

PLANNING APPLICATION REPORT

Case Officer: Elizabeth Arnold
Okehampton North

Parish: Okehampton Hamlets **Ward:**

Application No: 1324/21/FUL

Agent/Applicant:

Tim Capps - Oxenham Consult
Oxenham Manor
South Tawton
Devon
EX20 2RQ

Applicant:

Tim Capps
St James C Of E Primary
Okehampton
EX20 1GJ

Site Address: St James Church Of England Primary School, Fort Road,
Okehampton, EX20 1GJ

Development: New artificial turf pitch with fencing

Reason item is being put before Committee Potential impact on the neighbouring occupiers and the character of the area.



Recommendation: Refusal

Reason for refusal:

- 1) The proposal would introduce a built form of development that due to its scale, height and proximity will result in a harmful impact on the character and appearance of the area. The proposed development is therefore contrary to Policies Dev10 and DEV20 of the Plymouth and South West Devon Joint Local Plan.

- 2) The proposed development by reason of loss of outlook, over dominance and loss of privacy will result in a form of development that is harmful to the amenity of neighbouring residents. As such the proposal would fail to comply with the requirements of Policies DEV1 and DEV2 of the Plymouth and South West Devon Joint Local Plan.

Key issues for consideration:

The main issue for consideration in the assessment of this application, are the implications of the increase in land level and the change in surface materials.

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

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

Site Description:

The site is currently partially completed and is a junior sports pitch, approved as a grass pitch as part of a previous County Matter application by Devon County Council which included this pitch and surrounding area alongside the provision of a new 420 place primary school. The School is now open.

The site is adjacent to Crediton Road to the South and the new Redrow residential properties to the North, with school land to the East and West. It is not in any designated area but is within a Critical Drainage Area (CDA) and is close to the Scheduled monument of the Roman Fort in Okehampton.

The Proposal:

The proposal is a resubmission to change the surface from the approved grass pitch (which was as previously approved by DCC as a County Matters application but not completed), to an artificial turf surface. This submission seeks to regularise the raised height of the pitch by 0.8m to that previously approved and the enclosure with a 3m high fence.

Consultations:

- County Highways Authority
No Highways implications
- Drainage
I am happy with the principle of their drainage scheme however they have proposed discharge to land drain, which cannot be supported because it can increase flood risk. The discharge should be to the watercourse instead of land drains.

The application site is located within CDA therefore offsite discharge needs to be limited to 1:10 year greenfield runoff rate but in this case it is greater than 1:10 which cannot be supported.

The applicant will need to provide revised drainage scheme to address all of the above concerns. This can be conditioned.

- County Minerals
No objection

- Sport England

Given the nature of the proposals as it relates to the provision of a new outdoor sports pitch on playing field land at the above site. It therefore needs to be considered against exception E5 of the above policy, which states:

- *E5 - The proposed development is for an indoor or outdoor facility for sport, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss, or prejudice to the use, of the area of playing field.*

The proposal if implemented would see the loss of an existing natural turf playing pitch that could accommodate match play to a synthetic turf pitch / artificial grass pitch (AGP) with no sports lighting. And potentially not enable match play unless constructed to a specification and successful regular testing.

Some sports require a grass surface and once grass is lost the chances of the land ever returning to grass are extremely remote. Artificial surfaces do not necessarily provide a direct replacement for grass pitch use as they only make a limited contribution to competitive grass pitch sports use. They are expensive to provide and require a significant revenue support. It is necessary to allocate significant budgets for on-going maintenance requirements. In addition a year on year sinking fund is required to ensure facilities are replaced when they are worn out.

The Football Foundation (FF) on behalf of the FA advise that the emerging South Hams and West Devon Playing Pitch Strategy does highlight a general need for 3G provision in the Okehampton area. The extent of the provision required is not yet clear along with the impact that any new 3G provision would have on displacing football users from the existing Sand based AGP located at the secondary school/Leisure Centre and any subsequent impact on the business case. This St James school site has not been identified as a location to provide a new 3G.

There is limited information supplied on the technical detail within the application. The FF would expect the following to be addressed:

Construction Quality

- The pitch is constructed to FIFA Quality Programme for Football Turf FIFA Quality standard or equivalent International Match Standards (IMS) as a minimum.
 - Smaller pitches should be constructed to this quality standard and tested to BS EN 15330-1:2013 standard.

