

## PLANNING APPLICATION REPORT

**Case Officer:** Oliver Mathers

**Parish:** Beaworthy **Ward:** Bridestowe

**Application No:** 3441/21/OPA

**Agent:**

Mr David Applebee  
Architects Design Group  
Floor 4  
Millbay Road  
Plymouth  
PL1 3LF

**Applicant:**

Mr Allen - Birchstone Group LTD  
Huxham Wood Farm  
Exeter  
EX4 0AA

**Site Address:** Astra Salvage Yard, Patchacott, Beaworthy, EX21 5AW



**Reason for call in:**

Cllr Mott and Cllr Southcott: "This is isolated and disconnected to other development and as such is unsupported by amenities and sustainable transport, necessitating extensive use of the car. This number of units would have a big impact on the local community."

**Development:** Outline application with all matters reserved for development 17no holiday chalets and 1no reception building with associated car parking and amenities

**Recommendation:** Delegate Conditional Approval to Head of Planning (subject to no objection from Historic England).

**Conditions:**

1. Time limit for submitted RM
2. Details of reserved matters
3. Accord with plans

4. Holiday use only
5. Land contamination
6. CEMP
7. No occupation before parking and turning areas provided and retained in perpetuity
8. No occupation until Sustainable Travel Plan agreed and implemented
9. Surface water drainage scheme to be agreed with or prior to reserved matters
10. Foul Sewage
11. Highway drainage
12. PD removal
13. EVCPs
14. Solar PV
15. DEV32 compliance 20% carbon reduction
16. Boundary treatment plan/schedule
17. Tree reports for reserved matters
18. LEMP/LVA
19. Details of any exterior lighting
20. Landscaping (soft/hard)
21. Waste
22. Raw materials

**Key issues for consideration:**

Principle / Sustainable Development;  
Design;  
Landscape;  
Impacts on residential and third party amenity;  
Historic Environment;  
Highways, Access and Parking Considerations;  
Water, Flood Risk and Drainage Considerations;  
Biodiversity;  
The Climate Emergency and Low-Carbon Development;  
Land contamination and Environmental Health.

---

**Site Description:**

The site is disused area of commercial land approximately 500m to the south of the hamlet of Patchacott. It is accessed from the highway via a short access lane leading to the site entrance. The main site area is triangular in form with levels rising gradually from the entrance (north) to south. The north-eastern side of the application site is bounded by the disused railway, and other boundaries are generally bordered by low-level banks and vegetation.

Currently the site surfacing is divided into distinct zones, a concrete former yard area to the northern end, and scrub and rocky fill material to the southern end. The remains of one former blockwork commercial building exists adjacent to the eastern boundary, accessed via the concrete yard area.

There is a Scheduled Ancient Monument (four barrow bowls) approximately 482m to the south-west of the site. A public right of way (PRoW) runs from north to south down the western edge of the site. The site is within the open countryside, approximately 3.2km south-west of the Tier Three sustainable village of Northlew, but it does not lie within any special areas of designation.

**The Proposal:**

The application seeks outline approval for the redevelopment of the site as holiday accommodation, including site facilities, building, and parking. Although an outline application, indicative layout information provided suggests 17 single-storey cabin buildings and a reception building.

#### **Consultations:**

- **County Highways Authority:** *“no objection subject to recommended conditions”*
- **Police Liaison:** *“No objections, would like to make recommendations for any subsequent reserved matters application”*
- **South West Water:** *“No comments to make.”*
- **DCC Historic Environment Team:** *“There may have been some potential for archaeological evidence associated with the Bronze Age burials (a wider ceremonial and farmed landscape) to survive in this area. However, I think that the recent industrial use of the site, and the earlier construction of the railway, will have removed this. I agree with your view on potential impacts on the setting of the Scheduled Monuments. I don’t think that there are any key views from the barrows across in this direction that the existing industrial use and historic railway line have not already compromised. The proposed landscaping should be appropriate mitigation in any case.*

*If the development were to extend into ‘green field’ areas beyond the current application boundary, then I would recommend pre-determination evaluation to test for prehistoric archaeology associated with the barrows.”*

- Awaiting Historic England consultation response at the time of writing (due to proximity to SAM)
- **Trees:**

#### Revised response (Received 14/02/22):

*The present use of the site has prevented ingress of roots into the footprint zone of the cabins however above ground aerial parts will over sail and overshadow several of the units which appear to be overly close to the trees due to unit density.*

*However this could be addressed by way of smaller or less units to engender a more positive relationship. On this basis I would recommend no objection on arboricultural merit but would anticipate a full application to propose a more positive relationship between trees and units.*

#### Initial response (03/12/22)

*Holding objection on arboricultural merit.*

- **Landscape:**

#### Revised response (24/05/2022):

*Many of the issues and concerns raised in the initial response could be addressed through well-considered and appropriate detailed design at RM stage, that takes into account the open countryside location and prevalent Landscape Character of the locality.*

*If approved, Reserved Matters will need to consider carefully:*

- *Landscape and Visual Appraisal, facilitating / guiding landscape-led design development;*
- *Density, scale and massing carefully considered to minimise adverse effects of proposals;*
- *Mitigation and enhancement planting, and management of boundaries;*
- *details of building materials,*
- *details of any exterior lighting, and*
- *a detailed hard and soft landscape scheme, including establishment, maintenance and on-going management (secured by LEMP).*

Initial response (24/12/2021):

*Not supported, if Officers are minded to approve, please reconsult Landscape on suggested conditions.*

- **Lead Local Flood Authority:**

Revised response (06/05/2022)

*Our objection is withdrawn and we have no in-principle objections to the above planning application at this stage, assuming that the following pre-commencement planning conditions are imposed on any approved permission:*

*“Prior to or as part of the Reserved Matters, the following information shall be submitted to and approved in writing by the Local Planning Authority: (a) Soakaway test results in accordance with BRE 365, groundwater monitoring results in line with our DCC groundwater monitoring policy and evidence that there is a low risk of groundwater re-emergence downslope of the site from any proposed soakaways or infiltration basins. (b) A detailed drainage design based upon the approved Surface Water & Foul Drainage Strategy Addendum, dated 19.04.2020 and the results of the information submitted in relation to (a) above. This should include factor of safety, half drain downtimes and be based on FEH data only. (c) Detailed proposals for the management of surface water and silt run-off from the site during construction of the development hereby permitted. (d) Proposals for the adoption and maintenance of the permanent surface water drainage system. (e) A plan indicating how exceedance flows will be safely managed at the site. No building hereby permitted shall be occupied until the works have been approved and implemented in accordance with the details under (a) - (e) above.*

