

PLANNING APPLICATION REPORT

Case Officer: Wendy Ormsby

Parish: Brixton **Ward:** Wembury and Brixton

Application No: 3480/18/ARM

Agent/Applicant:

Mr Alex Graves
PCL Planning Ltd
13a-15a Old Park Avenue
Pinhoe
Exeter
EX1 3WD

Applicant:

Adpad Group Ltd
C/O Agent

Site Address: Land at SX550 522, North of Canes Orchard, Brixton, Devon

Development: Reserved Matters application for the approval of appearance, landscaping, scale and layout of 28 no. dwellings following grant of Outline permission 1825/16/OPA

Reason item is being put before Committee An application seeking to agree reserved matters relating to the same outline planning permission was refused by this committee; it is therefore appropriate for the committee to consider if they are now satisfied with the revised scheme.



Recommendation: Conditional approval

Conditions:

1. Time limit for reserved matters
2. Accords with plans
3. Materials to be agreed
4. Roofs to be finished with natural slates fixed using nails and not hooks
5. Hard landscaping materials to be agreed including road, pavement and parking areas

6. Details of POS landscaping, equipment and boundary treatments to be agreed and provided.
7. Boundary treatments to be agreed
8. Details of any retaining walls and/or under build to be agreed
9. Details of FFL and external ground levels to be agreed, including levels of public open space areas

Key issues for consideration:

Impact on residential amenity of neighbours, landscape impact in terms of detailed scale, design, massing and materials, impact on the character of the area, adequacy of parking and turning and resulting highway impact, whether the development provides an acceptable living environment for new residents including appropriate provision of open space.

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

It is estimated that this development has the potential to attract New Homes Bonus of £40,464 per annum however the Government have advised that the New Homes Bonus scheme will end after the 2019-2020 financial year and this year is the last year's allocation (which was based on dwellings built out by October 2018). A statement about a replacement scheme is expected in September 2019.

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

Site Description:

The application site is a 0.94 ha parcel of agricultural land, part of which has recently been used as construction compound in association with the adjoining land. It is located immediately north of Phase 1 of the residential development at Canes Orchard, formally known as Venn farm, Brixton. The site adjoins the Phase 2a development site to the east where development of 17 dwellings was recently completed. The site includes the area of land approved as employment land under Phase 1.

The site is bounded by hedgerows interspersed with trees on the north, east and west boundaries. To the south are the houses of Phase 1 of Canes Orchard which is now completed and the houses are occupied. The site has a gentle slope running downwards, north to south.

Access will be gained from within the Phase 1 development which itself is accessed directly off the A379 in the centre of Brixton.

The site has no statutory designations but it is within approx. 150m of the South Devon Area of Outstanding Natural Beauty (AONB), which is south of the application site, the boundary being the A379.

The site lies within Flood Zone 1, this being the area of lowest flood risk.

The site is within easy walking distance (less than 400m) of the village facilities which include a primary school, day nursery, general store, church, restaurant, public house and hot food take away. Bus stops serving Plymouth, Modbury, Kingsbridge, Yealmpton, Newton Ferrers and Noss Mayo are within a 210m walk from the site.

The Proposal:

In May 2017 outline planning permission was granted at this site for circa 29 dwellings, all matters were reserved except for access. The permission was subject to a Section 106 Agreement requiring, among other things, a 30% provision of affordable housing and the provision of on-site public open space.

The outline application established that access to the site would be from the south east corner of the site, using the access originally intended for the employment land, this links into the north east corner of the Phase 1 development and will use Orchard Road through Phase 1 to access the A379 to the south and that the majority of existing hedgerows would be retained.

The decision notice from this outline consent included the following informative:

In considering parking provision within any subsequent and related reserved matters application the Local Planning Authority will not count garages as parking spaces and parking layouts should not include tandem parking.

The Section 106 Agreement also annexed the illustrative layout plan with reference to public open space (POS) provision within the site. The illustrative plan showed an area of POS in the north east corner of the site linking into the small play area within Phase 2a adjacent and also showed an area of POS in the south east corner of the site.

An application to agree the reserved matters for the approved outline consent was submitted and refused planning permission in February 2019 for the following reasons:

1. Having regard to the layout and design of the proposed development including the remote location of the public open space in the north eastern corner of the site and its limited natural surveillance, the proposed development does not represent high quality design. As such the proposed development is contrary to policies DP1 and CS7 of the adopted development plan and DEV20 of the emerging Plymouth and South West Devon Joint Local Plan and the National Planning Policy Framework, in particular paragraphs 127 and 130.
2. Having regard to the siting and scale of the proposed houses adjacent to the southern site boundary the proposed development will have an overbearing impact on and cause overlooking to the existing houses to the south of site, adversely impacting on their residential amenity. As such the proposed development is contrary to Policy DP3 of the adopted development plan and Policy DEV1 of the emerging Plymouth and South West Devon Joint Local Plan.

This current application is a revised application seeking to overcome the reasons for refusal cited above. It has been amended since original submission.

The proposed development includes a variety of 7 different house types including one terrace of 3 dwellings, 5 pairs of semi-detached and 15 detached dwellings. The number of dwellings in this application has dropped to 28 from the 29 proposed in the refused reserved matters scheme

The housing mix is as follows:

Affordable homes

5 x 2 bed 72 sq m

4 x 3 bed 82 sq m

Market homes

2 x 2 bed 72 sq m
2 x 3 bed 88 sq m
1 x 3 bed 93 sq m
2 x 3 bed 90 sq m
12 x 4 bed 117 – 180 sq m

Overall this equates to the following housing mix:

2 bed – 25%
3 bed - 32%
4 bed - 43%

The design of the houses are typical of modern housing estate development and include traditional natural slate, pitched roofs, some with working chimneys.

Materials are now indicated as natural slate roofs, coloured render (off- white, grey and blue), some natural stone and some slate hanging. A variety of house types are proposed.

The majority of dwellings have 2 side by side off street parking spaces, in addition there are 24 garage parking spaces and 4 visitor parking spaces. In total there are 83 off street parking spaces which averages at just under 3 spaces per dwelling.

The main change to the layout is within the southern part of the site. The refused scheme included a row of housing close to the southern boundary that would overlook and have an overbearing impact on the existing neighbours to the south. This revised scheme has turned the housing ninety degrees to run in rows perpendicular to the site boundary, presenting two gable ends towards the housing to the south rather than a solid row of south facing elevations with windows and raised gardens. The application has been further amended to remove a unit south of plot 1, reducing the total number of proposed units to 28.

The principal area of public open space in the refused scheme was in the north east corner of the site. Members considered this to be remote from many of the houses and to have little natural surveillance. The current application has relocated the main area of POS to the south east.

Two areas of public open space are indicated, both areas are close to the access road into the site in the south east corner of the site. The main parcel is to the south west of the access and is the area proposed to provide an equipped play area. Details show that a set of swings and a multi-function slide/climbing frame type equipment are indicated to be provided. This area of POS naturally slopes downwards north to south by approx. 1m, it is proposed to level the POS to the lower level to minimise neighbour impact. The second area of POS indicated is north west of the access road, much of this land area is outside of the application site and understood to be outside of the control of the applicant; it contains soakaways for the Phase 2a development, part of the land was approved as open space to serve the phase 1 scheme but has not been laid out as such.

Consultations:

- County Highways Authority: No objection
- Environmental Health Section : No comment
- SHDC Affordable Housing: No objection subject to agreement of the location of a replacement affordable plot (the S. 106 requires the details of the affordable units to be agreed prior to commencement of development).

- DCC Flood Risk: No objection
- SHDC Landscape: Scheme does not represent high quality design
- SHDC Open space and sport officer: No objection
- Town/Parish Council: Objection (comments relate to scheme for 29 dwellings)

*Brixton Parish Council **objects** to this re advertised (Revised Plans) Reserved Matters application for the approval of appearance, landscaping , scale and layout for 29no dwellings following grant of permission 1835/16/OPA. This application continues to fail to address the serious and significant concerns identified and raised by Brixton Parish Council in its response to the outline application. The grounds for the objection are outlined below.*

Design Layout and Density

In objecting to the original outline application for circa 29 houses on this site Brixton Parish Council stated

‘Maintaining an agreed density is vital to ensure adequate space for public realm, infrastructure and parking to avoid the problems experienced in Kitley Place in Yealmpton’.