Testing

- Any 3G pitch to be used for FA affiliated football in England must be listed on the FA 3G pitch register. Teams hosting matches on a pitch that is not on the register are at risk of the league or competition imposing sanctions. There are three types of tests that can be completed and used to add a pitch on to the 3G pitch register. These are as follows.

1. FIFA Quality Programme for Football Turf Quality or Quality Pro
2. BS EN 15330-1:2013
3. FA Register Test

Design guidance:

- **General** The 3G AGP design should follow The FA Guide to Football Turf Pitch Design Principles and Layouts for the relevant pitch size. This guide can be provided on request.
- **Recessed fencing** We recommend that the fencing is recessed to allow for safe and easy goal storage.
- **Fence height** The FA recommend the perimeter fence height on all sides of the 3G AGP is 4.5m.
- **Safety run-off area** - A minimum safety run off 3m should be provided from all pitch perimeter lines that must be free from obstructions at all times.
- **Spectator area** A dedicated hard standing area for spectators should be provided within the perimeter fence. A 1.1m high spectator barrier should be installed to ensure that spectators can view the 3G playing area from this hard standing area which is separate from the 3G area.
- **Line marking** We recommend that over-marking is made to allow for different formats of football (e.g. 5v5, 7v7). Over-marking should adhere to The FA Guide to Football Turf Pitch Design Principles and Layouts.
- **Infill retention** - Measures should be taken to ensure that the rubber infill does not leave the playing surface such as, low level kick boards on the pitch perimeter fencing and rubber catch grills at the player entry and exit points of the pitch.

Floodlighting:

- To maximise community use, the 3G AGP should be floodlit with an average maintained level of 200lux being required. For LED systems, the ability to dim can be considered but should not dim to any lower level than an average maintained 120lux.

Community Use:

- A community use agreement (CUA) is agreed with Sport England and Devon County FA in line with the intended usage levels of the facility.
- The CUA should detail an affordable pricing policy for the local area and should distinguish the difference from training to match play by having a dedicated match play pricing structure broken down for the different match options - i.e. 5v5, 7v7 etc. The match prices should be comparable to grass pitches in order to encourage the use of 3Gs for matches.

The FF would require more information to be provided in order to provide more detailed comments on the suitability of this proposal.

In summary the specification highlighted within the planning application does not meet football standards (design, testing, pricing, maintenance, sinking fund, fencing etc). Also, note there are no flood lights to maximise community use, the facility should be floodlit.

Community Access

Making better use of existing resources contributes to sustainable development objectives by reducing the need for additional facilities and the potential loss of scarce resources such as open space. The practice of making school sports facilities available to wider community use is already well established and has been government policy for many years, but there are further opportunities to extend this principle within the education sector through programmes such as Academies and to other privately owned sports

facilities, to help meet the growing demand for more and better places for sport in convenient locations.

Sport England promotes the wider use of existing and new sports facilities to serve more than one group of users. Sport England will encourage potential providers to consider opportunities for joint provision and dual use of facilities in appropriate locations.

Use Our School is a resource to support schools in opening their facilities to the community and keeping them open. It provides tried and tested solutions, real life practice, tips from people making it happen, and a range of downloadable resources.

<https://www.sportengland.org/facilities-planning/use-our-school/>

We strongly recommend the following condition regarding community use being attached to a decision notice should the local planning authority be minded to approve a future application:

Use of the development shall not commence until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply to the artificial grass pitch and include details of pricing policy, hours of use, access by non-[educational establishment] users, users [/non-members], management responsibilities and a mechanism for review, and anything else which the Local Planning Authority in consultation with Sport England considers necessary in order to secure the effective community use of the facilities. The development shall not be used at any time other than in strict compliance with the approved agreement."

*Reason: To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport and to accord with Development Plan Policy **.*

Informative: Guidance on preparing Community Use Agreements is available from Sport England www.sportengland.org.

Technical Guidance

Any new facilities should be built in accordance with Sport England's technical guidance notes, copies of which can be found at:

<http://www.sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/>

For football, artificial playing pitches/football turf pitches should be constructed in line with the Governing Body's standards.

Conclusion

Therefore the proposal for an artificial grass pitch with no lights and potentially not suitable for affiliated community football has limited potential to meet E5. A new AGP would need to be fit for purpose and meet the requirements for football match play, generate an income for operation including sinking fund and be open to community use to meet the identified strategic need.

