

SOUTH HAMS DISTRICT COUNCIL

Notes to accompany Decision Notices

Building Regulations - This decision is not a decision under the Building Regulations and the applicant should ensure that all necessary approvals for the same proposal and same plans are obtained before commencing any work on the site. See www.devonbuildingcontrol.gov.uk for further information.

Discharge of Conditions – If your application has been approved with conditions then any pre-commencement conditions must be discharged before work starts. The fee to discharge conditions is per request, not per condition, and it is therefore more cost effective to discharge all conditions at once. Listed Building Consents and Conservation Area Consents are exempt from fees.

Amending your permission (only applies to planning permissions) – If you want to change some details of your planning permission and it is a very small change you can apply for a Non Material Amendment. Larger changes may need a Variation of Condition application to amend the plans condition or a new Planning Application.

Adherence to approved plans/conditions - Failure to adhere to the details of the approved plans or to comply with the conditions contravenes the Town and Country Planning Act 1990 and enforcement action may be taken.

Right of Appeal - further *information about appealing can be found at* http://www.planningportal.gov.uk/uploads/pins/procedural_guide_planning_appeals.pdf

If you are aggrieved by a decision to refuse permission or to grant it subject to conditions you can appeal to the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at www.planningportal.gov.uk/planning/appeals/ Appeals must be made on the correct form relating to the type of application you submitted. Information provided as part of the appeal process will be published online. In some circumstances the Planning Inspectorate may refuse to consider an appeal.

Planning Appeals (Section 78 of the Town and Country Planning Act 1990).

- Householder appeals must be made within **12 weeks** of the date of this notice.
- Minor Commercial Appeals must be made **within 12 weeks** of the date of this notice.
- Other planning appeals must be made within **6 months** of the date of this notice.
- **Certificate of Lawfulness Appeals** (Section 195 of the Town and Country Planning Act 1990) - There is no time limit for submission of an appeal.
- **Listed Building Consent or Conservation Area Consent Appeals** (Section 20 of the Planning (Listed Building and Conservation Areas) Act 1990). Appeals must be made within **six months** of the date of this notice.

Advertisement Consent Appeals (Regulation 17 of the Town and Country Planning (Control of Advertisements) Regulations 2007).

- Appeals must be made within **8 weeks** of the date of this notice.

High Court Challenge/Judicial Review

As there is no third party right of appeal the only route available for an objector to challenge a decision is through the courts. Legal advice should be sought before considering this option.

Purchase Notices

If the Local Planning Authority or the Planning Inspectorate refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council requiring them to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

Disabled Persons

Where any planning permission granted relates to buildings or premises to which the public are to be admitted (whether on payment or otherwise) or to premises in which persons are employed to work, your attention is drawn to Sections 4, 7 and 8a of the Chronically Sick and Disabled Persons Act, 1970 and to the British Standards Institutions Code of Practice for Access for the Disabled to Buildings.

Dated this 14 September 2023

(Application Ref: 3335/21/FUL)

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



In any correspondence please quote application number: **3335/21/FUL**

FULL PLANNING APPLICATION GRANTED

Town and Country Planning Act, 1990
Town and Country Planning (Development Management Procedure)
(England) Order, 2015

Application No.: 3335/21/FUL

Date Received: 27 August 2021

Proposal: Construction of 125 homes, commercial business units, landscaped parkland, community boat storage/parking, allotments, improvements to existing permissive pathway and public footway, enhancement of vehicular access and associated infrastructure and landscaping.

Location: Proposed Development Site At Sx 566 494, Land West of Collaton Park, Newton Ferrers

Agent:

Mr Mark Evans
Mark Evans Planning Limited
Cedar House
Membland
Newton Ferrers
Plymouth
PL8 1HP

Applicant:

Pillar Land Securities (Collaton Park) Limited and
Newton and Noss Community Land Trust
C/O Pillar Land Securities Ltd
5 Floor 2, Studio 5-11
Millbay Road
Plymouth
PL1 3LF

The South Hams District Council hereby **GRANT** permission to carry out the development described above **subject to the following conditions:**

1. The development to which this permission relates must be begun not later than the expiration of two years beginning with the date on which this permission is granted.