*Reason: The above conditions are required 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. The conditions should be pre-commencement since it is essential that the proposed surface water drainage system is shown to be feasible before works begin to avoid redesign / unnecessary delays during construction when site layout is fixed.”*

Initial response (21/12/2021)

Holding objection, additional information required

- **Policy:** *“Charging points for ebikes within the cycle storage facilities will be required, as I think most people would need an ebike to manage the topography. In fact, the provision of a small number of ebikes on site would go some way to reducing the likelihood of people just getting in their car. We can require that as part of the revised STP... The suggested conditions look comprehensive, and should give us the ability to control what we need to at RM. They offer a lot in terms of DEV32, low impact, local materials etc, so important that members recognise how this has weighed in favour of the application”*
- **Ecology:**

Revised response (24/03/2022):

*Ok subject to conditions.*

Initial response (10/12/2021):

*Further information required prior to determination.*

- **Parish Council:** Objection

General views on compliance with relevant planning policies:

- *The traffic use suggested is contradictory and there are inaccuracies in the description of the*

access road, which is narrow. The application would involve additional traffic using lanes which are inadequate in terms of width and alignment to accommodate further traffic.

• The application site is also remotely situated and not served by public transport and therefore the proposal constitutes undesirable sporadic development in the countryside

The adverse impacts of the development on the local community:

• This development will increase the population of the community by approximately 3 times with no benefit to the community.

• The effect on the surrounding environment from drainage from the site will exacerbate the current problems. For example, the road has been closed recently for 3 weeks due to undermining caused by flooding. There are also concerns about current ground contamination at the site.

• In addition to the noise from the traffic and from the site itself, there are concerns regarding livestock surrounding the site and the possible safety issues with dogs on site and poor fencing.

Problems with site access and parking:

• The amount of traffic that will be created at this site from an additional 78 people at full capacity, including the delivery vans that are suggested for groceries, will put excessive pressure on the inadequate, single track, rural road network in the community. Previous proposed development here was turned down due to the inadequate local access. 2479/2001/OKE - Erection of 10 dwellings (outline application) including highway junction improvements. at Astra Salvage Yard, Patchacott, Beaworthy, Okehampton Devon EX21 5AW.

The local services and infrastructure are not equipped to cater for such a large, dense, overdevelopment. There are no local amenities such as shop, post office or pub. The area is rural residential with no immediate tourist destinations, 12 miles to Dartmoor, 18 to Bude, 35 to Bodmin, 14 to Launceston, etc all out with cycle destinations Although central to many attractions this would require suitable and sufficient transport infrastructure, there are no trains, buses or integrated cycle routes. Overall the location will be detrimental to the local community.

**Representations:**

Six letters of objection have been received. These letters can be seen in full on the Council website, but can be summarised as follows:

- Development would contain more residents than the existing hamlet of Patchacott
- Proposal would essentially result in 17 second homes
- Disproportionate scale
- No tourist amenities in the locality
- Increased traffic
- Byway 9 is not suitable for vehicles but satnavs often direct traffic down it
- Highways safety concerns due to lack of visibility
- No positive benefits for the local community
- There are no cycle tracks nearby so emphasis on cycling is ill-judged
- Potential land contamination from former use of site as scrapyard
- There is already a campsite nearby
- Questioning proposed drainage strategy
- Potential noise and light pollution
- The yard is not disused as claimed in submission
- The site is on high ground and surface water will run down to existing properties

Officer Response:

The responses of relevant consultees, community members and the Parish have been duly considered and aspects of their comments that form material planning considerations are addressed in the forthcoming analysis section.

For ease, the three main topics of the Parish objection are listed and addressed in turn below:

General views on compliance with relevant planning policies:

- *This point is addressed in the following principle/sustainability section and also the landscape and highways section. In short, the site offers an improved situation from the extant use and is deemed to provide a balanced policy compliance.*

The adverse impacts of the development on the local community:

- *The application indicates that there are likely to be 2 full-time employees. Although the LPA cannot necessarily control where these employees are from geographically, by virtue of the site location it is likely that the employees would reasonably come from nearby households which would be seen a positive for the local community.*

Problems with site access and parking:

- *This point is addressed in the following principle/sustainability section and also the highways section. In short, although the proposal is at Outline stage, site access and parking are not considered to be so problematic that an approval would be insurmountable.*

## Relevant Planning History

- 1580/16/VAR- Variation of condition 10 of planning consent 10911/2007/OKE to allow a change of use to B1 and B2- conditional approval
- 0976/16/CLP- Application for a Lawful Development Certificate for proposed B2 use without the restriction to timber frame components- withdrawn
- 00846/2010- Variation of condition 2 of planning permission 10911/2007/OKE in order to extend operational times and extend delivery and despatch times- refused
- 11830/2008- Erection of extension to existing industrial building- permission required
- 11761/2008/OKE- Variation of condition No. 5 attached to planning permission 10911/2007/OKE to relax noise condition and replace with noise limit of 36dBALaeq (15 mins) measured at nearest sensitive dwelling- conditional approval (at appeal)
- 11663/2008/OKE- Removal of condition 6 to allow the resiting of 3 storage containers to a site within the approved site. (Condition 6 of 10911/2007 requiring the removal of the 3 storage containers)- conditional approval (at appeal)
- 10911/2007/OKE- Change of use of former scrapyard to joinery/timber frame manufacturing, erection of associated new building and compound fence and alterations to existing building, including removal of existing structures.- conditional approval
- 9941/2007/OKE- Change of use from scrapyard and vehicle dismantling to B1 business use- withdrawn
- 6214/2004/OKE- Erection of tow detached dwellings with attached garages and installation of septic tank- refusal

- 2479/2001/OKE- Erection of ten dwellings (outline application) including highways junction improvements- refusal

## ANALYSIS

### Principle of Development/Sustainability:

The Plymouth and South West Devon Joint Local Plan ('JLP') sets an overarching strategy for delivering sustainable development that complements the existing settlement pattern within the plan area. The high-level strategy for delivering sustainable development is expressed within policies SPT1 and SPT2, with other policies amplifying and giving effect to those requirements.

Policy SPT1 of the Joint Local Plan (JLP) seeks a sustainable society where sustainable and health-promoting transport options are available to access local education, services, and jobs. Policy SPT2 sets out that development should support the overall spatial strategy through the creation of communities which; have reasonable access to a vibrant mixed-use centre.

In accordance with the broad aims of Policies SPT1 and SPT2, the site has reasonable access to public transport services and offers walking and cycling opportunities that offer further connectivity to vibrant mixed use centres.

