

South Hams Development Management Committee



Title:	Agenda										
Date:	Thursday, 1st August, 2024										
Time:	10.00 am										
Venue:	Council Chamber - Follaton House										
Full Members:	<p style="text-align: center;">Chairman Cllr Long Vice Chairman Cllr Taylor</p> <p><i>Members:</i></p> <table style="margin-left: auto; margin-right: auto;"> <tr> <td>Cllr Abbott</td> <td>Cllr Hodgson</td> </tr> <tr> <td>Cllr Allen</td> <td>Cllr Nix</td> </tr> <tr> <td>Cllr Bonham</td> <td>Cllr Oram</td> </tr> <tr> <td>Cllr Carson</td> <td>Cllr Pannell</td> </tr> <tr> <td>Cllr Dommett</td> <td>Cllr Rake</td> </tr> </table>	Cllr Abbott	Cllr Hodgson	Cllr Allen	Cllr Nix	Cllr Bonham	Cllr Oram	Cllr Carson	Cllr Pannell	Cllr Dommett	Cllr Rake
Cllr Abbott	Cllr Hodgson										
Cllr Allen	Cllr Nix										
Cllr Bonham	Cllr Oram										
Cllr Carson	Cllr Pannell										
Cllr Dommett	Cllr Rake										
Interests – Declaration and Restriction on Participation:	Members are reminded of their responsibility to declare any disclosable pecuniary interest not entered in the Authority's register or local non pecuniary interest which they have in any item of business on the agenda (subject to the exception for sensitive information) and to leave the meeting prior to discussion and voting on an item in which they have a disclosable pecuniary interest.										
Committee administrator:	Amelia Boulter - Democratic Services Specialist 01822 813651										

1. Minutes

1 - 10

To approve as a correct record the minutes of the meeting of the Committee held on 20 June 2024

2. Urgent Business

Brought forward at the discretion of the Chairman;

3. Division of Agenda

to consider whether the discussion of any item of business is likely to lead to the disclosure of exempt information;

4. Declarations of Interest

In accordance with the Code of Conduct, Members are invited to declare any Disclosable Pecuniary Interests, Other Registerable Interests and Non-Registerable Interests including the nature and extent of such interests they may have in any items to be considered at this meeting;

5. Public Participation

The Chairman to advise the Committee on any requests received from members of the public to address the meeting;

6. Planning Applications

To see Letters of Representation and further supplementary information relating to any of the Applications on the agenda, please select the following link and enter the relevant Planning Reference number:

<http://apps.southhams.gov.uk/PlanningSearchMVC/>

(a) 1497/23/FUL

11 - 28

Bigbury Golf Club, Bigbury. TQ7 4BB

READVERTISEMENT (revised plans and additional information) Installation of ground solar array

(b) 0536/24/HHO

29 - 36

10 Peters Crescent, Marldon. TQ3 1PQ

Householder application for single storey rear (south) & side (east) extension with flat parapet green roof & lantern to create kitchen/ diner, widen existing driveway & new porch

	Page No
(c) 1498/24/HHO	37 - 46
5 Valleyside, West Buckland. TQ7 3AE	
Householder application for replacement conservatory, loft conversion, rear extension to create office, utility and erect new porch	
7. Planning Appeals Update	47 - 50
8. Update on Undetermined Major Applications	51 - 58

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MINUTES of the MEETING OF THE DEVELOPMENT MANAGEMENT COMMITTEE held in the COUNCIL CHAMBER, FOLLATON HOUSE, TOTNES, on WEDNESDAY, 20 JUNE 2024

Members in attendance			
* Denotes attendance			
∅ Denotes apologies			
*	Cllr V Abbott	*	Cllr M Long (Chairman)
*	Cllr G Allen	*	Cllr C Oram
*	Cllr L Bonham	*	Cllr A Nix
*	Cllr J Carson	∅	Cllr G Pannell
*	Cllr N Dommett	∅	Cllr S Rake
*	Cllr J Hodgson	*	Cllr B Taylor
*	Cllr T Edie (substituting for Cllr Pannell)		

Other Members also in attendance:

Cllr D O’Callaghan and Cllr S Rake on MS Teams

Officers in attendance and participating:

Item No:	Application No:	Officers:
All agenda items		Principal Planning Officers, Monitoring Officer; Senior Planning Officers, Landscape Officer; DCC Highways Officer; Principal Project Manager; IT Specialists and Senior Democratic Services Officer.

DM.01/24 MINUTES

The minutes of the meeting of the Committee held on 15 May 2024 were confirmed as a correct record by the Committee.

DM.02/24 DECLARATIONS OF INTEREST

Members and officers were invited to declare any interests in the items of business to be considered and none were made, however, the Chair raised that himself and Committee Members received a briefing document from the applicants in relation to 0278/24/ARM - Land at SX 855 508, Violet Drive, Dartmouth. For openness and transparency this briefing document was uploaded to the planning portal.

DM.03/24 PUBLIC PARTICIPATION

The Chairman noted the list of members of the public, Town and Parish Council representatives, and Ward Members who had registered their wish to speak at the meeting.

DM.04/24 PLANNING APPLICATIONS

The Committee considered the details of the planning applications prepared by the relevant Case Officers as presented in the agenda papers, and considered the comments of Town and Parish Councils, together with other representations received, which were listed within the presented agenda reports, and **RESOLVED** that:

**6a) 0932/24/VAR Development Site, Tumbly Hill,
Kingsbridge
Town: Kingsbridge**

Development: Application for variation of condition 2 (approved plans) & condition 4 (surface water drainage) of planning consent 2876/21/FUL

Case Officer Update: Highlighted the repositioning of the red line due to surveying errors and explained that this was very minor reduction in the extent of the red line and was considered to be within the scope of the application and was uncontentious.

The Case Officer summarised the key issues, namely:

- Principle was established by extant permission.
- Drainage approach agreed and Condition 3 would require compliance.
- External alternations were minimal.
- Development remains within the same development area.

In response to questions raised, it reported that the original red line was due to an error in surveying. Further clarification was sought on the attenuation tanks and it was reported that the 3 tanks would hold water back at a controlled rate using a low maintenance system. Many discussions had taken place, all concerns raised had been alleviated and now have a scheme with the lowest risk.

Having heard from speakers on behalf of the objector, supporter, statement from the Town Council and Ward Member. Members debated the application. During the debate, some Members could not see any issues with the variation put forward and felt that the drainage assessment covered the concerns raised and the most recent climate events. Landscaping was also raised, and it was reported that condition 9 included a Landscape Plan.

Recommendation: Conditional Approval

Committee decision: Conditional Approval

Conditions:

1. Approved Plans – amended.
2. Implementation of Sustainability Measures.
3. Surface water drainage scheme – amended to secure compliance with submitted details including monitoring schedule.
4. CMP.
5. External materials – amended to reflect approval 4006/23/ARC.

- 6. Stone walls – amended to reflect approval 4006/23/ARC.
- 7. Unsuspected land contamination.
- 8. Parking.
- 9. Landscaping – amended to reflect details approved by 0717/23/ARC.
- 10. Trees – amended to reflect details approved by 1426/23/ARC.

**6b) 1368/24/PHH Longcombe Well, Longcombe, TQ9 6PN
Parish: Berry Pomeroy**

Development: Application to determine if prior approval is required for proposed enlargement of existing rear extension

Case Officer Update: The Case Officer summarised the key issues, namely:

- Whether or not the proposal accords with Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and whether or not any potential impacts on neighbour amenity were considered acceptable.

In response to questions raised, it was reported that when looking at the application heating of the rear extension was not considered.

There were no speakers for this application. Members debated the application and supported the officer’s recommendation.

Recommendation: Prior Approval Required and Given

Committee decision: Prior Approval Required and Given

Conditions:

- 1. Accord to Plans.
- 2. Materials to Match Existing.

**6c) 0278/24/ARM Land at SX 855 508, Violet Drive, Dartmouth
Parish: Stoke Fleming**

Development: READVERTISEMENT (Amended red line, elevational changes to building, revised boundary treatment details, additional landscaping details, updated tree protection plan, additional plans of bin store, cycle store and access ramp, directional highway signage within the site, revised lighting details with replacement of some lighting columns with bollards, and further transport note to address comments on highway access arrangements) Application for approval of reserved matters (layout, appearance, scale and landscaping) following outline approval 0479/21/VAR for Erection of a 3-storey, 105-bedroom hotel with ancillary restaurant and all associated works.

The Case Officer provided an update:

- Members were sent a briefing note from the applicant and this has been uploaded onto the planning website.
- Blackawton Parish Council submitted a representation in support of the application but would prefer an adaptation of architectural design to create a building and site more in keeping with the historic and natural beauty of Dartmouth.

The Case Officer summarised the key issues, namely:

- Compliance with outline consent, layout, scale, appearance and landscaping.

In response to questions raised, it was reported that:

- Different roof options were discussed and a flat roof inappropriate because it would not respect the character of the area and the plant and machinery would be exposed.
- If the Premier Inn and 3 storey apartments on Violet Drive were on the same level, then the Premier Inn would be a taller building, but as it would be built on lower ground and the ridge height would be 0.35 metres lower.
- Policy TTV4 relates to the whole development.
- The wider accessibility of the site was dealt with by the outline consent.
- Pedestrian and cycle routes throughout the wider development site with a local bus stop and park and ride close by.
- Green space and outdoor space immediately in front of the entrance/restaurant for amenity use.
- The restaurant would be 50 metres from the residential properties to the east.
- The cladding would be more of a ceramic type cladding with a timber effect and other timber effect claddings had been approved on this site.
- There would be significant tree planting around the site and include large extra heavy standard, feathered trees. Hedgerow planting would be of native mix.
- Further hedgerow had to be removed to accommodate utility services.

Having heard from speakers on behalf of the objector, supporter and Ward Member. Members debated the application. During the debate, one Member raised that we need to decide whether to approve on the layout, scale, appearance, knowing full well that something similar could be built on that site. The impact on the residents and the applicants have been working with the council to address issues raised and now need to make decision on whether this was right.

Another Member felt a hotel in that site was probably a sensible idea but did have concerns with the inadequate parking spaces at the hotel which

could lead to local roads being overloaded with cars. Also had concerns with the overall scale of the building and the visual impact when first driving into Dartmouth and whether this applied to Policy TTV4.

Another Member raised that when this was given outline planning permission the ground level was not that high but had now changed fundamentally coupled with the loss the hedgerow. They now felt that what was before us was not what was intended.

A proposal was put forward to refuse the application because not in keeping with the vision of the outline permission and the overscale of the size of the site, did not conform with the outline permission, destruction of the hedgerow and the lack of biodiversity offer. Adverse impact on residents with traffic and parking.

The Principal Planning Officer clarified that the biodiversity net gain was relevant to new applications, however, the 10% mandatory net gain was not relevant because this was reserved matters and the outline granted before this came into place and ecology matters would be addressed by conditions on the outline permission.

The Planning Officer clarified that the ground levels of the site. The interior road and main road indicate the original ground levels and spoil had been put on the site making this a metre higher and it was proposed to cut the hotel into the site. The removal of the original hedgerows was to facilitate the new access road and this was undertaken in accordance with the approved plans. There was a proposal to remove further hedgerow in order to put in an environ mesh bank and then build the new hedgerow on top. This land has always been higher than the road and whatever goes on that site would be higher than the road.

The Highways Officer reported that they did not envisage any traffic safety implications because of the proposals. They did have concerns when the hotel would be near capacity which could lead to a potential for spillage of parking onto the road network. The applicant based the parking on examples across the country and that was the prescribed way of demonstrating parking demand and must consider the evidence provided. However, it was said that only 20% of occupants choose to eat in the evening which then allows several external people to book into the restaurant, therefore if the hotel was full, Members have not heard how many could end up parked on the road network.

Cllr Hodgson proposed and Cllr Bonham seconded that the application should be refused with the reasons for refusal being delegated to the Head of Planning in consultation with the Chair, Vice-Chair, Cllr Hodgson (Proposer) and Cllr Bonham (Secunder). Policy TTV4 – scale design and overly prominent when viewed from the surrounding countryside and does not provide a positive frontage onto the adjoining road network. DEV20 place shaping and quality of the build environment and does not contribute positively because it does not enhance the appearance of a gateway

location and route into Dartmouth. Insufficient information to demonstrate the level of parking at peak times could lead to spillage out onto the public highway and could cause a highway safety issue. DEV23 landscape character policy.

Another Member having heard the debate raised that their previous comments were wrong regarding the ground levels.

Another Member was pleased to see someone invest in the local area and provide local jobs. They did have concerns on the impact on parking when the hotel was at full capacity, however, this was a Premier Inn with many across the country. They have hotels in a similar locations with a good understanding of parking requirements and therefore would want their business to thrive and felt confident that the parking they have provided would be sufficient all year round.

The proposal to refuse was then put to the vote and was declared lost.

It was then proposed that that the application should be approved in accordance with the Officer's report.

Recommendation: Grant Reserved Matters

Committee decision: Grant Reserved Matters

Conditions (list not full):

1. Approved plans and details
2. Sample panel for walls and roof
3. Landscaping implementation
4. Noise levels from any plant restricted at boundary of nearest noise sensitive dwelling
5. Compliance with DEV32 requirements

6d) 3732/23/FUL Land at SX 805 583, Ashprington
3733/23/FUL Parish: Ashprington
3734/23/FUL
3735/23/FUL

Development:

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)

Case Officer Update: The Case Officer summarised the key issues, namely:

- Principle – agricultural buildings in countryside accepted.

- Landscape – mitigation could be conditioned.
- Trees – protection could be conditioned.
- Heritage – no adverse impacts.
- Ecology – mitigation could be conditioned.
- Other conditions as requested could address technical issues.
- Highways Objection – unacceptable impact on highways safety at Ashprington Cross due to poor visibility at junction.

The Highways Officer raised that his concerns came from the design and access statement which stated that Sharpham Barn was no longer fit for purpose for the farmer in that location despite having access to the same fields and therefore wanted to vacate this site and move further along the road. From a highway safety point, the junction affords 22 metres visibility, and the national guidelines indicates 56 metres visibility and therefore have a 50% plus shortfall in visibility at that junction and any increase in use would be detrimental to road safety, however, there have been no accidents recorded in the last three years at that junction.

The Planning Officer reported that this proposal would provide for substantial agricultural activity at that site which then raised concerns that this could lead to an increase in traffic through this junction. Other parts of the application were fine, and this was an opportunity for the Committee to hear the concerns from the Highways Officer.

In response to a question regarding pedestrians and cyclists on this road, the Highways Officer added that there was more than adequate forward visibility for drivers of any type of vehicle to gauge pedestrians or cyclists in the road running past the site and therefore had no concerns.

