

# West Devon Development Management and Licensing Committee



West Devon  
Borough  
Council

<b>Title:</b>	<b>Agenda</b>								
<b>Date:</b>	<b>Tuesday, 23rd January, 2018</b>								
<b>Time:</b>	<b>10.00 am</b>								
<b>Venue:</b>	<b>Chamber - Kilworthy Park</b>								
<b>Full Members:</b>	<p style="text-align: center;"><b>Chairman</b> Cllr Sanders <b>Vice Chairman</b> Cllr Roberts</p> <p><i>Members:</i></p> <table style="margin-left: auto; margin-right: auto;"> <tr> <td>Cllr Baldwin</td> <td>Cllr Moyse</td> </tr> <tr> <td>Cllr Cann OBE</td> <td>Cllr Parker</td> </tr> <tr> <td>Cllr Hockridge</td> <td>Cllr Pearce</td> </tr> <tr> <td>Cllr Mott</td> <td>Cllr Yelland</td> </tr> </table>	Cllr Baldwin	Cllr Moyse	Cllr Cann OBE	Cllr Parker	Cllr Hockridge	Cllr Pearce	Cllr Mott	Cllr Yelland
Cllr Baldwin	Cllr Moyse								
Cllr Cann OBE	Cllr Parker								
Cllr Hockridge	Cllr Pearce								
Cllr Mott	Cllr Yelland								
<b>Interests – Declaration and Restriction on Participation:</b>	Members are reminded of their responsibility to declare any disclosable pecuniary interest not entered in the Authority's register or local non pecuniary interest which they have in any item of business on the agenda (subject to the exception for sensitive information) and to leave the meeting prior to discussion and voting on an item in which they have a disclosable pecuniary interest.								
<b>Committee administrator:</b>	Kathy Trant Specialist - Democratic Services 01803 861185								

**1. Apologies for Absence**

**2. Declarations of Interest**

Members are invited to declare any personal or disclosable pecuniary interests, including the nature and extent of such interests they may have in any items to be considered at this meeting.

*[If Councillors have any questions relating to predetermination, bias or interests in items on this Agenda, then please contact the Monitoring Officer in advance of the meeting]*

**3. Items Requiring Urgent Attention**

To consider those items which, in the opinion of the Chairman, should be considered by the Meeting as matters of urgency (if any).

**4. Confirmation of Minutes** **1 - 4**

Meeting held on 12 December 2017

**5. Planning Applications and Enforcement Reports** **5 - 56**

To see Letters of Representation and further supplementary information relating to any of the planning applications on the agenda, please select the following link and enter the relevant Reference number: <http://westdevon.gov.uk/searchlanding>

**\*\*\*PLEASE NOTE:**

**Application Numbers 2236/17/OPA & 1987/17/FUL have been withdrawn from the Agenda\*\*\***

**6. Application for works to a Tree within a Conservation Area report** **57 - 58**

**7. Planning Appeals Update** **59 - 62**

**8. Fees and Charges 2018/19** **63 - 74**

# Agenda Item 4

At a Meeting of the **DEVELOPMENT MANAGEMENT & LICENSING COMMITTEE** held at the Council Chamber, Council Offices, Kilworthy Park, Drake Road, **TAVISTOCK** on **TUESDAY** the **12<sup>th</sup>** day of **DECEMBER 2017** at **10.00am**

**Present:** Cllr P R Sanders – Chairman  
Cllr A Roberts – Vice-Chairman

Cllr R E Baldwin	Cllr W G Cann OBE
Cllr L J G Hockridge	Cllr C Mott
Cllr D E Moyse	Cllr G Parker
Cllr T G Pearce	Cllr J Yelland

COP Lead Development Management (PW)  
Planning Specialist (MJ)  
Solicitor (SN)  
Specialist Licensing (NS)  
Specialist Democratic Services (KT)

**\*DM&L 37 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Cllr W G Cann OBE for whom Cllr R F Cheadle substituted and from Cllr T G Pearce for whom Cllr T F Leech substituted.

**\*DM&L 38 DECLARATION OF INTEREST**

Members were invited to declare any interests in the items of business to be considered and the following were made:

Cllr P R Sanders declared a personal interest in application **2844/17/FUL**: Erection of single residential dwelling with associated parking and residential amenity area by virtue of being contacted by a number of objectors to the application. He had visited a property in the ownership of one of the objectors and viewed the site from that property. He remained in the meeting and took part in the debate and vote thereon.

**\*DM&L 39 CONFIRMATION OF MINUTES**

The Minutes of the Development Management and Licensing Committee Meeting held on 14 November 2017 were confirmed and signed by the Chairman as a correct record. The minutes of the Licensing Sub Committee held on 28 September 2017, and the two Licensing Sub Committees held on 8 November 2017 were confirmed and signed by the Chairman as a correct record.

**\*DM&L 40 PLANNING, LISTED BUILDING, TREE PRESERVATION ORDER AND ENFORCEMENT REPORTS**

The Committee considered the applications prepared by the Development Management Specialists and considered also the comments of Town and Parish Councils together with other representations received, which were listed within the presented agenda reports and summarised below, and **RESOLVED**:

**(a) Application No: 2844/17/FUL Ward: Buckland Monachorum**

**Site Address: Land at SX 510 668, South of Green Lane, Yelverton, Devon**

**Erection of single residential dwelling with associated parking and residential amenity area.**

Case Officer Update: Attention drawn to recent High Court decision handed down 17 November for Braintree DC Vs Secretary of State. Late response from AONB Unit read out in full.

Speakers included: Objector – Mr Andrew Pett: Supporter – Mr John Cooke.

**RECOMMENDATION:** Refusal

During discussion, Members considered the information presented in the Case Officer update and this led to removal of reference to NPPF para 55 from the presented reason for refusal and the main body of the officer report. In addition, NPPF para 14 was added to the reason for refusal. Due to the need to balance environmental, social and economic impacts of the development it was Members view that there was environmental harm to the landscape character and detachment from services, to be balanced against an absence of social benefit and limited economic benefit.

**COMMITTEE DECISION:** Refusal

**\*DM&L 41 PLANNING APPEALS UPDATE**

The Committee received and noted the updated list of Planning Appeals including enforcement appeals.

**DM&L 42 APPROVAL OF POLICY IN RELATION TO THE LICENSING OF TAXI DRIVERS AND VEHICLES**

Members were presented with a report that asked the Committee to recommend to Council the draft Taxi Licensing Policy and the fees and charges as shown in para 3.3 of the presented report.

Members asked a number of questions of clarity, and the Licensing Specialist updated a number of points that would be corrected in time for presentation to Committee.

It was then:

**RESOLVED:**

1. That the Licensing Committee recommends to Council that the draft Taxi Licensing Policy, is adopted at the next meeting, for implementation on 1st April 2018.

2. That the Licensing Committee recommends to Council that the fees and charges for Taxis are amended to the figures shown in para 3.3 of the presented report.

(The Meeting terminated at 11.15am)

Dated this

---

**Chairman**

**This page is intentionally left blank**

# Agenda Item 5

## PLANNING APPLICATION REPORT

**Case Officer:** Kate Cantwell

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

**Application No:** 2236/17/OPA

**Agent/Applicant:**

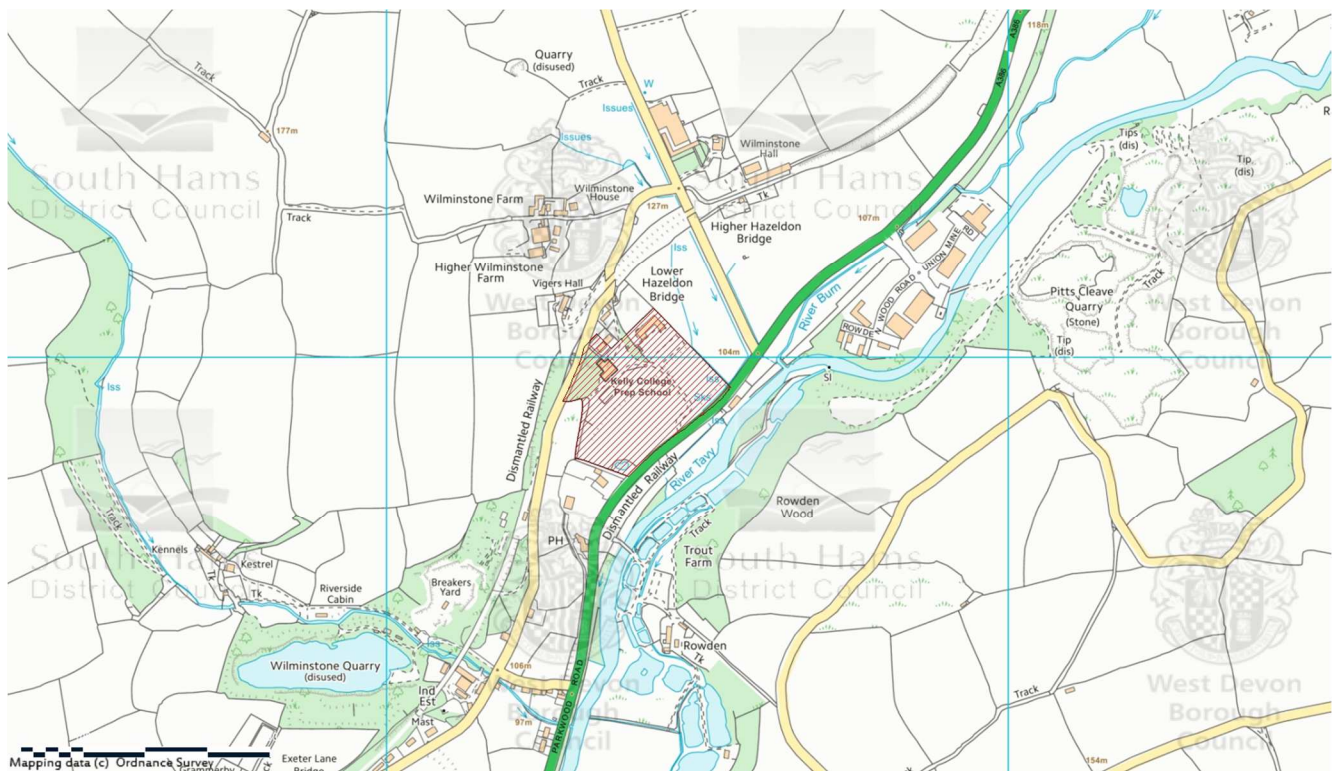
Mr Mark Scoot  
Maypool House  
Maypool  
Brixham  
TQ5 0ET

**Applicant:**

Mount Kelly Foundation Governors  
Former Hazeldon Preparatory School,  
Tavistock

**Site Address:** Former Hazeldon Preparatory School, Mount Kelly College, Parkwood Road, Tavistock, PL19 0HZ.

**Development:** Outline application (all matters reserved apart from means of access) for the demolition of existing structures and site redevelopment to provide up to 125 dwellings (including the refurbishment of Hazeldon House), associated access, parking, circulation, open space, landscaping and supporting infrastructure (including retaining structures).



## **Recommendation: Refusal**

### **Reasons for refusal**

1. The proposed residential development is not in a sustainable location for open-market and affordable housing due to its location in the countryside, outside the settlement boundary of Tavistock due to being remote from the services and community facilities of Tavistock and in an isolated location. This is contrary to NPPF paragraphs 14, 17 and 49, West Devon Core Strategy Development Plan Document (2006-2026) policies SP5 and SP14 and West Devon Local Plan Review (March 2005) policies H31 and NE10.
2. The proposed development would result in significant adverse impacts on local landscape character, and a significant adverse impact on the setting of Dartmoor National Park, failing to conserve landscape and natural beauty within this valued landscape, contrary to West Devon Core Strategy Development Plan Document (2006-2026) policy SP17, West Devon Core Strategy Development Plan Document (2006-2026) policy NE10 and NPPF paragraph 109.
3. The proposed development would be likely to result in harm to the historic significance of Hazeldon House, a non-designated heritage asset, as a result of conversion works, and the scale and density of the proposed development in the setting of this heritage asset. This is contrary to the provisions of NPPF paragraph 135, West Devon Core Strategy Development Plan Document (2006-2026) policy SP18 and West Devon Local Plan Review (March 2005) policies NE10 and BE3.
4. The sustainability benefits of the proposed development are clearly and demonstrably outweighed by adverse impacts such that it is not, in the round, judged to be sustainable development for the purposes of the NPPF and policy SP1 of West Devon Core Strategy Development Plan Document (2006-2026).

### **Key issues for consideration:**

Given the location of this unallocated site outside the development boundary, the adopted development plan indicates a refusal of planning permission. However, if relevant policies in the adopted plan are out-of-date, the NPPF indicates that the application ought to be determined in line with the presumption in favour of sustainable development in paragraph 14 of the NPPF. This will involve a consideration of the economic, social and environmental benefits and adverse impacts of the proposed development.

In view of the issues that have been raised in connection with the application, the potential benefits and adverse impacts on the following matters will be considered in detail in this report:

- Principle of the development (settlement boundary, land classification, the need for housing)
- Landscape impact including the impact on Dartmoor National Park
- Highways, traffic and access
- Air quality
- Drainage and flood risk
- Heritage
- Biodiversity
- Contamination
- The re-use of previously developed land

The application has been accompanied by the following:

- Planning Statement
- Design and Access Statement
- Location Plan, Illustrative Masterplan and Topographical Survey
- Flood Risk Assessment and Sustainable Drainage System
- Drainage Report



- Ground Conditions Report
- Contamination Assessment
- Landscape and Visual Impact Assessment
- Tree Survey
- Heritage Assessment
- Transport Assessment
- Ecological Assessment
- Bat Activity Survey
- Air Quality Statement
- Draft Planning Obligation Heads of Terms

The Draft Heads of Terms accompanying the application sets out the following:

- Travel Plan - To be submitted in support of the detailed scheme with an obligation to comply with the proposals contained therein for each phase of development.
- Housing - Delivery of 40% affordable housing.
- Education - The developer shall pay to the Council (the amount and timing of such payment to be set out in the Agreement) the council's standard education contribution payment per eligible residential unit towards the improvement of existing educational facilities.
- Public Open Space - Provision of open space on site and / or a financial contribution to meet any deficit in sports and equipped play provision. To submit to the Council for approval details for the open space to be provided across the site, both formal and informal – to be generally in accordance with the 'master plan'.
- Prior to commencement to submit an Open Space Works Specification Plan setting out:
  - Detailed Layout Design and Specification for all open space areas and associated infrastructure.
  - Detailed Management Specification identifying all management operation and associated frequencies linked to each open space identified within that phase;
  - Detailed planting Schedule and Planting Specification for all open space areas relating; and
  - Details of the timing of the delivery of the public open space.
- Drainage - Sustainable urban drainage (SUDs) structures located on public land will be adopted by Devon County Council as the Local Flood Authority.
- Highways soakaways will be adopted by Devon County Council as the Highway Authority.
- Other - Upon execution of the Section 106 agreement the owner shall pay the Council's reasonable expenses for the negotiation preparation and execution of the agreement.
  - All prices referred to in the agreement shall be index linked.
  - The detailed drafting of these obligations will be agreed with the Council as part of the preparation and completion of a Section 106 Agreement prior to the issue of any planning permission.

**Financial Implications (Potential New Homes Bonus for major applications):**

It is estimated that this development has the potential to attract New Homes Bonus of £169,500 per annum, payable for a period of 4 years. This is calculated on the basis of 125 homes x £1,224 and securing 40% affordable housing which attracts a further £280 per affordable unit.

Members are advised that this is provided on an information basis only and is not a material planning consideration in the determination of this application.

**Note:**

This application is a departure from adopted Development Plan policies and therefore has been advertised as such.