This application continues to ignore Brixton Parish Council’s concerns about the density of housing on this site which results in reduction of parking spaces (for individual houses and for visitors), and limited, inadequate public open space and play space.

This revised application has redesigned the layout of Phase 3 to reduce the problems of overlooking the houses in Bramley Close and the distance from these homes to the play space as identified in the previous application. However, the design is still that of an urban estate bolted on to a rural village setting and would be improved if the layout was circular rather than a ‘Y’ arrangement with dead ends and poor turning space. The layout reinforces the cul-de-sac identity of the whole of Canes Orchard which does not promote a sense of community.

The revised design for the site still does not demonstrate an understanding of the character of Brixton village, with its suburban design and poor detailing of the public realm. Para 127 (c), (d) and (e) of the NPPF 2018 states that ‘developments should ensure that they are sympathetic to local character, be attractive and welcoming and include a mix of development and green and other public space’. These requirements continue not to be met.

Play Space

i) Location

The redesigned layout has located the play space for the whole development of 90 houses (possibly up to 180 children/young people) immediately at the edge of a busy entrance to Phase 3 which is dangerous and unsafe as it is on the bend and leads into a ‘Y’ junction on a narrow road with poor visibility. This is a cul-de-sac, which is constricted and takes all traffic, both private and commercial as a result the risk of accidents is high due to the amount of traffic, limited visibility and the lack of suitable safe turning areas.

The play space is located immediately over the site of the attenuation tank. If this fails, fills up or when its neglect renders it useless in years to come the play area will be flooded and boggy and unsuitable for use.

ii) Equipment

*The equipment proposed is basic and does not meet the requirements of a play space serving the whole development of 90 houses for children aged 5 to 14. **It is paramount that appropriate and safe play facilities for children of all ages is provided on this site through this application to ensure***

the future health and well being of children and families living on the Venn Farm/Canes Orchard development. (NPPF 2018 Paras 91 & 92) A discussion by the planners and developers with Brixton Parish Council on the type of equipment required to meet the need of children and young people living in Canes Orchard would be welcomed.

The National Planning Policy Framework 2018 (NPPF 2018) should be regarded as a material consideration to be taken into account in the determination of this application, irrespective of when the application was registered (NPPF 2018 Para 212). Para 91 of the NPPF 2018 **Promoting healthy and safe communities** advises that planning decisions should promote “healthy, inclusive and safe places” which “promote social interaction” with Para 91(a), Para 91(b) making reference to “high quality public space”. Furthermore, Para 92 (a) requires planning decisions to “plan positively for the provision and use of shared spaces”, including open space to enhance the sustainability of communities. The failure to promote safe and adequate social interaction in this Reserved Matters application conflicts with these requirements of NPPF 2018.

Allocation of Parking for houses and off street

In the redesigned lay out the allocation of parking both for the houses and off street continues to be unsatisfactory, inconsistent and inadequate for the number of houses on the site. The allocation does not meet the guidelines or requirements of the adopted Joint Local Plan for Plymouth, South Hams and West Devon (JLP) or the emerging Neighbourhood Plan for Brixton Parish which at the time of writing is in an advanced stage with the Planning Examiner under Regulation 17.

The JLP states in Policy Dev 29 ‘Specific provisions relating to transport’, point 3 states ‘Ensure sufficient provision and management of car parking in order to protect the amenity of surrounding residential areas and ensure safety of the highway network’.

The emerging Brixton Neighbourhood Plan policy on parking in new residential developments is based on the policy already agreed for the adopted Neighbourhood Plan for Newton Ferrers and Noss Mayo. ‘New developments will provide enough off-road parking spaces to ensure that pressure on existing parking is not increased;

‘New developments of residential properties must provide:

1 bed = 1 Space, 2 bed = 2 Spaces, 3 bed = 2 Spaces

4 bed = 3 Spaces, 5 bed = 3 Spaces, 6 plus bed = 4 Spaces

Garages will not normally be counted as parking spaces’.

