

## PLANNING APPLICATION REPORT

**Case Officer:** Charlotte Howrihane

**Parish:** Tavistock **Ward:** Tavistock North

**Application No:** 1318/23/FUL

**Agent:**

Miss Sophie Ford - Kendall Kingscott  
Kendall Kingscott Ltd  
Windward House  
Fitzroy Road, Exeter  
EX1 3LJ

**Applicant:**

Mr Tom Morris – West Devon Borough Council  
Kilworthy Park  
Tavistock

**Site Address:** The Kiosk, Bus Station, 20 Plymouth Road, Tavistock, PL19 8AY



**Development:** Conversion of existing offices into three flats with associated courtyard area & soft landscaping to front

**Reason item is being put before Committee:** This is an application which has been submitted by West Devon Borough Council.

**Recommendation:** Conditional approval subject to completion of Unilateral Undertaking to secure Tamar EMS mitigation.

**Conditions:**

Standard time limit  
Accord with plans  
Temporary accommodation only  
Details of stone for boundary walls to be agreed

Windows to be retained and restored unless replacements agreed  
Conservation rooflights.  
Details of door to be agreed  
Details of hard and soft landscaping  
Adhere to ecology report and confirmation submitted from ecologist  
Lighting strategy to be submitted prior to commencement  
No clearance or works during bird nesting season

**Key issues for consideration:**

Principle of development, design, landscape impact, heritage (Conservation Area and World Heritage Site), residential amenity, highways, low carbon development, ecology, drainage

**ADDENDUM REPORT:**

The purpose of this addendum is to update members on a number of matters that have arisen since the Committee resolved to grant planning permission. None are considered to have a material impact and as such the Committee is recommended to confirm its previous decision.

This application has been brought back to the Development Management and Licensing Committee due a number of small errors coming to light (Min DM&L refers). Whilst the Committee report provided the correct information, it transpires that the address of the proposal site while correctly referring to 20 Plymouth Road erroneously referred to the Bus Station kiosk; part of the land for one of the flats while shown correctly on the submitted plans as being in the ownership of the applicant, was outside of the red line; due to an administrative error by the applicant's agent when completing the application form, the applicant was identified as being South Hams District Council and not West Devon Borough Council.

Having sought legal advice, it has been confirmed that, *"As a matter of principle, the identity of the applicant for planning permission is, or should be, irrelevant when considering the merits of an application for planning permission."* And Further *"the identity of the applicant is a procedural requirement and unlike an error in an ownership certificate it does not go to jurisdiction.* A formal letter has been received from the representatives of West Devon Borough Council to correct the error. An amendment of this type can be accepted provided it does not materially change the character of the development. Officers consider that the matters set out do not result in any material change to the development proposed and so as such subject to no further representations, the recommendation is unchanged.

The application has been re-advertised in relation to the red line and address issues. The advertisement will expire on 26<sup>th</sup> October. At the time of writing no further comments have been received. If any are received up until that date, they will be reported verbally at the Committee meeting.

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**Site Description:**

Number 20 Plymouth Road is a semi-detached Victorian property over three storeys with a basement. The building is currently within a commercial use, and is divided into six offices.

The building is located next to the bus station in the centre of Tavistock. The main access to the building is via Plymouth Road. The property benefits from parking to the front, and to the rear of the property, access can be gained via a garage into the courtyard and up the fire escape stair leading to the first floor.

The site is within the Tavistock Conservation Area, as well as the World Heritage Site.

## **The Proposal:**

This application seeks permission to refurbish and reconfigure the existing offices across the three floors to create three residential flats. There would be one flat created on each floor:

- Ground floor: 1 bed flat (GIA 48.6sqm)
- First Floor: 2 bed flat (GIA 89.3sqm)
- Second Floor: 1 bed flat (35.5sqm)

The existing circulation space (hallways, landings, etc.) would be retained, along with the outdoor space to the rear of the building.

The intention is for the flats to be used as temporary accommodation for vulnerable young people within Tavistock.