Having heard from speakers on behalf of the supporter and statement from the Ward Member. Members debated the application. During the debate, some Members felt that this application had a proven agricultural need and to support farmers in the local community. Having heard from the applicant's agent that the junction was already used felt this application should be supported.

Recommendation: Refusal for all 4 applications

Committee decision: Delegated approval to the Head of Development Management in consultation with the Chair, Cllr Taylor (Proposer) and Cllr Oram (Seconder) to agree the conditions and the increase in traffic would not be detrimental to highway safety and no other adverse impacts. Drafting of conditions to be delegated to officers subject to agreement of Chair, Proposer and Seconder

DM.05/24

PLANNING APPEAL UPDATES

Members noted the update on planning appeals as outlined in the

presented agenda report.

DM.06/24

UPDATE ON UNDETERMINED MAJOR APPLICATIONS

Members noted the update on undetermined major applications as outlined in the presented agenda report.

(Meeting commenced at 11.00 am and lunch at 12.37 pm. Meeting concluded at 17.15 pm)

Chairman

Voting Analysis for Planning Applications – DM Committee 20 June 2024

Application No:	Site Address	Vote	Councillors who Voted Yes	Councillors who Voted No	Councillors who Voted Abstain	Absent
0932/24/VAR	Development Site, Tumbly Hill, Kingsbridge	Conditional Approval	Cllrs Abbott, Allen, Bonham, Carson, Edie, Hodgson, Long, Nix, Oram and Taylor (10)		Cllr Dommett (1)	Cllrs Pannell and Rake (2)
1368/24/PHH	Longcombe Well, Longcombe, TQ9 6PN	Prior Approval Required and Given	Cllrs Abbott, Allen, Bonham, Carson, Dommett, Edie, Hodgson, Long, Nix, Oram and Taylor (11)			Cllrs Pannell and Rake (2)
0278/24/ARM	Land at SX 855 508, Violet Drive, Dartmouth	Grant Reserve Matters	Cllrs Abbott, Dommett, Edie, Long, Nix, Oram and Taylor (7)	Cllrs Allen, Bonham, Carson and Hodgson (4)		Cllrs Pannell and Rake (2)
3732/23/FUL	Land at SX 05 583, Ashprington	Approved	Cllrs Abbott, Allen, Carson, Dommett, Edie, Hodgson, Long, Nix, Oram and Taylor (10)		Cllr Bonham (1)	Cllrs Pannell and Rake (2)
3733/23/FUL	Land at SX 05 583, Ashprington	Approved	Cllrs Abbott, Allen, Bonham, Carson, Dommett, Edie, Hodgson, Long, Nix, Oram and Taylor (11)			Cllrs Pannell and Rake (2)
3734/23/FUL	Land at SX 05 583, Ashprington	Approved	Cllrs Abbott, Allen, Bonham, Carson, Dommett, Edie, Hodgson, Long, Nix, Oram and Taylor (11)			Cllrs Pannell and Rake (2)
3735/23/FUL	Land at SX 05 583, Ashprington	Approved	Cllrs Abbott, Allen, Bonham, Carson, Dommett, Edie, Hodgson, Long, Nix, Oram and Taylor (11)			Cllrs Pannell and Rake (2)

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OFFICER'S REPORT

Case Officer:	Peter Whitehead		
Parish:	Bigbury	Ward:	Charterlands
Application No:	1497/23/FUL		
Applicant:	Bigbury Golf Club Ltd	Agent:	
Site Address:	Bigbury Golf Club, Bigbury, TQ7 4BB		
Development:	Installation of ground solar array		



Reason item is before Committee by Cllr Taylor:

The Council has declared a Climate Emergency, and the application considers the planning balance in particular weighing the benefit of providing renewable energy against the visual impact of the solar array in a landscape of national importance.

Recommendation: Refuse

Reason for refusal:

The proposed solar array would, by reason of its size, design and siting in an agricultural field in a prominent and exposed countryside location, constitute an incongruous and inappropriate element in this highly valued landscape, and have a detrimental impact upon the scenic qualities and natural beauty of both the South Devon National Landscape and Undeveloped Coast in which the site is situated. As such it would fail to conserve and enhance the character and appearance of the South Devon National Landscape and the Undeveloped Coast, contrary to policies SPT1, DEV23, DEV24 and DEV25 of the Plymouth & South West Devon Joint Local Plan 2014-2034; policies BP18 and BP29 of the Bigbury Neighbourhood Plan; and the National Planning Policy Framework (notably but not limited to paragraphs 180 and 182).

Key issues for consideration:

Principle of development, impact upon the National Landscape and Undeveloped Coast/Heritage Coast, provision of renewable energy/low carbon development.

Site Description:

Bigbury Golf Club is located about 1.4km to the north-east of Bigbury On Sea and on the south side of the B3392, with much of the golf course open to view from the road.

The development is proposed in the north-west corner of a field, which is situated to the south-east of the club house. The field has a gentle slope to the south and east. A public footpath (Bigbury footpath 6) and track (serving the Bantham estate and golf course) lies to the west of this field, and a section of this forms part of the application site (insofar as it provides access to the public highway). Land forming part of the golf course lies to the north and west of the application site.

The site is located within the South Devon National Landscape, Undeveloped Coast and Heritage Coast Policy Areas.

The Proposal:

The proposal involves the erection of a free-standing solar array comprising four sections each approximately 10.3m in length and between 2.167m and 2.817m high measured from existing ground level (taking into account the fact that the installation is proposed on sloping land). The metal framework of each section would accommodate 18 solar panels. The total length of the solar array (four sections with small gaps between) would be about 43m.

An existing native hedge lies to the north (rear) of the proposed solar array, and the submitted plans show the array otherwise enclosed by a stockproof fence. A small area of land to the north of this hedge forms part of the application site, and tree planting is proposed thereon.

The solar array is proposed to provide renewable energy to serve the golf clubhouse, and the plans also depict cable runs to connect the installation to the club house.

Whilst a section of track/public footpath to the west of the solar array is shown within the red line of the application site, this is merely to provide denote to the public highway. No development is proposed on this section of land (other than to route the cable under it).

Information provided as part of the application indicates that about 49,880kWh of electricity was consumed over the last 12 months for the Clubhouse alone. The provision of power from the solar panels is estimated to provide 60% of the energy requirements of the Clubhouse and 43.5% of the energy requirements of the overall golf course operation per annum.

In terms of the site choice, The LVIA explains that specialist advice from the installers of array limits the distance of the array from the clubhouse to 100m, stating that “Any further would result in a severe drop-off in efficiency unless the cabling was significantly upgraded. This upgrade, together with the additional groundworks and trenching needed, would increase the total project cost by a third and make the project unviable to the golf club.”

The LVIA considers six options for the siting of the array, all within 100m of the clubhouse, discounting the use of the clubhouse roof for structural reasons as well as visual impact, and sites within the car park and golf course due to loss of car parking spaces, impact on a designated night time landing site for the Devon Air Ambulance (DAAT), visual impact and the inability to mitigate this with planting due to the site’s exposed location (“Previous attempts at hedgerow planting along the roadside have proven unsuccessful due to the exposed location”) and possible damage by stray golf balls.

The possibility of siting the solar array within the same field but further to the south, and hence on lower ground, has also been discussed with the applicant. This siting is understood to be unacceptable to the landowner as it would impact upon the agricultural use of the field.

The LVIA concludes that the proposed site is the most appropriate, stating that “*Although open to views from the south, [the solar array’s] position and linear profile against the existing hedgerow would keep it low below the skyline and less conspicuous against the hedgerow to soften and disguise its appearance. Additional tree planting and strengthening of the hedgerow would further disguise and reduce its visual impact, and the additional trees, appropriately managed hedgerow and enriched field margin could provide increased biodiversity and benefits to wildlife.*” With regard to screening, the LVIA further states “*As the hedgerow is already an established feature, it would be much quicker to thicken and maintain at a taller height than to start a new hedge or screen planting from scratch in this exposed location. Any gaps could be filled with native hedge species that would benefit from the shelter already provided. There is also room behind, between the hedge and the 11th green, to plant additional trees.*”

The application has evolved since it was first submitted, with amendments made to the red line denoting the application site boundary, the provision of more accurate and detailed drawings and the submission of a Landscape and Visual Impact Assessment (LVIA). The application has therefore been readvertised and has reconsultation taken place to reflect the changes to the application. No detailed glint and glare assessment has been provided or sought given the limited size of the solar array but some generic information has been provided by the applicant.

Consultations:

- DCC Highways: no highway implications
- Bigbury Parish Council: has no objection to this amended proposal and recommends support.
- Devon and Cornwall Police: There has been an increase in thefts from solar farms nationally, where panels and related equipment have been stolen. Whilst this

appears to be on larger solar farms, it is recommended that crime prevention measures are undertaken to prevent theft related offences.

During the construction phase all items including cable should be stored securely when not in use. Consideration should be given to forensically marking associated equipment, cable and panels which can act as a deterrent and will aid them to be identified should they be stolen. Panels can also be fitted with tracking devices which can aid in locating them in the event of them being stolen

- **Landscape Officer:**

The landscape Officer has provided 3 responses:

8th August 2023 – upon first consultation

12th February 2024 - upon receipt of Landscape and Visual Assessment (LVIA)

17th June 2024 – upon receipt of amended plans and updated LVIA

The landscape officer objects on the basis that the proposals will harm the scenic qualities of the South Devon National Landscape and Undeveloped Coast due to the visually prominent location of the solar PV panels, contrary to JLP Policies DEV23, DEV24 and DEV25. The details of the Landscape Officer's objection will be considered below.

Representations:

A total of seven letters of representation (including Bigbury Net Zero) have been received which support the application on the following broad grounds:

- Happy to see this important local business leading the way by seeking to reduce its carbon footprint along with maintaining its viability.
- The public footpath is not well-used. It should also be noted that this "access lane" is actually a private road, not a public highway, and therefore has restricted access.
- This renewable energy project will provide the majority of the golf club's energy requirements and will significantly reduce the carbon footprint of the Club.
- Bigbury Golf Club can contribute to the SHDC goal to reduce our district carbon footprint by 12% per annum for the next four years without any significant negative landscape or visual impact
- This is not a major development in the AONB/National Landscape.
- The scale and position of the proposed modest solar array is entirely appropriate and sensitively positioned to ensure there is no significant negative landscape or visual impact. The solar panels only cover 3.52 mtrs x 40.14 mtrs which 140m². The project only has a 2.4 m overall height and runs in parallel with the hedge above it, without protruding above the visual line of the hedge.
- The array will comprise black panels which will be viewed against a hedge
- There is no need to propose any screening of this very small solar array and the suggestion that this is necessary is unfounded due to the lack of significant negative visual impact.
- Any landscape or visual impact is insignificant by virtue of the small area and low elevation of this installation.
- The array would sit between the club house and the maintenance shed for the green keepers, both of which are far more prominent man-made than the proposed array and would detract the eye from the array
- The array would be seen sandwiched between the club house and the maintenance shed and "within the context of Bigbury Golf Club". It would not appear as a separate entity.
- The hedgerow will be managed by the Golf Club to ensure there is no protuberance of the solar array above the line of the hedge.

- The ancillary equipment and frames for this small solar array will not affect the overall mass of the project in relation to the significance of its visual impact – which remains small. The support frame will be below the solar panels to provide support and therefore does not contribute to its visual impact on a landscape scale.
- The equipment will be manufactured with “Aesthetic glass”; to reduce glass reflection. The concerns about significant glare and glint are not valid. The small size of the solar array means that, irrespective of the reflective qualities of the surfaces, this is no justification for an overstated ‘significant concern’ by the Landscape Officer that the array will cause an adverse impact.
- Reflections are ever changing which means that any reflection would not, if it happened at all, be a constant but an intermittent and given that those who might see the panels are people on the move - walkers and drivers - there would not be an issue. The reflection off the clubhouse and the maintenance shed for the greenkeepers is far greater.
- This site has been chosen because other potential sites are too far away from the Club House to prevent significant power losses in transmission from the generator to the consumer or are impractical due to other considerations (proximity to air ambulance landing site, potential objections from Highways Authority to an array parallel to the main road and loss of irreplaceable car park space needed for the sustainability of the golf club)
- Whilst it is technically possible for the field where the small solar array will be situated, to be seen from habitation 2 to 3 miles away, the vistas themselves do not constitute the primary view of these properties because the vistas are either to the rear of the properties or from first floor bedroom windows and the array itself is a very small area indeed.
- Walkers on the public footpath will inevitably be looking seawards along the coastline and not inland onto the golf course.
- South Hams DC has approved other similar solar arrays in the National Landscape – reference is made to an array at Hope Barton Barns, Hope Cove (ref. 2822/23/FUL)
- Increased carbon emissions have caused climate change. If a solar array has minimal visual impact but reduces carbon emissions which will help preserve the AONB by stabilising the climate, should it not be supported? Carbon emissions in the South Hams affect not only the South Hams but the whole world.

One ‘undecided’ letter of representation has been received from the RSPB which comments that no ecology report has been provided information and notes that the last national survey of curlew buntings in 2016 recorded a breeding territory of this farmland bird (red-listed as a bird of high conservation concern, protected by Schedule 1 of the Wildlife and Countryside Act and a species of principal importance) less than 80m from the proposed solar development, going on to add “RSPB is concerned if the proposal will result in loss or change of any management of hedgerow as thick, dense hedges are an important nesting habitat, combined with adjacent invertebrate-rich grassland. RSPB recommends your authority require information to assess any habitat loss from the proposal along with measures to mitigate for that loss plus provide 10% biodiversity net gain. Enhanced management of existing hedges could be part of that. At present RSPB view is one of concern as insufficient information is provided to know if the proposal will have an adverse impact on habitat that may be used by curlew buntings.”

Relevant Planning History

- 05/0177/01/F Siting of underground petroleum storage tank and construction of top dressing storage bins
- 05/0545/06/F Erection of pumphouse and water storage tank

- 05/2040/13/F Replacement of rotten cladding with cedar weatherboard
- 0567/23/CLP Certificate of lawfulness for proposed installation of 72 ground based Trina Solar 425W Vertex S Black Frame panels
- 0819/18/FUL Erection of 10m column and associated groundworks for lighting of emergency night landing of Devon Air Ambulance helicopter

ANALYSIS

The primary considerations in this case are considered to be the matter of principle, the impact of the proposal upon the South Devon National Landscape and the provision of renewable energy. There are no other significant planning considerations. The site is remote from residential dwellings, and the development is not considered to have any significant highway/public right of way, ecological or other impacts that could not be suitably mitigated by conditions.