Figure 3.2 of the JLP spatial strategy indicates that locations within 600m of a bus stop are a measure of sustainable neighbourhoods and communities- this acts as a useful starting point and baseline for defining a suitable location, but it is not a dualistic tool to be used by decision makers in a binary manner. The Manual for Streets provides further guidance on such matters and this clearly states that *'walking offers the greatest potential to replace short car trips, particularly those under 2km.'*<sup>1</sup> The site at Astra Salvage Yard lies approximately 1.5km (19 minute) walk from the nearest bus stop at Metherell Cross. The Exeter City Centre, Okehampton, Bow and Halwill bus services run along the A3079 and pass through Metherell Cross at a frequency of eight times per day [running from 6.16am until 18.33pm]. This range of buses all provide direct access into Okehampton (West Street: Stop B). Okehampton itself has recently opened the rail line to Exeter, providing further sustainable connectivity to a regional hub.

With regards to cycling opportunities, the site is circa 8.9 miles to the centre of Okehampton along the A3079- such a distance would typically take 45 minutes and it is therefore not considered insurmountable that the site can be reasonably accessed by bicycle. National Cycle Route 27 also provides further opportunity to cycle into Okehampton, albeit taking a longer route at 11.7 miles (1 hour 15 minutes), which is acknowledged as being at the upper end of constituting reasonable access.

Therefore, when having regard to the above, officers consider the sites location to be in broad accordance with SPT1 and SPT2 (particularly in the context of the fall back position, discussed later).

The above matters are further built upon by Policies TTV1 and TTV2, which set out the development strategy for the Thriving Towns and Villages and which aim to prioritise growth through a hierarchy of sustainable settlements and deliver sustainable development.

---

<sup>1</sup>[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1072722/Essex\\_Manual\\_for\\_Streets\\_Redacted.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1072722/Essex_Manual_for_Streets_Redacted.pdf)

### Policy TTV1

This policy sets out the Council's development strategy across the Thriving Towns and Villages Policy Area. The policy describes how growth will be prioritised through a defined four-tier hierarchy of settlement hierarchy of (1) Main Towns, (2) Smaller Towns and Key Villages, (3) Sustainable Villages and (4) Smaller Villages, Hamlets and the Countryside. The identified tiers are used as a tool to inform whether a development proposal can be considered sustainable or not- they are not however a binary, reductive mechanism to pre-determine development outcomes. Applications must be considered holistically, with a circumspect and balanced assessment of all material considerations.

When having regard to TTV1, the application site at Astra Salvage Yard is not within a named settlement and consequently it is considered to be located within Tier Four of the Council's settlement hierarchy.

In Tier Four, development will be permitted only where it can be demonstrated to support the principles of sustainable development and sustainable communities (policies SPT1 and SPT2), together with the requirements of policies TTV26.

### Policy TTV2

Policy TTV2.5, indicates that the delivery of sustainable rural tourism "*will be supported if it would benefit rural businesses, communities and visitors, and respect the character of the countryside and historic settlements.*" As will be discussed in following sections of this report, the site provides an opportunity to deliver a form of sustainable rural tourism whilst respecting the character of the countryside and the historic settlements in the surrounds.

### TTV26

Policy TTV26 of the JLP relates to development in the countryside. The aim of the policy, as articulated in the first line, is to protect the role and character of the countryside. The policy is divided into two different sets of policy requirement; the first applies to development proposals considered to be in isolated countryside locations. The second aspect of the policy is applied to all development proposals that are considered to be in a countryside location.

Therefore, in order to determine whether to assess the proposals under TTV26 (1) or TTV26 (2), is the site in question isolated, or countryside development?

When having regard to the Bramshill Ruling<sup>2</sup>, the application site is not considered to be so disconnected from existing built form that it would to be considered genuinely isolated development. The development site is therefore identified as being **not isolated** and falls to be assessed under TTV26 (2).

TTV26 (2) establishes that development proposals should, where appropriate:

- i. Protect and improve public rights of way and bridleways.  
***A Public Right of Way (PROW) (Beaworthy Byway 9) runs adjacent to the site along the western boundary. Landscape officers have noted that it would be reasonable to predict that, with a well-used PROW running immediately adjacent to the site, sensitive visual receptors will be affected by the scheme. These effects would be localised to a short section of the PROW, and the site has a high level of visual containment, being well screened from most other public viewpoints.***

---

<sup>2</sup> Bramshill v SSHCLG [2021] EWCA Civ 320

**When compared to the extant use (B1/B2 industrial), officers consider that a lower impact residential/holiday use would cause less harm to the PRow than the existing situation. Therefore, the proposal provides an opportunity to protect and enhance the visual receptors and minimise any harms caused by the existing lawful use.**

- ii. Re-use traditional buildings that are structurally sound enough for renovation without significant enhancement or alteration.  
**N/A to the proposed development.**
- iii. Be complementary to and not prejudice any viable agricultural operations on a farm and other existing viable uses  
**The proposal will not prejudice any viable agricultural activities or other viable uses.**
- iv. Respond to a proven agricultural, forestry and other occupational need that requires a countryside location.  
**The proposal does not respond to a proven agricultural, forestry and other occupational need.**
- v. Avoid the use of Best and Most Versatile Agricultural Land.  
**The proposal is on a brownfield site and will avoid the use of Best and Most Versatile Agricultural Land.**
- vi. Help enhance the immediate setting of the site and include a management plan and exit strategy that demonstrates how long term degradation of the landscape and natural environment will be avoided”.  
**The proposal is an outline application but provides opportunity to enhance the immediate setting of the site compared to the extant use.**

In having regard to the provisions of TTV26(2), the proposal is considered to be broadly compliant. It therefore follows that the proposal must be assessed against policies relating to the rural economy and tourism.

#### DEV15

The JLP and the National Planning Policy Framework (NPPF) are supportive of growing the rural economy, however development still needs to be demonstrated to be sustainable.

Consequently, new tourism accommodation should be directed towards and located nearby to existing settlements to allow visitors to reduce reliance of private vehicles when staying within the district, thus underpinning the fundamental notion of sustainability.

DEV15 does provide limited flexibility to enable carefully selected development outside of named settlements. Astra Salvage Yard has potential to be one such carefully selected sites- the caveat of course being that the proposed development be achieved sustainably.

Although no explicit policy relating to tourism, tourism development is referred to in DEV15, this policy sets out measures through which the rural economy will be supported. DEV15 (8) states that proposals should:

- i. Demonstrate safe access to the existing highway network.  
**The extant use of the site is B1/B2 industrial and this is not considered to have been abandoned. The existing access is designed to allow for industrial traffic movements that could adequately visit the site and as such, is capable of accommodating heavy lorries/vans/trucks. The Highway Authority have no raised an**

**objection when having regard to the access of the site. Although a Reserved Matter, it is considered safe access to the existing highway network for smaller private vehicles can be demonstrated.**

- ii. Avoid a significant increase in the number of trips requiring the private car and facilitate the use of sustainable transport, including walking and cycling, where appropriate. Sustainable Travel Plans will be required to demonstrate how the traffic impacts of the development have been considered and mitigated.

