

PLANNING APPLICATION REPORT

Case Officer: Jacqueline Houslander
Blackawton and Stoke Fleming

Parish: Halwell & Moreleigh **Ward:**

Application No: 4219/20/OPA

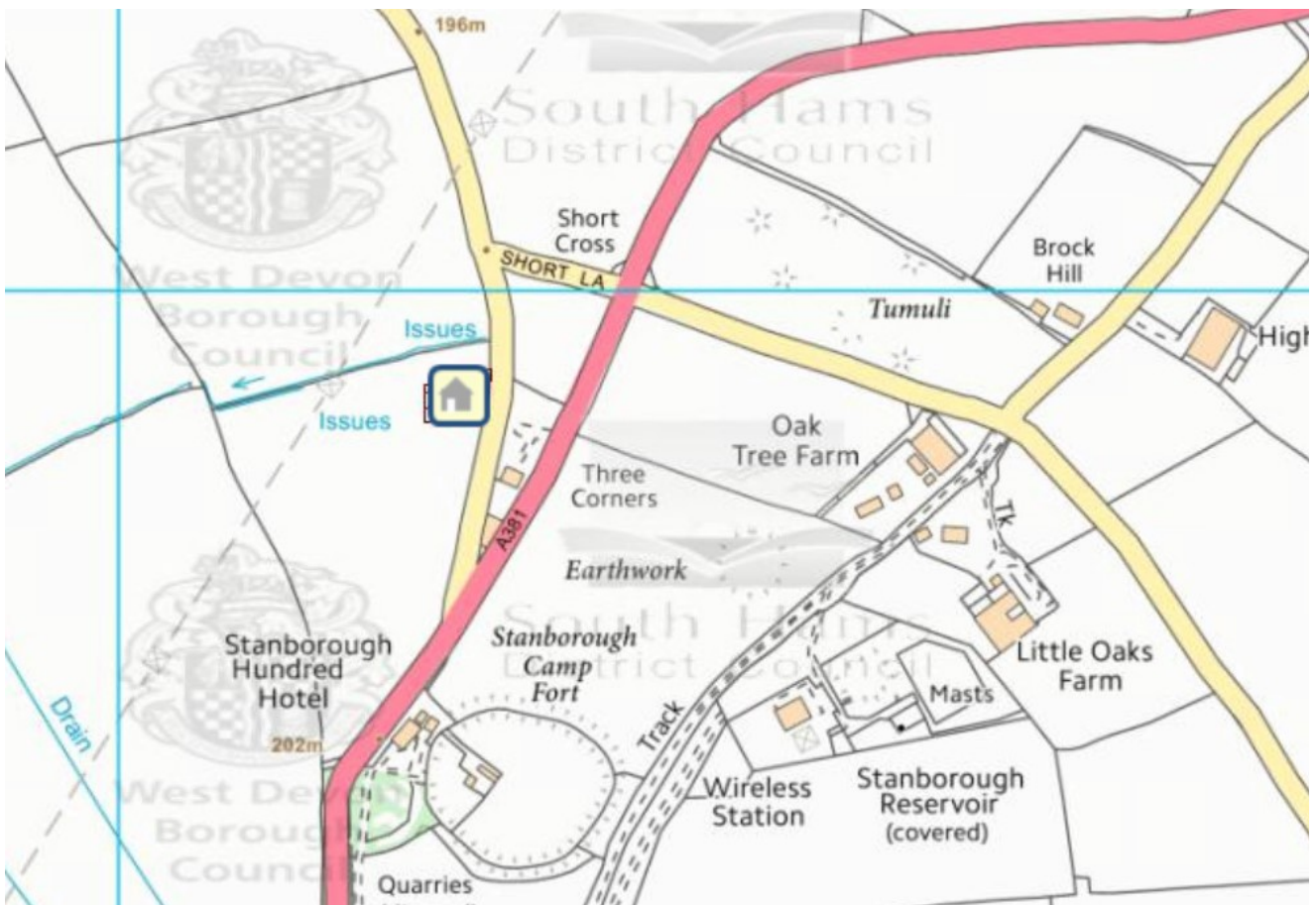
Agent/Applicant:

Mrs Amanda Burden
Luscombe Maye
59 Fore Street
Totnes
TQ9 5NJ

Applicant:

Mr And Mrs Martin Pears - Martin Pears
Engineering Ltd
C/O Agent - Luscombe Maye

Site Address: Land at Three Corners Workshop, Moreleigh, Devon



Development: Outline application with all matters reserved for a permanent occupational/rural workers dwelling

Reason item is being put before Committee: The application was previously at Committee recommended for refusal, however Committee requested that additional information be presented with regard to drainage for the site; ecology and the planning justification and then be re-presented once this had been assessed.