## **Consultations:**

- County Highways Authority- no highways implications
- Heritage- no objection subject to conditions (details in analysis)
- Ecology- no objection subject to conditions (details in analysis)
- Affordable Housing- support
- Drainage- support
- Town Council- support

## **Representations:**

None

## **Relevant Planning History**

- 00764/2013- Change of use of office to beauty room- conditional approval
- 03106/2012- Change of use of office to beauty room- conditional approval
- 2843/2002/TAV- Non-illuminated board sign on front elevation adjacent to entrance- conditional approval
- 1600/01- Change of use of existing garage to retail grocery, ground floor to storage and ancillary accommodation, and existing hard standing to car parking- conditional approval
- 1600/01- Use of existing premises for office purposes at Bus Station site- conditional approval
- 1086/2000/TAV- Erection of non-illuminated wall mounted sign- conditional approval

**NOTE:** Following the determination of the application by the West Devon Development Management Committee, it was brought to Officers' attention that the red line denoting the application site on the location plan was incorrect, and omitted the rear of the building where flat 2 is proposed. Subsequently, an amended location plan was submitted with an amended red line and the application readvertised for 21 days. As this error was missed during validation of the application, and the amendment would not result in any change to the development description, application fee, or nature of the proposal as considered by Officers and the Development Management Committee, it was considered appropriate to readvertise the application with the amended plan, rather than requiring the application to be withdrawn and resubmitted. (27<sup>th</sup> September 2023).

## ANALYSIS

### 1.0. Principle of Development/Sustainability:

- 1.1. Policy SPT1 of The Plymouth and South Devon Joint Local Plan 2014-2034 (JLP) sets out a framework for growth and change with sustainability underpinning all of the guiding principles. Under this policy sustainable development is delivered across the plan area by promoting a sustainable economy, sustainable society and sustainable environment. Policy SPT2 of the JLP requires the application of principles of sustainable linked neighbourhoods and sustainable rural communities as a means of guiding how growth and development takes place across the plan area. Development can support the overall spatial strategy, by creating neighbourhoods and communities which, amongst other criteria, are well served by public transport, walking and cycling opportunities, and should have an appropriate level of services to meet local needs.
- 1.2. The approach to sustainable development in the JLP is further explained in Policy TTV1 (Prioritising growth through a hierarchy of sustainable settlements). This policy identifies Tavistock as one of the Main Towns of the Thriving Towns and Villages Policy Area, and the site is therefore in a location where the plan directs development.
- 1.3. The site is currently in commercial use, and is let as six separate offices. As such, policy DEV14 is relevant to the assessment. This policy relates to maintaining a flexible mix of employment sites and states the following:

*‘DEV14(1). Change of use of existing employment sites (including vacant sites whose lawful use is for employment purposes) will only be allowed where the following applies:*

  - i. The proposal is specifically provided for by the local plan to deliver wider strategic objectives, or*
  - ii. There are overriding and demonstrable economic, regeneration and sustainable neighbourhood / communities benefits from doing so, or*
  - iii. There is no reasonable prospect of a site being used for employment use in the future’*
- 1.4. The Council declared a housing crisis in February 2022 and backed its declaration with a detailed action plan. The South Hams and West Devon Housing Strategy Action Plan (2022-23) aims to ‘provide quality temporary accommodation... and reduce the need for inappropriate forms of temporary accommodation<sup>1</sup>’. The Council’s current strategic plan, ‘A Plan for West Devon’ (2021) is the Council’s 20-year vision for West Devon and its communities. It forms the strategic Plan for the Council and includes the delivery of self-contained apartments to support people who are homeless as one of the first steps to achieving the vision of the plan<sup>2</sup>.
- 1.5. The Council as a whole has a responsibility and commitment to support the vulnerable in our communities, which is a material consideration in this case. In planning terms, applications must also comply with the current planning policies. In this case it is considered that whilst the policy is restrictive in relation to losing existing employment sites, the proposal does result in the delivery of wider strategic objectives (DEV14 ii).
- 1.5. During pre-application discussion, the applicant provided some details about the commercial viability of the site, which noted that over the past five years the property

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<sup>1</sup> South Hams and West Devon Housing Strategy - Action Plan (2022-23), p8

<sup>2</sup> A Plan for West Devon (2021), p14

only ever reached 80% occupancy, with this figure dropping further since the pandemic, until only one unit was let at the time of these discussions (early 2023).