**The applicants have submitted a detailed Travel Plan as part of the proposals. Although largely aspirational, it is welcomed the applicants have engaged with the policy requirement at Outline stage.**

- iii. Demonstrate how a positive relationship with existing buildings has been achieved, including scale, design, massing and orientation.

**N/A to this site and matters relating to scale, design, massing and orientation will be interrogated at a Reserved Matters stage.**

- iv. Avoid incongruous or isolated new buildings. If there are unused existing buildings within the site, applicants are required to demonstrate why these cannot be used for the uses proposed before new buildings will be considered.

**There is currently a derelict building on site and this is beyond repair. It would be unsafe to use this for the use proposed.**

#### The extant B1/B2 use: 'The Fall Back'

The current use, which has not been abandoned, falls within classes B1 (now E) and B2. This relates to consent granted for a timber manufacturing and processing facility.

Notwithstanding the above analysis, the question remains that in this location, is a B1/E and B2 industrial use considered to be more or less sustainable than the proposed holiday/residential use?

#### **Movement/Travel**

The extant use was originally granted consent in 2007 (this was allowed in the context of the extant B2 use present on the site at the time), the fallback was material, and considerations surrounding sustainability were not at the forefront of planning policy at the time and therefore unsurprisingly, the requirement of a Travel Plan or indeed similar sustainable mechanisms such were not imposed.

Consequently, there are at present no restrictions on the frequency of industrial traffic movements that could visit the site. As such, heavy lorries/vans/trucks could reasonably come and visit the site all day between 8am and 6pm Mon to Fri and 8am to 1pm on Sat and at no time on Sundays, Bank Holidays or Public Holidays (as per the most recent 2016 consent).

Therefore, the opportunity to now manage the volume, character and type of transportation movements through a Travel Plan is a welcome opportunity to improve the sustainable credentials of the site whilst utilising previously developed land (PDL).

#### **Amenity/Tranquillity of Countryside**

Furthermore, when comparing the proposed low-intensity residential use with the current industrial use, impacts on local residents and the amenities of the immediate countryside area are considered to be improved.

#### Conclusion on principle

The principle of development at this site is a finely balanced planning judgement.

Indeed, if the site at Astra Salvage Yard did not benefit from the current unfavourable and unsuitable B1/B2 uses acting as a realistic fall back position, then the assessment of its suitability for the proposal before the LPA would have likely produced a different resolution.

The planning history and extant lawful use of the site play a pivotal role in tipping the balance towards that of principle acceptability, rather than a situation whereby the conflicts identified make the principle insurmountable. There is loss of an employment site, but this is not in a location which would be promoted for employment under current policy nor is it especially compatible with the nearby residential uses.

The site is located in the countryside and outside of the TTV area where residential development would typically be discouraged. Services and amenities such as shops in the immediate vicinity of Patchacott are non-existent, therefore presenting conflicts with the overarching spatial strategy. The site does however have limited, but nonetheless reasonable access to vibrant mixed-use centres through walking to bus services offered at Metherell Cross- therefore enabling access to amenities through travel.

In having regard to the above analysis and aforementioned contextual nuances of the site, the principle of holiday use in this specific location is considered to be acceptable in this specific and limited instance.

### **Design;**

Paragraph 132 of the NPPF, relating to achieving well designed places, articulates that design quality should be considered throughout the evolution and assessment of individual proposals. Policy DEV20 of the JLP relates to place shaping and the quality of the built environment. This policy articulates that development proposals will be required to meet good standards of design, contributing positively to both townscape and landscape, and protect and improve the quality of the built environment.

Indicative designs have been provided as part of the Outline Application. At Reserved Matters stage, detailed designs would be expected to be submitted and scrutinised in order to determine if they are acceptable.

This proposal is acceptable as an outline rather than as a change of use for the siting of mobile units, as it was confirmed at the outset that the proposed units would not be 'caravans' and would be individual holiday units on the site, as such an outline application is acceptable.

### **Landscape;**

Paragraph 174 of the NPPF, relating to conserving and enhancing the natural environment, states that planning policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes.

Adopted JLP policy DEV23 seeks to conserve and enhance landscape character, requiring development proposals to respect scenic quality, avoid significant and adverse landscape and visual impacts; to be located and designed to prevent erosion of relative tranquillity, and maintain an area's distinctive sense of place.

The site is not located within a nationally protected Landscape however it is located within Landscape Character Type 1A. Open inland planned plateaux. The overall Landscape strategy for this identified type is to retain the remote, open character of the landscape.

Landscape guidelines include to **maintain the existing limited and clustered settlement pattern** across the landscape character type, and **to ensure that recreational development is well integrated into the landscape** through the use of appropriate low-key landform changes and locally indigenous tree and shrub species.

When having regard to the above strategy and having conducted a site visit, Officers consider that the proposal site is capable of being well integrated into the landscape. Detailed proposals of exactly how this can be achieved needs to be considered at Reserved Matters stage.

The LPA's Landscape Specialist has also been consulted as part of the application and makes the following comments, *"The site is very well contained visually, due to the surrounding trees and woodland. The landscape strategy for the proposals intends to retain the existing boundaries and reinforce them with new planting.*

*Officers note that this is an outline application with all matters reserved, and that very few details are provided on whether the existing access will be upgraded, and whether there will be new kerbing, exterior lighting, signage, fencing and gates, or other ancillary features introduced to facilitate the scheme. Such details are likely to introduce urban features which would be intrusive in this rural setting, so requiring careful design detailing to avoid discordant elements in the landscape...*

*Given the relatively small area of this currently derelict site, the proposed development would have a limited effect on wider Landscape Character, and many valued landscape features around the site are shown as retained and enhanced.'*

However, despite the above favourable comments in relation to the scheme, the Landscape Officer expresses the following reservations:

*"However, the proposals would conflict with the published Landscape Guidelines for the Broadbury Ridges Character Area which seek to Protect the existing sparse settlement pattern. The nature of, and number of, units proposed would constitute a notable diversion from the characteristic settlement pattern in this area, and there would be a resultant deterioration on levels of tranquillity and the perception of remoteness in the immediate environs of the site as a result of the number of units proposed, and as a result of an increase in car use along the local highway network.*