---

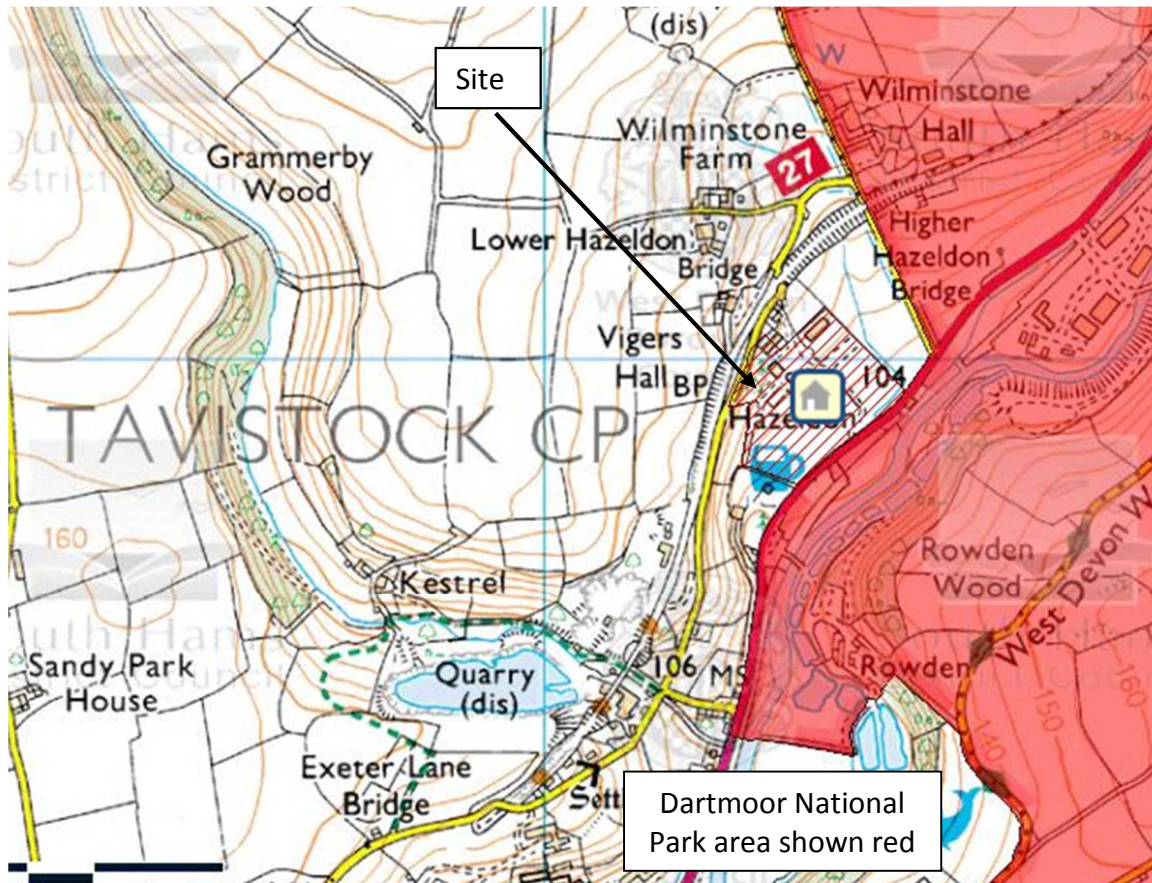
**Site Description:**

The site is located north of the A368 between Tavistock and Wallabrook. The site is the currently disused former Hazeldon Preparatory School and currently accommodates some buildings in the north western part of the site. The south and eastern parts of the site are grassed and were previously used as school playing fields.

The site is accessed directly from the A386 on the south eastern boundary. Along the north-western boundary are clusters and individual trees, with large, good-quality specimens at the northern end. The north-eastern boundary is an outgrown hedge, mostly beech with occasional oak, growing on top of a stone-faced hedge bank. The Old Exeter Road runs along this north-western part of the site and beyond that the National Cycle Network Route 27 (the Devon Coast to Coast cycle route). The southern boundary borders private residential properties which are served by their own direct access onto the A386. The north-eastern boundary is bordered by mature trees, hedging and fields, which appear to be improved grassland and used for animal grazing. It has a screen/shelter-belt of trees running along the south-eastern boundary to the adjacent road. The shorter south western boundary has no remaining tree cover and the land beyond is agricultural, with the National Park boundary one field to the north-east and adjoining the south eastern boundary.

Hazeldon House is located in the north western part of the site and sits on a raised plateau which slopes down to the former playing fields and further toward the A368 and site access. Tavy Cottage is Grade II listed and located 60m from the southern site boundary.

The site is adjacent to and adjoining the Dartmoor National Park (DNP) Authority boundary which runs along the A386 and then north east of the site. There are views of DNP from the site and views of the site from the DNP to the east.



The existing Hazeldon House sits in a parkland setting of 4.1 hectares. There are also significant tree constraints on the site which are examined in the submitted Arboriculture Report by Mitchell Architects.

### **The Proposal:**

The application seeks outline consent, with all matters reserved apart from access, for the development of up to 125 residential units (including 40% affordable housing and the conversion of the existing building to provide up to 10 apartments), access, highways improvements, parking, open space, landscaping and supporting infrastructure on the site of the former Hazeldon Preparatory School, Tavistock.

The application states that the new dwellings are anticipated to be 2 storeys or 2-3 storeys where ground levels change – specifically 3 storey houses in the southern lower reaches of the site and 2 storeys in the higher northern part of the site.

Tenure mix for the affordable housing has yet to be confirmed.

The existing access to the site is proposed to be retained with improved visibility splays and replacement tree planting.

### **Consultations:**

- Highways England – no objection, stating that it is satisfied that the traffic impact of the proposed development on the strategic road network is unlikely to be severe as defined by the NPPF.
- County Highways Authority – No objection subject to appropriate legal agreement the recommendation of conditions on any planning permission granted. Notes that the later submitted plans showing widening of footpath outside the site boundary represents a worthwhile improvement

for pedestrian safety in the area and should be provided to accommodate the potential increase in pedestrians to and from the site.

- Lead Local Flood Authority – following submission of additional information relating to drainage and flood risk the initial objection was withdrawn and the LLFA responded with no in principle objection on the basis that recommended pre-commencement conditions are imposed on any permission.
  - South West Water – no objection.
  - Dartmoor National Park Authority – no objection in principle to a sensitively designed scheme, but did object to the development as proposed, noting that the layout, design, density and isolated location does not reflect the present and historic pattern of development, that it is likely to result in an incongruous form of development with a significant impact on the ‘green corridor’ along Parkwood Road [the A386] and a fundamental change to the character of the local landscape to the detriment of the setting of the National Park.
  - WDBC Strategic Planning Section – recommendation of refusal, noting that the proposal is contrary to the provisions of the adopted planning documents for the area and the submitted version of the JLP. It is also considered to be an inappropriate, unsustainable location for this form of development and that it would have a significant detrimental visual impact on the location.
  - WDBC Environmental Health Section – following submission of additional information relating to contamination assessment, the initial objection was withdrawn and conditions were recommended to require a Construction Environment Management Plan and the provision of electric vehicle charging points.
  - WDBC Affordable Housing Section – no objection on affordable housing policy reasons but noted that location could be considered unsustainable from an affordable housing perspective due to the fact that it is detached from the town centre, and noted the reliance on the private car to get to schools which could be considered an issue.
  - WDBC Natural Environment Section - Objection on the basis of changes to local landscape character resulting in a fundamental and marked contrast to the existing character of the undeveloped, open, remote and green site, and the residual impacts of the development taking into account potential planting for screening.
  - WDBC Historic Conservation Service – objection based on concerns over the scale, density and nature of the proposed development which will cause harm to the immediate and designed setting of a heritage asset of local importance. It may be that some form of development could be accommodated on the site, but the scale, form, density and layout would need to be derived from a sympathetic assessment and understanding of the locality. As it stands this is not the case and so objection is maintained on the grounds of harm to the non-designated heritage assets of Hazeldon House and its historic parkland setting. In addition, notes less than substantial harm to the setting of Tavy Cottage.
  - WDBC Natural Environment Team – No objection subject to conditions:
    - Environmental Mitigation and Enhancement Strategy (including construction impact avoidance/mitigation measures, and sensitive lighting strategy) to be submitted with Reserved Matters
    - Prior to commencement Landscape and Ecological Management Plan
    - Specifications for onsite open space and play areas with Reserved Matters
- S106 clauses:
- Securing ongoing management and maintenance of public open spaces, boundary features, etc. in perpetuity and in accordance with the LEMP.

- Securing a sum in accordance with figures [set out in full response] to minimise recreational pressures from new residents on the Plymouth Sound and Tamar Estuaries European Marine Site.
  - Securing appropriate commuted sums [see full response] towards playing pitches, NEAP in Tavistock Meadows, and green space (to reflect table within consultation response, exact figures dependent on levels of onsite provision proposed at Reserved Matters) – note that the expectation (and lack of objection) is based on an expectation of provision of a level in accordance with policy standards.
- Town/Parish Council – Support
  - Environment Agency - no objections to this proposal provided that conditions are included on any permission granted in respect of contaminated land.
  - Devon and Cornwall Police Liaison Officer - It is appreciated that the application is submitted in outline with access only to be determined at this stage. Advice is given regarding detailed elements of the scheme that are not for consideration at this time.
  - CPRE – objection on the basis that the proposal fails to demonstrate that the social and environmental benefits justify residential development of this scale, in the open countryside, that the site is not previously developed land.
  - DCC Historic Environment Service - objection due to the level of impact on the historic landscape, including the setting of Hazeldon House which is an undesignated heritage asset of some merit, set within landscaped grounds. Supports the argument made by other consultees (e.g. Katherine Jones – Natural Environment; DNPA; CPRE) regarding unacceptable impact on the broader landscape. A smaller, less dense development, better respecting the setting of the house and character of the wider area, would be more acceptable.

Without prejudice to the above comments, should the LPA be minded to approve the application then I would agree with the recommendation in the Heritage Statement that there should be a condition requiring more detailed analysis of the historic building to inform design work to include better enhancing the setting of the heritage asset in terms of the extent of open space/soft landscaping.

- DCC Strategic Planning, Education Services - A contribution of £496,589.00 towards the proposed new primary school at Tavistock is requested (being 31 x £16,019.00).

Developer contributions towards the primary school land will not be sought as the land has been secured through a section 106 Agreement. No request for secondary education contribution. No requirement for a contribution towards primary or secondary school transport.

DCC requests £31,250.00 towards early year's provision at the new school and a contribution to cover legal costs – estimated £500.00.

- Sport England – comments awaited.

## **Representations:**

### **Representations from Residents**

15 letters of representation have been received, all of which raise objection to the proposed development. The letters cover the following points:

- Outside settlement boundary for Tavistock
- Separate from Tavistock
- Loss of land which is 'outstanding parkland'

- The site is not brownfield
- 125 dwellings is too dense development for the site size
- Potential for noise and pollution
- Development is detrimental to rural beauty
- A386 is a busy road and the access has history of accidents
- Road is subject to flooding and development would cause more flooding
- Increase in traffic levels on A386
- Increase in traffic crossing town to reach community facilities and services
- The environmental significance of the green land
- Development will create a new village with no other local facilities on the site
- Development would result in the over development around Tavistock
- The development is premature as other developments have yet to be delivered on allocated sites
- Unclear if the houses meet a local need for open market housing
- Loss of amenity for users of the National Cycle Network Route 27
- Negative impacts on the town of dispersing development in the area surrounding Tavistock
- Loss of visual amenity
- Impacts on nature conservation interests – in particular bats
- Potential for the need to upgrade power lines which could result in loss of trees
- Highway improvement works that the development would require would impact on the character of the rural area
- Proximity to Dartmoor National Park
- Increasing pressure on surrounding countryside as a recreational resource

## **Relevant Planning History**

There have been no planning applications directly relevant to this site.

## **ANALYSIS**

### **Principle of Development**

This is an outline planning application for the development of the site for up to 125 dwellings. Although an indicative plan has been provided, which demonstrates how the site could be developed, it is illustrative only. However, it is assumed that what is illustrated is the applicant's 'best shot' at demonstrating how this quantity of development could be successfully provided on the site. The only matter of detail to be considered is access. The key issue in the determination of the application is therefore whether the development of the site for the proposed quantity of housing is acceptable in principle.

The application site is not allocated for development in the Council's adopted development plan. It is located outside the Tavistock development boundary and is separated from the town by open countryside. The emerging Plymouth and South West Devon Joint Local Plan (JLP) allocates the site for an unspecified amount of extra care housing. The evidence base for the JLP shows that the allocation is based on the proposition that the extent of the re-development should be limited to the main house and the conversion or replacement of existing outbuildings and areas of hard landscape only.

Section 38(6) of the Planning and Compulsory Purchase Act 2004, and more recently paragraph 11 of the NPPF, states that regard is to be had to the development plan for the purpose of any determination to be made under the Planning Act, and the determination must be made in accordance with the plan unless material considerations indicate otherwise. In the case of residential development paragraph 49 of the NPPF states that "*relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.*" The first matter for consideration therefore is whether the Council can demonstrate a five-year housing supply.

The Council's updated Objectively Assessed Need (OAN), which is used for the basis to establish whether the Council can demonstrate a five year housing land supply (5YLS), is currently untested. Definitive testing the OAN will take place during the JLP Examination, oral hearings for which commence on 30<sup>th</sup> January 2018. The figure for OAN was also the subject of evidence and argument in a very recent planning appeal but the appeal decision has not yet been published. At this appeal the Council's case was that it could demonstrate a 4.3 year supply; the appellant's case was that there was a 2.5 year supply. In the determination of this application the committee should assume that the Council cannot demonstrate a 5YLS and that the available supply lies somewhere between 2.5 and 4.3 years.

To address this situation the Council has engaged in the preparation of a Joint Local Plan (JLP) with South Hams and Plymouth Councils. In co-operation with its neighbours the JLP will see the OAN for the housing market area delivered across administrative boundaries, with a housing target attributed to West Devon. On adoption of the JLP there will be a 5YLS. If all goes to plan with the forthcoming examination of the JLP, then it is expected that the JLP will be adopted in about September this year. If, however, the independent examination discloses the need for further work to be done on the JLP, adoption might not be until about August 2019. Having regard to the shortfall in supply, and the length of time it might take to rectify it, it is considered that the benefit of releasing this site for housing is something that should be given moderate weight in the planning balance.

The Local Development Framework for West Devon Borough Council includes:

- 2011 Core Strategy
- Proposals Map
- Settlement Maps
- 2005 Local Plan Review (as amended 2011)

These documents remain in place until they are superseded by the adoption of the Plymouth and South West Devon Joint Local Plan. The most recent development plan documents are the West Devon Local Plan Review (2005) and the West Devon Core Strategy (2011). The Core Strategy made housing provisions based on the South West RSS for the period up to 2026. The Core Strategy policies and provisions retain a degree of 'weight' in relation to planning decisions, although it is recognised that both of these plan documents were based on previous strategic planning time periods and both pre-date the NPPF.

The NPPF states that for the purposes of decision taking, the policies in the Local Plan should not be considered out of date simply because they were adopted prior to the Framework. Due weight should be given to relevant policies in existing plan according to their degree of consistency with the Framework. Caselaw (*Barwood Strategic Land II LLP v East Staffordshire District Council & Anor* [2017] EWCA Civ 893, June 2017) confirms that, even where a Council's policies are considered out of date and paragraph 14 of the Framework is engaged, the existing development policies are not disregarded, rather their weight must be carefully considered depending on their conformity with the Framework. The Framework maintains a distinction between rural and urban areas as location for the provision of new housing and recognises that housing can help with the vitality of rural communities, and that market housing can facilitate the provision of affordable housing. In this context adopted local plan policies are attributed moderate weight in the planning balance in this report. However, the mere fact that the application site is outside an existing settlement boundary is not a matter that counts against the proposal significantly. What is important is to focus on the sustainability of the development proposal in this location.

As noted above, paragraph 14 of the NPPF is very pertinent to the decision taken in respect of this application. Paragraph 14 states:

*"At the heart of the National Planning Policy Framework is a **presumption in favour of sustainable development**, which should be seen as a golden thread running through both plan-making and decision-taking .... For **decision-taking** this means <sup>10</sup>:*

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out of date, granting permission unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
- specific policies in this Framework indicate development should be restricted.”

Footnote 10 reads: “Unless material considerations indicate otherwise.”

## **Sustainable Development**

Paragraph 7 of the NPPF identifies the three dimensions of sustainable development. Therefore it is appropriate to consider the sustainability of the proposed development, in terms of the social, economic and environmental benefits and adverse impacts that might result if it were to be permitted to proceed.

### **The Economic Role**

Housing development is recognised as an important driver of economic growth and there would be economic benefits to the construction industry from the proposed development. Once the dwellings were occupied there would be an increase in the level of disposable income from the occupants which would be likely to be spent in the local area with some increase in the demand for local goods and services.

### **Economic Dimension Balance**

On balance it is considered that the economic impact of the development is positive and there is no evidence that the development would result in significant adverse harm in economic terms. As such, this aspect of sustainable development is considered to be in favour of the development.

### **The Social Role**

#### **Provision of housing including affordable housing**

The principle social benefit of the proposed development would be the provision of additional housing, including 40% of the homes being affordable and meeting a need in the immediate area. The mix in terms of tenure and size of units was not set out.

The Council’s Affordable Housing officer has confirmed that the proposed 40% affordable housing provision complies with policy SP9 and the affordable housing code of practice and does not object to the application on affordable housing policy reasons. However, the Affordable Housing Officer does go on to note that the site is allocated in the JLP for extra care housing and “*could be considered unsustainable from an affordable housing perspective due to the fact that this is detached from the town centre, this is detailed in TTV24 of the JLP*” in particular noting the distance from amenities in the town centre, in particular the reliance on the private car to get to schools.

It is noted that the Joint Local Plan process considered part of the site as potentially suitable for development (albeit for 12 units rather than the 125 proposed by this application). However, further assessment through the iterative local plan process discounted the site for housing development and the allocation which is included in the Regulation 19 draft version of the JLP considered the site suitable only for ‘extra care housing’. As the Strategic Planning consultation response explains, “*this is in recognition of the potential scope for re-use of the existing buildings and/or re-development on this brownfield part of the site ... This allocation recognises the opportunity presented by the re-use of the existing buildings and the increasing need through the plan period for accommodation for the elderly age groups.*”

The needs of residents of extra care housing are also distinct and different from general residential occupants. Extra care residents are less likely to walk or cycle the 2km to town centre services in



Tavistock, and less likely to have access to personal motor vehicles. Extra care residents would be more likely to use the public bus service or some kind of community transport solution. Taking this into account, while the Council is considering the site for extra care housing (this has yet to be determined through the Examination In Public of the JLP commencing 30<sup>th</sup> January 2018), this is distinct from a consideration of market accommodation where proximity to and accessibility of town services, and the attractiveness of pedestrian and cycle routes as transport options are relevant and material planning considerations. Those matters are considered in more detail below.

