

PLANNING APPLICATION REPORT

Case Officer: Bryn Kitching

Parish: Lamerton **Ward:** Milton Ford

Application No: 1766/21/OPA

Agent/Applicant:

Simon Collier - Collier Planning
2 Chartfield House
Castle Street
Taunton
TA1 4AS

Applicant:

Baker Estates Ltd
Green Tree House
Silverhills Road
Newton Abbot
TQ12 5LZ

Site Address: Land At Sx 445 766, Lamerton

Development: Outline application with some matters reserved for residential development of up to 20 dwellings, formation of new access and associated works



Reason item is being put before Committee – Called in by Cllr Neil Jory:

I would like to refer the application to the DM&L Committee on the following grounds:

- The site is on the edge of not within the settlement, and does therefore comply with Joint Local Plan Policy TTV25.
- The site is a greenfield site in countryside and should be assessed against policy TTV26. It does not comply with TTV26.

- The exception for sites adjoining the settlement provided by policy TTV 27 does not apply, not least because the proposal does not provide a minimum of 60% Affordable Housing as required.
- The proposal that is in conflict with the Joint Local Plan – the local planning authority has a 5 year supply of housing land – and the emerging Neighbourhood Plan and the requirement for ‘around 20’ homes in Lamerton by 2034 is already being satisfied by ‘infil’ sites within the built-up area such as Ashton Court (5), Kooshti Bok (5) and Court Barton Farm (likely to be 6 or more).

Recommendation: Delegate approval to Head of Development Management, in conjunction with Chairman to conditionally grant outline planning permission, subject to a Section 106 legal obligation for the following:

Affordable Housing

30% of the dwellings to be Affordable Housing Units (65% Social Rents and 35% Intermediate)

No more than 50% of the Market Housing Units can be Occupied until 50% of the Affordable Housing Units have been completed and are ready for Occupation.

No more than 75% of the Market Housing Units can be Occupied until all of the Affordable Housing Units have been completed and are ready for Occupation.

Open Space/Accessible Natural Greenspace

To provide a policy compliant area of Accessible Natural Greenspace (“Open Space”). As the application is in outline only, the area is to be calculated with reference to a formula. Based on a development of 20 average sized dwellings, this would amount to a minimum area of 902 m².

The Open Space will be delivered and managed in accordance with an Open Space Specification, long-term management mechanism and completed before more than 75% Dwellings can be occupied. It shall be kept available for public use (free of charge) in perpetuity.

Equipped Play and Sports Facilities

The Development must pay a financial contribution towards improving equipped play and sports facilities provision at the Lamerton Sports and Community Centre (or such other play and sports) projects as may be agreed between the Owner and the Council.

The equipped play contribution will be calculated in accordance with the Plymouth and South West Devon JLP Developer Contributions Evidence Base. 20 average-sized dwellings would result in a contribution of £12,178 capital together with a commuted sum of £22,667 towards the long-term maintenance costs of the improvements.

The sports facilities contribution will be calculated in accordance with the JLP Evidence Base. 20 average-sized dwellings would result in a contribution of £17,889 capital together with a commuted sum of £20,884 towards the long-term maintenance costs of the improvements.

The contribution is payable prior to the Occupation of 50% of the Dwellings.

Allotments

The Development must pay a financial contribution towards the delivery of Allotments before more than 50% of the Dwellings have been occupied.

The Allotments Contribution will be calculated in accordance with the JLP evidence base. Based on 20 average dwellings, this would amount to a contribution of £1351.

Highways

The Development must pay a financial contribution of £5,000 toward the investigation, consideration and, if approved, the installation of a means to prevent the passage of vehicular traffic between the site access to the un-named road and the crossroads by the Blacksmith's Arms.

The provision of a footway including crossing points, all as generally shown on plan 21.03.067 / 1002C forming part of the application drawings at the applicant's expense.

Education

The Development must pay a financial contribution of £8,379.00 towards secondary school transport in accordance with the Devon County Council Education Infrastructure Plan (2016-2033), and the Education Section 106 Infrastructure Approach (February 2020).

Plymouth Sound and Estuaries European Marine Sites (EMS) Contribution

The Development must pay a financial contribution towards the Plymouth Sound and Estuaries European Marine Sites (EMS) Recreation Mitigation and Management Scheme.

The contribution will be calculated in accordance with the Plymouth and South West Devon JLP Developer Contributions Evidence Base. 20 average-sized dwellings would result in a contribution of £7,427

The contribution is payable prior to the Occupation of any of the Dwellings.

Conditions (list not in full)

1. Submission of reserved matters.
2. Reserved matters to be submitted within 3 years.
3. Commencement of development within 2 years following approval of last of the reserved matters.
4. Access to be constructed in accordance with approved plan.
5. Reserved matters to include replacement hedgerows and hedgebank at access points.
6. Main access to be constructed prior to other works commencing.
7. Construction Management Plan.
8. Estate roads condition.
9. Internal roads to be provided prior to occupation.
10. Waste audit statement.
11. Unexpected contamination.

12. Electric vehicle charging points.
13. Low carbon development in accordance with DEV32.
14. Open market housing mix.
15. Surface Water drainage details
16. Landscape and Ecological Management Plan (LEMP)
17. Construction and Environmental Management Plan (CEMP)
18. Adhere to the tree protection plan

Key issues for consideration: Principle of Development/Sustainability, Highways/Access, Ecology, Local Infrastructure and Other Matters:

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 application site is located on the south western side of Lamerton, to the side and rear of the small residential cul-de-sac named The Farriers and close to The Blacksmiths Arms. The application site is a field that has previously been referred to as 'Land behind the Farriers' in the emerging Neighbourhood Plan Site Options and Assessment Report.

