

PLANNING APPLICATION REPORT

Case Officer: Darren Henry
Gifford

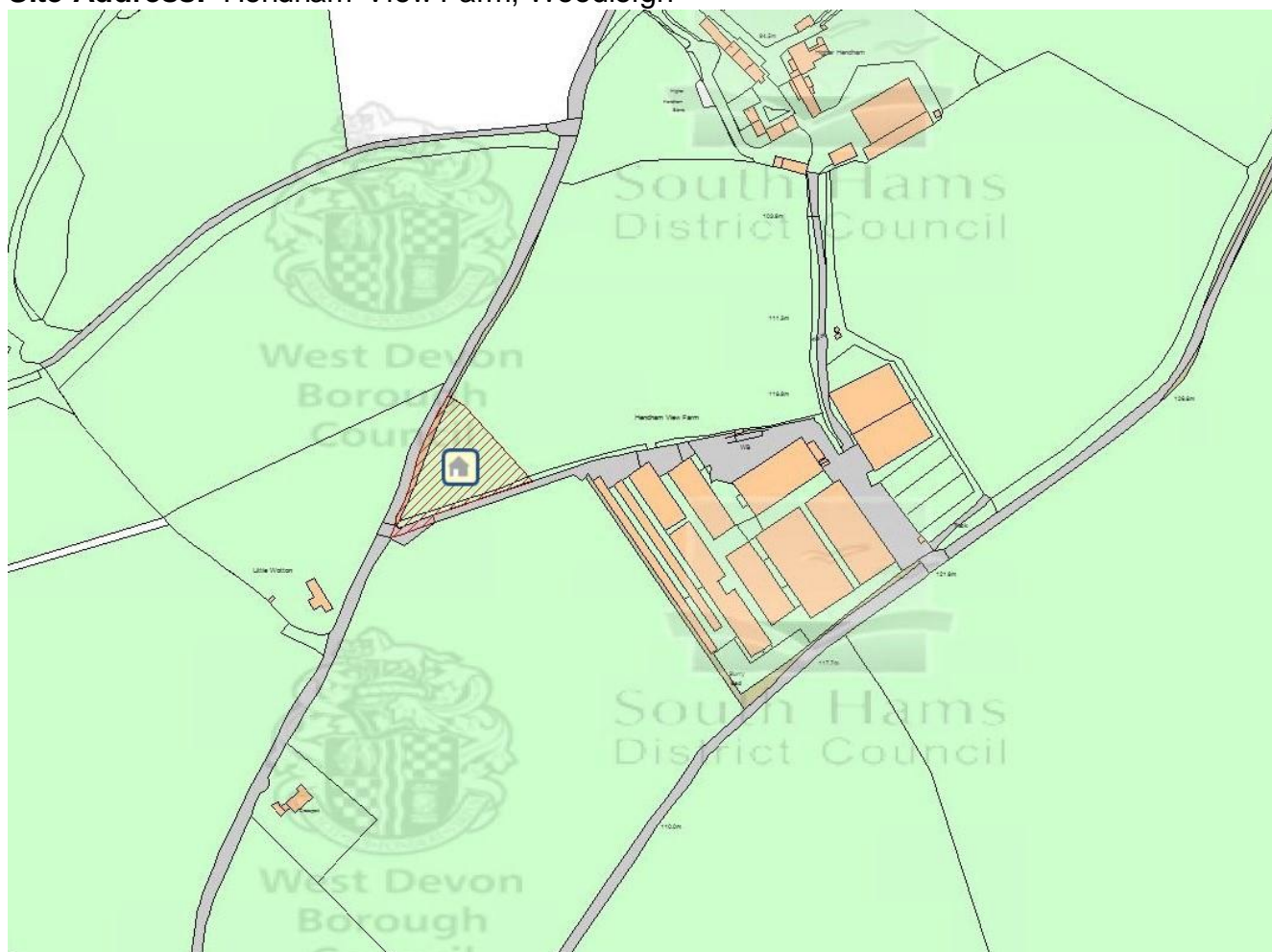
Parish: Woodleigh **Ward:** Loddiswell and Aveton

