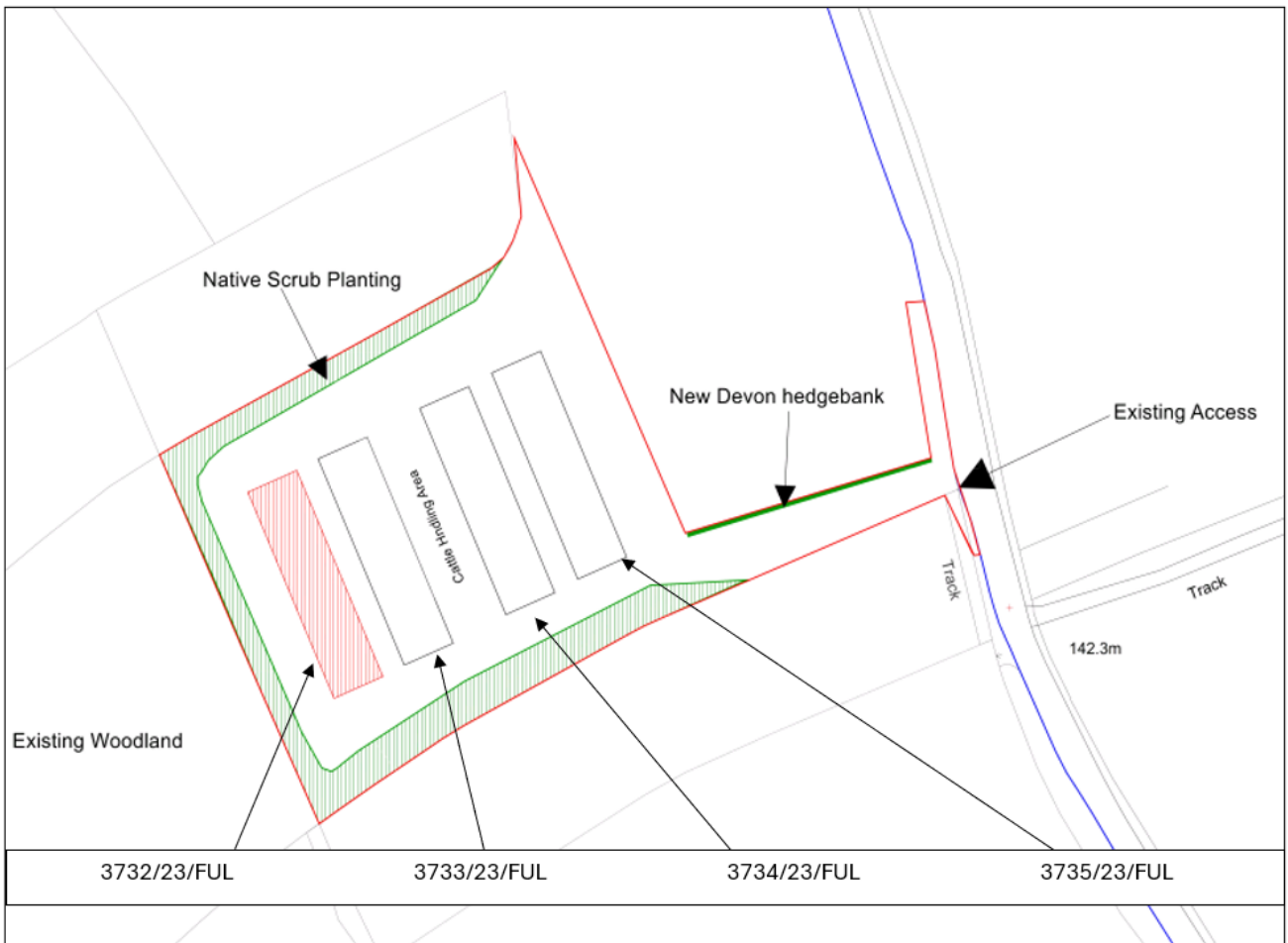
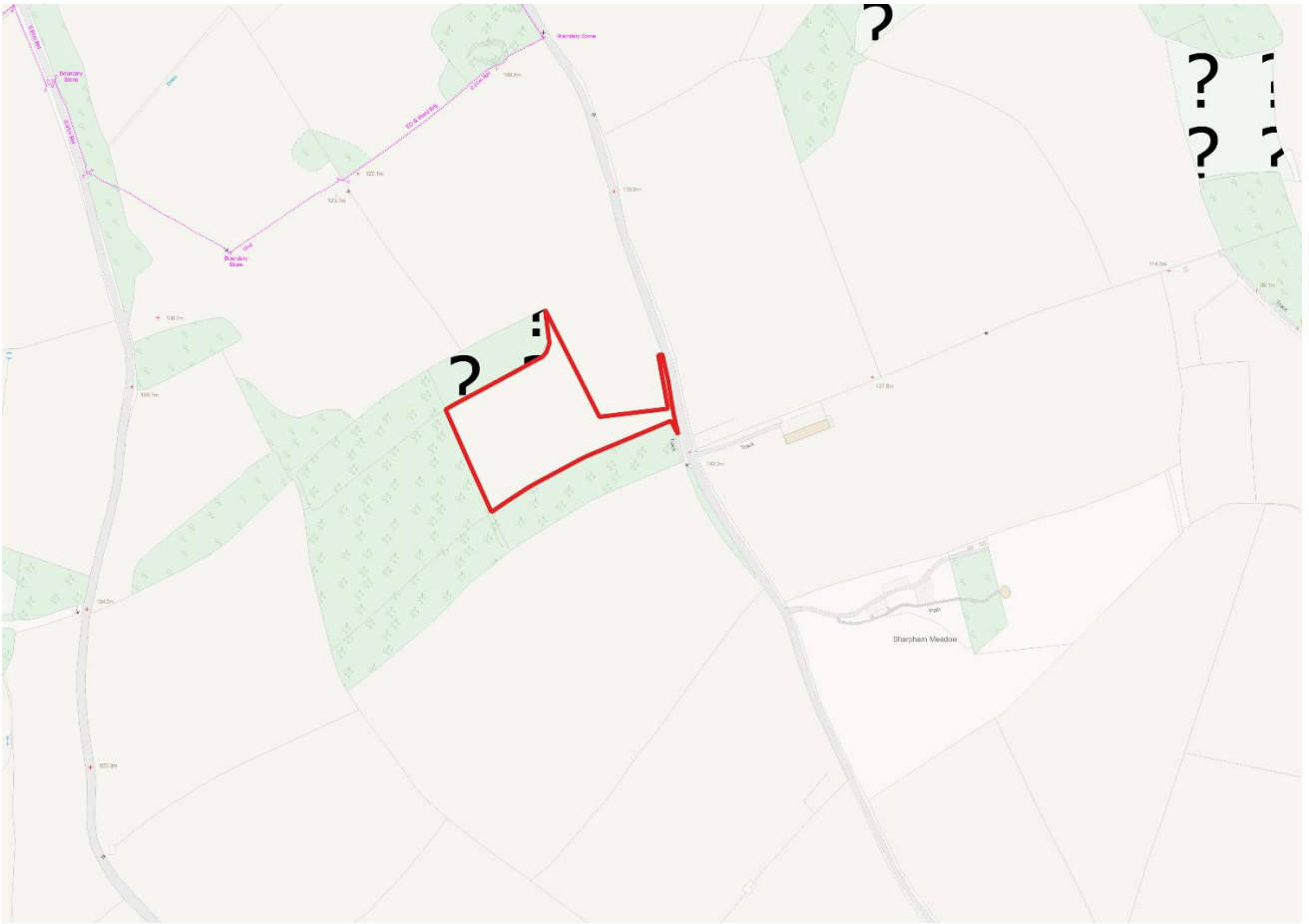