The field is approximately 1.1 hectares and slopes downward from the north east towards a large oak tree and field hedge on the south west boundary. Part of the north east boundary (between the Farriers and Woodbine Cottage and new dwellings on the former village hall) fronts onto the main road between Tavistock and Milton Abbot. This boundary comprises a hedgebank with an overgrown field gate access that appears to have little use in recent years. The north west boundary faces on to an unnamed lane the runs from crossroads junction with the Green at the Blacksmiths Arms to the B3257 and Tamar Valley AONB. This boundary comprises a 2m high hedgebank with field gate access that appears to be the principal access into the field.

The AONB is approximately 900m to the west of the site, although there is little or no intervisibility between the two due to the topography. A public right of way runs through the site from a stile at north (next to a property named Tradewinds) and leads to Ottery Park about 1.4km to the south.

The Proposal:

This application is for outline planning permission for up to 20 dwellings with access the only detailed matter being considered. Other matters which are reserved include appearance, landscaping, layout and scale and are therefore not for consideration as part of this application.

Two points of vehicle access are proposed with the main access to the site being off the main road to the north east, in a position approximately one third along the site frontage and where the existing overgrown field gate is located. Visibility splays of 2.4m x 43m are proposed in each direction and a new pedestrian footway would be constructed from the junction to link to the existing footway to the front of the Farriers. The detailed access plans show dropped kerbs would be constructed on the footway opposite the Blacksmiths Arms and the existing hardstanding in front of the pub would be made good and a kerb installed so that it can be utilised as a footway and crossing point.

The second point of access would be constructed on to the lane to the north west which would require removing up to 50m of the hedgebank to create the access and visibility splays of 2.4m x 25m in each direction. The purpose of creating two access points for the proposed development is so that a link road can be constructed between the two which would give an alternative route for vehicles which currently use the crossroads junction with the main road at the Blacksmiths Arms.

Indicative plans have been submitted which show a suggested layout of development comprising mainly detached dwellings but also including a pair of semi-detached and a short terrace of three dwellings. The indicative plans also show potential building height being 1 storey next to the dwellings at the Farriers, 1.5 storey on some of the lower parts to the south and 2 storey by Woodbine Cottage and the recently constructed dwellings at Old Lamerton Hall. It is suggested that the large oak tree is to be retained with development kept away from this area, and the indicative plans also show a surface water attenuation feature in the western corner of the site.

At the request of the case officer, additional plans have been submitted to show the detail design of the access points with vehicle tracking overlaid on the access onto the lane. An indicative Access Planting Plan has also been submitted which shows where hedgebanks need to be removed to construct the accesses, visibility spaces and new footway. Although landscaping is a reserved matter, this plan shows where new hedgerows and hedgebanks could be constructed as the back edge to the access works.

The application proposes onsite delivery of affordable housing at 30%.

Consultations:

Please note that full responses of all consultees can be found at <https://apps.southhams.gov.uk/PlanningSearchMVC/Home/Details/211766>

Lamerton Parish Council – object

Unsustainable development were 100% reliance of vehicles required. Inadequate public transport and additional traffic will discourage walkers, cyclists and horse riders. Proposal does not reduce the need to travel. Development would be seen from a number of places and have adverse impact on countryside character of a rural village. The regulation 14 Neighbourhood plan has housing allocations which exceed the indicative development level for sustainable villages.

Development fails to acknowledge local context which is road frontage and linear patterns. Impact on landscape through loss of hedgerow with oak trees in it. Development is outside

the settlement boundary and will encroach into landscape with unsympathetic modern properties.

Proposals are contrary to policies SPT1, SPT2, SO6, SO10,TTV25, TTV26, DEV20 and DEV23

Education – no objection. 20 family dwellings will generate an additional 5 primary pupils and 3 secondary pupils. The primary school within a 1.5 mile radius of the development is Lamerton C of E Primary School and has sufficient forecast capacity. The local Secondary School is Tavistock College and has sufficient capacity to mitigate the impact of this development. So no request is made for primary or secondary education infrastructure.

A request is made for secondary education transport as there is an entitlement to transport to Tavistock College from this location. School transport currently costs £2.94 per pupil per day from Lamerton to Tavistock. Request £8,379.00 towards secondary school transport (being £2.94 x 190 days in the academic year x 5 years at secondary school x 3 secondary pupils).

South West Water – no objection subject to the foul and surface water being managed in accordance with the submitted drainage strategy.

County Highways Authority – no objections subject to conditions and S106.

From a highway point of view it would be preferable if the unnamed road running from the north-east to the south-west were to be closed to vehicles at some point (to be agreed) between the site access and the crossroads junction with The Green at the Blacksmith's Arms. Recommend a £5000 financial contribution to the legal process to achieve this.

Proposal to provide a footway link from the site up to the Blacksmith's Arms to provide satisfactory pedestrian provision to be secured by legal agreement.

County Waste Authority – recommend condition. Paragraph 8 of the National Planning Policy for Waste and Policy W4 of the Devon Waste Plan requires major development proposals to be accompanied by a Waste Audit Statement.

The application is not supported by any such statement and it is therefore recommended that a condition is attached to any consent to require the submission of a statement at reserved matters stage.

Waste Specialist – would need to see more reference to domestic waste collection considerations to be able to comment further at this stage

NHS Devon Clinical Commissioning Group (CCG) – No response received

Historic Environment Team (DCC) – no objection and no recommendations to make regarding archaeology or the historic environment. The submitted Heritage Statement indicates that the development will not have any significant impact on any heritage assets or their settings

Tree Specialist – Following submission of a tree protection plan, no objection subject to the document being made an approved plan.

Police Designing out Crime Officer – No reference in submission to designing out crime or crime prevention. Support illustrative layout which appears to show that the section of the

Lamerton Footpath 2 will be well overlooked by dwelling frontages. Where the footpath enters the site on the southern edge, this should be designed so it is as wide and open to view as possible. It must be well maintained so that it remains attractive and safe to encourage its legitimate use.