Application No: 2667/21/OPA

Agent/Applicant:
Mrs Amanda Burden - Luscombe Maye
59 Fore Street
Totnes
TQ9 5NJ

Applicant:
Messrs DJ & J Merrin
Hendham View
Woodleigh
TQ7 4DP

Site Address: Hendham View Farm, Woodleigh



Development: Outline application with some matters reserved for the provision of an agricultural workers dwelling including landscaping

Reason item is being put before Committee

Requested by the Ward Members due to design concerns relating to the retaining wall, facing materials, insufficient amenity space and impact on the AONB.

Recommendation: Approval

Conditions

Reserved Matters Details
Reserved Matters (Time)
Development (Time)
Agricultural Tie
Surface Water Drainage
Landscaping implementation and replace if dies within 5yrs etc
Boundary Treatment
Details of Materials
Visibility Splays/Parking etc
PD Removed (extensions/garages etc)
Contamination
Special Area of Conservation Mitigation Measures
Ecology,
Biodiversity net gain
EVCP
Low Carbon Development

Key issues for consideration:

Principle of development, landscape, neighbour amenity, drainage and ecology

Site Description:

The application site is within the larger existing agricultural farming business at Hendham View Farm, Woodleigh. The farming enterprise is run by David and Jenny Merrin and their two sons, Jeff and Jon. The enterprise specialises in producing beef and is contracted by a major supermarket.

The holding are comprises of:

- 500 acres of land
- 3000+ head of cattle
- A range of farm buildings and various livestock facilities.

There is a farmhouse occupied by the applicants but this is located approximately 800m away from the farm buildings.

Jeff Merrin is responsible for Hendham View whilst Jon runs the dairy site at Woolston. The dwelling would be occupied by Jeff Merrin, who is head herdsman at Hendham.

The application site is a triangular shape within an agricultural field and is located next to the entrance to the holdings, with the northeast boundary adjacent to the highway, the southeast boundary runs along the access track into the farm and to the east the site is bounded by an open field, beyond which is the caravan that has a temporary permission.

The site is located within the South Devon Area of Outstanding Natural Beauty and the Great Horseshoe Bat Special Area of Conservation.

The Proposal:

This is an outline application, with landscaping included, for a permanent dwelling on-site for an agricultural worker. All other matters relating to appearance, layout and scale are reserved;

it is, however, stated that any surface water will be disposed of via a soakaway within the application site.

Planning approval was granted in August 2017, reference 0292/17/FUL, and again in November 2020, reference 2591/20/FUL, for the provision of a temporary agricultural dwelling. The most recent permission runs out in November 2022.

Consultations:

- Town/Parish Council—No comments submitted
- Agricultural Consultant—In support

Representations:

Representations from Residents

Five letters of objection were received with the following comments:

- Object to the dwelling being located in the AONB.
- Impact on the visual amenity and sensitive AONB landscape.

Five Letters of support have been received, stating:

- There is need for an agricultural dwelling on site to be occupied permanently for the welfare of the animals and for security of machinery.
- We need agricultural workers to remain in the countryside. If they do not have house they are not going to be able to do this.
- Although the proposed site lies within the Avon valley AONB, it is on the fringe and if it were to be moved outside of the AONB, it would involve the dwelling being on the other side of the road. This would incur the family having to cross the road which is potentially unsafe for children.
- The site is adjacent to the temporary residence that has been on site for around 2 years, this has caused us no visual impact or had any other impact on us or any of our neighbours as far as we are aware.

Representations from Consultees

Landscape Officer—No objection subject to conditions

Natural England—No objection subject to appropriate mitigation

DCC Highways Authority—Standing advice applies.

Relevant Planning History

Ref: 2591/20/FUL - Provision of temporary agricultural dwelling (mobile home) for 2 years – conditional approval 02/11/2020.

Ref: 0292/17/FUL - Provision of temporary agricultural dwelling (mobile home) – conditional approval- 16/08/2017.

