PLANNING APPLICATION REPORT

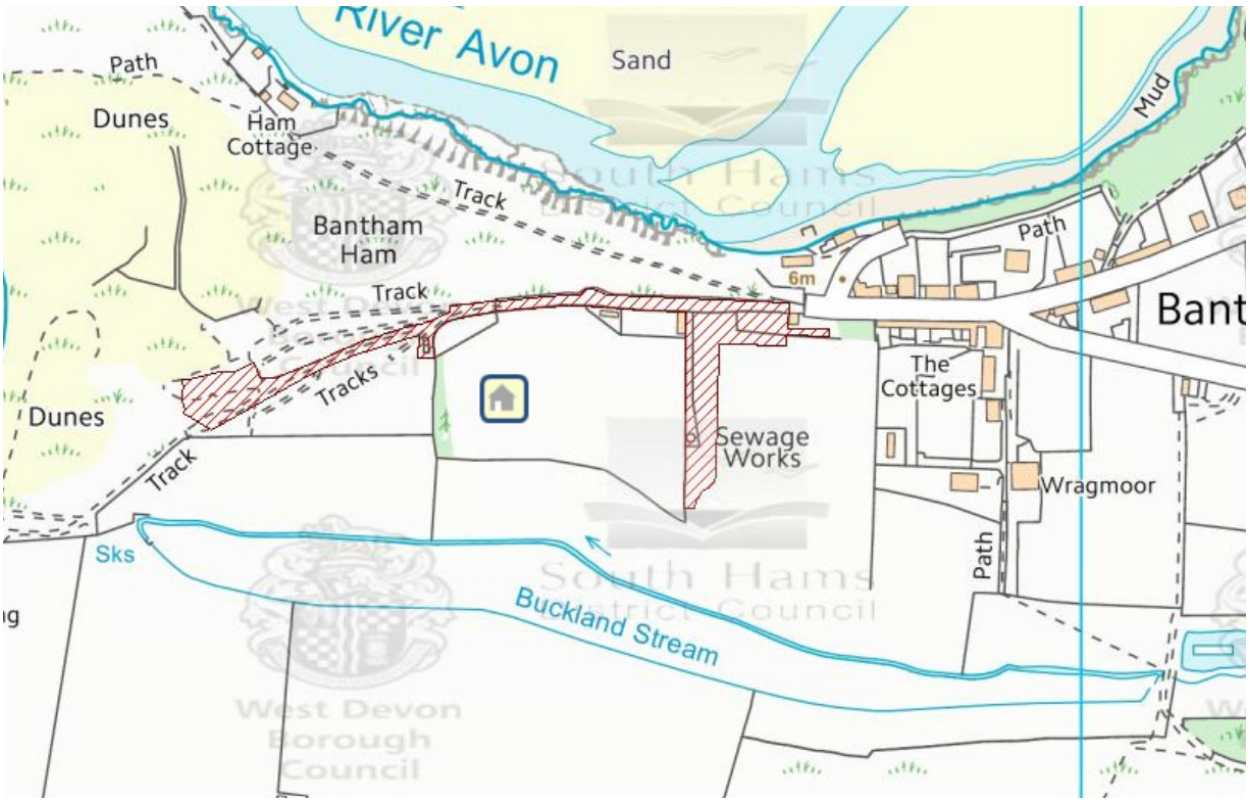
Case Officer: Chloe Allen **Parish:** Thurlestone **Ward:** Salcombe and Thurlestone

Application No: 0915/22/FUL

Agent/Applicant:
Shelley Jones - Rural Solutions Ltd
Canalside House
Brewery Lane
Skipton
BD23 1DR

Applicant:
The Bantham Estate
C/O Agent

Site Address: Land off Bantham Beach Road, Bantham



Development: READVERTISEMENT (revised plans & documents) Erection of replacement beach shower/toilet block, replacement village sewage treatment plant, new residents/mooring holders car park and new parking, and ANPR system on the beach road and car park.

Reason item is being put before Committee: At the request of the Head of Development Management due to the level of public interest

Recommendation: Conditional Approval.

Conditions:

1. Time limit
2. Approved plans
3. Scheme of landscaping and tree planting (pre-commencement, agreed 27.07.2023)
4. Landscape and ecological management plan (pre-commencement, agreed 27.07.2023)
5. Tree Protection Plan (pre-commencement, agreed 27.07.2023)
6. Construction Environmental Management Plan (pre-commencement, agreed 27.07.2023)

7. Design and mounting/construction method for ANPR camera and paystations (limitation on groundworks)
8. Demolition and construction method statement – beach toilets (pre-commencement, agreed 27.07.2023)
9. Materials/green roof details – beach toilets
10. Levels of car park (pre-commencement, agreed 27.07.2023)
11. Restriction of roadside parking (pre-commencement, agreed 27.07.2023)
12. Restricted use of car park
13. Restoration/construction of wall – entrance to car park
14. Foul water drainage strategy
15. Surface water drainage strategy
16. Temporary access track removal and land restoration/landscaping - STP
17. Restriction on external lighting
18. Provision of visibility splays
19. Compliance with WSI
20. Post investigation assessment – archaeology
21. Compliance with Ecological Impact Assessment
22. No vegetation removal in nesting season
23. DEV32 measures
24. Removal of PD

Key issues for consideration:

- Principle of Development/Sustainability:
- Design/Landscape
- Neighbour Amenity
- Highways/Access
- Drainage
- Ecology
- Low carbon Development

Financial Implications (Potential New Homes Bonus for major applications):
As part of the Spending Review 2020, the Chancellor announced that there will be a further round of New Homes Bonus allocations under the current scheme for 2021/22. This year is the last year's allocation of New Homes Bonus (which was based on dwellings built out by October 2020). The Government has stated that they will soon be inviting views on how they can reform the New Homes Bonus scheme from 2022-23, to ensure it is focused where homes are needed most.

Site Description:

The application site is within the countryside, and includes an existing construction compound (originally agricultural land and required to be restored to such by conditions imposed on 0227/20/FUL), an existing resident's car park, an existing toilet block, an area of agricultural land, an existing sewage treatment plant with access, and the existing visitor car park and access road. Bantham village is located east of the site, the River Avon to the north (also a County Wildlife Site), and Bantham Beach to the west. South is agricultural land which, beyond the first agricultural field, rises steeply up. East of the existing resident's car park is a maintenance building and ticket hut, and an estate and harbour office (granted planning permission 0227/20/FUL).

The application site is within Flood Zone 1, the South Devon AONB, the Undeveloped Coast and the Heritage Coast. The site is also partly within Bantham Ham County Wildlife Site. The site is split between three Landscape Character Areas, including: 4D. Coastal slopes and combes (southern area), 3G. River valley slopes and combes (northern area), and 4A. Estuaries (western area and River Avon). The area to the west of Zealands Corner is part of an Ancient Monument being the Roman settlement site at Bantham Ham. There are a row of Grade II Listed Buildings to the east,

beyond the new estate and harbour office, known as no.s 1-10, and a listed building to the north, known as 'Coronation Boathouse'.

The public footpath network runs through the site, including along the access road and through the car park. There are also a number of public footpaths in the surrounding area, including on the northern side of the estuary, to the south (along the upper valley slope), to the east (through the village), and to the west (along the beach and south west coastal path).

The site is within Thurlestone Neighbourhood Plan area.

The Proposal:

The proposed development is as follows:

- Installation of ANPR camera to replace existing camera on ticket hut, and installation of x3 paystations (x1 on grass verge, x1 on toilet block, x1 on bin store). Electricity and data cables to serve the paystations will be laid in an existing services trench which broadly follows the road in order to minimise risk to disturbance of any potential archaeological remains.

- Reseeding of existing roadside parking to be retained as a grass verge, with new granite sett edging (25mm kerb check).

- Creation of a pull-in area (space for x2 cars) with reinforced grass surface, next to paystation no.3, with new granite sett edging (laid flush).