## COMMITTEE REPORT

<b>Case Officer:</b>	Liz Payne		
<b>Parish:</b>	Ashprington	<b>Ward:</b>	West Dart
<b>Application No:</b>	3732/23/FUL / 3733/23/FUL / 3734/23/FUL / 3735/23/FUL		
<b>Applicant:</b>	Messrs RC & CL Rogers C/O Agent	<b>Agent:</b>	Mrs Amanda Burden - Luscombe Maye 59 Fore Street Totnes
<b>Site Address:</b>	Land At Sx 805 583, Ashprington		TQ9 5NJ
<b>Development:</b>	Provision of an agricultural livestock building & engineering works to create a level yard area (application 1 of 4)		
	Provision of an agricultural livestock building & engineering works to create a level yard area (application 2 of 4)		
	Provision of a storage building & engineering works to create a level yard area (application 3 of 4)		
	Provision of a storage building & engineering works to create a level yard area (application 4 of 4)		



**Reason item is before Committee:**

At the request of Cllr McKay *'The reason for calling it in is that I think the proposed development is essential for the applicant's farming business and there is unlikely to be any increase in farming traffic as they are vacating a location that is subject to a class Q application. I also feel that Devon Highways is being inconsistent in its objection, given it raised no objection to the large wall at the junction to be built, which has made the junction more dangerous than it need be.'*

**Recommendation for 3732/23/FUL: Refusal****Reasons for refusal:**

By reason of the inadequate junction at Ashprington Cross, the road giving access to the site is unsuitable to accommodate the likely increase in traffic generated by the proposal contrary to DEV15 and DEV29 of the Joint Local Plan and paragraph 114 of the National Planning Policy Framework.

**Recommendation for 3733/23/FUL: Refusal****Reasons for refusal:**

By reason of the inadequate junction at Ashprington Cross, the road giving access to the site is unsuitable to accommodate the likely increase in traffic generated by the proposal contrary to DEV15 and DEV29 of the Joint Local Plan and paragraph 114 of the National Planning Policy Framework.

**Recommendation for 3734/23/FUL: Refusal****Reasons for refusal:**

By reason of the inadequate junction at Ashsprington Cross, the road giving access to the site is unsuitable to accommodate the likely increase in traffic generated by the proposal contrary to DEV15 and DEV29 of the Joint Local Plan and paragraph 114 of the National Planning Policy Framework.

**Recommendation for 3735/23/FUL: Refusal****Reasons for refusal:**

By reason of the inadequate junction at Ashprington Cross, the road giving access to the site is unsuitable to accommodate the likely increase in traffic generated by the proposal contrary to DEV15 and DEV29 of the Joint Local Plan and paragraph 114 of the National Planning Policy Framework.

**The key issues for consideration apply equally to all 4 applications:** Principle, Landscape, Heritage, Highways.

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**Site Description:**

The application site consists of an agricultural field situated on a shallow ridge, about a 1.8km south of Totnes, and 1.8km north-west of Ashprington village. A lane runs to the east of the site and an existing gate provides vehicle access onto the field. A boundary hedge runs along the east boundary and there is a strip of woodland around the west, south and part of the north boundaries. The site slopes down northwards and joins an adjacent field.

To the north-west of the site is a Grade I listed property Bowden House, to the east is the parkland belonging to Sharpham House which is a Grade II\* registered Park and Garden and to the west is a Grade II property known as Stancombe Linhays.

On the opposite side of the lane, to the southwest is a natural burial ground known as Sharpham Meadow.

The application site lies approximately 1km north and west of the boundary of the South Devon National Landscape.

## **The Proposal:**

This report assesses 4 applications which together seek consent for the provision of 3 livestock buildings, a storage building, engineering works to create a level yard and alterations to the existing vehicle access. A soakaway would serve all 4 buildings and a landscaping scheme has been submitted to provide additional screening for the scheme as a whole.

The 4 applications comprise:

Application 1 case ref: 3732/23/FUL: provision of a building to house cattle, engineering works to create a level yard and alterations to the existing access. This building is the most westerly of the 4 proposed and would face eastwards.

Application 2 case ref: 3733/23/FUL: provision of a building to house cattle and engineering works to create a level yard. This building would be immediately east to building 1.

Application 3 case ref: 3734/23/FUL: provision of a building to house sheep and engineering works to create level yard. The building would face eastwards.