## **Impact on Existing Infrastructure**

### Community infrastructure

The County Council has requested:

- A contribution of £496,589.00 towards the proposed new primary school at Tavistock is requested (being 31 x £16,019.00).
- A contribution towards early years' provision at the new primary school in Tavistock is also sought. This is at a rate of £250 per dwelling. DCC is therefore requesting £31,250.00 towards early year's provision at the new school.
- Approximately £500 toward legal costs

The submitted draft Heads of Terms provided with the application reported that the developer shall pay the standard education contribution payment per eligible residential unit toward the improvement of existing educational facilities. This would adequately deal with the increased demand on education in the local area resulting from the occupants of the proposed development.

### Transport infrastructure

The highways impacts are considered elsewhere in the report and it is concluded that the development will not result in any significant impact upon the traffic levels using the A386. The application includes alterations by way of pavement widening to improve pedestrian safety on the route into Tavistock along the A386.

Although the site is some 2km from the town centre, it is situated on an existing bus route that has a service to the town. The nearest bus stop to the site is located approximately 1km to the east, near the main Mount Kelly School entrance. As part of the development the application proposed to deliver new bus stops near the site entrance. The application suggests that the proposed new bus stops in this location might also benefit people working at the nearby Pitts Cleave Industrial Estate and encourage people to shift to bus from car journeys. While the pavement on the northern side of the A386 does extend from the application site to Pitts Cleave Industrial estate, this kind of modal shift of established travel patterns is unlikely and would be limited in scope by the size of this industrial estate and its employees. It is not considered to be a particularly significant benefit in the planning balance.

The application also notes that north of the site is the National Cycle Network Route 27 (NCN 27) which runs from Ilfracombe to Plymouth. While it provides an attractive leisure cycle route, it is not considered to be a suitable commuter route for future occupants of the site because of the secluded character of the path which would be likely to deter users in darker winter months and make it unsuitable for children to use alone. It is also noted that the secondary school is remote from the site which would deter pupils from using the NCN 27 as a viable route to school. While Local Plan policy T1 suggests that where appropriate, provision should be made for NCN routes within developments, the application does not include any proposal for a connection with the cycle route to take advantage of the (somewhat limited) scope for occupants to use it.

### Natural environment / green and blue infrastructure

The Council's Assets and Place Making Officer provided comments on the proposal and raised no objection. Recommendations of conditions and S106 clauses were made as set out below to secure support for environmental infrastructure where relevant.

#### Suggested conditions:

- Environmental Mitigation and Enhancement Strategy (including construction impact avoidance/mitigation measures, and sensitive lighting strategy) to be submitted with Reserved Matters
- Prior to commencement Landscape and Ecological Management Plan
- Specifications for onsite open space and play areas with Reserved Matters

#### Suggested S106 clauses:

- Securing ongoing management and maintenance of public open spaces, boundary features, etc. in perpetuity and in accordance with the LEMP.
- Securing a sum determined by a contribution per dwelling (varied to reflect property size) to minimise recreational pressures from new residents on the Plymouth Sound and Tamar Estuaries European Marine Site.
- Securing appropriate commuted sums towards playing pitches, NEAP in Tavistock Meadows, and green space (to reflect table within consultation response, exact figures dependent on levels of onsite provision proposed at Reserved Matters). Note that the expectation (and lack of objection) is based on an expectation of provision of a level in accordance with policy standards as set out above.

The suggested conditions are common requirements to require necessary detail in reserved matters applications, and the suggested legal requirements would help to mitigate anticipated impacts of the development on the wider natural environment (known as 'green and blue infrastructure'). However the application does not propose any notable real terms environmental infrastructure gains as a result of the development. Accordingly this element is considered to be neutral in the planning balance.

It is recognised that the subject site previously comprised (in part) school playing fields, however it is believed these have not been used since the prep school closed, and the previous use was not by the wider community (e.g. formalised through a Community Use Agreement). Accordingly, these pitches were not included within considerations of the West Devon Playing Pitch Strategy (2015), and WDBC's Assets and Place Making Specialist does not consider retained Local Plan policy TLS7 to apply.

Whilst the proposed development does not accommodate playing pitches, new residents from the proposed development would apply pressure to existing formal sports facilities in Tavistock, and add to the requirement for new/improved facilities. The West Devon Playing Pitch Strategy (2015, and annual updates thereafter) is an up to date assessment and identification of need for playing pitches, and priority projects to meet future pressures from new development. A sum secured through a legal agreement would support priority projects within the Playing Pitch Strategy, mitigating the pressure generated by the proposed development.

#### **Impact on Neighbours**

Residential neighbours to the site are limited by the rural character of the site. To the south of the site is Tavy Cottage which is Grade II listed. Detailed consideration of impact on this Heritage Asset is provided in the section below. In terms of neighbour amenity, the proposed site immediately borders this property and so the outlook from it would change from a rural character with absence of buildings, to a dense urban form and active use. While it is accepted that views are not protected in planning terms, the character of the location and sense of place, as noted in the WDBC Strategic Planning consultation comments, would unequivocally change. While the indicative layout provided by the application shows rear gardens bordering this boundary and tree planting, the presence of buildings and activity on the site would be evident.

There is another residential property located north of the site and on the far side of the railway track on the northern boundary of the site. Intervening mature vegetation provides some screening of the site which is located downslope from this location, however the extent of intervening views has not been established. Again the character of the area and setting of this residential property would change from ostensibly a rural countryside location, to one bordering a suburban settlement.

There are no objections from WDBC Environmental Health Officers and no concerns in terms of noise or air pollution which might impact on neighbours.

### **Impact on Heritage**

Devon County Council Historic Environment Service (DCC HES) have commented on the proposal and objects to the submitted proposal due to the level of impact on the historic landscape, including the setting of Hazeldon House. DCC HES and Council Conservation Officers note that this part of Tavistock is characterised by a sequence of late 18<sup>th</sup> to late 19<sup>th</sup> century properties set in parkland and gardens, which includes Hazeldon House (mid 1800s), Kelly College (1870s), Parkwood (c.1830), Mount Tavy (c.1790), Rowden (by 1880), Tavy Cottage (early 1800s) and also Wilminstone Hall and Vigars Hall. Although these properties and their grounds have seen modification and development in the later 20<sup>th</sup> and early 21<sup>st</sup> centuries, the lawns, gardens, individual trees and woodland of these designed landscapes remain a characteristic feature of this approach to the town of Tavistock, including the Conservation Area and World Heritage Site.

DCC HES notes that the submitted Heritage Statement (Cotswold Archaeology, April 2017) recognises Hazeldon House as *“an undesignated heritage asset of some merit, set within landscaped grounds”* and while it welcomes the intention to retain Hazeldon House within the scheme, together with localised open space in its immediate setting, the County Archaeologist comments that *“the overall number of houses and density of the proposed development represents an unacceptable impact on the historic landscape. Although this landscape is undesignated its historical dimension, in my opinion, supports the argument made by other consultees (e.g. Katherine Jones – Natural Environment; DNPA; CPRE) regarding unacceptable impact on the broader landscape. A smaller, less dense development, better respecting the setting of the house and character of the wider area, would be more acceptable.”*

Of course, the LPA can only consider the illustrative proposal for 125 dwelling on the site which has been presented to it, and must decide whether it agrees that this level of development and not an alternative scheme, represents an unacceptable impact on the historic landscape.

WDBC Conservation Specialist has also provided comment on the scheme and supports the assessment of the DCC HES and County Archaeologist raising concerns regarding the scale, density and nature of the proposed development. In particular the Conservation Specialist notes the likely impact on Tavy Cottage and while the extent of impact *“may not be great”*, the arrival of a dense urban housing estate adjacent to it would result in some level of harm and challenges the conclusion of the applicant’s assessment that ‘no harm’ would result. The Conservation Specialist notes that the importance of the existing planting to the setting of this listed property has not been established.

In addition, WDBC Conservation Specialist also considers the applicants assessment to *“underplay the status of [listed] Hazeldon House”* with reference to paragraph 135 of the NPPF which requires a *“balanced judgement ... having regard to the scale of any harm or loss and the significance of the heritage asset.”* There is consensus that Hazeldon House is a non-designated Heritage Asset. DCC HES and WDBC Conservation Specialist both agree that *“the setting of Hazeldon House is integral to its significance.”* It is one of a number of local properties set in parklands and gardens, and the proposed development would irrevocably alter the setting, to the detriment of the significance of the heritage asset, by introducing a suburban form of development in its immediate surroundings. While there has already been some loss of the original setting and landscape of the original house from the developments associated with the Preparatory School use, the proposed development would undoubtedly result in further and more significant loss which will give rise to significant harm to be weighed in the planning balance..

There are also likely to be direct impacts that would result in harm to the significance of Hazeldon House as part of the subdivision works to accommodate the proposed 10 units.

In summary, effects on the significance of the identified non-designated heritage asset caused by the further substantial loss of its historic setting and likely direct impacts on the same building as a result of conversion works, together with the small amount of harm caused to the significance of the listed Tavy Cottage, is contrary to WDBC policies relating to heritage – SP18, BE3 and NE10 and NPPF paragraphs 132 – 135.

### **Community cohesion**

The site location, being remote from Tavistock also has implications for the formation of community amongst the residents of the development. There is no visual link between the site and the town which would create a perception of remoteness and separation for the occupants which is not conducive to development community cohesion with the town. Access to community organisations, shops and activities in the town may be reduced because residents are likely to make more planned and infrequent visits, and may be deterred from making extra trips to attend classes, clubs and events in town.

The WDBC Strategic Planning consultation response describes the sense of location of the site as outside the town of Tavistock, beyond and separate to edge of settlement development and providing a transitional area to the National Park beyond. This site is technically (in planning terms), and perceptually a countryside location with the closest form of development being individual houses and small hamlets. Planning Officers agree with Strategic Planning argument that *“this ‘sense of [countryside] location’ is supported by the established planning policy designations for the site. It has always been shown as being outside the Tavistock Settlement Boundary and has never been proposed for any form of development in an adopted plan document.”*

However, given that the JLP allocated the site for the creation of an extra-care ‘community’, this is not a matter that attracts significant adverse weight in the planning balance.

### **Social Dimension Balance**

In respect of the social aspect of sustainability a number of objections have been raised including noise, the busy A386 which makes the footpath link into Tavistock less attractive and safe for pedestrians to use (particularly for young children). Concern was also raised in relation to increase in traffic in Tavistock from the additional residents, and conversely the potential for negative impacts on the town of dispersing development outside of Tavistock. It was also suggested that this development would essentially create a ‘new village’ in the countryside but without any local community facilities on site to serve the occupants.

While there would be social benefits in terms of the provision of improved local bus service and the development would secure contributions toward local environmental improvements and community facilities, these are to mitigate for the effects of the development rather than deliver real terms improvements and so the benefit in this respect is limited.

There are significant adverse social impacts in terms of direct and indirect damage to a non-designated heritage asset, and potential adverse impacts on a designated heritage asset adjoining the site, both of which are part of local cultural heritage.

With reference to NPPF paragraph 134, the public benefit of housing delivery including affordable housing provision weighs in favour of the development and by itself would outweigh the harm to the listed heritage asset Tavy Cottage. However, taking into account the adverse effect on significance of Hazeldon House, with reference to NPPF paragraph 135, the scale of harm likely to result directly upon that building, and certainly to result indirectly in terms of development within its setting, is not considered to be outweighed by the boost to supply of housing which carries moderate weight.

The physical and perceptual remoteness of the development weighs against the proposal as it would establish a distinct and detached settlement with no community facilities in an unplanned location.

Overall, and allowing for the benefit of boosting housing supply at this time, it is considered that the proposed development does not amount to socially sustainable development.

## **Environmental Considerations**

### **Background**

As part of the iterative JLP drafting process, LPA Natural Environment staff were consulted, and, in particular, the recommendation of the landscape assessment carried out by that team was to restrict development to the existing building footprints on the site, or their conversion. This assessment informed the final Regulation 19 version of the JLP which is scheduled for Examination this spring. Specifically, the landscape assessment recognised the value of the character of the site and highlighted overdevelopment as a concern. The illustrated 125 houses on the site is a relatively dense form of development and proposes 25% more dwellings than the 100 across the same site which the JLP considered, and dismissed, in its earlier stages. The Regulation 19 draft JLP proposes only extra care housing on this site but does not specify the number of units. As noted above, the intention was for the existing buildings only to be re-developed.

### **Visual Impact and Protected Landscapes**

The application site is not in an AONB or within the boundary of the Dartmoor National Park (DNP) but it should be noted that the site is immediately adjacent to the DNP boundary.

DNP responded to the consultation to advise that it does *“not have an objection in principle to a sensitively designed scheme in this location”* but it *“do[es] object to the development as proposed in this application.”* Specifically it notes that the development would result in an incongruous form with a significant impact on the green corridor along Parkwood Road *“to the detriment of the National Park.”* It notes that in its proposed form, it would not maintain the local landscape character and would be detrimental to the setting of the National Park site is an important gateway to the Park.

Paragraph 7 of the NPPF identifies the environmental role of the planning system as *“contributing to protecting and enhancing our natural, built and historic environment ...”*. As such the impact of the proposed development on the natural environment – particularly landscape – is of fundamental importance in the consideration of this application.

### **Design/Landscape:**

The Landscape Officer comments clearly describe the landscape of the site area as:

*“one influenced by human development and previous land uses rather than agricultural countryside, however it is nonetheless predominantly undeveloped, open and green; providing a pleasant approach to Tavistock from the National Park, with these “green” and “open” elements providing a positive character to the transition between the settlement and the National Park.”*

The site lies partly within Landscape Character Type 3F Settled Valley Floors, and 3G River Valley Slopes and Combes, the relevant characteristics and attributes of the area include:

- A mixture of broadleaved and plantation/mixed woodland clothes the steep valley sides, some of which is ancient. Mature trees are also a feature along roads and footpaths. Woodland is sparse closer to the settlements.
- Retains some naturalistic qualities, particularly in the woodland areas and the areas further away from the settlements.
- Valued semi-natural habitats, including rivers, wet grassland and broadleaved woodland which may be ancient in origin.
- The setting the river valleys provide to adjacent historic settlements and landscapes, including Conservation Areas and Registered Parks and Gardens.
- Extensive use for both formal and informal recreation with sports facilities and numerous rights of way including long distance trails.
- Field boundaries are generally species-rich hedge banks with low hedges and mature hedgerow trees on lower slopes with stone gateposts and facings to banks at field entrances.

Planning Officers agree with the Landscape Officer that, the introduction of residential development of the density proposed here would fundamentally conflict with the above characteristics and result in “a marked contrast to the existing character of the site, with no visible or perceptual context of the town edge available.” The Landscape Officer goes on to conclude that, “given the remoteness of the site, and the sensitivity of the location on the boundary of the National Park, I would consider the change to result in significant and adverse effects on local landscape character.”

It is noted that mitigation planting could increase vegetation which would contribute the vegetated valley character, and that this vegetation could screen the development in some views. There would, however still be a “fundamental and adverse change in character in this remote location” and the development, its volume and the density of buildings would likely remain plainly evident to users of the adjoining and approaching roads. Even glimpsed views and views from a distance would convey the change in character from a green open space to a dense urban form and this this remote countryside location would be harmful to the landscape character described above.

The Strategic Planning response comments that “these grounds present a transition from the urban area to the open countryside and national park beyond.”. The site is separate from Tavistock town, it is distinct from other ‘edge of settlement’ sites, and it’s visual and physical detachment reflects the countryside location and following years without use, the extensive, open part of the site fronting onto the main road which was previously laid-out as playing fields, has become a visually important part of the site blending the land back into the open ‘green’ and natural landscape which surrounds it.

While it is recognised that there are mature trees and hedging along sections of the site boundary, the WDBC Landscape Officer comments that:

*“Whilst the argument is made that mitigation planting would both screen the proposals and contribute to the well-vegetated valley character, this would not alter the fundamental and adverse change in character in this remote location. Even with additional vegetation, the volume of new development being proposed would be plainly evident to users of the adjoining and approaching roads, including the route of the NCN27. There are also likely to be other views from the surrounding area which, whilst not gaining full views of the site in its entirety, would pick up a cluster of roof ridges in an isolated location. Such perception of the density and volume of the development currently proposed in an isolated, rural location would also be harmful to character.”*

While paragraph 115 of the NPPF advises that “great weight should be given to conserving landscape and scenic beauty in National Parks”, the application site is not “in” the DNP, so this advice is not applicable. However, paragraph 109 of the NPPF advises that “The planning system should contribute to and enhance the natural and local environment by ... protecting and enhancing valued landscapes ....”. Given the importance of this piece of landscape adjacent to the DNP, and as an “important gateway” to it, and given the effect of the proposed development on views out of the DNP, it is considered that the application site is a landscape that should be protected in accordance with paragraph 109 of the NPPF.

It is not considered possible to adequately mitigate the adverse visual impact of the proposed density upon the character of the site and the setting of Dartmoor National Park with landscaping as might otherwise be required by WDBC policy BE13.

