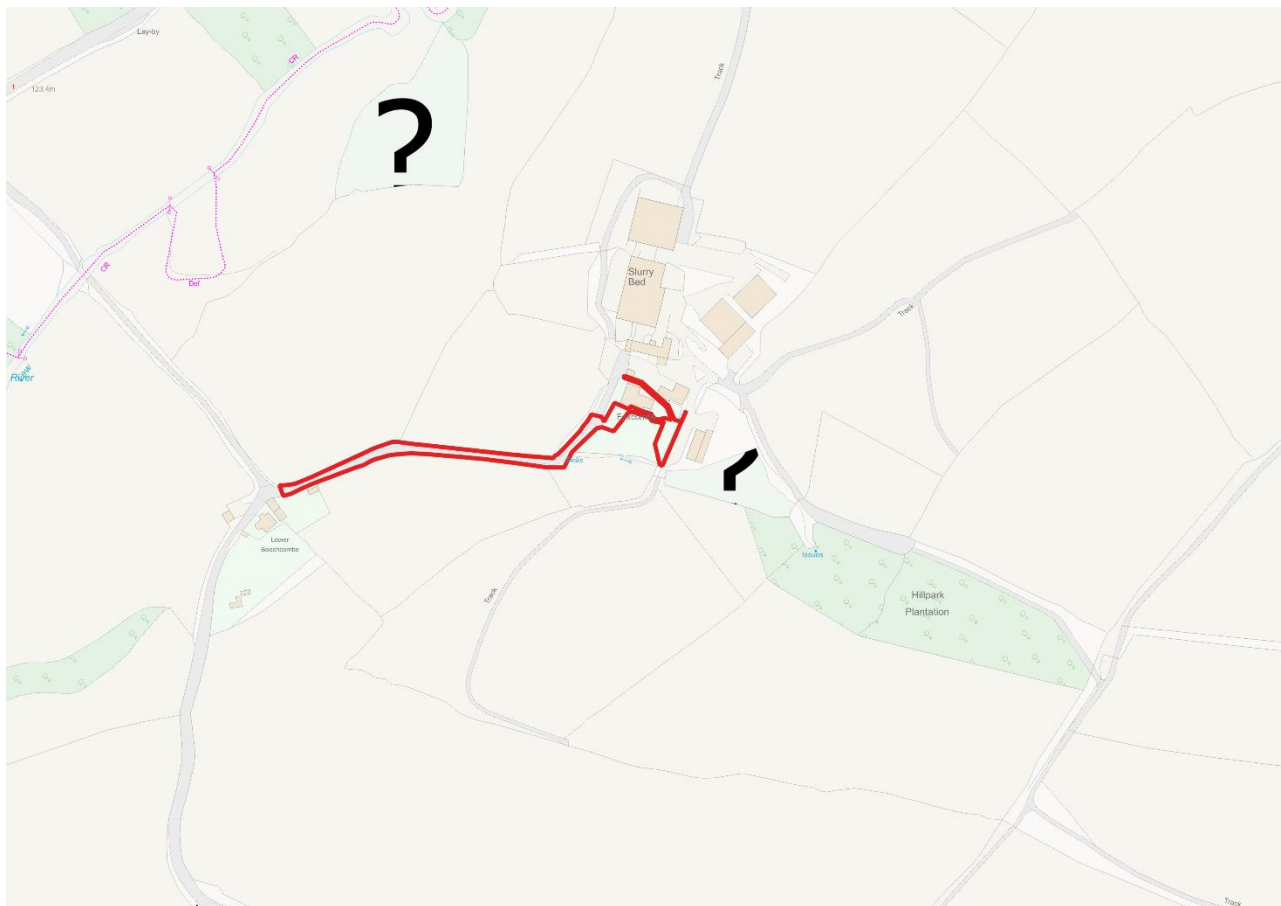


## OFFICER'S REPORT

<b>Case Officer:</b>	Bryony Hanlon		
<b>Parish:</b>	Lewtrenchard	<b>Ward:</b>	Bridestowe
<b>Application No:</b>	0998/24/FUL		
<b>Applicant:</b>	Mr & Mrs Spooner Foxcombe Farm Lewdown Okehampton Devon PL19 1FJ	<b>Agent:</b>	Mrs Emily Heydon PO Box 247 Tavistock PL19 1FJ
<b>Site Address:</b>	Foxcombe Lewdown EX20 4PH		
<b>Development:</b>	Proposed use of cabin as a holiday let		