Rear boundaries should be 1.8m high and robust with lockable gates to the same height. Cycle storage to meet Secure By Design standards. Tandem parking should be avoided as it can encourage unplanned parking elsewhere

Natural England – Comment:

This development falls within the 'zone of influence' for the Plymouth Sound and Estuaries SAC and Tamar Estuaries Complex SPA, as set out in the Local Plan. It is anticipated that new housing development in this area is 'likely to have a significant effect' when considered either alone or in combination, upon the interest features of European Sites due to the risk of increased recreational pressure caused by that development. Specific measures will be required to prevent such harmful effects from occurring as a result of this development. Recommend that permission should not be granted until such time as the implementation of these measures has been secured.

The proposed development is for a site within or close to a nationally designated landscape namely Tamar Valley AONB. Natural England advises that the planning authority uses national and local policies, together with local landscape expertise and information to determine the proposal

Environment Agency – no response received.

Environmental Health Team – No objection subject to conditions.

We have considered the Stage 1 contaminated land report submitted with application. Site has been in agricultural use and there is some evidence of made ground in small areas, but no indication of significant contamination. An intrusive geotechnical investigation will be required in order to determine foundation design etc. Consider that only the "unexpected contamination" condition would be required as the likelihood is that any materials of concern will be in surface layers and removed during oversite works. The condition would enable appropriate action to be taken if the made ground is more extensive and deeper than expected. A Construction Environment Management Plan will need to be submitted with any reserved matters application.

Open Space, Sport and Recreation (OSSR) – No objections subject to conditions and S106. Illustrative plans appear to show required amount of accessible natural greenspace which should be secured by S106. Contributions towards off-site provision of allotments, equipped play and pitch/sports required.

Landscape Specialist – No Landscape objection to the proposed development as presented for Outline Planning Approval, but note that considerable work is needed to secure an appropriate layout, and the detailed design of the layout, buildings and landscape, to ensure that development respects scenic quality and maintains the area's distinctive sense of place and reinforces local distinctiveness.

Affordable Housing Specialist – No objection. Latest data shows 9 households registered who have local connection to Lamerton. Application meets JLP policy requirement of 30%

affordable housing. This should be 65% social rent and 35% intermediate home ownership tenure.

Local Lead Flood Authority – Although we have no in-principle objection to the above planning application at this stage, the applicant must submit additional information, as outlined below, in order to demonstrate that all aspects of the proposed surface water drainage management system have been considered.

Following submission of additional information: concerns that one property owner will be responsible for maintaining a soakaway which serves multiple properties. If the layout is not being decided at this stage, then I will recommend that the layout is reconsidered to allow the soakaway to be moved into a publicly accessible location for a management company to access. Further infiltration testing may indicate that on-plot soakaway's are suitable within that area, but as a worst case, I think the applicant should confirm that the soakaway can be moved into a publicly accessible location for a management company to maintain.

Ecology - No objection subject to all avoidance/mitigation/compensation/net gain requirements being secured by conditions.

Devon County Council Public Rights of Way Team – No objection but applicant should be aware that a Public Right of Way crosses the site. Should planning permission be granted the applicant must ensure that the path is kept open and available for the public to use during site preparation and construction. If a temporary closure is required the applicant would need to apply to the County Council for a Temporary Traffic Regulation Order but please note that a temporary closure will not be granted to enable construction on the line of the right of way unless a permanent diversion order has been made and confirmed.

Representations:

32 individual letters of objection received which raise the following issues:

- The site is not within the settlement and therefore should not be considered under policy TTV25.
- The site is in the countryside and should be considered against policy TTV26. It does not comply with TTV26
- The proposals do not provide a minimum of 60% housing and therefore can not be considered against TTV27 (exceptions site policy).
- There is no need for the development as the council already has a five year supply and 'around 20' dwellings is also being met by infill sites in Lamerton.
- The developments of 5 dwellings each at Ashton Court and Koosti Bok already deliver 10 dwellings that should be counted against the 'around 20' figure in TTV25
- Noise pollution during construction.
- Overshadowing and loss of light to neighbouring dwellings.
- Increase in traffic on an already busy road.
- Increase in vehicles exiting the farm lane on a dangerous junction.
- Crossing the very busy main road on foot to access local services is dangerous.
- Vehicles already speed despite the 30mph limit.
- The Duckspool Farm Lane is narrow with few passing places.
- Villagers have already been campaigning for measures to limit the speed of traffic.
- The new dwellings have already added to the problem with cars being parked on the main road.

- The suggestion to divert traffic from the lane and junction, through the site would be dangerous for children playing within the development.
- It is dangerous to walk around the corner at the Blacksmiths Arms into Greenhill.
- Residents would still have to drive to some facilities.
- New access on to the main road would be dangerous.
- Lack of public transport in the village.
- No surveys of traffic speeds and volumes have been undertaken.
- New access opposite driveway to 2 Greenfield Cottages will make it dangerous to use that drive.
- Traffic speeds on the main road have been measured at up to 70mph and the majority break the speed limit.
- Proposed crossing point is the stopping point for community and schools buses and will be blocked when larger vehicles are stopped.
- The proposals do not show how the new road scheme would work or how it will affect existing accesses near the junction.
- The site is outside of the settlement area for the village and would result in urban sprawl.
- Loss of agricultural land.
- Not in accordance with emerging neighbourhood plan which identifies two other sites.
- The 14 open market homes would not be affordable for local people and the elderly who want to stay in the village.
- 17 houses have already been built in the village since 2017.
- Other applications are currently being considered for 15 houses in the village. That would result in 35 additional houses over the 17 already built.
- There are already large development sites nearby that will supply a large number of homes and smaller developments should meet the needs of the rural community.
- Application only contributes a little to the villages' requirement for affordable housing.
- Plans are out of date and do not show the new houses that exist on the Old Lamerton Hall site.
- Close to the Tamar Valley AONB.
- Lack of amenities and services to support a large development in a small village.
- Proposal is not for agricultural or forestry purposes and therefore not in accordance with Policy TTV26.
- Lack of a regular bus service means that people will have to drive and create additional traffic.
- Approval would create a precedent meaning it would be difficult to object to similar proposals.
- It is a greenfield site and other identified brownfield sites should be developed instead.
- Recent local elections show that people do not want large scale developments.
- No justification to develop this greenfield site.
- No change since the Parish Council previously rejected this proposal.
- Application does not address the age demographic challenge of the village by encouraging young families. The price of new homes will be out of reach of young families.
- Development is not required and would not be affordable housing.
- The Lamerton Neighbourhood Plan has already discounted this site. The plan is at an advanced stage and is already meeting the need for Lamerton.
- Loss of open space and well used footpath.
- Loss of outlook for users of the public footpath which would be ruined.
- It would be visually intrusive in the landscape.
- Loss of tranquillity.