In summary, the site is a valued landscape in the countryside which the NPPF advises should be protected, it is largely open green space with an existing small cluster of buildings. The proposed development would adversely change the character of the site to a dense one of suburban development which does not accord with the landscape character types which apply to it. Mitigation in the form of planting to screen the site would not entirely conceal the development. The change would be significant and adverse. This is a matter that attracts very significant weight in the planning balance.

West Devon Local Plan Review (2005) policy NE10 requires that *“development in the countryside outside settlements or not otherwise in accordance with policies or allocations in the Plan will not be permitted unless ... it does not cause unacceptable harm to the distinctive landscape character of the areas and the important natural and made features that contribute to that character including view.”* Taking this into account the proposed development also fails to support the relevant local Plan policy because, and leaving aside the issue of the settlement boundary for the moment, the development would cause unacceptable harm.

### **Biodiversity**

An Ecological Impact Assessment (EPS Ecology, May 2017) has been submitted with the application. It notes that the site comprises predominantly poor semi-improved grassland (former school grounds), school buildings, hard surfacing, flower/shrub beds, and is surrounded by species-rich hedgerows with trees. WDBC Assets and Place Making Specialist responded to the consultation noting that *“the poor semi-improved grassland has limited wildlife value, however there is significant value in the species-rich hedgerows with trees and the EclA notes that these qualify as a NERC s41 Habitat of Principle Importance.”*

Bat activity surveys confirmed use of the hedgerow features for foraging and commuting bats, although it should be noted that the surrounding poor semi-improved grassland is not of significant value to bats. Potential for impacts upon light sensitive bat species can be mitigated through sensitive lighting design and appropriate layout at Reserved Matters Stage (to be included in an Ecological Mitigation and Enhancement Strategy as recommended by the specialist via condition if consent were granted). Reserved matters could also use layout to provide greenspace buffers to avoid residential light spillage into boundary features.

Offsite, the proposed development site falls within the Zone of Influence for new residents having a recreational impact on the Plymouth Sound and Tamar Estuaries European Marine Site (comprising the Plymouth Sound and Estuaries SAC, and Tamar Estuaries Complex SPA). As such the WDBC Specialist has recommended a sum to be secured via s106 to contribute toward the Marine Site management.

Taking these matters into account, it is considered that there is no significant demonstrable adverse biodiversity impact of the proposed development and in this respect the development therefore conforms to the Framework’s environmental protections and relevant WDBC Core Strategy policy SP19.

### **Heritage**

This has been considered in detail in earlier sections relating to the social/cultural impacts of the development.

### **Environmental considerations balance**

While no adverse biodiversity impacts have been identified, there is no materially demonstrable biodiversity benefit either. There are significant adverse effects in terms of landscape character and visual impact. Overall, the proposal is not judged to be environmentally sustainable.

### **Other matters**

#### **Highways/Access:**

Site access is detailed in the outline planning application. However in view of DNPs comments regarding the form of development and layout, were consent to be granted, the route of the access within the site should be determined at a later date when the overall density and layout is considered.

Additional information provided by the applicant set out proposals to widen the footpath east of the site between the site access and the Trout and Tipple public house. While this would provide a footpath that meets highways standards and improve the connection between the site and the town, the road is an increasingly busy key route into Tavistock and is used by HGVs. The appeal of using

even a widened footway to access town from the site then is reduced by the nature of the road and surroundings – particularly for families with young children.

The application has been supported by a full Transport Statement (TS), the content and scope of which is broadly accepted by the Highway Authority. Highway comments note that, although the proposed development will result in additional vehicle movements throughout the day, morning peak movements to and from the site will be fewer than the existing authorised use. The design of the site access complies with contemporary design guidance and there are no recorded personal injury accidents on the County's database within the proximity of the site.

The Highways Authority does not object in principle to the development. It notes that it would be beneficial to provide a link to the adjacent NCN route (which has been discussed earlier in this report). The Highways Authority make a recommendation regarding specific provision of the additional bus stops and timings of the service which would benefit the proposal as well as the necessary financial contribution – if consent were granted.

WDBC Strategic Planning comments highlight Core Strategy policy SP14: Accessibility Planning which states that *“Development should be located so as to reduce the need to travel...’ These planning principles expressed in these policies are long established at local and national level and continue to be enshrined in the NPPF – put simply that housing development in the open countryside should be strictly controlled, and that housing development should be located where its residents have a relatively short walk to basic services and facilities. This proposal contravenes both of these principles.”*

Furthermore, NPPF paragraph 17 identifies the role of planning to *“actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in location which are or can be made sustainable.”* While the application does include improvements to the footpath link to Tavistock, proposals for additional bus stops and a financial contribution to improved bus service, the development of up to 125 dwellings in this countryside location is a significant development in the local context. Its location does not make ‘fullest possible use’ of public transport and walking and cycle routes and is not located to encourage the use of non-car modes of travel.

### **Drainage**

The geotechnical investigation of the site confirms that the proposed drainage infrastructure can be designed to restrict outflows from the site in line with Environment Agency requirements and including sustainable drainage systems. Foul drainage would be separated from surface water drainage and the proposal is to construct to South West Water adoptable standards.

South West Water raise no objection to the proposal. The Lead Local Flood Authority raised no in principle objections on the basis of the information submitted, but recommended a number of planning conditions to be applied if consent were to be granted.

### **Environmental Health Considerations**

WDBC Environmental Health Officer raised no objection to the proposed development. There were no air quality, noise, odour or contamination concerns. The Officer recommended that if planning consent is granted, that planning conditions to secure a Construction Environment Management Plan and a scheme for implementation of electric vehicle charging points are attached.

### **The suggested status of the land as “previously developed”**

The Planning Statement reports that the SHLAA in 2017 which informed the emerging JLP noted that part of the subject site is brownfield land. The applicant’s Planning Statement considers the NPPF is *“clear that the entire site is previously developed land.”* However, given the NPPF glossary definition of previously developed land (Annex 2), this needs further consideration. The pertinent exemption to the definition of previously developed (brownfield) land and caveat have been highlighted below:



*“Previously developed land: Land which is or was occupied by a permanent structure, including the curtilage of the developed land (**although it should not be assumed that the whole of the curtilage should be developed**) and any associated fixed surface infrastructure. **This excludes:** land that is or has been occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures; land in built-up areas such as private residential gardens, parks, recreation grounds and allotments; and **land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time.**”*

It is acknowledged that the areas occupied by buildings on the site can be classed as previously developed / brownfield land. The establishment of other areas on the site as playing fields would constitute development (as an example of engineering works). However, the areas previously used as playing fields have not been used for a number of years and have since somewhat blended into the landscape. In this respect, only a small portion of the site, and much less than the applicant has assumed, is considered by the LPA to be brownfield land. Further, even if the whole of the site is technically to be regarded as being previously developed land, this is a classic case where the caveat applies: **it should not be assumed that the whole of the curtilage should be developed**. As such, the application proposal is not entitled to any significant weight on the basis that it is re-using previously developed land that ought to be re-used or re-developed.

### **The Overall Planning Balance and Conclusion**

The application seeks outline planning permission to establish the principle of whether the development of the site for up to 125 dwellings is acceptable. The only detailed matter to be considered is the access to the site.

Whilst the indicative plan demonstrates how housing, open space, play areas and footpaths could be accommodated on the land, the details of the layout, scale and appearance of the buildings would be subject to a separate Reserved Matters application to be considered on its merits.

The proposed development would conflict with Development Plan policies and would result in residential development in the open countryside. It is considered that, in the absence of being able to demonstrate a 5 year housing land supply, the policies in the Development Plan with regards to housing are out of date. In such circumstances the NPPF sets out that the issue to consider is whether the proposal represents sustainable development and, if it does, there is a presumption in favour of the scheme.

For the reasons set out in this report, it is considered that the proposal does not satisfy the three dimensions of sustainable development with respect to its unsustainable location, significant adverse landscape impacts and adverse historic environment impacts. In these respects, the adverse impacts of the proposed development would significantly and demonstrably outweigh the social and economic benefits of the proposal when assessed against the NPPF as a whole. The proposal conflicts with Core Strategy policy SP1 – Sustainable Development. While the Town Council supports the scheme, there is significant local objection and objections have been received from statutory consultees and Council Specialists.

Paragraph 203 of the NPPF advises that LPA *“should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations”*. The application is for *“up to 125”* dwellings and that is the scheme that has been illustrated in the material submitted to the Council and sent on to consultees for consideration and assessment. Consideration has been given to whether a condition limiting the amount of development below, or even well below, a 125 dwellings ceiling could make this development proposal acceptable. In this case officers consider that it would not be possible to do so because it is just not possible to say, on the basis of the current information supplied by the applicant, what might be acceptable, and the Council does not

have the views of statutory consultees on any substantially revised scheme. If the applicant wishes to submit a revised scheme that would, of course, will be considered afresh.

Therefore, in conclusion, this application is recommended for refusal, for the reasons set out at the start of this report.

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

## **Planning Policy**

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.

The relevant development plan policies are set out below:

### **West Devon Borough Council Core Strategy 2011**

- SP1 – Sustainable Development
- SP4 – Infrastructure Provision
- SP5 – Spatial Strategy
- SP6 – Density of Housing Development
- SP7 – Strategic Distribution of Housing
- SP8 – Inclusive Communities
- SP9 – Meeting Housing Needs
- SP10 – Supporting the Growth of the Economy
- SP13 – Community Services and Facilities
- SP14 – Accessibility Planning
- SP15 – Traffic Management
- SP16 – Safer Communities
- SP17 – Landscape Character
- SP18 – The Heritage and Historical Character of West Devon
- SP19 – Biodiversity
- SP20 – Promoting High Quality Design
- SP21 – Flooding
- SP23 – Tavistock
- SP24 – Sustainable Rural Communities

### **West Devon Borough Council Local Plan Review 2005 (as amended 2011)**

- NE10 – Protection of the Countryside and Other Open Spaces
- BE3 – Listed Buildings
- BE4 – Features and Artefacts of Local Importance
- BE13 – Landscaping and Boundary Treatment
- H26 – Open Space Provision in New Residential Developments
- H31 – Residential Development in the Countryside
- T1 – Walking and Cycling
- T2 – Pedestrian and Cyclist Safety
- T5 – Public Transport
- T8 – Car Parking
- T9 – The Highway Network
- PS2 – Sustainable Urban Drainage Systems

PS3 – Sewage Disposal  
PS4 – Private Water Supply

## **Open Space Sport and Recreation DPD**

### **Emerging Joint Local Plan**

The Plymouth and South West Devon Joint Local Plan (the JLP) will replace the above as the statutory development plan once it is formally adopted.

Annex 1 of the National Planning Policy Framework (the Framework) provides guidance on determining the weight in relation to existing and emerging development plan policies.

- For current development plan documents, due weight should be given to relevant policies according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).
- For the JLP, which is an emerging development plan, the weight is to be determined by the stage of its preparation, the extent to which there are unresolved objections, and its degree of consistency with the Framework.

The JLP is at a relatively advanced stage of preparation. The precise weight to be given to policies within the JLP will need to be determined on a case by case basis, having regard to all of the material considerations as set out on the analysis above.

## **PLYMOUTH AND SOUTH WEST DEVON JOINT LOCAL PLAN -: PUBLICATION (as considered by the Full Councils end Feb/Early March 2017)**

SPT2 Sustainable linked neighbourhoods and sustainable rural communities  
SPT3 Provision for new homes  
SPT10 Balanced transport strategy for growth and healthy and sustainable communities  
SPT11 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  
TTV3 Strategic infrastructure measures for the Main Towns  
TTV20 Spatial priorities for development in Tavistock.  
TTV24 Other sites allocations in Tavistock  
TTV31 Development in the Countryside  
DEV1 Protecting amenity and the environment  
DEV2 Air, water, soil, noise and land  
DEV3 Sport and recreation  
DEV4 Playing pitches  
DEV8 Meeting local housing need in the Thriving Towns and Villages Policy Area  
DEV9 Accessible housing  
DEV10 Delivering high quality housing  
DEV15 Supporting the rural economy  
DEV20 Place shaping and the quality of the built environment  
DEV21 Conserving the historic environment  
DEV22 Development affecting the historic environment  
DEV24 Landscape character  
DEV27 Nationally protected landscapes  
DEV28 Protecting and enhancing biodiversity and geological conservation

DEV29 Green and play spaces (including Strategic Green Spaces, Local Green Spaces and undesignated green spaces)  
DEV30 Trees, woodlands and hedgerows  
DEV31 Specific provisions relating to transport  
DEV32 Meeting the community infrastructure needs of new homes  
DEV33 Waste management  
DEV34 Delivering low carbon development  
DEV35 Renewable and low carbon energy (including heat)  
DEV36 Community energy  
DEV37 Managing flood risk and Water Quality Impacts  
DEL1 Approach to development delivery and viability, planning obligations and the Community Infrastructure Levy

**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.

## PLANNING APPLICATION REPORT

**Case Officer:** Matt Jones

**Parish:** Exbourne **Ward:** Exbourne

**Application No:** 1987/17/FUL

**Agent/Applicant:**  
Mr John Wilde  
4 Crestfield Rise  
Ivybridge  
PL21 9TJ

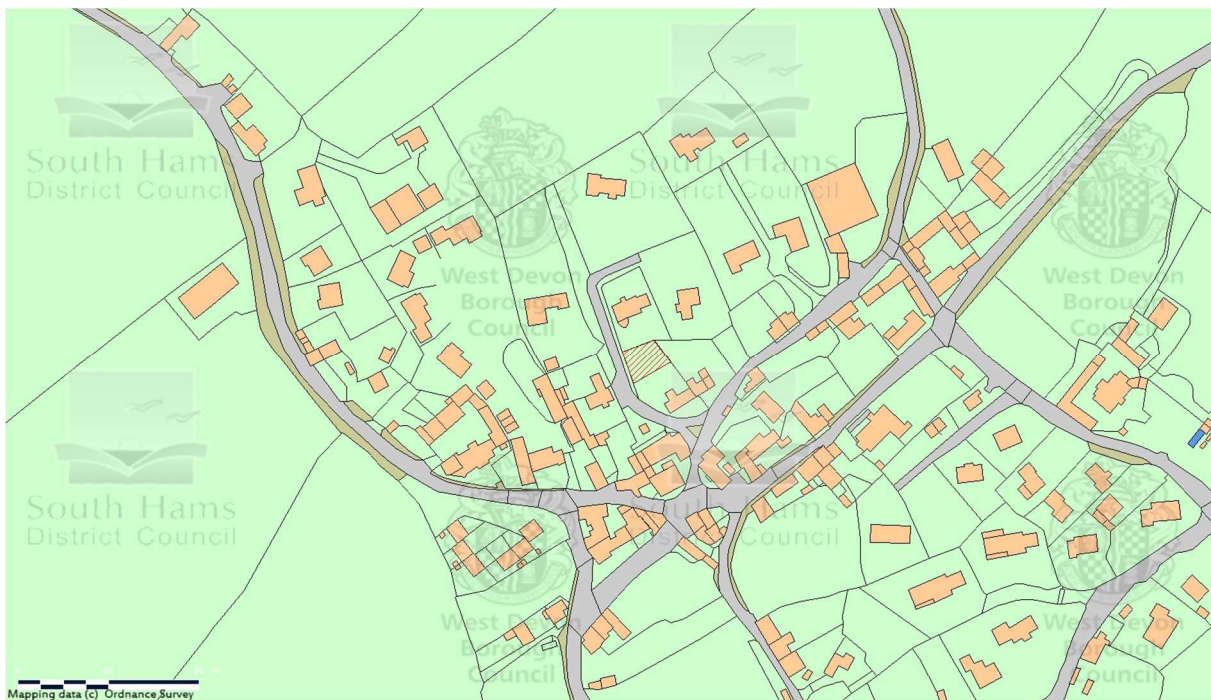
**Applicant:**  
Ms Mandy Rideout  
Hayfield House,  
Hayfield Road  
EX20 3RS

**Site Address:** Hayfield House, Hayfield Road, Exbourne, EX20 3RS

**Development:** Erection of a 2 storey 3 bedroomed house, a separate single garage and parking for 2 vehicles

### **Reason item is being put before Committee:**

Cllr Samuel has requested that this application is determined by Development Management and Licensing Committee due to concerns regarding the impact of the proposal on heritage and neighbour amenity.



**Update:**

Members may recall that this application was originally deferred during a previous committee due to a small but material technical issue relating to the accuracy of the submitted Site Location Plan. A late, unverified third party submission led to a subsequent delay, prior to the eventual presentation of the scheme at this forthcoming January 2018 committee.

The applicant has taken this opportunity to revise the scheme from that originally presented, with the omission of a first floor window on the north elevation, and the creation of a detached allocated parking space on the land to the south west of the site.

**Recommendation:** Conditional approval

**Conditions:**

1. Standard time limit
2. Accord with plans
3. Window, chimney and eaves details
4. Roof specification including P.V. panels and rooflights
5. Window to be obscure glazed
6. Construction management plan
7. Landscaping
8. Stonework sample panel
9. Unexpected contaminated land
10. Removal of Permitted Development Rights
11. Drainage details as submitted

**Key issues for consideration:**

- Principle of a new dwelling
- Effect on Conservation Area and setting of heritage assets
- Design
- Amenity of surrounding residents
- Access and parking
- Drainage

**Site Description:**

The site is located within the existing rear garden of and to the north of Hayfield House, located on the east side of the lane known as The Tumbles, to the north of Hayfield Road. The Tumbles is a narrow unadopted private lane that provides access to six properties, including Hayfield House. The ground level rises from Hayfield Road and The Tumbles is positioned on higher ground than the application site.