Previously, Councillor Reeve asked for the application to be heard by the Planning Committee for the following reason: The amount of support it has and the business provides a breakdown and repair service for the agricultural sector, which is often needed outside of business hours. By living on site, it will make running that side of the business more available to the farming community which is needed especially at busy harvest times where farmers have to work with the weather so very often work into the night if not during the night too.

Recommendation: Refusal

Reasons for refusal:

1. The proposed dwelling lies in the open countryside, with no essential occupational need and therefore fails to meet policy TTV26 in the Plymouth and South West Devon Joint Local Plan (Development in the countryside). In addition the location is unsustainable when assessed against policies SPT1, SPT2 and TTV1 of the Plymouth and South West Devon Joint Local Plan and paragraphs 11, 79 and 80 of the NPPF 2021.
2. The proposed dwelling which would be detached would fail to meet a local housing need as identified in the local data for this parish and as required by policy DEV8 of the Plymouth and South West Devon Joint Local Plan and paragraph 78 in the NPPF 2021, as such it would promote further the housing imbalance in the parish to the detriment of those requiring smaller more affordable housing.
3. The proposed dwelling would be located in an open field within an undulating and open landscape, highly visible from public viewpoints and harmful to the character of the landscape contrary to Policy DEV23 in the Plymouth and South west Joint Local Plan and para. 174 of the NPPF 2021.

Key issues for consideration: Location of the development; impact on the landscape; local housing need; drainage; access; biodiversity; ecology; low carbon development

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

As part of the Spending Review 2020, the Chancellor announced that there will be a further round of New Homes Bonus allocations under the current scheme for 2021/22. This year is the last year's allocation of New Homes Bonus (which was based on dwellings built out by October 2020). The Government has stated that they will soon be inviting views on how they can reform the New Homes Bonus scheme from 2022-23, to ensure it is focused where homes are needed most.

Site Description:

The site comprises an agricultural field located to the immediate west of the 'Three Corners' and is an approximate 0.1 hectare site located off the Moreleigh Cross to Stanborough C-class road which leads to the main A381 Totnes Cross to Stanborough Gate cross road.

The application site lies within the countryside and to the east, and on the other side of the A38 are three Scheduled Monuments forming part of the Stanborough Camp Iron Age hill fort, all approximately 180m away.

Natural England has designated the land as Grade 3 which is good to moderate quality agricultural land while the South Hams Landscape Character Type is 5A: Inland elevated undulating land.

There are there three Sites of Ancient Monuments within the vicinity of the site:

- Stanborough Camp Iron Age hillfort and bowl barrow approx. 200m away
- Ringwork and motte, 230m north east of Stanborough Camp approx. 185m away
- Round barrow cemetery known as Ritson Barrows, 420m north east of Stanborough Camp approx. 185m away

Within 4km buffer zone of South Hams SAC - Greater Horseshoe Bat – Sustenance Zone

The site lies within an SSSI risk Zone.

The Proposal:

This is an outline application with all matters reserved for a permanent occupational rural workers dwelling.

No information has been submitted regarding the type, mass and scale of dwelling proposed however it is stated that any surface water will be disposed of via a soakaway.

No pre-app advice was sought before submission.

It is stated in the application form that there are existing employees already on the site. It is stated that there are 11 full time employees with 4 part time employees giving a total full time equivalent of 13 employees. The hours of opening are given as 08:00-20:00 Monday to Friday and 08:00-17:00 Saturday. No hours on Sunday nor Bank Holiday.

This information, however, relates to the engineering business which is located on the other side of the road (albeit some machinery is currently being stored on the application site).