The Development policy as stated in the emerging Brixton Neighbourhood Plan is ‘New developments must provide adequate space for off street parking (including electric car charging points) for residents/visitors that can be re-purposed if required’. ‘Policy Dev 5. To ensure that pressure on existing on-street parking is not increased all new developments must include well designed off street parking and cycle storage for residents and visitors .In residential developments at least one parking space must be provided for each bedroom, with a further additional parking space for properties with more than 3 bedrooms’

The proposed parking arrangements as shown on the plans and outlined below fall seriously short of these national and local policies and requirements.

For the whole development of 29 houses there are only 2 visitors’ parking spaces located at the end of a cul-de-sac with no turning space. This is an insufficient amount of off road visitor parking for the potential number of visitors with cars and unless resolved will result in congestion and accidents. There is an inconsistent allocation of garages and parking for the houses i.e. plots 18 and 22 each with a 4 bed roomed house have one garage and one parking space, plot 21 a 4 bed roomed house has a double garage and 2 parking spaces, plot 15 a 3 bed roomed house has one parking space and a garage.

On all the above points Brixton Parish Council **objects** to this application and requests that the Planning Officer and the Development Management Committee thoroughly investigate the issues and concerns raised from this consultation to ensure that Phase 3 of Venn Farm/Canes Orchard is a healthy, inclusive and safe place for residents and their families.

Representations:

Approximately 12 letters of objection have been received raising issues including the following (includes comments on the original scheme submission):

- Orchard Road is too narrow to support additional development
- Car park on the pavement forcing pedestrians into the road – highway safety issue
- The width of the pavement is too narrow
- Not suitable for wheelchair users
- No turning areas provided – instead occupied by parking spaces
- POS is sited over soakaways – will become boggy and environmental unhealthy
- Unsafe road/pathways for families and children
- Having regard to location of POS does not represent high quality design in accordance with policy DEV20
- No need for the development
- Inadequate play provision provided forcing children to cross busy road to access other facilities
- Part of the POS is owned by a third party – misleading to include it in plans
- Concerned about possible ground slippage and damage to homes south of the site
- Plots 5, 6 and 7 are too close to 2 and 4 Bramley Close and will result in loss of light and overbearing impact
- Play space is too small and there are no other good facilities nearby
- Dangerous to add more traffic to Orchard Road which gets clogged up with on street parking
- Plans are inconsistent and inaccurate not showing the correct site boundary
- Pavements on Orchard Road are shown as being wider than they really are
- Overdevelopment of the site leading to loss of light and overbearing impact on neighbours
- Figures provided on plot density are wrong, densities are much lower elsewhere in Canes orchard.
- POS location will allow criminal access to neighbours at rear.
- Inadequate parking provision
- Garden sizes are too small
- Pollution may arise from inadequate foul drainage infrastructure
- Air and noise pollution from traffic
- Pollution from chimneys – fuel type is not known
- Drainage - attenuation tanks too close to buildings ad boundaries
- Who will manage drainage system?
- Design is out of keeping with the area
- Adverse impact on AONB

Relevant Planning History

07/2023/12/DEVBR – Development brief for proposed mixed use development comprising 27 dwellings and 0.1 ha of employment land – Approved

07/2022/12/F. Mixed use development comprising 27 dwelling and 0.1ha of employment land with associated access, car parking, landscaping and open space. – Conditional Approval.

07/1196/15/F – Residential development comprising 17 dwellings with associated access, car parking, landscaping, open space and associated works. – Conditional Approval

07/1197/15/O - Outline application (with some matters reserved) for residential development of up to 17 dwellings, with associated means of access and provision of landscape buffer to south (Phase b) – Conditional Approval

1825/16/OPA: Outline application (with some matters reserved) for the erection of circa 29 dwellings and means of access: Conditional Approval

1812/17/OPA: Outline application with all matters reserved for the erection of circa 25 n. age restricted (55+) bungalow/chalet bungalow dwellings, allotments, POS and visitor car park: Application invalid and appeal dismissed