In light of the above, Sport England **objects** to the application because it is not considered to accord with any of the exceptions to Sport England's Playing Fields Policy or with Paragraph 97 of the NPPF.

- Town/Parish Council Support

- South West Water
Please contact if any development is within 3m of a public sewer

Representations:

45 letter of representation were submitted

35 in support advising:

- Important to provide playing facilities for our children
- The school needs a playing field
- Allow for PE lessons
- To address concerns over parking, suggest a staggered pick up and drop off from parents, which would be helped by a larger after school club
- The fencing is mesh, which would allow light through
- The mesh would not allow bats through but they presumably got used to the new houses getting in their way
- The colour of the mesh fences blends well with the environment
- The mesh fences stop people from looking through without obscuring the view
- People bought their properties knowing the school and its play areas would be there
- Support but would like to see some additional school parking
- The rumours of floodlights and public use are nonsense so there won't be any noise or light pollution in the evenings or weekends

10 objections raising the following issues:

- Whilst there is a lot of support mostly from parents who want their children to have good outside space, ground levels must be lowered as per the original plan
- The comments advising there would be potential for community use during school holidays, evenings and weekend are untrue. Where will the money come from to maintain the all-weather pitch
- There is no parking provision within the plan. If the pitch is for the school only then no additional parking is needed. However parking is already an issue for residents
- Loss of privacy
- Noise impact
- I want to make clear that approval has already been granted for a pitch, which was the right decision. The spin from the school is they need this new application for the Astro turf. This is incorrect. The purpose of this application is to cover contractor negligence by putting the drainage wrong. The cost implications should not be at the detriment of the adjoining occupiers
- School is already causing parking issues
- The finished height of the proposed pitch would make our rear living areas including bedrooms and garden almost impossible to live in privately
- The proposed fence being another 3m higher would make it an overbearing, obtrusive and dominating structure
- Loss of sunlight
- Impact of the fence on local bird and bat populations
- Localised flood risk
- The original application said the nearest residential properties are 30-40 metres away. The current application states they are 25 metres away. This is taken from the rear of the properties, as a result the pitch is less than 13 metres away from the garden boundaries
- Potential for increased noise and antisocial behaviour
- Sport England objected to the original proposal stating the supply of artificial pitches is very good in the locality currently and might be improved further in the future. This might affect income from community use due to oversupply?
- Astro turf kills the soil beneath, has a big carbon footprint, needs cleaning and maintaining, can cause surface water runoff and has no wildlife benefit
- The area would be better suited as a natural green space with wildlife zones, with natural hedges providing privacy. This could be used as an educational space for gardening and forest school activities

- Location adjacent to the residential properties is inappropriate
- Proliferation of all-weather pitches in this location. There is a significant pitch provided by Okehampton College that could be utilised by the school
- Potential to attract a proliferation of sports equipment and children's play apparatus to be retained on the pitch permanently
- The close proximity of the pitch to the neighbouring properties will permit potential intrusion by projectiles, with potential damage to plants and garden furniture

Relevant Planning History

2342/19/FUL	St James Church of England Primary School	Change of approved grass pitch to artificial turf	Approved	26/11/20
2891/18/ARC	Land North Of Crediton Road", Crediton Road, Okehampton	Application for approval of details reserved by conditions 2, 4, 6, 7, 8, 12, 13, 14, 15, 16, 17, 19, 20 and 24 following grant of planning consent 4059/16/VAR	Pending	Pending
2355/19/ARC	"Land North Of Crediton Road", Crediton Road, Okehampton	Application for approval of details reserved by conditions 22 (Part D) and 23 of planning consent 01089/2013	Discharge of condition Approved	6/ 9/2019
1574/19/NMM	Land North Of Crediton Road", Crediton Road, Okehampton	Application for a non-material amendment (Switching of plots 15 and 16) following grant of planning permission 4394/17/ARM	Conditional Approval	11/06/2019
0266/18/ARC	Land North of Crediton Road, Okehampton	Application for approval of details reserved by conditions 2, 4, 5, 6, 7, 8, 12, 13, 14, 15, 16, 17, 19, 20, 22 and 24 following grant of planning consent 4059/16/VAR	Discharge of condition Approved	5/ 3/2019
4394/17/ARM	Land North of Crediton Road, Okehampton	Reserved Matters application for approval of appearance, landscaping, layout and scale for development of 73no. dwellings following grant of planning consent 4059/16/VAR	Conditional Approval	2/ 5/2018

