

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 30 November 2022

(Application Ref: 1159/21/FUL)

Patrick Whymer

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



In any correspondence please quote application number: **1159/21/FUL**

FULL PLANNING APPLICATION GRANTED

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

Application No.: 1159/21/FUL

Date Received: 29 March 2021

Proposal: Erection of 21 residential dwellings (including 30% affordable homes) with associated amenities and infrastructure (Resubmission of 3320/20/FUL)

Location: Land at West End Garage, Main Road, Salcombe, TQ8 8NA

Agent:

Clifton Emery Design
Hems House
84 Longbrook Street
Exeter
EX4 6AP

Applicant:

Mr Stephen Thompson
Park Green (South West) Ltd
Onslow Hall
Little Green
Richmond, Surrey
TW91QS

The South Hams District Council hereby **GRANT** permission to carry out the development described above **subject to the following condition(s)**:

1. The development to which this permission relates must be begun not later than the expiration of three 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 strictly with drawing numbers:

- Location Plan [180604 L 01 01 Rev: E]
- Existing Site Plan [180604 L 01 02 Rev: D]
- Proposed Site Layout [180604 L 02 01 Rev: AF]
- Boundary Treatment Plans [180604 L 02 02 Rev: S]
- House Type Plan [180604 L 02 03 Rev: O]
- 180604 L 02 04 N Parking Layout
- 180604 L 02 05 J Proposed Bin Collection Strategy
- 180604 L 02 06 I Landscape Area
- 180604 SK 03 01 G Garden Areas

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- Proposed Site Sections [180604 Se 02 01 Rev: G]
- Proposed Street Scenes [180604 Se 02 02 Rev: G]
- Proposed Site Sections [180604 Se 02 03 Rev: D]
- Proposed Site Sections [180604 Se 02 04 Rev: D]
- Proposed Site Sections [180604 Se 02 05 Rev: B]
- Proposed Site Sections [180604 Se 02 06 Rev: A]
- HT A - Floor Plans (Plots 10-13) [180604 HT A 01 01 Rev: M]
- HT A - Elevations (Plots 10-13) [180604 HT A 02 01 Rev: S]
- HT A - Floor Plans (Plots 05) [180604 HT A 01 02 Rev: C]
- HT A - Elevations (Plots 05) [180604 HT A 02 02 Rev: H]
- HT B - Floor Plans (Plots 06 & 07) [180604 HT B 01 01 Rev: K]
- HT B - Elevations (Plots 06 & 07) [180604 HT B 02 01 Rev: L]
- HT B - Floor Plans (Plot 08) [180604 HT B 01 02 Rev: C]
- HT B - Elevations (Plot 08) [180604 HT B 02 02 Rev: C]
- HT D - Floor Plans (Plot 13) [180604 HT D 01 01 Rev: L]
- HT D - Elevations (Plot 13) [180604 HT D 02 01 Rev: H]
- HT D - Floor Plans (Plots 03 & 04) [180604 HT D 01 02 Rev: C]
- HT D - Elevations (Plots 03 & 04) [180604 HT D 02 02 Rev: C]
- HT G - Floor Plans [180604 HT G 01 01 Rev: M]
- HT G - Elevations [180604 HT G 02 01 Rev: N]
- HT J - Floor Plans [180604 HT J 01 01 Rev: K]
- HT J - Elevations [180604 HT J 02 01 Rev: J]
- HT K - Floor Plans [180604 HT K 01 01 Rev: H]
- HT K - Elevations [180604 HT K 02 01 Rev: G]
- HT L - Floor Plans [180604 HT L 01 01 Rev: D]
- HT L - Elevations [180604 HT L 02 01 Rev: C]
- HT M - Floor Plans [180604 HT M 01 01 Rev: D]
- HT M - Elevations [180604 HT M 02 01 Rev: C]
- Apartment Block - Floor Plans [180604 APTS 01 01 Rev: W]
- Apartment Block - Elevations 1 of 2 [180604 APTS 02 01 Rev: Y]
- Apartment Block - Elevations 2 of 2 [180604 APTS 02 02 Rev: W]
- Apartment Block - Roof Plan [180604 APTS 01 02 Rev: P]
- Apartment Block - Area Calculations [180604 APTS 01 10 Rev: A]
- Bin Store Detail [180604 D 01 01]
- Bike Store Detail 1 of 2 [180604 D 01 02]
- Bike Store Detail 2 of 2 [180604 D 01 03]
- Visualisation [180604 Re 01 220120]
- Design and Access Statement [180604 R 02 01]
- Summer Solstice Shadow Diagram 1 of 3 [180604 SK 01 220125]
- Summer Solstice Shadow Diagram 2 of 3 [180604 SK 02 220125]
- Summer Solstice Shadow Diagram 3 of 3 [180604 SK 03 220125]
- BNG Measurement Plan [180604 SK 03 04 Rev: B]
- Proposed s38 and s278 Highways Layout: 110 Rev O
- Street Lighting Strategy: 4239-ID-DR-1001 P01
- External Lighting Strategy: 4239-ID-DR-2001 P01