1. Principle of Development/Sustainability of Location:

- 1.1 JLP Policy SPT1 sets out the overarching principles to deliver sustainable development across the plan area, supporting growth and change that encompasses a sustainable economy, society, and environment. SPT1, SPT2, TTV1 and TTV2 seek to guide new development to appropriate locations in accordance with the settlement hierarchy. TTV26 is also relevant to the issue of principle/location in seeking to resist non-essential development in 'isolated' locations; 'isolated' meaning remote from a settlement in line with established case law (*City & County Bramshill Ltd v Secretary of State for Housing, Communities And Local Government & Ors* [2021] EWCA Civ 320).
- 1.2 In this case, the site lies in a remote rural location, physically removed from any defined settlement. The site would thus reasonably be determined 'isolated' with regard to TTV26.1 and also lies with Tier 4 of the settlement hierarchy (Smaller villages, Hamlets and the Countryside) wherein 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.
- 1.3 Whilst the proposed development is not one of the exceptions supported by TTV26.1, it is acknowledged that the application site adjoins the golf course and that the solar array is intended to provide energy for the clubhouse and golf club. Given that the use of land as a golf course is, in principle, an appropriate use of land in the countryside, and that the clubhouse is part and parcel of that use, it is concluded that the provision of a solar array to support the wider use of the site for recreation does not conflict with the broad intentions of these policies and no objection is raised to the principle of the development.

2. Impact upon the National Landscape and Undeveloped Coast/Heritage Coast

- 2.1 The site is located in an area of open countryside to the north-east of the settlement of Bigbury on Sea. The South Devon National Landscape (formerly the AONB) and Undeveloped Coast designations extend across the whole of the landscape in the locality. The South Devon AONB Management Plan describes the landscape quality as "*one of Britain's finest protected landscapes - loved for its significant and irreplaceable landscape features including rugged cliffs, sandy coves, peaceful*

countryside, picturesque villages, rolling hills, wooded valleys, colourful hedge banks, and secretive estuaries”.

The legal and policy framework

- 2.2 The LPA’s responsibility to protect National Landscapes is set out at s85 of the Countryside and Rights of Way Act (2000) (as amended by the Levelling-up and Regeneration Act (2023)) (LURA) as follows:
- “In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty in England, a relevant authority other than a devolved Welsh authority must seek to further the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.”*
- 2.3 Advice provided by Natural England on complying with s85 as now amended is that the new duty to further the purpose of conserving and enhancing the natural beauty of the area is that it is not ‘passive’, and that seeking to further conservation and enhancement goes beyond mitigation and like for like measures and replacement. A relevant authority must be able to demonstrate with reasoned evidence what is possible, in addition to avoiding and mitigating the effects of the development, to further the statutory purpose.
- 2.4 The national planning policy of the NPPF similarly sets out at para 180 that *“Planning policies and decisions should contribute to and enhance the natural and local environment by: a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status...”* and at para 182 that *“Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues...”*
- 2.5 For development within the South Hams, the policies of the JLP thus necessarily set a high bar for all new development within the South Devon National Landscape.
- 2.6 Policy DEV23 (Landscape Character) sets out that *“Development will conserve and enhance landscape, townscape and seascape character and scenic and visual quality, avoiding significant and adverse landscape or visual impacts... Development proposals should: 1. Be located and designed to respect scenic quality... 2. Conserve and enhance the characteristics and views of the area ... 4. Be located and designed to prevent erosion of relative tranquillity ... 7. Avoid, mitigate, and where appropriate compensate, for any residual adverse effects and take opportunities to secure landscape character and visual enhancements.”*
- 2.7 Policy DEV25 (Nationally Protected Landscapes), which focuses specifically on the South Devon National Landscape, sets out that *“The LPAs will protect the AONBs and National Park from potentially damaging or inappropriate development located either within the protected landscapes or their settings,”* will inter alia *“2. Give great weight to conserving landscape and scenic beauty in the protected landscapes... 5. Encourage small-scale proposals that are sustainably and appropriately located and designed to conserve, enhance and restore the protected landscapes..., 8. Require development proposals located within or within the setting of a protected landscape to: i. Conserve and enhance the natural beauty of the protected landscape with*

particular reference to their special qualities and distinctive characteristics or valued attributes, ii. Be designed to prevent the addition of incongruous features... iii. Be located and designed to respect scenic quality ... v. Be located and designed to prevent the erosion of relative tranquillity...

- 2.8 Policy DEV24 is also relevant as the site lies within the Undeveloped Coast and Heritage Coast. This seeks to resist unnecessary development within the Undeveloped Coast, notably development that would have a detrimental effect on the undeveloped and unspoilt character, appearance or tranquillity, permitted development that demonstrably needs to be sited in the Undeveloped Coast and protects, maintains and enhances the unique landscape and seascape character and special qualities of the area.
- 2.9 Turning to the made Bigbury Neighbourhood Plan (BNP), policy BP18 that states in considering any development within the AONB (i.e. the National Landscape) great weight will be given to conserving and enhancing the natural landscape and scenic beauty of the area. BP29 supports small scale renewable energy schemes close to or attached to individual properties provided they have no harmful impact on the appearance or character of a designated or undesignated heritage asset or on the South Devon AONB, including cumulative landscape and visual impact.
- 2.10 Finally, it is noted that the policies of the JLP and BNP refer in turn to the aims of the AONB Management Plan; and again policy Lan/P1 seeks to conserve and enhance the special qualities, distinctive character and key features of the South Devon AONB landscape and South Devon Heritage Coast.
- 2.11 The AONB Management Plan notes at section 8.8. that *“The AONB Partnership, in principle, supports sensitively sited, small-scale renewable initiatives which serve individual homes or farmsteads”* going on to advise that *proposals which have potential to cause harm include Visually intrusive developments in open countryside...* and *“Detractions from open skylines and views within, into or out of the AONB.”*

Consideration

- 2.12 In the South Hams and West Devon Landscape Character Assessment, the site falls within the Open Coastal Plateaux, an area of landscape summarised as *“high, open, gently undulating or rolling plateaux, dissected by deep combs and with a notable coastal influence on windblown vegetation.”* The site and surrounding area are considered typical of this landscape character area, the wider area surrounding the site comprising rolling and undulating topography, apart from the Avon river valley and estuary which cuts across this to the south and east, the land then rising again and providing similarly rolling topography on the far side.
- 2.13 The LVIA concludes that the proposal, in its preferred location, and with the proposed mitigation, would have limited impact on the identified landscape character. It would not remove any valued habitat or feature and offers the opportunity to strengthen key characteristics in the historic field boundary hedgerow and provide additional locally appropriate trees and marginal vegetation. As the solar array is to be sited close to the hedge, it would be experienced against the backdrop of the hedge. It would not impact on any outward views from the plateau, as it remains screened from the north side by the hedge. It is also noted that the development, although on sloping

ground, would not require any reprofiling or levelling of the land and would be installed to account for the slope of the land.

- 2.14 The submitted LVIA includes a 'Zone of Theoretic Visibility' (ZTV) which identifies the area within which the development could theoretically be visible having regard to the topography of the area (NB: this excludes any screening offered by trees, hedges, etc) and, from this, provides a range of viewpoints with photographs.
- 2.15 It is evident that views including the presence of the solar array would likely be restricted to views from vantage points to the south and south-east. The LVIA includes several points on the SW Coast Path to the south where the solar array could theoretically be seen from, at Boat Tail and Beacon Point, but at such distances (+4km) the solar array would not be discernible to the naked eye. The solar array would, however, be present in views gained from viewpoints on Thurlestone Footpath 19 (which crosses the Thurlestone golf course) and from housing in Thurlstone (Seaview Road) both of which approximately 2km from the site. In these views the solar array would sit just below the skyline, viewed against the existing hedge. Closer views would be gained from Thurlestone Footpath 6 close to Lower Aunemouth (just over 1km from the site, to the south-east of the Avon valley). Closer again, views of the solar array would be gained from the two public footpaths which cross Bigbury golf course itself. As noted above, Bigbury Footpath 6 runs north-south directly to the west of the field in which the solar array is proposed whilst Bigbury Footpath 17 lies to the south and runs east-west. At its closest point, Footpath 6 is thus just a few metres from the solar array, whilst Footpath 17 is in the region of 375m (approx.) from the array at its closest point.
- 2.16 As noted above, the Landscape Officer has been consulted three times due to amendments and additions to the application. To avoid repetition, the Landscape Officer's views referenced below have necessarily been abridged, the full responses being available to read on the Council's website. However, the key issues raised and considered by the Landscape Officer, have been considered, and are summarised below.
- 2.17 Based on the LVIA, the Landscape Officer considers views from the south and south-east to be the most sensitive, referencing views from the two public footpaths which cross the golf course (Bigbury Footpath 6 to the west of the array and Bigbury Footpath 17 to the south) and Thurlestone Footpath 6 in the vicinity though notes *"that that there are other locations within and near to that zone that afford view of the site, but which are not considered by the appraisal"* referring to *"potentially other gate gaps and possible locations which could also have been selected within 2km of the site."*
- 2.18 With regard to Bigbury Footpath 6, the Landscape Officer notes: *"I would identify sensitive visual receptors as users of the PROW who may be particularly sensitive to change because of a high level of interest in the surrounding landscape and people engaged in outdoor recreation where the attention or interest is focused on the landscape (ramblers/ walkers). Although people engaged in outdoor sport, such as on the golf course, may be considered less sensitive, this course is in a particularly spectacular landscape setting, and players will use the adjacent track (footpath 6 route) to access different parts of the course."* It is acknowledged that representations have been received that maintain that the public footpath is not well-

used. In response, the level of use cannot be ascertained with certainty, and may vary over time. The application proposes a permanent form of development. The footpath is a public right of way, and it is considered reasonable and necessary to consider the impact upon views from this footpath in the assessment of this application.

2.19 In terms of the Landscape Officer's broad assessment of the proposal, this is helpfully summarised in her third consultation response as follows:

"The main landscape effects within the Site would be the changes in the land use and rural qualities. The effects on the physical landscape of the site will be limited, requiring no change to the landform, field pattern or vegetation. The proposed fencing is limited in extent, and agricultural in nature, so would not introduce discordant features into the landscape. Given the overall scale of the wider landscape, the effects of the proposal on the character of the landscape would be limited, although perceptions of tranquillity could be altered by the introduction of uncharacteristic, man-made features into this prominent, undeveloped, agricultural field. The overall character of the wider area, at a strategic level remains fundamentally unchanged, being an open, rural and predominantly agricultural landscape that surrounds the private, green, open, sport and recreational space of the golf course.

The main issues therefore relate to the adverse visual effects of this development, which is on a prominent and exposed slope that is intervisible with the surrounding landscape."

2.20 As noted above, no detailed glint and glare report has been submitted with the application, given the small scale of the array. The applicants have submitted generic information in this regard, and emphasised that they will use panels with non-reflective coating.

2.21 The Landscape Officer writes:

"In considering the additional information, I am mindful that solar PV panels appear dark in colour as a result of their non-reflective coating and the requirement to maximise absorption of light. However, they also tend to reflect the colour of their surroundings, including the sky, and this can make them stand out from their landscape context. The reflectivity from solar panels depends on the orientation; angle of the panels; the time of year, and times of day that such effects may occur, but these effects are possible even on dull overcast days and can result in panels being perceived from some distance away, especially when located on prominent hillsides such as this site.

The proposed site of the Solar PV array is presented as the preferred location of six options that have been considered by the application, and the Landscape and Visual Appraisal has been previously noted. Following a request by Officers, the additional details include further representative view points from the access road and PROW (Bigbury footpath 6) as it passes close to the site, which illustrate that there will be clear and uninterrupted views of the development for anyone travelling northwards towards the site. Both the existing the clubhouse and the maintenance shed, as well as large areas of the golf course itself, are clearly visible in a number of the view point images, with the clubhouse being prominent on the skyline from a number of

locations. Therefore, the landscape in the vicinity of the site already contains features that detract from the natural and scenic qualities of the National Landscape.

As previously noted, there is limited mitigation proposed to address the visual effects of the proposals, which the application explains is due to the constraints of the viable locations for siting the panels, and the level of exposure making establishment of new planting challenging. There are also no landscape or visual enhancements proposed, which could deliver positive landscape characteristics and features to reinforce local landscape quality and distinctiveness, which is regrettable. The mitigation proposed is that the existing hedge will be managed to an increased height, to avoid the panels intruding into skyline views, and for additional tree planting on the north side of the existing hedge, which will strengthen the visual presence of the hedge line that forms a backdrop to the panels in the most sensitive views. There is no disagreement with the statement that a higher hedge line and additional trees will provide a darker backdrop against which the panels will be less conspicuous, and result in the straight, top edge of the array being less easily discernible. If planning permission were to be recommended, the appropriate long-term management of this hedge line must be secured, and be enforceable, in order to deliver the described mitigation.

Whilst this is a relatively small solar array, I still have concerns that the proposals will have an adverse visual effect on the appearance and scenic qualities of the area, and that the greatest harm will be experienced at a localised level by users of the access lane and the PROWs (Bigbury footpaths 6 and 17). The panels may still be discernible in views from across the surrounding areas, although the degree of visual harm will reduce beyond the 1km radius of the site."