## **Recommendation: Refusal**

### **Reasons for refusal:**

1. The proposal has not been supported by a locationally specific proven need for tourist accommodation in this (physically and functionally) isolated rural location, where travel to and from the site is most likely to be via the private car, thus undermining the aims of policy DEV32, which seeks to deliver a low carbon future. This harm is not outweighed by the economic benefits of the proposal. In this regard, the proposal does not represent sustainable development, contrary to the provisions of SPT1, SPT2, TTV1, TTV2, TTV26 (1i, 2iii, iv), DEV15 (1, 2, 4, 6, 7, 8 ii, iv), DEV29 (6, 7), DEV32 and the guidance contained within but not limited to paragraphs, 7, 8, 157 and 159b of the National Planning Policy Framework (2023).

**Reason for call-in:** Cllr Southcott would like the Committee to explore the tensions between farm diversification and the spatial strategy of the Joint Local Plan.

### **Key issues for consideration:**

Principle of development, sustainability, design, scale and massing, landscape, drainage, highways, biodiversity, low carbon.

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### **1.0 Site Description:**

1.1 The site is located within the open countryside, c. 3.4km north east of Lewdown. The site is accessed via a single track private drive which serves the main cluster of buildings at Foxcombe which leads to the road from Alder Quarry to Galford Cross, then on to the road from Lobhill Cross to Coombebow Bridge. Foxcombe is a farm holding, with main farmhouse and a small bakery enterprise.

### **2.0 The Proposal:**

2.1 The applicant has constructed a detached timber cabin with metal roof and external covered deck area, set in a small garden area enclosed by trees and shrubs. The applicant wishes to offer the cabin as a holiday let to supplement the income for the farm. The cabin is a one bedroomed open plan unit, with separate bathroom. Parking will be offered to the west of the site with one space available; pedestrian access is available through the garden of the main farmhouse.

### **3.0 Consultations:**

- Lewtrenchard Parish Clerk Support
- The application will help with the local economic activity in the area, it will also provide additional employment. It poses no significant change to the infrastructure. It is thought that it also helps with the diversification within the farm which is in line with much of current government thinking. Similar diversification is also apparent within the parish.
- Environmental Health No EH concerns
- DCC Highways No comments received.

### **4.0 Representations:**

#### Representations from Residents

No comments received.

## 5.0 Relevant Planning History

12216/2008/TAV Change of use of former agricultural building to farmhouse bakery (Class B1) Conditional approval 03 October 2008

1499/20/FUL Conversion of existing cabin into annex for holiday use with associated works Refusal 04 September 2020

6707/2004/TAV Change of use of barn to form light industrial unit/office Conditional approval 29 November 2004

## ANALYSIS

### 6.0 Principle of Development/Sustainability:

6.1 The Plymouth and South West Devon Joint Local Plan sets out the framework for consideration of all new development proposals within the Plymouth, West Devon and South Hams Local Planning Authority Areas. Policy SPT1 Delivering Sustainable development requires that proposals uphold the principles of sustainability with respect to their economic, social and environmental components. This is considered in tandem with policy SPT2 Sustainable linked neighbourhoods and sustainable rural communities, which directs growth according to the spatial strategy. These policies are supported by policy TTV1 Prioritising growth through a hierarchy of sustainable settlements, which organises the settlements of the TTV policy area into a hierarchy. Growth is directed to the main towns in the first instance, to promote self-containment in order to support new growth and existing services and is then directed to the countryside in response to a specific locational need. This is supported by policy TTV2 which recognises the objectives of rural sustainability.