Reason: To comply with Section 91 of the Town and Country Planning Act, 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall in all respects accord/be retained strictly with the following drawings:

Submitted 13.05.22

Cut & Fill Analysis 20-319-90 005-1 Rev A
Typical Devon Hedge Bank Detail 3360LDX01 Rev A
Landscape off-site planting 3360_L_X_S_0_01 Rev C

Submitted 10.05.22

Masterplan MP01_Rev AN
Location Plan 1928 PL17_Rev C
Affordable House Types (Type A to F) Rev F
Open Market House Types (OM1 to OM10) Rev F

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Commercial Buildings – drawings binder Rev B
Boundary Treatments PL06_Rev E
Building Materials Key PL03_Rev F
ASHP & Solar PV Locations PL11_Rev D

Landscape General Arrangement Whole Site Rev I 3360_L_GA_0_01_Rev I
Landscape General Arrangement Plan 1 Rev I 3360_L_GA_1_01_Rev I
Landscape General Arrangement Plan 2 Rev I 3360_L_GA_1_02_Rev I
Landscape General Arrangement Plan 3 Rev I 3360_L_GA_1_03_Rev I
Landscape General Arrangement Plan 4 Rev I 3360_L_GA_1_04_Rev I
Indicative Planting List Rev A

Submitted 06.05.22

Biodiversity Net Gain Plan – Layout Y Version 5 6/5/2022
Proposed Site Access P20-0881 Figure 4.1 Rev C

Submitted 11.04.22

Site Levels 20-319-90002-1 Rev D
Site Levels 20-319-90002-2 Rev D
Site Levels 20-319-90002-3 Rev E
Site Levels 20-319-90002-4 Rev C
Site Levels 20-319-90002-5 Rev C
Tracking 20-319-90-004-1 Rev D
Tracking 20-319-90-004-2 Rev D
Tracking 20-319-90-004-3 Rev D
S38 plan 20-319-90-009-1 Rev C
S38 plan 20-319-90-009-2 Rev B
S38 plan 20-319-90-009-3 Rev C

Submitted 11.04.22

Detailed Drainage Design (Sheet 1) 20-319-90008-1 Rev B
Detailed Drainage Design (Sheet 2) 20-319-90008-2 Rev B
Detailed Drainage Design (Sheet 3) 20-319-90008-3 Rev C
Detailed Drainage Design (Sheet 4) 20-319-90008-4 Rev B
Detailed Drainage Design (Sheet 5) 20-319-90008-5 Rev B
Non-infiltration option – Detailed SW layout 20-319-90070-1
Non-infiltration option – Detailed SW layout 20-319-90070-2A
Non-infiltration option – Detailed SW layout 20-319-90070-3
Non-infiltration option – Detailed SW layout 20-319-90070-4A
Non-infiltration option – Detailed SW layout 20-319-90070-5
Non-infiltration option Surface Water Drainage 20-319-90071
Exceedance Flow Paths 20-319-90015 Rev B
Proposed Soakaway and Groundwater Monitoring Locations and Results 20-319-90-050

Kerbing and Surfaces 20-319-90-017-01 Rev B
Kerbing and Surfaces 20-319-90-017-02 Rev A
Kerbing and Surfaces 20-319-90-017-03 Rev B
Proposed Footway Layout P20-0881 Figure 4.2 Rev D
Signing layout at pedestrian crossing P20-0881_SK01_R03 17/03/2022

Site Block Plan 1 of 2 PL02_Rev H
Block Plan 2 of 2 PL16_Rev A

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Refuse Store Plan PL04_Rev C
Parking Layout PL05_Rev E
House Types Key PL08_Rev F
Visitor Parking PL09_Rev E
EV Charging Locations PL10_Rev F
Outbuildings Drawing Binder OB1, 2, 3, 4 Rev B
GI Strategy Rev C
Landscape Phasing Plan Rev C