- Village has already seen a huge amount of development that has changed its character.
- Field had lots of wildlife including foxes, sheep, badgers and bats.
- The only group in need of specific housing requirements in Lamerton is young couples with or without families, who are truly in need of low- cost affordable housing and this need is being met by the proposals for the Court Barton field site (The old dairy).
- The size/position of the development will move the centre of the village to the other side of the main road and is an example of urban sprawl.
- The main road at the development site is a fast road despite the 30-mph speed limit and further increases of traffic to this site will make it even more dangerous.
- The blind junction opposite the Blacksmith's arms pub is incredibly dangerous and further increase of usage of this junction (pedestrian and car) will increase the danger.
- The loss of a Green Field and the loss of the Wildlife therein, ruination of an established ecosystem.
- Loss of amenity to the residents of the Farriers and ourselves in enjoyment of our homes.
- Loss of agricultural farming land.
- Lack of adequate safety provision for children from the development crossing the main road other than dropping the kerb. A blatant lack of research has been carried out by Baker estates in this regard.
- Adequate consideration given by Baker Estates to our emerging neighbourhood plan being on hold due to covid and its current restrictions.
- The size of the houses will have no net gain to the village just large profits to the developer.
- No continuation of the footpath to the west side of The Blacksmith's arms into the village once the developments inhabitants have crossed the main road leading to the public amenities and village school. This seems to be a standard consideration with developments in the nearby town of Tavistock.
- It would be backland development that could set a dangerous precedent for the village.

2 individual letters of support/comment received which raise the following issues:

- Village needs to attract young families and affordable housing should do that.
- More families will help the school stay open.
- Proposed footpath/footway along the main road would be a benefit to villagers.
- Proposed crossing point would help reduce vehicle speeds of cars travelling through the village.
- What consideration has been given to improving visibility on the Blacksmiths junction?
- Keen for the properties to be in keeping with the aesthetic of the village.
- I would like to support the above application. This would also take away the very dangerous junction with Duckspool Lane.

Relevant Planning History

There is no relevant planning history relating to this site.

ANALYSIS

Principle of Development/Sustainability:

In accordance with Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 planning applications have to be determined in accordance with the development plan unless there are material considerations that indicate otherwise. For the purpose of decision making for this application, the development plan comprises the Plymouth & South West Devon Joint Local Plan 2014 – 2034 (JLP) and the Devon Waste Plan 2011 – 2031.

JLP Policy TTV1 – Prioritising growth through a hierarchy of sustainable settlements, sets out the principles to be used to distribute new employment and housing across the Thriving Towns and Villages Policy Area. It identifies four categories of settlement type where development will be distributed as part of that hierarchy.

- The Main Towns
- Smaller Towns and Key Villages
- Sustainable Villages
- Smaller Villages, Hamlets and the Countryside

Lamerton is identified as being in the sustainable villages category where development to meet locally identified needs and to sustain limited services and amenities will be supported.

The village has a number of local facilities that provide a number of local services including the Village Hall and Community Centre which has two function rooms, kitchen facilities, and changing room. The hall is next to playing fields that have a full size football pitch, as well as an equipped childrens playground. Lamerton Primary School is located approximately 600m walking distance from the edge of the site with St Peter's Church a further 170m away. The Blacksmiths Arms public house is within close proximity to the site. Tavistock is approximately 3 miles away and has a much greater level of facilities and services but the bus routes are infrequent and do not run on a daily basis. Overall, the site has reasonable access to facilities and services for daily community needs.

The JLP does not specifically allocate sites for development in in the sustainable villages and it is anticipates that housing will be provided for in the following ways:

- through neighbourhood plans which come forward throughout the plan period
- through the application of development management policies where there is no neighbourhood plan;
- through the possibility of separate planning studies which identify new sites, and which will be an evidence base input to the next review of the JLP.

TTV25 – Development in the Sustainable Villages, supports the delivery in the order of 550 homes with Lamerton identified as being suitable for accommodating around 20 dwellings. The policy identifies that neighbourhood plans as being a way to identify local housing needs in the sustainable villages. Within villages without neighbourhood plans, development which meets the identified local needs of local communities and development which responds positively to the indicative housing figures will also be supported. The plan does not define settlement boundaries for sustainable villages and therefore the decision taker needs to consider whether the proposed development is considered to fall within the village.

Paragraph 5.5 clarifies that development outside built-up areas will be considered in the context of Policy TTV26 (development in the countryside), which seeks to protect the special characteristics and role of the countryside, and to avoid isolated development. In this case, it is considered that in the context of the site, its surroundings and the settlement pattern, (with residential development either side on the main road and close proximity to other facilities), it is within the village and can be considered against TTV25. It is certainly not considered to be isolated development in the countryside which policy TTV26 seeks to avoid.