- Creation of a new car park for mooring holders, local residents, estate office staff, and permit holders, including x39 spaces (5.2m x 2.5m), x2 accessible parking bays (3.8m x 6.0m) and x1 EV charging point/space. The car park would have local aggregate surfacing with flush granite sett edging. The existing access to the sewage treatment plant and estate and harbour office would be utilised. Existing boundary walls along the north and west boundaries would be retained and restored, and new hedgebank, tree/hedge planting provided along the south and east boundaries. An additional shrub buffer would be provided south of the existing north boundary.

- Installation of a new sewage treatment plant (STP) and removal of the existing. A new timber field gate would be installed further south than the existing, providing access to the STP. A small section of vegetation would be removed to allow for a temporary field access route to the new STP, to ensure the existing STP is not impacted by the works. Once the new STP is installed, the existing would be decommissioned and removed, and the temporary track would be removed and reseeded with species rich grassland mix. The existing access track would be extended south to the new STP location, with the track to be seeded with low maintenance grass seed. A new native shrub buffer and additional planting would be provided.

- Erection of a replacement toilet block. The toilet block would be a cantilevered building, with the footprint which joins with the ground being no larger than the existing toilet block footprint. Female and male toilets would be provided, as would an accessible WC & baby change, and a shower area. Two rooflights would be installed, external walls would be clad with vertical timber boards, windows would be powder coated aluminium and a green roof would be installed, using local plant species.

- Implementation of a detailed landscaping scheme, including hard and soft landscaping/boundary treatments

- The Design and Access Statement also refers to a number of advertisements associated with the paystations/ANPR system. However, the signage cannot be considered under a full planning applications and therefore an informative note to the applicant has been added to

advise them to review the Town and Country Planning (Control of Advertisements)(England) Regulations 2007 to check whether such would benefit from deemed consent or whether express consent is required from the Local Planning Authority.

Consultations:

- **AONB Unit –**Informal discussions have been carried out between the Landscape Officer and AONB Unit.

- **Drainage –** Support.

  Sufficient information received to demonstrate a workable scheme, final design will need to be agreed with the LPA and therefore condition recommended.

  Acknowledged that FRA identifies that surface water can be managed by infiltration but the proposed soakaways for the toilet block have been rejected due to heritage concerns. Toilet block is a similar size to existing and the green roof will help to manage any increase. The FRA identifies permeable surfacing to the carpark. Due to the gradient additional design input is needed to confirm that it will work and that loose gravel is suitable for the site. Sufficient surface drainage details have been provided to confirm the site can be drained and additional information/details can be secured by condition.

- **Tree Officer –** No objection

  Subject to pre-commencement condition to secure Tree Protection Plan.

- **Thurlestone Parish Council –** Object.

  First comment 01.07.2022:
  Whilst they agreed it was necessary for the existing village sewage treatment plant to be replaced and for the toilet block to be improved, Councillors considered the proposed replacement toilet block was excessive, having a footprint more than 80% larger than the existing footprint with 6 additional cubicles (13 in total) and internal showers. They felt this was neither proportionate nor appropriate in this sensitive location on the site of a Roman settlement in the South Devon AONB (contrary to NP Policies TP1.2, TP1.5 & TP1.6). Councillors also objected to the new residents/mooring holders car park on the basis that it was located on land granted approval as a temporary site compound during the construction of the new Estate office (under application 0227/20/FUL) when permission had only been granted having regard to the special circumstances of the case and provided the site would be restored to a green field in the interests of the visual amenity of this sensitive site in the AONB. They felt that the parking was 'development creep' and would not conserve and enhance the natural beauty of the South Devon AONB (contrary to NP Policy TP1.5); also, that there were too many proposed pay stations and the fourth pay station (Paystation 01) should be removed as it would have a negative visual impact on the landscape and Scheduled Ancient Monument (contrary to NP Policies TP1.5 & TP1.6).