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- Street Lighting Strategy: 4239-ID-DR-1001 P01
- Jakoustic Fence Drawing: J7/01043

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: Before the development hereby permitted is commenced a Construction Management Plan (CMP) shall have been submitted to and approved in writing by the Local Planning Authority. Construction of the development shall not be carried out other than in accordance with the approved CMP. No burning shall take place on site during the site clearance/demolition or construction phases of the development.

The CMP shall include the following matters:

- haul routes for construction traffic on the highway network and monitoring and review mechanisms.
- compound locations with full details [position, size and appearance] in relations to site office/s, welfare units, building material storage areas, skip/s, concrete silo/s, on-site parking areas for construction workers, site access arrangements,
- overburden/topsoil storage areas, fuel storage, hazardous materials storage
- provision of boundary hoarding with publicly visible contact details [phone and email] for site manager and lighting
- details of proposed means of dust suppression
- details of equipment/plant noise suppression
- full piling details (if proposed)
- details of measures to prevent mud from vehicles leaving the site during construction including wheel washing facilities and their management
- details of deliveries times to the site during construction phase
- details of provision to ensure pedestrian and cycle safety
- programme of works (including measures for traffic management and operating hours and hours of construction)
- parking and turning for vehicles of site personnel, operatives and visitors
- loading and unloading of plant and materials
- storage of plant and materials
- maintain a register of complaints and record of actions taken to deal with such complaints at the site office as specified in the CMP throughout the construction period.
- Measures to avoid adverse impacts upon the Salcombe to Kingsbridge Estuary SSSI by virtue of silt and surface water runoff among any other potential risks.
- Reference and adherence to the most up to date pollution prevention guidance.

Reasons: In the interest of residential amenity, highway safety, to avoid the hazard caused by mud on the highway and to ensure minimal adverse impact on the public highway during the construction phase and to safeguard the SSSI. This must be agreed prior to commencement in order to avoid unacceptable impacts relating to construction

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and to ensure that such works are appropriately planned and agreed before implemented.

4. PRE-COMMENCEMENT: No development shall commence until the following information has been submitted to and approved in writing by the Local Planning Authority:
- a. A detailed surface and foul water drainage design based upon the approved Flood Risk Assessment ref. 18015 (Trace Design, 2021) and Drainage Strategy (200 Rev E).
 - b. Detailed proposals for the management of surface water and silt runoff from the site during construction of the development hereby permitted.
 - c. Proposals for the adoption and maintenance of the permanent surface water drainage system.
 - d. A plan indicating how exceedance flows will be safely managed at the site.
 - e. Evidence of the condition of the watercourse which the site proposes to drain into. This evidence could include photographs.

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: 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, and to safeguard the water quality of the Salcombe to Kingsbridge Estuary SSSI. This condition must be agreed prior to commencement in order to avoid unacceptable impacts relating to the SSSI and to ensure that a suitable detailed drainage strategy is agreed before development commences because such a strategy is necessary in order to make the development acceptable.

5. PRE-COMMENCEMENT: Before the development hereby permitted is commenced a Construction Ecological Management Plan (CEMP) shall have been submitted to and approved in writing by the Local Planning Authority. 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).
- 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.

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- 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: No development shall commence until a 30 year Landscape and Ecological Management Plan (LEMP) has been submitted to, and be approved in writing by, the local planning authority.