There is an engineering works business, on the other side of the road to the application site run by the applicant. It which appears to be a retail outlet/repair and servicing of agricultural equipment. This is confirmed by information presented in the Planning Statement. The application site is described in the sensitive development questionnaire as being agricultural. It does however appear to be being used for the parking of vehicles and agricultural equipment.

There is an agricultural building on the field, part of which is the proposed site for the dwelling. This shed was approved in May 2019 under reference 1875/18/FUL and it was stated to be used for the storage of livestock feed, hay, bedding and farm machinery in conjunction with the land farmed by the applicant. On the officer's site visit there were no livestock present.

Consultations:

- County Highways Authority – Standing advice
- Town/Parish Council – No response received
- Natural England - No comments to make on this application.

- Archaeology – Request for Written Scheme of Investigation.
- Agricultural Consultant: No response to date. In a phone call with the Agricultural Consultant, it was indicated that the proposed dwelling was not being proposed on the basis of agricultural need, but rather on the needs of the business on the opposite side of the road. The Consultant did not feel it to be appropriate to comment in this instance, because it was not related to agricultural development.
- Devon County Historic Environment – No objection, refer to standing advice.

Representations:

Comments in support have been received and cover the following points (in summary):

- Business is much needed and well used in the local community.
- Nature of business is 24/7
- Business provides local employment.
- Would provide security for business.
- Dwelling near business would allow owners a better work/life balance.

Relevant Planning History

Application Ref	Address	Proposal	Decision	Decision Date
1875/18/FUL	"Land at Moreleigh", SX772519, Totnes, Devon	Provision of a general purpose agricultural building with associated drainage pond.	Conditional Approval	31/05/2019

ANALYSIS

Principle of Development/Sustainability:

The principle of this development must be assessed against the Plymouth and South West Devon Joint Local Plan, as well as the National Planning Policy Framework.

The NPPF promotes sustainable development as do the JLP’s strategic policies SPT1 and SPT2. Policy TTV1 provides a hierarchy for growth in the Thriving Towns and Villages Policy Area. The hierarchy has 4 tiers, Tier one being the main towns and the 4th tier being the countryside and hamlets; the application site is in the 4th tier. The policy promotes new development in accordance with the hierarchy with the main towns being the most sustainable locations.

The text for the 4th tier states:

“...development will be permitted only if it can be demonstrated to support the principles of sustainable development and sustainable communities (Policies SPT1 and 2) including as provided for in Policies TTV26 and TTV27.”

In reviewing the site against the strategic policies, SPT1 and SPT2, the development is not in a settlement of any type; the nearest settlements with any facilities and services of any merit are Totnes, or Kingsbridge which are 10.7km and 10.6km respectively. Harbertonford does have a petrol filling station and local shop and is 5.6km away. There is a local shop at the petrol filling station at Totnes Cross, which is just over a kilometre away, but it is along a main road, with no pavements or street lighting. Access to facilities is therefore reliant on use of the private motor car. As such, the site is not located in a sustainable location with ready access to even the basic goods and services.

In considering the three arms of sustainable development (economic, environmental and social benefits), whilst the construction phase of any dwelling may add to the local economy, this would be limited and for a short timescale. The site and engineering works are not adjacent to any other development to provide a social benefit from the proposal and environmentally the site is located in a relatively open landscape, and the dwelling would be seen from public roads within the locality.

Policy TTV26 relates to development in the countryside and is in two parts. The first part relates to isolated development in the countryside and the second part to all sites in the countryside. The application site is in the countryside. As to whether it is isolated or not reference needs to be made to recent case law in the form of the Braintree ruling and the Bramshill ruling (more recent). Braintree provides the definition of isolated as being far away from people and places, whereas the Bramshill ruling describes isolation as..... *"...the word "isolated" in the phrase "isolated homes in the countryside" simply connotes a dwelling that is physically separate or remote from a settlement. Whether a proposed new dwelling is or is not "isolated" in this sense is a matter of fact and planning judgment for the decision-maker in the particular circumstances of the case in hand."*

In this case there is the engineering business close by, but no other residential neighbours in the immediate vicinity. It could therefore be argued that under Braintree the site is isolated. This is further promoted through consideration of the Bramshill ruling, in that the site is not near to a settlement and in fact is remote from the nearest settlement. In which case the site could be considered to be in an isolated location. Part 1 of TTV26 thus applies.