- 1.6. Although the property has been advertised, the applicant also advised that the poor quality specification and limited headroom within the building, and the challenging market conditions mean that it is proving difficult to let the building as commercial units.
- 1.7. The site is in a sustainable location for development and the principle of the development is considered to be acceptable.

## 2.0. Housing mix:

- 2.1. Policies SPT2(4) and DEV8(1) of the Joint Local Plan (JLP) seek to provide a good balance of housing types and tenures to support a range of household sizes, ages, and incomes, and to meet identified local housing needs.
- 2.2. The proposed development would create two 1-bed flats, and one 2-bed flat. ONS data for Tavistock shows that there is currently an over-provision of smaller units and flats in the town compared to the average for the borough.
- 2.3. Whilst the development may not address an existing imbalance in housing stock in terms of size, there is a need for the type of accommodation proposed. The current lack of private rented accommodation options means that the time taken to source long-term accommodation has increased, and applicants are staying in temporary accommodation for longer periods of time.
- 2.4. Temporary accommodation costs are predominantly met through housing benefit claims made by applicants, however the lack of available provision has led to more applicants staying in B&Bs, which costs significantly more, and the difference is being paid by the Council.
- 2.5. The Council's Affordable Housing Officers have reviewed the application and are supportive of it, making the following comments:

*'The Affordable Housing Team support this application.*

*There has been an increased use of temporary accommodation in the form of Bed and Breakfast type since the closure of the hostel accommodation at Springhill in Tavistock. The use of temporary accommodation for single persons in particular is on the increase at a huge cost to the public purse and the health and wellbeing of people that we are currently placing out of the area where they access their support. B&B is a challenging setting to be placed in and should only be used where there is no other accommodation option available. The provision of self-contained units of accommodation creates better use of public funds and is a more suitable setting for homeless households.*

**Percentage of affordable housing – 100%. This application will be for affordable housing use in the form for supported temporary accommodation for the homeless usually with a local connection to the borough.**

**Tenure – These properties will be affordable within the remit of supported temporary accommodation.**

1 bed = £103.56 pw

2 bed = £134.63 pw

**Size of the affordable units**

2 x 1 bed flats

1 x 2 bed flats

**Space Standards**

*Internal floor area of the units and bedroom sizes comply with national space standards. The second floor flat is slightly below space standards but only by 1.5sqm so it's acceptable*

**Layout**

*The existing building can accommodate the required specifications for the proposed 3 flats with some viable internal works.*

**Housing Need**

*In the last financial year 72 households were placed in temporary accommodation in West Devon. Length of stays in temporary accommodation have increased to 108 days as move on options become further impacted by the Housing Crisis.*

**S106 requirements – N/A**

**Parking** – *Parking spaces are not a requirement of supported accommodation as this is not normal residential use.*

**Housing Crisis – February 2022**

*In February 2022 West Devon Borough Council declared a Housing Crisis indicating that West Devon Borough Council should recognise current difficulties in the housing market and the effect on the affordability of good quality housing within the Borough and to:*

*1. Demonstrate our commitment to the wellbeing of homeless people in the Borough by providing quality temporary accommodation and reduce the need for less appropriate and more costly forms of temporary accommodation;*

*Should this application be approved it would have a direct positive impact on the type of accommodation available for use for homeless households.*

*2. Act where the Council has a land holding and take an interventionist approach to the housing market over the longer-term, where there is demonstrable housing need, leading to improved long term housing outcomes;*

*This application for change of use makes good use of an existing council asset to help meet the housing needs of homeless households across the borough.*

*3. Recognise the market failures locally around accommodation options for vulnerable people (exempt accommodation), work in close partnership with Devon County Council to provide alternatives –putting people before profit. At the same time lobby national government to make legislative changes to remove the incentives for unscrupulous providers and to protect the needs of this vulnerable group;*