Lamerton has a Neighbourhood Plan Group (NPG) and the emerging plan has been through the Regulation 14 consultation stage (pre-submission consultation). However, following substantial objections to the Reg 14 plan a Regulation 15 submission has not followed. It is understood that the Parish Council have formed a new NPG and a new Housing Needs Survey will be commissioned. It is considered unlikely that the plan will be progressed in its existing Reg 14 form and given the level of objection, no weight (or extremely limited weight) should be attached to the housing allocation element of the emerging plan. Some very limited weight should be attached in certain aspects of the plan which were not objected to.

In the absence of an adopted (or significantly progressed) Neighbourhood Plan, the application will need to be judged against any identified local needs of the local community as set out in TTV25. The 2020 Plymouth and South West Devon Supplementary Planning Document (SPD) states that “Policy compliant development proposals of 5 or more dwellings within or adjoining a sustainable village that are not allocated for residential development within a made neighbourhood plan, may be considered to be making a positive contribution to the housing supply figure in Policy TTV25”.

The 2016 Housing Needs Report commission by the former NPG suggested a need for 2 affordable dwellings within the next 5 years. However, the latest information from Devon Home Choice shows that 9 households are registered who have a local connection to Lamerton with the following table showing Housing need by Band and number of bedrooms.

	1 Bed	2 Bed	3 Bed	4 Bed	Total
Band B			1	1	2
Band C			1		1
Band D		3	1		4
Band E	1	1			2
Total	1	4	3	1	9

The application proposed up to 20 dwellings of which 30% (6 units) would be delivered as affordable housing. This can be secured by legal agreement and the provision of affordable housing that would meet local housing needs would weigh in favour of the application. Policy DEV8 of the JLP requires that all schemes of 11 or more dwellings delivers at least 30 % affordable housing on site.

The existing housing mix in Lamerton shows an over provision of 4 bedroom dwellings and under provision of 2 bedroom dwelling when compared to West Devon as a whole. Although this is an outline application where the housing mix is not proposed to be set at this stage, it would be possible to use a planning condition to control this at reserved matters to ensure that an appropriate mix would be delivered that helped to redress any imbalance in the housing stock. This is supported by Policy DEV8 of the JLP and the detailed design of the proposals would need to further demonstrate how the proposed mix would meet local housing need.

Highways/Access:

The proposals include two points of access. The primary access is off the main road and would incorporate the necessary visibility splays for a 30mph road and is acceptable to the highway authority. A new footway would be provided from the site to link with the existing footway by the Farriers. A new pedestrian dropped kerb crossing point is proposed opposite The Blacksmith Arms and the partially surfaced verge in front of the public house is to be resurfaced to provide a raised kerb edging up to the junction with Green Hill. A dropped kerb crossing point is also proposed here which would provide for residents of the new development as well as the Farriers and is considered to be a wider improvement in terms of crossing the highway to access local services. This minor improvement weighs in favour of the application.

A second access is proposed off the unnamed lane that links to the B3362 to the south. The lane is narrow at this point and the new access would require the removal of hedgebank to provide the necessary visibility splays of 2.4 x 25m in each direction. Indicative access planting plans have been submitted which show that a new hedgebank could be constructed on the inside edge of the visibility splays to ensure that the character of the lane is not significantly altered or urbanised. A development of 20 dwellings would not normally require a second access point but this has been proposed in response to a request from the Highway Authority to provide an alternative route for vehicles using the lane that avoids the junction with the main road.

The existing crossroads junction at The Blacksmiths Arms has very poor visibility when exiting the unnamed lane due to a high hedgebank to the west and dwelling to the right. The visibility distances are 2.4m x 5.5m looking left and 2.4m x 4m looking right. On a 30mph stretch of road, splays of 2.4m x 43m would normally be expected and as such the existing junction is constrained. At the request of the highway authority, the application proposes to include a vehicle access off the lane and to provide an alternative route through the development to the proposed main access off the road. This would mean that any vehicle using the lane has the option to bypass the constrained junction and exit onto the main road with clear visibility in both directions. This is considered to be a significant benefit of the development which would result in improvements for all users of the lane. The Highway Authority have requested a financial contribution of £5,000 toward the investigation, consideration and, if approved, the installation of a means to prevent the passage of vehicular traffic between the site access to the un-named road and the crossroads by the Blacksmith's Arms. This could be secured by legal agreement.

Design/Landscape:

Although this is an application for outline consent an indicative layout plan which includes two areas of open space has been provided. One of these areas is shown to be a potential location for the highway surface water attenuation, while the other is surrounding the mature oak tree at the south of the site. The indicative plans also provide enough certainty that the site is a sufficient size to accommodate up to 20 dwellings and that building heights can be kept lower (to 1 storey) on some of the higher parts of the site next to the Farriers. These matters are reserved for subsequent consideration but it is necessary that where an application indicates an upper limit of development, the local planning authority is satisfied that the level could be accommodated within the site.

The layout and design is reserved and therefore the detailed consideration on residential amenity can not take place at this stage. However, given the size of the site, there is no reason to believe that a suitable design can not be put forward that would have an acceptable impact on neighbouring properties.

A Landscape and Visual Appraisal has been submitted that is based upon the illustrative masterplan. Although the site is outside of the Tamar Valley AONB, it is located within the 3G River Valley Slopes and Combes landscape character type (LCT) as given in the West Devon Landscape Character Assessment. The Landscape Specialist has identified that the landscape guidelines for the 3G River Valley Slopes and Combes include, amongst other things, the retention of pastoral fields, the management of Devon banks and the introduction of new sections, and the protection of the perceived levels of tranquillity in the LCT.

Landscaping is a reserved matter but the indicative plans and associated documents show the retention of the field boundary hedges at the south of the site. Hedgebanks would need to be removed to allow for both of the access points to be constructed. An indicative access planting plan shows that these hedgebanks could be reconstructed on the inside edge of the footway and visibility splays. As the site would be at a low density of less than 20 dwellings per hectare, there is scope for large areas of landscaping to be provided throughout the proposals, particularly in the areas of open space and boundaries.