Submitted 17.12.21

Parkland Café Elevations 1 C4.2 – Rev A
Parkland Café Elevations 2 C4.3 – Rev A
Parkland Café Elevations 3 C4.4 – Rev A

Submitted 21.09.21

Ecological Constraints and Opportunities Plan 1081-EcIA-F3 13/08/2021
Tree Pit in Open Space 3360_L_SW_1_01
Tree Pit with Root Barrier 3360_L_SW_2_01
Landscape Initial Opps & Cons & Thoughts 15.01.21
Mitigation and Enhancement Plan 1081-EcIA-F3 Rev 1
Site Location, Local Highway and Facilities Plan P20-0881 Figure 2.1
Parkland Cafe Ground Floor Plan C4.1

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.

3. PRE-COMMENCEMENT: No building hereby permitted shall be occupied until drainage works to accommodate the relevant construction phase have been submitted to and approved in writing by the Local Planning Authority, and implemented in accordance with the details under (a) - (e):

- (a) Soakaway test results in accordance with BRE 365, in the vicinity of TP4, to inform the design of on plot soakaways in the area 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 including network model outputs, based upon the approved Flood Risk Assessment & Drainage Strategy 20-319 revision 00 dated 16th August 2021 and the results of the information submitted in relation to (a) above.
- (c) Detailed proposals for the management of surface water and silt runoff 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.

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4. PRE-COMMENCEMENT: Prior to commencement of any part of the development the Local Planning Authority shall have received and approved a Construction Management Plan (CMP) including:

- (a) The timetable of the works;
- (b) Daily hours of construction;
- (c) Any road closure;
- (d) Hours during which delivery and construction traffic will travel to and from the site, with such vehicular movements being restricted to between 8:00am and 6pm Mondays to Fridays inc.; 9.00am to 1.00pm Saturdays, and no such vehicular movements taking place on Sundays and Bank/Public Holidays unless agreed in advance;
- (e) The number and sizes of vehicles visiting the site in connection with the development and the frequency of their visits;
- (f) the compound/location where all building materials, parts, crates, packing materials and waste will be stored during the demolition and construction phases;
- (g) areas on-site where delivery vehicles and construction traffic will load or unload building materials, with confirmation that no construction traffic or delivery vehicles will park on the County highway for loading or unloading purposes, unless prior written agreement has been given by the Local Planning Authority;
- (h) Hours during which no construction traffic will be present at the site;
- (i) The means of enclosure of the site during construction works;
- (j) Details of proposals to promote car sharing amongst construction staff in order to limit construction staff vehicles parking off-site
- (k) Details of wheel washing facilities and obligations
- (l) The proposed route of all construction traffic exceeding 7.5 tonnes;
- (m) Details of the amount and location of construction worker parking;
- (n) Photographic evidence of the condition of adjacent public highway prior to commencement of any work;
- (o) Details of the internal compound details (including the route to the compound from the point shown on Figure 4.1 Rev C) including any necessary width amendments and signage and lineage details.

Development shall take place in accordance with the agreed CMP, unless amendments have been agreed in writing by the Local Planning Authority.

Reason: To ensure the development proceeds with minimal disturbance to local highways and residents. This is needed prior to commencement to ensure it is adequately planned for at an appropriate stage.

5. PRE-COMMENCEMENT: Notwithstanding the submitted Construction Ecological Management Plan (CEMP), a revised plan shall have been submitted to and approved in writing by the Local Planning Authority before works commence. Construction of the development shall not be carried out other than in accordance with the approved Plan.

The CEMP shall include the following:

- a. Risk assessment of potentially damaging construction activities.
- b. A reptile mitigation strategy.
- c. Details of hedgehog holes and their implementation.
- d. Identification of “biodiversity protection zones”.
- e. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).