There are a set number of criteria that need to be met and the site and proposal do not meet those criteria. It is not a dwelling which is essential for a rural worker to live near their work; it would not secure the long term future of a significant heritage asset; it is not re-using a redundant disused building or brownfield site and it is not providing a development of truly outstanding or innovative sustainability or design.

The application description is as follows: *"Outline application with all matters reserved for a permanent occupational/rural workers dwelling"*

Policy TTV26.1(i) indicates that

"The LPAs will protect the special characteristics and role of the countryside. The following provisions will apply to the consideration of development proposals:

1. Isolated development in the countryside will be avoided and only permitted in exceptional circumstances, such as where it would:

i. Meet an essential need for a rural worker to live permanently at or near their place of work in the countryside and maintain that role for the development in perpetuity;"

The NPPF and the JLP policies are slightly different in regard to the exception for rural workers, with the NPPF specifically referring to a farming business, when looking at exceptions for isolated homes. The JLP referring to rural workers only. There is no definition of a rural worker in the JLP, however the SPD provides clarification as follows: *the term 'Rural Worker' is used to describe someone employed in an activity typically associated with an enterprise requiring a countryside location, such as agriculture, forestry or other land-based enterprises.*

The issue to be considered is the type of dwelling being applied for. The application form indicates that it is for a rural worker (as in the description of development); the Planning Statement states... *"Outline consent for an agricultural dwelling to be sited opposite the site access at Three Corners on land owned by the Applicants to provide on-site accommodation for Mr and Mrs Martin Pears who are directors of the company and work full time within the business."* (Planning Statement, Luscombe Maye).

If it were an agricultural dwelling, the Council would request an assessment by our agricultural consultant. He would use a functional and financial assessment as to whether the farm generated sufficient activity and finance to warrant an agricultural workers dwelling. This approach is based on the approach taken in PPS7 which was deleted (as legislation) in 2012 when the NPPF became the means of providing National Government advice on such planning matters.

There is no such guidance either nationally or locally to assess whether there is justification for a dwelling for someone who runs a rural business. The decision maker must therefore be guided by the definition of rural workers (NPPF: *there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;* and the JLP SPD, *'Rural Worker' is used to describe someone employed in an activity typically associated with an enterprise requiring a countryside location, such as agriculture, forestry or other land-based enterprises.*)

The proposal in this case is for a dwelling to support an agricultural engineering business for farm vehicles. This is not a land based business, and the business could be located on an industrial estate for example. It is therefore considered that the proposed dwelling does not fall within the definitions as indicated above and therefore cannot be considered to be appropriate under TTV26.1(i).

With regard to the other criteria in part 1 of TTV26, the development is not securing the re use of a heritage asset; or a redundant or disused building or brownfield site; it is not a building of outstanding or innovative sustainability or design and there are no nearby historic assets.

Neither would the proposal meet the criteria in part 2 of the policy which refers more generally to development in the countryside. Some of the criteria are not relevant, but in this case, the proposal would not re-use a traditional building; it would not be complementary to the agricultural operations in the field as it takes valuable grade 3 land away from such a use; as stated above it does not respond to a proven agricultural, forestry or occupational need; it utilises grade 3 agricultural land which is the best quality agricultural land (according the Natural England guidance) and it will not enhance the immediate setting, as it is in an open field with far reaching views to it. That together with the unauthorised use of the land for the storage of agricultural machinery, is unacceptable in this rural location where the countryside is valued for its own sake.

The application site land is identified by Natural England as Grade 3 land which is good and therefore should be retained for such use rather than lose it to a development which could be located elsewhere in towns or villages or on land with a lower agricultural classification.

The proposal fails to meet policies SPT1, SPT2 TTV1 and TTV26.

The applicant has identified in the Planning Statement the reasons why a dwelling next to the business is required.