Application 4: case ref: 3735/23/FUL provision of a storage building for straw and hay as well as agricultural machinery and equipment. This building would be the most easterly building and would face westwards.

All buildings would have one open side, with Yorkshire Board Cladding on other 3 sides and cement fibre roof.

## **Consultations:**

- **Agricultural Consultant: support**  
The consultant stated they are satisfied there is a need for the buildings, that the siting meets the farm business and that the design of the buildings is suitable for the proposed use.
- **DCC Archaeology: no objection, subject to condition**  
Proposed development sites may contain archaeological features or artefactual material associated with prehistoric settlement, agricultural or funerary activity. As such, pre-commencement conditions requiring a Written Scheme of Investigation and post-investigation assessment are required.
- **DCC Ecology: no objection**  
Requested a LEMP condition to secure the habitat creation.
- **DCC Highways: objection**  
The Highway Authority has raised significant concerns that the proposals would create an intensification of all types of vehicles at Ashprington Cross, which is the main route to and from the site in a south easterly direction.
- **DCC Waste: no comments received**
- **DCC Flood: no comments received**
- **Devon Garden Trust: no comments received**
- **Environment Agency: no comments received**
- **Gardens Trust: no comments received**
- **Historic England: no comments received.**

- Natural England: no comments received
- Police + Architectural Liaison Officer: no objection  
Provided further recommendations on securing livestock and machinery.
- South Devon AONB Unit : no comments received
- Drainage (Internal): no objection
- Environmental Health: no objection  
Requested a condition to agree a Construction Management Plan.
- Landscape Officer: no objection  
The proposed planting layout on the Landscape Strategy Plan could deliver the mitigation and enhancements required for this sensitive landscape, however, requested that the planting plan is not an approved document, and a condition is used to secure a more suitable planting scheme.
- Tree Officer: no objection, subject to condition.  
Tree Officer requested a condition securing the Tree Protection Plan as an approved document. Tree Officer did note that further details would be needed in terms of tree pit design, staking and mulching and inconsistencies between the landscape strategy and the planting plan. Tree Officer also confirmed he was satisfied with the details provided within the Woodland Management Plan subject to a minor alteration.
- Waste (SH/WD): support
- South West Water: no objection
- SHWD Heritage Officer: no objection  
Heritage Officers initially raised concerns with the lack of information regarding the proposed finish, yard activity and external lighting. Following the submission of further details Heritage Officers have confirmed the scheme is acceptable subject to conditions.
- Totnes Town Council: objection  
*The Committee has the following comments:  
Asked for a condition to ensure that year round indoor husbandry of livestock does not occur.  
Concerns about water run off from 4 large buildings is not adequately planned for.  
Concerns on how animal waste/slurry is cleared/stored.  
Increased traffic volume on small road.  
No lighting constraints included.  
No solar use included.  
Request agricultural advisor assessment to ensure the large scale is necessary.*
- Ashsprington Parish Council: support

### **Representations:**

One letter of objection has been received:

- *These Applications are accessed from narrow lanes which are currently used by walkers, cyclists and horse riders, and occasional cars, delivery and agricultural vehicles.*
- *These narrow lanes connect the well-established Franklin Way footpath network, as well as routes to Ashprington, the Sharpham Estate and, of great sensitivity, the burial ground.*
- *The proposals pose a potential and significant risk to this equilibrium, in the event of:*
  - *significant additional movements by Heavy Goods Vehicles; and*

- *the risk of quantities of slurry and/or mud transferring to the lanes - either by direct flows, by indirect transfer from farm vehicles.*
- *I therefore urge that the Application is not approved without stringent and enforceable Conditions to eliminate these risks.*

### **Relevant Planning History**

- 0222/23/PR6 – Partial Support – 28/03/2023  
Pre-application enquiry or new access to farmland and provision of agricultural buildings