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- f. The location and timing of sensitive works to avoid harm to biodiversity features.
- g. The times during construction when specialist ecologists need to be present on site to oversee works.
- h. Responsible persons and lines of communication.
- i. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- j. Use of protective fences, exclusion barriers and warning signs.
- k. Containment, control and removal of any Invasive non-native species present on site.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

Reason: To conserve Protected and Priority species and allow the LPA to discharge its duties under the UK Habitats Regulations 2017, the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species). And in accordance with policy DEV26. This condition must be agreed prior to commencement in order to avoid unacceptable impacts relating to construction and to ensure that such works are appropriately planned and agreed before implemented.

6. PRE-COMMENCEMENT: A 30-year Landscape and Ecological Management Plan (LEMP) will be submitted to and agreed in writing by the Local Planning Authority before works commence. The LEMP shall include long term design objectives; management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens; details of habitat creation, management and maintenance and protected species mitigation; compensation and enhancement measures, covering construction and post-construction phases.

The LEMP shall be reviewed after year 5 and amended if necessary.

Reason: In the interests of safeguarding ecology and protected/priority species, and providing for net gains to biodiversity, and in accordance with policy DEV26. This condition must be agreed prior to commencement because the extensive strategic landscaping is one of the elements of the application that made the whole development more acceptable in such a sensitive location, and is an essential element of the mitigation package. Without the proposed landscape scheme, the development would not have been granted planning permission, and elements of the strategic landscaping will need to be implemented in the earliest phases of works.

7. The development shall be carried out in accordance with the recommendations, mitigation, and enhancement measures contained within the approved Ecological Impact Assessment by GE Consulting dated September 2021, the Ecological Constraints and Opportunities Mitigation Plan 1081-EcIA-F3 and Biodiversity Net Gain Plan – Layout Y Version 5 6/5/2022 unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of safeguarding ecology and protected/priority species, and providing for net gains to biodiversity, and in accordance with policy DEV26.

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8. The details of the bird nesting/bat roosting boxes/bee bricks in the design of the buildings are to be submitted and agreed with the Local Planning Authority prior to their installation, in accordance with SPD requirements. The development shall be carried out in accordance with the approved details with the approved nesting/roosting boxes installed prior to the first occupation of the building to which they relate. No vegetation clearance shall take place during the bird nesting season (01 March to 31 August, inclusive) unless the developer has been advised by a suitably qualified ecologist that the clearance will not disturb nesting birds and a record of this submitted to the Local Planning Authority.

Reason: To secure further net gains to biodiversity and ecology, and in accordance with policy DEV26.

9. PRE-COMMENCEMENT: Notwithstanding the submitted details, no development shall take place until full details of the hard and soft landscaping have been submitted to and approved in writing by the local planning authority, to include timeframe for implementation and details of maintenance.

All soft and hard landscaping proposals shall be carried out in accordance with the approved details and with the programme agreed with the local planning authority. Any planting which, within a period of 5 years from the completion of the development, in the opinion of the planning authority is dying, being severely damaged or becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted. Once provided, all hard landscaping works shall thereafter be permanently retained.

Reason: To ensure the implementation and management of a satisfactory scheme of landscaping which will help to integrate the proposed development into the local landscape in the interest of public amenity and the conservation, enhancement of the local landscape character and the natural beauty of the AONB. This condition must be agreed prior to commencement because the extensive strategic landscaping is one of the elements of the application that made the whole development more acceptable in such a sensitive location, and is an essential element of the mitigation package. Without the proposed landscape scheme, the development would not have been granted planning permission, and elements of the strategic landscaping will need to be implemented in the earliest phases of works.

10. Lighting on and off-site shall accord with the Lighting Impact Assessment by Illume Design dated 18.03.2022, together with the drawings listed below. No additional lighting shall be installed at the site or for any property without the express written permission of the local planning authority, other than the lighting hereby approved under the following:

Street Lighting Strategy 4174-ID-DR-3001
Street Lighting Strategy 4174-ID-DR-2001
Street Lighting Strategy 4174-ID-DR-2002
Street Lighting Strategy 4174-ID-DR-2003

Reason: In the interests of amenity and the character and appearance of the AONB.