- 2.22 Since receiving this third consultation response from the Landscape Officer, an additional plan has been received from the applicant proposing a length of additional hedge planting along the western boundary of the field – i.e. alongside Bigbury Footpath 6 - and further planting immediately to the west of the solar array itself. The scope for this additional planting has been discussed with the Landscape Officer but does not overcome concerns and objection as set out. (It is also noted that the hedge planting is proposed on land outside the application site and is not land owned or controlled by the applicants. A planning condition could not therefore be used to secure this planting, a legal agreement would have to be used, to which the landowner would be a signatory).
- 2.23 The applicants have referenced a case where a similarly sized solar array has been granted planning permission in the National Landscape (ref. 2822/23/FUL Hope Barton Barns, Hope Cove). Each case is of course judged on its merits and having regard to policy. The solar array at Hope Barton Barns is located in a dip in the landscape and the Officers Report sets out that "*existing landscaping and the topography of land surrounding the wider site will screen the development from public views.*" This contrasts with the current case, with the solar array proposed on an elevated south-facing slope open to views at close and longer range.
- 2.24 It is also noted again that the AONB Management Plan does not seek to resist all solar arrays in the National Landscape but in fact "*supports sensitively sited, small-scale renewable initiatives which serve individual homes or farmsteads.*" However, it goes on to advise that proposals that have potential to cause harm include "*Visually*

intrusive developments in open countryside...” and “*Detractions from open skylines and views within, into or out of the AONB.*”

- 2.25 In this case it is acknowledged that the solar array is proposed on farmland adjoining a golf course. The surrounding land is not therefore a pristine wild natural landscape but has been adapted to suit its use and already accommodates bulky buildings, including the clubhouse, which is prominently sited on the skyline in some views. Both at close range and at a distance, the solar array would be experienced as part of this view. Whilst acknowledging this, the addition of the solar array would not conserve the scenic beauty of the National Landscape but, rather, would detract from it and thus conflict with the policies cited above.
- 2.26 With regard to the site’s location within the Undeveloped Coast, it is acknowledged that the solar array is proposed to provide power for the golf clubhouse and in this sense the development cannot reasonably be provided other than within the vicinity of the clubhouse. The principle of renewable energy development is expressly supported by other policies of the JLP, and in this context it is considered that justification for providing a solar array in the Undeveloped Coast has been provided. The main issue is therefore whether the development protects, maintains and enhances the special qualities of the area, and in this regard it is considered that the installation of the solar array on agricultural land would have a detrimental effect on the undeveloped and unspoilt character of the site and its setting, contrary to DEV24.
- 2.27 In conclusion, having regard to the relevant policies set out above, it is concluded that the solar array would constitute an incongruous and inappropriate form of development by reason of its design and siting and fail to conserve the scenic beauty of the natural landscape. The proposal is thus concluded to conflict with policies SPT1 (insofar as the proposal fails to protect natural asset), DEV23, DEV24, DEV25 of the JLP and BP18 and BP29 of the Bigbury Neighbourhood Plan.

3. Low Carbon Development

- 3.1 As discussed, the purpose of the solar array is to generate renewable energy for use by the golf club and hence offset the club’s reliance upon energy from the national grid and reliance upon fossil fuels. About 49,880kWh of electricity was consumed over the last 12 months for the Clubhouse alone. The provision of power from solar panels will help to reduce this load with the recommended number of panels for this scheme (72) being able to provide 60% of power for the clubhouse and 43.5% of power for the overall golf course operation per annum. Below is an extract provided by the equipment supplier to the club confirming the saving.

Level of Self-sufficiency

Total Consumption	49,891 kWh/Year
covered by grid	28,203 kWh/Year
Level of Self-sufficiency	43.5 %

- 3.2 Whether the golf club could reduce its carbon footprint in other ways (e.g. by adaptations to the clubhouse or pursuing other energy sources) is not known.

- 3.3 The importance the Council attaches to low carbon development is clear from the policies of the JLP; and the fact that the Council has declared a Climate Emergency.
- 3.4 SPT1 of the JLP seeks to ensure new development follows the principles of sustainable development including a sustainable economy where a low carbon economy is promoted, a sustainable society where demand for energy is reduced and opportunities for the use of renewable energy increased and a sustainable environment where opportunities for viable low carbon energy schemes are created.
- 3.5 DEV32 (delivering low carbon development) of the JLP builds on this setting out that *“The need to deliver a low carbon future for Plymouth and South West Devon should be considered in the design and implementation of all developments, in support of a Plan Area target to halve 2005 levels of carbon emissions by 2034 and to increase the use and production of decentralised energy.”* DEV32(3) sets out that *“Development proposals will be considered in relation to the ‘energy hierarchy’ set out below: i. Reducing the energy load of the development. ii. Maximising the energy efficiency of fabric. iii. Delivering on-site low carbon or renewable energy systems. iv. Delivering carbon reductions through off-site measures.”*
- 3.6 DEV33 (Renewable and low carbon energy (including heat) is also relevant, supporting renewable energy development where, inter alia, its impacts are or can be made acceptable.
- 3.7 In November 2022, the Council adopted a Climate Emergency Planning Statement, which is also a material consideration. As it sets out in paragraphs 1.2 and 2.3, whilst the Climate Emergency Planning Statement does not change the status of the JLP, which remains the adopted development plan for the area and the starting point for decision making, it builds on the policies in the JLP and those in the SPD, embraces new standards and proposes new requirements. Para 2.1 and 2.2 highlight the increased importance of addressing climate change and the increased urgency for more radical action:
“2.1 The Plymouth and South West Devon Joint Local Plan (JLP) provides a sound policy basis for the Local Planning Authorities to begin to tackle the impacts of climate change. However, we recognise that the knowledge, evidence and expertise surrounding climate change and its impacts is continually evolving. In the last 3 years following the adoption of the JLP, there have been a number of significant changes that have elevated the importance of addressing the climate challenge. This includes commitments made at the United Nations Climate Change Conference COP26 (Glasgow Autumn 2021), changes to national legislation and policy and relevant planning appeal decisions (summarised in Appendix 1). 2.2 Each council made Climate Emergency declarations in 2019(1) committing themselves to aiming for net zero by 2030, with further detail on how they intent to achieve this set out in climate emergency action plans(2). South Hams District Council and West Devon Borough Council have also declared biodiversity emergencies. Taken together, these changes create an increased urgency for more radical action.”
- 3.8 The Statement includes CES01 Strategic Objective (Delivering positive measures to address the climate emergency) which seeks *“To deliver development that contributes less to and mitigates the impacts of, climate change and adapts to its current and future effects through: • Ensuring resilience by providing positive benefits that reduce carbon • **Increasing renewable energy generation [my highlight]** • Improving energy efficiency • Using sustainable local materials and minimising*

*embodied carbon • Prioritising the retrofitting of existing buildings and reuse of materials • **Reducing reliance on fossil fuels [my highlight]...***

- 3.9 It is recognised that applications for new development are expected to provide appropriate carbon reduction measures to demonstrate compliance with DEV32 of the JLP, Policy M1 of the Climate Emergency Planning Statement setting out re on-site renewable energy generation that: *“7.1 For major and minor planning applications, adopted JLP policy DEV32.5 will apply in order to secure an equivalent 20% carbon saving through onsite renewable energy generation... 7.3 Extensions that benefit from favourable conditions to support roof mounted PV, and where the host building does not already generate renewable energy onsite, should include a rooftop PV system of a minimum installed capacity of 1kWp... 7.4 Generating renewable energy onsite improves energy resilience and reduces fuel prices for occupiers. Onsite energy generation will also help reduce energy demand from the national grid, allowing more energy to be used to support the transition to electric vehicles and heat pumps, both of which are important elements of the UK decarbonisation strategy.”*
- 3.10 Policy BP29 of the BNP also supports the principle of small scale renewable energy schemes too, as set out above.
- 3.11 These policies are consistent with national policy set out in the NPPF, viz:
“158. Plans should take a proactive approach to mitigating and adapting to climate change...;”
“160. To help increase the use and supply of renewable and low carbon energy and heat, plans should:
a) provide a positive strategy for energy from these sources, that maximises the potential for suitable development, and their future re-powering and life extension, while ensuring that adverse impacts are addressed appropriately (including cumulative landscape and visual impacts);
b) consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure...”
161. Local planning authorities should support community-led initiatives for renewable and low carbon energy, including developments outside areas identified in local plans or other strategic policies that are being taken forward through neighbourhood planning.
163. When determining planning applications for renewable and low carbon development, local planning authorities should:
a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to significant cutting greenhouse gas emissions;
b) approve the application if its impacts are (or can be made) acceptable...”
- 3.12 In summary then, by seeking to reduce the club’s reliance upon fossil fuel use and meet nearly half the club’s energy demand via renewable energy, the proposal demonstrably complies with DEV32 and the elements of SPT1 highlighted, and due weight should be given to the proposal in this regard. It will however be noted that SPT1, DEV23, DEV24, DEV25 and DEV33 of the JLP and BP29 of the BNP, as well as the national policy of the NPPF, equally seek to ensure any landscape (or other) impact is or can be made acceptable; and this tension needs to be considered in the planning balance.

4. Other matters:

- 4.1 As noted, the site is remote from residential properties and the proposal will not materially impact upon the living conditions of local residents. The proposal will not have any material impact upon local highways either, once constructed vehicle movements being restricted to the periodic maintenance of the solar array as required.
- 4.2 The only matter that requires consideration relates to ecology and biodiversity. It is noted that a letter of representation has been received from the RSPB that references the absence of an ecology survey with the application and the proximity of the site to a breeding territory of curlew, going on to say that concern is raised if the proposal will result in loss or change of any management of hedgerow as thick, dense hedges are an important nesting habitat, combined with adjacent invertebrate-rich grassland. In response, the proposal will not result in any loss of hedgerow or any permanent loss of grassland. Indeed, by taking the parcel of land out of use as grazing land/arable land, the proposal may, in conjunction with the additional planting proposed, have biodiversity benefits as the applicant maintains. Ecology surveys are not necessarily required for minor applications, and no such survey was deemed required or requested in this case. The solar array would not logically impact upon nature conservation designations beyond the application site either, and in the officer's view requires no further consideration in this regard.

5. Conclusions and Planning Balance

- 5.1 To conclude, there are a number of issues to consider, which will have to be weighed in the planning balance. The identified harm has to be balanced against the overall social, environmental and economic benefits that would result from granting planning permission. In this particular case, the balance to be struck primarily relates to consideration of the degree of harm caused to the scenic beauty of the National Landscape and Undeveloped Coast against the wider benefits of providing low carbon development.
- 5.2 As set out above, neither the policies (or guidance) controlling development in the National Landscape (or Undeveloped Coast) rule out small-scale renewable energy schemes; indeed such are supported in principle. However, it is clear that compliance with these policies requires development to be located so as to respect and conserve scenic quality and to approve development if its impacts can be made acceptable. It is clear from the consultation responses received from the Landscape Officer that this is not considered to be the case, and key conflicts with the relevant policies are therefore identified. It is, however, acknowledged, that views have been expressed in representations that the concerns of the Landscape Officer are overstated.
- 5.3 In summary, issues that weigh against the proposal include:
- The proposal would cause harm to the visual and scenic qualities of the landscape
 - The location is visually prominent, and on elevated land, and there are far-reaching views available across the landscape both from, and towards, the site.
 - The proposed solar array will introduce incongruous features of an industrialised appearance into a visually sensitive location.
 - The location of the solar array adjoins a public footpath and a further public footpath lies to the south. Both afford clear views into the application site and there are limited

opportunities to mitigate the identified harm, given the slope of the land, topography, etc.

- No landscape or visual enhancements are proposed, which is contrary to adopted policy DEV23.
- The site is located within the nationally protected landscape of the South Devon National Landscape, and also falls within the Heritage Coast, and Undeveloped Coast, which is afforded the highest level of protection in legislation and adopted policies DEV24 and DEV25.

5.4 Issues that weigh in favour of the proposals include:

- The proposal will offset nearly half the club's energy demands that are currently met via electricity from the grid and hence demonstrably reduce the carbon footprint of the Golf Club and make a meaningful contribution to reducing greenhouse gas emissions and hence assist in combatting climate change.
- The proposal would contribute towards local and national documented commitments to renewable energy generation in the drive towards tackling climate change and reducing the UK's emissions of carbon dioxide.
- Support for the principle of low carbon development is found in policy at both a local and a national level, including SPT1, DEV32, DEV33 of the JLP and BP29 of the BNP.
- This is a relatively small solar array, of 72 panels broken up into 4 blocks of 18 panels.
- The array will be set against the backdrop of an existing hedgeline, with proposed mitigation to be management of the existing hedge to an increased height of 3m, and additional tree planting on the northside of the existing hedge, to make the uniform appearance of the panels less discernible in wider views.
- Landscaping could be secured that would enhance biodiversity.
- The site is located within the context of Bigbury Golf Club, which is recognised as a prominent and non-traditional land use in the Open Coastal Plateaux. In closer views the solar array would arguably not be set within or experienced within a pristine wild or natural landscape.
- The greatest visual effects will be experienced by users of the public footpath (Bigbury Footpath 6) that passes immediately adjacent to the location of the panels, and the degree of potential, adverse visual effects will reduce notably beyond the 1km radius of the site.
- The development is of a temporary, reversible nature, and has no permanent impact upon the landform or landscape.

5.5 Overall, whilst accepting the benefits of the proposal as above, officers are conscious that the site lies within both the Undeveloped Coast and a National Landscape. With regard to the Undeveloped Coast, policy seeks to avoid development that would have a detrimental effect, unless there are exceptional circumstances. With regard to the National Landscape, this is a landscape designation of national importance that requires the greatest degree of protection. In the planning balance great weight should be given to conserving the scenic beauty of the National Landscape. Officers have considered the level of impact caused by the development, and the inability to appropriately mitigate/compensate for this and, having carefully weighed these issues, are of the view that the impact of the development upon the National Landscape and Undeveloped Coast outweigh the important but nevertheless more moderate benefits of the proposal in securing low carbon development and other benefits identified. The proposal would thus fall short of meeting the three, mutually

dependent, roles of sustainable development which includes protection of valued landscapes.

- 5.6 On balance, the development is considered to be contrary to policies SPT1, DEV23, DEV24, DEV25 of the Plymouth & South West Devon Joint Local Plan and BP18 and BP29 of the Bigbury Neighbourhood Plan, together with paragraphs 180 and 182 of the NPPF.

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 14th January 2022 the Department for Levelling Up, Housing and Communities published the HDT 2021 measurement. This confirmed the Plymouth, South Hams and West Devon's joint HDT measurement as 128% and the consequences are "None".

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

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

The relevant development plan policies are set out below:

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

SPT1 Delivering sustainable development

SPT2 Sustainable linked neighbourhoods and sustainable rural communities

SPT12 Strategic approach to the natural environment
TTV1 Prioritising growth through a hierarchy of sustainable settlements
TTV2 Delivering sustainable development in the Thriving Towns and Villages Policy Area
TTV26 Development in the Countryside
DEV1 Protecting health and amenity
DEV2 Air, water, soil, noise, land and light
DEV20 Place shaping and the quality of the built environment
DEV23 Landscape character
DEV24 Undeveloped coast and Heritage Coast
DEV25 Nationally protected landscapes
DEV26 Protecting and enhancing biodiversity and geological conservation
DEV32 Delivering low carbon development
DEV33 Renewable and low carbon energy (including heat)

Bigbury Neighbourhood Plan

BP18 – Area of Outstanding Natural Beauty
BP29 – Renewable energy

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.