The content of the LEMP shall include the following:

- a. Habitat creation in accordance with the Biodiversity Impact Assessment: Losses and Gains document (Ecological Surveys Ltd, dated 24th February 2022).
- b. Description and evaluation of features to be managed.
- c. Ecological trends and constraints on site that might influence management.
- d. Aims and objectives of management.
- e. Appropriate management options for achieving aims and objectives.
- f. Prescriptions for management actions.
- g. Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- h. Details of the body or organisation responsible for implementation of the plan.
- i. Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The approved plan will be implemented in accordance with the approved details.

Reason: To 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

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be agreed prior to commencement in order to ensure that adequate plans and measures are put into place for habitat creation and management at the point that development first takes place.

7. The development shall be carried out in accordance with the retention and protection measures included within the approved Arboricultural Impact Assessment: TH/A432/0920.

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

8. The development shall be carried out in accordance with the recommendations, mitigation, and enhancement measures contained within the approved Ecological Appraisal (Ecological Surveys Ltd, March 2017) and Bat Activity Report (Ecological Surveys Ltd, October 2017).

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

9. 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 the development proceeding above slab level, 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.

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

10. PRE-COMMENCEMENT: Prior to the commencement of any site works, a repeat survey for the presence of badgers on the site and surrounding suitable habitat, with associated mitigation/compensation measures if required, shall be carried out and the results submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved mitigation as may be required.

Reason: To safeguard protected 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 the carrying out of development.

11. 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 safeguard ecology/nesting birds, and in accordance with policy DEV26.

12. PRE-COMMENCEMENT: No development shall commence until a detailed Landform/Engineering Plan (LEP) has been submitted to and approved in writing by the

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local planning authority. The LEP shall include existing and all proposed levels for the site, including finished floor levels for buildings; and provide details of any landscape retaining features, their form and appearance.

Reason: In the interests of residential and visual amenity, and the character and appearance of the area, noting the existing topography and likelihood of landform changes especially along the western site boundary. In accordance with policies DEV20, DEV23, DEV24, DEV25, SALC ENV1 and B1. This condition must be agreed prior to commencement because of the site constraints and sensitive landscape setting where land re-profiling will form part of the construction works undertaken.

13. PRE-COMMENCEMENT: No development shall commence until a precise '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 (including any gate details and means of security for private external areas), 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 (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 10 years of being planted or in the case of existing planting within a period of 10 years from the commencement of development, shall be replaced in the next planting season with others of similar size and species.

All elements of the approved hard and soft landscaping scheme shall be implemented and maintained in accordance with the approved details unless otherwise agreed in writing by the local planning authority. All work shall be completed in accordance with the timetable agreed as part of this condition.

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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 of development to ensure that the landscaping is appropriately designed and implemented in conjunction with construction phasing. An extended aftercare period is required in light of the importance of the strategic landscape buffer and the need for the development to successfully assimilate into its landscape setting. In accordance with policies DEV20, DEV23, DEV24, DEV25, SALC ENV1 and B1. This condition must be agreed prior to commencement because of the site constraints and sensitive landscape setting where protective measures and suitable plans for planting must be in place before development first takes place so as to avoid harm and provide suitable mitigation.

14. PRE-COMMENCEMENT: No works or development shall take place until written evidence of a contractual agreement for the supply, planting, maintenance of all the landscaping agreed under condition 13, and a replacement guarantee over that same period by the same contractor, has been approved in writing by the LPA.

Reason: The landscaping is an essential part of the development to make it acceptable and comply with the allocation policy. It needs to be agreed prior to commencement to give assurance it will be carried out as appropriate.

15. Prior to their installation details / samples of all facing materials, windows, doors, and of 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. The development shall then be carried out in accordance with those details/samples as approved, being retained in the specified form thereafter. All slate shall be natural, of UK or EU origin, fixed with nails and not hooks. White render will not be acceptable.

Reason: To secure a high-quality finish, in the interests of visual amenity and the character and appearance of the area, in accordance with policies DEV10, DEV20, and SALC B1.

16. PRE-COMMENCEMENT: No development shall commence until details for the provision and implementation of electric car charging points for all properties to be constructed has been submitted to, and approved in writing by, the Local Planning Authority, to accord with the JLP SPD. The approved measures shall be provided and made available for use prior to first occupation/use of the parking space it relates to. For the avoidance of doubt, each charging point must be at least 7kw.

Reason: To ensure that the development is securing appropriate net gains for the environmental objective of sustainability and transition to a low carbon economy. This is required before commencement to ensure compliance with DEV32.