6.2 The JLP does not define settlement boundaries, but states within paragraph 5.5 that development outside of built up areas will be considered in the context of policy TTV26 (development in the countryside). The applicant has noted that during the assessment of application 1499/20/FUL (a previous application for holiday accommodation which was refused), the Officer report was silent on the application of policy TTV26. Since 1499/20/FUL was considered, there have been updates to case law (Bramshill<sup>2</sup>) which mean that the provisions of TTV26 must be considered afresh. The first part of the policy covers isolated development and the second part applies to all proposals. The SPD provides further guidance when undertaking the assessment;

*11.44 Policy TTV26 seeks to protect the special characteristics and role of the countryside from inconsistent and inappropriate development that could undermine the rural character and settlement pattern of the TTV Policy Area. The broad spatial strategy of the JLP seeks to direct the vast majority of development to named settlements within the settlement hierarchy. Provision is made within the policy for supporting proposals that can demonstrate why a countryside location is required; these policy tests are necessarily high, and emphasise that development in the countryside should occur only in exceptional circumstances.*

*11.45 Paragraph 5.5 of the JLP indicates that TTV26 will be applied 'outside built up areas'. In conjunction with TTV1, a pragmatic approach will be taken to where TTV26 applies. Professional judgement will be informed by the rural settlement pattern and other factors when considering what can be considered a 'built-up area'. TTV1 refers to settlement types in a descending order of scale, with the smallest scale of settlement being the hamlet. This may mean that some development could come forward in a settlement best described as a 'hamlet', but a range of factors will be considered, including connectivity with other settlements, the location of the hamlet within the rural pattern of settlements, the relationship*

*with the rural road network, the ability of the proposal to demonstrate it meets a local need and the potential impact on the existing built and natural landscapes.*

*11.46 Sites adjoining settlements in the top three tiers of the settlement hierarchy: the main towns; smaller towns and key villages; and sustainable villages, may not be considered against the requirements of TTV26 if the proposal accords with policies SPT1 and SPT2, benefits from good connectivity with local services and relates well to the existing built form of the settlement, including being at an appropriate scale. Providing a site is not considered to be rural in character this approach will enable a small amount of development to be directed towards more sustainable settlements within the TTV policy area, which is a key aim of the spatial strategy. Proposals of this type will still be considered against all other policies in the plan.*

*11.47 TTV26 will be applied to all applications considered to be outside the built up area of any settlement in tiers 3 and 4 of the settlement hierarchy.*

*11.48 For the purposes of applying JLP policies TTV1 and TTV26, a building or collection of buildings that originated in support of a single business or function, such as a farm or mill, that are distinct and detached from a rural settlement will not be considered as either a 'hamlet' or 'settlement', and will be considered as being in the countryside.*

6.3 The JLP SPD (§11.50) states that the Council applies the test of isolation in a manner consistent with the Braintree<sup>1</sup> case and any superseding judgment. The recent Bramshill<sup>2</sup> judgment affirmed that the essential conclusion in Braintree (at para. 42 of that judgment) was that in determining whether a particular proposal would be "isolated", the decision maker must consider 'whether [the development] would be physically isolated, in the sense of being isolated from a settlement'. What is a "settlement" and whether the development would be "isolated" from it are both matters of planning judgment for the decision-maker on the facts of the particular case.

6.4 In this instance, the site is located c. 3.4km east of Lewdown; access is provided partly via a main road with a 60mph speed limit and then via country lanes (0.6km) with no footway or street lighting. Whilst the site is enclosed by existing buildings, given the distance from the nearest settlements with the necessary services and amenities for tourists (Bridestowe c. 4.7km, Okehampton c. 14.6km), the proposal is considered to be physically and functionally isolated from a higher tier settlement and both clauses of TTV26 apply.