Ref: 61/0882/13/F - Field At Sx 745 506 Hendham View Farm Woodleigh Kingsbridge TQ7 4DP - Conditional Approval – 08/08/2013.

Ref: 61/0554/02/F Higher Hendham, Woodleigh, Kingsbridge, Devon, TQ7 4DP, Erection of grain store N 23/05/2002 WDT

Ref: 61/2285/05/CU Higher Hendham, Woodleigh, Kingsbridge, Devon, TQ7 4DP Change of use of 2 no. barns to commercial B1/B8 use and access changes N 23/01/2006 WDT

Ref: 61/1935/07/F Field at SX743504, Hendham View Farm, Woodleigh, Kingsbridge Erection of agricultural livestock building N 18/09/2007 WDT

Ref: 61/2054/07/F Field at SX743504, Hendham View Farm, Woodleigh, Kingsbridge Erection of agricultural livestock building - No 2 N 21/11/2007 APC

Ref: 61/2055/07/F Field at SX743504, Hendham View Farm, Woodleigh, Kingsbridge Resubmission of application

Ref: 61/1935/07/F for the erection of agricultural livestock building and provision of access track / yard area - No 1 N 21/11/2007 APC

Ref: 61/0538/08/F Field at SX743504, Hendham View Farm, Woodleigh, Kingsbridge Erection of agricultural livestock building N 23/04/2008 WDT

Ref: 61/1225/08/F Field at SX743504, Hendham View Farm, Woodleigh, Kingsbridge Resubmission of planning application

Ref: 61/0538/08/F for erection of agricultural livestock building N 22/08/2008 WDT

Ref: 61/1233/08/F Building No 3, Hendham View Farm, Woodleigh, Kingsbridge Agricultural general purpose building N 22/08/2008 WDT

Ref: 61/0104/09/F Field at SX743504, Woodleigh, Devon, Construction of general purpose agricultural livestock building - building No. 1 N 06/04/2009 APC

Ref: 61/0105/09/F Field At SX 744 505, Hendham View Farm, Woodleigh, Kingsbridge, TQ7 4DP - READVERTISEMENT Construction of general purpose agricultural building - Building No. 2 N 06/04/2009 APC

Ref: 61/0106/09/F Field at SX744 505, Hendham View Farm, Woodleigh, Kingsbridge, TQ7 4DP – READVERTISEMENT Construction of general purpose agricultural building - building No. 3 N 06/04/2009 APC

Ref: 61/0960/09/F Hendham View Farm, Woodleigh, Kingsbridge, TQ7 4DP Amendment to planning approval

Ref: 61/0104/09/F for construction of a general purpose livestock building (reduction in height of building No.1) N 29/07/2009 APC

Ref: 61/0961/09/F Hendham View Farm, Woodleigh, Kingsbridge, TQ7 4DP Amendment to planning approval

Ref: 61/0105/09/F for construction of a general purpose livestock building (reduction in height of building No.2) N 29/07/2009 APC

Ref: 61/0962/09/F Hendham View Farm, Woodleigh, Kingsbridge, TQ7 4DP Amendment to planning approval

Ref: 61/0106/09/F for construction of a general purpose livestock building (reduction in height of building No.3) N 29/07/2009 APC

Ref: 61/1468/09/F Hendham View Farm, Woodleigh, Kingsbridge, TQ7 4DP General purpose agricultural building - building no. 4 N 26/11/2009 APC

Ref: 61/1469/09/F Hendham View Farm, Woodleigh, Kingsbridge, TQ7 4DP General purpose agricultural building - building no. 5 N 26/11/2009 APC

Ref: 61/1631/10/F Field at SX7450 5670 Hendham View Farm, Woodleigh, Kingsbridge, TQ7 4DP Erection of proposed agricultural livestock building (6 of 7) N 13/09/2010 APC

Ref: 61/1632/10/F Field at SX7450 5670 Hendham View Farm, Woodleigh, Kingsbridge, TQ7 4DP Erection of proposed agricultural livestock building (5 of 7) N 13/09/2010 APC

