

# PLANNING APPLICATION REPORT

**Case Officer:** David Stewart  
Yealmpton

**Parish:** Newton and Noss **Ward:** Newton and

**Application No:** 2928/22/FUL

**Agent/Applicant:**

Mr Lee Ferris - Studio Agora Architects  
Office 18, The Business Centre  
Cattedown  
Plymouth  
PL4 0EG

**Applicant:**

Mr Farmer  
71 Yealm Road  
Newton Ferrers  
PL8 1BN

**Site Address:** 71 Yealm Road, Newton Ferrers, PL8 1BN



**Reason item is being heard by Committee:**

At the request of the Councillor D Thomas. The Parish Council have requested the ward councillor call this decision to DMC as they feel rather strongly that there is a fundamental difference of opinion around N3P-2 and its meaning and interpretation.

**Development:** Proposed boatshed and reinstatement of Landing (Resubmission of 0370/22/FUL) (Retrospective)

**Recommendation:** Conditional Grant

**Conditions:**

1. Time limit
2. Accord with plans
3. Stonework
4. No external Lighting
5. Accord with ecological enhancements
6. Use for storage of boats only
7. CEMP
8. Details of landscaping and biodiversity enhancements to be submitted
9. Engineering details to be provided

**Key issues for consideration:**

Principle of development  
Impact on undeveloped shoreline  
Ecological Impact

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**Site Description:**

The existing 3 bedroom property known as 'Venta' is one of a number of dwellings sited to the south of Yealm Road which are cut into the steeply sloping bank and face Newton Creek to the south. The topography in the vicinity of the dwelling has a significant level change from North to South and tiers have been cut into the natural fall of the land to create the dwelling and its gardens. Planning permission for a replacement dwelling has already been granted.

On the northern boundary at the highest level of the site the garage is accessed from Yealm Road. Neighbouring dwellings lie adjacent to the application site to the east and west. On the eastern boundary the main access point to the dwelling is from the 'Doctors Steps' which is divorced from the existing garage location and the entry point is approximately 5 meters lower than that of the road. The 'Doctors Steps' provides a public right of way which runs the full length of the eastern boundary of the site with further residential properties located to the east of the public right of way.

The application site is split from the main house and garden by the estuary footpath, and has concrete steps (recently formed) leading down from the footpath to the lower level which is set above the high tide mark. Aged stone rubble has collapsed into the estuary which appears to have come from an earlier quayside wall.

On the western boundary sits a neighbouring property the nearest neighbour to the site which has a similar topography and layout to the application property. Hedging provides a screen with the neighbour to the west.

The application site is located within the South Devon Area of Outstanding Natural Beauty in a sensitive coastal location on the bank of Newton Creek. The site is within the Heritage Coast designation however is not within the Undeveloped Coast designation, the boundary for which does not include the built up area of Newton Ferrers but runs along Newton Creek below the high water mark. The site also falls within the SSSI risk zone as set by Natural England as a result of its proximity to Wembury Point SSSI and Yealm Estuary SSSI.

### **The Proposal:**

Planning permission reference 0843/21/FUL has already been granted for the erection of a replacement dwelling on the upper part of the demise. This current application is for a boat store, including reconstruction of a collapsed stone retaining walls to be located at the southern end of the land, above the high water mark adjacent to the estuary.

The proposed boat store will be single storey with a traditional pitched roof set onto a level area retained by new stone retaining walls abutting the estuary edge. River access to the boat store will be via the rebuilt quay wall. It is proposed to use a robust materials palette that includes stone walling for the retaining wall, timber cladding for the building elevations with inset metal louvres and a green roof.

The revised submission now omits the slipway and proposes a cantilevered structure supported by a single pile to allow for boat embarking/disembarking. The solid element of the quay is set above high water mark.

### **Consultations:**

- County Highways Authority: No highways implications
- Newton Ferrers Parish Council: Objection:

Para 3 in the Planning Statement, describes the application as “ for a new Boat store and associated slipway including related stone retaining walls to be located at the southern end of the land adjacent to the estuary.” This appears to be at odds with the Application description and the Block Plan: document 8878181-1. The proposed Boatshed and new slipway/Landing are contrary to policies N3P-2, N3P-3, N3P-4, N3P-8 and N3P-9 of the Neighbourhood Plan.