4412/17/ARM: Reserved matters application for the approval of appearance, landscaping, scale and layout for 29 dwellings following the grant of outline permission 1825/16/OPA – Refused

ANALYSIS

Principle of Development/Sustainability:

The principal of developing circa 29 dwellings on the site has been accepted in the grant of outline planning permission 1825/16/OPA

Design/Landscape:

The Parish Council have objected to this development on the grounds that it is a suburban design with poor detailing of the public realm referencing the National Planning Policy Framework (NPPF) which at Section 12 seeks well-designed places through high quality, visually attractive developments. SHDC Development Plan policies CS7 and DP1, and emerging Joint Local Plan Policy DEV20 also reflect this requirement.

The house types are broadly the same as considered in the recently refused planning permission and for which this Council raised no objection when refusing the previous scheme. The main difference is in the layout of the scheme which has changed the orientation of the houses within the southern part of the site to face away from the existing houses to the south in two perpendicular rows and has re-located the public open space to the southern boundary also.

The public open space is now well overlooked and would present a sense of openness at this central part of the overall Canes Orchard development. Concern has been expressed about the adequacy and safety of this location. It is proposed to have an estate type railing around the play area to prevent children from running into the road, traffic flows past the play area, serving just 28 houses, will be low. The location of the POS is considered to be acceptable.

The Parish have commented that this play area is inadequate to serve the 90+homes in the Canes Orchard development. This reserved matters application however has no direct link to the previous planning consents which have provided POS within Phase 2b and will provide a greater quantum of POS in Phase 2a should that development come forward.

The amount of POS and level of proposed play equipment is more than adequate to meets the needs of the 28 homes being developed here; it unreasonable to expect this scheme to make up for any perceived shortfalls provided by another developer on adjoining land.

The public open space provision has been reviewed by the Council's Open Space officer who has commented on the original submission raising some concerns about the proximity of the play

equipment to neighbouring homes. The play equipment is now illustrated with a different orientation and it is proposed to drop the overall level of the POS to minimise overlooking to the south. A proposed picnic table will be placed with a bench or similar to discourage picnicking where it could disturb neighbours. A planning condition is proposed to agree the specific layout and details of this space

A stone wall and railing has been introduced south of plot 28 to provide defensible space for this property, a stone chimney and windows have been added to the south facing side gable to add visual interest and provide some overlooking of the POS adjacent.

Plot 15 which has previously be re-sited to front onto the site access has now turned on its side once more however side windows, a side bay window and use of some stonework provide visual interest and activity in this frontage.

The proposal has been reviewed by the Council's landscape specialist who has commented as follows:

These comments should be read in conjunction with those made in January 2019.

The amendment to the plot configuration to the northern boundary has partially addressed my earlier concern, with Plot 24 now presenting a hipped gable end, which will appear less stark than a straight gable. This issue would be overcome if the open space were to be provided as originally intended, though I note concerns have been raised by others in this regard. I also note that the number of plots with timber cladding has been reduced, and stone plinths and walls are more widespread, better reflecting the South Hams vernacular.

I would still raise concerns in relation to the design of the site. The internal appearance of the site is very hard; with small gardens and little space for soft landscaping or substantial tree species. Parking dominates the street scene, particularly in long rows to the front of plots 1-14. The landscape proposals themselves are very basic, often just showing grass to the front gardens, with a small, ornamental tree. A basic shrub structure in these areas would be useful to provide some attractive vegetation, breaking up the hard street scene more effectively than grass alone. On the edge of the settlement, abutting open countryside, we would expect a looser development form, with the presence of more substantial tree species to break up the massing of built form.

Whilst I don't believe that these design issues present a principle problem in terms of the wider landscape impacts of the development, the internal site amenity would certainly be compromised. NPPF Section 12 seeks well-designed places through high quality, visually attractive developments. Development Plan Policy DEV20 reflects this requirement. I don't believe that at present, this scheme achieves that objective.