Ref: 61/1633/10/F Field at SX7450 5670 Hendham View Farm, Woodleigh, Kingsbridge, TQ7 4DP Erection of proposed agricultural livestock building (4 of 7) N 13/09/2010 APC

Ref: 61/1634/10/F Field at SX7450 5670 Hendham View Farm, Woodleigh, Kingsbridge, TQ7 4DP Erection of proposed agricultural livestock building (3 of 7) N 13/09/2010 APC

Ref: 61/1635/10/F Field at SX7450 5670 Hendham View Farm, Woodleigh, Kingsbridge, TQ7 4DP Erection of proposed agricultural livestock building (2 of 7) N 13/09/2010 APC

Ref: 61/1636/10/F Field at SX7443 5057, Hendham View Farm, Woodleigh, Kingsbridge, TQ7 4DP Erection of proposed agricultural livestock building (1 of 7) N 13/09/2010 APC

Ref: 61/1637/10/F Hendham View Farm, Woodleigh, Kingsbridge, TQ7 4DP Retrospective planning permission for the retention of works associated with the construction of a silage clamp N 13/09/2010 APC

Ref: 61/1630/10/F Field at SX7443 5057, Hendham View Farm, Woodleigh, Kingsbridge, TQ7 4DP Erection of proposed agricultural building (7 of 7) N 14/09/2010 APC.

ANALYSIS

Principle of Development/Sustainability:

Sustainable development lies at the heart of the spatial strategy, with Policy SPT1 setting out how development and change will be managed in accordance with the principles of delivering sustainable development through a sustainable economy, a sustainable society and a sustainable environment. Policy SPT2 elaborates further on achieving sustainable rural communities, indicating support for the development of rural based business and enterprise, specifically agriculture.

These matters are further addressed by Policies TTV1 and TTV2, which set out the development strategy for the Thriving Towns and Villages and which aim to prioritise growth through a hierarchy of sustainable settlements and deliver sustainable development. Amongst other things, these policies make it clear that development in hamlets and the countryside will only be permitted where they can be shown to support the principles of sustainable

development and sustainable communities or provide suitable justification, such as business or agriculture support. Policy TTV2 indicates that the delivery of sustainable rural development will be supported if it would benefit rural businesses, enterprise, agriculture, and respect the character of the countryside and historic settlements.

The site is in open countryside but would be associated with agricultural activities. Policy TTV26 states that: *The LPAs will protect the special characteristics and role of the countryside. The following provisions will apply to the consideration of development proposals:*

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.*

With regards to determining whether the application site is isolated in planning terms, the Local Planning Authority is applying the Braintree Ruling (Braintree District Council v Secretary of State for Communities and Local Government & Ors (2017) EWHC 2743 (Admin) and the subsequent Court of Appeal Judgement). The JLP establishes a settlement hierarchy and a spatial strategy that are considered robust basis from which to assess the suitability of development proposals across the TTV policy area. As such, a proposal site in the countryside will not be considered suitable for development if it does not accord with the wider aims of TTV26 and paragraph 5.169. In terms of isolation, in applying the Braintree ruling, the LPA will consider if the proposal site 'is far away from other places, buildings or people' as required by case law.

The application site would be located in close proximity to other existing agricultural buildings to the south east, with Hendham View Farm to the north east. As such, the proposal is not considered to constitute isolated development. Whilst the site is not considered to be isolated, it does, nevertheless meet the first criterion in that the proposal is considered relevant with regard to an agricultural workers dwelling.

The second part of the policy states that:

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"*

In this instance, the proposal asserts there is a *proven agricultural, forestry and other occupational need that requires a countryside location (iv)*.

With regards to the rural economy the National Planning Policy Framework 2021 (NPPF) states that "Planning policies and decisions should enable:

a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings" (84). The NPPF continues by saying that sites outside of rural settlement may even need to be considered so long as the development is sensitive to its surroundings, although it is still preferable to use previously developed sites well related to existing settlements should such opportunities arise (85).