OFFICER'S REPORT

Case Officer:	Alexis Wilson		
Parish:	Marldon	Ward:	Marldon & Littlehempston
Application No:	0536/24/HHO		
Applicant:	Mrs Claire Booth 10 Peters Crescent Marldon Devon TQ3 1PQ	Agent:	Mr Adrian Board - That's the Plan Ltd 8 Catherine Crescent Goodrington With Roselands PAIGNTON TQ4 5JU
Site Address:	10 Peters Crescent Marldon TQ3 1PQ		
Development:	Householder application for single storey rear (south) & side (east) extension with flat parapet green roof & lantern to create kitchen/ diner, widen existing driveway & new porch		



Recommendation: Conditional Approval

Conditions:

1. Standard Time Limit
 2. Accord to Plans
 3. Adherence to Ecological Mitigation
-

Reason for referral to Committee

As the request of Cllr Sam Penfold:-

I wish for the planning committee to consider 0536/24/HHO, 10 Peters Crescent, Marldon.

I understand that there is no general right to light. However, an easement of light can exist. In this context, light is needed for the comfortable enjoyment of 12 Peters Crescent's kitchen and sitting area. The light is enjoyed via a defined aperture, in this case the existing windows (Colls v Home and Colonial Stores [1904] AC 179).

And JLP-DEV1 Protecting Health and Amenity,

1. Ensuring that new development provides for satisfactory daylight, sunlight, outlook, privacy, and the protection from noise disturbance, both new and existing residents, workers and visitors. Unacceptable impacts will be judged against the level of amenity generally in the locality.

I request that the committee thoroughly investigates whether the proposed development from the planning proposal at 10 Peters Crescent would diminish the light currently afforded to 12 Peters Crescent, to the extent that it affects the comfortable enjoyment of the relevant room, bearing in mind its use as a kitchen and sitting room.

Site Description

The existing property is a modest detached bungalow in a row of similar properties on the south side of Peters Crescent. It is elevated relative to the road and to the rear is an area of informal open space that is accessed via a sloping footpath that runs between this property and the neighbour at number 12 to the open space on higher ground to the rear.

The Proposal

The proposal is for a single storey side and rear extension, which would require the removal of a small existing side extension. The extension is set a significant distance back from the frontage and has a flat sedum roof with central roof lantern. The roof height is 3m (present extension is 2.2m in height), with the top of the lantern being 3.3m and the distance to the nearest neighbour being 1.4m with a Public Right of Way separating the

two properties. A modest timber front porch and widening of the existing driveway complete the scheme.

Consultations

Parish Council: No objection

DCC Highways: No comment received

Representations

Two comments of support have been received which cover the following points:

- I agree and support this application fully.
- I think it is lovely and hope this third application is successful.
- Complaint that the proposed flat roof will be 4.5 metres high is nonsense.
- Overall height of the new extension is less than 3 meters, which is at least 1 meter below the existing roof ridge.
- This proposed extension to no 10 is not at all enormous and will have zero dramatic effect to nearby homes.
- Good luck to the applicants is what I say enjoy building your new extension.

One letter of objection has been received which covers the following points:

- Shocked to see from the plans that the roof height appears to be 4.5 metres high, which is an enormous height so close to another property.
- The wall of the build would be 1.35 metres away from our bungalow which has two kitchen windows and a bathroom window facing it.
- The height of our existing flat roof opposite the proposed build is only 2.4 metres high.
- We query why there is a need for this increase in height creating a large boxlike structure.
- The increase in height in such close proximity will have a dramatic effect on the light into our kitchen diner and bathroom.
- Plus, the long boxlike structure looming 1.35metres from our property will be unacceptably overbearing.
- Intrusive appearance and loss of light
- Grateful if this application was both put to committee, and the site inspected by the planning officer from the walkway between our houses to see the effect this proposal would have, before any decision is taken.
- Hopefully the plans could be adapted to make it less intrusive.
- As layman, we have requested the planning officer to inform us of the proposed accurate height of the flat sedum roof adjacent to the side window of no 10 which is the area to have most impact on no. 12.

Relevant Planning History:

Previously prior approval was sought (3349/21/PHH) for larger home extension, however this was declined as the proposal did not meet the necessary requirements.

Analysis

1.0 Principle

- 1.1 There is no objection in principle to the extension of this property within the built up area of Marlden. As a rear extension to provide a kitchen diner it is not considered that there are any implications for access and parking which would be unchanged. Accordingly the proposal falls to be determined on the basis of its impacts in terms of design and detailing, neighbour amenity, drainage and ecology.

2.0 Design and Detailing

- 2.1 Policy DEV20 of the Plymouth and South West Devon Joint Local Plan (JLP) requires development to meet good standards of design. Proposals must have proper regard to the pattern of local development and wider surroundings in terms of (amongst other things), style, local distinctiveness, scale, materials, historic value, and character. DEV23 requires development to conserve and enhance the townscape by maintaining a local area's distinctive sense of place and reinforcing local distinctiveness.
- 2.2 The wider built form consists of bungalows which have been significantly extended over their lifetimes, although remain very much single storey, modest properties which sit in close proximity to their neighbours. In this respect the single storey form and mass of the proposed extension is considered appropriate to the locality
- 2.3 Extensions to the rear of a property are usually less visible and therefore less impactful on the wider public realm than front or side extension. Paragraph 13.6 and 13.7 of the JLP Supplementary Planning Document (SPD) require that extensions and alterations "should relate well to the main dwelling and character of the area ... they should generally follow the same architectural style and use the same materials as the original dwelling" (paragraph 13.6). Whilst extensions that differ or contrast with the host are sometimes supported, "where materials or designs contrast there should still be a harmonious relationship with the main body of the property being extended" (paragraph 13.7).
- 2.4 It is considered that the proposed rear and side extension relate well to the host building in terms of material finish and scale. The flat roof minimises the visual impact of the development from the public realm and ensures the extension remains subservient to the host dwelling.
- 2.5 Overall the development as proposed is considered to meet the requirements of DEV20 and DEV23 of the JLP and guidance contained within the SPD.

3.0. Neighbour Amenity:

- 3.1 Policy DEV1 requires that all proposals safeguard the health and amenity of local communities. To this end, new development should provide for satisfactory daylight, sunlight, outlook, privacy and protection from noise disturbance for both new and existing residents.
- 3.2 Comments from the immediate neighbours are noted by Officers, and a visit was made to the adjacent property to ensure any impact was fully considered.
- 3.3 The neighbouring dwelling at number 12 has had a lean-to utility room added to the side of the kitchen at some point in its history and this has reduced of the light afforded to the kitchen as its only windows are now into the utility room. It has also

had the effect of moving the wall of the dwelling onto the boundary line and bringing it closer to the application site.

- 3.4 At c.3m in height on the boundary with the path the proposed extension would be 800mm higher than the existing side extension. As it would be dug into the rising ground, at it's rear, its height would be comparable to the existing fence panel. Given the separation across the footpath and the height of the existing extension and fence panels, it is not considered that the proposal would be significantly more impactful on the neighbouring dwelling than the present situation.
- 3.5 Furthermore, it is noted that the affected part would be a utility room where light levels are not normally considered to be critical and are often minimal reflecting their level of use. It is unfortunate that the neighbour's kitchen now relies on 'borrowed' light from the utility room however than is an existing situation, beyond the control of the applicant, which would not be unacceptably worsened by the proposal.
- 3.6 At 3m in height the extension will not be overbearing on either the host property or the neighbours and is well below the ridgeline of the parent property (approx. 1m lower). The proposed porch is not considered to have any implications for the living conditions of the neighbours. On this basis it is not considered that the proposal will have an undue impact on neighbour amenity and therefore meets the provisions of DEV1 of the JLP.

4.0 Drainage:

- 4.1 DEV35 states that, where development is necessary LPAs will "ensure that it is safe without increasing flood risk and pollution elsewhere" and that development should incorporate sustainable water management measures to minimise surface water run off (DEV35.4).
- 4.2 The site does not fall within a Critical Drainage Area or Flood Zone 2/3. The applicant plans to discharge additional surface water run off to the combined sewer due to their not being enough space within the boundary to install a new soakaway. South West Water have written to agree to this method of disposal on 22 April 2024 and, on this basis, the proposal is considered to accord with the provisions of DEV35 and is acceptable.

5.0 Ecology:

- 5.1 DEV26 of the JLP requires that all developments should support the protection, conservation, enhancement and restoration of biodiversity and geodiversity across the Plan Area, and that enhancements for wildlife within the built environment will be sought where appropriate from all scales of development.
- 5.2 A preliminary Ecological Survey submitted by the applicant notes there being no evidence of protected species within the present building/roof. The Report goes on to suggest ecological enhancement measures including 1 no. bat box/roosting tube and 1 no. integrated nesting opportunity. With the requirements of the Report attached by way of condition to this approval, the proposal is deemed to meet the provisions of DEV26.

6.0 Conclusion

- 6.1 Notwithstanding the neighbour's concerns it is not considered that the proposal would have any undue impact on residential amenity. There would be no adverse implications for visual amenity, ecology, drainage or highways safety and as such the proposal is recommended for conditional approval.

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).

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

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

DEV20 Place shaping and the quality of the built environment

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:

Marldon does not currently have an adopted or in progress Neighbourhood Development Plan and as such there are no relevant policies to take into account when considering this proposal.

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:

Plymouth and South West Devon Joint Local Plan Supplementary Planning Document (2020)
Plymouth and South West Devon Climate Emergency Planning Statement (2022)

Conditions

1. The development hereby permitted shall begin not later than three years from the date of this decision.

Reason: To comply with Section 91 of the Town and Country Planning Act, 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall in all respects accord strictly with drawing number(s):

PC.06.21.01 The location plan received on 15 February 2024

PC.01.24.04 Existing & Proposed Block Plan received on 15 February 2024

PC.01.24.03 Rev:A Proposed plans received on 22 February 2024

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

3. The development hereby approved shall be constructed in accordance with the recommendations set within the Preliminary Ecology Assessment by Wills Ecology dated 3 September 2023 and the development shall not be occupied until such time as the biodiversity enhancements set out in the Assessment have been installed. Thereafter such enhancement measures shall be retained for the life of the development.

Reason: To safeguard the interests of protected species and biodiversity net gain in accordance with policy DEV26 of the Joint Local Plan.

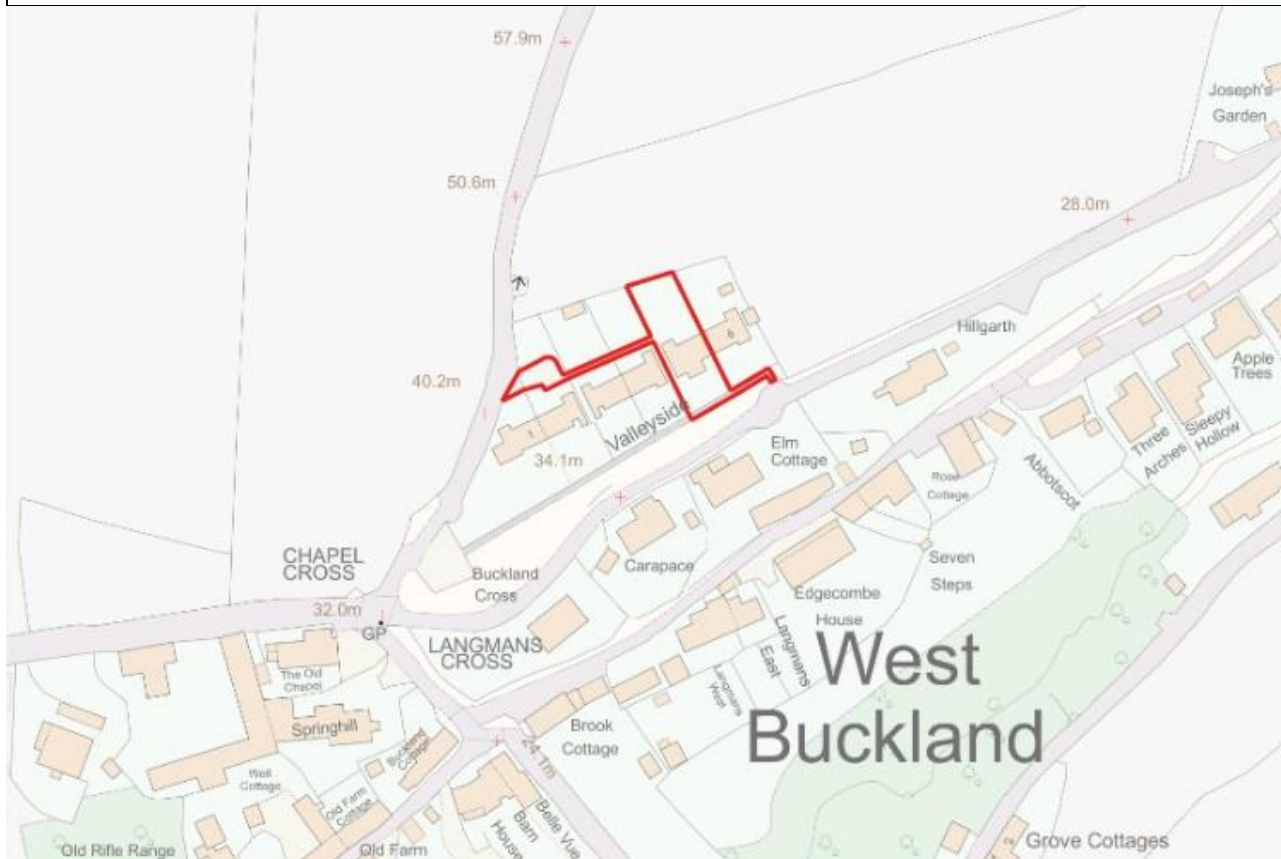
Considerations under Human Rights Act 1998 and Equalities Act 2010

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.

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COMMITTEE REPORT

Case Officer:	Richard Geary		
Parish:	Thurlestone	Ward:	Salcombe & Thurlestone
Application No:	1498/24/HHO		
Applicant:	Mrs Eve Ashton-Monterio 5 Valleyside West Buckland Kingsbridge TQ7 3AE	Agent:	Mr Hugo Davies 4 Easterways Broadhempston Totnes TQ9 6SY
Site Address:	5 Valleyside West Buckland TQ7 3AE		
Development:	Householder application for replacement conservatory, loft conversion, rear extension to create office, utility and erect new porch		



Reason for referral to Committee

Called by Cllr Long for the following reason:

I would like this application to come before the DM Committee to review and consider the application related to JLP and Neighbourhood Plan policies related to design and locality impact, and the contemporary design options proposed which appear to conflict with the strong views of the Parish Council related to the interpretation of the Neighbourhood Plan, recognising that policies can pull in either direction.

Site Description:

5, Valleyside is an existing two-storey, semi detached residential property within a row of six houses arranged in groups of two. Number 5 is the western of the two houses located at the eastern end of the street and is situated in an elevated position and is accessed by steps from a pedestrian pathway to the front. The property has sloping gardens to the front and rear.