6.5 Clause 1 of TTV26 specifies that;

*1. Isolated development in the countryside will be avoided and only permitted in exceptional circumstances, such as where it would:*

- i. Meet an essential need for a rural worker to live permanently at or near their place of work in the countryside and maintain that role for the development in perpetuity; or*
- ii. Secure the long term future and viable use of a significant heritage asset; or*
- iii. Secure the re-use of redundant or disused buildings and brownfield sites for an appropriate use; or*
- iv. Secure a development of truly outstanding or innovative sustainability and design, which helps to raise standards of design more generally in the rural area, significantly enhances its immediate setting, and is sensitive to the defining characteristics of the local area; or*
- v. Protect or enhance the character of historic assets and their settings.*

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<sup>1</sup> Braintree DC v SSCLG [2018] EWCA Civ 610.

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

The proposal does not fall within any of the examples given above but it is not considered that holiday accommodation meets the test of “exceptional circumstances” that would justify an isolated countryside location. Holiday accommodation can be provided in a wide range of different locations; there is nothing unique to this location that would justify the siting of new holiday accommodation. However, it is noted that the Parish Council support the scheme.

6.6 Clause 2 requires that development;  
*should, where appropriate;*

- i. Protect and improve public rights of way and bridleways.*
- ii. Re-use traditional buildings that are structurally sound enough for renovation without significant enhancement or alteration.*
- iii. Be complementary to and not prejudice any viable agricultural operations on a farm and other existing viable uses.*
- iv. Respond to a proven agricultural, forestry and other occupational need that requires a countryside location.*
- v. 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.*

6.7 Clauses i and ii are not relevant to the proposal; the site is located on Grade 4 agricultural land and complies with the provisions of clause v. The site is currently enclosed by vegetation; it would be possible to secure this through condition, along with an exit strategy for the site post-development in order to comply with the provisions of clause vi.

6.8 Clause iii is not met; it has not been demonstrated that the siting of holiday accommodation would not prejudice continued operation of the farm, for example with reference to livestock management and/or Permitted Development rights for agricultural developments.

6.9 Clause iv is not met in its own right; the applicant wishes to operate the cabin on a holiday lettings basis but use the income to supplement the farm enterprise. In this context, policy TTV26 is read alongside JLP policy TTV2 which supports “*development proposals in the Thriving Towns and Villages Policy Area which reinforce the sustainable settlement hierarchy and which deliver a prosperous and sustainable pattern of development*” and policy DEV15 which provides support for the rural economy;

*6.10 Support will be given to proposals in suitable locations which seek to improve the balance of jobs within the rural areas and diversify the rural economy. The following provisions apply:*

- 1. Appropriate and proportionate expansion of existing employment sites in order to enable retention and growth of local employers will be supported, subject to an assessment that demonstrates no adverse residual impacts on neighbouring uses and the environment.*
- 2. Business start-ups, home working, small scale employment and the development and expansion of small business in residential and rural areas will generally be supported, subject to an assessment that demonstrates no residual adverse impacts on neighbouring uses and the environment.*
- 3. Proposals should explore opportunities to improve internet connectivity for rural communities where appropriate.*
- 4. Support will be given to the reuse of suitable buildings for employment uses.*

5. *The creation of new, or extensions to existing, garden centres or farm shops in the open countryside and unrelated to a settlement will only be permitted if the proposed development is ancillary to, and on the site of, an existing horticultural business or existing farming operation, and provided that 75 per cent of the goods sold will be produced within the immediate and adjoining parishes.*

6. *Development will be supported which meets the essential needs of agriculture or forestry interests.*

7. *The loss of tourist or leisure development will only be permitted where there is no proven demand for the facility. Camping, caravan, chalet or similar facilities that respond to an identified local need will be supported, provided the proposal is compatible with the rural road network, has no adverse environmental impact and is not located within the Undeveloped Coast policy area.*

8. *Development proposals should:*

*i. Demonstrate safe access to the existing highway network.*

*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.*

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

*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.*

6.11 The provisions are considered in turn below;

6.12 1. *Appropriate and proportionate expansion of existing employment sites in order to enable retention and growth of local employers will be supported, subject to an assessment that demonstrates no adverse residual impacts on neighbouring uses and the environment.*

2. *Business start-ups, home working, small scale employment and the development and expansion of small business in residential and rural areas will generally be supported, subject to an assessment that demonstrates no residual adverse impacts on neighbouring uses and the environment.*

Clauses 1 and 2 are relevant; the applicant's land holding comprises a farm holding that has diversified by setting up a bakery business that operates from the main farm cluster. The applicant has previously operated a "pop-up" campsite although this element has now ceased. Officers include consideration of carbon impacts with respect to the provisions of DEV32 within the scope of "environment"; this is considered in more detail below, similarly impacts on neighbouring land uses are also considered in more detail.

