



In any correspondence please quote application number: **2385/22/AGR**

**AGRICULTURAL/FORESTRY DETERMINATION  
PRIOR APPROVAL REQUIRED**

Town and Country Planning Act, 1990  
Town and Country Planning (General Permitted Development)  
(England) Order, 2015 (as amended)

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**Application No.:** 2385/22/AGR

**Date Received:** 8 July 2022

**Proposal:** Application to determine if prior approval is required for a proposed road measuring 1940m x 5m wide

**Location:** Hendham View, Lowerdale Turn To Lower Preston Cross, Woodleigh, TQ7 4DP

**Agent:**

Mrs Amanda Burden  
Luscombe Maye  
59 Fore Street  
Totnes  
TQ9 5NJ

**Applicant:**

Messrs D and J Merrin  
Hendham View Farm  
Woodleigh  
TQ7 4DP

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The South Hams District Council hereby confirm that **PRIOR APPROVAL IS REQUIRED** for the following reason(s):

The western section of the land holding is located within the South Devon AONB, and part of the proposed road/trackway would fall within this nationally significant designation with the remainder in its setting. Given the significant length of road/trackway proposed and the sensitivity of the landscape in this location, it is considered further details are required with respect to siting to establish whether the proposed location is the optimum solution to minimise landscape impact and whether any mitigation measures are required. In addition the site lies within the sustenance zone for Greater Horseshoe bats associated with the High Marks Barn SSSI roost. This roost forms part of the South Hams SAC and as such the local authority will need to undertake a HRA screening.

**Should you wish to continue with the proposal, please complete and return the attached form with the following information:**

1. Details of alternative siting(s) of the proposed road/private way, why alternative routes were discounted and why the proposed siting is the optimum location.
2. A Landscape Appraisal of the proposed development with particular reference to the siting of part of the road/private way within the South Devon AONB, and consideration of a scheme of additional landscape planting to minimise the impact of the development on this nationally significant landscape and its setting.
3. An ecological assessment undertaken from a suitably qualified and experienced ecologist. The site lies within the sustenance zone for Greater Horseshoe bats associated with the High Marks

Barn SSSI roost. This roost forms part of the South Hams SAC and as such the local authority will need to undertake a HRA screening. Given the scale of development (approx. 0.97ha), in order to undertake this screening we will need to understand the ecological value of the habitat being removed to facilitate the track and the impact this track will have on foraging and commuting Greater Horseshoe Bats.

**It is also required that you display the attached site notice on or near the land on which the proposed development would be carried out (visible from a public highway or footpath) for a period of not less than 21 days within 28 days of the date of receipt of this letter.**

It is important that you read and understand all of the following **informatives**.

### **INFORMATIVES**

1. This decision relates only to the question of whether prior approval would be needed, this decision does not confirm that the proposal is permitted development. Prior to any works being commenced, you should satisfy yourself that the development falls within the permitted development criteria identified in Schedule 2 Part 6 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). For a formal confirmation as to whether the proposal is permitted development a certificate of lawful development application can be submitted under Section 192 of the Town and Country Planning Act 1990.

**THIS DECISION IS NOT A DECISION UNDER BUILDING REGULATIONS**

Dated this 04 August 2022

Application Ref: **2385/22/AGR**

Patrick Whymer  
**Head of Development Management Practice**  
for and on behalf of the Council



South Hams  
District Council

## Development Management Prior Approval Application form

Please read the guidance notes to help you complete this form

### 1 Your details

Applicant  
name and  
address

Agent  
name and  
address (if  
required)

Contact  
Name

Contact  
Email:

Contact  
Daytime  
Tel No:

Fax No:

#### Interest in the property/land

State your interest in the property/land, eg owner/occupier, developer, prospective purchaser

### 2 Reference Number of Agricultural determination where Prior Approval was required

This can be found at the top of the covering letter

Ref:

**2385/22/AGR**

**3 Location of proposed development**

Please provide the site address of the development site or building

Address:

**4 Description of proposal**

Please provide an accurate, detailed description of the proposed development

**5 Plans and supporting information**

Please specify below plans/details that have been submitted.

List of documents/plans submitted  
*(please specify)*

**6 Viewing the site**

Please can you indicate in the box, if arrangements need to be made for an officer to gain access to the site

Yes  No

Contact details:

Signed:

Date:

**Please return to:**

South Hams District Council, Follaton House Plymouth Road, Totnes, Devon TQ9 5NE

Email [development.management@swdevon.gov.uk](mailto:development.management@swdevon.gov.uk)

If you have a query relating to your prior approval please telephone 01803 861234 and ask to speak to the relevant case officer.

### ***Guidance notes***

**1 Your details**

You can apply yourself or employ an agent. If an agent is used all correspondence will be sent to them. A telephone number where the applicant or agent may be contacted during office hours would be helpful. Please also state your interest in the property/land, eg whether you are the owner/occupier, a developer or a prospective purchaser.

**2. Reference Number of Agricultural determination where Prior Approval was required.**

If this is not already completed, please refer to the covering letter attached to this form and provide the reference from the "OurRef" field

**3 Location of proposed development**

Please indicate the location or address of the development site or building. If there is no postal address, please give a clear and accurate description of the site location.

**4 Description of proposal**

Please describe what you propose as fully as possible.

**5 Plans and supporting information**

Please supply the documents and plans as requested in the covering letter

**6 Viewing the site**

The Case Officer may need to view the site. Please confirm if the site is accessible or whether arrangements need to be made.

# SITE NOTICE

## TOWN AND COUNTRY PLANNING (General Permitted Development) (England) Order 2015 (as amended)

I give notice that the following application has been lodged with the Council by:

**INSERT APPLICANT DETAILS HERE**

**Application for Prior Notification of Agricultural or Forestry Development for:  
INSERT DESCRIPTION OF DEVELOPMENT HERE**

**INSERT SITE ADDRESS HERE**

Members of the Public may inspect copies of the application, the plans, and other documents submitted with it, at **Follaton House, Plymouth Road, Totnes, TQ9 5NE**, during normal office hours. Alternatively they may be viewed on the Council's web site [www.southhams.gov.uk](http://www.southhams.gov.uk)

Anyone who wishes to make representations about the application should write to the Council at the address below within 21 days from the date of this notice.

Date:

Signed

Name: