approval of reserved matters following outline approval
 15_51/1710/14/O (Appeal APP/K1128/W/15/3039104) as varied by application reference
 2609/19/VAR and 0479/21/VAR relating to access, appearance, landscaping, layout and
 scale for the construction of 46No. apartment extra care/assisted living scheme (Class
 C2) with provision of parking, gardens, access and associated works
 LOCATION: Land Off Townstal Road Townstal Road Dartmouth
 APPEAL STATUS: Appeal Withdrawn
 APPEAL START DATE: 10-February-2023
 APPEAL DECISION: Withdrawn
 APPEAL DECISION DATE: 09-March-2023

Ward Newton and Yealmpton

APPLICATION NUMBER: **3899/21/HHO** APP/K1128/D/22/3300712
 APPELLANT NAME: Mr Robert Ashenford
 PROPOSAL: Householder application for installation of second floor roof lantern
 to flat roof at rear of property
 LOCATION: Hillside Newton Hill Newton Ferrers PL8 1AB **Officer member delegated**
 APPEAL STATUS: Appeal decided
 APPEAL START DATE: 09-December-2022
 APPEAL DECISION: Dismissed (Refusal)
 APPEAL DECISION DATE: 06-March-2023

Ward Salcombe and Thurlestone

APPLICATION NUMBER: **0154/22/FUL** APP/K1128/W/22/3306719
 APPELLANT NAME: Sands Reach Ltd
 PROPOSAL: Sub-division of existing penthouse to create 2 x 2 bedroom apartments
 LOCATION: Tides Reach Hotel Cliff Road Salcombe TQ8 8LJ
 APPEAL STATUS: Appeal Withdrawn
 APPEAL START DATE: 09-March-2023
 APPEAL DECISION: Withdrawn
 APPEAL DECISION DATE: 10-March-2023

APPLICATION NUMBER: **2551/22/TPO** APP/TPO/K1128/9340
 APPELLANT NAME: Mr David Higgins
 PROPOSAL: G1: x8 Oak - Re-pollard to previous pollard points due to excessive
 shading over properties. T5: Oak - Re-pollard to previous pollard
 points to allow light to Fairhaven building/flats.

LOCATION: Fairhaven Sandhills Road Salcombe **Officer delegated**
 APPEAL STATUS: Appeal Lodged
 APPEAL START DATE: 06-March-2023
 APPEAL DECISION:
 APPEAL DECISION DATE:

APPLICATION NUMBER: **3888/21/FUL** APP/K1128/W/22/3303945
 APPELLANT NAME: Mr & Mrs Tom & Vicky Todd
 PROPOSAL: Replacement dwelling, extension and remodeling of summerhouse and
 associated landscaping

LOCATION: Fort Charles Cliff Road Salcombe TQ8 8JU **Officer delegated**
 APPEAL STATUS: Appeal Lodged
 APPEAL START DATE: 15-March-2023
 APPEAL DECISION:
 APPEAL DECISION DATE:

APPLICATION NUMBER: **3951/21/FUL** APP/K1128/W/22/3304261
 APPELLANT NAME: Mr and Mrs J Grayson
 PROPOSAL: Replacement agricultural barn (part retrospective) resubmission of
 0882/21/FUL

LOCATION: Land at SX 690 402 Colmpton Kingsbridge TQ7 3EY **Officer delegated**
 APPEAL STATUS: Appeal Lodged
 APPEAL START DATE: 17-March-2023

APPEAL DECISION:
APPEAL DECISION DATE:

Ward Wembury and Brixton

APPLICATION NUMBER:	1844/21/FUL	APP/K1128/W/22/3302074
APPELLANT NAME:	Ms Joanne Burgess	
PROPOSAL:	New Dwelling	
LOCATION:	Land North East of Hartlands Lodge Lane Brixton PL8 2AU	Officer member delegated
APPEAL STATUS:	Appeal decided	
APPEAL START DATE:	15-November-2022	
APPEAL DECISION:	Dismissed (Refusal)	
APPEAL DECISION DATE:	03-March-2023	

Undetermined Major applications as at 20-Mar-23

	Valid Date	Target Date	EoT Date
0612/16/OPA Patrick Whymer	8-Aug-16	7-Nov-16	
Brimhay Bungalows Road Past Forder Lane House Dartington Devon TQ9 6HQ		Outline planning application with all matters reserved for redevelopment of Brimhay Bungalows. Demolition of 18 Bungalows to construct 12 Apartments, 8 units of specialist housing for Robert Owens Community Clients and up to 10 open market homes.	