17. The low carbon measures identified in the approved report 'Energy Statement (Base Energy)' shall be implemented in order to achieve regulated carbon emissions levels of at least 20 per cent less than that required to comply with Building Regulations Part L. 2013. Development shall take place in accordance with the approved details prior to the

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first use of any building to which they relate and shall be retained and maintained for the lifetime of the development.

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; and in accordance with policy DEV32.

18. PRE-COMMENCEMENT: Notwithstanding the submitted details, no development shall commence until a Waste Management Plan ('WMP') has been submitted to and approved in writing by the Local Planning Authority. The WMP 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 and its supporting Supplementary Planning Document.

The development shall be carried out in accordance with the approved WMP.

Reason: To minimise and properly manage waste arising from the development, in accordance with policy DEV31, and policy W4 of the Devon Waste Plan. The document provided with the application was insufficient and requires revision/amplification. This condition must be agreed prior to commencement in order to ensure that from a waste management perspective such works are appropriately planned and agreed before implemented.

19. 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.

20. No dwelling shall be occupied until the vehicle parking provision for that dwelling as shown on the approved drawings, including garages, has been laid out and made available for use, thereafter not being used or precluded from being used for any purpose other than the parking of vehicles.

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Reason: In the interests of highway safety and in order to provide sufficient parking to meet the needs of the development to avoid on-street parking, in accordance with policy DEV29.

21. 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, 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.

The development shall be carried out in accordance with the approved details.

Reason: To ensure that adequate information is available for the proper consideration of the detailed proposals and suitable highway infrastructure is provided to serve the development in accordance with policy DEV29.

22. The off-site highway works shown on drawing 110 Rev O shall be completed in full prior to occupation of any of the units on site.

Reason: In the interests of highway safety and connectivity, and in accordance with policies SPT2 and DEV29.

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

- a. The access road has been laid out, kerbed, drained and constructed up to base course level for the first 20 metres back from its junction with the public highway.
- b. The ironwork has been set to base course level and the visibility splays required by this permission laid out.
- c. The footway/cycleway on the public highway frontage required by this permission has been constructed up to base course level.
- d. A site compound and car park have been constructed in accordance with details that have previously been agreed by the Local Planning Authority.

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 in accordance with policy DEV29.

24. PRE-COMMENCEMENT: Prior to commencement of development on any part of the site, including any site clearance works or machinery is brought onto site, a road condition survey shall be submitted and approved in writing by the Local Planning Authority.

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Reason: In the interests of road integrity and highway safety, and in accordance with policy DEV29. This condition must be agreed prior to commencement in order to avoid unacceptable impacts relating to construction and occupation and to ensure that such works are appropriately planned and agreed before implemented.

25. PRE-COMMENCEMENT: Prior to the commencement of development an Employment and Skills Plan ('ESP') shall be submitted to and approved in writing by the Local Planning Authority. The ESP 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 ESP 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, with both Science, Technology, Engineering and Maths (STEM) and construction jobs/skills being of primary importance. 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.

26. 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 1, Class D (porch)

Part 1, Class E (a) buildings incidental to the enjoyment of the dwellinghouse and; (b) container used for domestic heating purposes/oil or liquid petroleum gas)

Part 1, Class F (hardsurfaces)

Part 1, Class G (chimney, flue or soil and vent pipe)

Part 1, Class H (microwave antenna) and;

Part 2, Class A (means of enclosure)

Reason: To enable the Local Planning Authority to exercise control over development which could materially harm the character and visual amenities of the development and locality and in order to ensure the limited amenity space for each dwelling remains.

27. All gates to private gardens and pathways should be at least 1.8m high and capable of being locked.

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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28. No lighting shall be installed at the site or for any property, other than the lighting hereby approved under condition no.2 of this permission, without the express written permission of the local planning authority.

Reason: In the interests of amenity and the character and appearance of the area, and in accordance with policies DEV20, DEV23, DEV24, DEV25, SALC ENV1 and B1.

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. This permission is to be read in conjunction with the Section 106 Obligation dated 30 November 2022 between South Hams District Council (1) and Devon County Council (2) and Richard James Weymouth and David John Weymouth (3) and Park Green (Salcombe) Limited (4).
3. 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.
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.

THIS DECISION IS NOT A DECISION UNDER BUILDING REGULATIONS

Dated this 30 November 2022

(Application Ref: 1159/21/FUL)

Patrick Whymer

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