### **ANALYSIS**

#### **1. Principle of Development/Sustainability:**

- 1.1. The site is in the open countryside. Policy TTV1 permits development in the countryside only where it can be demonstrated to support the principles of sustainable development and sustainable communities (Policies SPT1 and SPT2) included as provided for in Policy TTV26.
- 1.2. Policy TTV26 of the JLP relates to development in the countryside. The aim of the policy, as articulated in the first line, is to protect the role and character of the countryside. The policy is divided into two different sets of policy requirement; the first applies to development proposals considered to be in isolated countryside locations. The second aspect of the policy is applied to all development proposals that are considered to be in a countryside location. Therefore, in order to determine whether to assess the proposals under TTV26 (1), Officers must conclude whether or not the site is considered to be isolated.
- 1.3. Guidance set out in the JLP Supplementary Planning Guidance, at paragraph 11.50, states that the Council applies the test of isolation in a manner consistent with the Braintree case and any superseding judgment. The recent Bramshill judgment affirmed that the essential conclusion in Braintree (at para. 42 of that judgment) was that in determining whether a particular proposal would be "isolated", the decision-maker must consider '*whether [the development] would be physically isolated, in the sense of being isolated from a settlement*'. What is a "settlement" and whether the development would be "isolated" from it are both matters of planning judgment for the decision-maker on the facts of the particular case.
- 1.4. In this case, there are a number of individual buildings within the area, but these are approximately 500m from the application site and are too dispersed from each other to be considered a group or settlement. The nearest settlement, Totnes, lies approximately 1.8km to the north of the site. On this basis, the site is physically separate or remote from a settlement and it is only reasonable to conclude that the site should be considered 'isolated' and the proposal to constitute 'isolated development in the countryside'. Therefore, both parts of the TTV26 apply.
- 1.5. The provisions of part 1 state that isolated development will only be permitted in exceptional circumstances and provides a number of scenarios. While officers are mindful that the proposal does not fall directly into one of the listed criteria, these are given as common examples of developments that are likely to be acceptable due to their spatial requirement for a countryside location. In this context, the principle of an agricultural building in an isolated countryside location is acceptable in principle, provided that the other relevant criteria in part 2 are met.
- 1.6. Each of the criteria of TTV26(2) is taken in turn:  
*Protect and improve public rights of way and bridleways.*

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

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

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

*Avoid the use of Best and Most Versatile Agricultural Land.*

*Help enhance the immediate setting of the site and include a management plan and exit strategy that demonstrates how long term degradation of the landscape and natural environment will be avoided.*

- 1.7. There is no existing buildings and the site does not impact upon a public right of way so point i and ii are not relevant.
- 1.8. The applicant has submitted a statement providing a justification for the proposal to provide over wintering shelter for the existing herd of cattle and sheep and to accommodate lambing. The Applicants have a herd of 120 suckler cows producing calves on an annual basis which are reared on the holding and then sold at 18 months old. The applicants also have a flock of 700 breeding ewes, producing lambs that are fattened and sold from the holding. The applicants currently rent farm buildings for these purposes but state that these buildings are not large enough to accommodate all the animals and there is no space to expand the farm at this site. During the life of the application a plan showing all the land the applicants own and rent has been provided with details of the tenure for each parcel of land.
- 1.9. In addition, the Agricultural Consultant has provided comments on the proposal and has confirmed that in their opinion the proposed buildings are needed for the farm business to function properly and continue to operate in a sustainable and viable way. The land related to the farm is sporadic with parcels of land located at 12 different sites and Officers concur with the applicant that the land at Bowden Woods is fairly central to the farming operations. It is also the largest parcel of land which they own. After considering the additional information submitted by the applicant, Officers are satisfied that there is a proven agricultural need for the building and that the proposal would complement the existing farming enterprise in accordance with criteria iii and iv.
- 1.10. The surrounding land is grade 2 and grade 3 agricultural land with some poorer quality agricultural land along the valley bottom. Officers acknowledge that the proposed buildings would impact upon grade 3 agricultural land but also note that all the land within the agricultural unit is grade 2 or 3.
- 1.11. In regard to point vi the proposal incorporates some levelling and cutting of the land to create a level area for the buildings. As discussed later in the report, the proposed landscaping scheme incorporates new hedgerow, new areas of woodland, a smaller cluster of trees and areas of scrub planting on the edge of the existing woodland. As part of the proposal a Woodland Management Plan has been submitted to secure appropriate management and maintenance of the existing woodland which screens the majority of the development. Although an exit strategy has not been submitted the proposed landscaping would mitigate the impacts of the ground levelling works and provide additional screening of the proposed development. The landscaping would also result in an uplift in the biodiversity value of the site.
- 1.12. On balance the development is considered to accord with TTV26.
- 1.13. Policy DEV15 seeks to support the rural economy and provides support for development which meets the essential needs of agriculture. Not all the criteria of DEV15 is applicable to this application, however criterion 8 requires development to avoid incongruous or isolated new buildings and to provide safe access to the existing highway