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11. Prior to their installation, details/samples of all facing materials, windows, doors, and roofing materials to be used in the construction of the proposed development, including colour and finish, methods of fixing, any mortar/pointing, shall be submitted to and approved in writing by the Local Planning Authority; this shall include the electricity substations, for which the expectation is they are of an appropriate high quality design to reflect the materials in use on the development. Slate shall be natural and of UK or EU origin. The development shall then be carried out in accordance with those details/samples as approved, being retained in the specified form thereafter.

Reason: To secure a high-quality finish, in the interests of visual amenity and the character and appearance of the area.

12. Prior to the first occupation of any part of the development, its associated car parking shall have been laid out, surfaced and drained to accord with Parking Layout Drawing PL05 Rev E, and that land shall not thereafter be used for any purpose other than the parking of vehicles.

Reason: In the interests of air quality and to ensure adequate on-site parking.

13. No dwelling/building/car parking area shall be occupied until its electric vehicle charging has been provided and is operational. Charge points shall be of sufficient capacity to meet the minimum supply needs of an electrical vehicle charging point of at least 7kW.

Reason: To future-proof the development by allowing for charging points to be installed without the need for undertaking works that require breaking ground to install cabling retrospectively.

14. The low carbon measures identified in the Energy and Sustainability Statement by AES dated March 2022 shall be implemented prior to the first use of any building to which they relate and shall be retained and maintained for the lifetime of the development unless being replaced with a product or technology that sustains or improves the performance levels of the building as set out in the AES report.

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

15. PRE-COMMENCEMENT: Notwithstanding the submitted details, no development shall commence until a Waste Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall demonstrate how the construction and operational phases of the development will minimise the generation of waste, having been prepared in accordance with the provisions of Policy W4 of the Devon Waste Plan. The development shall be carried out in accordance with the approved Plan.

Reason: To minimise and properly manage waste arising from the development. The document provided with the application was insufficient and requires revision/amplification. This condition must be agreed prior to commencement in order to ensure construction and remediation waste is adequately dealt with.

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16. Development shall take place in accordance with the Remedial Implementation Plan by IDOM dated August 2021. Details of any deviation from this shall be submitted to the Local Planning Authority. Upon completion of the development, a verification report shall be submitted to the Local Planning Authority. This shall include the eradication of Japanese Knotweed.

Reason: To ensure the site is appropriately remediated to make it safe for future occupants and avoid off-site risks, in accordance with policy DEV2.

17. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted and obtained written approval from the Local Planning Authority for, an investigation and risk assessment and, where necessary, a remediation strategy and verification plan detailing how this unsuspected contamination shall be dealt with.

Following completion of measures identified in the approved remediation strategy and verification plan and prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority.

Reason: No site investigation can completely characterise a site. This condition is required to ensure that any unexpected contamination that is uncovered during remediation or other site works is dealt with appropriately; and in accordance with policy DEV2.

18. PRE-COMMENCEMENT: Prior to the commencement of development an Employment and Skills Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include detailed measures to support local employment, skills and training development opportunities in the construction industry and in relation to the development from site preparations through to the end of the construction phase. The approved Plan shall be implemented and adhered to during the construction of the development and in accordance with those details approved.

Reason: In accordance with policy DEV19 this condition is required on the basis that to properly provide for the required plan-led growth it is necessary to ensure a commensurate growth in the area's employment base, where it is recognised to require investment both in job growth and skills. This condition must be agreed prior to commencement in order to ensure that local construction employment and skills opportunities are maximised from the site and construction preparation stage before development commences.

19. All off site highway works and provision of the 3m hoggin path shown on the following drawings shall be complete prior to occupation of the first dwelling or first occupation of the commercial premises:

- Proposed Footway Layout Figure 4.2 Rev D
- Signing Layout at Pedestrian Crossing P20-0881_SK01_R03
- Proposed Site Access Figure 4.1 Rev C

Reason - To ensure safe and suitable access is available for all users.