Proposal:

The proposal seeks to extend and alter the existing dwelling, adding a single-storey rear extension, removing an existing conservatory and replacing with a sunroom, adding a porch and internal alterations including a loft conversion with roof lights.

Recommendation: Conditional Approval

Conditions:

Time limit
Accord with plans
Drainage
Adherence to ecology
Solar PV

Consultations:

Thurlestone Parish Council: Objection

Councillors are concerned about overdevelopment on this plot which potentially affects residential amenity to both neighbours at No 4 & No 6 (44% increase in floor area). Moving the front door to the side will bring the noisy and most used area of the house to face the side of No 4, the front door being the only way in and out apart from the glazed doors in the sun-room which are not presented as an entrance/exit. The back extension is overbearing to No 6 due to its width (almost the entire width of the house and plot) with the additional height of its pitched roof which increases its bulk vastly. This coupled with the height of the utility room roof both on the north elevation, the naturally darker side of the houses, means further light will be blocked to No 6 (contrary to our Neighbourhood Plan NP TP1.1 Residential Amenity).

Although the area of glazing has reduced slightly due to the conservatory being reduced in size and its roof glazing changed to roof lights, this proposal adds a further 8 roof lights; 6 in the house roof, 1 in the new kitchen area and 1 in the back higher

extension (the number 8 does not include the 2 roof lights that will remain in the sun-room roof) resulting in emitted light being moved from the vertical walls to the horizontal or angled roof areas and spread over a much larger area (i.e. the whole house) which is far more invasive in the night sky. Not something that conditions will alleviate. (Contrary to NP TP1.4 Dark Skies).

This proposal changes the symmetry of the 3 pairs of semi-detached properties, changing the orientation of this property in relation to the others. The other houses in the row have front doors on the front of the house, not on the side, and extensions with flat roofs. Overdevelopment as it would stretch the building widthways to almost entirely fill the width of the plot. Contrary to NP TP1.2 Design which states ...'proposals should be locally distinctive, reflecting local style, scale and character?'. It is mentioned in the Design and Access Statement that the approved extension at No 2 sets a "Precedent". However the extension to No 2 is single storey with a flat roof, and therefore much lower than the pitched one being proposed at the back of No 5, and is much narrower only spanning half the rear of the house. It is always stressed by the Planning Dept that nothing sets a precedent, and each application must be considered as presented. This proposal is a major development on a semi-detached house.

DCC Highways: No implications

South West Water: No objection

Having reviewed the applicant's current information as to proposed surface water disposal for its development, please note that method proposed to discharge into the ground (infiltration) is acceptable and meets with the Run-off Destination Hierarchy.

It is suggested that the applicant to contacts South West Water to discuss whether the proposals will be affected by the presence of their apparatus and the best way of dealing with any issues as they may need permission from South West Water to proceed.

Representations from Residents:

None received.

Relevant Planning History:

Application Number: 4159/23/HHO

Proposal: Householder application for replacement conservatory, loft conversion, rear extension to create play room./office/utility, and erect new porch

Decision: Withdrawn to overcome impacts on neighbour

Decision Date: 13/03/2024

Application Number: 2814/15/HHO

Proposal: Householder application for conservatory to front of property

Decision: Conditional Approval

Decision Date: 26/01/2016

NB this conservatory would be removed as part of this proposal

ANALYSIS

1. Principle of Development:

- 1.1 Number 5, Valleyside is an existing residential dwellinghouse located within the small settlement of Buckland approximately 5.5km west of the town of Kingsbridge. Buckland is within Tier 4 of the settlement hierarchy described in the Plymouth and South West Devon Joint Local Plan (JLP) Policy TTV1. Tier 4 includes smaller villages, hamlets, and the countryside, and the provisions of JLP Policy TTV29 (residential extensions and replacement dwellings in the countryside) should therefore be considered in relation to this proposal.
- 1.2 Criterion 5 of Policy TTV29 deals with extensions in the countryside and states that they will be permitted provided: “The extension is appropriate in scale and design in the context of the setting of the host dwelling.” Further guidance is set out in paragraph 11.85 of the JLP Supplementary Planning Document (SPD), which states “when applying this policy, an extension may be considered ‘appropriate’ if it does not seek to increase the internal floorspace (on its own or in combination with all subsequent extensions) of the original house by more than 50 per cent”. The proposal alters existing extensions to the front, side and rear of the host dwelling and converts the loft space to habitable floorspace. The total additional floorspace is approximately 35% and is therefore considered appropriate in principle against JLP Policy TTV29.
- 1.3 The property is located within the South Devon National Landscape and the Undeveloped Coast where the principle of extending and altering residential properties is acceptable subject to its impact upon the surrounding protected landscape.
- 1.4 The Thurlestone Parish Neighbourhood Plan (TPNP) Policy TP7.2 deals with extensions to existing dwellings. It states that~:
- Proposals for extensions to existing dwellings (including annexes to facilitate homeworking), which do not have the benefit of permitted development rights, will be supported provided the proposal meets the requirements of Policy TP1 and the following criteria:*
- i. is subordinate in scale and form to the existing dwelling; and*
- ii. in the case of annexes, the use of the annexe remains ancillary to the original dwelling and cannot be occupied by an independent household.*
- 1.5 The proposal seeks to extend the existing dwellinghouse to make better use of the available internal space and allow for an office to be created to support homeworking. Officers consider the extension to be subordinate in scale – being single storey – and form to the host dwelling and do not consider it to be capable of being occupied independently. The proposal is deemed to accord with the aims of TPNP Policy TP7.2.

2.0 Design and landscape:

- 2.1 JLP Policy DEV20 requires development to meet good standards of design and contribute positively to both townscape and landscape and Policy DEV23 seeks

development that will conserve and enhance landscape, townscape and seascape character and scenic and visual quality, avoiding significant and adverse landscape or visual impacts. Proposals must have proper regard to the pattern of local development and wider surroundings in terms of (amongst other things), style, local distinctiveness, visual impact, scale, materials, historic value, and character.

- 2.2 TPNP Policy TP1.2 states that “Proposals should be locally distinctive, reflecting the style, scale and character proportionate and appropriate to the coastal and rural location of the parish within the South Devon AONB. The use of natural building materials will be encouraged”.
- 2.3 The proposal seeks to remodel and extend the ground floor of the property with a rear extension, side entrance porch and creation of habitable loft space by installing 6 modestly sized rooflights. It also replaces an existing conservatory on the principal elevation with a smaller sun room. The proposal adds a modest 18sqm to the external footprint of the existing built form and minimises its visual impact by largely extending at the rear of the property.
- 2.4 Officers note the addition of a pitched roof to the rear extension and a reverse pitched section over the proposed utility room and consider that these additions are an acceptable compromise to maximise the use of natural light and ventilation to the proposed extension while maintaining light to the rear of number 6 Valleyside to the east (see Neighbourhood Amenity). The proposal is considered to be clearly subservient to the host dwelling in terms of its scale and massing and its design – although contemporary – does not diminish the host dwelling. Officers consider the design to be an uplift in quality and welcome the removal of the existing conservatory and the use of natural slate to the replacement sunroom roof.
- 2.5 Officers have noted the concern of the Parish Council with regard to changing the orientation of the property but have noted that the existing main entrance to the property is to the side elevation and that the proposed porch is an open sided structure that simply covers the entrance doorway, which remains on the side elevation. Officers do not consider this to be a detrimental addition to the side elevation and, due to its open character, do not consider that it reorientates the property or significantly increases its mass.
- 2.6 Consideration has been given to the level of glazing included within the proposal, which is an uplift over the existing especially within the existing roof. After visiting the site, officers note that rooflights are an existing feature of the terrace and consider that their use in the proposal is not incongruous. On balance, officers believe the proposed extension and alterations will complement the host dwelling and be of an appropriate scale and appearance. As a result, the proposal is not in conflict with DEV20 and DEV23 of the JLP and TPNP Policy TP1.2.

3.0 South Devon National Landscape:

- 3.1 Policy DEV25 requires that proposals “conserve and enhance the natural beauty of the protected landscape with particular reference to their special qualities and distinctive characteristics or valued attributes”.
- 3.2 TPNP Policy TP1.5 seeks to “conserve and enhance the natural beauty of the South Devon AONB” and TP1.4 seeks to “limit the impact of light pollution from

artificial light on local amenity, on intrinsically dark landscapes and the natural environment, in accordance with the Institute of Lighting Professionals Environmental Zone E1”.

- 3.3 Although a modest net increase in glazing is proposed, its effect is offset by the reduction of glazing by removing the existing conservatory and replacing it with a sunroom with significantly less glazing to its roof and the addition of louvres to the vertical plane of glazing proposed.
- 3.4 Officers note the addition of 8 roof lights and the concern expressed by the Parish Council as to the impact of these rooflights on the inherent dark skies of the National Landscape. However, officers consider that the principle of rooflights within the existing terrace is already established and that the rooflights are modestly sized and unlikely to have a significant impact on dark skies. Officers have considered the guidance provided by the Institute of Lighting Professionals in relation to Environmental Zone 1 and have found that it relates largely to external forms of lighting and not light spill from internal sources. That notwithstanding, officers are mindful of the concerns expressed by the Parish Council but consider that the location of the proposal within a residential terrace and the existing rooflights within that terrace mean it would be unreasonable to refuse permission on the grounds of detriment to dark skies.
- 3.5 On balance, the design is deemed to conserve the natural beauty of the National Landscape and therefore accords with JLP Policy DEV25 and TPNP Policy TP1.

4.0 Undeveloped Coast:

- 4.1 The proposal is within the Undeveloped and Heritage Coast and it is therefore appropriate to consider policy DEV24 of the Joint Local Plan which seeks to protect against “development which would have a detrimental effect on the undeveloped and unspoilt character, appearance or tranquillity of the Undeveloped Coast”.
- 4.2 Officers consider that, whilst the proposal would be visible from the undeveloped coast, the development proposed is of high quality and largely set at ground floor level to minimise the overall impact of the development. Whilst the glazing does materially increase as a result of the proposals, the removal of the conservatory reduces the impact of the increase.
- 4.3 On balance, the proposals are considered to enhance the visual appearance of the existing dwelling through the use of a well-coordinated design, removing the existing conservatory and the use of high-quality materials. The resulting impact upon the surrounding protected area is neutral as a result and proportional to existing property and plot size. The proposal is therefore considered to accord with JLP Policy DEV24.

5.0 Neighbour Amenity:

- 5.1 TPNP Policy TP1.1 and JLP Policy DEV1 consider neighbour amenity and seek to protect (amongst other things) “daylight, sunlight, outlook, privacy and... ..noise”. Both policies measure the effect of development “against the level of amenity generally accepted within the locality”.

5.2 Officers are mindful of the concerns raised by the Parish Council with regards to the potential loss of light from Number 6 Valleyside and the wider potential impact of the proposal on the amenity of Number 6. Officers are, however, aware that discussions have taken place between the applicant and their neighbour – resulting in the withdrawal of a previous planning application – and that the resubmitted proposal has been carefully designed to minimise the impact on Number 6. The applicant has provided a Sunlight Study to demonstrate the minimal impact on light to Number 6 and has recessed the rear extension and angled its pitched roof to diminish any potential overbearance. Officers have considered the level of amenity generally in the area and consider there to be minimal reductions as a result of the proposal. The proposal is deemed to conform to JLP Policy DEV1 and TPNP Policy TP1.1.

6.0 Drainage:

6.1 The proposal is sited within Flood Zone 1 (which has a low probability of flooding from rivers and the sea) and is outside of any Critical Drainage Area. The application demonstrates sustainable drainage by soakaway in accordance with the drainage hierarchies set out in the Plymouth and Devon Local Flood Risk Management Strategies. This is in accordance with Policy DEV35 of the Joint Local Plan and a condition has been attached to secure the drainage strategy on this basis.

7.0 Ecology:

7.1 JLP Policy DEV26 states that development should support the protection, conservation, enhancement and restoration of biodiversity and geodiversity across the Plan Area. The application includes a Preliminary Ecological Assessment (Bat and Nesting Bird Survey) that found no evidence of bat roosts or bird nesting but does recommend the provision of Bat Boxes and Bird Nesting Boxes on the north and west elevations to provide biodiversity enhancement. This is supported by Officers with the details to be secured by condition.

8.0 Climate Change/Carbon Reduction:

8.1 The proposal utilises the footings of existing structures to create more useable floorspace, which is inherently more sustainable and less carbon intensive than building new structures. The proposal also includes the installation of a solar panel system on the south facing roof of the existing property with no overshading, which will provide an efficient source of renewable energy to the property and will be secured by condition. Officers are satisfied that the proposal accords with JLP Policies DEV 32 and DEV 33.

9.0 Other matters:

9.1 Officers have noted the additional concern expressed by the Parish Council with regard to the overdevelopment of the plot. Officers have measured the plot and find that the footprint resultant from implementation of the proposal would cover less than a third of the substantial plot and officers do not consider this to be overdevelopment and to be appropriate to the local area and the size of the plot.

10 Conclusion:

10.1 On balance, the proposal is considered to be a sympathetic modern scheme of extension and alteration that makes more efficient use of the existing footprint of the host dwelling. The proposal is not considered to be detrimental to the character of the local area or the designated landscapes that surround it. Officers therefore recommended that the application be granted conditional approval.

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).

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
TTV2 Delivering sustainable development in the Thriving Towns and Villages Policy Area
TTV29 Residential extensions and replacement dwellings in the countryside
DEV1 Protecting health and amenity
DEV2 Air, water, soil, noise, land and light
DEV10 Delivering high quality housing
DEV20 Place shaping and the quality of the built environment
DEV23 Landscape character
DEV24 Undeveloped coast and Heritage Coast
DEV25 Nationally protected landscapes
DEV26 Protecting and enhancing biodiversity and geological conservation
DEV32 Delivering low carbon development
DEV33 Renewable and low carbon energy (including heat)
DEV35 Managing flood risk and Water Quality Impacts

Thurlestone Parish Neighbourhood Plan

Following a successful referendum, the Thurlestone Parish Neighbourhood Plan was made (adopted) as part of the statutory development plan for the area by South Hams District Council on 19 July 2018. The most pertinent policies within the plan are:

POLICY TP1 – GENERAL DEVELOPMENT PRINCIPLES
POLICY TP7 – REPLACEMENT DWELLINGS AND EXTENSIONS
POLICY TP22 – THE NATURAL ENVIRONMENT
POLICY TP27 – SOLAR PANELS AND ARRAYS

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.