The site is located within the centre of the settlement of Exbourne and the land to the south comprises Exbourne Conservation Area. The Conservation Area boundary passes through the site. The site is not within a Critical Drainage Area. The site is within the Exbourne Settlement Boundary.

In 2015 an application was refused, and the subsequent appeal dismissed, for the erection of a single detached dwelling. That appeal decision has been circulated to members and it remains a significant material consideration in this assessment.

### **The Proposal:**

This is a planning application for the erection of a 2 storey 3 bedroomed house, a separate single garage and parking for 2 vehicles.

The house and garage are set back from The Tumbles and are set down at a lower level. Materials are render and sate with wooden joinery. Bin storage is provided forward of the principal elevation.

This submission seeks to address comments made by the Council and Planning Inspector.

This application was previously deferred as it was brought to the Council's attention that there was a small discrepancy between the revised layout plan and the corresponding Site Location Plan. As such, the Site Location Plan was revised incorporating a small extension at the south section of the site. The scheme was readvertised accordingly.

Following that the scheme was again deferred due to a late letter which could not be verified prior to the relevant committee meeting. The applicants have also now taken the opportunity to omit a window on the north elevation which previously provided overlooking from a distance to towards no.3 the Tumbles. The scheme also now shows a spate detached parking space serving the dwelling, adjacent to the garage currently serving Hayfield House to the south west of the prosed dwellinghouse.

### **Consultations:**

- County Highways Authority – Standing advice applies, reaffirm previous comments
- Environmental Health Section – No comment but under the previous application for the site an unexpected contaminated land condition was requested.
- Parish Council – Object

*'The view of the Parish Council is the proposal doesn't maintain or enhance the character of the conservation area. The scale and massing of the building is inappropriate in this space and will result in a poor relationship with Hayfield House particularly when extended as per the current approval for the dwelling which is a material planning consideration. It is also considered that the design fails to give due weight to Hayfield House as an undesignated heritage asset within the conservation area.*

*The positioning, particularly of the first-floor windows, will lead to undue overlooking of adjacent gardens resulting in lack of privacy, and adversely affecting the amenity of adjoining properties. In addition, it appears that the first-floor windows facing West will*

*look directly into the windows of The Tumbles adjacent to the Lane. In the previous appeal decision, relating to the site, in paragraph 6, the Planning Inspector noted “I had a general sense that the core of the Village is tighter-knit than the area North of the appeal site with the existing garden of Hayfield House being the first part of this feathering of the edge of the Village.*

*This space provided by the undeveloped site does not look out of place and compliments the rural character of this part of the settlement.” It follows that if this development were allowed it would adversely affect the character of the conservation area and this part of the village. The Parish has also received representations due to the proximity of the development to a hedge line on the Northern boundary due to the position of excavation of the garage which would be in contravention to British Standard 5827:2012’*

### **Representations:**

The application has drawn approximately 14 objections from neighbours and local residents. The concerns can be summarised as follows:-

- Applicants do not have a right to access the site via The Tumbles
- Loss of amenity and overbearing impact on neighbours
- Overlooking of 3 The Tumbles and Wheelwrights Cottage
- Loss of light / overshadowing
- Excavation of driveway and garage would kill conifer hedge
- Excavation could undermine The Tumbles track
- The setting of Hayfield House would be spoiled due to loss of garden and proximity of the development
- Contrary to Article 8 of the Human Rights Act
- Parking provision is inadequate and no turning is provided
- The Tumbles track would be damaged by development vehicles and services disrupted
- Development would be ‘garden grabbing / garden gobbling’
- House is too big for the plot
- Design is poor and ‘suburban’ and does not reflect local character
- Materials proposed are inappropriate
- 3D images are misleading
- Solar panels are inappropriate
- Some of land identified by blue line is not owned by the applicants
- The turning area for the parking encroaches on third party land
- The detached parking area should serve Hayfield House as amenity space

### **Relevant Planning History**

01110/2015 - Householder application for demolition of single storey extension and construction of two storey extension and boundary treatments – Conditional Approval May 2016



01108/2015 - Readvertisement (Revised Plans received): Application for new 2 storey 3 bedroomed dwelling with single storey garage/workshop. Refusal. Appeal dismissed August 2016

Please note, the appeal for the new dwelling was dismissed 3 months after the granting of the two storey rear extension at Hayfield House. When making his assessment, the Inspector would therefore have had regard to this extant permission as a material planning consideration.

## **Analysis**

### Principle of Development/Sustainability:

The proposal would be sited within the settlement limits of Exbourne therefore policy H28 saved from the 2005 Local Plan applies. This policy states that within defined limits residential development will be permitted provided that it is consistent with other policies and then it is acceptable in relation to criteria (i) to (vi).

In addition policy H39 addresses proposals for the redevelopment of large single residential plots within settlement limits and states that these will be acceptable provided the proposal is compatible with the surrounding residential area. Given Hayfield House benefits from a substantial sized rear garden this is considered to qualify as a 'large single residential plot'.

Exbourne is a sustainable settlement with a good range of local facilities and relatively good connectivity. Policy TTV2 of the draft Joint Local Plan states, 'The LPAs will support development proposals in the Thriving Towns and Villages Policy Area which reinforce the sustainable settlement hierarchy and which deliver a prosperous and sustainable pattern of development. In addition to the provisions of Policies SPT1 and SPT2, specific attributes of rural sustainability to be supported through development include: 1. The location of housing where it will enhance or maintain the vitality of rural communities.

The principle of residential development on this site is therefore considered acceptable subject to consideration of its local setting.

### Previous planning refusal and appeal decision:

This application is submitted following a previous refusal, with the subsequent appeal dismissed by the Planning Inspectorate. The appeal decision, and associated report, is a significant material planning consideration and it is circulated to members within the committee agenda.

Although certain individual comments made by the Inspector can be used, in isolation, to form views of the appropriateness of this new proposal, it is essential that the appeal decision is read in full, with full reference to both the refused scheme and that now before members.

It is obvious that the Inspector and the Council shared specific concerns about elements of the previous proposal, for example, its design and subsequent impact

upon the Conservation Area. However, officers maintain that the Inspector's comments and decision do not entirely sterilise the future development potential of the site, and officers maintain that the principle of development remains acceptable. Although it is agreed that the current openness of the site provides a contribution to the village, officers are of the opinion that a well-considered dwelling in itself could provide its own contribution to the development of Exbourne.

### Design:

Both Hayfield House and the proposed dwelling are considered to maintain an acceptable degree of curtilage to avoid overdevelopment of the plot. Officers are mindful that the historic core of Exbourne is high density, with in many cases small areas of curtilage serving dwellings. Again, the degree of curtilage for both the proposed dwelling and Hayfield House was not an issue raised by the Inspector.

The design is contemporary but incorporates features characteristic of the local vernacular. A hipped slate roof with chimneys, smooth rendered walls, oak windows and traditional eaves all relate well to the character of properties in Exbourne.

Although officers acknowledge the comments made by third parties regarding the solar panels and rooflight within the principal roof slope, the addition of solar panels is in accordance with policy and these elements are to be set within the roof to minimise visibility, with the final roof specification secured through a planning condition.

Although officers are firmly of the opinion that views of the site from Hayfield Road are extremely limited, the comments of the Inspector regarding this issue are addressed as the location of the dwelling is now set back further into the plot. This setting back of the dwelling, away from The Tumbles, ensures that the development will be less visible from the public areas around Hayfield Road.

Overall, the previous incongruous and rather utilitarian design response has been replaced with a dwelling more traditional in design, and its appearance will not appear out of place in form, scale or materials. Important architectural details will be controlled by conditions.

### Heritage:

The loss of the large garden will change the character of this edge of the Conservation Area (CA). As an open space to the rear of the dwelling it does not, however, play a very significant role in the way in which Exbourne is perceived as an historic settlement. The backdrop to views from Hayfield Road is not a particularly attractive one at present and contributes little to the character and appearance of the CA. Views from around the application site are not significant to the setting of the Conservation Area. Clearly the quality of building and materials for the proposed development will need to be demonstrably high, but this can be achieved via the proposed conditions.

Officers acknowledge that the Inspector was of the opinion that the openness of the space is a positive characteristic, but officers do not believe that this comment sterilises the site nor prohibits any future development within the space. Indeed, it is

considered that an attractive and well-designed dwelling, with high quality detailing and materials, can itself offer a positive contribution to the settlement.

Hayfield House is old but its altered state meant that the listing Inspector decided not to give it statutory protection. The effect of the proposal on Hayfield House as a non-designated heritage asset will be minimal – settings change over time and the construction of the modern housing and inappropriate means of enclosure within The Tumbles certainly had a significant and negative impact in the 1980's. The development can be seen as part of the ongoing change that all settlements face and is considered to have a broadly neutral impact within this context.

Overall, the proposal is considered to preserve the character and appearance of the Conservation Area, and to maintain an acceptable impact upon the setting of non-designated heritage assets.

#### Landscape:

Following discussion with officers, the architect has amended plans to include a stone wall along the edge of The Tumbles and also along the boundary with Hayfield House. This is a positive enhancement of the Conservation Area. Further landscaping details will be required by condition.

The effect of the development on the Leylandii hedge on the boundary with 3 The Tumbles is something that can be addressed via the landscaping condition and by consideration of construction methods.

However, this hedge is not of specific merit and has no statutory protection; it is not within the Conservation Area. It could be removed at any time by the landowner without any consent from the Council, and could be replaced by a 2m high fence without the need for planning consent from the Local Planning Authority.

#### Neighbour Amenity:

The previous scheme was considered by the Inspector to maintain an appropriate impact on neighbouring dwellings. Although there are many similarities in massing and overlooking, this scheme is also assessed on its own individual merits.

The outlook of neighbours will be altered and there is an element of overlooking, especially towards Hayfield House and the garden of Wheelwrights Cottage. The impact is not of a nature that is unusual in a village location and it is noted that one can already look from first floor windows into the neighbouring gardens of Hayfield House and Wheelwrights.

The rear elevation of the proposed dwelling will lead to a degree of overlooking from first floor windows, but this will be in excess of 10m to the shared boundary with Wheelwrights and is considered acceptable within this specific context. The overlooking from these windows to Wheelwrights itself will be at a further distance and at an oblique of approximately 90 degrees.

Overlooking towards the bungalow to the west will be restricted to passing views from the stairwell, a single bedroom and an ensuite which will have frosted glass. This limited mutual overlooking leads officers to conclude that the impact upon this property will be acceptable. The single bedroom window previously leading to overlooking at a distance of 20m to the north has now been removed from the scheme.

There is no dominance, loss of light or overshadowing issue that would mean the development would be unacceptable.

#### Highways/Access:

Officers are satisfied that adequate space for turning is achievable and this has now been demonstrated through the submission of a vehicle swept path analysis for the separate parking areas. The access arrangements will necessitate reversing to or from the site but officers are conscious that this is an unadopted lane with infrequent car movements at low speed.

The question of the applicant's rights to use such access as proposed is a civil matter between the interested parties and not a reason for planning refusal. If there are civil impediments which prohibit motor vehicle use this will need to be addressed by the applicant regardless of the outcome of this planning application. The requirement for a Construction Management Plan can overcome concerns regarding damage to the road surface, lorries, dust, noise etc.

A late letter has previously asserted that the turning area will encroach on to third party land, but the applicant has provided a thorough overview of land ownership throughout the Tumbles and this has evidenced that turning can be achieved within the private lane itself, without encroaching on to third party land.

Although the highways authority has only offered standing advice on this specific scheme, it previously offered a written response that *'The Tumbles is a private street, i.e. not a publicly maintained highway. The highway authority have previously assessed the suitability of the junction of The Tumbles with the public highway at the time the former application was submitted and it is confirmed the junction is suitable to accommodate the additional traffic generated.'*

Again, it is noted that the Inspector did not raise access nor highways safety as a reason to dismiss the previous appeal on the site. The highways officer did not previously request that the road be adopted, and has reaffirmed this view.

#### Drainage

Although officer's first preference is for water to be dealt with on site through soakaway, the applicant has demonstrated that this is not viable and, instead, has proposed attenuation of the water prior to discharge into the public combined sewer. South West Water have confirmed directly with the applicant that such a drainage solution is acceptable, with the attenuation rate as agreed.

## 'Garden Grabbing'

Some objectors have continuously raised objection to this scheme based on the notion of 'garden grabbing'. The local authority has no policy specifically addressing garden grabbing, and the only reference to this within the Framework relates to plan making, not decision making.

In any case, the issues which are germane to the concept of garden grabbing, such as design, overdevelopment, visual and neighbour impact, are indeed relevant to member's assessment and are captured in the various relevant policies within the Development Plan. As such, continued references to the concept of garden grabbing itself maintain little relevance to the necessary planning assessment of this application, which should be made with regard to relevant local and national planning policy.

## Conclusion

For the reasons outlined above this application is considered acceptable and in accordance with the relevant development plan policies. This application is therefore recommended for approval subject to appropriate 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**

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.

The relevant development plan policies are set out below:

### **West Devon Borough Council Core Strategy 2011**

SP1 – Sustainable Development  
SP20 – Promoting High Quality Design

### **West Devon Borough Council Local Plan Review 2005 (as amended 2011)**

BE1 – Conservation Areas  
H28 – Settlements within defined limits  
H39 – Redevelopment of Single Residential Plots

### **Emerging Joint Local Plan**

The Plymouth and South West Devon Joint Local Plan (the JLP) will replace the above as the statutory development plan once it is formally adopted.

Annex 1 of the National Planning Policy Framework (the Framework) provides guidance on determining the weight in relation to existing and emerging development plan policies.

- For current development plan documents, due weight should be given to relevant policies according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).
- For the JLP, which is an emerging development plan, the weight is to be determined by the stage of its preparation, the extent to which there are unresolved objections, and its degree of consistency with the Framework.

The JLP is at a relatively advanced stage of preparation. The precise weight to be given to policies within the JLP will need to be determined on a case by case basis, having regard to all of the material considerations as set out on the analysis above.

### **PLYMOUTH AND SOUTH WEST DEVON JOINT LOCAL PLAN -: PUBLICATION (as considered by the Full Councils end Feb/Early March 2017)**

TTV2 Delivering sustainable development in the Thriving Towns and Villages Policy Area

DEV22 Development affecting the historic environment

#### **NPPF**

137

#### **Considerations under Human Rights Act 1998 and Equalities Act 2010**

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

#### **Conditions in full**

1. Standard time limit:

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. Accord with plans:

The approval relates to the plans and documents supplied, including latest revisions.

3. Window, chimney and eaves details

Prior to their installation full details of the items listed below, including sections at a minimum 1:10 or 1:1 scale where appropriate, shall be submitted and agreed in writing with the local planning authority:-

- a) Windows and doors
- b) Chimney
- c) Eaves and rainwater goods

The works shall then be carried out and thereafter maintained as agreed.

Reason: In the interests of visual amenity and the character and appearance of the conservation area.

4. The roofs of the buildings shall be clad in natural slates, fixed in the traditional manner with nails rather than slate hooks. Prior to installation, a full roofing specification including the types and sizes of natural slates to be used, together with the type, colour and profile of the ridge tiles, specification of the hips, details of the solar panels and rooflight shall be submitted to and approved in writing by the Local Planning Authority. The works shall then be carried out and thereafter maintained as agreed.

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 ensure that their character is maintained.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting this Order) the ensuite window hereby approved on the south west elevation of the building shall be glazed in obscure glass, be fixed closed, and thereafter so maintained.

Reason: To protect the amenity and privacy of residents of adjoining property.

#### 6. Construction Management Plan

Prior to commencement of any part of the construction phases of the development the Planning Authority shall have received and approved a Construction Management Plan (CMP) including:

- (a) the timetable of the works;
- (b) daily hours of construction;
- (c) any road closure;
- (d) hours during which delivery and construction traffic will travel to and from the site, with such vehicular movements being restricted to between 08.00am and 6.00pm Mondays to Fridays, 9.00am to 1.00pm Saturdays, and no such vehicular movements taking place on Sundays and Bank/Public Holidays unless agreed by the Planning Authority in advance;
- (e) the number and sizes of vehicles visiting the site in connection with the development and the frequency of their visits;
- (f) 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;
- (g) areas on-site 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;

(h) hours during which no construction traffic will be present at the site;

(i) the means of enclosure of the site during construction works; and

(j) details of proposals to promote car sharing amongst construction staff in order to limit construction staff vehicles parking off-site

(k) details of wheel washing facilities and obligations

(l) The proposed route of all construction traffic exceeding 7.5 tonnes.

The CMP shall be strictly adhered to during the construction of the new development hereby permitted, unless variation is approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety, including preventing inconvenient obstruction and delays to public transport and service vehicles and to emergency vehicles.

## 7. Landscaping

The building works shall not be implemented until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority, indicating the garden landscaping, including all means of enclosure and planting, of the proposed development. The scheme submitted shall be fully implemented in the planting season following the completion of the development and the plants shall be protected, maintained and replaced as necessary for a minimum period of five years following the date of the completion of the planting.

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

## 8. Stonework sample panel

Prior to construction a sample panel of each of the stone boundary walls shall be prepared on site for inspection and approval by the Local Planning Authority. Not less than two weeks notice shall be given to the Local Planning Authority when the sample panel is ready for inspection. All external stonework shall be constructed to match the approved panel. The stone boundary wall to the development site and to the boundary between Hayfield house and The Tumbles shall be fully completed prior to any occupation of the approved dwelling.

Reason: To ensure delivery of the proposed enhancement of the locality and of the conservation area.

## 9. Unexpected contaminated land

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an investigation and



risk assessment and, where necessary, a remediation strategy and verification plan detailing how this unsuspected contamination shall be dealt with.

Following completion of measures identified in the approved remediation strategy and verification plan and prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority.

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

#### 10. Removal of Permitted Development Rights

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

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

#### 11. Drainage details

Surface and foul water drainage shall be carried out in strict accordance with the discharge methods as submitted within the planning application. There shall be no divergence from the drainage methods hereby approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenities of the locality and environment and to ensure that the development is adequately drained.

**This page is intentionally left blank**

## PLANNING APPLICATION REPORT

**Case Officer:** Matt Jones

**Parish:** South Tawton **Ward:** South Tawton

**Application No:** 1551/17/FUL

**Agent/Applicant:**

Mr Jonathan Wale  
Westacott Farm  
Inwardleigh  
Okehampton  
EX20 3AP

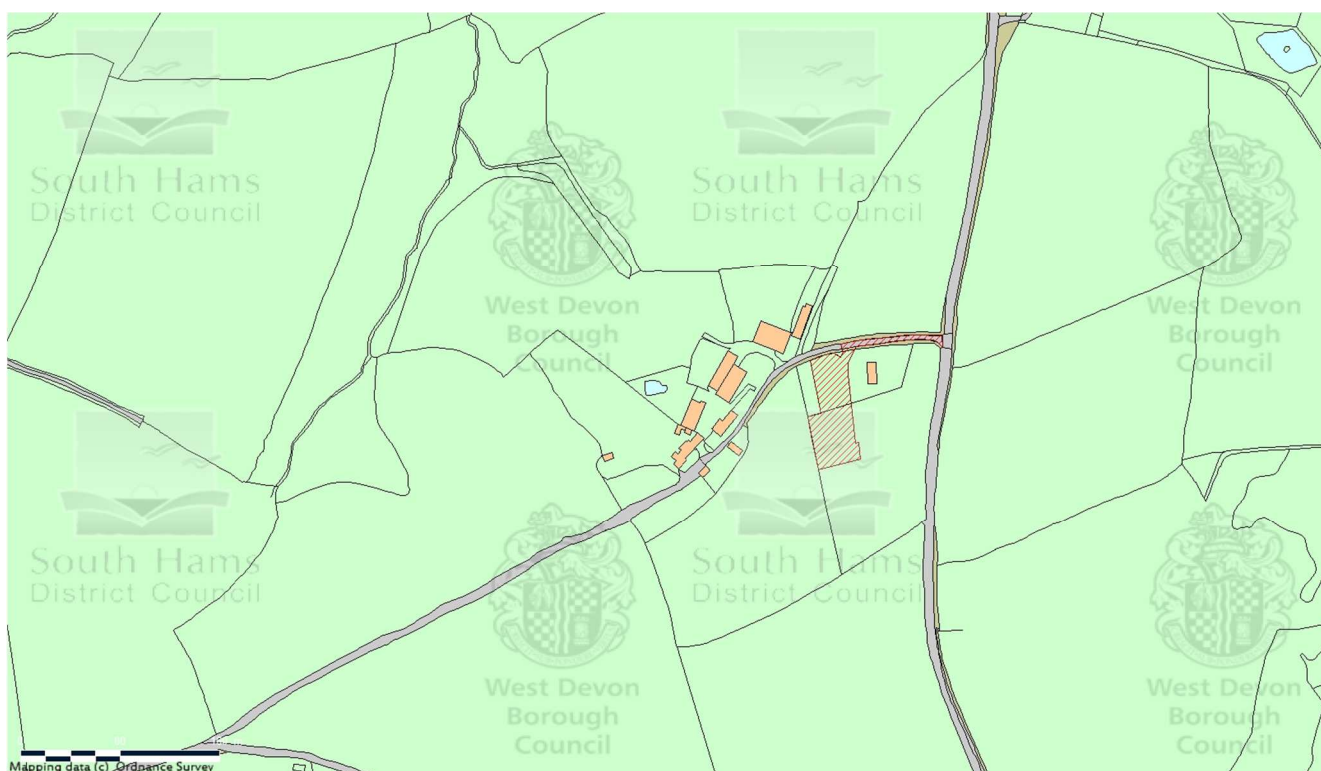
**Applicant:**

Mr Doug Wynne  
Glenrue  
Crediton  
EX17 6EN

**Site Address:** Coursebeer House, Whiddon Down, EX20 2QZ

**Development:** Proposed development of change of use of land to agriculture / agricultural contracting (B8) and the erection of two buildings

**Reason taken to Planning Committee:** Cllr Cann has requested that the application be determined by Planning Committee as he does not agree that the development requires a rural location and believes that such a development could be located elsewhere



**Recommendation:** Conditional Approval

### **Conditions**

Time

Accord with Plans

Landscape plan prior to commencement

Materials samples prior to installation

Use restricted to agriculture / agricultural contracting and no other use

Details of external lighting prior to installation

Hours of operation condition

### **Key issues for consideration:**

The main issues are the principle of the development within this location, visual impact, ecology, drainage, access and highways safety, any impact upon nearby listed building and the amenity of neighbouring properties

---

### **Site Description:**

The application site is a redundant agricultural yard and associated structures located within rural South Tawton Parish. There is an existing agricultural building within the yard and, at the time of site visit, a caravan was located at the northern area of the yard. .

The site is served by an existing vehicular access onto Coursebeer Lane, which itself joins the A3124 to the east. The A3124 provides access to the A30 trunk road which is approximately 0.4km to the south.

To the west is the main grouping of farm buildings at Coursebeer. At the west end of the cluster is the individually grade II listed building Coursebeer Farmhouse, which is separated from the site by 100m, hedgerows and a group of large agricultural buildings. Adjacent to the listed building is the nearest third party dwelling which is approximately 80m away to the west of the application site. Coursebeer House is a detached dwelling immediately to the east of the application site which is within the ownership of the applicant. The nearby, busy A30 trunk road provides a constant noise impact to the application site and the existing dwellings at Coursebeer Farm. The application site is within designated countryside.

### **The Proposal:**

Planning permission is sought for the change of use of the land to a mixed use agriculture / agricultural contracting enterprise and the associated erection of two buildings.

The two buildings will be situated within the existing yard and formed in an 'L' shape at its south west corner. They are identified within the submission as an Ag-bag store / livestock building measuring 518 sq/m, an agricultural machinery store, a machinery workshop/spares store measuring 244 sq/m, being a total of 762 sq/m. The buildings are of a typical modern agricultural design, with sheet roofs and timber cladding.

The submission is accompanied by a detailed planning statement which outlines the farming element of the proposal, in addition to the contracting. The livestock is intended to be housed within the buildings over the winter, but kept on neighbouring farmland through the summer

months. The applicant has also submitted letters from nearby farmers indicating agreement to rent farmland subject to the outcome of this planning application.

The application is also accompanied by a noise assessment in relation to the nearby dwellings at Coursebeer.

### **Consultations:**

- County Highways Authority

No objection

- Environmental Health

No objection subject to timing restriction

- South Tawton Parish Council

Objection on the following given grounds:

- 1. There has been no agricultural appraisal*
- 2. The acreage of the site does not justify the size of the building.*
- 3. These buildings would set a precedence of very large buildings on small sites*
- 4. The appearance of the building is industrial*
- 5. The building would be on the skyline and would have a negative visual impact*
- 6. This does not appear to be an agricultural building.*

*Council acknowledges that the plans have been amended but Council felt that there the visual changes to the building were limited (only the addition of cladding) and that the letters from local farmers agreeing to land rental had no time frame quoted or contract included. Council also felt strongly that the buildings remain too large for the acreage.'*

### **Representations:**

None received at the time of writing this report

### **Relevant Planning History**

None identified

### **Analysis**

#### Principle of Development/Sustainability:

Officers are aware that agricultural contracting is not technically agriculture in planning terms, but instead falls within Class B8. In the first instance, planning policy requires development to require a countryside location, and generally directs B Class uses within the confines of Settlement Boundaries, for instance, within existing defined industrial estates.

However, although technically within the wider B Class use, the agricultural contracting as proposed here is undoubtedly a rural enterprise, with equipment and staff contracted directly

to existing farms. As it is an *agriculture related activity* being proposed, officers conclude that it is applicable to policy ED19 which states that:

*'Policy ED19*

*Proposals for agricultural related activities will be permitted in the countryside where:*

*(i) They can be satisfactorily assimilated into the surrounding countryside, having regard to form, bulk, and design including use of materials, land form and landscaping;*

*(ii) They are sited close to an existing building or in cases where an isolated location is essential, the site chosen minimises the impact of the character and appearance of the countryside;*

*(iii) There is no significant adverse impact in terms of travel, access and highway safety, and loss of amenity to nearby residential properties:*

*And in all cases,*

*(iv) The economic benefits to the agricultural community and/or requirements in connection with environmental, hygiene or animal welfare legislation will be taken into account.'*

Officers are mindful that this scheme reuses a redundant existing agricultural yard, which is served by an existing vehicular access, and thus utilises a brownfield site. The site is well served by infrastructure due to the proximity to the A30, making it well suited to a rural distribution style development such as that proposed here.

Officers acknowledge the relatively limited size of the holding and that there is a degree of aspiration in the applicant's long term farming intentions as the livestock has yet to be purchased, but officers are satisfied that an acceptable overview of intended agricultural activity has been presented in support of this planning application. The applicant has identified 10 livestock in the first instance, and the proposed buildings are proportionate to their requirements bearing in mind this is a mixed use proposal.

For these reasons officers accept the principle of a mixed use agriculture and agricultural contracting development within this location subject to adherence to the various elements of policy ED19.

Design/Landscape:

Officers are also influenced by the neutral visual impact of the proposal. The buildings appear as typical utilitarian agricultural buildings and, although they are relatively large in terms of floor area, they maintain a low profile and simplicity.

Views of the site will be limited to glimpsed views from high vehicles travelling along the A3214 to the east. If seen from here, or if viewed from longer distances, the proposed buildings will relate well to the existing group of large agricultural buildings directly behind the site to the north west, in addition to the existing agricultural building within the site which is to be retained. Landscaping provides an opportunity to further assimilate the development into its context.

Overall, the proposal is considered to be of an appropriate agricultural design which renders a neutral impact upon landscape character.

Heritage

Due to the lack of intervisibility between the site and the grade II listed Coursebeer Farmhouse, the proposed development is considered to have no harmful impact upon the

listed building and does not feature within its setting; the farmhouse has its principal elevation to the west, and is intended to be approached from the west, not via the plethora of existing agricultural buildings to the east.

#### Highways/Access:

The highways officer has raised no objection to this proposal. The scheme utilises an existing vehicular access and the surrounding road infrastructure provides safe and efficient access to the nearby A30.

#### Neighbour Amenity:

The nearest third party dwellings are Coursebeer House and its neighbour which are approximately 80 - 100m to the west. There is a lack of intervisibility between sites and the application site is separated from these dwellings by a good distance and the large unrestricted agricultural buildings at Coursebeer Farm.

Nonetheless, the scheme is supported by a noise assessment which concludes that the impact upon neighbouring properties is acceptable. It is noted that the existing dwellings at Coursebeer are constantly faced by noise nuisance from the nearby A30, and the noise assessment indicates that the noise impacts of the proposed development will be acceptable within this specific context. The Council's EH officer agrees, on the basis that operating hours are restricted to between 0700 and 2200.

#### Other Matters:

Officers note the comments of the Parish Council with regard to the lack of any instructed agricultural appraisal undertaken by the Council. However, officers are satisfied that the degree of information submitted, for each element of the mixed use, provides sufficient explanation for the need for the buildings in the manner and size proposed.

The Council routinely approves agricultural buildings with this degree of justification, indeed with less in many cases, and approves new agricultural buildings on small holdings. Officers consider that it would be inconsistent to apply a more robust requirement to demonstrate agricultural necessity on this specific application.

No protected species were observed on site and the scheme will not have a harmful impact upon ecology. A condition will ensure that any external lighting is controlled with regard to luminance, direction and hours of operation. Officers are satisfied that surface water and foul soakaway can be achieved within the land within the applicant's control.

#### Conclusion

Contracting is a B8 class land use and it is standard for such uses to be located away from rural locations, most notably within industrial estates. However, the agricultural contracting proposed is undoubtedly a rural enterprise and is applicable for consideration under policy ED19. Officers are satisfied that it meets the various requirements of that policy.

The fact that this is a redundant, previously developed site close to infrastructure links, served by an existing access is also a material consideration. The opportunity to site this rural enterprise in a manner which is acceptable to landscape character and neighbour

amenity allows officers to conclude that the mixed use agriculture and agricultural contracting business can be supported within this location.

Environmental and social impacts are neutral, and the scheme provides economic benefits through the provision of a rural enterprise which will provide direct employment and support agricultural activity throughout the area.

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**

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.

The relevant development plan policies are set out below:

### **West Devon Borough Council Core Strategy 2011**

SP1 – Sustainable Development  
SP5 – Spatial Strategy  
SP10 – Supporting the Growth of the Economy  
SP17 – Landscape Character  
SP18 – The Heritage and Historical Character of West Devon  
SP19 – Biodiversity  
SP20 – Promoting High Quality Design  
SP21 – Flooding

### **West Devon Borough Council Local Plan Review 2005 (as amended 2011)**

NE10 – Protection of the Countryside and Other Open Spaces  
BE3 – Listed Buildings  
BE13 – Landscaping and Boundary Treatment  
ED19 – Agricultural Related Activities  
T8 – Car Parking  
T9 – The Highway Network  
PS2 – Sustainable Urban Drainage Systems  
PS3 – Sewage Disposal

### **Emerging Joint Local Plan**

The Plymouth and South West Devon Joint Local Plan (the JLP) will replace the above as the statutory development plan once it is formally adopted.

Annex 1 of the National Planning Policy Framework (the Framework) provides guidance on determining the weight in relation to existing and emerging development plan policies.

- For current development plan documents, due weight should be given to relevant policies according to their degree of consistency with the Framework (the closer the



policies in the plan to the policies in the Framework, the greater the weight that may be given). •

- For the JLP, which is an emerging development plan, the weight is to be determined by the stage of its preparation, the extent to which there are unresolved objections, and its degree of consistency with the Framework.

The JLP is at a relatively advanced stage of preparation. The precise weight to be given to policies within the JLP will need to be determined on a case by case basis, having regard to all of the material considerations as set out on the analysis above.

## **PLYMOUTH AND SOUTH WEST DEVON JOINT LOCAL PLAN -: PUBLICATION (as considered by the Full Councils end Feb/Early March 2017)**

SPT2 Sustainable linked neighbourhoods and sustainable rural communities  
TTV31 Development in the Countryside  
DEV15 Supporting the rural economy  
DEV19 Provisions for local employment and skills  
DEV20 Place shaping and the quality of the built environment  
DEV22 Development affecting the historic environment  
DEV24 Landscape character  
DEV30 Trees, woodlands and hedgerows

### **Considerations under Human Rights Act 1998 and Equalities Act 2010**

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

### **Conditions**

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason: To comply with Section 91 of the Town and Country Planning Act, 1990 (as amended).

2. Except for any details required by any of the conditions attached to this permission, the development hereby approved shall accord with the detailed drawings and other submitted documentation hereby approved.

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

3. The building works shall not be implemented until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority, indicating the finish of the hardstanding and screening landscaping, including all means of enclosure and planting, of the proposed development. The scheme submitted shall be fully implemented in the planting season following the completion of the development and the plants shall be protected, maintained and replaced as necessary for a minimum period of five years following the date of the completion of the planting.

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

4. Prior to installation, a schedule of materials and finishes, and samples of the materials to be used in the construction of the external surfaces, including roofs, shall have been first submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out only in accordance with the details so approved.

Reason: To enable the Local Planning Authority to consider the details of the materials

5. The use of the site shall be restricted to agriculture and agricultural contracting and for no other purpose (including any other purpose in Class B of the Schedule to the Town and Country Planning (Use Classes) (Amendment) (England) Order 2015.

Reason: To ensure the use of the land remains related to agriculture

6. Notwithstanding details indicated on the approved drawings, details of any external lighting to be erected, placed or operated on the site shall be submitted to and approved in writing by the Local Planning Authority prior to its installation/construction. Such details shall include the positions, heights, type, luminance/light intensity, direction and cowling of all external lights to the buildings and other parts of the application site. The work shall thereafter be carried out in accordance with the approved details and under no circumstances shall it cause light pollution nor shall external illumination be operated on the site other than in accordance with the approved scheme.