With regards to the JLP, Policy DEV15 is also relevant which seeks to support the rural economy, specifically DEV15.6 states that development will be supported which meets the essential needs of agriculture or forestry interests. The applicant wishes to live on-site on a permanent basis so he has access to the livestock in order to protect their welfare and as a means of security against any theft of the farming machinery. The enterprise is successful and appears that it will continue to be successful long in to the future.

The Agricultural Consultant was consulted and visited the site in order to provide professional advice on this application in terms of the proposal's ability to respond to JLP Policy TTV26. The consultant concludes that "*it is [his] opinion that all the necessary criteria in relation to the relevant policies as stated above have been satisfied in this instance for [him] to be able to support the application.*"

It is, therefore, considered that the principle of the proposal is acceptable subject to meeting other relevant planning considerations and is accordance with SPT1 and 2, TTV1 and 2, TTV 26 and DEV15. With regards to this application the relevant material matter is that of the impact on the landscape.

Design/Landscape:

No details are provided with regards to access, appearance, layout or scale. As such, these matters cannot be assessed presently.

The application is located within a nationally designated landscape, the southwest Devon Area of Outstanding Natural Beauty and in the 5a Inland Elevated Undulating Land landscape character type (LCT). The National Planning Policy Framework (NPPF) is clear that Areas of Outstanding Natural Beauty have the highest status of protection in relation to landscape and scenic beauty, and that great weight should be given to conserving these qualities. Whilst it is arguable the application site only forms a small portion of development in a much larger area of the AONB, the site still, nonetheless, contributes positively to the landscape and scenic beauty of the AONB by reason of its picturesque location.

Policy DEV25 of the Plymouth and South West Devon Joint Local Plan (the JLP) requires development proposals which are located within the AONB, to conserve and enhance the natural beauty of the protected landscape with particular reference to its special qualities and distinctive characteristics or valued attributes. The policy reflects paragraph 176 of the NPPF. Notwithstanding the above, and the applicant's view that the proposal will not be visible due to screening, paragraph 176 of the NPPF requires that great weight is given to conserving and enhancing the landscape and scenic beauty within the AONB in all instances, irrespective of the prominence of the site.

The Landscape Officer has been consulted and considered there was a need for a more comprehensive scheme. The applicant has submitted revised Landscape Plans, which the Landscape Officer has commented on, stating the approach that Greenearth have indicated would be acceptable, and note that the Natural England's response is also supportive of the concept. The Officer further states that *"There are larger copses of trees in this landscape, usually 'tethered' to field margins, and the scattered tree that they have indicated are orchard trees, which would have been characteristic around farmsteads in the past. In addition, established farmsteads and residential dwellings in this landscape do tend to have small clusters of trees around their curtilage, so these proposals are not out of keeping with that characteristic.*

Notwithstanding the above, the changes in levels around the new dwelling are a bit of a concern and, as such, how these are designed and detailed will be an important consideration so as to avoid anonymous features of unsympathetic detailing. Overall, the Officer has no concerns about this proposed approach, although the reserved matters should provide fully detailed site plans with hard and soft landscape details so that the design and detailing of the new building, the proposed levels and cut and fill, any ancillary elements, and the new landscape features of the whole site are all appropriate to the local landscape character".

Whilst it is arguable that the holding has enough land to accommodate an agricultural dwelling, the quality of the landscape does not just deteriorate at the boundary. Moreover, it is arguable that it continues to have an equal level of scenic beauty and sensitivity. The applicant states that they have considered several other locations within the holding and states that the chosen site was considered the least sensitive as the proposed agricultural dwelling needs to be located within sight and sound of the farm buildings and the large numbers of livestock that they contain. The site is considered to be within close proximity to the livestock, albeit further away from the farmstead than the existing the temporary dwelling, so that the farmer can quickly deal with any emergencies that arise. The site is also adjacent to the farm access and therefore provides an additional level of security to the site.