*The delivery of supported temporary accommodation in the place of placements such as B&B creates a safer and more suitable accommodation setting for vulnerable households.*

*4. Recognise the need for extra care accommodation in the Borough and ensure such schemes are supported to come forward;*

*5. Actively contribute to 'Team Devon's' housing task force and housing commission to build the case for affordable housing as a key priority in any pan-Devon devolution ask;*

*7. As the Council moves towards a review of the JLP, aspire to the highest affordable housing threshold that is sustainable and underpin it in policy;*

*The delivery of this scheme would increase the provision of affordable housing in West Devon by 3 but would positively impact on many households as they move through the homelessness process.*

*12. Actively seek opportunities to invest in Council owned social housing with high sustainability specification (including modular housing) to support those on low incomes who are unable to afford 'affordable' rented housing;*

*This scheme provides 3 units of council owned affordable accommodation.*

### **Summary:**

*This application addresses several of the motions detailed within the declared Housing Crisis. In addition to this there are other benefits:*

*These properties, should they be granted consent, will assist local people in gaining access to housing that is affordable to them. They will also generate income for the council and reduce the current spending on B&B placements.*

- 2.6. The redevelopment of the application site would enable the Council to increase their temporary accommodation provision with their own asset. As such, Officers consider that the proposal would provide demonstrable community benefits, as required by policy DEV14(1)(ii) when a proposal would result in the loss of employment space.
- 2.7. There is a particular need for temporary accommodation to support vulnerable or homeless people in the town. As such, the proposal is considered to meet an identified need and therefore complies with policies SPT2(4), DEV8(1), and the wider strategic aims of the Council to ensure adequate provision of housing for those in need.

### 3.0. Space standards:

- 3.1. Policy DEV10(5) of the JLP states that '*new dwellings (including conversions of existing properties into flats) should be of sufficient size and layout to provide good quality accommodation to meet the needs of their occupants, with developers required to meet Nationally Described Space Standards. Sufficient external amenity space or private gardens should also be provided*'.

Space standards are prescribed as follows:

- One bed units: 37sqm (if shower room, 39sqm if bathroom)
- Two bed units: 70sqm

The proposed flats would be sized as follows:

Ground floor: 1 bed flat (GIA 48.6sqm)

First Floor: 2 bed flat (GIA 89.3sqm)

Second Floor: 1 bed flat (35.5sqm)

- 3.2. The ground and first floor flats exceed the NDSS by some margin, but the second floor flat does not meet the minimum space standards. However, Officers are mindful that the proposed flats would be used as temporary accommodation, rather than as permanent residences. Officers have also taken into account the very small difference between the NDSS and the GIA of the second floor flat, with the flat falling short of the NDSS by only 1.5sqm. Had the difference been larger, this would have been a cause for concern, however, in this instance, the small shortfall in space to one of the three flats is not considered to warrant refusal of the application.
- 3.3. The JLP SPD sets guidance for minimum standards for external amenity space. Whilst the application proposal falls short of these standards, this is guidance only, rather than policy. Lack of external amenity space should be considered on a case-by-case basis, and take the location of the site into consideration.
- 3.4. In this instance, the site is within the town centre, in close proximity to the park, leisure facilities, and other outdoor and recreation spaces. Occupants of the proposed flats would therefore have access to outdoor space and the lack of amenity space within the site is therefore not considered to be detrimental to future occupants.

#### 4.0. Design/Landscape:

- 4.1. There are no external changes proposed to the building, and so the development would not have any adverse impact on the design of the property, or the local landscape. The immediate area is mixed in terms of use, with both residential and commercial uses occupying neighbouring buildings, and so the conversion of the site to residential use would not be out of keeping with the local character.
- 4.2. The proposal includes the removal of the tarmac parking area to the front of the building, which would be replaced by an area of decking and soft landscaping. In landscape terms, this would be an enhancement of the site, although Officers note that limited information has been provided in terms of landscape details. As such, a condition is recommended to require hard and soft landscaping details to be submitted within six months of the date of any planning permission granted.
- 4.3. The development is therefore considered to accord with policies DEV20 and DEV23 of the JLP, which requires proposals to have regard to the local pattern of development and maintain an area's distinctive sense of place.