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20. The proposed estate road, cycleways, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, road maintenance/vehicle overhang margins, embankments, visibility splays 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, it should include plans and sections indicating, as appropriate, the design, layout, levels, gradients, materials and method of construction.

Reason: To ensure that adequate information is available for the proper consideration of the detailed proposals.

21. No other part of the development hereby approved shall be commenced until:

- a) A site compound and car park have been constructed in accordance with details which shall be first agreed with the Local Planning Authority.
- b) The access has been widened in accordance with Proposed Site Access Figure 4.1 Rev C

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

22. Prior to commencement of the S278 works a Stage 2 safety audit and designers response shall be submitted for the off-site highway works and approved by the Local Planning Authority and Highway Authority.

Reason - In the interests of highway safety.

23. The bus turning circle and associated infrastructure shall be completed in accordance with details, to include timescales for implementation, which shall have previously been submitted to and agreed in writing by the Local Planning Authority and Highway Authority.

Reason - To ensure the bus turning facility and associated infrastructure are complete in a suitable time frame for the bus to enter the site and turn around.

24. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) Order, 2015 (and any Order revoking and re-enacting this Order), no development of the types described in the following Classes of Schedule 2 shall be undertaken without the express consent in writing of the Local Planning Authority other than those expressly authorised by this permission:

- Part 1, Class A (extensions and alterations)
- Part 1, Class AA (enlargement of a dwellinghouse by construction of additional storeys)
- Part 1, Classes B and C (roof addition or alteration)
- Part 2, Class A (means of enclosure)

Reason: To safeguard the visual amenities of the AONB and in order to ensure the limited amenity space for each dwelling remains.

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25. Prior to its occupation, each dwelling shall be provided with a compost bin and water butt, in accordance with details which have first been submitted to and agreed in writing by the Local Planning Authority.

Reason: In the interests of carbon reduction and waste/water minimization.

26. The Commercial units hereby approved shall only be used for the following uses of The Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provisions equivalent to those Classes in any Statutory Instrument revoking and re-enacting that Order, and for no other purposes.

C1a	E (c-i,ii+g-i,ii,iii)
C1b	E (c-i,ii+g-i,ii,iii)
C1c	E (c-i,ii+g-i,ii,iii)
C1d	E (c-i,ii+g-i,ii,iii)
C1e	E (c-i,ii+g-i,ii,iii)
C2a	F2(a)
C2b	E (c-i,ii+g-i,ii,iii)
C2c	E (b)
C3a	E (c-i,ii+g-i,ii,iii)
C3b	E (c-i,ii+g-i,ii,iii)
C3c	E (c-i,ii+g-i,ii,iii)
Cafe	E (b)

Should any extraction or ventilation be required, prior to its installation, details shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: It is considered that the use of the premises for the purposes specified is acceptable, in light of the rural location and nearby residential properties.

27. The development shall be carried out in accordance with the following documents:

- Tree Constraints Plan: 1081-TCP-SB 1 & 2 of 2
- Arboricultural Impact Assessment: 1081-AIA-AE May 2022 Rev 1
- Tree Protection Plan: 1081-TPP-MU Rev 2
- Arboricultural Method Statement: 1081-AMS-MU May 2022 Rev 1
- Tree Retention Plan: 1088-TRP-AE Rev 1

Reason: To ensure that existing trees are adequately safeguarded, in accordance with policy DEV28.

28. Development shall take place in accordance with the Written Scheme of Investigation by Cotswold Archaeology dated January 2022.

Reason: To ensure that an appropriate record is made of archaeological evidence that may be affected by the development.

29. Details of gates and locking mechanisms for private rear gardens and pathways shall be submitted to and agreed in writing by the Local planning Authority before they are fitted. Development shall then take place as agreed.

Reason: To ensure that gates are capable of being locked from both sides, allowing rear gardens to be secured regardless of access or egress in order to design out crime.