6.13 3. *Proposals should explore opportunities to improve internet connectivity for rural communities where appropriate.*

This clause is not relevant.

6.14 4. *Support will be given to the reuse of suitable buildings for employment uses.*

There is no indication that the building is unsuited to the provision of holiday accommodation per se but it is unclear when the cabin was installed or whether it was originally intended for an alternative use that is no longer required.

6.15 5. *The creation of new, or extensions to existing, garden centres or farm shops in the open countryside and unrelated to a settlement will only be permitted if the proposed development is ancillary to, and on the site of, an existing horticultural business or existing*

*farming operation, and provided that 75 per cent of the goods sold will be produced within the immediate and adjoining parishes.*

This clause is not relevant.

*6.16 6. Development will be supported which meets the essential needs of agriculture or forestry interests.*

*7. The loss of tourist or leisure development will only be permitted where there is no proven demand for the facility. Camping, caravan, chalet or similar facilities that respond to an identified local need will be supported, provided the proposal is compatible with the rural road network, has no adverse environmental impact and is not located within the Undeveloped Coast policy area.*

Clauses 6 and 7 are considered together in the context of the wider holding. It is noted that the proposal is likely to generate economic benefit, both directly to the applicant and indirectly to the local economy, through spending on leisure activities, dining and through the use of local services and amenities, although these benefits have not been quantified. The applicants have stated that they wish for their son to join the family farm and that the additional income will help to facilitate this, given that there is a shortfall in the Single Farm Payment. It is unclear whether the land holding alone (c. 49 hectares) would be sufficient to support a full time worker in their own right, as both the applicants have secondary jobs (Mr Spooncer as a part-time commercial driver and Mrs Spooncer within the bakery). The applicants have also noted that they are tenant farmers; it is not clear whether all land held is rented or whether some is part owned, nor what the long term arrangements are for the rented land or for the bakery enterprise.

6.17 The policy provides support for “*proposals in suitable locations*”; the proposal is not located within the Undeveloped Coast policy area and this element is not relevant. However, the applicant has not provided any evidence of need for additional holiday accommodation in this part of West Devon; there are a number of existing facilities in the surrounding area and it is not clear how this development responds to a shortfall in provision of such accommodation. It is acknowledged that the farm has diversified in recent years and a bakery also operates from the site but the applicant has not set out which other options have been considered for farm diversification (such as the expansion of the bakery, reinstating the pop-up campsite or providing bed and breakfast within the farmhouse), why the change of use of the cabin to a holiday let was considered the best option, what proportion of the income for the total holding would be derived from the holiday let, whether the income from the holiday let would be sufficient to meet the applicant’s stated need or how the income from the building would be used to ensure the continued viability of the rest of the farm operation. It is also unclear what would happen to the holiday unit were the applicant to reduce/expand the size of their holding, cease farming altogether or make any changes to the bakery operations.

*6.18 8. Development proposals should:*

*i. Demonstrate safe access to the existing highway network.*

*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.*

6.19 Officers do not raise concerns with regards to the physical access for vehicles to and from the site as this is existing and the increase in trips is unlikely to result in a significant increased risk to highways safety. However, Officers do raise concerns with regards to the lack of safe pedestrian access (i.e. no footway or street lighting) between the cabin and the