4059/16/VAR	"Land North Of Crediton Road", Crediton Road, Okehampton	Variation of conditions 3 (approved plans) and 21 (to allow phase 1 to start from joint school access and provision of roundabout as part of phase 2) following grant of planning consent 01089/2013	Conditional Approval	15/11/2017
2829/17/DCC	"Land North Of Crediton Road", Crediton Road, Okehampton	County Matters application for new 420 place primary school (built in two phases), together with Foundation Stage Unit (including a nursery) and children's centre	Conditional Approval	1/11/2017
1493/16/VAR	"Land North Of Crediton Road", Crediton Road, Okehampton	Variation of conditions 3 & 21 following grant of outline application 01089/2013 to allow the development to be delivered in a phased manner	Conditional Approval	13/ 6/2017
01089/2013: OPA	Land North Of Crediton Road, Crediton Road, Okehampton	**Revised description and additional plans** : Outline application to include layout to identify the specific primary school site and the provision of access. Scheme for residential development (up to 375 dwellings) primary school and retail unit.	Conditional Consent: 30 Oct 15	Conditional Consent: 30 Oct 15
00490/2013: SCR	Land Adjacent Chichacott Road, Okehampton	Screening opinion for mixed use development of 250 homes and a primary school	Environmental Statement under EIA Regs Not Required: 05 Jun 13	Environmental Statement under EIA Regs Not Required: 05 Jun 13
00192/2013: SCR	Land Adjacent To Chichacott Road Okehampton	Screening Opinion request for mixed use development	Environmental Statement under EIA Regs Not	Environmental Statement under EIA Regs Not

			Required: 25 Mar 13	Required: 25 Mar 13
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ANALYSIS

Principle of Development/Sustainability:

The principle of the pitch has already been established by the previous County Matters approval in November 2017. The pitch is associated primarily for use by the primary school pupils and is clearly a necessary part of the infrastructure needed to serve the school facility.

The principle for a change of the pitch from grass to an all-weather Astro turf pitch was further established with the approval of the previous consent 2342/19/FUL in November 2020. This application is to consider an increase in the land level of the pitch, to that previously approved. As there would be no material change to the facility provided the principle for the development would be acceptable.

It is noted that, as with the previous application, Sport England have objected on the grounds that they consider it to be the loss of a grass pitch and, when assessed it does not meet their criteria for support of such a change/loss. There appears to be differing information on whether the pitch was ever taken to the point of being seeded before its hand over, or whether it has never yet been completed as a grass pitch. Either way though it is not an established used grass pitch. It is not a grass pitch which has seen pupil or community use, it was approved as a grass pitch for the school but has not yet been brought into use for this purpose.

Another reason for objection by Sport England has been the size of the pitch as it is slightly undersized when compared against their standards for this form of pitch, however this is the size which was previously approved and there is not the room nor appetite to increase the size of the pitch, merely a desire to resurface it in order to extend the seasonality of its use. It is appreciated by officers that it does not meet the specification of Sports England's pitch sizes, however it remains the same size approved previously by Devon County Council for use by the primary school. They are the County Education providers and as such if they considered the size fit for purpose in 2017, officer now would maintain that it remains so.

Sport England have also raised concern that community use is not being sought not was previously secured on this pitch. The LPA would agree that this is unfortunate and was an opportunity missed at the stage at which the scheme was proposed by and approved by DCC. At that point the permission neither precluded nor secured any form of community use and the building does not appear to have been adapted to allow for toilet or changing access direct from the pitch outside of main school opening hours which is regrettable. However this planning application does not seek to change the use of the pitch and such a change would have implications for neighbour amenity with possible extended hours of use and a desire for lighting etc. As such then the LPA do not consider it is appropriate to explore the community use or not of the pitch. At present it can be used for such a use if it is so wished by DCC/School operators and the LPA would seek here to leave this as the *Status quo* and consider that altering this under this permission is outside the remit of the permission sought.