a. The site is in a prominent location on a relatively unspoilt stretch of river bank, with some evidence of the original foreshore remaining visible and natural river bank to the east. When viewed from the river, approaching the villages, the proposed slip, walls and Boathouse would impact the iconic view of the Grade 11, listed house at Kiln Quay; N3P8. The site contains the long defunct remains of a simple dry-stone quay, but there is no evidence of a previous slipway.

b. Great emphasis was made in the development of the Neighbourhood Plan to protect the natural environment, in particular the Waterfront and the objective of Policy N3P-2 is to protect the unbuilt areas of the waterfront. N3P-2 a) states “ Development shall conserve the character, ecology or biodiversity of the banks, cliffs, shore and intertidal zone of the river or harbour”. Any built form other than reconstructing the original simple quay would constitute ‘development of the waterfront’ and does not ‘conserve its natural appearance’. Furthermore N3P-2 c) states “Development that threatens the estuarine coastal margins or would adversely affect the natural banks of the estuary will not be allowed”.

c. The proposed slip and the boathouse, with its steel cladding and aluminium glazing system are unlikely to achieve a biodiversity net gain and are incongruous to the location.

d. In addition, an issue, not addressed in the application, is the potential effect on the integrity of the public footpath. Construction will inevitably compromise the stability of the bank and the public footpath above. Resultant stabilisation works will further impact on the biodiversity and produce more built form.

e. There is currently not a CMP with the application although the Agent has recently emailed a draft. However, there are 2 areas which need expanding and clarifying.

- The site is adjacent to the Footpath 13 "The Cinder Path" which runs from the end of Riverside Road West to Yealm Road and Footpath 14 "Doctors Steps". The CMP needs to name these footpaths and clearly state that these footpaths will not be restricted and kept clean by the main contractor.

- Where works are carried out adjacent to or from the foreshore / waterfront additional controls are required to prevent damage and contamination of the river. The CMP needs to state what protections will be put in place to protect the River from spillage and pollution.

f. Additionally as this application is for a "Boathouse and Landing" then it is assumed it will be within the tidal part of the River Yealm and as such the MMO (Marine Management Organisation) and Environment Agency will need to be contacted to obtain the appropriate licences.

g. In addition, if there would be any potential for contamination of the water environment, Natural England may also need to be contacted because of the SSSI designations around the water in this area

- MOD No safeguarding objection
- AONB Estuary Partnerships: Original response: Objection  
Some significant concern and confusion over the heights of the proposed development reference to the usual Ordnance or Chart Datums. There is still reason to believe that the development as proposed would result in a net loss of foreshore extent and therefore habitat quality and biodiversity - some net gain should be expected.  
  
Revised Comments: Revisions to the scheme were received on 6<sup>th</sup> April and the Estuaries Partnership now have no objection subject to the following conditions:  
I would favour option 1 (the revised scheme) as it should be more permanent and less impactful overall – see requested conditions of my letter of 29th April 2022. Also, considering that this development crosses over the foreshore, the applicant must be sure that they either own this part of the foreshore or have the express permission of the foreshore owner.  
  
The conditions suggested were:  
i) I also suggest that the production of an agreed Construction Environmental Management Plan (CEMP) is made a condition of any planning permission being granted, to include:

- Access of building vehicles and plant - consideration of breakdowns & oil leaks - required use of bio-hydraulic oil where relevant - availability of appropriate pollution spill kits and training in their use
- Care of cement washings etc.
- Site lighting and prevention of light spill over the foreshore
- Future use and maintenance of the proposed boathouse and slipway – no significant boat maintenance to be allowed within the site, specifically including oil changes and antifouling, and chemical biocide use.

ii) I also suggest that the following is made a condition of any planning permission being granted to ensure that the proposed boathouse remains only ever as a boathouse.

“The building hereby approved shall be used as a boathouse ancillary to the main dwelling and for no other purpose including any other ancillary residential uses or any other purpose under the Town and Country Planning (Use Classes) Order 1987 (as amended) or the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any provision in any statutory instrument revoking and re-enacting those Orders with or without modification.”

iii) Please add that any surfaces that need to be cleaned should be by physical means only, i.e. no biocide type chemicals or cleaners.

Natural England: Original Submission: More detail on the current state of the works are required on the previous clearance that has taken place and the potential impacts to intertidal habitats  
 Revised Scheme: No comments received

### **Representations:**

The Council has received representation from the Marine Management Organisation requesting that the Council make the applicant aware they must factor in

### **Representations**

The Council has received representation from the Marine Management Organisation requesting that the Council make the applicant aware they must factor in the requirement for a Marine Licence early to avoid any delays in their planned activities.