#### 5.0. Heritage:

- 5.1. The site is within the Cornwall and West Devon World Heritage Site. Despite the property itself not being listed, it is in close proximity to 16 Plymouth Road, which is a Grade II listed building, and is also within the Tavistock Conservation Area.
- 5.2. Policy DEV21 of the JLP requires development to '*sustain the local character and distinctiveness of the area by conserving and where appropriate enhancing its historic environment, both designated and non-designated heritage assets and their settings, according to their national and local significance.*'



- 5.3. As such, the application has been reviewed by the Council's Heritage Specialist, who made the following comments:

*'The site is a 'positive' building within the conservation area and has Attributes that contribute to the Outstanding Universal Value of the WHS. Although not listed (due to later alterations and additions) the building exhibits the architectural character of other Bedford era properties on Plymouth Road and forms part of the setting to the other listed buildings.*

*At pre-application the idea was supported and advice given. I have a few points I would like to be considered and addressed either by amendments or via conditions.*

*1 There is no design for the front door – it is just blank space. A suitable timber panelled door based on historic examples elsewhere on Plymouth Road should be provided.*

*2 A condition is needed that windows be retained and restored unless details of replacements are otherwise agreed. Thermal and acoustic enhancement can be best achieved via secondary glazing.*

*3 The rooflights should be metal framed conservation types set close to flush within the roof slope. This can be required by condition.*

*4 Improved landscaping is welcome but having bins visible adjacent to the pavement and road is poor. This is a negative part of the proposal that should be addressed. The reason for the recess is that there was a telephone kiosk there. Now that is gone the space should be taken back within the garden of the property and the historic line of garden wall restored as that would be a significant enhancement to the CA. Hedge planting behind the railings could then screen the bins kept within the property boundary.*

*5 The landscaping shows a raised planter but no indication of materials to be used in its construction or of what planting is proposed. The structure could be stone or perhaps timber sleepers but should not be rendered blockwork as that will stain and the character of garden walls in Plymouth Road is stone. This planting, along with a hedge to the roadside, is an opportunity to achieve biodiversity gain. Details can be required by condition if not provided before determination.*

*With these issues addressed I support the proposal.'*

- 5.4. Subsequently, the applicant has provided details of the front door, proposing a steel composite door which has the appearance of timber. However the site is in the Tavistock Conservation Area and the World Heritage Site and the need to maintain historic fabric is a key consideration in policy DEV22 relating to the World Heritage Site. It is therefore proposed to add a condition to the consent to deal with the need for a timber door. The applicant has also relocated the bin store to a space inside the boundary wall, which is proposed to be reinstated along the front of the site. This would enhance the appearance of the front of the site, subject to appropriate stone being used. To ensure that the works to the boundary walls are in keeping with the local vernacular, a condition is proposed to ensure that the stone details are submitted to the Local Planning Authority prior to installation.
- 5.5. Planters are proposed within the site, as well as the wooden bin store. These elements are considered acceptable in principle and conditions are recommended to require details of these features as well as hard and soft landscaping details, in accordance with the Heritage Officers comments, to be submitted for agreement.
- 5.6. Subject to the recommended conditions, the proposed development is not considered to harm the significance of this positive building within the Conservation Area.

5.7. Paragraph 202 of the NPPF 2021, relates to whether the proposal will lead to less than substantial harm to the significance of a designated heritage asset and that the Harm if identified should be weighed against the public benefits of the proposal, including where appropriate securing its optimum viable use. The Heritage Specialist has identified that the site *“has Attributes that contribute to the Outstanding Universal Value of the WHS”*. However he has not identified that the proposal will lead to less than substantial harm to the heritage assets. He has asked for the concerns he has raised to be addressed, at which point he will support the proposals. The conditions proposed will address the concerns he has raised and therefore it is considered that the proposal will be acceptable in relation to the relevant NPPF paragraphs and the JLP policies. The proposal will preserve the Outstanding Universal Value of this site. The development therefore complies with policies DEV21 and DEV22 of the JLP, and paragraphs 197, 199, 201, 202 and 206 of the NPPF.

