

PLANNING APPLICATION REPORT

Case Officer: Graham Smith

Parish: Tavistock **Ward:** Tavistock North

Application No: 2603/22/FUL

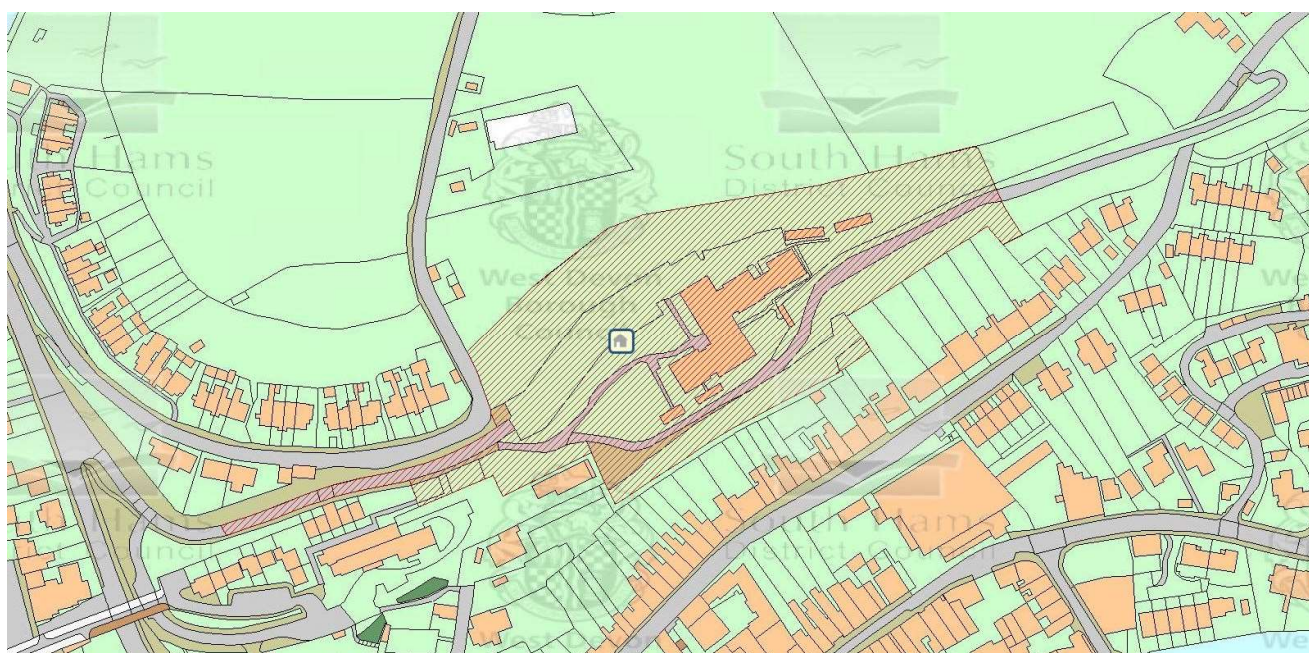
Agent/Applicant:

Mr Mark Vine - West Devon Borough
Council
Kilworthy Park
Tavistock
PL19 0EZ

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PL19 0EZ

Site Address: West Devon Borough Council, Kilworthy Park, Tavistock, PL19 0BZ



Development: Application for erection of 3No. flagpoles 8 metres high, replacing single 8 metre high flagpole

Reason item is being put before Committee: The applicant is West Devon Borough Council

Recommendation: Conditional Approval

Conditions:

1. Time
2. Accordance with plans
3. Carbon reduction implementation

Key issues for consideration:

Principle of Development/Sustainability, Design and visual impact, Residential Amenity, Carbon Reduction

Site Description:

The property is established Local Authority offices at the northern edge of Tavistock set with mature landscaped grounds falling within the buffer zone for the Tavistock Conservation Area and adjacent to the Cornwall and West Devon Mining Landscape World Heritage Site (WHS) both of which are located to the south and west of the site. The area is mainly residential and adjacent to the westerly access is the old Tavistock Railway Station which is a grade II listed building.