Conditions:

1. The development hereby permitted shall begin not later than three years from the date of this decision.

Reason: To comply with Section 91 of the Town and Country Planning Act, 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall in all respects accord strictly with drawing number(s)

2.E.02 Rev:H "Proposed Elevations" received on 1 May 2024
2.LP.01 "Location Plan" received on 1 May 2024
2.P.02 Rev:G "Proposed floor plans" received on 1 May 2024
2.RP.02 Rev:C "Proposed roof plan" received on 1 May 2024
2.S.02 Rev:D "Proposed sections" received on 1 May 2024
2.S.03 Rev:C "Proposed 3D section views" received on 1 May 2024
2.SP.02 Rev:B "Proposed site plan" received on 1 May 2024

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

3. The drainage scheme shall be installed in strict accordance with the plans and details set out in the Storm Percolation Test and Soakaway Design produced by JMC Drainage Consultant in February 2024 and received by the LPA on 01 May 2024, maintained and retained in accordance with the agreed details for the life of the development.

Reason: To ensure surface water runoff does not increase to the detriment of the public highway or other local properties as a result of the development in accordance with policy DEV35 of the Plymouth and South West Devon Joint Local Plan.

4. The development hereby approved shall be carried out in accordance with the actions set out in the Preliminary Ecological Assessment (Bat and Nesting Bird Survey) by George Bemment Associates dated 17 November 2023 and any measures required under licence from Natural England. Prior to the commencement of use, the recommendations, mitigation, compensation, net gain and enhancement measures shall be fully implemented and thereafter retained for the life of the development.

Reason: To safeguard the interests of protected species and biodiversity net gain in accordance with Joint Local Plan policy DEV26.

5. The solar panels as shown on the approved plans shall be installed prior to the occupation of the extension hereby approved. The panels shall hereafter be retained and maintained for the life of the development.

Reason: To ensure that the development contributes to the carbon reduction targets within DEV32 of the Joint Local Plan and objectives within the Climate Emergency Planning Statement (November 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.

South Hams District Council **Agenda Item 7**

Development Management Committee 01 Aug 2024

Appeals update for 1 Jun 2024 to 19 Jul 2024

Ward: Bickleigh & Cornwood

1575/23/FUL		PINS Ref: APP/K1158/W/3334322
Original Decision:	Refusal	Appeal Status: Appeal Refused
Appellant Name:	Mr & Mrs Turner	Appeal Start Date: 20 Mar 2024
Site Address:	1 Old School House Cottage, Bickleigh, PL6 7AG	Appeal Decision: Dismissed (Refusal)
Proposal:	Proposed erection of replacement dwelling (resubmission of 3698/22/FUL)	Appeal Decision Date: 11 Jun 2024

Ward: Charterlands

2439/23/HHO		PINS Ref: APP/K1128/D/23/3332076
Original Decision:	Refusal	Appeal Status: Appeal Refused
Appellant Name:	Mr & Mrs Ian Fallon	Appeal Start Date: 17 Jan 2024
Site Address:	Walfords Barn, Kingston, TQ7 4HA	Appeal Decision: Dismissed (Refusal)
Proposal:	Householder application for proposed single storey extension to existing dwelling (resubmission of 1434/23/HHO)	Appeal Decision Date: 19 Jun 2024

Ward: Dartington & Staverton

0292/24/VAR		PINS Ref: APP/K1128/W/24/3345036
Original Decision:	Refusal	Appeal Status: Start Letter Received
Appellant Name:	Baker Estates Ltd	Appeal Start Date: 17 Jul 2024
Site Address:	Development Site At Sx 783 624, Broom Park, Dartington	Appeal Decision:
Proposal:	Application for variation of condition 1 (approved drawings) of planning consent 4442/21/ARM	Appeal Decision Date:

0549/24/HHO		PINS Ref: APP/K1128/D/24/3344467
Original Decision:	Refusal	Appeal Status: Awaiting Decision
Appellant Name:	Ms Philippa Hutton	Appeal Start Date: 1 Jul 2024
Site Address:	Barkingdon Manor Staverton TQ9 6AN	Appeal Decision:
Proposal:	Householder application for proposed erection of a replacement ancillary garden room/summerhouse	Appeal Decision Date:

1690/23/FUL		PINS Ref: APP/K1128/W/24/3342985
Original Decision:	Refusal	Appeal Status: Awaiting Decision
Appellant Name:	Richard Hanlon	Appeal Start Date: 13 Jun 2024
Site Address:	Wash House, Buckfastleigh, TQ11 0LD	Appeal Decision:
Proposal:	Erection of storage building (Retrospective)	Appeal Decision Date:

Ward:	Dartmouth & East Dart
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0457/23/FUL	PINS Ref: APP/K1128/W/23/3335242	
Original Decision:	Refusal	Appeal Status: Appeal Approved
Appellant Name:	Mr Peter Bromley	Appeal Start Date: 27 Mar 2024
Site Address:	Former Guttery Reservoir, Lower Broad Park, TQ6 9EY	Appeal Decision: Appeal Allowed
Proposal:	Erection of 7 new dwellings and associated access road	Appeal Decision Date: 9 Jul 2024

Ward:	Ivybridge East
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0551/24/TPO	PINS Ref: APP/TPO/K1128/10131	
Original Decision:	Lesser Tree Works Allowed	Appeal Status: Awaiting Decision
Appellant Name:	Mr Pomerey	Appeal Start Date: 27 Jun 2024
Site Address:	17 Charles Hankin Close Ivybridge PL21 0WF	Appeal Decision:
Proposal:	G3: 3 x Oak trees - crown lift to 5.5m on all sides, Lateral reduction on west side (over the road & vehicles are touching branches) and east side by 2.5m cutting no greater than 75mm secondary growth to NGP, Upper crown height on all sides reduce by upto 2m, reduction from 15m to 13m & Lateral growth spread from 12m to 10m, cutting to NGP	Appeal Decision Date:

Ward:	Loddiswell & Aveton Gifford
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4089/23/FUL	PINS Ref: APP/K1128/W/24/3342419	
Original Decision:	Refusal	Appeal Status: Start Letter Received
Appellant Name:	Mr T Doidge	Appeal Start Date: 12 Jun 2024
Site Address:	Dream Hill Garage, Modbury, PL21 0SX	Appeal Decision:
Proposal:	Change of use from motor garage / MOT testing centre to mixed use , commercial, business and service use (Class E) and x 1 dwellinghouse (Class C3) with associated parking, turning, outside amenity, installation of solar panels, air source heat pump and new sewage treatment plant and landscaping; removal of hot food consumption (former class A5), demolition of office (former class B1), removal of mobile home and septic tank including associated site clearance works (resubmission of 1657/23/FUL)	Appeal Decision Date:

Ward:	Newton & Yealmpton
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2928/22/FUL	PINS Ref: APP/K1128/W/23/3334409	
Original Decision:	Refusal	Appeal Status: Appeal Refused
Appellant Name:	Mr Farmer	Appeal Start Date: 21 Feb 2024
Site Address:	71, Yealm Road, Newton Ferrers, PL8 1BN	Appeal Decision: Dismissed (Refusal)
Proposal:	Proposed boatshed and reinstatement of Landing (Resubmission of 0370/22/FUL) (Retrospective)	Appeal Decision Date: 19 Jul 2024

Ward:	Salcombe & Thurlestone
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3559/22/FUL		PINS Ref: APP/K1128/W/23/3325981
Original Decision:	Refusal	Appeal Status: Appeal Approved
Appellant Name:	Mr James Holt	Appeal Start Date: 31 Oct 2023
Site Address:	Atlantic Lodge, Hope Cove, TQ7 3HH	Appeal Decision: Upheld (Conditional approval)
Proposal:	Demolition & replacement of existing dwelling & garage	Appeal Decision Date: 18 Jul 2024
0325/24/ARC		PINS Ref: APP/K1128/W/24/3344593
Original Decision:	Discharge of Condition Refused	Appeal Status: Start Letter Received
Appellant Name:	Mr & Mrs Taylor	Appeal Start Date: 1 Jul 2024
Site Address:	Sunnydale, Newton Road, Salcombe, TQ8 8HH	Appeal Decision:
Proposal:	Application for approval of details reserved by condition 6 (Surface Water Management Scheme) of planning consent 2363/22/FUL	Appeal Decision Date:
2262/23/TPO		PINS Ref: APP/TPO/K1128/9865
Original Decision:	Lesser Tree Works Allowed	Appeal Status: Awaiting Decision
Appellant Name:	Keith Baker	Appeal Start Date: 4 Jul 2024
Site Address:	Rippling Water, Herbert Road, Salcombe, TQ8 8HN	Appeal Decision:
Proposal:	T001: Monterey Cypress - fell due to being too large for surroundings detracting from the wooded broadleaf character of the area, dominating and suppressing key highway trees, root bulge in footpath, replace trees with an Acer Tataricum, an Ceicis Siliquastrum, an Elaeagnus Angustifolia and Olea Europae	Appeal Decision Date:
2827/23/HHO		PINS Ref: APP/K1128/D/24/3344719
Original Decision:	Refusal	Appeal Status: Start Letter Received
Appellant Name:	Mr & Mrs D and C Bennett	Appeal Start Date: 2 Jul 2024
Site Address:	Lammas Coombe, Main Road, Salcombe, TQ8 8JW	Appeal Decision:
Proposal:	Householder application for removal of existing single storey rear conservatory, timber decking/balustrade system, timber cladding & natural slate roof, all to be replaced with a new single storey kitchen extension, new upper & lower decking replacement cladding, natural slate roof, (main dwelling) & replacement windows & doors	Appeal Decision Date:

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South Hams District Council

Undetermined Major Applications

as at 15 Jul 2024



3623/19/FUL			
Officer:	Steven Stroud	Valid Date: 14 Apr 2020	Expiry Date: 14 Jul 2020
Location:	Land off Godwell Lane, Ivybridge		Extension Date: 28 Jun 2024
Proposal:	READVERTISEMENT (Revised plans received) Full planning application for the development of 104 residential dwellings with associated access, parking, landscaping, locally equipped play area and infrastructure		
Officer Comments:	<i>Extension of time in place until end of June; still awaiting drainage information to overcome LLFA objection. Applicant has requested a further extension which is under consideration by officers.</i>		
4181/19/OPA			
Officer:	Ian Lloyd	Valid Date: 09 Jan 2020	Expiry Date: 30 Apr 2020
Location:	Land off Towerfield Drive, Woolwell, Part of the Land at Woolwell, JLP Allocation (Policy PLY44)		Extension Date: 30 Sep 2024
Proposal:	READVERTISEMENT (revised plans & description of development) Outline application for up to 360 dwellings, associated landscaping and site infrastructure. All matters reserved except for new access points from Towerfield Drive and Pick Pie Drive.		
Officer Comments:	<i>Along with 4185/19/OPA a year-long PPA initially agreed until end of December 2020 was extended to the end of June 2024. Both parties agree more time is still required to resolve matters and a revised extension of time has been agreed until the end of September 2024</i>		
4185/19/OPA			
Officer:	Ian Lloyd	Valid Date: 09 Jan 2020	Expiry Date: 30 Apr 2020
Location:	Land at Woolwell, Part of the Land at Woolwell JLP Allocation (Policy PLY44)		Extension Date: 30 Sep 2024
Proposal:	READVERTISEMENT (revised plans) Outline application for provision of up to 1,640 new dwellings; up to 1,200 sqm of commercial, retail and community floorspace (A1-A5, D1 and D2 uses); a new primary school; areas of public open space including a community park; new sport and playing facilities; new access points and vehicular, cycle and pedestrian links; strategic landscaping and attenuation basins; a primary substation and other associated site infrastructure. All matters reserved except for access.		
Officer Comments:	<i>Along with 4181/19/OPA] a year-long PPA initially agreed until end of December 2020 was extended to the end of June 2024. Both parties agree more time is still required to resolve matters and a revised extension of time has been agreed until the end of September 2024</i>		
0544/21/FUL			
Officer:	Patrick Whymer	Valid Date: 15 Feb 2021	Expiry Date: 17 May 2021
Location:	Land at Stowford Mills, Station Road, Ivybridge, PL21 0AW		Extension Date: 31 Oct 2023
Proposal:	Construction of 16 dwellings with associated access and landscaping		
Officer Comments:			
2379/21/FUL			
Officer:	Steven Stroud	Valid Date: 10 Jun 2021	Expiry Date: 09 Sep 2021

Location:	Riverford Wash Barn, Buckfastleigh, TQ11 0JU	Extension Date: 31 Mar 2024
Proposal:	Formation of car park (Retrospective)(Resubmission of 1760/20/FUL)	
Officer Comments:	<i>Report is being finalised</i>	
2982/21/FUL		
Officer:	Charlotte Howrihane	Valid Date: 13 Oct 2021
		Expiry Date: 12 Jan 2022
Location:	Land Opposite Butts Park, Parsonage Road, Newton Ferrers, PL8 1HY	Extension Date: 31 Jul 2024
Proposal:	Erection of 20 residential units (17 social rent and 3 open market) with associated car parking and landscaping	
Officer Comments:	<i>Delegated authority to approve, awaiting completed S106</i>	
3053/21/ARM		
Officer:	Tim Whipps	Valid Date: 05 Aug 2021
		Expiry Date: 04 Nov 2021
Location:	Noss Marina, Bridge Road, Kingswear, TQ6 0EA	Extension Date: 24 Mar 2022
Proposal:	READVERTISEMENT (amended plans & documents) Application for approval of reserved matters relating to layout, appearance, landscaping and scale, in respect to Phase 16 – Dart View(Residential Northern) of the redevelopment of Noss Marina comprising the erection of 34 new homes (Use Class C3), provision of 51 carparking spaces, cycle parking, creation of private and communal amenity areas and associated public realm and landscaping works pursuant to conditions 51, 52, 54 and 63 attached to S.73 planning permission ref. 0504/20/VAR dated 10/02/2021 (Outline Planning Permission ref. 2161/17/OPA, dated 10/08/2018) (Access matters approved and layout, scale, appearance and landscaping matters)	
Officer Comments:	<i>Revised drawings have been received and are currently being advertised. The changes to the scheme reduce the number of units on this phase and amend the design. The changes are based on a scheme that has been the subject of discussions with the applicant and it is anticipated that the application will be determined by the end June 2024</i>	
4175/21/VAR		
Officer:	Tom French	Valid Date: 08 Nov 2021
		Expiry Date: 28 Feb 2022
Location:	Sherford Housing Development Site, East Sherford Cross To Wollaton Cross Zc4, Brixton, Devon	Extension Date: 17 Feb 2023
Proposal:	READVERTISEMENT (Additional EIA Information Received) Application to amend conditions 48 & 50 of 0825/18/VAR, to vary conditions relating to employment floorspace in respect of the Sherford New Community.	
Officer Comments:		
4317/21/OPA		
Officer:	Steven Stroud	Valid Date: 05 Jan 2022
		Expiry Date: 06 Apr 2022
Location:	Land at SX 5515 5220 adjacent to Venn Farm, Daisy Park, Brixton	Extension Date: 31 Aug 2024
Proposal:	READVERTISEMENT (amended plans) Outline application with all matters reserved for residential development of up to 17 dwellings (including affordable housing)	
Officer Comments:	<i>Latest consultation has resulted in further LLFA queries which are currently being addressed.</i>	
1522/22/FUL		
Officer:	Steven Stroud	Valid Date: 09 May 2022
		Expiry Date: 04 Jul 2022
Location:	Proposed Development Site East, Dartington Lane, Dartington, TQ9 5LB	Extension Date: 31 Jan 2023
Proposal:	READVERTISEMENT (revised plans & documents) Construction of 6No. two-storey residential dwellings with associated landscaping	
Officer Comments:	<i>Under consideration</i>	