Reason: In the interests of limiting light pollution, visual amenity and the amenities of the occupiers of neighbouring residential properties

7. Vehicular movements to and from the site shall be restricted to between the hours of 0700 and 2200 on any given day,

Reason: In the interests of neighbour amenity

## PLANNING APPLICATION REPORT

**Case Officer:** Clare Stewart

**Parish:** Okehampton Hamlets **Ward:** Okehampton North

**Application No:** 2793/17/FUL

**Agent/Applicant:**

Mr R Murrin  
1 Sunnyridge  
Castle Road  
Okehampton  
EX20 1HU

**Applicant:**

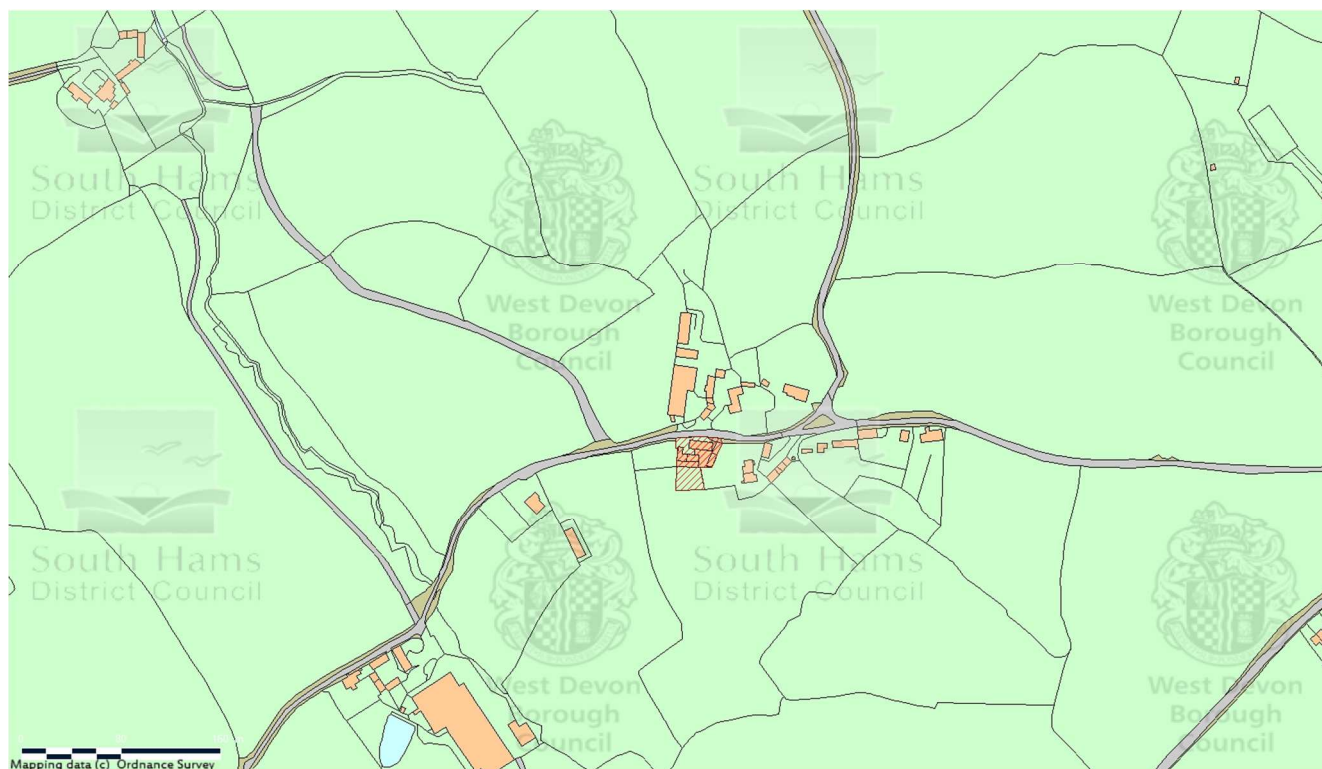
Messrs Burton, West, Croom & Brooks

**Site Address:** Barns adjacent to Lower Chichacott, Chichacott Road, Okehampton, Devon, EX20 1RS

**Development:** Application for proposed barn conversion to two dwellings

### Reason item is being put before Committee

The application has been called in by the Ward Councillor Leech who is not satisfied the proposal would secure the future of a heritage asset and is not convinced there is a need for additional housing in this area unless it is low cost affordable housing.



**Recommendation:** Conditional approval

**Conditions**

1. Time limit
2. Accord with plans
3. Submission of Natural England licence
4. Foul drainage
5. Surface water drainage (with reference to CDA requirements)
6. No demolition works
7. Samples of exterior finishes
8. Stonework
9. Flush fitting rooflights
10. Details of new access gate
11. Retention of existing boundary hedge/bank along road frontage
12. Parking for each unit to be made available prior to occupation and thereafter retained
13. Windows/doors to be retained in timber
14. Removal of permitted development rights

**Key issues for consideration:**

Principle, design, heritage, landscape, neighbour amenity, highways.

---

**Site Description:**

The barns are located in the small hamlet of Chichacott approximately 740m to the north east of Okehampton. The barns are situated adjacent to a road and the west of a Grade II listed residence known as Lower Chichacott House. The barns are in separate ownership to the dwellinghouse. The proposal would be within the setting of the Listed Building. To the north of the site is another farm complex in separate ownership.

To the south and east of the barns lies open farmland, with views to Okehampton and the Moors beyond. Access to the site is gained via an existing gate and track from the highway, to the north of the building.

The main buildings are traditional stone-built structures and considered by Officers to be non-designated heritage assets. Part of the building is a more modern metal clad structure.

**The Proposal:**

Permission is sought for conversion of the existing barns to two dwellings. Unit 1 would be formed on the eastern side of the site (from barns labelled B and C on the submitted plans), with the Unit 2 formed from barn A to the west. One existing building (barn D, closest to the public highway) would be removed. Unit 1 would comprise accommodation across one level, with Unit 2 proposed as a two storey property. External alterations would include new natural slate and zinc roof coverings (incorporating roof lights in the slate roof). Wall finishes would include repairs to existing stonework, lime based render and vertical boarding. New windows and doors would be constructed in stained timber.

**Consultations:**

- County Highways Authority – Standing Advice
- Ecology – If 3 tests considered to be met, impose condition to secure submission of Natural England licence

- Okehampton Hamlets Parish Council – Support

### **Representations:**

One letter of objection have been received with issues raised summarised as follows:

- Access would be required on third party land during development works
- Impact on bats that would be displaced

### **Relevant Planning History**

- 00063/2015: Prior Notification for change of use from agricultural building to C3 dwelling - Class MB (Part A only). Barns At Lower Chichacott Chichacott Road Okehampton Devon. Prior Approval Refused: 05 Mar 15. (Impact on protected species only.)

### **ANALYSIS**

Principle of Development/Sustainability:

Lower Chichacott is within relatively close proximity to Okehampton but is arguably not a truly sustainable location for new residential development within the meaning of the NPPF. Paragraph 55 of the NPPF provides for new isolated rural dwellings where special circumstances apply, including “*where such development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets.*” The existing barns to be converted are considered to be non-designated heritage assets, and the site is not ideally situated for commercial uses. Paragraph 55 also allows for the conversion of redundant or disused buildings and would lead to an enhancement to the immediate setting. The removal of Barn D as shown on the plans would result in a notable improvement in the appearance of the site. It should be noted that paragraph 55 does not require a need for housing in that location to be demonstrated.

It is considered the principle of residential development can be supported in this case having regard to the above policy framework. It should also be noted that the barns could potentially be converted without planning permission by virtue of Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). A previous application for Class Q(a) only was only refused due to the absence of an ecology survey (a matter which has been resolved with the current application).

Design/Landscape/Heritage:

The proposal is considered to be broadly acceptable in general design terms. Paragraph 135 of the NPPF states: “*The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.*” It is considered the proposal would preserve the historic character of the existing barns and would not harm their significance. Officers did have some reservations regarding the subdivision of the courtyard area to create the amenity space to the front of Unit 1. The hedge/bank along the road frontage provides a strong boundary to the site and subject to its retention it is considered the subdivision of the courtyard would be acceptable. Conditions are recommended as listed above to ensure detailed design matters are acceptable. In particular Officers have some reservations regarding the detail for the proposed new gate access (which is shown as being solid which would detract from the appearance of the site when viewed from the lane) and this will need to be considered further. Whilst Unit 1 would only benefit from a modest area of private outside space, given the overall size of accommodation and character of site this is not considered to be unacceptable in design terms.

In terms of the impact on the setting of the nearby listed Lower Chichacott House, it is considered the proposals would not result in harm to the setting of this heritage asset by virtue of the reasonably sensitive design.

The rear garden for Unit 2 is shown as extending onto agricultural land beyond the existing complex of buildings. On balance it is considered that the size of the garden area would not result in substantive landscape setting harm subject to a condition removing permitted development rights for incidental buildings – the site would be seen in the context of the existing hamlet of Lower Chichacott and would not read as an unacceptable intrusion into the countryside.

#### Neighbour Amenity:

The amenities of existing neighbouring properties would not be unduly compromised as a result of the proposed development having regard to physical separation distances.

#### Highways/Access:

Devon County Highways have referred to their Standing Advice. The proposal makes use of an existing vehicular access, and there would be sufficient space for parking and turning within the site. A condition is recommended to ensure the parking areas are available prior to occupation of the dwellings to limit potential for parking on the highway.

#### Ecology:

The application is accompanied by a Protected Species Survey, which identifies that a licence from Natural England would be required due to the use of the barns by bats as a day roost. It is therefore necessary to consider the 3 derogation tests:

Imperative Reason Overriding Public Interest – Establish the public interest (social, economic) which has some imperative nature (i.e. required soon) which overrides the requirement to maintain the roosts as they are at present. Bringing redundant barns back into use for residential purposes would contribute towards housing need.

No Satisfactory Alternative – Consider and discount alternatives – e.g. design/layout that would not affect the roost – why are they unfeasible. Consider the ‘do nothing’ scenario. If no action is taken then the barns would fall into disrepair. There would be no alternative methods of development the site that would have less impact on bats given the nature of the barns and type of bat use. Alternative roost provision is being provided within the scheme.

Maintenance of Favourable Conservation Status – the ecologist has outlined measures including compensatory roost provision and ecologist supervision of roof stripping which would maintain the favourable conservation status of the bat species concerned. This test is considered met. Revised plans were sought prior to determination to clarify that the compensatory roost provision would be accommodated within one of the barns being converted.

On the basis of the above it is considered reasonable to assume that an EPSL would be granted by Natural England and a condition is recommended in accordance with the advice of the Council’s Ecology Specialist (who has advised the licencing process ensures the compensatory roost provision is actually implemented).

#### Drainage:

The submitted application indicates a new septic tank and soakaway are proposed to service the development. The site is located within a Critical Drainage Area (as defined by the Environment Agency) and were the proposal for new build dwellings further details in respect of surface water drainage would be required prior to determination. As the application relates to conversion of existing

buildings (which would involve some increase in impermeable surfaces in outside areas), and there is substantial land around the application site within the same land ownership, it is considered final drainage details can be dealt with by condition in this case.

Other Matters:

A third party objection makes a reference to access land outside the application site during development works – this is a civil matter and is not material to the determination to this planning application.

The Planning Balance:

The principle of residential conversion can be supported having regard particular to paragraph 55 of the NPPF. The development is considered acceptable in general design terms, with some details matters to be addressed by condition. Following the advice of the Council's Ecology Specialist it is considered reasonable to assume that Natural England will grant a licence for the works, and as such there is no ecology basis for refusal. The application is considered to accord with the relevant Development Plan policies and is recommended for approval subject to conditions as detailed above.

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

### **Planning Policy**

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.

The relevant development plan policies are set out below:

#### **West Devon Borough Council Core Strategy 2011**

SP1 – Sustainable Development

SP9 – Meeting Housing Needs

SP17 – Landscape Character

SP18 – The Heritage and Historical Character of West Devon

SP19 – Biodiversity

SP20 – Promoting High Quality Design

SP21 – Flooding

#### **West Devon Borough Council Local Plan Review 2005(as amended 2011)**

NE10 – Protection of the Countryside and Other Open Spaces

BE3 – Listed Buildings

BE13 – Landscaping and Boundary Treatment

H31 – Residential Development in the Countryside

T8 – Car Parking

PS2 – Sustainable Urban Drainage Systems

PS3 – Sewage Disposal

PS4 – Private Water Supply

## **National Planning Policy Framework**

### **Emerging Joint Local Plan**

The Plymouth and South West Devon Joint Local Plan (the JLP) will replace the above as the statutory development plan once it is formally adopted.

Annex 1 of the National Planning Policy Framework (the Framework) provides guidance on determining the weight in relation to existing and emerging development plan policies.

- For current development plan documents, due weight should be given to relevant policies according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).
- For the JLP, which is an emerging development plan, the weight is to be determined by the stage of its preparation, the extent to which there are unresolved objections, and its degree of consistency with the Framework.

The JLP is at a relatively advanced stage of preparation. The precise weight to be given to policies within the JLP will need to be determined on a case by case basis, having regard to all of the material considerations as set out on the analysis above.

### **PLYMOUTH AND SOUTH WEST DEVON JOINT LOCAL PLAN -: PUBLICATION (as considered by the Full Councils end Feb/Early March 2017)**

SPT1 Delivering sustainable development

TTV1 Prioritising growth through a hierarchy of sustainable settlements

TTV31 Development in the Countryside

DEV1 Protecting amenity and the environment

DEV2 Air, water, soil, noise and land

DEV10 Delivering high quality housing

DEV20 Place shaping and the quality of the built environment

DEV21 Conserving the historic environment

DEV24 Landscape character

DEV28 Protecting and enhancing biodiversity and geological conservation

DEV31 Specific provisions relating to transport

DEV37 Managing flood risk and Water Quality Impacts

### **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 in full:**

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 1610-5, 1610-6, Statement of Significance/Design and Access Statement received by the Local Planning Authority on 10th August 2017;



1610-3 Rev Oct 2017. 1610-4 Rev Oct 2017 received by the Local Planning Authority on 26th October 2017.

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. PRE-COMMENCEMENT CONDITION: No works should commence until the LPA has been provided with a copy of the licence issued by Natural England pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2010 authorising the works to go ahead.

Reason: To safeguard the welfare of a protected species of wildlife, in the interests of the amenity of the area and the Conservation (Natural Habitats) Regulations 1994 and the 1981 Wildlife and Country Act (as amended).

4. PRE-COMMENCEMENT CONDITION: Notwithstanding the submitted details, no development shall be commenced until:

1. Final details of the works for the disposal of sewage have been submitted to and approved in writing by the Local Planning Authority, and the dwelling shall not be occupied until the approved works have been completed to the satisfaction of the Local Planning Authority. 2. If the proposed development results in any changes/replacement to the existing system or the creation of a new system, scale plans of the new foul drainage arrangements will also need to be provided. This will include a location plan, cross sections/elevations, specification and its capacity to hold required load.

Reason: In the interests of the prevention of pollution.

5. PRE-COMMENCEMENT CONDITION: Notwithstanding the submitted details, the development hereby permitted shall not be commenced until details of the management of surface water have been submitted to and agreed in writing with the Local Planning Authority. All off site surface water discharges from the development should mimic \*Greenfield performance up to a maximum 1 in 10 year discharge. On-site surface water should be safely managed up to the "1 in 100+climate change" conditions.

Reason: The site is located within a Critical Drainage Area as defined by the Environment Agency, and whilst the proposal relates to the conversion of existing buildings this still requires consideration.

6. There shall be no demolition of any external wall or part of any wall, nor the removal of any existing roof truss (unless shown on the drawings hereby approved to be demolished or removed).

Reason: For the avoidance of doubt this permission is for the conversion of the existing buildings and the application has been assessed and approved on that basis.

7. Prior to installation, samples of all new external finishes shall be submitted to and agreed in writing with the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and thereafter so retained.

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 ensure that their character is maintained.

8. All alterations and repairs to the existing walls shall be carried out to match the existing stonework with any repairs in lime mortar to match the colour and texture of the existing. New stone walls shall be constructed to match the existing stone walling of the development.

Reason: To ensure that the finishes and colours are appropriate to the locality.

9. The rooflights shall be fitted so as to be flush with the adjoining roof profile and thereafter so retained/maintained.

Reason: To protect the appearance and character of the area .

10. Notwithstanding the details shown on the approved plans, prior to installation details of the proposed access gate to the site shall be submitted to and agreed in writing with the Local Planning Authority. The gate shall thereafter be installed in accordance with the approved details and thereafter retained/maintained in that form.

Reason: In the interests of the character of the site.

11. The existing boundary hedgebank along the highway frontage as shown on drawing reference 1610-3 Rev Oct 2017 shall be retained and maintained in its current position.

Reason: In order to preserve the character of the site.

12. The dwellings hereby approved shall not be occupied until the parking and turning areas relating to them (and shown on the submitted drawings) have been properly consolidated, surfaced, laid out and constructed. The parking and turning areas shall be kept permanently available for the parking and manoeuvring of motor vehicles in connection with the development hereby permitted.

Reason: To ensure that adequate and satisfactory provision is made for the garaging and parking of vehicles clear of all carriageways in the interests of road safety and amenity.