6.0. Neighbour Amenity:

6.1. The bus station is to the immediate south-west of the site, with a residential dwelling (Abbeymead) adjoining the building to the north-east. There are no extensions, or other physical alterations proposed to the building which would have a harmful impact on the neighbouring property. The proposal is therefore in compliance with policy DEV1 of the JLP.

7.0. Highways/Access:

7.1. The SPD provides guidance on appropriate parking provision for new residential development, suggesting 1 space per one-bed dwelling, and 2 spaces per two-bed dwelling, although these are just indicative figures.

7.2. There is no specific parking provision proposed as part of the development, although there is currently a vehicular access from the road, and space for 4- 5 cars at the front of the site. The proposed plan shows these spaces being removed, and replaced with hard landscaping.

7.3. Whilst there would be no parking provision included in the proposal, Officers are mindful that the site is in a highly sustainable location, within the town centre, and in walking distance to local services and amenities. The bus station next door offers accessibility to public transport links, and so in this instance, Officers consider the lack of parking to be acceptable and does not warrant refusal of the application.

7.4. The existing use of the building is six office units. The conversion of this building to three residential units would result in fewer vehicular journeys to and from the site, assuming each office was occupied, as well as less demand in terms of parking.

7.5. The Highways Authority has raised no objection to the application, and the proposal is considered acceptable in terms of access, parking, and highways matters.

8.0. Ecology:

8.1. The application includes a Preliminary Bat Roost Assessment, which identified the presence of bat roosts / potential for bats to use the property. As such, three emergence surveys were undertaken in May, June, and July respectively.

8.2. A peak count of 4 Lesser Horseshoe bats were seen to emerge from the Undercroft of the building into the courtyard. These bats were then observed to fly up and over a wall immediately adjacent to the roost entrance into a neighbouring garden/property.

No bats were seen to emerge from the main house, or underneath the hanging tiles, or in the loft space.

8.3. The undercroft supports a day and night roost for up to 4 LHB. The Undercroft is also believed to have suitable conditions to be used as hibernation roost. As such, roosting bats may be negatively impacted by the development without appropriate mitigation.

8.4. Mitigation can be secured by conditions, which have been recommended by the Council's Ecological Consultant. This includes timing of the works to avoid core winter hibernation months, provision of a temporary roost during the construction works, and the retention of the Undercroft as a roost once works are completed. Additional bat boxes are also proposed to offer biodiversity enhancement.

8.5. The proposed mitigation also includes an application for an EPSL from Natural England as the consultant ecologist believes an offence cannot be avoided. The authority must consider whether the proposal meets the three derogation tests of the Conservation of Habitats and Species Regulations 2017 (as amended), and accordingly whether Natural England are likely to grant an EPS license which would permit the proposal to lawfully proceed. The three tests are as follows:

*1. Imperative reason overriding public interest*

It should be noted that Natural England's guidance for the first test is that in the case of alterations to existing domestic dwellings, over-riding public interest is assumed.

*2. There is no satisfactory alternative*

As discussed in Section 2 of the report, there is an identified need for the type of housing proposed, and Officers are satisfied that there is no reasonable alternative site for the proposed development.

*3. There will be no significant detrimental population impact (on the bats).*

The Council's Ecological Consultant has confirmed that the detailed mitigation measures included in the report satisfy the third test of the Habitats Regulations.

8.6. It is therefore concluded that the development would meet the three tests, and it is reasonable to assume that an EPSL would be granted.

8.7. The existing car parking area at the front of the dwelling would be replaced by an area of decking and soft landscaping. In terms of biodiversity, this would be a benefit and would accord with policy DEV26 in the JLP which seeks protection of and where possible enhancement of biodiversity. A condition will be added to ensure the maintenance of these new biodiverse areas.