Comment: This Application was approved by Committee subject to a Section 106 Agreement. The Section 106 Agreement has not progressed

	Valid Date	Target Date	EoT Date
3704/16/FUL Charlotte Howrihane	22-Nov-16	21-Feb-17	21-Mar-23
Creek Close Frogmore Kingsbridge TQ7 2FG		Retrospective application to alter boundary and new site layout (following planning approval 43/2855/14/F)	

Comment: S106 is with legal and due to be completed this week (27.02.23)

	Valid Date	Target Date	EoT Date
4181/19/OPA Ian Lloyd	9-Jan-20	9-Apr-20	30-Sep-23
Land off Towerfield Drive Woolwell Part of the Land at Woolwell JLP Allocation (Policy PLY44)		Outline application for up to 360 dwellings and associated landscaping, new access points from Towerfield Drive and Pick Pie Drive and site infrastructure. All matters reserved except for access.	

Comment: Along with 4185/19/OPA a year-long PPA initially agreed until end of December 2020 was extended to March 2023. Both parties agree that while progress is being made, more time is still required to resolve outstanding matters (including ongoing discussions with National Highways on strategic highway mitigation requirements), and for a period of re-consultation and a revised extension of time has been agreed until the end of September 2023

	Valid Date	Target Date	EoT Date
4185/19/OPA Ian Lloyd	9-Jan-20	9-Apr-20	30-Sep-23
Land at Woolwell Part of the Land at Woolwell JLP Allocation (Policy PLY44)		Outline application for provision of up to 1,640 new dwellings; up to 1,200 sqm of commercial, retail and community floorspace (A1-A5, D1 and D2 uses); a new primary school; areas of public facilities; new access points and vehicular, cycle and open space, including a community park; new sport and playing pedestrian links; strategic landscaping and attenuation basins; a primary substation and other associated site infrastructure. All matters reserved except for access.	

Comment: Along with 4181/19/OPA a year-long PPA initially agreed until end of December 2020 was extended to March 2023. Both parties agree more time is still required to resolve outstanding matters (including ongoing discussions with National Highways on strategic highway mitigation requirements and for a period of re-consultation and a revised extension of time has been agreed until the end of September 2023

	Valid Date	Target Date	EoT Date
4158/19/FUL Patrick Whymer	17-Jan-20	17-Apr-20	6-Feb-21
Development Site At Sx 734 439, Land to Northwest of junction between Ropewalk and Kingsway Park Ropewalk Kingsbridge Devon		READVERTISEMENT (Revised Plans Received) Residential development comprising of 15 modular built dwellings with associated access, car parking and landscaping	

Comment: Applicant is reviewing the proposal.

		Valid Date	Target Date	EoT Date
0995/20/VAR	Charlotte Howrihane	1-Apr-20	1-Jul-20	31-Mar-23
Hartford Mews Phase 2 Cornwood Road Ivybridge		Variation of conditions 4 (LEMP) and 13 (Tree Protective Fencing) of planning consent 3954/17/FUL		
Comment: Proposed amendments are fine, but Deed of Variation required to amend S106- with legal				

		Valid Date	Target Date	EoT Date
3623/19/FUL	Steven Stroud	14-Apr-20	14-Jul-20	1-Jan-23
Land off Godwell Lane Ivybridge		READVERTISEMENT (Revised plans received) Full planning application for the development of 104 residential dwellings with associated access, parking, landscaping, locally equipped play area and infrastructure		
Comment: Ongoing negotiations with LLFA, awaiting feedback. Report largely complete. S106 HoT broadly settled but dispute regarding NHS gap funding payment. NHS have been approached for further justification, no response.				