Functional need (Security; less travelling; receiving deliveries; health and safety); full time work; established for 3 years; no other nearby accommodation available; other planning requirements. Whilst these issues are clearly important to any business, the decision maker needs to assess whether they are of sufficient material weight in the planning balance to warrant going against the Development Plan (which we are reminded in the NPPF is the starting point for any development proposal, particularly an up to date plan which the JLP is).

In considering the issues raised in the planning report, many of the issues referred to relate to any business operation in any location, such as the need for security, for which there are other measures; the proposed dwelling is across the road and set down in the field such that there is no direct overlooking of the business premises. Therefore there would still need to be a reliance on CCTV, alarms and other such security measures. Being on an adjacent site may result in quicker response to a security breach, but the reliance on normal security measures would still prevail. Even if there were to be a quicker response time that is not to say that the applicants should attempt to deal with the matter, it is surely a matter for the police to deal with.

Secondly, there are undoubtedly many businesses located in rural areas, which could present security as a reason for locating their home in a countryside location, however doing so would result in the countryside being littered with housing, severely impacting on the role and value we place on countryside for its own sake.

Less travelling: The applicants currently live in Kingsbridge (approximately 10 km away from the business). The planning statement suggests by locating adjacent to the business the on call aspect of the business could be more successfully operated. The statement also suggests that the applicant could see his children more often if the dwelling were next to the site when he is working late (he could pop home for supper)

This reasoning is however flawed because a response to on call would be no different if a person were to be living in Kingsbridge, Totnes or adjacent to the site. They would still need to travel to farms anywhere in the district in order to collect vehicles or repair them. Many jobs have on call service, (including some people who work for this Council) but they do not live at their place of work. Whilst it would be more convenient for the owners to live next to the site, this is not a matter which is considered to carry significant weight in the planning balance.

The Planning Statement suggests that deliveries of parts etc. can happen at any time between 7 a.m and 8 p.m. and someone needs to be there to receive the deliveries. Again this is something which occurs with all businesses. The applicant has a number of staff, with whom the receiving of deliveries can be shared. If the applicant personally has to stay at work for the long hours suggested that is a matter of choice rather than necessity.

The planning statement refers to issues with regard to the firm's reputation and the dangerous activities and the need for a quick turnaround for the farming community. The ability of the business to respond to such issues is not reliant on the location of the business owner's home. It is about business management processes and ensuring that the business site complies with all relevant health and safety legislation. These are all matters which are relevant to the running of a business, but are not justification for the erection of a dwelling adjacent to the business.

Full time work: The planning statement indicates that both of the applicants work full time in the business and that the business is viable and has been so for 3 years. The applicant's agent is seeking to apply the PPS7 functional and financial tests to this proposal, but these are specifically designed to assess an agricultural/ forestry businesses. The business is clearly viable because of its long history but that does not justify a dwelling is needed to support that business; it has worked for the last 25 years without a dwelling.

No alternative accommodation locally: Again this is a test applied to agricultural workers dwellings, which this business is not. If considering this issue, however, the applicant's agent states that there are no affordable dwellings in the locality. However there may be properties located in the some of the surrounding villages which could accommodate the applicant and family if an extended search over a longer period of time were to be carried out.

Having considered the planning statement, it is concluded that the reasons put forward do not provide a justification that there is an essential need for a dwelling to be located adjacent to the business; the Development plan policies seeking to promote development in sustainable locations far outweigh the proposal in this case. The proposal does not meet the requirements of TTV26 part 1 and 2.

The application site land is identified by Natural England as Grade 3 land which is good and therefore should be retained for such use rather than lose it to a development which could be located elsewhere in towns or villages.

The proposal fails to meet policies SPT1, SPT2, TTV1 and TTV26.

The proposal is not for an affordable dwelling and so as such it does not fall to be considered against policy TTV27, in which case, the proposal fails to meet the fundamental ethos behind the Plan for sustainable development.

Housing need:

Policy DEV8 in the JLP indicates that developments should provide for local housing needs. The ONS data for the Halwell and Moreleigh Parish indicates that there is an oversupply of 4 bedroom housing in the Parish and the need in the Parish is for 1 and 2 bedroom properties and flats, semidetached and terraced housing is the type of housing which is needed.