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30. Prior to the first occupation of each of the commercial units, a Sustainable Travel Plan (STP) shall be submitted to and agreed in writing by the Local Planning Authority. This shall detail all measures taken to reduce transport related carbon emission for both staff and customers/visitors. On the anniversary of the first occupation of the development hereby approved, or when occupants change, a monitoring report shall be submitted to the Local Planning Authority detailing how the STP has been implemented and followed, or any deviations which have been necessary.

Reason: In the interests of sustainability and reducing the use of the private motor car.

31. Once all dwellings are occupied, a report shall be submitted to the Local Planning Authority detailing all first owners and occupiers to establish where they are moving from, the size of the household and household earnings.

Reason: To enable key stakeholders to grow understanding of where occupants of new rural communities are coming from and to assess the success, or otherwise, with meeting local housing needs.

32. Details of the public artwork to be provided in the “arrival” area shall be submitted to and agreed in writing, to include a timeframe for its implementation and details of maintenance.

Reason: To ensure the artwork is appropriate for the rural area and is delivered/maintained as necessary.

33. Prior to its first use, details of any gates/barriers/CCTV to secure the car park/boat store shall be submitted to and agreed in writing by the Local Planning Authority. Development shall then take place in accordance with those details and retained thereafter.

Reason: To reduce opportunities for crime.

34. Prior to the creation of the allotments, details of pathways, and fencing, benches, structures, water supply pipes and any other services shall be submitted to and agreed in writing by the Local Planning Authority. This shall accord with the JLP SPD.

Reason: To ensure the allotments are fit for purpose to encourage their use.

35. Prior to their installation, full details of all play equipment, waste bins, fencing, benches and any other equipment shall be submitted to and agreed in writing by the Local Planning Authority. Development shall take place in accordance with these details, and retained/maintained as such thereafter.

Reason: To ensure play provision accords with policy and is available for all residents.

36. PRE-COMMENCEMENT: Prior to the commencement of works (excluding land remediation), unless otherwise agreed by the CMP required by condition 4, a phasing plan for the development of the site shall be submitted to and agreed in writing by the Local Planning Authority. Development shall then take place in accordance with this plan, unless any deviation from it is agreed in writing.

Reason: To ensure the site is developed in an appropriate manner, to provide affordable housing and community facilities at an early stage. This is needed prior to commencement to ensure it is adequately planned for at an appropriate stage.

Dated this 14 September 2023

(Application Ref: 3335/21/FUL)

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

INFORMATIVES

1. This authority has a pro-active approach to the delivery of development. Early pre-application engagement is always encouraged. In accordance with Article 35(2) of the Town and Country Planning Development Management Procedure (England) Order 2015 (as amended) in determining this application, the Local Planning Authority has endeavoured to work proactively and positively with the applicant, in line with National Planning Policy Framework, to ensure that all relevant planning considerations have been appropriately addressed.
2. The responsibility for ensuring compliance with the terms of the approval rests with the person(s) responsible for carrying out the development. The Local Planning Authority uses various means to monitor implementation to ensure that the scheme is built or carried out in strict accordance with the terms of the permission. Failure to adhere to the approved details can render the development unauthorised and vulnerable to enforcement action.
3. This permission is to be read in conjunction with the Section 106 Obligation dated 7th September 2023 between South Hams District Council, Devon County Council, Timothy Philip Yonge, Pillar Land Securities (Collaton Park) Limited and National Westminster Bank PLC.
4. If your decision requires the discharge of conditions then you must submit an application for each request to discharge these conditions. The current fee chargeable by the Local Planning Authority is £116 per request. Application forms are available on the Council's website.
5. You should note that certain wildlife habitats and species are subject to statutory protection under the Wildlife and Countryside Act 1981 (as amended) and/or the Conservation of Habitats and Species Regulations 2017. It is a criminal offence to breach the provisions of these legal constraints and if your development impacts upon such sites or species you are advised to take advice from a competent ecologist who has experience in the habitats/species involved and, as necessary, any relevant licenses from Natural England.

THIS DECISION IS NOT A DECISION UNDER BUILDING REGULATIONS

Dated this 14 September 2023

(Application Ref: 3335/21/FUL)

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