*If you were nonetheless minded to recommend approval of the application, alongside more substantial landscape proposals as outlined above, we would need to secure amendments to the landscape proposals to the open space (*Lonicera periclymenum* is a climber and not suitable for block planting as indicated, and the trees should be robust native species), and long term management proposals for the site-wide landscaping. This should include initial management operations for the existing boundary vegetation along with new boundary treatments that allow for long term management by residents. This could be provided through the LEMP conditioned on the outline application.*

The reservations of the landscape officer regarding the landscape proposal are noted, however this part of the scheme does not differ materially from the scheme that was previously refused and where the overall approach to urban design was not a reason for refusal. The removal of the unit south of Plot 1 does allow more green space within the scheme and planting opportunities.

On balance the design and landscape impacts of the development are considered to be acceptable and to accord with Local Plan policies DEV10 and DEV20.

Neighbour Amenity:

The application has been revised to change the layout adjacent to the southern boundary from a linear development facing towards the existing dwellings to two rows of dwellings set perpendicular to the southern boundary. This has significantly reduced the massing of development on this boundary and has overcome the issue of overlooking to the south from the new dwellings.

As originally revised the two lines of dwellings were set close to the boundary with plot 5 set 2.6m from the southern boundary and 19.4m from 2 Brambly Close and Plot 1 set 5.2m from the southern boundary and approx. 17.5m from the rear elevation of 23 Orchard Close, the finished floor level of Plot 1 was approx. 1m lower than the eaves heights of 23 Orchard Close, with the dwelling rising 13m above the existing dwelling.

Officers were concerned that the relationship with 23 Orchard Close in particular would have an unacceptable overbearing impact. Concerns were also raised about the potential overlooking from the play equipment within the POS having regard to the extreme change in levels.

The scheme has been amended to omit the dwelling shown south of what is now Plot 1, increasing the offset distance to approx. 24m, this is considered to be an acceptable distance where the new development will not be unduly overbearing. Existing vegetation to the rear of 2 Brambly Close will minimise the impact on this dwelling.

The main POS area slopes downwards to the south by about 1m – it is now proposed to level the POS to the lowest level and to re-orientate the play equipment away from the house to the south. In addition tree planting is proposed on the southern boundary. These amendments will satisfactorily mitigate any impacts on the adjoining neighbour.

On balance the impact on neighbour amenity is considered to be acceptable and is in conformity with the requirements of Policy DEV1 of the JLP.

Highways/Access:

Access to the site was agreed as part of the outline consent.

All but one of the proposed dwellings have minimum of 2 on plot parking spaces that do not rely on garages or tandem parking. In addition there are 24 further parking spaces within garages and 4 visitor parking spaces. This is an adequate provision of parking that accords with the informative within the outline planning consent and is a significant improvement on the parking provision within Phase 1 and 2 of Canes Orchard

The Parish Council have objected to the parking provision on the scheme, concerned that it does not comply with the emerging Brixton Neighbourhood Plan (BNP) policy Dev5 which states that:

To ensure that pressure on existing on-street parking is not increased all new developments must include well designed off-street parking and cycle storage for residents and visitors.

In residential developments at least one parking space must be provided for each bedroom, with a further additional parking space for properties with more than 3 bedrooms.

The BNP is at Regulation 17 stage, this is an advanced stage of preparation but nevertheless still only carries limited weight. It would not be reasonable at this stage to refuse planning permission on the basis of failure to comply with the parking requirements of the BNP. It should be noted however that

including garages the majority of the detached 3 and 4 bed homes have at least 3 or 4 on plot parking spaces.

It is considered that there is an appropriate provision of parking to serve the development.

Drainage

A detailed drainage scheme has been submitted which has been assessed by DCC Flood Risk team who raise no objection in principle. The detailed design is required by conditions to be agreed prior to the commencement of development through the outline planning consent.

Concerns have been raised about the ability of SWW to have capacity to deal with additional foul drainage. This matter was considered at outline stage where SWW raised no objection

Planning Balance

The previous application was refused on the grounds that the public open space was remotely located and lacked natural surveillance and because of overlooking and overbearing impacts on the neighbours to the south of the site.

For the reasons set out above it is considered that both of these reasons for refusal have now been overcome and as such it is recommended that planning permission be granted.