Whilst the proposal is in outline at the moment, there are no details to consider as scale, design, layout, landscaping and access are still to be determined. However, if the dwelling were to accord with the local needs in the Parish, a small 2 bed dwelling or a couple of dwellings smaller in nature would meet the local need. However because of the rural location, 2 dwellings would be even less justified.

In addition, detached properties within the Parish stand at 61%, with the South Hams Average being at 38%. Detached properties are therefore almost double what is needed in

the Parish or District to try to address that imbalance. The site layout plan indicates a large detached property and this would therefore not meet the local need in this area.

The proposal would be contrary to Policy DEV8 in the JLP.

The NPPF, indicates that Local Authorities should provide in their Plans “*a clear understanding of the land available in their area through the preparation of a strategic housing land availability assessment. From this, planning policies should identify a sufficient supply and mix of sites, taking into account their availability, suitability and likely economic viability.*”

The JLP does this and has therefore allocated sufficient land within the Plan and for the Plan period to provide a 5 year housing land supply (currently 5.8 years). Any housing outside of those allocations must be fully policy compliant to be found acceptable. It is not considered there any material planning considerations to override this.

It has already been demonstrated that the proposal is in an unsustainable location, contrary to policies SPT1, SPT2, TTV1 and TTV26 and further, is not providing the type and size of house that is needed in the Parish, contrary to policy DEV8. There is therefore not currently a need for this type of house in this location when the district has more than enough housing sites allocated in the JLP.

Design:

No design details have been submitted as the application is for outline permission.

Landscape:

Policy DEV23 seeks to ensure that the landscape of the South Hams is conserved and enhanced by any development within it. The countryside here is identified in the South Hams Landscape Character Assessment as 5A which is characterised by inland elevated undulating land, which is generally open and treeless (other than those sparsely located within the Devon hedges which act as field and road boundaries), with little built development. It comprises mainly agricultural land with grazing on steeper slopes and arable land in the flatter upland areas. The landscape within the vicinity and indeed the field within which the development is proposed is very much of that character. The fields are bounded by low but mature wide hedgerows or Devon hedges, and these low hedges on elevated ground, results in open skylines with far-reaching views over the countryside including to Dartmoor National Park in the north.

The following are the valued attributes of this landscape:

- Remote and ‘empty’ character
- Sparsely settled with high levels of tranquillity
- Experience of dark skies.
- Open, windswept, largely unwooded, landscape
- Mosaic of arable and pasture fields with pastures grazed by distinctive Devon Red and South Devon cattle.
- Many visitors experience the district from the ridge top roads.
- Extensive rights of way valued for recreation, and quiet enjoyment and access to nature.
- Open skylines and long rural, estuarine or seascape views.

The Landscape Character Assessment, states for this landscape, the overall landscape strategy is ...

“To protect and enhance the remote character of the elevated uplands, with its intricate pattern of fields enclosed by an intact network of species-rich Devon hedges and distinctive tree clumps. Manage and enhance the farmed landscape by ensuring that pastoral land is conserved and field boundaries maintained, wildlife interest and local diversity is enhanced, soil erosion and agricultural run-off reduced. Maintain the sparse settlement pattern, open views to Dartmoor and panoramic views from the edge of the plateau over the estuaries along the south coast.”

The imposition of a dwelling into this landscape with no policy compliant justification for it would have an extremely detrimental impact on the landscape character and could not be seen to either conserve or enhance the landscape quality, contrary to Policy DEV23 of the Local Plan, the NPPF, paragraph 174, which seeks to protect and enhance valued landscapes, and for the decision makers to recognise the intrinsic character and beauty of the landscape.

A Bridleway is present to the west of the site which would provide views across the open landscape and low hedgerows to the site.

In landscape terms therefore, this site is not supported. The open and slightly undulating nature mean that it is visible from many public viewpoints and as such is detrimental to the landscape character of this part of the South Hams countryside.

Neighbour Amenity:

There are no immediate neighbours who would be impacted by the development.

Highways/Access:

Access to the site is a reserved matter, although the layout plan does indicate a position for an access; this is the existing field gate access which has as a result of the number of farm equipment and vehicles using the site to park become rather more open than it once would have been.