The Proposal:

Three 8 metre high flagpoles would be inserted onto a strip of grass adjacent to the existing car park replacing a solitary 8 metre high flagpole. The flagpoles would be fibreglass and mounted upon concrete foundations. The formation would be linear with a 2.8 metres gap space between poles.

Consultations:

- County Highways Authority

No Highways Implications

- Town/Parish Council

Support

Representations:

12 representations were received objecting to the proposal. The points made can be summarised as follows:

- Tavistock already has enough flagpoles in the town and the application is lacking justification why the Council need to increase the number from 1 to 3 within their grounds, especially as so few people work at this location and there is already one that could be repaired/reused.
- So few members of the public will see the flagpoles at such a discreet location.
- The increase is considered to be an unnecessary waste of taxpayers money at a time when spending should be constrained and reserved for more worthwhile causes. Objectors would like to know the costs associated with the project and how it got this far without members objecting.
- There is a variety of wildlife in the vicinity that the proposal will disturb however a survey wouldn't be recommended due to the costs to taxpayers. Instead it should be refused.

- The noise coming from the associated apparatus would be a noise pollutant for the nearest residents, especially at night and in windy conditions.
- There is a manhole and drainage within the vicinity and it is enquired if the foundations will encroach upon this.

Relevant Planning History

There is no relevant planning history.

ANALYSIS

Principle of Development/Sustainability:

Policies SPT1 and SPT2 of the Plymouth and South West Devon Joint Local Plan 2014-2034 (JLP) provide the spatial strategy for the plan area which puts sustainability at the heart of the vision for growth. Sustainable development is delivered through following the principles of sustainable linked neighbourhoods and sustainable rural communities. A proposal such as this which seeks development at an established facility does not conflict with these strategic aims and is acceptable in principle subject to assessment against the relevant Policy

Design/Landscape:

Policy DEV20 of the JLP puts a focus on place shaping and the quality of the built environment. This policy requires proposals to help deliver locally distinctive design using design solutions that are resilient to their local context and help achieve a good quality sense of place. The development falls within the buffer zone of the Tavistock Conservation Area and therefore Policy DEV21 would be applicable which requires an appropriate assessment of heritage assets in the vicinity and places great weight on the conservation of designated assets. Those proposals that lead to harm require full justification in terms of any potential public benefit and what efforts have been made to sustain existing uses and mitigate the extent of harm.

A Heritage Impact Assessment was submitted in support of the development which details that, whilst falling within the buffer, the distance from the conservation area, and extent of vegetation in between the proposed flagpoles and the Conservation Area's edge and the nearest listed building is such that the proposal would not have a negative impact on either. Officers agree that the nature and scale of the proposal is such that it would not have a negative impact on designated heritage assets and would highlight views of residents that do not consider the flagpoles to be in a prominent location or to be particularly visible.

The flagpoles will help the Local Authority to promote multiple corporate objectives or provide greater identity to the site itself without detracting from nearby heritage assets. In this respect it is considered that the development will help deliver locally distinctive design and is in accordance with the relevant place shaping and conservation objectives. The proposal is considered to accord with DEV20 and DEV21.

Neighbour Amenity:

Policy DEV1 protects health and amenity by ensuring that development does not cause any unacceptably adverse impact on residents. Issues such as overshadowing, privacy and noise from development, amongst others, are considered. Policy DEV2 states that development should avoid any harmful impacts on items such as soil, air, water or noise pollution.

There is no neighbouring dwellings in the immediate vicinity of the development that would give rise to any concerns. Mature trees surround the site and provide an adequate buffer. It is considered that the proposal is of a nature and scale that would not result in an unacceptable loss of residential amenity for the nearest residents. On this basis the proposal is not considered to conflict with Policies DEV1 and DEV2.