### **Relevant Planning History**

0843/21/FUL: Erection of replacement dwelling

## ANALYSIS

### Principle of Development/Sustainability:

1. For the purposes of the hierarchy of sustainable settlements set out in policy TTV1 of the JLP, Newton Ferrers is within tier 4, at the bottom of the hierarchy of settlements where growth would be prioritised within the district. Policy TTV1 sets out that in the smaller villages, Hamlets and the Countryside development will be permitted only if it can be demonstrated to support the principles of sustainable development and sustainable communities as provided for in Policies TTV26 and TTV27.
2. The development proposed, the erection of a building subordinate to an existing residential dwelling could be considered under TTV29. However in this case the building is not an extension to the house and is located on land separated from the main curtilage by the PROW running along the estuary. It is therefore considered against the adopted policy TTV26.
3. The erection of a building (which is subordinate to an existing residential dwelling) within the settlement boundary of Newton Ferrers, is considered, as a matter of principle to be acceptable. The development would not be isolated and the first part of Policy TTV26 would not apply. Development is also in accordance with TTV26.2 i to v. Therefore, based on the particular circumstances of this case, it is concluded that this scheme is acceptable provided it accords with TTV26.2 vi and this will be examined further below.
4. This conclusion is supported by a recent appeal decision relating to the non-determination of application number 3041/18/HHO and a number of permissions issued by the Council in the 1990's both to the west and east of the application and in the near vicinity.
5. Furthermore, the Newton and Noss Neighbourhood Plan (NP) has been made and significant weight can be given to its policies in the decision-making process and in determining this application. The application site is identified within the NP's Village Settlement Boundaries and therefore complies with Policy N3P-1, which supports planning applications for development within the boundary. Whilst the NP is made, it was adopted prior to the adoption of the JLP and the inspector, in the aforementioned appeal, stated clearly that, *"in accordance with Section 38(5) of the Planning and Compulsory Purchase Act 2004 (as amended), I conclude that the approach to development in the countryside, under Policy TTV26 takes precedence over the approach in Policy N3P-1 of the Neighbourhood Plan."*
6. Notwithstanding the officers views on policies affecting the principle of development, the Parish Council have objected to the scheme on the basis that the development is also contrary to N3P-2, 3, 4, 8 and 9 and these are examined below and in the relevant sections of the plan.
7. N3P-2 is a policy that seeks to conserve the character of the waterfront. This is examined in detail in the next section of the report. Policy N3P-3 seeks to fulfil two functions, to ensure a low density of buildings within a specified area (policy areas 1 and 2) and to protect the character of policy areas 3 and 4. The site falls in policy area 1 and 2 and therefore the test is whether the proposed building on this site is one which respects the low density of development in this location.

8. The waterfront in the eastern part of policy area 1 and 2, to the east of the site (along Riverside Road West), has a relatively dense built up character that reflects its position close to the centre of the village. To the west of the Doctors Steps the character is less built up. Nevertheless, large parts of the waterfront are protected by stone quay walls and with a number of boat stores on the quayside. The proposed building is of a modest scale in accordance with the policy requirement. Together with the compliance to policy N3P-1 which support development within the village boundary I consider the scheme to comply with this policy.
9. Policy N3P-4 mirrors the requirement in DEV20 of the JLP to encourage a high design standard and is a matter that is considered in the next section.
10. Policy N3P-8 relates to the impact of the development on Heritage assets and the conservation area and is considered in the relevant section. Policy N3P-9 seeks to prevent harm to the landscape and is considered in the next section.