nearest bus stop, in addition to the limited availability of public transport. The applicant has referenced the 6/6A bus service between Exeter and Bude but this service does not travel along the main road to the north west of the site between Lewdown and Okehampton. Bus service 306 runs along this road and operates Monday to Saturday, with four services each day between Okehampton and Launceston. Services are not available during the later evenings, on Sundays or Bank Holidays, when it is likely people would wish to access pubs, restaurants and other local attractions. The closest bus stop requires a walk of c. 1km to the north east (bus stop: Bridge) along the main road, once pedestrians have reached the junction between the smaller lanes from Foxcombe. Officers have also confirmed that the 306 service is a hailing service and provided that the intended passenger is standing in a safe location, with sufficient space for the bus to stop safely, the bus should stop if flagged down. The applicant has provided a Sustainable Travel Plan which states that the proposal will result in traffic movements of only one car at a time as the cabin can only accommodate two people and that notwithstanding the distances to reach bus services, that such services are available and that cycle connectivity is also available from the site. Officers would note that the Sustainable Travel Plan does not contain any specific measures to reduce reliance on the private car, any details for the monitoring of journeys, targets for the reduction of journeys by the private car nor is there any detail setting out action to be taken in the event that journeys by car are not reduced. On this basis, the Sustainable Travel Plan could not be enforced and does not comply with the provisions of DEV29 (6, 7) and DEV32.

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

*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.*

6.21 The cabin was constructed prior to submission of the application; the applicant now wishes to change its use to provide a unit of holiday accommodation. The applicant has not provided details of all of the buildings available on the holding, whether any buildings are unused and could be used for the proposed holiday accommodation or sufficient justification for the siting of the cabin building.

6.22 The proposal has not been supported by a locationally specific proven need for tourist accommodation in this (physically and functionally) isolated rural location, where travel to and from the site is most likely to be via the private car, thus undermining the aims of policy DEV32, which seeks to deliver a low carbon future. The economic benefits of the proposal have not been fully detailed in order to demonstrate that they outweigh the harm arising from the development. In this regard, the proposal is considered to represent inappropriate development in an “unsuitable location” that does not represent sustainable development, contrary to the provisions of SPT1, SPT2, TTV1, TTV2, TTV26 (1i, 2iii, iv), DEV15 (1, 2, 4, 6, 7, 8 ii, iv), DEV29 (6, 7), DEV32 and the guidance contained within but not limited to paragraphs, 7, 8, 157 and 159b of the National Planning Policy Framework (2023).

## 7.0 Design/Landscape

7.1 The cabin is located within the existing farm cluster and is enclosed by trees and vegetation which serves to screen the development. The proposal would not be read as a visually intrusive, standalone structure and does not require significant land take. The materials palette (timber for the walls and sheet metal for the roof) is consistent with the agricultural context for the building and the building would not appear incongruous from the surrounding landscape. On this basis, the proposal is considered to accord with the provisions of DEV20 and DEV23.



## 8.0 Neighbour Amenity

8.1 The cabin is sited within the garden area of the main farm dwelling; there are no other neighbouring dwellings in close proximity to the cabin. Given the siting, separation and orientation of the cabin relative to the farmhouse, in addition to the presence of screening vegetation, it is very unlikely that the proposal would give rise to a significant detrimental impact on neighbour amenity through increased overlooking. There is the potential for holidaymakers to create increased noise and disturbance, particularly in the evening but as the cabin only offers space for two people it is unlikely that any impacts would be significant. In any event, the occupants would be accountable to the applicants who would be able to further manage any impacts; the cabin could be tied to the planning unit through condition in the event that the development were otherwise acceptable to secure this route for continued oversight. On this basis, the proposal is considered to accord with the provisions of DEV1(1).

## 9.0 Highways/Access

9.1 The proposal will make use of the existing driveway, with a new parking and turning area available to the west of the cabin. On this basis, the proposal is unlikely to give rise to an increased risk to highways safety and accords with the provisions of DEV29 (2).

## 10.0 Foul Drainage

10.1 The applicant has proposed to dispose of foul drainage via a new package treatment plant. This approach is considered appropriate by the WDBC Environmental Health Officer. Were the development otherwise acceptable, it would have been necessary to secure the details by condition, to ensure a satisfactory and sustainable foul water drainage system is provided, retained and maintained to serve the development. On this basis, the proposal is considered to accord with the provisions of DEV2 and DEV35.