8.8. The site falls within the Zone of Influence for new residents have a recreational impact on the Tamar European Marine Site (comprising the Plymouth Sound and Estuaries SAC and Tamar Estuaries Complex SPA). This Zone of Influence has recently been updated as part of the evidence base gathering and Duty to Cooperate relating to the Joint Local Plan. A scheme to secure mitigation of the additional recreational pressures upon the Tamar European Marine Site can be appropriately secured by a legal agreement, and this approach has been agreed by Natural England. The applicant has entered into a unilateral undertaking to require payment of the required mitigation prior to the occupation of the flats, and this is currently being reviewed by the Council's Legal Officers.

9.0. Low carbon development:

- 9.1. The Council has declared a climate emergency, and Policy DEV32 of the JLP requires all development to contribute to the carbon reduction targets of the Plan.
- 9.2. There are no specific carbon saving measures proposed, such as renewable energy products, however the conversion of an existing building to flats has significant benefits in terms of carbon reduction, compared to building a new unit. Policy DEV32 identifies in para. 1. that making the best use of existing buildings is a valuable opportunity for carbon reduction. Given the minimal physical works required to carry out the development, there are few opportunities for additional carbon reduction measures to be included in this proposal. Given the community benefit that will occur as a result of this development and that it is reusing an existing building, the lack of specific carbon reduction measures will have a slightly negative impact on the planning balance of this case.

#### 10.0. Drainage:

- 10.1. The existing foul and surface water drainage are discharged to the mains sewer. There are no changes proposed to the existing drainage management and the proposal is acceptable in this regard and compliant with Policy DEV35 of the JLP. The Council's Drainage Team have reviewed the proposal and are satisfied that with no increase in impermeable area, they are happy to support the development.

#### 11.0. Summary:

- 11.1. The proposed conversion would have a minimal impact on the local townscape character or nearby residents. It would provide much needed temporary accommodation within the town during a period of housing crisis.
- 11.2. Conditions are proposed regarding the finer details to ensure that the development preserves the historic assets of the Tavistock Conservation Area and the World Heritage Site.
- 11.3. The proposal complies with many of the relevant planning policies and whilst there is a slight negative in regard to the provision of specific carbon reduction measures, officers are of the view that the proposal reuses an existing building and the its embodied carbon associated with that and the overall public benefits of the provision of housing for vulnerable members of our community outweigh this slight negative. Therefore the proposal is recommended for conditional approval.

***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).

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

Therefore a 5% buffer is applied for the purposes of calculating a 5 year land supply at a whole plan level. When applying the 5% buffer, the combined authorities can demonstrate a 5-year land supply of 5.97 years at end of March 2022 (the 2022 Monitoring Point). This is set out in the Plymouth, South Hams & West Devon Local Planning Authorities' Housing Position Statement 2022 (published 19th December 2022).

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

The relevant development plan policies are set out below:

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

SPT1 Delivering sustainable development  
SPT2 Sustainable linked neighbourhoods and sustainable rural communities  
SPT3 Provision for new homes  
SPT11 Strategic approach to the Historic environment  
SPT14 European Protected Sites – mitigation of recreational impacts from development  
TTV1 Prioritising growth through a hierarchy of sustainable settlements  
TTV2 Delivering sustainable development in the Thriving Towns and Villages Policy Area  
DEV1 Protecting health and amenity  
DEV2 Air, water, soil, noise, land and light  
DEV8 Meeting local housing need in the Thriving Towns and Villages Policy Area  
DEV10 Delivering high quality housing  
DEV14 Maintaining a flexible mix of employment sites  
DEV20 Place shaping and the quality of the built environment  
DEV21 Development affecting the historic environment  
DEV22 Cornwall and West Devon Mining Landscape World Heritage Site  
DEV23 Landscape character  
DEV26 Protecting and enhancing biodiversity and geological conservation  
DEV29 Specific provisions relating to transport  
DEV32 Delivering low carbon development  
DEV35 Managing flood risk and Water Quality Impacts

### **Neighbourhood Plan**

The site is within the Tavistock neighbourhood plan area, however this plan is not yet at an advanced enough stage that it can be given weight in the decision-making process.