#### Design/Landscape:

11. In design terms the proposal seeks to construct a 'quay' wall to provide a level platform for the boat shed which is shown to be constructed of timber and is of a size and design that is appropriate for its setting. It is similar to other structures in the area that have been built or recently approved.
12. There is local concern and from other consultees that the development may affect an undeveloped shoreline. From an aerial inspection and from information on other documents it is clear that some sort of a stone wall once protected the garden edge which has now collapsed. This structure is likely to have been built at or within the high water mark although this cannot be determined now. It is also clear that sites to the east and west of the application site have similar walls. It is only this and an immediate neighbouring property that has no standing walls against the estuary in this vicinity.
13. Policy DEV24 of the Local Plan places a presumption against development in the Undeveloped Coast, unless it requires a coastal location and cannot reasonably be located elsewhere. Part of the building would be within the Undeveloped Coast, however, as it is a boathouse, it self-evidently requires a waterside location. The steep creek embankment means that for a building located outside the Undeveloped Coast it would be at a much higher level than the water and out of keeping with other boat stores in the area. The development would not, therefore, be prohibited in principle by Policy DEV24.
14. As well as being partly in the countryside and Undeveloped Coast, the entire site lies within the South Devon Area of Outstanding Natural Beauty (the AONB). Paragraph 172 of the National Planning Policy Framework (the Framework) says great weight should be given to conserving and enhancing landscape and scenic beauty in AONBs, which have the highest status of protection in relation to these issues.
15. This part of the AONB comprises a steep-sided creek, with housing development on the valley side taking advantage of the spectacular views. The waterside is well-used for recreational purposes, with many gardens sloping to the waters' edge protected by stone or concrete walls. The landscape character of this area is varied and it is noted

that the section of riverside from Kiln Quay to no 73 Yealm Road is a short stretch of undeveloped shoreline between longer stretches protected by stone quay walls. Moreover it is noted that the location of the wall and building lies to the north of and outside the designated undeveloped shoreline in the JLP.

16. Policy N3P-2 of the NP seeks to protect the waterfront. It states that development must:
  - i) Conserve the character of the banks, cliffs, shore and intertidal zone of the river or harbour.
  - ii) Conserve its natural appearance as viewed from the river, harbour or land and not detract from the quiet enjoyment by every one of those parts of the waterfront that are accessible to the public.
  - iii) Not threaten the estuarine coastal margins or would adversely affect the natural banks of the estuary will not be allowed.
17. In terms of character, the boathouse would be modest in scale, and would be sited close to the bottom of the slope, raised over the natural foreshore above a new stone creek wall. From the opposite bank, it would be seen against the remaining steep embankment and trees behind, which would separate it from the denser residential development beyond. It would be sufficiently distant from other existing boathouses that the intervening natural vegetation would prevent a visual coalescence of the buildings.
18. There is, therefore, no uniformity to the appearance of the embankment along its length. Its existing character comprises a mix of natural landform, with regular built interventions relating to the functional interaction of residents with the waterside. However, these interventions are generally low level and small scale, so the natural landform remains visually dominant.
19. As the boathouse would be set at the foot of the steep bank, it would not be readily visible from vantage points above the foreshore on the same side of the creek. The roof would be partly visible and the boathouse would be glimpsed between the vegetation when descending the Doctors Steps. However because of its small scale and with the variety of development elsewhere along the estuary it is considered that the development would not harm the landscape and scenic beauty of the AONB, the unspoilt character of the Undeveloped Coast, or the appearance of the countryside. Officers consider that the proposal would therefore comply with N3P-2 (and also JLP Policies DEV23, DEV24 and DEV25).
20. N3P-9 is also relevant. The policy seeks to conserve and enhance the landscape character of the AONB, Undeveloped Coast and Heritage Coast, the Newton Creek waterfront, and the countryside in general. However the site is located within the built up area of the village as defined by the NP, where development is permitted under N3P-1(a) and it has already been concluded that the development preserves the character of the area.
21. An earlier appeal did consider policy N3P-2 and the Inspector concluded that the aim of the Policy seems to be to restrict housing development rather than to place a blanket prohibition on all forms of development (paragraph 7 of APP/K1128/W/20/3245187). On the basis that this interpretation of policy is correct then the proposal is not contrary to the policy.

22. It then falls to consider the proposal against policy N3P-4 which requires proposals to be of a high design quality derived from the site context and the context of the adjacent buildings. It requires the use of natural materials and for the building to be in keeping with the site surroundings.
23. The proposed quay wall to be constructed above high water mark will be of traditional stone. The building elevations are shown to be vertical timber clad set under a pitched green roof. The small scale of the design and the use of materials suitable for a riverside location will ensure that the building accords with the policy and is not dissimilar to other sheds and boat stores along the creek.
24. When taking into consideration the conformity with the JLP and the matters set out above as they relate to the Neighbourhood Plan, officers conclude that development is also in accordance with the Neighbourhood plan.

#### Neighbour Amenity:

25. The proposal does not affect the amenity of neighbouring properties which are set much further up the valley side. The proposal would therefore comply with JLP Policies DEV1 and DEV2.