  Second comment 31.07.2023:
  Thurlestone Parish Council OBJECTS to this application and confirm their previous objections still stand. Councillors believe the impact of each element on the AONB means this application should be 4 separate applications as below.
  Beach Toilets: Although an upgrade to the beach car park toilets would be welcomed this application is considered excessive being considerably larger than the current building due mainly to the addition of internal showers. These are considered unnecessary at the beach
  and believed would potentially cause more problems as internal showers are generally occupied longer. One or two external beach showers would be supported allowing quick access and use. Removing the internal showers would substantially reduce the bulk of the

building, retaining its current scale in this highly protected environment and the site of a historic monument. Environmental concerns were raised about the additional use of water this shower block would create bearing in mind current and future water shortages and were considered unnecessary, and the internal showers would no doubt be heated consuming energy. The proposed enlargement of the building and facilities are more suited to the shower block of a holiday camp rather than a beach car park facility and therefore unnecessary in this setting and in an AONB and contrary to Neighbourhood plan TP1.1, TP1.5 and TP1.6
Replacement sewage plant: The replacement of the current sewage treatment plant would be welcomed but councillors wish to clarify that this plant does not supply the whole ' village' as implied in the application. The majority of houses within the village have independent cesspits.
Residents/Mooring Holders car park- Councillors believed this is contrary to TP 1.5 of the neighbourhood Plan as it would harm the AONB. Located on land granted conditional approval only, as a temporary site compound, for the duration of the construction of the controversial new Estate office (under application 0227/20/FUL) the condition being 'provided the site is restored to a green field in the interests of the visual amenity of this sensitive site in the AONB'. The current residents parking area was granted permission in 2006 for 10 residents cars and again conditioned that "storage of boats, caravans and other chattels shall not be permitted." No further planning permission has been granted on this area since then. The then planning officers reason given for this condition was "to safeguard the AONB and protect the environment." Cllrs agreed yet more parking is unnecessary due to the existing 1,000 plus beach car park in such close proximity and this application constitutes 'development creep' towards Bantham beach. AONB designation is there to conserve or enhance the natural beauty of the South Devon AONB not to urbanise it. This formal car park would also be highly visible from footpath 19 (view 4 pge.80 Thurlestone NP) contravening Policy TP1.5 of the Neighbourhood Plan. Councillors believed a 'drop-off point' is all that is needed and would be more appropriate having less impact on the AONB. This could be in the existing roadside parking spaces just beyond the current pay booth for those going to their boats to unload before moving on to park in the existing beach car park, and would require no development. It was strongly felt the green field between the existing tenants car park and Zeelands Field as conditioned in the estate office application must be upheld and reinstated. It was also noted that during their recent site visit councillors saw that a block of 4 large dog kennels have recently been constructed beside the existing stone workshop in the entrance area to the new estate office, which could imply an intended 'change of use' to a Shoot Entertainment building, which no planning permission has been applied for or given.
ANPR Camera System and road changes: Although the PC recognises the Estate has attempted to remove parked vehicles from the lane to enable a 2 way system, unfortunately this is redundant at the point of exit as there is only room for one vehicle at a time on the lane between the houses and the cottages. Councillors felt the introduction of pay stations and their necessary signage ('Pay Here', 'Instructions for use' etc) will create a serious intrusion to the views across one of the most sensitive parts of our AONB and the site of an ancient monument, meaning even when empty the green field area will appear commercialised and developed. It was felt that placing 2x pay stations at the toilet block, and if needed an additional one further along the boundary with Zeelands Field, would maintain a clear view over the field to the dunes and supply adequate pay stations. It was also felt the new system will eventually remove the need for manning the pay booth and the necessary personal contact beach goers need should they have questions or a problem. The new office is not manned over the weekends which are naturally the busiest periods. The excavation across the existing natural car park to run mains electricity to the dunes for just one pay station was deemed unnecessary (the Gastrobus is self contained,and the containers currently housing the surf school placed in the dunes in 2016 were the subject of enforcement and have no planning permission to be there). There was also concern that increased traffic movements resulting from the proposed new parking charges will significantly increase traffic movements to and from the village which is liable to cause increased blockages in the Bantham Lane throughout the day and during busy periods.

- **PROW Officer –** No comments received

- **DCC Ecology –** No objection.