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:

**Joint Local Plan Supplementary Planning Document (2020)**  
**Tavistock Conservation Area Appraisal and Management Plan**

## **World Heritage Site Management Plan Plymouth & South West Devon Climate Emergency Planning Statement**

### **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.

### **Recommended 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 220894-AP(0)01A, 220893(0)03A, 220894-AP(2)04A, 220894-AP(2)05A, and 220894-AP(2)06A received by the Local Planning Authority on 28th April 2023, and drawing numbers 220894-AP(3)01, 220894-AP(2)02, and 220894-AP(9)01B, received on 21st June 2023.*

*Reason: To ensure that the proposed development is carried out in accordance with the drawings forming part of the application to which this approval relates.*

*3. The residential units hereby approved shall be used for temporary accommodation for homeless persons, families, young people entering or leaving the care system and those with additional support needs only and not for any other form of residential accommodation or any other use.*

*Reason: To ensure that the units remain available for their required purpose and do not become permanent units of accommodation.*

*4. All new areas of stonework and boundary walls shall be constructed of natural stone which matches the colour and texture of that occurring locally, details of which shall be submitted to and agreed in writing by the Local Planning Authority, prior to the installation. The new stonework shall be laid on its natural bed and pointed in a lime mortar recessed from the outer face of the stone. Machine cut or sawn faces shall not be used in the wall or for quoin stones.*

*Reason: To ensure that the development displays good design practice in respect of the age and character of the development and to allow the Local Planning Authority to assess the details of the scheme to sure that their character is maintained.*

*5. All existing windows shall be retained and restored, unless details of replacement windows have been submitted to and approved in writing by the Local Planning Authority prior to installation.*

*Reason: To ensure that the development displays good design practice in respect of the age and character of the development and to allow the Local Planning Authority to assess the details of the scheme to sure that their character is maintained.*

*6. All new rooflights shall be of a metal-framed conservation type and shall be fitted so as to be flush with the existing roof profile. Reason: To ensure that the development displays good design practice in respect of the age and character of the development*

*7. Prior to the insertion of the new door, details of the proposed door shall be submitted to and agreed by the Local Planning Authority. The door inserted shall accord with the details as agreed.*

*Reason: To ensure the door materials and detailing causes no harm to the attributes of the World Heritage Site.*

8. *Within three months of the date of this decision, a detailed landscaping scheme shall be submitted to, and agreed in writing by the Local Planning Authority. Details shall include areas of hard and soft landscaping, the proposed decking and planters, bin stores and details of all planting, as well as a maintenance plan for the soft landscaping. All elements of the landscaping plan 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 before the end of the current first available planting season following practical completion of the development hereby permitted; unless otherwise agreed in writing by the Local Planning Authority.*

*Reason: In the interests of visual amenity and to ensure the continued benefits of biodiversity gain.*

9. *Development shall be carried out in accordance with the actions set out in the Bat Emergence Survey Report (Burton Reid Associates, August 2023). This condition shall be discharged when the consultant ecologist confirms in writing to the LPA that the recommendations have been implemented.*

*Reason: In the interests of protected species of wildlife.*

10. *Prior to any commencement works a Lighting Strategy for agreement with the LPA must be submitted. The strategy shall minimise impacts from lighting associated with pre-construction, construction and operational activities, and demonstrate how the current best practice (BCT/ILP, 018) guidance has been implemented. This shall include details such as the following: artificial lighting associated with public realm lighting, car headlights associated with traffic movements through the development and internal and external lighting associated with the residential development. The purpose of this lighting strategy is to ensure the retained LHB roost in the undercroft and associated bat flight lines are kept dark (0.5 lux and warm light).*

*Reason: In the interests of protected species of wildlife*

11. *No vegetation clearance or building works shall take place during the bird nesting season (01 March to 31 August, inclusive) unless the developer has been advised by a suitably qualified ecologist that the clearance will not disturb nesting birds and a record of this kept.*

*Reason: In the interests of protected species of wildlife.*