#### Highways/Access:

26. A set of concrete steps has already been cast to replace wooden steps leading down to the waters' edge. It is considered that this part of the site, although separated from the main demise by the estuary footpath nevertheless forms part of the garden to no 71 and that planning permission would not be required for these works. Even if the converse was true it is the case that the Council would be likely to grant planning permission for the works provided that they were accompanied by biodiversity enhancements. There is no vehicular access to the site. The proposal would therefore comply with JLP Policy DEV29.

#### Ecology

27. Whatever ecological value the site had, above the tidal zone, has been largely lost through the works already carried out in the formation of new steps down to the end of the garden and the clearance of vegetation. The submitted ecological report was able to identify typical plant species on the hillside. They represent relatively typical and common species of flora. There was no evidence of protected species on the site although the location close to the estuary makes the site a good quality foraging zone for bats. The proposed planting of the sloping garden area will reintroduce this flora.
28. Concerns have been expressed over the potential impact of the development on intertidal habitats. In this respect the original submitted scheme did involve works within the intertidal zone. However, revisions to the scheme have cantilevered the platform over this part of the foreshore with no disturbance to the estuary itself which has resulted in the AONB Estuaries Partnership withdrawing its objection. Officers are satisfied that there will be no adverse ecological impact on intertidal habitats with the revised design. The proposal would therefore comply with JLP Policy DEV26.
29. The preliminary ecological appraisal recommends that, due to the close proximity to the estuary, there should be a construction environmental management plan (CEMP) to ensure that the adjacent marine habitat is protected against potential pollution

incidents. It also recommended bat and bird enhancement features within the building design. These are both matters that can be resolved by conditions.

### Heritage

30. Policy N3P-8 of the NP seeks to protect heritage assets and the impact of the proposal on these is a matter raised by the PC. The site is not located within or close to the conservation area boundary which terminates some distance to the east at Kiln Quay. One listed building is situated to the east of the application site and is the Kiln Quay house which is a key visual statement on the river edge, projecting as it does into the estuary. It is about 50m away from the boathouse site and in view of the modest mass, siting and scale, the proposed building is not considered to impact on the setting of the listed building. The proposal would therefore comply with JLP Policy DEV21 and N3P-8 of the NP.

### The PROW and Bank Stability

31. The site adjoins the public footpath (437FP13) running below the houses in Yealm Road and above the creek. The Parish Council has raised the issue of the potential effect on the integrity of the public footpath. They consider that construction will inevitably compromise the stability of the bank and the public footpath above. There is no indication that proposal will have any implications on stability of the bank. However a condition requiring full details of the engineered solution together with safeguarding works to the bank will be placed on the decision notice to satisfactorily deal with this issue.

32. The engineered solution for the site involves a cantilevered structure supported by a pile in the river. This is the preferred solution of the Estuaries Partnership. It will however require the landowner to obtain the approval from the MMO who have been informed.

### Climate Change

33. Policy DEV32.1 requires developments to identify opportunities to minimise the use of natural resources in the development over its lifetime, such as water, minerals and consumable products, by reuse or recycling of materials in construction, and by making best use of existing buildings and infrastructure. In this case reclaimed stone from the former wall is to be used with any additions made up of matching stonework. The timber cladding is to be sourced from sustainably produced wood. Further details of sustainable construction methods will be included in the CEMP required by condition.

34. In terms of energy the building is a simple structure requiring a power source for internal lighting. No PV's are proposed and in this case is acceptable given the potential visual impact of such a device which would also compromise the green roof

35. Officers therefore consider the proposal accords with the aims of DEV32.

### Conclusion:

36. On balance, the proposal is considered to be acceptable and accord with the relevant policies and legislation. Therefore, it is recommended that the application be granted for approval, subject to conditions.

*This application has been considered in accordance with Section 38 of the Planning & Compulsory Purchase Act 2004 and with Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.*

## **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  
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  
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  
DEV29 Specific provisions relating to transport  
DEV32 Delivering low carbon development

### **Newton and Noss Neighbourhood Plan**

Policy N3P-1  
Policy N3P-2  
Policy N3P-3  
Policy N3P-4  
Policy N3P-8  
Policy N3P-9

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:  
**South Hams AONB Management Plan 2019 - 2024**

## **Plymouth & South West Devon Joint Local Plan SPD**

### **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 PL002 RevP5 received by the Local Planning Authority on 10th May 2023 and the site location plan and PL001RevP3 received on 22nd September 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. All areas of new stone walls shall be constructed of natural random stone laid traditionally on its quarry bedding and pointed in a brown mortar finish recessed from the outer face of the walls. A sample panel or not less than two square metres shall be provided for inspection and written agreement by the Local Planning Authority prior to the construction of any of the new walls. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re enacting this Order), all new stone walls, constructed in accordance with the approved drawings and the terms of this condition, and all existing stone boundary walls shall be retained in their natural stone finish and shall not be rendered, colourwashed or otherwise treated in a manner which would obscure the natural stone finish, nor shall they be demolished either in whole or in part.