		Valid Date	Target Date	EoT Date
0868/20/ARM	Jacqueline Houslander	29-Apr-20	29-Jul-20	20-Jan-23
Development Site at SX 612 502 North of Church Hill Holbeton		Application for approval of reserved matters following outline approval 25/1720/15/O for the construction of 14 no. dwellings, provision of community car park, allotment gardens, access and associated works including access, layout, scale, appearance and landscaping (Resubmission of 0127/19/ARM) and the discharge of outline conditions (12/1720/15/O) 1, 2, 3, 5, 6, 7, 8, 9, 10,11,12 19, 20, 21, 22, 23 and 24.		
Comment Agreed under delegation, awaiting signature on unilateral undertaking				

		Valid Date	Target Date	EoT Date
4254/20/FUL	Lucy Hall	23-Dec-20	24-Mar-21	25-Aug-22
Springfield Filham PL21 ODN		READVERTISEMENT (revised plans) The proposed development or a redundant commercial nursery to provide 22 new low carbon and energy efficient dwellings for affordable rent. Landscaping works will provide communal areas and a playground as well as ecological features. Access will be provided from the provided from the main road with a main spine route running through the site. Springfield Cottage is to remain as current use but be a separate property entity with access from within the site.		
Comment: Amended plans received. Still further information outstanding and awaited.				

		Valid Date	Target Date	EoT Date
0544/21/FUL	Jacqueline Houslander	15-Feb-21	17-May-21	10-Apr-23
Land at Stowford Mills Station Road Ivybridge PL21 0AW		Construction of 16 dwellings with associated access and Landscaping		
Comment: Currently in discussion with applicant over a Deed of Variation to the original Section 106 agreement. Deed of Variation is awaiting applicants signature				

	Valid Date	Target Date	EoT Date
1490/21/ARM Tom French	20-Apr-21	20-Jul-21	31-Mar-23
Sherford New Community Commercial Area North of Main Street Elburton Plymouth			
Application for approval of reserved matters for commercial area containing B1, B2, B8, D2 leisure, Sui generis uses as well as 2 drive through restaurants and a hotel, including strategic drainage, highways and landscaping as part of the Sherford New Community pursuant to Outline approval 0825/18/VAR (which was an EIA development and an Environmental Statement was submitted)			

Comment: Under consideration by Officer, ext of time agreed

	Valid Date	Target Date	EoT Date
1491/21/ARM Tom French	20-Apr-21	20-Jul-21	31-Mar-23
Sherford New Community Green Infrastructure Areas 6 and 18 North of Main Street Elburton Plymouth PL8 2DP			
Application for approval of reserved matters for Green Infrastructure areas 6 and 18 including details of surface water drainage infrastructure, all planting and landscaping as part of the Sherford New Community pursuant to Outline approval 0825/18/VAR (which was EIA development and an Environmental Statement was submitted)			

Comment: Under consideration by Officer, ext of time agreed

	Valid Date	Target Date	EoT Date
3053/21/ARM David Stewart	5-Aug-21	4-Nov-21	24-Mar-22
Noss Marina Bridge Road Kingswear TQ6 0EA			
Application for approval of reserved matters relating to layout, appearance, landscaping and scale, in respect to Phase 16 – Dart View (Residential Northern) of the redevelopment of Noss Marina comprising the erection of 40 new homes (Use Class C3) provision of 60 car parking spaces, cycle parking, creation of private and communal amenity areas and associated public realm and landscaping works pursuant to conditions 51, 52, 54 and 63 attached to S.73 planning permission ref. 0504/20/VAR dated 10/02/2021 (Outline Planning Permission ref. 2161/17/OPA dated 10/08/2018) (Access matters approved and layout, scale, appearance and landscaping matters.			