*However, it is acknowledged that the most adverse effects on landscape character would be largely restricted to the area immediately around the site. There would be visual effects as a result of a change from a derelict salvage yard to a relatively dense development of holiday units. How significant or adverse the visual effects would be has not been assessed, nor is sufficient detail currently provided to enable an appropriate assessment of effects to be undertaken.*

*However, it would be reasonable to predict that, with a well-used PROW running immediately adjacent to the site, sensitive visual receptors will be affected by the scheme. That said, the effects would be localised to a short section of the PROW, and the site has a high level of visual containment, being well screened from most other public viewpoints."*

The Landscape Officer makes the final conclusions as follows:

*“For the reasons outlined above, whilst the impacts of the proposals are localised, I would not consider that the proposed development meets all of the tests of this policy, and I would therefore be unable to support the application on landscape grounds. Reserved Matters will need to consider carefully:*

- *Density, scale and massing, with LVA work to assess impacts of detailed layout and designs;*
- *mitigation and enhancement planting, and management of boundaries;*
- *details of building materials,*
- *details of any exterior lighting, and*
- *a detailed hard and soft landscape scheme*

When having regard to the above comments, it is noted that the proposed use will result in some degree of change to the ‘settlement pattern’ of the immediate area.

However, as discussed in the above principle/sustainability section, the existing lawful use has potential to create far greater landscape impacts than the residential holiday use which is proposed.

Ultimately, the B1/B2 industrial use and the associated traffic movements, their character and frequency are less favourable than a more ‘tranquil’ residential use.

Arguably therefore, the proposed new use will help to maintain the tranquillity of the landscape in comparison to a use which, if the applicant so wishes, could reasonably resume tomorrow. This application ultimately provides the LPA with an opportunity to reduce harmful impacts of an unfavourable use at the site and appropriately control them by way of condition.

The aforementioned must therefore must be weighed in the schemes favour. Further consideration of the landscape impacts will clearly be required at a time when Reserved Matters proposals are submitted and where possible mitigated.

An appropriate landscaping condition, as recommended by the landscape officer, is recommended to ensure that the proposed development addresses concerns raised and where possible, mitigates any identified impacts.

As such, the outline application offers limited conflicts with JLP Policies DEV20 and DEV23, albeit these are hyper localised to the immediate vicinity around site.

### **Impacts on residential and third party amenity;**

It is always necessary for developments to take into account the amenities of neighbours, third parties and impact on the environment. By virtue of the siting and the separation distance (circa.150m) from the nearest neighbours, the proposal would not lead to any materially harmful impact on residential amenity by way of loss of light, loss of outlook, loss of privacy or overbearing impact.

The existing B1/B2 use is considered to be more intensive and impactful on nearby amenities than the use proposed and in this regard, the amenity situation is considered to be improved.

As such, at this Outline Application stage, the proposal does not raise any materially harmful amenity impacts and therefore accords with JLP Policies DEV1 and DEV2 and the requirements of the NPPF.

## **Historic Environment;**

DEV21 specifically relates to development affecting the historic environment. The policy clearly articulates that development that harms the significance of heritage assets will only be permitted where justified on the basis of a balanced judgement, having regard to the scale of any harm or loss and the significance of the heritage asset. This follows the approach outlined in the National Planning Policy Framework (2021).

The site is circa.500m from a scheduled monument; Four Barrows (List Entry number: 1020985). As abstracted from the listing, this monument includes four bowl barrows situated on the summit of a high ridge, approximately half a kilometre to the south west of Patchacott. This location overlooks the valleys of tributaries to both the Rivers Wolf and Lew. It commands a high vantage point with extensive views to both Dartmoor and Exmoor.

Officers have visited the site and take the view that there will be no impacts on the scheduled monument; the site lies 1/2 km away and is surrounded by planting and green infrastructure. Therefore, the proposed development is not considered to adversely impact this heritage asset by virtue of the separation distance and if anything, it will be an improvement from the existing approved industrial use of the site.

DCC Historic Environment Team were consulted and provided the following comments in relation to the impacts on the Four Barrows: *“There may have been some potential for archaeological evidence associated with the Bronze Age burials (a wider ceremonial and farmed landscape) to survive in this area. However, I think that the recent industrial use of the site, and the earlier construction of the railway, will have removed this. I agree with your view on potential impacts on the setting of the Scheduled Monuments. I don’t think that there are any key views from the barrows across in this direction that the existing industrial use and historic railway line have not already compromised. The proposed landscaping should be appropriate mitigation in any case”*

In light of the above, no concerns are raised when having regard to the historic environment.

## **Highways, Access and Parking Considerations;**

Policy DEV29 of the JLP stipulates the specific provisions relating to transport. Development will be required to contribute positively to the achievement of a high quality, effective and safe transport system in the Plan Area. Development proposals should therefore, where appropriate;

1. Consider the impact of development on the wider transport network,
2. Provide safe and satisfactory traffic movement and vehicular access to and within the site and
3. Ensure sufficient provision and management of car parking in order to protect the amenity of surrounding residential areas and ensure safety of the highway network.

### Highways/Transport impacts

No concerns are raised in respect of highway safety and access/egress to and from the site. The Highway Authority (DCC) have responded to the consultation process and confirmed there are no objections to the proposed development of the site from a highway safety point of view, subject to the provision of suitable on-site parking and turning facilities. An appropriate condition is therefore recommended to be imposed on any planning permission granted.

### Access

The access to the site would remain unchanged. The application demonstrates adequate visibility splays and given the extant B1/B2 use which allows for heavy lorries/vans/trucks the access for residential vehicles such as cars is deemed to be appropriate.

### Parking

DEV29.3 of the SPD relates specifically to parking provision. Car parking standards for new residential development are important to avoid adverse impacts of inadequate parking such as excessive on-street parking or illegal parking and to protect the amenity of surrounding residential areas and ensure safety of the highway network.

The proposal site lies within a significant area of land that is in ownership of the applicant and this has adequate parking facilities detailed on the indicative plans. Although these plans are only indicative at this outline stage, it demonstrates that the site has enough space to accommodate an acceptable provision of on-site car parking.

Exact details of the highways impacts, parking and access will form part of any Reserved Matters submission.

In having regard to the above, it is considered that the proposal accords with JLP Policy DEV29, in particular DEV29.1 DEV29.2 and DEV29.3 and the guise of the NPPF.

### **Water, Flood Risk and Drainage Considerations;**

Paragraph 167 of the NPPF is clear that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere and 167.c) encourages the use of sustainable drainage systems. DEV35 of the JLP also relates to managing flood risk and water quality impacts.

### Flood Risk

The Lead Local Flood Authority (LLFA) initially raised a holding objection but this view was revised and the objection removed following the submission of further information which included trial pits and percolation test results. The LLFA has recommended suitably worded conditions that will be included in any forthcoming decision.