Reason: To enable the Local Planning Authority to consider the details of all stonework to be constructed as part of the development hereby permitted in order to ensure that the development displays good design and is of a locally distinctive style, and to ensure that all stonework is retained in its natural stone finish, details / samples of facing materials, and of roofing materials to be used in the construction of the proposed development shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with those samples as approved.

4. There shall be no floodlighting or other external lighting at the site.

Reason: To safeguard the ecological value, appearance and character of the area.

5. Development shall proceed in accordance with the recommendations for mitigation set out within 4.0 of the Preliminary Ecological Appraisal by Green Lane Ecology (June 2022). 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.

6. The boat house hereby approved shall only be for the storage of boats and for no other incidental use associated with the dwellinghouse known as Venta, 71 Yealm Road, Newton Ferrers and shall not form part of a separate unit of accommodation or boat store for other properties.

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

7. Prior to commencement of any part of the site the Planning Authority shall have received and approved a Construction and Environmental Management Plan (CEMP) including:
- (a) the timetable of the works;
  - (b) daily hours of construction;
  - (c) any road closure;
  - (d) confirmation that the public footpath adjacent to the site will not be blocked or restricted from use by the construction works
  - (e) hours during which delivery and construction traffic will travel to and from the site, with such vehicular movements being restricted to between 08:00 and 18.00 Mondays to Fridays inc.; 09.00 to 13.00 Saturdays, and no such vehicular movements taking place on Sundays and Bank/Public Holidays unless agreed by the Planning Authority in advance;
  - (f) the number and sizes of vehicles visiting the site in connection with the development and the frequency of their visits and including details of access of building vehicles and plant to the site - consideration of breakdowns & oil leaks - required use of bio-hydraulic oil where relevant - availability of appropriate pollution spill kits and training in their use
  - (g) the compound/location where all building materials, finished or unfinished products, parts, crates, packing materials and waste will be stored during the demolition and construction phases;
  - (h) areas where delivery vehicles and construction traffic will load or unload building materials, finished or unfinished products, parts, crates, packing materials and waste with confirmation that no construction traffic or delivery vehicles will park on the County highway for loading or unloading purposes, unless prior written agreement has been given by the Local Planning Authority;
  - (i) hours during which no construction traffic will be present at the site;
  - (j) the means of enclosure of the site during construction works; and (k) details of proposals to promote car sharing amongst construction staff in order to limit construction staff vehicles parking off-site obligations
  - (l) The proposed route of all construction traffic exceeding 7.5 tonnes.
  - (m) Details of the amount and location of construction worker parking. (n) Photographic evidence of the condition of adjacent public highway prior to commencement of any work, and any damage incurred to the highway as a result of construction vehicles to be made good within 3 months of completion of build);
  - o) details of the location and safety measures in place for the storage of chemicals and fuel on site
  - p) details of the measures in place to ensure that hazardous materials are prevented from entering the river
  - q) details for the future use and maintenance of the proposed boathouse and slipway – no significant boat maintenance to be allowed within the site, specifically including oil changes and antifouling, and chemical biocide use
    - Care of cement washings etc.
    - Site lighting and prevention of light spill over the foreshore

Reason: In the interests of public amenity and highway safety.

8. Details of soft landscaping shall be submitted for approval to the Local Planning Authority prior to the superstructure of the building being commenced together with a timetable for the works, the planting and maintenance schedule and thereafter maintained in accordance with the approved details. Any trees or plants that are removed, die or become seriously damaged or defective shall be replaced with other species, of the same size number as originally approved unless consent is given for any variation.

Reason: In the interests of amenity and the landscape character of the area and to secure biodiversity benefits

9. Prior to the commencement of development structural details of the foundations, pile position and cantilevered decking shall be submitted to the Local Planning Authority for approval and thereafter works carried out in accordance with the approved details. The details to be submitted shall include an assessment of whether stabilising measures for the existing bank are required and, in the event that they are necessary, details of those measures which shall be put in place at the commencement of the development.

Reason: To ensure the safety of the public is preserved.