An alternative site on the opposite side of the farm track to the south is also in the AONB and has overhead electricity cables running through it and would use up good agricultural land, whereas the site chosen is in the corner of the field with access from the farm track.

The fields to the south-east of the farm buildings are outside the AONB but are also on the opposite side of the road and therefore the dwelling would be separated and away from the buildings that it is meant to serve.

The field to the north-east is in the prevailing wind from the buildings and therefore is unsuitable but is also away from the livestock buildings which are on the western side of the site.

Given that there is need for an agricultural dwelling, which makes it compliant with TTV26, and there has been support from the Council's Agricultural Consultant and no objection from Natural England and there is reasonable justification for the site's location, it is considered that the proposed mitigation measures will contribute to conserve the natural beauty of the protected landscape.

Neighbour Amenity:

It is always necessary for developments to take into account the residential amenity of neighbours and impact on the environment. In this case, the proposal complies with the principles of good neighbourliness and the protection of existing residential amenities.

Whilst there is no layout plan, the red line application is sited away from any neighbouring dwellings whereby the proposal would not lead to any materially harmful impact on residential amenity by way of loss of light, loss of outlook, loss of privacy or overbearing impact. It would therefore accord with JLP Policies DEV1 and DEV2 and the requirements of the NPPF.

Highways/Access:

Whilst this is an Outline Application with the only matter for consideration being landscaping, the proposal states it will utilise an existing and approved access to the wider application site and would be deemed acceptable for the proposed use.

The Highways Authority were consulted but only provided standing advice. Nevertheless, proposals must meet the HA's standing advice standards as set out in sections 3.10, 3.11 and 7.4 of Highways in Residential and Commercial Estates Design Guide to ensure the proposal will not result in any highway safety issues. If minded to approve the application, a condition will be imposed requiring full details with regards to access, access drive, visibility splays, turning area, parking spaces, hardstanding and access drainage to be submitted with the Reserved Matters. With such a conditions in place, it is envisaged that sufficient detail can be gained to ensure the development will accord with policy DEV29 of the Joint Local Plan and DEV29.3 of the JLPSPD.

Flood Risk and Drainage

The site is within Flood Zone 1, the least area at risk of river or coastal flooding. The Design and Access Statement confirms that a new water treatment plant will be installed to provide foul drainage. Surface water will be drained to a soakaway installed within the red line as indicated on the Block Plan with Drainage Plan.

If minded to approve, a condition will be imposed requesting details be submitted to and approved by the LPA with the Reserved Matters.

Ecology

The application is accompanied by a Wildlife Trigger Table which confirms that a Wildlife, Geology and / or Invasive Species Report is not required.

The applicant has also submitted an Ecology Appraisal Report. The report states that "Provided efforts have been made to reduce light spill at source, it is highly unlikely that the proposal will have a negative impact on a network of commuting routes for Greater Horseshoe Bats as new boundary features and maturing green landscaping will provide alternative dark routes and the increase in biodiversity created by the proposed orchard will offset the loss of a small area of grazed pasture which will nonetheless be seeded with a wildflower mix, supporting a range of different invertebrates than the Italian Rye Grass ley".

In minded to approve the application conditions will be imposed so the recommendations and precautions with the Ecology Report will be followed and a restriction will be imposed with regards to external lighting.

As such, the proposal accords with JLP Policy DEV28.

Planning Balance

The site already has an established character with regards to the existing farm buildings on-site and is relatively self-contained and operates a successful agricultural enterprise and the proposal for a permanent on-site dwelling for an agricultural worker is justified. Furthermore, the proposed justification for the location of the dwelling and the landscape mitigation measures proposed are considered acceptable to conserve the natural beauty of the protected landscape

It is therefore recommended that the application is approved, subject to conditions.

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 13th January 2021 MHCLG published the HDT 2020 measurement. This confirmed the Plymouth, South Hams and West Devon's joint HDT measurement as 144% 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 5.8 years at end March 2021 (the 2021 Monitoring Point). This is set out in the Plymouth, South Hams & West Devon Local Planning Authorities' Housing Position Statement 2021 (published 12th November 2021).