Comment: architect working on revisions and redesign

	Valid Date	Target Date	EoT Date
2982/21/FUL Graham Smith	13-Oct-21	12-Jan-22	14-May-23
Land Opposite Butts Park Parsonage Road Newton Ferrers PL8 1HY			
READVERTISEMENT (Revised plans) The erection of 20 residential units (17 social rent and 3 open market) with associated car parking and landscaping			

Comment: Viability issue - EOT agreed to allow applicant to consider and respond to objection from housing

	Valid Date	Target Date	EoT Date
3335/21/FUL Clare Stewart	14-Oct-21	13-Jan-22	17-Feb-22
Proposed Development Site At Sx 566 494 Land West of Collaton Park Newton Ferrers			
Construction of 125 homes, commercial business units, landscaped parkland, community boat storage/parking, allotments, improvements to existing permissive pathway and public footway, enhancement of vehicular access and associated infrastructure and landscaping.			

Comment: S106 discussions ongoing.

	Valid Date	Target Date	EoT Date
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4175/21/VAR	Tom French	8-Nov-21	7-Feb-22	17-Feb-23
Sherford Housing Development Site, East Sherford Cross To Wollaton Cross Zc4 Brixton Devon		READVERTISEMENT (Additional EIA Information Received) Application to amend conditions 48 & 50 of 0825/18/VAR, to vary Conditions relating to employment floors pace in respect of the Sherford New Community.		

Comments: Approved by Members, subject to S106 agreement which is progressing

		Valid Date	Target Date	EoT Date
4021/21/VAR	Steven Stroud	24-Nov-21	23-Feb-22	
Development site at SX 809597 Steamer Quay Road Totnes		Application for variation of condition 2 (approved drawings) of planning consent 4165/17/FUL		

Comment: Met with applicant team to discuss objections and progress. Revised package of plans and supporting docs awaited.

		Valid Date	Target Date	EoT Date
4317/21/OPA	Steven Stroud	5-Jan-22	6-Apr-22	6-May-22
Land at SX 5515 5220 adjacent to Venn Farm Daisy Park Brixton		Outline application with all matters reserved for residential development of up to 17 dwellings (including affordable housing)		

Comment: Revised package of plans and supporting docs awaited.

		Valid Date	Target Date	EoT Date
4774/21/FUL	Jacqueline Houslander	7-Feb-22	9-May-22	
Burgh Island Hotel Burgh Island Bigbury On Sea TQ7 4BG		READVERTISEMENT (Revised plans) Extension and refurbishment to Hotel and associated buildings together with the development of new staff accommodation, extension to Pilchard Inn staff accommodation, extension to Pilchard Inn, extension to Bay View Café and site wide landscape and biodiversity Enhancements		

Comment: Approved by Committee subject to S106 Agreement that is progressing

		Valid Date	Target Date	EoT Date
0303/22/OPA	Steven Stroud	4-Mar-22	3-Jun-22	21-Apr-23
Land off Moorview, Westerland Marldon TQ3 1RR		READVERTISEMENT (Updated Site Address) Outline application (all matters reserved) for erection of 30 homes of two, three and Four bedroom sizes with associated roads, paths, landscaping and Drainage 30% of which would be affordable housing		

Comment: Currently undergoing reconsultation.

		Valid Date	Target Date	EoT Date
0934/22/FUL	Lucy Hall	14-Mar-22	13-Jun-22	
Land At Sx 499 632 Tamerton Road Roborough		READVERTISEMENT (revised plans) Construction of a new crematorium facility with associated access drives, car parking, ancillary accommodation & service yard		

Comment: Under consideration by officer

		Valid Date	Target Date	EoT Date
1629/22/ARM	Steven Stroud	20-Jun-22	19-Sep-22	20-Jan-23
Dennings Wallingford Road Kingsbridge TQ7 1NF		READVERTISEMENT (revised plans & supporting information) Application for approval of reserved matters following outline approval 2574/16/OPA (Outline application with all matters reserved for 14 new dwellings) relating to access, appearance, landscaping, layout and scale and discharge of outline planning		

condition.

Comment: Currently undergoing recon. Taken over from Helen. Revised package of information received over Xmas/NY is now out for recon. Under consideration.

	Valid Date	Target Date	EoT Date
1523/22/FUL Steven Stroud	20-Jun-22	19-Sep-22	31-Jan-23
Proposed Development Site West Dartington Lane Dartington		READVERTISEMENT (revised plans) Construction of 39No. two-storey dwellings with associated landscaping	

Comment: Ongoing discussions with applicant and consultees including LHA. Revised package of plans received, now going to reconsultation.