Highways/Access:

Policy DEV29 requires consideration of transportation impacts both in terms of the wider network and ensuring that individual proposals achieve safe and satisfactory vehicular movements and retain parking where appropriate. This proposal will not result in the loss of any parking within the site, nor will it impact on the movement of vehicles and is therefore considered to integrate without detriment to safety. As detailed above Highways have indicated that it does not raise any issues. As such the proposal accords with DEV29.

Carbon Reduction:

Policy DEV32 considers the need to transition towards a low carbon future for Plymouth and South West Devon and for this aim to be an integral feature in the design and implementation of all developments. A carbon reduction statement has been submitted for this application confirming that, with regards to the materials the fibreglass selected has very low embodied energy, made from an abundant resource (sand) and known for its durability, expected to last decades. A low carbon concrete has been selected with a carbon footprint of around 10% of normal concrete. The development is considered to be in compliance with Policy DEV32 and a condition is recommended ensuring that the carbon reduction statement is adhered to.

Conclusion

The development could be integrated without detriment to the surrounding area, in terms of its impact on nearby heritage assets and with respect to neighbouring properties which it is considered would not experience an unacceptable loss of amenity as a result of the proposal. The development would contribute positively to placemaking and can be accommodated in a safe and sustainable manner. On this basis the development accords with the relevant policy contained within the JLP, namely SPT1, SPT2, DEV1, DEV2, DEV20, DEV21, DEV29 and DEV32 subject to standard conditions requiring compliance with the plans and implementation of carbon reduction measures.

Other matters:

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

Planning Policy

Relevant policy framework

Section 70 of the 1990 Town and Country Planning Act requires that regard be had to the development plan, any local finance and any other material considerations. Section 38(6) of the 2004 Planning and Compensation Act requires that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise. For the purposes of decision making, as of March 26th 2019, the Plymouth & South West Devon

Joint Local Plan 2014 - 2034 is now part of the development plan for Plymouth City Council, South Hams District Council and West Devon Borough Council (other than parts of South Hams and West Devon within Dartmoor National Park).

On 26 March 2019 of the Plymouth & South West Devon Joint Local Plan was adopted by all three of the component authorities. Following adoption, the three authorities jointly notified the Ministry of Housing, Communities and Local Government (MHCLG)* of their choice to monitor the Housing Requirement at the whole plan level. This is for the purposes of the Housing Delivery Test (HDT) and the 5 Year Housing Land Supply assessment. A letter from MHCLG to the Authorities was received on 13 May 2019 confirming the change.

On 13th January 2021 MHCLG published the HDT 2020 measurement. This confirmed the Plymouth, South Hams and West Devon's joint HDT measurement as 144% and the consequences are "None".

Therefore a 5% buffer is applied for the purposes of calculating a 5 year land supply at a whole plan level. When applying the 5% buffer, the combined authorities can demonstrate a 5-year land supply of 5.8 years at end March 2021 (the 2021 Monitoring Point). This is set out in the Plymouth, South Hams & West Devon Local Planning Authorities' Housing Position Statement 2021 (published 12th November 2021).

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

The relevant development plan policies are set out below:

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

SPT1 Delivering sustainable development

SPT2 Sustainable linked neighbourhoods and sustainable rural communities

DEV1 Protecting health and amenity

DEV2 Air, water, soil, noise, land and light

DEV20 Place shaping and the quality of the built environment

DEV21 Development affecting the historic environment

DEV29 Specific provisions relating to transport

DEV32 Delivering low carbon development

Neighbourhood Plan

A community referendum is scheduled for next month for the Dartmouth Neighbourhood Plan. As the document is not adopted it is not a material consideration.

Other material considerations include the policies of the National Planning Policy Framework (NPPF) and guidance in Planning Practice Guidance (PPG).

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.