When viewed from the south and west, the development site is seen in the context of a low density residential backdrop that has mature planting throughout. Development of the field would not break the sky line and there is sufficient space for planting to help integrate the proposals into the surrounding area. This level of detail would need to be provided at the reserved matters stage, not only to mitigate, but to also enhance the landscape. The landscape specialist has no objection to the proposals as presented for outline planning consent, but notes that considerable work is needed to secure an appropriate layout, and the detailed design of the layout, buildings and landscape, to ensure that development respects scenic quality and maintains the area's distinctive sense of place and reinforces local distinctiveness.

Ecology

The application is accompanied by an Ecological Assessment produced by Tyler Grange which has been assessed by the Devon County Council Ecologist. The ecologist notes that the site comprises of improved grassland, tall ruderal habitat and external hedgerows. The improved grassland habitat is deemed ecologically poor, but the tall ruderal and hedgerows have potential to support protected species.

The hedgerows are likely to be used by commuting bats, although the surveys recorded low numbers and light sensitive species were found on the southern boundary away from existing street lighting. The potential for roosting bats is limited to the large mature oak tree due to presence of broken branches and splits within the bark. This feature is to be retained and bat boxes could be include on suitable buildings to provide additional roosting places.

No Dormice were recorded during the survey work undertaken in June 2019 and August 2020 despite the onsite habitat being suitable. The ecologist recommends that future survey work may have to be undertaken to confirm continued absence, but it is unlikely to have any significant impact on future scheme design. The hedgerows provide suitable terrestrial

habitat for the Great Crested Newts but given the lack of waterbodies in the vicinity of the site it is deemed unlikely that they utilise the site.

Other protected species include nesting birds and the removal of hedgerow could result loss of nesting places. This would need to be undertaken outside of the nesting season (or under the supervision of a qualified ecologist) and replacement hedgerows would need to be provided. Bird boxes should also be provided on suitable buildings. A potential outlier badger sett was recorded in the southern boundary hedgerow in 2019 but this was confirmed as being disused in 2020. Badgers are assumed to occasionally forage and commute across site and it is recommended that any reserved matters application is accompanied by a Construction and Environmental Management Plan (CEMP) to avoid any harm during construction and trenches/pits are either covered or have a means of escape. It is also recommended that repeat badger survey work is undertaken prior to commencement.

Biodiversity Net Gain (BNG) is a requirement of policy DEV26 and the Council expects a 10% increase in biodiversity units when applying the Defra Biodiversity Metric to be policy compliant. The application is accompanied by BNG matrix which identifies the likely habitat loss and creation. This would need to be updated as part of a detailed design and reserved matters application but it is considered that the development could provide a 10% net gain. The reserved matters would need to be accompanied by a Landscape and Ecological Management Plan (LEMP) which would include habitat creation in both the open space, and on buildings through the provision of bee bricks, bird and bat boxes. It is considered that it has been demonstrated that the ecological impacts of development can be suitably mitigated as part of a detailed design.

Local Infrastructure

JLP policy DEV30 (Meeting the community infrastructure need of new homes) requires that the development of new homes should contribute to the delivery of sustainable communities with an appropriate range of community infrastructure, such as schools, primary health care infrastructure, sports / recreation and community facilities / village halls.

The Education Authority have calculated that the proposed increase of up to 20 family type dwellings will generate an additional 5 primary pupils and 3 secondary pupils which would have a direct impact on Lamerton C of E Primary School and Tavistock College. They have forecast that there is enough spare capacity at both the local primary and secondary schools for the number of pupils likely to be generated by the proposed development and therefore a contribution towards primary and secondary education infrastructure is not being sought. A request is made for secondary education transport as there is an entitlement to transport to Tavistock College from this location. School transport currently costs £2.94 per pupil per day from Lamerton to Tavistock. They are therefore requesting £8,379.00 towards secondary school transport (being £2.94 x 190 days in the academic year x 5 years at secondary school x 3 secondary pupils). This should be secured through a section 106 legal agreement.

The potential for 5 additional primary pupils as a result of a development of this scale would help to sustain the local school.

Childrens play or sports is not proposed to be delivered on the site although there may be some opportunities for informal play to be provided in the open space. The nearest equipped play area is at the nearby Lamerton Sports and Community Centre which also includes a playing field, adult football pitch, public open space and community centre. It is likely that residents would use this area due to its proximity to the site with, placing greater demands on

its use. A Multi Use Games Area (MUGA) received planning permission in May 2021 and it is understood that other projects are being looked at including a cycle pump track. It is therefore considered that if the development would not provide for on-site delivery of play and sports, that it would be appropriate to secure financial contribution to the delivery and enhancement of off-site facilities to meet the needs of additional residents. This would have additional benefit to existing residents who would also have access to improved facilities and accord with the provisions of TTV25. The contributions would be based on the JLP Supplementary Planning Document and associated Developer Contributions Evidence Base. Assuming 20 dwellings and an average household size of 2.36, this would amount to the following:

- Equipped play - £12,178 capital and £22,676 twenty year maintenance costs
- Sports - £17,889 capital and £20,884 twenty year maintenance costs

Provision for allotments should also be made to accord with the requirements of DEV5 and due to the scale of development, off-site provision would be appropriate. Financial contribution of £1351 would need to be secured through the section 106 agreement.

Other Matters:

The site falls within the Zone of Influence for new residents have a recreational impact on the Tamar European Marine Site (comprising the Plymouth Sound and Estuaries SAC and Tamar Estuaries Complex SPA). This Zone of Influence has recently been updated as part of the evidence base gathering and Duty to Cooperate relating to the Joint Local Plan. A scheme to secure mitigation of the additional recreational pressures upon the Tamar European Marine Site can be appropriately secured by Section 106, and this approach has been agreed by Natural England.