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. For the purposes of decision making, as of March 26th 2019, the development plan for Plymouth City Council, South Hams District Council and West Devon Borough Council (other than parts South Hams and West Devon within Dartmoor National Park) comprises the Plymouth & South West Devon Joint Local Plan 2014 - 2034.

Following adoption of the Plymouth & South West Devon Joint Local Plan by all three of the component authorities, monitoring will be undertaken at a whole plan level. At the whole plan level, the combined authorities have a Housing Delivery Test percentage of 166%. This requires a 5% buffer to be applied for the purposes of calculating a 5 year land supply at a whole plan level. When applying the 5% buffer, the combined authorities can demonstrate a 5-year land supply of 6.5 years at the point of adoption.

Adopted policy names and numbers may have changed since the publication of the Main Modifications version of the JLP.

The relevant development plan policies are set out below:

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

SPT1 Delivering sustainable development

SPT2 Sustainable linked neighbourhoods and sustainable rural communities

SPT3 Provision for new homes

TTV1 Prioritising growth through a hierarchy of sustainable settlements

- TTV2 Delivering sustainable development in the Thriving Towns and Villages Policy Area
- DEV1 Protecting health and amenity
- DEV2 Air, water, soil, noise, land and light
- DEV3 Sport and recreation
- DEV8 Meeting local housing need in the Thriving Towns and Villages Policy Area
- DEV9 Meeting local housing need in the Plan Area
- DEV10 Delivering high quality housing
- DEV20 Place shaping and the quality of the built environment
- DEV23 Landscape character
- DEV25 Nationally protected landscapes
- DEV26 Protecting and enhancing biodiversity and geological conservation
- DEV27 Green and play spaces
- DEV28 Trees, woodlands and hedgerows
- DEV29 Specific provisions relating to transport
- DEV32 Delivering low carbon development
- DEV35 Managing flood risk and Water Quality Impacts

Neighbourhood Plan

Brixton Neighbourhood Plan – Regulation 17 Stage

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 whichever is the later of the following dates (i) the expiration of eighteen months from the date of the grant of outline planning permission 1825/16/OPA or (ii) the expiration of eighteen months from the approval of the reserved matters.

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

2. The development hereby approved shall in all respects accord strictly with drawing number(s)received by the Local Planning Authority on

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. Prior to their installation details and samples of facing materials, and of roofing materials to be used in the construction of the proposed development shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with those samples as approved.

Reason: In the interests of visual amenity.

4. The roofs hereby approved shall be clad in natural slates, a sample of which shall have been submitted to and approved in writing by the Local Planning Authority prior to installation. The slates shall be fixed in the traditional manner using nails and not hooks.

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

5. Prior to installation/construction details of all external hard landscaping including details and samples of materials to be used for road, pavements, driveways and parking areas shall have

previously been submitted to and agreed in writing by the Local Planning Authority. Development shall take place in accordance with the approved details.

Reason: In the interests of visual amenity

6. Details of the proposed boundary treatments, including garden gate details and locking mechanisms, shall be submitted to and agreed in writing by the Local Planning Authority prior to their installation and shall be implemented prior to first occupation of the dwelling(s) to which they relate and retained as such.

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

7. Prior to the laying of any foundations of the dwellings hereby approved details of levels of the houses and external ground levels within the site, including the levels of the areas of public open space, shall be submitted to and approved in writing by the Local Planning Authority. Development shall take place in accordance with the approved details.

Reason: In the interests of residential amenity and the amenity of the area.

8. Prior to their construction details of any retaining walls or underbuild greater than 300mm shall be submitted to and approved in writing by the Local Planning Authority. Development shall take place in accordance with the approved details.

Reason: In the interests of visual amenity.

9. Prior to the occupation of any dwelling details of all areas of public open space within the application site shall have been submitted to and approved in writing by the Local Planning Authority. These details shall include detailed landscaping and planting proposals, details of hardsurfaces, boundary treatments and details of the play equipment and any seating, bins or other structures. The approved details shall be fully implemented prior to the occupation of the second to last dwelling within the development and shall be retained as such in perpetuity.

Reason: In the interest of visual and residential amenity