network. The application has demonstrated that there is an agricultural need for the buildings and that there are no other unused existing buildings within the site which could be utilised. As discussed later in the report, there is a Highway objection to the application which raises concerns that the location of the development would result in an increase of traffic through Ashprington Cross which is a junction with poor visibility. Alternative routes would have to go north to the edge of Totnes where the roads are narrow and enclosed by domestic walls and residential properties. The most likely route to the main road network, particularly for agricultural traffic would be to travel south through Ashprington Cross junction.

- 1.14. DEV15 seeks to support rural businesses in suitable locations. The proposal can justify a countryside location and on balance accords with the criteria of TTV26, however the location of the proposed buildings does not provide satisfactory access to the wider road network and overall would be contrary to the aims of DEV15.

## 2. Design/Landscape:

- 2.1. The application site is located approximately 0.7km of the South Devon National Landscape within an area characterised as Inland Elevated Undulating Land within the South Hams Landscape Character Assessment. It is a sparsely settled landscape, with an empty and remote character, and the pattern of field boundaries and plantations in the locality remain intact since the Ashprington Parish Tithe map of 1843. The application site and the surrounding landscape is sensitive to change and in particular to large new built development.
- 2.2. The application is supported by a Site Options Report which provides a narrative for how the siting of the buildings have considered the impact on the wider landscape. The proposed option being mostly screened by existing woodland. A Landscape and Visual Statement has also been submitted which identifies the key characteristic of the landscape and provides recommendations for development proposals. The Landscape Officer initially raised concerns that the proposal did not adhere to the recommendations of this report and objected to the quantity of cut and fill required by the design and the landscaping mitigation which did not respond to the character and form of the surrounding landscape.
- 2.3. A subsequent Landscaping Strategy has been proposed which reduces the amount of yard area which is required to be levelled. Further planting is proposed on the area of engineered slopes to mitigate the impact of the change in landform. A hedgerow would be reinstated to subdivide the large field and an area of woodland is proposed at this boundary which would reflect the existing woodland on the site. A Woodland Management Plan has also been submitted to maintain the existing woodland.
- 2.4. The Landscape Officer has raised concerns that the proposed planting plan does not include species of trees which would reach a suitable height to provide satisfactory levels of screening. In addition, the size of the proposed trees to be planted would take considerable time to reach maturity.
- 2.5. The Tree Officer has raised no objection to the proposal and is satisfied with the contents of the Woodland Management Plan.
- 2.6. Notwithstanding the planting plan, The Landscape Strategy would provide screening mitigation and enhancement as required by Local Plan policies DEV23 and DEV25. If the application were otherwise acceptable a condition could be used to require a further planting plan be agreed with Officers to ensure suitable tree species are provided.