Conclusion:

Lamerton is identified in the Joint Local Plan (JLP) as a sustainable village that includes a number of local services and facilities and has reasonable access to wider facilities in nearby Tavistock. The proposals would result in the delivery of up to 20 new homes, of which 6 would be affordable housing, which would go some way to meeting the housing need identified by Devon Home Choice. The site is in a location that is close to the facilities at the Lamerton Sports and Community Centre, and public house. It is also within reasonable walking distance of the primary school and church.

The development of the site with two access points and through route would provide an alternative and safer route for vehicles using the lane to the constrained crossroads junction with the Blacksmith's Arms. This weighs in favour of the development. Improved pedestrian accessibility to cross the main road through the provision of dropped kerb crossing points would be provided and the extension of the existing footpath would ensure that residents have suitable walking access to local facilities.

Contributions towards local infrastructure including play, sports, allotments and secondary education transport would be secured through the proposals and any enhancement of existing or provision of new facilities would have wider benefits to the local community.

Subject to mitigation, the proposals would not result in any significant harm to the landscape character of the area or to ecological features identified in the submitted ecological assessment. Conditions can secure the 10% biodiversity net gain, delivery of an appropriate

housing mix that meets the need of the area, low carbon development and electric vehicle charging points as part of the reserved matters. Overall, the proposals are considered to be in accordance with the provisions of the Joint Local Plan and it is recommended that outline planning consent be granted.

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

SPT2 Sustainable linked neighbourhoods and sustainable rural communities

SPT3 Provision for new homes

SPT12 Strategic approach to the natural environment

SPT14 European Protected Sites – mitigation of recreational impacts from development

TTV1 Prioritising growth through a hierarchy of sustainable settlements
TTV2 Delivering sustainable development in the Thriving Towns and Villages Policy Area
TTV25 Development in the Sustainable Villages
DEV1 Protecting health and amenity
DEV2 Air, water, soil, noise, land and light
DEV3 Sport and recreation
DEV4 Playing pitches
DEV5 Community food growing and allotments
DEV8 Meeting local housing need in the Thriving Towns and Villages Policy Area
DEV9 Meeting local housing need in the Plan Area
DEV10 Delivering high quality housing
DEV20 Place shaping and the quality of the built environment
DEV23 Landscape character
DEV26 Protecting and enhancing biodiversity and geological conservation
DEV27 Green and play spaces
DEV28 Trees, woodlands and hedgerows
DEV29 Specific provisions relating to transport
DEV30 Meeting the community infrastructure needs of new homes
DEV31 Waste management
DEV32 Delivering low carbon development
DEV35 Managing flood risk and Water Quality Impacts
DEL1 Approach to development delivery and viability, planning obligations and the Community Infrastructure Levy

Lamerton Neighbourhood Plan remains at an early stage of development and although it has been through the pre-submission consultation (Regulation 14) stage, there has been substantial objection to some parts of it. It is understood that a new steering group has been set up to progress the plan and are considering whether the evidence base requires updating and also reviewing whether there are weaknesses and omissions in the draft policies and draft plan.

Paragraph 48 of the National Planning Policy Framework states that Local planning authorities may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)

As such, some very limited weight could be given to aspects where clear community support can be demonstrated and there is a likelihood of it progressing in that form. The decision maker will have to assess the quality of consultation, level of support and the general conformity of proposed policies with the NPPF and JLP.

Other material considerations include the policies of the National Planning Policy Framework (NPPF) including but not limited to sections 5, 8, 9, 11, 12, 14, and 15 and guidance in Planning Practice Guidance (PPG). Additionally, the following planning documents are also material considerations in the determination of the application:

- The Plymouth and South West Devon Supplementary Planning Document (SPD) July 2020
- SPD Developer Contributions Evidence Base (June 2020)
- Devon County Council (DCC) Waste Management and Infrastructure Supplementary Planning Document (July 2015)
- Plymouth Sound and Estuaries European Marine Site - Recreation Mitigation and Management Scheme (November 2019)

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.

Proposed conditions:

1. Details of the appearance, landscaping, layout, and scale, (hereinafter called ‘the reserved matters’) shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

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

2. Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.

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

3. The development hereby permitted shall begin not later than two years from the date of approval of the last of the reserved matters to be approved.

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

4. The two vehicle access points hereby permitted shall be carried out in accordance with the Proposed Access Plan ref 21.03.067 / 1002C.

Reason - For the avoidance of doubt and in the interests of highway safety.

5. The application for approval of landscaping as a reserved matter shall include replacement hedgerows and hedgebanks in the positions indicated at the rear edge of the visibility splays on the indicative Access Planting Plan Drawing Number 12483/P14 rev B

Reason – In the interests of visual amenity, ecology and to preserve the character of the area.

6. Other than site clearance and the highway access works hereby permitted, no part of the development shall be commenced until:

- (a) The access road from has been laid out, kerbed, drained and constructed up to base course level for the first 20 metres back from its junction with the public highway
- (b) The ironwork has been set to base course level and the visibility splays required by this permission laid out
- (c) The footway on the public highway frontage required by this permission has been constructed up to base course level
- (d) A site compound and car park have been constructed in accordance with the details contained in the Construction Management Plan (CMP)

Reason - To ensure that adequate on site facilities are available for all traffic attracted to the site during the construction period, in the interest of the safety of all users of the adjoining public highway and to protect the amenities of the adjoining residents

7. Prior to commencement of works on any part of the site a Construction Management Plan (CMP) shall be submitted to and approved in writing by the local planning authority. The CMP shall include:

- (a) parking for vehicles of site personnel, operatives and visitors
- (b) loading and unloading of plant and materials
- (c) storage of plant and materials
- (d) programme of works (including measures for traffic management)
- (e) provision of boundary hoarding behind any visibility zones
- (f) hours of working
- (g) dust suppression measures
- (h) details of wheel washing facilities and obligations

Only the approved details shall be implemented during the construction period.