The site is not identified as being in an area vulnerable to flooding as defined by the Environment Agency Flood Risk Zones 2 and 3. The application was accompanied by a detailed Flood Risk and Drainage report conducted by Harcombe Environmental Services Ltd. The report concludes the site is in a 'Very low' risk of flooding and no flood depth (from fluvial or tidal sources). The site is identified as being unlikely to flood from raised groundwater.

Most notably from the report, it concludes the surface water drainage within the site will be significantly improved, with a significant reduction in the volume of excess water on and leaving the site. The site is considered to be safe from all sources of flooding, with no impact on neighbouring properties.

### Foul Drainage

South West Water have raised no objection and stated they have no comments to make on the scheme. Detailed foul drainage proposals will come forward as part of any Reserved matters Application.

In having regard to the above, it is considered that through the imposition of appropriate planning conditions the outline application is acceptable when having regard to matters of water, flood risk and drainage and therefore compliant with Policy Dev35 of the JLP.

### **Biodiversity;**

Paragraph 174 of the NPPF articulates that planning policies and decisions should contribute to and enhance the natural and local environment. Paragraph 180 is explicit that development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity.

Policy DEV26 of the JLP relates to protecting and enhancing biodiversity and geological conservation and states that development should support the protection, conservation, enhancement and restoration of biodiversity and geodiversity across the Plan Area.

A number of ecological reports have been undertaken and these include Bat Surveys, Dormouse Surveys and Reptile surveys.

DCC Ecology have responded to the application and have also referenced the submitted reports in their response. They have concluded that through the imposition of conditions, the proposals are acceptable. DCC did state that clarification is required from the consultant ecologist whether the conclusions within the submitted preliminary ecological appraisal report remain valid with regards to this application.

Officers sought the above confirmation from the ecologist, who confirmed on 10/02/2022 that nothing has changed on the ground and therefore the report content remains valid.

No information has been submitted with regard to Biodiversity Net Gain, in particular, the requirement to deliver a 10% gain, however, given this is an Outline Application, with all matters reserved, it is considered in this instance that it is appropriate to impose a condition for this to be dealt with either prior to, or with any forthcoming Reserved Matters application.

A condition is considered appropriate in this case as the site can clearly accommodate a genuine 10% net gain in biodiversity within the site, given a large portion of it is currently concreted and of little ecological value- therefore not triggering a s106 'offsite' requirement.

Therefore, given the above and providing adequate conditions are imposed on this outline permission, the proposal accords with the aims and objectives of Adopted Local Plan Policy DEV26 and Paragraphs 174 and 180 of the NPPF.

### **The Climate Emergency and Low-Carbon Development;**

Paragraph 152 of the NPPF articulates the need for the planning system to support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. The JLP has a fundamental strand of sustainability and contains a plethora of policies that support the transition to a low carbon future, including (but not limited to), Policy DEV32.

Despite being an Outline Application, the DEV32 Checklist for Majors has completed and a submitted alongside the application in order satisfy the policy requirements of DEV32. The willingness and desire to engage with the policy at such an early stage is commended. Measures detailed within the checklist that are likely to ensure the proposal achieves regulated carbon emissions 20% less than that required to comply with Building Regulations Part L (DEV32.5) are included, but not limited to, the following:

1. Timber wall construction is to be considered where appropriate in place of standard dense masonry block work.
2. Where appropriate, products using recycled materials will be used. These are likely to include those that naturally store carbon, such as timber, hemp and sheep's wool insulation (which itself can be recycled).
3. Internal finishes with recycled content will be prioritised. For example, carpet which is available with up to 25% recycled content, or natural cork flooring.
4. A site waste management plan (SWMP) can be prepared before start onsite works. This describes how materials will be managed efficiently and disposed of responsibly during the construction of the works, and explaining how the re-use and recycling of materials will be managed.
5. Optimum building orientation (South & Southwest) to maximise solar gain
6. To contribute to the low energy, a low carbon design approach, and technology such as individual domestic scale heat pumps to provide renewable heating (if required) and hot water will be incorporated. Cooking appliances will be high efficiency electric ovens and hobs.

Specific, outcome driven measures in relation to this policy would however be more closely interrogated at Reserved Matters stage if an approval was to be forthcoming.

### **Land contamination/Environmental Health**

The application has been accompanied by a Phase 1 Desk Study. The report concludes a site investigation is required. This is due to the following:

- There is potential for heavy metals/hydrocarbons to be present given the site being historically used as a metal recycling site and the nearby disused railway line. Soil sampling and chemical analyse should be carried out across the site to quantify the risks.
- The risk to controlled waters is moderate and the recommended site investigation should determine the presence of any shallow groundwater beneath the site. This should be sampled and analysed. Depending on whether groundwater is encountered and on the results of the soil contamination the risk may be downgraded from low to moderate
- Due to the disused and infilled railways, a watching brief must be made for ground/buried waste. If discovered, further chemical analysis and assessment may be required.
- If any existing water supply is to be used in the proposed development this should be sampled prior to use

Environmental Health have been consulted and have responded, inter alia, as follows:

*"A phase 1 contamination report has been submitted by YES environmental dated March 2019. This identifies that the site was a former salvage yard on railway land and adjacent to an old railway. Therefore there is a likelihood of made ground and also potentially buried contaminants and oils. They identify a moderate risk to groundwater and human health, and recommend that a full intrusive investigation is carried out.*

*We would agree with this and recommend that this report should be carried out before a full or reserved matters application is submitted.*

*The reason for this is that the findings might influence the layout of the site and also mitigation measures, particularly within the trenches used to accommodate services. These types of*

*units require minimal foundations and therefore much of the land will be covered with hardstanding and roadways, with no areas which are likely to be gardened; this is a sensible use for this type of brownfield site."*

Therefore, through the imposition of an appropriate planning condition it is considered that any land contamination and environmental health issues can be suitably addressed at any forthcoming Reserved Matters stage. The proposals to develop this brownfield site offer a potential mechanism to ultimately improve the land and surrounding environment- which is welcomed.

## **Conclusion**

Indeed, matters of site history are an important part of holistic decision making when considering new proposals. The complex history of the site at Astra Salvage Yard gives way to a pragmatic approach and optimisation of previously developed land and a preferable economic use of this site.

When having regard to the above analysis and balancing the material planning considerations, with particular attention given to the existing lawful use, officers conclude that the application should be recommended for **Conditional Approval**.