Sport England's final area of concern is regarding the long term management and maintenance of the pitch, specifically its ongoing costs. According to the sport and recreation needs data and information for the Town, there is no identified need for an additional all

weather pitch in addition to those the town already has, as such SE are reluctant to support such a change in material as its upkeep and repair is costly and this cost in the future often falls to them. They have limited resources and as such can't readily support such a material change to surfacing when the data does not demonstrate it is actually needed to provide sport infrastructure to a town. Officers understand this issue and as a result discussed this with the applicant in detail. The applicant has provided updated information regarding pitches which the applicant has previously funded and currently maintains and manages. The information provided sets out that future management and repairs are accounted for and that it is not expected that this cost would be borne by SE.

Although Officers appreciate that Sport England is an expert body on sport and pitches, there was never a functioning grass pitch on site and as such no such pitch is being lost. There is space on the wider primary school site for another grass pitch and permission for this was granted by DCC at the outset. In addition, there are several grass pitches in the town such as in and around Simmons Park and at the Rugby Club and Football club.

The weather in Okehampton is generally very wet due to its SW location and proximity to the moor and as such, particularly given the school's aspirations as an 'outdoor' based school with a heavy emphasis on environment an all-weather pitch would seem to better serve the pupils as a more functional and widely useable facility that a more seasonal grass pitch which is likely to encounter issues in periods of wet weather as we have experienced at other pitches sites in town where drainage has failed and needed improving.

DEV3 states that the LPA will support the enhancement of existing sports facilities where a need has been identified. Although no formal need is identified, as long term funding is not proposed to fall to the public purse, then this change in surfacing is considered to be an enhancement. As such the proposal accords with policy DEV3 and DEV4, which seeks to protect and improve the stock and capacity of playing pitch facilities and improve the quality of existing playing pitches and ancillary facilities.

Therefore despite the maintained objection from Sport England, officers consider the proposal to be acceptable in principle, policy compliant and beneficial to the sport provision for the school and town.

Design/Landscape:

It is not considered that any additional planted landscaping is required for this pitch as landscaping and boundaries were considered as part of the previous DCC approval and are not contained within the site area for this scheme. The previously approved scheme incorporate a 1.8m high fence in order to protect the integrity of the pitch surface which was to be secured by condition and to be in situ prior to first use.

This proposal is to regularise the raised height of the pitch by 0.8m and includes the provision of a 3m high fence, incorporating privacy mesh below 2.2m. This increases the overall height of the proposal, when viewed from the adjacent properties and surrounding roads by 2m, making the development far more imposing and noticeable, than previously approved. Whilst noting that the site is located within an existing school facility and is characteristic of this type of development the excessive height of the fence incorporated on a high raised bank, particularly when viewed from Fossa Court would significantly harm the character of the area and in terms of design would be unacceptable.

Neighbour Amenity:

There have been objections received to this proposal, raising concerns over the increased height of the pitch combined with the 3m high fencing resulting in an over-bearing, obtrusive and dominating structure in close proximity to the properties to the north, along Fossa Court. These properties are set at a lower land level, (approximately 2m), resulting in a 5.05m high enclosure, set back approximately 18.9m from the rear of the nearest property. It is noted that no details showing the relationship of the proposal to the neighbouring properties have been included within this proposal. The measurements have been taken from the submitted site plan, which shows the position of the fencing in relation to the boundary and from the approved plans for the properties showing their relationship to the boundary. At a height of 5.05m this would be comparable to the height of the eaves of the adjacent dwellings. In considering the potential overbearing impact, the JLP Supplementary Planning Document advises 'an extension should not be constructed in close proximity to either a habitable room window of a neighbouring property or its private garden where it would have an unacceptable overbearing effect on a household's outlook. In order to protect the outlook of neighbouring properties, the minimum distance between a main habitable room window and a blank wall, should be at least 12m. Where there is a difference in ground levels these should be taken into account and the distance increased, normally by an extra 3 metres for every 2 metres increase in height. This would indicate a distance of 19.5m would be required between the fencing and the rear wall of the adjacent properties. Although the proposal is not an 'extension', the height of the fencing on the raised bank is comparable to the provision of a 'wall' and at a distance of 18.9m, it is considered that the proposal would result in a significant overbearing impact.