  No objection subject to conditions to secure a LEMP, CEMP, compliance with ecology report, limitations on installation of external lighting and works during nesting season. Following reconsultation, DCC Ecology advised that it is highly unlikely that the scheme will have ecological impacts – the buildings are unlikely to have deteriorated to such allow bat roost to be present since the initial surveys and the habitats onsite are likely to remain ecologically poor.

- **DCC Historic Environment** – No objection

  No objection following Written Scheme of Investigation being provided, subject to conditions for WSI to be followed and post investigation assessment provided. However, the ecology survey was undertaken in November 2021 – this means they are now 20 months in age. CIEEM guidelines on the 'Lifespan of Ecological Reports and Surveys (April 2019)' states that, for data which is between 18 months and 3 years, 'A professional ecologist will need to undertake a site visit and may also need to update desk study information (effectively updating the Preliminary Ecological Appraisal) and then review the validity of the report'. Given the unlikely nature of the site now supporting habitats of importance or species, DCC Ecology still believe the ecology report and previous comments to be valid in this instance. However, if there are any further resubmissions of this application in future, likely will be requesting updated ecological information.

- **Marine Management Organisation –** No objection.

  General guidance on Marine Licenses and when these are required; onus is upon applicant to take necessary steps to ascertain whether works require such.

- **Devon and Cornwall Police** – No objection.

  Recommend that shower and toilet blocks locked during hours of darkness and when car park is closed to prevent risk of anti-social behaviour or criminal behaviour taking place inside toilets when reduced activity in area. Condition requested for this restriction. Also advised it would be beneficial if there is clear signage displaying the opening and closing times to inform the members of public and beach users. Likewise, there should be clear signage of the car park rules and information regarding paying to prevent any disputes.

- **Historic England –** No objection

  No objection following clarification on location of trenches for cables to pay machine, that there will be no ground works in association with the toilet block as existing foundations to be utilised and no soakaway required as impermeable area not increased, and WSI provided to DCC HEO which is acceptable. Works will require Scheduled Monument Consent from the SoS, DCMS via Historic England.

- **Environmental Health –** No objection.

  Provision of upgraded more modern facilities will improve the ability of the estate to keep toilets and showers more hygienic which is to the benefit of all users. The existing package treatment plant needs upgrading to modern standards and the applicant confirms that the existing pipework and drainage field will be utilised to service the new system.

- **Heritage Officer –** No objection.

No likelihood of harm to setting of the built heritage assets. Most significant designated heritage asset is the scheduled ancient monument (SAM) and advice relating to this is provided by Historic England and DCC Historic Environment Team. Heritage Officer comments solely relate to above ground built heritage items. The Heritage Assessment meets needs of NPPF in relation to designated and non-designated heritage assets. Main error in document is reference to Coronation Boathouse as NDHA, as this is a Listed Building, but this is a factual error and impact has been considered on the basis of NDHA identification. Although actual assessment component of document light in detail it does demonstrate level of consideration of effects on heritage assets. Given lack of intervisibility between proposed development and designated assets they do not disagree with the conclusion in the Heritage Assessment in relation to effect on setting.

- **Highways** – No objection.

  Highway Authority notes the contents of the Technical Note submitted by the applicant in relation to the existing and proposed traffic generations from the proposals. As can be seen, the proposals will have little or no implications for existing highway network and this is not disputed by the Highway Authority. Recommends visibility splays are provided at the accesses into the proposed car park off the private road that serves Bantham Estate.

- **Landscape Officer –** Holding objection removed.

  Comments as follows:

  - **Replacement Toilet and Beach Shower Block:**

  - I reiterate that I have no concerns about this element of the development proposals, and concur with the opinion that the proposals will improve the quality and appearance of the toilet and shower block facility, in comparison with the current building.

  - **Replacement Village Sewage Treatment Plant (STP):** I would reiterate my previous comment, that I have no major concerns about this element of the development proposals, but am pleased to note that Officer's comments have resulted in amendments to the plans:

    - A temporary track will be provided to the east of the existing track for the construction period only.
    - Once the old tank is removed, this will be reseeded and the field reinstated.
    - Post construction access maintenance will be provided by extending the existing track south to the new STP site. This will be seeded with a low maintenance grass seed. This will ensure that there are no residual visual or landscape impacts from the replacement of the STP.