1523/22/FUL			
Officer:	Steven Stroud	Valid Date: 20 Jun 2022	Expiry Date: 19 Sep 2022
Location:	Proposed Development Site West, Dartington Lane, Dartington	Extension Date: 31 Jan 2023	
Proposal:	READVERTISEMENT (revised plans & documents) Construction of 39No.two-storey dwellings with associated landscaping		
Officer Comments:	<i>Under consideration</i>		
1629/22/ARM			
Officer:	Steven Stroud	Valid Date: 20 Jun 2022	Expiry Date: 19 Sep 2022
Location:	Dennings, Wallingford Road, Kingsbridge, TQ7 1NF	Extension Date: 30 Jun 2023	
Proposal:	READVERTISEMENT (revised plans & supporting information) Application for approval of reserved matters following outline approval 2574/16/OPA (Outline application with all matters reserved for 14 new dwellings) relating to access, appearance, landscaping, layout and scale and discharge of outline planning conditions		
Officer Comments:	<i>Under consideration</i>		
2412/22/OPA			
Officer:	Clare Stewart	Valid Date: 25 Jul 2022	Expiry Date: 24 Oct 2022
Location:	Land South of Dartmouth Road at SX 771 485, East Allington	Extension Date: 31 Oct 2023	
Proposal:	READVERTISEMENT (amended description & documents) Outline application with some matters reserved for residential development & associated access		
Officer Comments:	<i>Approved by Committee on 18/10/23 subject to S106 completion, which is in progress</i>		
1887/23/ARM			
Officer:	Tom French	Valid Date: 01 Jun 2023	Expiry Date: 31 Aug 2023
Location:	Sherford Housing Development Site, Land South & South West of A38 Deep Lane junction & East of Hays Road, Plymouth	Extension Date: 31 May 2024	
Proposal:	READVERTISEMENT (amended plans) Application for approval of reserved matters following outline approval 0825/18/VAR (Variation of conditions 3 (approved drawings), 6, 7, 8, 10, 11, 12, 13, 14, 18, 19, 20, 21, 26, 28, 35, 36, 45, 46, 52, 53, 54, 57, 66, 67, 68, 69, 70, 71, 99, 100, 101, 102, 104, 106, 107 and 110 & informatives of outline planning permission ref. 1593/17/VAR to accommodate proposed changes of the Masterplan in respect of the 'Sherford New Community') for 284 residential dwellings, on parcels L1-L12, including associated parking along with all necessary infrastructure including, highways, drainage, landscaping, sub stations, as part of Phase 3B of the Sherford New Community		
Officer Comments:	<i>Still working through issues. EoT until end March.</i>		
1888/23/ARM			
Officer:	Tom French	Valid Date: 01 Jun 2023	Expiry Date: 31 Aug 2023
Location:	Sherford New Community, Land south west of A38, Deep Lane and east of Hays Road, Elburton, Plymouth, PL9 8DD	Extension Date: 28 Apr 2024	
Proposal:	READVERTISEMENT (revised plans & amended description) Application for approval of reserved matters for 269 no. dwellings on parcels B1-11, including associated parking along with all necessary parcel infrastructure including drainage and landscaping, as part of Phase 3B of the Sherford new Community, pursuant to approval 0825/18/VAR (which was an EIA development & an Environmental Statement was submitted)		
Officer Comments:	<i>Still working through issues. Further EoT to end of March sought.</i>		
2505/23/VAR			
Officer:	Peter Whitehead	Valid Date: 02 Aug 2023	Expiry Date: 01 Nov 2023
Location:	Deer Park Inn, Dartmouth Road, Stoke Fleming, TQ6 0RF	Extension Date: 29 Feb 2024	

Proposal:	Application for variation of Condition 2 (approved plans) of planning consent 0679/18/FUL		
Officer Comments:	<i>Member delegated approval. Currently awaiting completion of Deed of Variation of existing s106 Agreement (so current application ties back to original s106 and secures the contributions set out therein), following which conditional permission will be granted</i>		
2733/23/VAR			
Officer:	Lucy Hall	Valid Date: 09 Aug 2023	Expiry Date: 08 Nov 2023
Location:	Stowford Mill, Harford Road, Ivybridge, PL21 0AA		Extension Date: 30 Nov 2023
Proposal:	Application for variation of condition 3 (approved drawings) of planning consent 27/1336/15/F (part retrospective)		
Officer Comments:			
2929/23/FUL			
Officer:	Peter Whitehead	Valid Date: 25 Oct 2023	Expiry Date: 14 Feb 2024
Location:	Land at Littlehempston Water Treatment Works, Hampstead Farm Lane, Littlehempston		Extension Date: 14 Apr 2024
Proposal:	Installation of photovoltaic solar arrays together with transformer stations, site accesses, internal access tracks, security measures, access gates, other ancillary infrastructure and landscaping and biodiversity enhancements		
Officer Comments:	<i>Application under consideration. Revised plans received which will need to be the subject of reconsultation.</i>		
3251/23/VAR			
Officer:	Peter Whitehead	Valid Date: 27 Sep 2023	Expiry Date: 27 Dec 2023
Location:	Development Site At Sx 580 576, Seaton Orchard, Sparkwell		Extension Date: 26 Mar 2024
Proposal:	Application for variation of condition 20 (windows) of planning consent 3445/18/FUL		
Officer Comments:	<i>Currently awaiting completion of Deed of Variation to original s106 Agreement (so current application ties back to original s106 and secures the contributions set out therein), following which planning permission will be issued.</i>		
3358/23/FUL			
Officer:	Liz Payne	Valid Date: 22 Nov 2023	Expiry Date: 21 Feb 2024
Location:	Ash Tree Farm, Ash, TQ6 0LR		Extension Date: 02 Aug 2024
Proposal:	Change of use of 1.4 hectares of land to animal rescue centre		
Officer Comments:	<i>Application under consideration</i>		
3995/23/FUL			
Officer:	Lucy Hall	Valid Date: 02 Jan 2024	Expiry Date: 02 Apr 2024
Location:	Baltic Wharf Boatyard St Peters Quay Totnes TQ9 5EW		Extension Date: 16 Aug 2024
Proposal:	Full planning application for the phased delivery of a mixed-use development comprising marine workshops (Use Class B2) and boat storage, offices (Use Class E), care home (Use Class C2), houses and apartments (Use Class C3), mixed commercial uses (Use Class E) and associated infrastructure.		
Officer Comments:	<i>Application under consideration</i>		
0002/24/FUL			
Officer:	Lucy Hall	Valid Date: 05 Jun 2024	Expiry Date: 04 Sep 2024
Location:	Mounts Farm Touring Park, The Mounts, East Allington, TQ9 7QJ		

Proposal:	Change of Use to a holiday static caravan park, ancillary infrastructure & landscaping		
Officer Comments:			
0103/24/FUL			
Officer:	Tom French	Valid Date: 11 Jan 2024	Expiry Date: 11 Apr 2024
Location:	Langage Energy Park Kingsway Plympton PL7 5AW		Extension Date: 31 May 2024
Proposal:	Proposed construction of a 9.25km hydrogen pipeline running from consented Langage Green Hydrogen Project to the Sibelco and Imerys sites		
Officer Comments:	<i>Currently in consultation period</i>		
0814/24/FUL			
Officer:	Charlotte Howrihane	Valid Date: 02 May 2024	Expiry Date: 01 Aug 2024
Location:	Homefield Farm Sherford TQ7 2AT		
Proposal:	<ol style="list-style-type: none"> 1) Change of use of commercial buildings and dwelling house to 4 no. holiday lets 2) Demolition of existing retail unit 3) Replacement of commercial building with 1 no. self-build dwelling house 4) Associated works to include comprehensive landscape and ecology enhancement works (Variation to planning approval 4751/21/FUL) 		
Officer Comments:	<i>Under consideration</i>		
0889/24/FUL			
Officer:	Peter Whitehead	Valid Date: 22 Apr 2024	Expiry Date: 22 Jul 2024
Location:	Land At Sx 490 624 Broadley Park Road Roborough		
Proposal:	Application for the construction of a new business park comprising six units of varying sizes, associated access, parking, drainage and landscaping, together with ground reprofiling, bunds, attenuation pond & associated development		
Officer Comments:	<i>Application under consideration</i>		
1042/24/ARM			
Officer:	Lucy Hall	Valid Date: 22 Apr 2024	Expiry Date: 22 Jul 2024
Location:	Beacon Park Dartington TQ9 6DX		
Proposal:	Application for approval of reserved matters following outline approval 3631/17/OPA for phase 3 comprising provision of 9 business units, landscaping, drainage, access roads & car parking		
Officer Comments:	<i>Currently in consultation period</i>		
1271/24/VAR			
Officer:	Peter Whitehead	Valid Date: 18 Apr 2024	Expiry Date: 18 Jul 2024
Location:	Proposed Development Site Sx856508 Dartmouth		
Proposal:	Application for variation of condition 2 (approved drawings) of planning consent 3119/21/FUL to replace 3 bedroom detached house on Plot 320 with 2 bedroom semi-detached bungalow		
Officer Comments:	<i>Application under consideration</i>		

1272/24/VAR			
Officer:	Peter Whitehead	Valid Date: 23 Apr 2024	Expiry Date: 23 Jul 2024
Location:	Proposed Development Site Sx856508 Dartmouth		
Proposal:	Application for variation of condition 1 (approved drawings) of planning consent 0936/19/ARM for the introduction of 2-bedroom semi-detached bungalows in lieu of the equivalent number of 3-bedroom semi-detached houses in order to provide smaller bungalow units not currently catered for & improve mix; & improving street scenes by removing awkward & unsightly 90-degree parking across dwelling frontages & replacing by creating additional side parking by a combination of both dwelling & garage adjustments, other less significant changes include swapping house types & parking allocation & creation of additional garaging		
Officer Comments:	<i>Application under consideration</i>		
1283/24/VAR			
Officer:	Peter Whitehead	Valid Date: 19 Apr 2024	Expiry Date: 19 Jul 2024
Location:	Proposed Development Site Sx856508 Dartmouth		
Proposal:	Application for variation of condition 1 to Planning Consent for the introduction of 2-bedroom semi-detached bungalows in lieu of the equivalent number of 3-bedroom semi-detached houses in order to provide smaller bungalow units not currently catered for and improve mix; and improving the street scenes by removing the awkward and unsightly 90-degree parking across dwelling frontages and replacing by creating additional side parking by a combination of both dwelling and garage adjustments. Other proposed and less significant changes include improving courtyard and on plot parking, one house type substitution, handing of dwellings, minor adjustment to position of dwellings within plots, replacing 4 double garage pitch roofs with flat roofs etc.t 3118/21/ARM.		
Officer Comments:	<i>Application under consideration</i>		
1610/24/ARM			
Officer:	Tom French	Valid Date: 20 May 2024	Expiry Date: 19 Aug 2024
Location:	Sherford Housing Development Site Brixton		
Proposal:	Application for approval of reserved matters for road to the north of Bovis Parcel 2D.11, including associated parking along with all necessary parcel infrastructure including drainage, as part of Phase 2D of the Sherford new Community, pursuant to approval 0825/18/VAR (which was an EIA development & an Environmental Statement was submitted). Sherford New Community, Land south west of A38, Deep Lane & east of Haye Road, Elburton, Plymouth, PL9 8DD		
Officer Comments:			
1724/24/VPO			
Officer:	Lucy Hall	Valid Date: 29 May 2024	Expiry Date: 24 Jul 2024
Location:	Proposed Development At Sx 6481 5631 Ivybridge		
Proposal:	Application to modify a Section 106 Agreement for application 57/2472/14/O to accommodate upcoming development proposals at the site		
Officer Comments:			
1821/24/FUL			
Officer:	Tim Whipps	Valid Date: 07 Jun 2024	Expiry Date: 06 Sep 2024
Location:	Land at SX 745 479 Torr Quarry Industrial Estate East Allington		
Proposal:	Provision of 2 commercial units comprising builders' yard & flexible industrial building with EV car charging station, drainage and landscaping		

Officer Comments:			
1946/24/FUL			
Officer:	Clare Stewart	Valid Date: 26 Jun 2024	Expiry Date: 25 Sep 2024
Location:	Hillhead Caravan Club Hillhead TQ5 0HH		
Proposal:	Site-wide redevelopment to include pitch works, site entrance improvements, extension and internal works to entertainment complex, pool improvements, refurbishment of both toilet blocks, changes to fenestration on reception building, new bathroom/utility pod and installation of Multi Use Games Area (MUGA).		
Officer Comments:	<i>Currently in consultation period.</i>		
2118/24/NMM			
Officer:	Peter Whitehead	Valid Date: 03 Jul 2024	Expiry Date: 31 Jul 2024
Location:	Bayards Court Care Home Cotton Road Dartmouth TQ6 0FF		
Proposal:	Nonmaterial amendment to planning consent 3949/22/VAR to amend the materials and size of the external compound housing the ASHP / Water tanks / Cycle Store, Refuse Store and Maintenance Store		
Officer Comments:	<i>Application under consideration</i>		
2206/24/NMM			
Officer:	Peter Whitehead	Valid Date: 11 Jul 2024	Expiry Date: 08 Aug 2024
Location:	Proposed Development Site Sx856508 Dartmouth		
Proposal:	Nonmaterial minor amendment to planning consent 3119/21/FUL to replace 3 bedroom detached house on plot 320 with 2 bedroom semi-detached bungalow		
Officer Comments:	<i>Application under consideration</i>		