Concerns have also been raised over the potential loss of privacy with the finished height of the proposed pitch making the rear living areas including living rooms, bedrooms and garden almost impossible to live in privately. In order to try and address this, revised plans have been submitted which include the provision of a 2m high privacy mesh installed over the rebound fence, set at 0.2m above the ground level. This would ensure that there would be no overlooking from the users of the pitch to the neighbouring properties. However there is no restriction on access to the raised bank from outside of the pitch and having regard to the need to maintain the bank or gain access to the proposed grass pitch to the west it is considered that the increased height of the bank would result in a significant loss of privacy to the neighbouring occupiers contrary to the requirements of policy DEV1.

Highways/Access:

The proposal is as previously considered, with the exception of the change in ground levels of the sports pitch. Consideration of the appropriateness and implications of a pitch in this location near to Crediton Road was considered previously by DCC during their assessment of the scheme and was found to be acceptable, therefore the principle of this relationship is not changing as a result of the proposed alternative scheme and thus is considered to continue to be acceptable.

Drainage:

The Drainage Specialist has advised that they are happy with the principle of the drainage system however the proposed discharge to land drain cannot be supported because it can increase flood risk. The discharge should be to the watercourse instead of land drains.

The application site is located within CDA therefore offsite discharge needs to be limited to 1:10 year greenfield runoff rate but in this case it is greater than 1:10 which cannot be supported.

The applicant will need to provide revised drainage scheme to address all of the above concerns which can be conditioned for submission.

Archaeology:

As previously advised by DCC Archaeology, this site is close to the Scheduled Roman Fort, however this site, Parcel 2 of TTV14, was explored and conditioned extensively re archaeology as part of the original outline permission 01089/2015 and DCC Archaeology would have been consulted on the DCC school detailed application. The results of previous Archaeological work on this site by Redrow on the area adjacent do show that much of the remains were ploughed up and disappear in this area and that the main remains are to the North of the site and where the Roman road remains lie which are outside this application site.

The majority of the ground works for this pitch have also already been undertaken and as such even were there an issue re archaeology (which officers consider there is not as it has already been covered and explored as above) then any ground works affecting archaeology would have been undertaken already.

Biodiversity:

This proposal does not include within its site area any of the adjacent hedges and it is currently bare, recently worked/engineered soil. Similarly it does not contain any proposal for lighting and as such it is not considered that there are any biodiversity issues.

Conclusion

Although noting that the site has approval for use as a pitch and there is no alteration to the approved use or surfacing material, it is considered that the raised height of the pitch to that approved and the provision of a higher and more substantial means of enclosure would have a detrimental impact on the character of the area and the amenity of the neighbouring occupiers.

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 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. This confirmed the Plymouth, South Hams and West Devon's revised joint Housing Delivery Test Measurement as 163% and that the consequences are "None". It confirmed that the revised HDT measurement will take effect upon receipt of the letter, as will any consequences that will apply as a result of the measurement. It also

confirmed that that the letter supersedes the HDT measurements for each of the 3 local authority areas (Plymouth City, South Hams District and West Devon Borough) which Government published on 19 February 2019. On 13th February 2020 MHCLG published the HDT 2019 measurement. This confirmed the Plymouth, South Hams and West Devon’s joint HDT measurement as 139% 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 6.1 years at end March 2020 (the 2020 Monitoring Point). This is set out in the Plymouth, South Hams & West Devon Local Planning Authorities’ Housing Position Statement 2020 (published 22nd December 2020).

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
- SPT11 Strategic approach to the Historic environment
- SPT12 Strategic approach to the natural environment
- SPT13 Strategic infrastructure measures to deliver the spatial strategy
- TTV14 East of Okehampton
- DEV1 Protecting health and amenity
- DEV2 Air, water, soil, noise, land and light
- DEV3 Sport and recreation
- DEV4 Playing pitches
- DEV28 Trees, woodlands and hedgerows
- DEV30 Meeting the community infrastructure needs of new homes
- DEV31 Waste management

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: the recently adopted SPD

Neighbourhood Plan – none for this area as yet.

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.

<p>Ward Member - Cllr Leech</p> <p>Date cleared - 16/9/21</p> <p>Comments made - I think that if the main contractor had removed the topsoil, and a grass playing field was installed, then I don't think anyone would have worried.</p>	<p>Ward Member –</p> <p>Date cleared</p> <p>Comments made -</p>
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<p>I would have liked this to go through delegated powers, but the fact that the heights is not going to be lowered, I think that even with a mesh fence, there will still be concerns, especially from the residents in Chichacott Road. So, I guess that it will have to go to the full committee.</p>	
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