  - **Proposed Car Park (local residents and mooring holders) and wider parking strategy:** The covering letter provides justification for the proposed increase in parking provision, which was requested in my previous comments. The explanation is helpful, and I am pleased to note that some of the points raised by Officers have been considered and included in the latest revisions. The following changes have been introduced into the car park scheme:

    - Updates to the Landscape Masterplan to show increased landscaping within the car park, comprising widening of the landscape buffer to the north alongside the existing lane side wall/hedge and removal of 2 spaces to include pocket planting of trees to break up the length of car park spaces. The disabled spaces have been increased in size at the request of the planning officer.
    - Removal of the laneside parking spaces and creation of a grassed verge.

- Removal of paystation 3 from the access lane to reduce visual impact.
- An additional detailed plan showing the treatment of the car park entrance including overlaying the visibility splay drawing to show these can be achieved. The existing wall/hedge will be made good as per the wall detail plan included

These amendments and further details are welcomed. My only further comment is whether there will be any feature installed to prevent future parking on the grass verges? This could be addressed in the full hard and soft landscape details, which should be based on the details submitted in the Landscape Proposals, and could be secured by condition.

Summary of original comments/holding objection (dated 27.09.2022), as follows:

- Toilet/shower block –
  - No concerns

- New STP –
  - No major concerns with replacement STP, but queries why track has to divert into field, around decommissioned STP and why it cannot continue straight to new STP. Fully detailed landscape proposals would be required.

- Car Park –
  - Extension to car park area assessed based on current, temporary state as a site compound, which inevitably leads to conclusion proposed changes to landscape/visual amenity will be positive in the long term. No assessment made on recent past agricultural use of the land, not a baseline of approved, restored landscaping scheme, which may result in different conclusion
  - Proposal would widen Zealands Corner entrance or 2 way traffic, with eastern car park entrance being restricted to pedestrians. Area of hedging to be removed to create the additional parking and size of parking bays larger than UK average. Layout could incorporate more native planting to break up car parking area into smaller bays, additional tree canopy cover would provide additional screening and shade
  - New planting around west, south and east boundariers provide a degree of screening, particularly in views from south and south-west. Landscape features offered as mitigation/enhancements are greater in extend than approved landscape scheme for restoration of temporary compound, but this must be considered against adverse effects of a permanent increase in size of car park provision in this location and on site which was due to be restored to agricultural use and coastal wildflower meadow

- Wider parking strategy/circulation –
  - Intention to improve/rationalise arrival experience for visitors/residents by enhancing existing parking areas is broadly welcomed, and it is appreciated that new payment features and associated signage are part of such strategy and that effort been made to cluster new features together and utilise existing features for signage. New features will be additionally intrusive and urbanising elements, but will be experienced within the setting of the existing car park and visitor facilities on the site, and would not therefore be anomalous in the context of the existing land use.
  - Need for Paystation 3 is questioned (along with the need to retain on-road parking along the beach road when so much additional parking is proposed elsewhere).
  - Justification required for substantial increase in the amount of car parking being provided at this eastern end of the site, also considered extent of space available at the western end which is currently occupied by poorly laid out

parking (and with a huge area of informal overflow parking) that could be utilised instead, with spaces dedicated for existing residents, mooring holders. Consideration should be given to formalising and improving the existing car park to the west, including the surface, layout arrangements, and landscaping.

- Justification required for retaining the on-road parking bays, albeit in a more formalised way. The landscape condition of the roadside verges is poor along the beach road, because of the pressure of visitor numbers and parking. Whilst the proposed formalisation of on-road parking bays will partially address the condition, it will have an urbanising effect. The complete removal of on-road parking along the approach to the, and restoration of the verges to locally appropriate coastal grassland, would have a beneficial effect on both landscape condition and visual amenity, noting that parking here is visible even in more distant views across the landscape, as evidenced in the LVIA.