[*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
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
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: None.

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. Details of the access, appearance, layout, and scale, hereinafter called 'the reserved matters') shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

Reason - To comply with Section 91 of the Town and Country Planning Act 1990, as amended by the Planning & Compulsory Purchase Act 2004.

2. Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.

Reason - To comply with Section 91 of the Town and Country Planning Act 1990, as amended by the Planning & Compulsory Purchase Act 2004.

3. The development to which this permission relates must be begun not later than whichever is the later of the following dates (i) the expiration of three years from the date of the grant outline planning permission or (ii) the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act, 1990 (as amended).

4. The occupation of the dwelling shall be limited to a person solely or mainly employed or last employed in the locality in agriculture as defined in Section 336 of the Town and Country Planning Act 1990, or in forestry, or a widow or widower of such a person (including any dependents of any such person, residing with them).

Reason: The development proposed is in an area where there is a presumption against new development except where an agricultural or horticultural need has been established.

Pre-commencement

5. Full details of a hard and soft Landscape Scheme shall be submitted with the Reserved Matters to be approved in writing by the Local Planning Authority. The Landscape Scheme shall be prepared by an appropriately qualified professional and shall include:
 - i. a concept statement explaining how the proposed landscape treatment, both hard and soft, conserves and enhances the special qualities of the AONB and responds to the landscape character of the area;
 - ii. if relevant, details of ground preparation prior to importation of topsoil, including decompaction of material and removal of any debris including plastic, wood, rock and stone greater in size than 50mm in any dimension;
 - iii. materials, heights, levels and extent of hard landscape treatment, including access and hardstanding areas;
 - iv. arrangements for stripping, storage and re-use of top soil;
 - v. if relevant, arrangements for importation of top soil, including volume, source, quality, depth and areas to be treated;
 - vi. materials, heights and details of fencing and other boundary treatments;
 - vii. the location, number, species, density, form and size of proposed tree, hedge and shrub planting, most of which should be native;
 - viii. the method of planting, establishment and protection of tree, hedge and shrub planting;
 - viiii. a timetable for the implementation of all hard and soft landscape treatment.

All elements of the Landscape Scheme shall be implemented and maintained in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority. All work shall be completed by the end of the first planting season following practical completion of the development hereby approved. Any trees or plants that, within an establishment period of five years after planting, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced as soon as is reasonable, practicable with other species, size and number as originally approved, unless the Local Planning Authority gives consent to any variation.

Reason: In the interest of public amenity and the conservation and enhancement of the local landscape character and the natural beauty of the AONB, taking account of the particular landscape characteristics of the site and its setting. Pre-commencement condition is necessary to ensure the landscaping scheme is fully commensurate with and to avoid irreversible impact to the AONB.

6. Details of the proposed boundary treatment shall be submitted with the Reserved Matters and agreed in writing by the Local Planning Authority prior to their installation and shall be implemented prior to first occupation/use. The development then shall be carried out and permanently retained and maintained thereafter in accordance with the approved details.

Reason: In the interest of visual amenity in order to protect and enhance the amenities of the site and locality.

7. Details / samples of facing materials, and of roofing materials to be used in the construction of the proposed development shall be submitted with the Reserved Matters and approved in writing by the Local Planning Authority. The development then shall be carried out and permanently retained and maintained thereafter in accordance with the approved details.

Reason: In the interests of visual amenity.

8. Surface water drainage details shall be submitted with the Reserved Matters to be approved in writing by the Local Planning Authority (LPA), and shall include the following:
 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. If discharging surface water to the main sewer, then written permission from SWW will be required.
 6. The drainage details of the car park and access will be required. If it is proposed to be permeable then it should be designed in accordance with CIRIA C753. Full design details and sectional drawing showing the specification and make up will be required.
 7. A scaled plan showing full drainage scheme, including design dimensions and invert/cover levels of the soakaways/attenuation features, within the private ownership.
 8. 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.