Reason - In the interests of highway safety and public amenity.

8. The proposed estate roads, footways, footpaths, verges, junctions, street lighting sewers, drains, retaining walls, service routes, surface water outfall, road maintenance/vehicle overhang margins, embankments, visibility splays, accesses, car parking and street furniture shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing before their construction begins, For this purpose, plans and sections indicating, as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority.

Reason - In the interests of highway safety and to ensure that the site has a suitable access

9. The occupation of any dwelling of the development shall not take place until the following works have been carried out:

- (a) The spine road and cul-de-sac carriageway including the vehicle turning head shall have been laid out, kerbed, drained and constructed up to and including base course level, the ironwork set to base course level and the sewers, manholes and service crossings completed;

- (b) The spine road and cul-de-sac footways and footpaths which provide the dwelling/s with direct pedestrian routes to an existing highway maintainable at public expense have been constructed up to and including base course level;
- (c) The cul-de-sac visibility splays have been laid out to their final level;
- (d) The car parking and any other vehicular access facility required for the dwelling/s by this permission has/have been completed;
- (e) The verge and service margin and vehicle crossing on the road frontage of the dwelling have been completed with the highway boundary properly defined;
- (f) The street nameplates for the spine road and cul-de-sac have been provided and erected.

Reason - To ensure that adequate access and associated facilities are available for the traffic attracted to the site.

10. No development shall take place until such time as a Waste Audit Statement has been submitted to and approved in writing by the local planning authority. The Waste Audit Statement shall demonstrate how the construction and operational phases of the development will minimise the generation of waste and provide for the management of waste in accordance with the waste hierarchy.

Reason – To minimize and manage waste in accordance with the provisions of Policies DEV31 of the Plymouth and South West Devon Local Plan 2014 – 2034 and W4 of the Devon Waste Plan 2015

11. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reason - To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraph 170 of the National Planning Policy Framework.

12. The Reserved Matters application/s for layout shall be accompanied by full details of proposed electric vehicle charging points. These details shall include the location, number and power rating of the charging points. The electric car charging provision shall accord with good practice guidance on mitigating air quality impacts from developments produced by the Institute of Air Quality Management.

The development shall be carried out in accordance with the agreed details and shall be made available for use prior to the first occupation of any building approved by this permission, and retained thereafter as such.

Reason: To avoid air pollution and enable appropriate opportunities to promote sustainable transport modes.

13. The Reserved Matters application/s for layout and appearance shall include a scheme to demonstrate how the requirements of JLP policy DEV32: Delivering Low Carbon Development will be delivered, the details of which shall be approved in writing by the

Local Planning Authority. These details shall include (but not limited to) a solar master plan to show how access to natural light has been optimised, and incorporation of low carbon or renewable energy generation to achieve regulated carbon emissions levels of 20 per cent less than that required to comply with Building Regulations Part L. Development shall take place in accordance with the approved details prior to the first use of any building to which they relate and shall be retained and maintained for the lifetime of the development.

Reason: To ensure the development contributes toward delivering a low carbon future and supports the Plan Area target to halve 2005 levels of carbon emissions by 2034 and increase the use and production of decentralised energy.

14. The Reserved Matters application(s) for layout and/or scale and/or external appearance shall be accompanied by details of housing mix, type and size across both open market and affordable housing and details of affordable housing tenure shall also be submitted. Development shall take place in accordance with the approved details.

Reason: To ensure the housing delivered on this site meets evidenced local need and accords with JLP policies DEV8 and DEV10.

15. Surface water drainage condition - *Waiting for LLFA so provide detailed wording of condition that requires submission of detailed drainage scheme and management strategy as part of the reserved matters.*

Reason: To ensure the proposed surface water drainage system will operate effectively and will not cause an increase in flood risk either on the site, adjacent land or downstream in line with SuDS for Devon Guidance (2017) and national policies, including NPPF and PPG.

16. The reserved matters application shall include the submission of a Landscape and Ecological Management Plan (LEMP) for the approval of the Local Planning Authority. The LEMP shall include:

- a) Details relating to habitat creation, species specification and management.
- b) The number, specification, design, and position of bird nesting/bat roosting boxes and bee bricks in the design of the buildings.
- c) Details of the design, location and position of boundary features that include 'hedgehog holes' as detailed in the submitted Ecological Assessment
- d) Details relating to securing compensation and 10% biodiversity net gain through habitat creation and enhancement. The Latest Defra/NE metric shall be used along with any Devon LA Net Gain Guidance.
- e) A repeat hazel dormouse survey, along with associated mitigation and/or compensation measures.
- f) A lighting strategy to minimise indirect impacts from lighting associated with the pre-construction, during construction and operational activities, and demonstrate how the best practice (BCT/ILP, 2018) guidance has been implemented. This will include details such as the following: artificial lighting associated with public realm lighting, car headlights associated with traffic movements through the development and internal and external lighting associated with private residence. The purpose

of this lighting strategy is to ensure the retained site boundaries function as bat flight lines.

Reason: In the interests of ecological protection and enhancement.

17. The reserved matters application shall include the submission of a Construction and Environmental Management Plan (CEMP) for the approval of the Local Planning Authority. The CEMP shall include:
 - a) Details of environmental protection throughout the construction phase of development.
 - b) Confirmations that no vegetation clearance shall take place during the bird nesting season (01 March to 31 August, inclusive) unless the developer has been advised by a suitably qualified ecologist that the clearance will not disturb nesting birds and a record of this kept.
 - c) How the site and surrounding area will be surveyed for the presence of badgers prior to development commencing and the protection/mitigation and compensation measures that will be put in place.

Reason: In the interests of ecological protection and enhancement.

18. The development hereby permitted shall be carried out in accordance with Tree Protection Plan 05617 TPP dated 9/9/2021

Reason: In the interests of ecological protection.