Drainage:

A drainage plan was submitted after the last Planning Committee and has been reviewed by the drainage engineer. The plan indicates a soakaway measuring 11m x 4.8m in the south west corner of the application site, within the red line boundary.

No information was provided about foul drainage on the plan or application form. In considering the size of the application site, it is likely that a treatment plant could be incorporated within the red line boundary.

Ecology:

A Preliminary Ecological Assessment was submitted which has been reviewed by the County Ecologist. The development site lies within the sustenance zone for South Hams SAC with respect to greater horseshoe bats. The County ecologist is content with the report subject to the imposition of planning conditions.

Climate Change:

No information has been provided to demonstrate how the proposal could comply with the need for carbon reduction measures, however, this is more appropriate to be provided at the reserved matters stage, when more detail about the orientation, layout, suitability for

Photovoltaics and so on can be given due consideration. A specific planning condition would be required should the application be approved.

Planning Balance:

The proposal is for an open market dwelling in the open countryside contrary to the fundamental philosophy of the provision of sustainable development, as outlined in both National and Local Planning policy. The planning statement does not provide sufficient justification to demonstrate that there is an essential need for a dwelling to be located adjacent to a business which is not traditionally one which needs to be located in the countryside.

It could easily be located on an industrial estate in a town or village. The business has been in existence, successfully, for more than 25 years without a dwelling. The use is not a land based one and as such does not meet the criteria as set out in Policy TTV26 in the JLP or paragraph 80 of the NPPF.

The dwelling would not meet a locally identified housing need and would also impact negatively on the current landscape, with no conservation or enhancement of the landscape. Whilst the additional information submitted has resulted in no objections from the ecologist and the drainage engineer, the principle of a dwelling in this location fails the assessment against current planning policy and therefore the application must be recommended for refusal.

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

Planning Policy

Relevant policy framework

Section 70 of the 1990 Town and Country Planning Act requires that regard be had to the development plan, any local finance and any other material considerations. Section 38(6) of the 2004 Planning and Compensation Act requires that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise. For the purposes of decision making, as of March 26th 2019, the Plymouth & South West Devon Joint Local Plan 2014 - 2034 is now part of the development plan for Plymouth City Council, South Hams District Council and West Devon Borough Council (other than parts of South Hams and West Devon within Dartmoor National Park).

On 26 March 2019 of the Plymouth & South West Devon Joint Local Plan was adopted by all three of the component authorities. Following adoption, the three authorities jointly notified the Ministry of Housing, Communities and Local Government (MHCLG)* of their choice to monitor the Housing Requirement at the whole plan level. This is for the purposes of the Housing Delivery Test (HDT) and the 5 Year Housing Land Supply assessment. A letter from MHCLG to the Authorities was received on 13 May 2019 confirming the change. On 13th January 2021 MHCLG published the HDT 2020 measurement. This confirmed the Plymouth, South Hams and West Devon's joint HDT measurement as 144% and the consequences are "None".

Therefore a 5% buffer is applied for the purposes of calculating a 5 year land supply at a whole plan level. When applying the 5% buffer, the combined authorities can demonstrate a 5-year land supply of 5.8 years at end March 2021 (the 2021 Monitoring Point). This is set

out in the Plymouth, South Hams & West Devon Local Planning Authorities' Housing Position Statement 2021 (published 12th November 2021).

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

The relevant development plan policies are set out below:

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

SPT1 Delivering sustainable development

SPT2 Sustainable linked neighbourhoods and sustainable rural communities

SPT14 European Protected Sites – mitigation of recreational impacts from development

TTV1 Prioritising growth through a hierarchy of sustainable settlements

TTV26 Development in the Countryside

DEV1 Protecting health and amenity

DEV2 Air, water, soil, noise, land and light

DEV8 Meeting local housing need in the Thriving Towns and Villages Policy Area

DEV15 Supporting the rural economy

DEV23 Landscape character

DEV26 Protecting and enhancing biodiversity and geological conservation

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: There is currently no NP in place for this area.

Other material considerations include the policies of the National Planning Policy Framework (NPPF) and guidance in Planning Practice Guidance (PPG).

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.