Representations:

X22 letters of support received, summarised as follows:

- Development would serve the local community, upgrading key facilities. Sensible modernisation with proportionate and sensitive improvement.
- Need for improved toilet/shower facilities is self-evident. Estate wouldn't want to build toilet block any larger than is necessary to cope with additional demand. Toilet block hasn't changed since 60's apart from a disabled WC being put in in the 80's. Now huge queues on any busy weekend and through spring/summer. Many people won't use existing toilet block as so out of date and unpleasant. Water sport users been wanting showers for many years, as do many visitors; undercover showers welcomed, particularly on inclement days to surf, kite, windsurf and swim
- Need for replacement STP speaks for itself. Dire consequences due to proximity to the beach if existing STP failed. Estate should be commended for being prepared to invest in what appears to be a substantial expansion and improvement of village scheme to which an increasing number of properties are able to connect. This replaces unsatisfactory use of a septic tanks, which probably overflow into West Buckland stream, that comes out by the lifesaving club end of the beach which could be why has not had a blue flag designation for clean water in many years. New STP is a must so only clean water is released.
- Having a designated parking area for mooring holders will be to the benefit of all users of the car park. Too often mooring holders have to park further down than the toilet block and walk back up the lane hauling everything required for the boat, including sailing gear, fuel, fishing gear etc, which doesn't make sense. Bantham Quay, which the estate maintains, is an important access to the Estuary where locals as well as holiday makers moor their boats. Without designated car park for mooring holders the present difficulty of mooring owners cars squeezing into the land along the access lane will continue. Provided the new car park area and entrance are sensitively landscape the whole access to the beach will be greatly improved and will allow for the no parking in the turning circle, which is where boat owners currently stop to unload equipment, to be fully controlled providing less chance of traffic congestion
- Tenants parking was put in in 90's when many cottages only had one car, but most now have two and some work vans
- Car park is privately owned and payments contribute towards substantial cost of maintaining the car park and facilities, including salaried local workforce. Providing camera and pay stations moderately inconspicuous, no objection to now widely used number plate recognition system which has the advantage that people will in future pay for the time they are on site and avoid the present inequality that a half hour walk costs exactly the same as a whole day stay.
- ANPR system will reduce traffic queues and gridlock, and majority of locals have season passes so won't be affected by new charging system. Will also reduce impacts on amenity of occupants of cottages, which are currently impacted by the noise from cars with engines running waiting to access to car park.

- Applaud fact that 'gate keepers' will continue to be employed during office hours to provide a point of contact with the estate for visitors who require assistance.
- Should be ensured that ANPR system doesn't result in people parking on Buckland Lane before 8am and after 6pm potentially causing obstruction for locals, emergency vehicles and RNLI.
- Page 61 of Parish Plan says new toilets/showers are wanted. TP8 and TP9 support for businesses wanting to improve and help tourism.

X95 objections received, summarised as follows:

General/All Development

- Proposals, including parking, ANPR, pay machines and signage, will detract from the quality of the iconic coastal views, and would not conserve and enhance the natural beauty and special qualities of the AONB nor the special character of the Undeveloped and Heritage Coast. Failure by the AONB and the LPA to "assess their direct, indirect and cumulative impacts on natural beauty" Policy DEV25 point 4. Proposal would materially harm the AONB, for which the LPA have a statutory 'duty of regard' for purposes of conserving and enhancing the natural beauty, as required by S85 of the Countryside and Rights of Way Act 2000. The proposal is inappropriate development in the South Devon AONB and UC, causing substantial harm to their natural beauty, special qualities, and distinctive landscape character. Given the high degree of protection this landscape receives, this substantial harm weighs heavily against the proposal.
- Impacts on views from PROWs 2, 4, 5, and 19 in parish of Thurlestone.
- Impact on natural habitats.
- Impacts on the Schedules Ancient Monument, requirement for scheduled monument consent. Reference to statement in submitted documents that 'electricity and data cables to serve the paystations to be laid in an existing services trench which broadly follows the road in order to minimise risk to disturbance of any potential archaeological remains' – only service that South Hams Society aware of is the water supply to the toilet. Proposed payment B appears to be situated in the overflow car park.
- Proposal contains x4 separate major development proposals and each one merits a separate application but which have been submitted together in hope of achieving all infrastructure required for planned future development in highly protected area – outside development boundary, in AONB, Undeveloped Coast, Heritage Coast, SAM.
- No substantiated need for 3 out of 4 of the proposals, lack of detail and justification, and no community benefit.
- Pedestrian accessibility to beach now impossible especially for children
- Reference to Paragraphs 176, 199, 200 and 201 of the NPPF and relevant policies in the JLP, Thurlestone NP, South Devon AONB Management Plan
- Reference to SHDC Better Lives for All document.
- Reference to Bantham Estate Management Plan: https://banthamestate.co.uk/wp-content/uploads/2021/09/Confidential-Final-Bantham-Estate-Management-Plan-27.07.2021.pdf
- 1200 people signed Save Bantham petition; over 100000 people come to enjoy unspoiled landscape and tranquillity of the estuary and beach, owned by Bantham Estate
- Contrary to:
    - TP1.2 Design
    - TP1.4 Dark skies
    - TP1.5 Natural Environment
    - TP22.1 The Natural Environment
    - DEV15 Supporting rural economy
    - DEV23 Landscape character
    - DEV24 Undeveloped and Heritage Coast
    - DEV25 Nationally Protected Landscape