13. All new and replacement windows and doors shall be first constructed and subsequently maintained in timber.

Reason: In order to retain the character of the existing buildings.

14. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (and any Order revoking and reenacting this Order), no development of the types described in the following Classes of Schedule 2 shall be undertaken without the express consent in writing of the Local Planning Authority other than those expressly authorised by this permission:-

(a) Part 1, Class A (extensions and alterations)

(b) Part 1, Classes B and C (roof addition or alteration)

(c) Part 1, Class D (porch)

(d) Part 1, Class E (a) swimming pools and buildings incidental to the enjoyment of the dwellinghouse and; (b) container used for domestic heating purposes/oil or liquid petroleum gas)

(e) Part 1, Class F (hardsurfaces)

(f) Part 1, Class G (chimney, flue or soil and vent pipe)

(g) Part 2, Class A (means of enclosure)

(h) Part 14, Classes A to I (renewable energy on domestic premises) Reason: To enable the Local Planning Authority to exercise control over development which could materially harm the character and visual amenities of the development and locality.



West Devon  
Borough  
Council

## Application to work on Trees within a Conservation Area Assessment and Recommendation

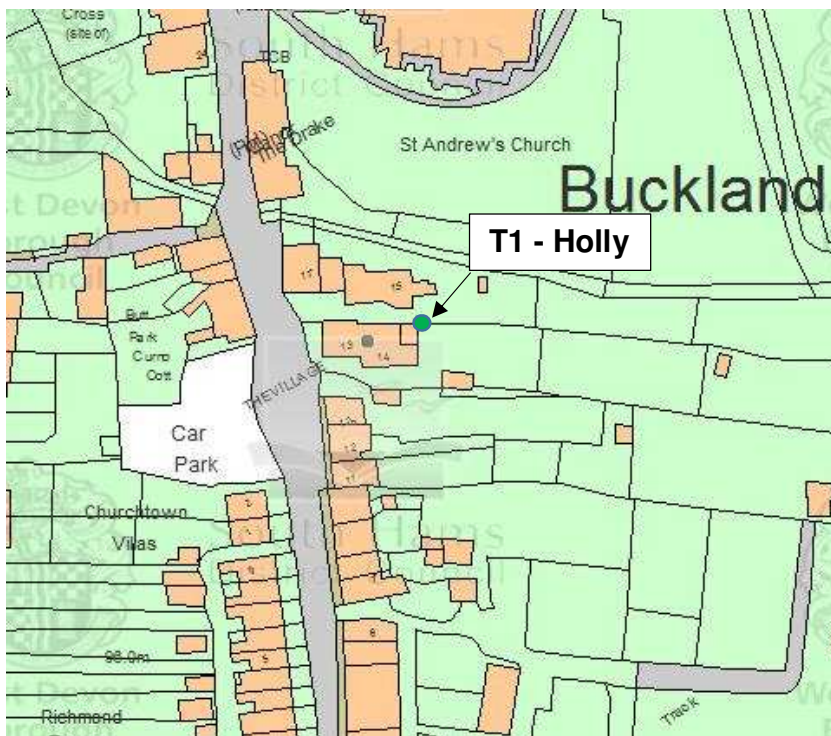


South Hams  
District Council

**Conservation Area:** Buckland Monachorum  
**Site Address:** Cruets The Village Buckland Monachorum PL20 7NA  
**Application Register No :** 4335/17/TCA  
**Proposed works:** T1 – Holly (*Ilex aquifolium*) – Complete crown reduction by up to 3m; removing damaged branches and prevent nuisance  
**Date of Application :** 18/12/2017  
**Target Decision Date :** 29/01/2018

**Reason item is being put before Planning Committee:** The applicant is related to an employee of West Devon Borough Council

Site assessed by : Appointed Arboricultural Consultant – Hi Line  
Date : 22.12.2017



© Crown Copyright and database Rights 2018 Ordnance Survey - West Devon Borough Council (100023302)  
South Hams District Council (100022628). Scale NTS - For internal reference only – no further copies to be made

**Recommendation: The Council does not serve a Tree Preservation Order on the tree and the works are allowed.**

**Requirements of consent:**

1. Works to BS 3998:2010

**Key issues for consideration:**

The impact on the local amenity and character of the area if T1 – Holly is pruned in accordance with the served Section 211 Notice

**The proposal:**

The Section 211 Notice/application for works to a tree in a Conservation Area seeks to crown reduce the holly tree by up to 3m. Works to include the removal of damaged branches and prevent further damage to property roof and adjacent listed buildings and hedge. The tree is located within the rear garden of Cruets, The Village, Buckland Monachorum.

**Consultations:**

- Buckland Monachorum Parish Council – No comments received to date

**Analysis**

The tree is located in close proximity to adjacent buildings and likely to cause damage. The tree has been assessed for its amenity value and scored only 2 (out of a potential 18) given its location, condition and foreseeable nuisance to adjacent structures.

Due consideration has been given to the Conservation Area and the tree assessed on its amenity value and contribution to the local character. Officers are satisfied that the impact of works will not adversely affect the amenity and long term retention of the managed tree.

**Conclusion**

For the reasons outlined above and within the Tree Preservation Order (TPO) assessment, the application to crown reduce the holly is considered acceptable and therefore officers do not consider that a TPO should be served.

**West Devon Borough Council** **Agenda Item 7**  
**DEVELOPMENT MANAGEMENT AND LICENSING COMMITTEE 23-Jan-18**  
**Appeals Update from 24-Nov-17 to 5-Jan-18**

**Ward Exbourne**

APPLICATION NUMBER : **3836/16/FUL** APP/Q1153/W/17/3189494  
APPELLANT NAME: Wainhomes (South West) Holdings Ltd  
PROPOSAL : Full planning application for 100 residential dwellings with associated roads, footways, parking, landscaping and drainage  
LOCATION : Land West Of High Street Known as Batheway Fields, North Tawton, EX20 2FN  
APPEAL STATUS : Appeal Lodged  
APPEAL START DATE: 19-December-2017  
APPEAL DECISION:  
APPEAL DECISION DATE:

**Ward Tavistock North**

APPLICATION NUMBER : **4085/16/LBC** APP/Q1153/Y/17/3183504  
APPELLANT NAME: Mrs Louise Clements  
PROPOSAL : Retrospective listed building consent for internal alterations with associated works  
LOCATION : 48 Parkwood Road, Tavistock, PL19 0HH  
APPEAL STATUS : Appeal Lodged  
APPEAL START DATE: 27-November-2017  
APPEAL DECISION:  
APPEAL DECISION DATE:

**Ward Tavistock South-West**

APPLICATION NUMBER : **1535/16/FUL** APP/Q1153/W/17/3175414  
APPELLANT NAME: Mr M Williamson  
PROPOSAL : Proposed development of 7 apartments  
LOCATION : The Poplars, Westbridge Industrial Estate, Tavistock, Devon  
APPEAL STATUS : Appeal Decided  
APPEAL START DATE: 23-August-2017  
APPEAL DECISION: Appeal Dismissed  
APPEAL DECISION DATE: 27-December-2017

**This page is intentionally left blank**

**West Devon Borough Council**  
**DEVELOPMENT MANAGEMENT AND LICENSING COMMITTEE 23-Jan-18**  
**Appeal Hearings/Public Inquiry from 24-Nov-17**

**Ward Buckland Monachorum**

APPLICATION NUMBER : **0147/17/OPA** APP/Q1153/W/17/3177360  
APPELLANT NAME: Mr M Scoot  
PROPOSAL : Outline application with some matters reserved for development of up to 22no. dwellings (including 40% affordable housing), access, parking, landscaping / open space and associated infrastructure  
LOCATION : Development site at SX 501 676, Abbey Meadows, Crapstone, PL20 7FG  
APPEAL STATUS : Appeal Lodged  
APPEAL START DATE: 12-July-2017  
TYPE OF APPEAL **Public inquiry**  
DATE OF APPEAL HEARING OR INQUIRY: 09-January-2018  
LOCATION OF HEARING/INQ: The Council Chamber,  
Kilworthy Park, Tavistock  
APPEAL DECISION:  
APPEAL DECISION DATE:

**Ward Exbourne**

APPLICATION NUMBER : **3836/16/FUL** APP/Q1153/W/17/3189494  
APPELLANT NAME: Wainhomes (South West) Holdings Ltd  
PROPOSAL : Full planning application for 100 residential dwellings with associated roads, footways, parking, landscaping and drainage  
LOCATION : Land West Of High Street Known as Batheway Fields, North Tawton, EX20 2FN  
APPEAL STATUS : Appeal Lodged  
APPEAL START DATE: 19-December-2017  
TYPE OF APPEAL **Public inquiry**  
DATE OF APPEAL HEARING OR INQUIRY:  
LOCATION OF HEARING/INQ:  
APPEAL DECISION:  
APPEAL DECISION DATE:

**This page is intentionally left blank**



# Agenda Item 8

Report to: **Development Management & Licensing Committee**

Date: **23 January 2018**

Title: **Review of Development Management Fees and Charges for 2018/19**

Portfolio Area: **Customer First – Cllr C Mott**

Wards Affected: **All**

Relevant Scrutiny Committee: **Overview and Scrutiny Committee**

Urgent Decision: **N** Approval and clearance obtained: **Y**

Author: **Pat Whymer** Role: **Development Management Cop Lead**

Contact: **Tel. 01803 861396**  
**E-mail: patrick.whymer@swdevon.gov.uk**

## **RECOMMENDATION**

**That the Development Management and Licensing Committee RESOLVES that Council be RECOMMENDED to APPROVE the proposed fees and charges set out in Appendix A.**

### **1. Executive summary**

- 1.1 This report sets out proposals for fees and charges for the Development Management Service 2018/19.

### **2. Background**

- 2.1 The Council has the power to levy fees and charges for various services and functions it undertakes. Some of these fees are set by statute while for others the Council can make "reasonable" charges for the services it provides. The undertaking of regular reviews of charges allows, where possible, for the Council to recover the cost of officers' time in providing the service.

### 3. Proposals for Development Management Charges 2018/19

The Government sets planning application fees and the long awaited 20% increase in fees comes into force on 17 January 2018. Although this will increase income from planning applications, it is important to recognise that this increase is ring-fenced for the planning service and is in addition to the existing budget for the planning service.

A review of other Development Management fees has been undertaken and a proposed fee structure is included at Appendix A. This includes new fees covering enforcement compliance and validation checking and changes to the pre-application service charges following consultation with the Agents Forum. Based on the existing demand for these services the estimated additional income from the proposed fee structure is £5,000pa. This amount will not, however, be added to the level of overall projected income for 2018/19 as the level of income from pre-application inquiries received this year is less than projected and the additional income will help to reduce the variance between the projected and actual income for this part of the Service.

### 4. Proposed Way Forward

The level of fees and charges will continue to be monitored during the year.

### 5. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance	Y	The Council has the power to introduce, maintain and increase charges under S.19 of the Local Government (Miscellaneous Provisions) Act 1976 or as set out in specific pieces of relevant legislation.
Financial	Y	The estimated additional income that could be generated from the review of fees and charges for 2018/19 if the recommendations are agreed is £5,000.
Risk	Y	Achieving anticipated income targets in the current financial climate – regular monitoring of income streams and revenue budgets ensures early identification of variances.
Comprehensive Impact Assessment Implications		
Equality and Diversity	Y	Charging helps to support the provision of a wide range of public facilities available to all ages and all abilities.
Safeguarding	N	None directly arising from this report

Community Safety, Crime and Disorder	N	None directly arising from this report
Health, Safety and Wellbeing	N	None directly arising from this report
Other implications	N	None directly arising from this report.

**Supporting Information**

Appendix A – 2018/19 Proposed Charges for Development Management.

**This page is intentionally left blank**

## Appendix A

Activity	Current Fee	Proposed Fee £ (2018/19)	Comments
Confirmation of closure of enforcement case where it was found not expedient to take action. (available for a 12 month period following closure of the case)	N/A	£60	If the Council has been in contact with you recently to investigate a breach of planning control and determined not to take any action you will be verbally advised of the outcome. Use this service if you require a letter of comfort confirming the Council's decision on the matter on a case closed in the last 12 months.
Confirmation of compliance with Enforcement Notice or Breach of Condition Notice (including site visit)	N/A	£300	Includes a site visit, full check of the enforcement case and written confirmation of the outcome. Use this service if you require confirmation that an Enforcement Notice served by the Local Planning Authority has been complied with.
Confirmation of compliance with listed building consent (available for a 12 month period following completion of the development)	N/A	£300	Includes a site visit to compare the development against the plans and written confirmation of our findings. Only available within 12 months of completion. Use this service if you have completed a listed building project and you wish to sell the property.  If the completion was over 12 months ago, use the 'help resolving conveyancing issues' service detailed below

## Appendix A

Activity	Current Fee	Proposed Fee £ (2018/19)	Comments
Help resolving planning history questions		£500	Includes a full check of the planning and planning enforcement history, a site visit to view the development, a 1 hour meeting if it is deemed necessary by the case officer, any necessary in house consultations, written confirmation of the outcome, a formal decision as to whether enforcement action will be taken and/or confirmation of steps required to remedy the situation, if any. Response will be provided in 20 working days in most cases (can be extended by agreement if further consultation or investigation is required). Use this quick service if you are buying or selling a property/land and a planning query arises through the conveyancing process. For example, unauthorised works have been discovered or planning conditions have not been complied with.
Confirmation of compliance with section 106 planning obligations (desktop assessment)		£160 plus additional £115 if site visit needed	This is a desktop check of the Council's records. If the clause in the agreement requires something to be undertaken on site it would be necessary to undertake a site visit for which there will be an additional charge. Use this service if you require confirmation that the clauses of the agreement have been complied with

## Appendix A

Activity	Current Fee	Proposed Fee £ (2018/19)	Comments
Planning Validation checking Service	N/A		The Validation checking service fee is in addition to the planning for processing. This will include an assessment of whether an application is valid, fee queries, and technical questions regarding what type of application is needed. There are three fee levels based on the complexity of the development. This would be undertaken on an appointment basis.
		£85	Major Development - This will include 1 validation check of the application at plus 1 re-check
		£50	Minor Development - This will include 1 validation check of the application at plus 1 re-check
		£40	Householder and Other Development - This will include 1 validation check of the application at plus 1 re-check

## Appendix A

Activity	Current Fee	Proposed Fee £ (2018/19)	Comments
Pre-Application Fees	£120 plus £100 for each additional meeting	£180 plus £180 for any additional meeting/response required	<p><b>Householder/Listed Building/Advertisements</b></p> <p>one meeting with a written response</p>
	£180 for one meeting plus £120 for each additional meeting	<p>£180</p> <p>£420 (£240 if it follows a scoping meeting) plus £180 for any additional meeting or response</p>	<p><b>Small Minor (1-2 Dwellings or non-residential floor space up to 499 sqm, telecommunications, Lawful development Certificate Advice and changes or use except dwellings, where there is no operational development)</b></p> <p>One Scoping meeting with agreed notes from the meeting</p> <p>Full pre-app – one meeting plus a written response.</p>



## Appendix A

Activity	Current Fee	Proposed Fee £ (2018/19)	Comments
	£600 up to two meetings plus £180 for each additional meeting	<p>£240</p> <p>£600 (£360 if it follows a scoping meeting) plus £180 for any additional meeting or response</p>	<p><b>Minor Development (between 3 – 9 dwellings or non-residential floor space between 500 – 999 sqm or a site area up to 1 Ha)</b></p> <p>One Scoping meeting with agreed notes from the meeting</p> <p>Full pre-app – one meeting plus a written response.</p>
	£1800 up to three meetings plus £360 for each additional meeting	<p>£480</p> <p>£1800 (£1320 if it follows a scoping meeting). Or a specific PPA.</p>	<p><b>Small Scale Majors (up to 30 dwellings or Non-Residential floor space between 1000 – 4999 sqm or a site area between 1 – 2 Ha)</b></p> <p>One Scoping meeting with agreed notes from the meeting</p> <p>Full pre-app – two meetings plus a written response. If more than two meetings are required the pre-app will be the subject of a specific PPA.</p>

## Appendix A

Activity	Current Fee	Proposed Fee £ (2018/19)	Comments
	<p>£2400 (31-149 dwellings)</p> <p>£5000 (above 150 dwellings)</p>	<p>£720</p> <p>Specific PPA</p>	<p><b>Large Majors (Over 31 dwellings or Non-Residential floor space over 500sqm or a site area over 2 Ha all renewable energy proposals unless a domestic scale and all development that requires an EIA)</b></p> <p>One Scoping meeting with agreed notes from the meeting</p> <p>Full Pre-app</p>
Exemptions:	No Charge	No Charge	100% Affordable Housing schemes
	No Charge	No Charge	Facilities for the disabled
	No Charge	No Charge	Parish/Town Council
Pre-App Charges Notes:			<p>Floor space refers to gross external floor space The fee stated are inclusive of VAT</p> <p>For the purposes of pre-app fees flats and holiday accommodation are considered as dwellings.</p>

**Appendix A**

<b>Activity</b>	<b>Current Fee</b>	<b>Proposed Fee £ (2018/19)</b>	<b>Comments</b>
			Fees will be the subject of review

**This page is intentionally left blank**