## 3. Heritage



- 3.1. The site is located in the vicinity and setting of 'Bowden House', a Grade I Listed Building which means the House is of exceptional interest and within the top 2.5% of listed buildings nationally. The site is also located in the vicinity and setting of Grade II\* Registered Park and Garden 'Sharpham House', of more than special interest. As such, Officers must be mindful of the duty to pay 'special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses' set out in Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the recent Levelling Up and Regeneration Act (2023) which provides Registered Park and Garden with the same statutory protection in the planning system as listed buildings.
- 3.2. JLP Policy DEV21 'Development affecting the historic environment' sets out the requirements for development affecting all types of heritage assets and seeks for proposals to *'sustain the local character and distinctiveness of the area by conserving and where appropriate enhancing its historic environment, both designated and non-designated heritage assets and their settings, according to their national and local significance'*.
- 3.3. The applications are supported by a Heritage Impact Assessment which identifies Bowden House, Sharpham Registered Park and Garden and the collection of buildings at Stancombe Farm as nearby heritage assets. The HIA concludes that given the distances to the site, the topography of the land and (in the case of Sharpham) the area of woodland around the registered Park and Garden, the proposals would not result in any visual, noise or smell impacts on the listed assets. The undeveloped setting of Stancombe is important to the character of the asset, however the impact of the proposal upon the setting of Stancombe would not be significant. The north-eastern corner of the application site is visible at a distance through the trees from the north-eastern corner of the gardens at Bowden House and although the buildings themselves would not be visible, machinery entering the site would be visible travelling from the access point from the road to the yard. The view from the house itself and its immediate surroundings would not be affected. The impact of noise and smells from the farming activities would have little or no noticeable impact.
- 3.4. Officers do not disagree with the conclusion of the Heritage Impact Assessment and note that additional amendments to the landscape strategy would further obscure visual impacts of machinery entering the yard. The agent has also confirmed that the muck from the animal sheds would be temporarily stored on the yard before being moved to the field before spreading. As the yard is enclosed by the existing woodland it is not considered that this would be visible from the gardens of Bowden House either.
- 3.5. In terms of paragraphs 205-208 of the NPPF, the harm on the setting of the nearby heritage assets is considered to constitute less than substantial harm. The provision of agricultural buildings and the continued use of the land for agricultural purposes, albeit for modern farming practices, is part of the evolution of the countryside and therefore retains some connection with the setting of the heritage assets. The proposal is required by an existing farm business and would provide benefit to the rural economy of this area. To further mitigate against impacts, a condition could be used to require further details of any lighting to be installed.
- 3.6. Flint artefacts have been discovered in fields to the north-west of the application site which indicate prehistoric activity in the vicinity. DCC Archaeology Officer has requested that should the application be approved conditions are used to secure a programme of archaeological work that should investigate, record and analyse archaeological evidence that may otherwise be destroyed during construction. Subject to these conditions no archaeological objections are raised.

3.7. On balance, subject to conditions, the proposal is considered acceptable in regard to DEV21 of the Joint Local Plan.

4. Neighbour Amenity:

4.1. The application site is approximately 500m from the nearest residential properties and would be mostly screened by the existing woodland and additional planting. The distance from the residences and the woodland screening would mitigate impacts of noise and smells to an acceptable level. Sharpham Meadow Natural Burial Ground is sited south-east of the application site and although the entrance to the meadow is closer, the burial area is approximately 400m from application site and also separated by the existing woodland. Although some activity and sounds would result from the proposal, these would be to an acceptable level and would be in keeping with a countryside location where signs of farming activity are expected. As such the proposal accords with DEV1 and DEV2 of the JLP.

5. Highways/Access:

5.1. DEV29 of the Joint Local Plan requires developments to contribute positively to the achievement of effective and safe transport system, including consideration of the impact of development on the wider transport network and providing safe traffic movement to and within the application site.

5.2. DCC Highways Officers have raised concerns in relation to the potential increase in use of the Ashsprington Cross junction, which is deemed as substandard in visibility terms for both domestic and agricultural type vehicles due to a high wall and hedge. Travelling through this junction is the only route to the main road network in the area. A letter of representation has raised a similar concern with the general increase in heavy vehicles in the area.

5.3. The applicant has submitted a Transport Statement which explains that they currently rent buildings at Sharpham Barton, (just north of Ashsprington Cross junction) to house their machinery but not the land and therefore traffic movements are undertaken daily when machinery is required at the various parcels of land through the agricultural unit. The statement also identified that although the applicant now owns the application site it has in the past been farmed by previous tenants and as such historically there have been vehicle movements to the application site that are not in connection with the current agricultural holding. The Transport Statement concludes that the proposal would not result in an increase in vehicle movements and would overall decrease the amount of traffic as livestock or machinery would not need to be transported to the fields adjacent to the application site. The proposal also includes improvements to the site access.