	Valid Date	Target Date	EoT Date
2412/22/OPA Clare Stewart	25-Jul-22	24-Oct-22	28-Apr-23
Land South of Dartmouth Road at SX 771 485 East Allington		Outline application with some matters reserved for the development of up to 35 dwellings & associated access, infrastructure, open space, landscaping & biodiversity net gain infrastructure	

Comment: Awaiting further information in relation to landscape and heritage impacts.

	Valid Date	Target Date	EoT Date
3182/22/VAR Clare Stewart	9-Sep-22	9-Dec-22	
Land to rear of Green Park Way Green Park Way Chillington TQ7 2HY		Application for variation of a conditions 6 (use of roofs), 14 (pedestrian access), 19 (biodiversity net gain) and 20 (JLP Policy DEV32) following grant of planning consent 0265/20/ARM	

Comment: Requested info from Agent 14/12

	Valid Date	Target Date	EoT Date
2804/22/FUL Charlotte Howrihane	14-Sep-22	14-Dec-22	17-Mar-23
Homefield Farm Sherford TQ7 2AT		Change of use of commercial buildings and dwelling house to 3 no. holiday lets, demolition of existing retail unit., replacement of commercial building with 1 no. self-build dwelling house, associated works to include comprehensive landscape & ecology enhancement works (Resubmission of 4751/21/FUL)	

Comment: : No significant changes to previously refused app 4751/21/FUL.previous app currently awaiting appeal hearing (8th/9th Nov). Agent has been informed current app is also recommended for refusal, has asked for EOT to await appeal decision on previous application

	Valid Date	Target Date	EoT Date
2643/22/VAR Bryony Hanlon	13-Oct-22	12-Jan-23	31-Mar-23
Thurlestone Hotel Thurlestone TQ7 3NN		Application for variation of conditions 2 (approved plans) & 8 (tree protection) of planning consent 1720/19/FUL	

Comment: Additional information received 21 March 2023.

	Valid Date	Target Date	EoT Date
4167/22/ARM Bryn Kitching	14-Dec-22	15-Mar-23	24-Mar-23
Land At Sx 856 508 Dartmouth		Application for approval of reserved matters seeking approval for layout, scale, appearance and landscaping for 9 residential dwellings and associated open space and infrastructure following outline approval 3475/17/OPA as varied by application reference 3078/21/VAR (Revised layout for 9 dwellings to replace previously approved layout for 7 dwellings (plots 138-144) under 3118/21/ARM).	

Comment: Alternative layout to small section of larger development. Minor parking issues resolved and delegated decision to be made within agreed extension of time.

	Valid Date	Target Date	EoT Date
0384/23/OPA Bryn Kitching Land At Sx 652 517 Modbury	9-Feb-23	11-May-23	READVERTISEMENT (Amended Description) Outline Planning Application (with all matters reserved apart from access) for demolition of existing buildings and a residential redevelopment of up to 40 dwellings, including the formation of access and associated works on land at Pennpark, Modbury

Comment: Outline application on site allocated for residential development in the JLP. Consultation period restarted following a correction to the description of development and will run throughout the whole of March.

	Valid Date	Target Date	EoT Date
3847/22/FUL Steven Stroud Land At SX 680 402 east of Thornlea View Hope Cove	1-Mar-23	31-May-23	Erection of 6 semi-detached two bedroom affordable dwellings, 4 detached four bedroom houses with detached double garages, associated new highway access & service road, foul & rainwater drainage strategy, landscape & habitat creation measures & detail (resubmission of 1303/21/FUL)

Comment: Still in first consultation/publicity. Reviewing file, follows previous submission that was refused.

	Valid Date	Target Date	EoT Date
3775/22/FUL Peter Whitehead Land at SX 715 514 Loddiswell	8-Mar-23	7-Jun-23	Proposed development for removal of existing workshops/storage industrial buildings & proposed erection of 10No. rural Light industrial/storage (Class E(g)(iii)/B8) buildings with associated hardstanding for parking & vehicle manoeuvring space

Comment: