

## PLANNING APPLICATION REPORT

**Case Officer:** Bryony Hanlon

**Parish:** Inwardleigh **Ward:** Okehampton North

**Application No:** 1314/23/OPA

**Agent:**

Mr Richard White  
Moor Planning  
Treglenes  
St. Breward  
Bodmin  
PL30 4LU

**Applicant:**

Mr R Kneebone  
RK Holdings Ltd  
Trevozah Barton  
South Petherwin  
Launceston, Cornwall  
PL15 9LT

**Site Address:** Land At Sx 567 996, Inwardleigh



**Development:** Outline Planning Application (with all matters reserved apart from access) for up to four holiday units & stable block

**Recommendation:** Refusal

**Reasons for refusal:**

1. The proposal has not been supported by a locationally specific proven need for equestrian related holiday accommodation in this isolated rural location, where travel to and from the site is most likely to be via the private car, thus undermining the aims of policy DEV32, which seeks to deliver a low carbon future. This harm is not outweighed by the economic benefits of the proposal. In this regard, the proposal does not represent sustainable development, contrary to the provisions of SPT1, SPT2, TTV1, TTV2, TTV26 (1i, 2iv), DEV15 (7, 8 ii, iv), DEV29 (6, 7, 8),

DEV32 of the Plymouth and South West Devon Joint Local Plan 2014-2034; and the National Planning Policy Framework (notably but not limited to paragraphs, 7, 8, 152 and 154b).

2. The provision of formalised accommodation for people and horses, with associated intensification of use, including activity at the site late into the evening, will result in a detrimental impact on local landscape character and tranquillity, contrary to the provisions of DEV20 (2, 4) and DEV23 (1, 4, 7) of the Plymouth and South West Devon Joint Local Plan 2014-2034.

**Key issues for consideration:**

Principle of development, proven need for a countryside location, proven need for holiday accommodation, highways, biodiversity, drainage, low carbon.

**Reason for call-in:** Cllr Ball would like the Committee to consider the tension between the economic benefits of local businesses in rural locations with respect to policies DEV15 and DEV32.

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**Site Description:**

The site is located within open countryside c. 0.8km east of Inwardleigh. The site comprises the south eastern portion of an open field, c. 0.2 Hectares in size and bounded by mature hedge banks and trees. The site is accessed from Prissam Lane to the south, via an existing field gate and unmetalled track; the lane leads to the A386 to the east.

**The Proposal:**

The applicant wishes to apply for outline consent for the siting of up to four holiday units and associated stabling on the site. All matters, other than access, would be considered via a Reserved Matters application at a later date in the event the current application were to be approved.

**Consultations:**

- Devon County Highways Authority                               No objection subject to condition
- Devon County Ecologist    No objection subject to conditions
- Parish Council    Objection

The Council discussed this and raised concerns about the development. Concerns were raised about the site being adjacent to a site of special scientific interest - (SSSIs) Southmoor Farm and that the proposed development is on agricultural land/open countryside. Leaving less land for agricultural purposes, mention was also made of the grade of agricultural land being lost. Concerns were also raised about the road access onto the A386. The council objects to this planning application. Various letters of objection have been raised/received from parishioners.

- Devon and Cornwall Police                                        See comment

**Representations:**

**Representations from Residents**

Two letters of support have been received and include the following points:

- Well sited for equestrian use.
- Will boost the local economy by supporting other local businesses.

Five letters of objection have been received and include the following points:

- Unsuitable countryside location.
- Access roads are unable to cope with additional traffic given their poor condition.
- Ecological benefits of the land will be lost, particularly if the land is drained.
- The land is very wet and unsuitable for building.
- Will result in disruption to daily farming activities and livestock.

## Relevant Planning History

Planning Application Reference	Proposal	Site Address	Decision
2973/2002/OKE: COU	** Amended Proposal ** Change of use to Equestrian Course exercise area car park and erection of office/store	Preston Inwardleigh Okehampton Devon EX20 3AL	Conditional Consent: 12 Nov 02

## ANALYSIS

### 1.0 Principle of Development/Sustainability

1.1 The Plymouth and South West Devon Joint Local Plan sets out the framework for consideration of all new development proposals within the Plymouth, West Devon and South Hams Local Planning Authority Areas. Policy SPT1 Delivering Sustainable development requires that proposals uphold the principles of sustainability with respect to their economic, social and environmental components. This is considered in tandem with policy SPT2 Sustainable linked neighbourhoods and sustainable rural communities, which directs growth according to the spatial strategy. These policies are supported by policy TTV1 Prioritising growth through a hierarchy of sustainable settlements, which organises the settlements of the TTV policy area (which covers much of West Devon) into a hierarchy. Growth is directed to the main towns in the first instance, to promote self-containment in order to support new growth and to support existing services and is then directed to the countryside in response to a specific locational need.

1.2 The JLP does not define settlement boundaries, but states within paragraph 5.5 that development outside of built up areas will be considered in the context of policy TTV26 (development in the countryside). Owing to its physical separation from the nearest settlement, Officers would regard the site as part of the countryside. Policy TTV2 recognises the specific objectives of rural sustainability and TTV26 sets out the tests for development in the countryside. The first part of the policy covers isolated development and the second part applies to all proposals.

1.3 The JLP SPD (11.50) states that the Council applies the test of isolation in a manner consistent with the Braintree<sup>1</sup> case and any superseding judgment. The recent Bramshill<sup>2</sup> judgment affirmed that the essential conclusion in Braintree (at para. 42 of that judgment) was that in determining whether a particular proposal would be "isolated", 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.

1.4 In this instance, the site is located c. 0.8km north of Inwardleigh village; access is provided via a single track metalled lane with no footpath or street lighting along much of the route and on this basis, the proposal is considered to be isolated from a settlement and both clauses of TTV26 apply.

1.5 Clause 1 of TTV26 specifies that;

*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*

<sup>1</sup> Braintree DC v SSCLG [2018] EWCA Civ 610.

<sup>2</sup> Bramshill v SSHCLG [2021] EWCA Civ 320.

*v. Protect or enhance the character of historic assets and their settings.*

1.6 The proposal does not fall within any of the examples given above but it is not considered that equestrian holiday accommodation meets the test of “exceptional circumstances” that would justify an isolated countryside location. The applicant has stated that an equestrian use justifies a rural location, however, it does not automatically follow that such a use would justify an isolated rural location, nor that a holiday use would justify an isolated rural location. Objectors have raised concerns that the location is unsuitable for the proposal.

1.7 The site occupies land that benefits from extant consent under 2973/2002/OKE for the change of use to an equestrian course, exercise area, car park and erection of office/store. However, Officers would note that this consent does not include stabling or any living accommodation.

1.8 Clause 2 requires that development;  
*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.*

1.9 Each of the criteria are considered below in turn

*i. Protect and improve public rights of way and bridleways.*

The proposal does not require any changes to public rights of way.

1.10 *ii. Re-use traditional buildings that are structurally sound enough for renovation without significant enhancement or alteration.*

This clause is not relevant to the proposal.

1.11 *iii. Be complementary to and not prejudice any viable agricultural operations on a farm and other existing viable uses.*

The site is located on land with an extant consent for equestrian development and will not require any further significant land take or alterations to access arrangements. The proposal will not therefore prejudice any existing viable uses. Objections have been received on the basis that the proposal will disrupt farming activities but Officers do not consider that the siting of the proposal and associated riding activities would result in a significant detrimental impact on the operation of other farms in the area, as the site benefits from its own access and is enclosed by boundary planting.

1.12 *iv. Respond to a proven agricultural, forestry and other occupational need that requires a countryside location.*

The applicant has stated that a Launceston based equestrian business wishes to lease the site in order to expand their offer and provide holiday accommodation. The applicant has provided market information to set out the value of the equestrian sector to the British economy and supporters have noted the economic benefits of the proposal in their letters. Officers consider that there is sufficient land available for grazing in order to provide a sufficient standard of welfare for the horses as required by policy TTV28. The applicant has set out the proximity of the site to a number of off-road riding routes and has noted that the site benefits from an extant consent for equestrian use, namely the provision of an off-road riding track. However, the applicant has not provided sufficient evidence to demonstrate a locationally specific need for equestrian holiday accommodation.

1.13 The applicant has highlighted a recent appeal decision that supported the co-location of holiday accommodation with a public house under reference APP/Q1153/W/20/3265247. Officers note the appeal decision but would consider the circumstances are materially different, given that the public house was an established business (rather than an extant consent for such a use) and that the business offered catering facilities, which the Inspector considered would be likely to reduce some of the off-site trips for meals and drinks. Officers would note that, notwithstanding the extant consent, the site does not support an existing equestrian business per se, it provides an area for off-road riding which is leased by third parties and nor does it offer stabling, accommodation or catering facilities.

1.14 The applicant has stated that the extant consent is not subject to any restrictions on vehicle trips associated with its use and that the co-location of holiday accommodation would result in fewer trips than daily visits from a livery use. Officers would note that the extant consent does not include permission for stables and as such, comparison with a livery use is not useful. Officers acknowledge that the extant consent is not subject to any restrictions on vehicle trip numbers but consider that the introduction of the holiday use would result in additional trips by visitors, associated with the need to access facilities and amenities, including meals and drinks. The applicant has noted that “visitors exploring the local area by horse represents the use of a more sustainable transport mode” however, this has not been justified in terms of carbon accounting when compared to the private car, nor is it likely that the visitors would access daily services and amenities via horse, particularly in winter, during dark evenings or inclement weather. The applicant has supplied a Sustainable Travel Plan which acknowledges the reliance on the private car given the location of the development; it sets out that EV chargers will be provided, information on public transport will be provided to guests and that car sharing will be encouraged between staff. However, these measures are reliant on goodwill and as such, cannot be relied upon to mitigate the impacts of the proposed development as required by policy DEV15 (8ii) and DEV29 (7).

1.15 Officers would draw the applicant’s attention to a number of other appeal decisions where holiday accommodation in unsustainable locations was not supported, as set out in the Officer report for 2153/23/FUL, which refused the co-location of holiday accommodation at The Sculpture School, Bondleigh due to the unsustainable rural location with continued reliance on the private car and associated carbon footprint. Other appeals were also referenced in the report setting out details of recent appeal decisions within the Joint Local Plan area which considered similar issues;

- “APP/K1128/W/18/3217159 - was dismissed on the grounds that the site was in an unsustainable location with poor accessibility, and the proposed accommodation would be reliant on the private car. The decision notes: “the absence of any meaningful services or facilities in this small hamlet, coupled with the lack of convenient public rights of way in the locality, leads me to conclude that it would be highly likely that occupiers of the proposed holiday unit would have to travel by private car on a daily basis.”
- APP/Q1153/W/20/3244500 - was dismissed on the grounds that the site was not in a suitable location with particular regard to access to services and facilities. The decision notes: “with the lack of realistic transport alternatives and occupants of the development thus having little choice other than to rely on driving to and from the site, neither could the development be regarded as promoting sustainable transport choices and having no adverse environmental impact”.
- APP/Q1153/W/22/3303994 - was dismissed on the grounds that the appeal proposal would not be suitably located with regards to services and facilities and, therefore, future users would be likely to be reliant on private motor vehicles for most trips. This would conflict with the environmental dimension of sustainable development. The decision notes: “given the lack of accessible alternative transport modes, users of the holiday accommodation would be almost entirely reliant on private motor vehicles. Whilst dependence on private vehicles may be expected in rural countryside locations, the appeal scheme would only exacerbate this level of reliance. It would contribute to a pattern of development that would cause environmental harm as a result of increased car journeys and hence carbon emissions. As such, the proposal does not promote sustainable transport choices and could not be described as having no adverse

environmental impact. Whilst I note that electric vehicle charging points could be included within the proposal, the use of such vehicles cannot be guaranteed nor required”.

- APP/Q1153/W/21/3274316 – was dismissed on the grounds that the appeal proposal has a policy conflict in terms of the location of the site. The decision notes: “I therefore conclude on this issue that the site would not provide a suitable location for the proposed holiday use. The development would not comply with Policies TTV2 and DEV15 of the Local Plan. As it has not been clearly demonstrated that the proposal would contribute to a sustainable pattern of development, there would also be conflict with the broader objectives of Policies SPT1 and TTV1”.

1.16 While the applicant has co-located the holiday accommodation on a site with an extant consent for equestrian use this does not meet the test for an isolated countryside location in its own right, nor does the extant consent justify further development in the form of stabling or holiday accommodation.

1.17 v. Avoid the use of Best and Most Versatile Agricultural Land.

The Parish Council have raised concerns that the proposal will result in agricultural land being lost. Officers would confirm that the site occupies poor quality Grade 4 agricultural land and as such, the proposal complies with the provisions of this clause.

1.18 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. The site currently benefits from mature boundary planting; the applicant has noted that additional measures are proposed through the Landscape and Ecological Management Plan as considered later in this report. Were the development otherwise acceptable, it would have been necessary to secure the details of the LEMP (to include the exit strategy for the site should the development no longer be required), in the interests of visual amenity and biodiversity. It would also have been considered necessary to prevent the installation of external lighting without express planning permission, in the interests of the rural character of the surrounding landscape and in the interests of nocturnal biodiversity. On this basis, the proposal could have complied with this clause; the impact of the development on wider landscape character is considered later in this report.

1.19 Policy SPT1 identifies a range of principles of sustainable development and SPT2 details a number of principles of sustainable linked neighbourhoods and sustainable rural communities. In support of policy SPT2, figure 3.2 provides a number of ‘aspirational’ measures of sustainable neighbourhoods and communities, such as walking distances to a bus stop, a local convenience store and a primary school. As a holiday let, the proposal would not require all of these amenities but due to the separation distance from higher tier settlements, it is acknowledged that the site is located in an unsustainable location, even when considered in a rural context and as such, the creation of a new holiday accommodation would not normally be supported in this location.

1.20 JLP policy TTV2 supports ‘the delivery of sustainable rural tourism and leisure developments that benefit rural businesses, communities and visitors and respect the character of the countryside and historic settlements.’ JLP policy DEV15 supports proposals for ‘camping, caravan, chalet or similar facilities that respond to an identified local need, are compatible with the rural road network, and have no adverse environmental impact’. There is also a requirement to demonstrate safe access to the existing highway network, reduce the reliance on the private car with the submission of a sustainable travel plan, demonstrate a positive relationship with existing buildings and avoid incongruous or isolated new buildings.

1.21 The site is served by a limited public transport offer; bus service 630 connects rural villages of this part of the Borough with Okehampton, with a stop in Inwardleigh village and a stop on the A386. The stop on the A386 also serves services 5A and 317 but services are limited, particularly in the evenings, weekends and Bank Holidays when it is likely people would wish to access pubs, restaurants and other local attractions. Given the limited availability of public transport, in combination with the lengthy walk down the unlit road to the village or the bus stop on the A386 with no footway, it is more likely that

journeys to the site would be likely to be made via the private car, undermining the aims of policy DEV32, supported by policies DEV15 and DEV29, which recognise the need to deliver a low carbon future to halve 2005 levels of carbon emissions by 2034.

1.22 The proposal has not been supported by a locationally specific proven need for equestrian related holiday accommodation in this isolated rural location, where travel to and from the site is most likely to be via the private car, thus undermining the aims of policy DEV32, which seeks to deliver a low carbon future. This harm is not outweighed by the economic benefits of the proposal. In this regard, the proposal does not represent sustainable development, contrary to the provisions of SPT1, SPT2, TTV1, TTV2, TTV26 (1i, 2iv), DEV15 (7, 8 ii, iv), DEV29 (6, 7, 8), DEV32 and the guidance contained within but not limited to paragraphs, 7, 8, 152 and 154b.

## 2.0 Design/Landscape

2.1 The site is located within the open countryside within Landscape Character Type 1F Farmed lowland moorland and Culm grassland. This landscape is characterised as a “wild and exposed landscape” with “high levels of tranquillity and remoteness”, “distinctive Culm grassland habitats” and a “sparse settlement pattern with isolated farms and farmsteads and few roads” (p.111-112, LCA, 2017). Developmental pressure for equestrian centres is recognised as a force for change that “dilute[s] perceptions of tranquillity and remoteness locally” (p.110, LCA, 2017). It is noted that the plans are indicative at this stage and notwithstanding the extant consent for one office building, Officers do not consider that the introduction of further buildings in the form of stables and habitable accommodation would comply with the provisions of DEV20. The siting of development in this isolated rural location fails to demonstrate “proper regard to the pattern of local development and the wider development context and surroundings in terms of style, local distinctiveness, siting, layout, orientation, visual impact, views, scale, massing, height, density, materials, detailing, historic value, landscaping and character, and the demands for movement to and from nearby locations”. Policy DEV23 requires that proposals are “located and designed to prevent erosion of relative tranquillity and intrinsically dark landscapes” and are “located and designed to respect scenic quality and maintain an area’s distinctive sense of place and reinforce local distinctiveness.” Officers consider that the provision of formalised accommodation for people and horses, with associated intensification of use, including activity at the site late into the evening, will result in a detrimental impact on local landscape character and tranquillity, contrary to the provisions of DEV20 (2,4) and DEV23 (1, 4, 7).

## 3.0 Low Carbon

3.1 Paragraph 152 of the NPPF articulates the need for the planning system to support the transition to a low carbon future in a changing climate. The JLP also supports the transition to a low carbon future through policy DEV32, which directs applicants to follow the “energy hierarchy” when designing their schemes to ensure low carbon measures are integral to new development. This is further supported by the provisions of the Climate Emergency Planning Statement, which requires that applicants set out how their developments have been designed to include climate change mitigation and adaptation measures. A suitably worded condition could have been included to ensure that DEV32 compliance measures were integrated in to the design at reserved matters stage, although Officers note that any such measures are unlikely to outweigh the impacts associated with the inherently unsustainable location of the development.

## 4.0 Neighbour Amenity

4.1 The site is not in close proximity to any residential dwellings and when considered in combination with the scale and nature of the proposal, Officers do not consider that the proposal would give rise to significant detrimental impacts on neighbour amenity through noise and disturbance, overlooking or odours. On this basis, the proposal is considered to accord with the provisions of DEV1 and DEV2.

## 5.0 Biodiversity

5.1 The Parish Council have raised concerns that the site is adjacent to a Site of Special Scientific Interest (Southmoor Farm). For clarity, the application site is 0.5km south west of the site, while the land approved for equestrian use under 2973/2002/OKE does lie adjacent to the SSSI and part of its northern boundary is contiguous with that of the SSSI.

5.2 The Devon County Council Ecologist has reviewed the proposal and has confirmed that the impacts of the proposal can be suitably mitigated by condition. The conditions are noted below;

1. The details for reserved matters will include the submission of a Landscape and Ecological Management Plan which will include details relating to habitat creation, species specification and management. This will need to be agreed with the LPA.
2. An Ecological Management Plan for the wider Preston Moor County Wildlife Site will be submitted to and agreed in writing with the LPA.
3. No external lighting shall be installed at any time at the application site without the written permission of the Local Planning Authority. Reason: In the interests of nocturnal biodiversity.
4. Development shall be carried out in accordance with the actions set out in the Ecological Impact Assessment. This condition shall be discharged when the consultant ecologist confirms in writing to the LPA that the recommendations have been implemented.
5. Prior to the commencement of any site works, a repeat survey for the presence of badgers on the site and surrounding suitable habitat, with associated mitigation/ compensation measures, shall be submitted to and approved in writing by the LPA.

5.3 Were the development otherwise acceptable, the conditions would have been imposed in the interests of biodiversity. On this basis, the proposal is considered to accord with the provisions of DEV26 and DEV28.

#### 6.0 Highways/Access

6.1 The Parish Council have raised concerns about the road access onto the A386. The Devon County Council Highways Engineer has reviewed the proposal and has confirmed that; "there are no objections to the proposed development from a highway safety point of view subject to the access and visibility splays being provided and maintained as shown on the application drawings." The following condition has been recommended in the event that the application were otherwise acceptable:

1. No part of the development hereby approved shall be brought into its intended use until the access, access drive, parking facilities, visibility splays and turning area have been provided and maintained in accordance with the application drawings and retained for that purpose at all times.
2. REASON: To ensure that adequate facilities are available for the traffic attracted to the site.

6.2 On this basis, when considered solely in terms of highways safety, the proposal is considered to accord with the provisions of DEV29.

#### 7.0 Surface Water Drainage

7.1 Concerns have been raised about the suitability of the site for building given the groundwater conditions and concerns have also been raised about the ecological impact of draining the site. Officers note these concerns and would reiterate that the ecological impacts could have been covered by conditions as set out above. The applicant has proposed the use of a soakaway to dispose of surface water from the development. This is acceptable in principle and were the development otherwise acceptable, the details of percolation testing would have been secured by pre-commencement 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.

#### 8.0 Foul Drainage

8.1 The applicant has proposed to dispose of foul drainage via a new package treatment plant. This approach is considered acceptable in principle, with the details to be secured by condition were the development as a whole otherwise acceptable, to ensure a satisfactory and sustainable foul water drainage system is provided, retained and maintained to serve the development. On this basis, the proposal is considered to accord with the provisions of DEV35.



## 9.0 Other Matters

9.1 Devon and Cornwall Police have reviewed the proposal and have provided the following comments; “Thieves can be brazen, so all equestrian dealt with above equipment such as tack, saddlery, rugs/blankets etc should also be securely stored when not in use. As a preventative measure all valuable equipment should be forensically marked and a record of the asset or serial numbers recorded. It is also beneficial to photograph any valuable equipment which could be shared to assist identification should they be stolen.

9.2 If any of the doors to the stables are outward opening, the hinges maybe exposed and could be vulnerable to attack. Where this is the case hinge bolts should be fitted to be adjacent to each hinge to prevent the being force open by removing or damaging the hinges.

9.3 It is recommended that for the holiday units that the external doors are equivalent to PAS24:2022 to provide security when the property is unoccupied.”

9.4 These comments are not determinative to the application but the applicant is advised to review them for future reference.

## 10.0 Conclusion

10.1 The proposal is recommended for refusal for two reasons; firstly, that the proposal has not been supported by a locationally specific proven need for equestrian related holiday accommodation in this isolated rural location, where travel to and from the site is most likely to be via the private car, thus undermining the aims of policy DEV32, which seeks to deliver a low carbon future. This harm is not outweighed by the economic benefits of the proposal. In this regard, the proposal does not represent sustainable development, contrary to the provisions of SPT1, SPT2, TTV1, TTV2, TTV26 (1i, 2iv), DEV15 (7, 8 ii, iv), DEV29 (6, 7, 8), DEV32 and the guidance contained within but not limited to paragraphs, 7, 8, 152 and 154b. Secondly, that the provision of formalised accommodation for people and horses, with associated intensification of use, including activity at the site late into the evening, will result in a detrimental impact on local landscape character and tranquillity, contrary to the provisions of DEV20 (2,4) and DEV23 (1, 4, 7).

***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  
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  
TTV26 Development in the Countryside  
TTV28 Horse related developments in the countryside  
DEV1 Protecting health and amenity  
DEV2 Air, water, soil, noise, land and light  
DEV3 Sport and recreation  
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  
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

Other material considerations include the policies of the National Planning Policy Framework (NPPF) including but not limited to paragraphs 7, 8, 152 and 154b 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, Climate Emergency Planning Statement, Landscape Character Assessment, LUC, 2017.

### **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.