The approved surface water drainage shall be installed and connected prior to commencement of the dwellings. The development then shall be carried out and permanently retained and maintained thereafter in accordance with the approved details.

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.

9. The details of the visibility splays, turning area, parking space and garage / hardstanding, access drive and access drainage shall be submitted with the Reserved Matters and approved in writing by, the Local Planning Authority. The development then shall be carried out and permanently retained and maintained thereafter in accordance with the approved details.

Reason: To ensure that adequate facilities are available for the traffic attracted to the site.

10. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an investigation and risk assessment and, where necessary, a remediation strategy and verification plan detailing how this unsuspected contamination shall be dealt with.

Following completion of measures identified in the approved remediation strategy and verification plan and prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and

the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority.

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

11. Notwithstanding the provisions of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 as amended (or any Order revoking, re-enacting or further amending that Order), no development of the types described in Schedule 2, Part 1, Classes A-H of the Order, including the erection of extensions, porches, garages or car ports, the stationing of huts, fences or other structures shall be carried out on the site, other than that hereby permitted, unless the permission in writing of the Local Planning Authority is obtained.

Reason: To protect the appearance of the area to ensure adequate space about the buildings hereby approved and in the interests of amenity

12. The recommendations, mitigation and enhancement measures of the Ecological Appraisal (EA) by Colin N Willis, dated the 23rd of August 2021 shall be fully implemented in accordance with the EA 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

13. The mitigation measures identified in the Appropriate Assessment shall be submitted with the Reserved Matters and approved by the Local Planning Authority and shall include the following:

No light spill within 5m of the retained or created hedges to ensure that a dark (<0.5lux) corridor is maintained and can continue to provide greater horseshoe bat commuting and foraging habitat. The 5m dark strip should be maintained as vegetation. The hedges should be maintained to benefit bats and should be at least 3m tall and a minimum of 3m wide. Cutting and trimming should only take place once every 2 to 3 years. To help achieve the dark corridor the following are also required to be adhered to:

- No external lighting shall be installed on, or in association with, the new building, except for low intensity, PIR motion-activated lights on a short timer (maximum 1 min), sensitive to large objects only (to avoid triggering by bats or other wildlife). The lights should produce only narrow spectrum, low-intensity light output, UVfree, with a warm colour-temperature (3,000K or less).
- All internal lighting shall be designed to have low illuminance output, no UV component, maximum colour temperature of 3000 Kelvin. Lighting units should be directed/cowled away from windows and glazed doors.
- Glazing on all elevations shall be treated to have low light transmission properties, i.e. with Visible Light Transmission of 40% or less. No skylights shall be installed.
- Compliance monitoring is required one year after construction to ensure that a dark corridor is in place.
- New Devon hedgebank and tree planting as detailed within the submitted Landscape Section, drawing number GE-HH-03, with further details provided in a LEMP.

The development then shall be carried out in accordance with the approved details and maintained permanently.

Reason: In order to mitigate the impact on the South Devon Special Area of Conservation and for the benefit of the Great Horseshoe Bat.

14. Details of how the development will meet with the objectives of Policy DEV32 of the Plymouth and South West Devon Joint Local Plan shall be submitted with the Reserved Matters and approved in writing by the Local Planning Authority. The development then shall be carried out in accordance with the approved details and maintained permanently thereafter.

Reason: To demonstrate that the development can deliver low carbon through the life of the development in accordance with Policy DEV32 of the Plymouth and South West Devon Joint Local Plan.

15. Full written and illustrative details of the type and location of an Electric Vehicle Charging Point (EVCP) shall be submitted with the Reserved Matters to be approved in writing by the local planning authority. The EVCP shall then be installed prior to occupation and thereafter shall then be maintained and kept in good working order as specified by the manufacturer.

Reason: To ensure a satisfactory standard of development which meets the needs of current and future generations.

16. Full details with regards to bats and birds boxes shall be submitted with the Reserved Matters to be approved in writing by the Local Planning Authority. The approved details shall then be installed, maintained and retained thereafter in perpetuity.

Reason: To encourage a biodiversity net gain.