## 11.0 Surface Water Drainage

11.1 The applicant has proposed the use of a soakaway to dispose of surface water from the proposed scheme; were the development otherwise acceptable, it would have been considered appropriate to secure these details by condition to ensure surface water runoff does not increase to the detriment of the public highway or other local properties as a result of the development. On this basis, the proposal is considered to accord with the provisions of DEV35 and is acceptable.

## 12.0 Biodiversity

12.1 The applicant has provided a completed Wildlife Trigger Table to confirm that there are no ecological constraints to development on the site. On this basis, the proposal is considered to accord with the provisions of DEV26.

## 13.0 Low Carbon

13.1 Paragraph 157 of the NPPF articulates the need for the planning system to support the transition to a low carbon future in a changing climate. The JLP also supports the transition to a low carbon future through policy DEV32, which directs applicants to follow the “energy hierarchy” when designing their schemes to ensure low carbon measures are integral to new development. This is further supported by the provisions of the Climate Emergency Planning Statement, which requires that applicants set out how their developments have been designed to include climate change mitigation and adaptation measures. The applicant has confirmed that solar panels within the farm would be used to power the cabin. A suitably worded condition could have been included to ensure that DEV32 compliance measures were delivered, although Officers note that any such measures are unlikely to outweigh the impacts associated with the inherently unsustainable location of the development.

## 14.0 Conclusion

14.1 The proposal complies with many of the policies relating to site specific technical matters including, foul and surface water drainage, biodiversity, highways access and neighbour amenity. Whilst Officers are mindful of the financial pressures on farm enterprises and the role that diversification can play in maintaining continued viability of farm holdings, the proposal has not been supported by a locationally specific proven need for tourist accommodation in this (physically and functionally) isolated rural location, where travel to and from the site is not well supported by public transport or within easy walking or cycling distance to facilities and services. This undermines the overall philosophy of the JLP 's strategic direction and Strategic Objectives 9 and 10, as delivered through policies SPT1 and SPT2. In this regard, the siting of the proposal undermines the aims of policy DEV32, which seeks to deliver a low carbon future. The economic benefits of the proposal have not been quantified and the applicant has not provided a business plan setting out how the income from the cabin would be used to sustain the farm holding. As such, it has not been demonstrated that the economic benefits outweigh the harm arising from siting a unit of holiday accommodation in this location. On this basis, the proposal does not represent sustainable development and the application is recommended for refusal.

***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 26 March 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 19 December 2023 the Department for Levelling Up, Housing and Communities published the HDT 2022 measurement. This confirmed the Plymouth, South Hams and West Devon's joint measurement as 121% and the policy consequences are "None".

Therefore no buffer is required to be applied for the purposes of calculating a 5 year housing land supply at the whole plan level. The combined authorities can demonstrate a 5-year housing land supply of 5.84 years at end of March 2023 (the 2023 Monitoring Point). This is set out in the Plymouth, South Hams & West Devon Local Planning Authorities' Housing Position Statement 2023 (published 26 February 2024).

[\*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 21 March 2019 and West Devon Borough Council on 26 March 2019.**

SPT1 Delivering sustainable development  
SPT2 Sustainable linked neighbourhoods and sustainable rural communities  
SPT4 Provision for employment floorspace  
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  
TTV1 Prioritising growth through a hierarchy of sustainable settlements  
TTV2 Delivering sustainable development in the Thriving Towns and Villages Policy Area  
TTV26 Development in the Countryside  
DEV1 Protecting health and amenity  
DEV2 Air, water, soil, noise, land and light  
DEV10 Delivering high quality housing  
DEV14 Maintaining a flexible mix of employment sites  
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  
DEV31 Waste management  
DEV32 Delivering low carbon development  
DEV35 Managing flood risk and Water Quality Impacts

Other material considerations include the policies of the National Planning Policy Framework (NPPF) and guidance within the Planning Practice Guidance (PPG). Additionally, the following planning documents are also material considerations in the determination of the application:

Plymouth and South West Devon Joint Local Plan Supplementary Planning Document (2020)

Plymouth and South West Devon Climate Emergency Planning Statement (2022)

### **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.