5.4. However, there remains a concern that once the barns are no longer in use by the applicant, they will be leased to another user which would generate additional traffic and result in an overall increase in vehicle movements. Given the poor visibility for all traffic users at this junction the proposal is considered to be contrary to DEV29 of the JLP and paragraph 114 of the NPPF.

6. Drainage:

6.1. The proposal incorporates a soakaway that is large enough to accommodate surface water from all four of the proposed buildings. Notwithstanding concerns raised by the Town Council, no issues have been raised from SHWD Drainage Officers in this regard and the proposal accords with the drainage hierarchy as set out in DEV35 of the JLP.

7. Ecology

7.1. The application was submitted prior to the national mandatory requirement for biodiversity net gain, however a biodiversity metric has been submitted in support of the application and shows that the development with the landscape strategy would result in a net gain of biodiversity value at the site. This strategy could be secured by a condition requiring the approval and implementation of a LEMP.

7.2. The Ecological survey did not find any protected species present on the site, however the surrounding landscape may provide suitable habitat for such species. As such the report recommends the restriction of lighting to avoid harm to bats. In addition, to the landscape enhancements the ecological survey recommends the provision of 6 House Sparrow terrace nest boxes on northern or eastern elevations and three externally mounted woodcrete bat boxes on southern or western elevations.

7.3. The proposal would conserve and enhance biodiversity in accord with DEV26.

## 8. Climate Emergency:

8.1. Officers acknowledge concerns raised by Totnes Town Council on the omission of solar panels. However, the proposals are for unlit and unheated buildings that are open fronted and therefore the omission of solar panels or other renewable energy sources is acceptable in this instance. Officers have considered the submitted climate emergency compliance form and note that the applicant intends to source materials locally and meets requirements in regard to protecting tree cover and providing biodiversity net gain. By virtue of the character of the development the details as submitted are acceptable in this instance.

## 9. Other matters:

9.1. Totnes Town Council have raised concerns that insufficient details have been provided of how slurry or other waste would be managed. The agent has confirmed the applicants run a straw based dung system and have no slurry. The cattle are housed on straw bedding and the buildings would be cleared out twice a year and the manure stored on the concrete yard before being taken to the field pre-spreading. Officers consider this acceptable and does not raise any further concerns.

9.2. The Town Council also requested a condition that the animals were not kept indoors all year round. The impacts of having cattle and sheep indoors has been assessed and found to be acceptable. It is not clear why the Town Council are requesting this condition and Officers do not consider that such a condition is necessary and therefore would not meet the six tests as set out in the Planning Practice Guidance.

## 10. Conclusion

10.1. The Joint Local Plan supports proposals that are necessary for agriculture and meet other criteria, including the provision of safe access to the road network. The proposal is justified in regard to meeting an agricultural need and the provision of the landscape strategy would mitigate the majority of harm to the wider landscape and heritage assets nearby. However, the location of the proposal north of the Ashsprington Cross junction would not result in safe access to the wider road network contrary to DEV15 and DEV29 and all four of the applications are recommended for refusal on this basis.

***This application has been considered in accordance with Section 38 of the Planning & Compulsory Purchase Act 2004 and, with Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.***

## Planning Policy

### Relevant policy framework

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

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  
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  
DEV15 Supporting the rural economy  
DEV20 Place shaping and the quality of the built environment  
DEV21 Development affecting the historic environment  
DEV23 Landscape character  
DEV24 Undeveloped coast and Heritage Coast  
DEV25 Nationally protected landscapes  
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

Other material considerations include the policies of the National Planning Policy Framework (NPPF) and guidance in Planning Practice Guidance (PPG). Additionally, the following planning documents are also material considerations in the determination of the application:

**South Devon Area of Outstanding Natural Beauty Management Plan (2019-2024)**  
**Plymouth and South West Devon Joint Local Plan Supplementary Planning Document (2020)**  
**Plymouth and South West Devon Climate Emergency Planning Statement (2022)**

### **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.