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

## **Planning Policy**

### Relevant policy framework

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

The relevant development plan policies are set out below:

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

SPT1 Delivering sustainable development  
SPT2 Sustainable linked neighbourhoods and sustainable rural communities  
SPT9 Strategic principles for transport planning and strategy  
SPT10 Balanced transport strategy for growth and healthy and sustainable communities  
SPT12 Strategic approach to the natural environment  
TTV26 Development in the Countryside  
DEV1 Protecting health and amenity  
DEV2 Air, water, soil, noise, land and light  
DEV15 Supporting the rural economy  
DEV20 Place shaping and the quality of the built environment  
DEV23 Landscape character  
DEV26 Protecting and enhancing biodiversity and geological conservation  
DEV28 Trees, woodlands and hedgerows  
DEV29 Specific provisions relating to transport

DEV32 Delivering low carbon development  
DEV35 Managing flood risk and Water Quality Impacts

**Neighbourhood Plan:**

The site is not within an area currently designated as part of any neighbourhood plan.

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:

**Considerations under Human Rights Act 1998 and Equalities Act 2010**

The provisions of the Human Rights Act 1998 and Equalities Act 2010 have been taken into account in reaching the recommendation contained in this report.

**Conditions in Full:**

1. Application for approval of the reserved matters shall be made to the council before the expiration of 3 years from the date of this permission.

The development hereby permitted shall begin not later than the expiration of 2 years from the date of approval of the last of the reserved matters to be approved.

Reason: As required by Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Details of the following:
  - (a) the design and external appearance of the proposed buildings;
  - (b) the siting;
  - (c) the landscaping;
  - (d) existing (and proposed) (i) site levels (together with proposed (ii) slab levels);
  - (e) the materials for their construction;
  - (f) the arrangements for the disposal of foul and surface water;
  - (g) the means of access from public highways;
  - (h) the areas for (i) parking (ii) (and turning) of vehicles (in accordance with Devon County Council's Highway advice and the Plymouth and South West Devon Joint Local Plan Supplementary Planning Document) parking standards);
  - (j) all other works including walls, fences and means of enclosure / screening, (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 ensure that adequate information is available for the proper consideration of the detailed proposals.

3. The development hereby approved shall in all respects accord strictly with drawing numbers: Received by the Local Planning Authority on 16/11/2021.

21\_09\_03\_19573\_EX\_001\_P2\_Existing Location Plan

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

4. The site shall be used solely for holiday accommodation only and shall not be occupied as any person's sole or main place of residence. The owners/operators shall maintain an up-to-date register of the names and main home addresses of all owners/occupiers of the holiday units, and shall make this information available at all reasonable times to the Local Planning Authority.

Reason: The development proposed is in an area where there is a presumption against new permanent residential development except where an agricultural or forestry need has been established.

5. Prior to, or as part of the reserved matters application, a full intrusive contamination investigation and report, as per the phase 1 contamination recommendation submitted by 'YES environmental' and dated March 2019, shall be submitted to and approved in writing by the Local Planning Authority.

Works shall then be carried out in accordance with the mitigation identified.

Reason: The phase 1 contamination report identified a moderate risk to groundwater and human health and recommended that a full intrusive investigation is carried out.

- 6 No development shall take place, including any demolition works, until a site specific Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting. The plan should include, but not be limited to:

- 24 hour emergency contact number;
- Hours of operation;
- Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- Routes for construction traffic;
- Locations for loading/unloading and storage of plant, waste and construction materials;
- Method of preventing mud being carried onto the highway;
- Measures to protect vulnerable road users (cyclists and pedestrians)
- Any necessary temporary traffic management measures;
- Arrangements for turning vehicles;
- Arrangements to receive abnormal loads or unusually large vehicles;
- Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.
- Procedures for maintaining good public relations including complaint management,
- Public consultation and liaison
- Arrangements for liaison with the Council's Pollution Control Team
- All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Local Planning Authority, shall be carried out only between the following hours:  
(08:00 Hours and 18:00 Hours on Mondays to Fridays and 08:00 and 13:00 Hours on Saturdays and; at no time on Sundays and Bank Holidays)

- Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above.
- Mitigation measures as defined in BS 5528: Parts 1 and 2 : 2009 Noise and Vibration
- Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works.
- Procedures for emergency deviation of the agreed working hours.
- Control measures for dust and other air-borne pollutants. This must also take into account the need to protect any local resident who may have a particular susceptibility to air-borne pollutants.
- Measures for controlling the use of site lighting whether required for safe working or for security purposes.

Reason: In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development.

7. The approved parking and turning facilities agreed pursuant to condition 2 shall be provided prior to the occupation of the holiday unit to which they relate, and the parking/turning areas shall then be retained available for that use and no permanent development whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015(as amended) (or any Order revoking and re-enacting that Order), shall be carried out so as to preclude vehicular access to those parking spaces and facilities.

Reason: To ensure the provision and retention of adequate off-street parking and turning in the interests of highway safety.

8. No building or use hereby permitted shall be occupied or use commenced until a Sustainable Travel Plan comprising immediate, continuing and long-term measures to promote and encourage alternatives to single-occupancy car use has been prepared, submitted to and approved in writing by the Local Planning Authority.  
The Approved Sustainable Travel Plan shall be implemented in accordance with the measures set out in therein.

Within three months of occupation, evidence of the implementation of the measures set out in the Travel Plan Statement shall have been submitted to and approved in writing by the Local Planning Authority unless alternative timescales are agreed in writing.

Reason: To support sustainable transport objectives including a reduction in single occupancy car journeys and the increased use of public transport, walking and cycling  
And in accordance with adopted policy DEV15 of the JLP.

9. Prior to or as part of the Reserved Matters, the following information shall be submitted to and approved in writing by the Local Planning Authority:
  - (a) Soakaway test results in accordance with BRE 365, groundwater monitoring results in line with our DCC groundwater monitoring policy and evidence that there is a low risk of groundwater re-emergence downslope of the site from any proposed soakaways or infiltration basins.
  - (b) A detailed drainage design based upon the approved Surface Water & Foul Drainage Strategy Addendum, dated 19.04.2020 and the results of the information submitted in relation

to (a) above. This should include factor of safety, half drain downtimes and be based on FEH data only.

(c) Detailed proposals for the management of surface water and silt run-off from the site during construction of the development hereby permitted.

(d) Proposals for the adoption and maintenance of the permanent surface water drainage system.

(e) A plan indicating how exceedance flows will be safely managed at the site.

No building hereby permitted shall be occupied until the works have been approved and implemented in accordance with the details under (a) - (e) above.

Reason: The above conditions are required 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. Due to the scale of the development pre-commencement conditions are considered necessary to ensure workable drainage solution is in place prior to work commencement.

10. Prior to or as part of the Reserved matters application(s), full details of foul sewage disposal shall be submitted to and approved in writing by the Local Planning Authority including confirmation from South West Water of capacity and acceptance for connection to the mains sewer, connection routes and ongoing maintenance of the foul drainage system where main sewer connection is proposed. If mains sewer connection is not feasible details of an alternative means of foul sewage disposal shall be submitted to and agreed in writing by the Local Planning Authority. Once approved the drainage system shall be installed in accordance with the approved details prior to first occupation of any building hereby permitted and retained and maintained thereafter in perpetuity.

Reason: In the interest of the prevention of pollution.

11. The proposed cycleways, footways, footpaths, verges, 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: To ensure that adequate information is available for the proper consideration of the detailed proposals.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order) no extension or enlargement (including additions to roofs) is to be made, or any detached building erected, in the development hereby approved without the express permission in writing from the Local Planning Authority.

Reason: The further extension of the buildings or the erection of a detached building requires detailed consideration to safeguard the amenities of the surrounding area.

13. No building or use hereby permitted shall be occupied or use commenced until details of the total number of car parking spaces, the number/type/location/means of operation and a programme for the installation and maintenance of Electric Vehicle Charging Points and points of passive provision for the integration of future charging points has been submitted to and approved in writing by the Local Planning Authority prior to construction of the above ground works. The Electric Vehicle Charging Points as approved shall be installed prior to occupation and retained in that form thereafter for the lifetime of the development.

Reason: To promote sustainable travel, aid in the reduction of air pollution levels and help mitigate climate change in accordance with policy DEV32 of the JLP.

14. No building or use hereby permitted shall be occupied or use commenced until details of the total number of solar panels and their integration into the site has been submitted to and approved in writing by the Local Planning Authority. The details as approved shall be installed prior to occupation and retained and maintained in that form thereafter for the lifetime of the development.

Reason: To help mitigate climate change in accordance with policy DEV32 of the JLP.

15. The reserved matters application shall be accompanied by a scheme demonstrating how the requirements of Joint Local Plan policy DEV32: Delivering Low Carbon Development will be delivered on site. Development shall take place in accordance with the approved details prior to the occupation of the buildings to which they relate.

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

16. The development shall at all times adhere to, and be carried out in strict accordance with, the recommendations contained within the following Ecology Reports undertaken by Western Ecology;

Dormouse Surveys [November 2020],  
Reptile Surveys [Ma-Sep 2020],  
Bat Emergence Surveys [summer 2020],  
Bat Activity Surveys [November 2020] and;  
Preliminary Ecological Appraisal [April 2019]

Reason: In the interests of safeguarding priority/protected species and securing net gains for biodiversity.

17. No works or development shall take place until a scheme for the protection of the retained trees detailed within the Arboricultural Appraisal DTS19.428.1.AA and Tree Appraisal Plan DTS 19.428 TAP by Devon tree Services has been submitted to and agreed in writing by the Local Planning Authority. The tree protection measures shall be put in place in accordance with the agreed scheme.

Reason: In the interest of public amenity and the conservation of trees

18. Prior to, or as part of the reserved matters application details of a Landscape and Ecological Management Plan (LEMP), together with a Landscape Visual Impact Assessment (LVIA) shall

be submitted to and approved in writing by the LPA. The LEMP and accompanying LVIA should detail management and maintenance of existing and new landscape, wildlife and open space features reflecting recommendations of the submitted ecology reports. The LEMP will incorporate a Green Infrastructure Plan and will include clear enhancement, avoidance and compensation measures showing how impacts on wildlife will be avoided / minimised and how a 10% net gain in biodiversity at the site will be achieved.

Future applications should use the most up-to-date Defra Biodiversity Metric to evidence a 10% biodiversity net gain (in line with emerging government legislation).

Reason: In the interests of biodiversity and environmental protection

19. Details of any external lighting (including security lighting) to be erected, placed, or situated within the site shall be submitted to and approved in writing by the Local Planning Authority prior to installation. The work shall thereafter be carried out in accordance with the approved details and under no circumstances shall it cause light pollution nor shall external illumination be operated on the site other than in accordance with the approved scheme.

Reason: In the interests of the amenities of the occupiers of neighbouring residential properties.

20. No development shall commence until a detailed 'hard' and 'soft' Landscaping Scheme has been submitted to, and approved in writing by, the Local Planning Authority.

The 'hard' landscaping details shall include details of all hard surface materials and boundary treatments to be used within the development with a timetable for implementation, including all means of enclosure and boundary treatments, residential screen walls and fences (including material, design, finish, and colour). The 'hard' landscaping details shall be accompanied by appropriate design justification as to their suitability for their setting.

The 'hard' landscaping details shall be implemented and completed in accordance with the approved details and agreed timetable. The approved boundary treatments shall then be retained in the approved form.

The 'soft' landscaping details shall include details of the existing trees and shrubs/plants on site to be retained together with measures for their protection which shall comply with the recommendations set out in the British Standards Institute publication 'BS 5837:2012 Trees in relation to design, demolition and construction'.

The 'soft' landscaping details shall include details (including species, size of stock at time of planting, location) of all new shrubs/plants and trees to be provided as well as any areas for seeding. The new landscaping should comprise of native species only as defined in Schedules 2 and 3 of the Hedgerow Regulations 1997.

The 'soft' landscaping details shall be implemented and carried out as approved, with new planting undertaken in the first planting season (October - March inclusive) following the commencement of development. Any trees, hedges, shrubs or turf identified within the approved Landscaping Scheme (both proposed planting and existing within the site) which die, are removed, seriously damaged or seriously diseased, within a period of 5 years of being planted or in the case of existing planting within a period of 5 years from the commencement of development, shall be replaced in the next planting season with others of similar size and species.

The approved Landscaping Scheme shall be carried out in its entirety and shall accord with the approved details and timetable.

Reason: In the interests of visual amenity and the character and appearance of the area. This condition is required to be agreed prior to the commencement to ensure that the landscaping is appropriately designed and implemented in conjunction with construction phasing.

21. The Reserved Matters application(s) for layout shall be accompanied by a scheme to demonstrate how the requirements of JLP policy DEV31: Waste Management will be delivered, with specific reference to bin/recycling storage and collection. Development shall take place in accordance with the approved details prior to the occupation of the dwelling to which they relate.

Reason: To ensure the development makes appropriate provision for waste management in accordance with the waste hierarchy, in accordance with JLP policy DEV31.

22. No raw materials, finished or unfinished products, parts, crates, packing materials or waste shall be stacked or stored on the site except within any suitably screened area previously identified and agreed in writing by the Local Planning Authority.

Reason: To safeguard the visual amenities of the area and the parking and circulation areas of the site