Septic Tank

- Access road to new STP should be restricted to current location once existing sewage treatment plant removed, but accept there may be temporary requirements for installation
- STP is not a village pumping station. It is the estate pumping station servicing almost entirely estate buildings, the beach toilet block, predominantly thatched cottages, and two or three other properties. Remaining houses in village have own septic tanks.

ANPR/Parking

- No need for more parking for mooring holders as already sufficient parking
- Technical issues with ANPR systems, which can require attendants and cause traffic congestion
- Parking prices unreasonable, and increase in parking prices reduces accessibility by ability to pay (reference to SPT1). Applicant making improvements to toilet block to increase carpark revenue. Impacts on local businesses, such as the pub, where customers may have to pay for parking in the evenings.
- Claims on 2786/20/FUL that the estate office was essential for effective overseeing and management of people and vehicles entering the beach area apparently false, as APNR cameras and machines make such untrue.
- Car park includes extension to 55/0037/06 already justified and approved. 2006 permission had a restriction for parking to be used by residents/tenants only. Car park extension has been a construction site since 2018 and is controlled by planning conditions to remove compound and provide biodiversity net gain. Seems disingenuous to submit a proposal with area for biodiversity to then propose that area turned into car park less than 12 months later
- Written in 2019 the traffic consultant's report included with this application concludes that the new Mooring Holders car park would have no effect on the traffic volumes in the access road to Bantham. As the report only looks at the Mooring Holders Car Park this is likely to be true, as the Mooring Holders currently use existing car parking facilities anyway. This survey does NOT look at the ANPR system proposed. Roads will become busier and more dangerous due to more development.
- ANPR would increase intrusive surveillance and compromise ease with which locals can use the car park, impacting on amenity. Will gates be locked at night and will village suffer a loss of amenity because residents/visitors to public house will no longer have access to free parking out of hours
- Introduction of EV points in beach car park surely smoke and mirrors to get electricity to retail outlets in car park. Low provision for EV points in residents car park so estate no future proofing for own tenants, no organised parking in main car park so wont work.
- Currently little traffic in Bantham/West buckland after hours of 8-9pm, as main car park closed. Introduction of ANPR endangers this as vehicle movements could extend into the night if not 24 hours, bringing light pollution and noise into villages, contravening TP1.4 of the NP, impacting dark skies and right for quiet enjoyment. Potential for campers/caravans overnight.
- Importance of pay booth and human contact with visitors was stressed by same applicant vehemently in application for estate office block.

Toilet Block

- Lack of information on how toilet block will be managed to modern standards, STP uphill of toilet block.
- Toilet block actually proposed to serve D2 Zealands Field (Bantham Estate Management Plan) which they seek to develop as a high quality glamping style facility. Design doesn't reinforce local distinctiveness or maintain distinctive sense of place. Internal showers impractical and will add to problematic queues. External showers more practical.
- Existing toilet block 36sqm, proposed is 60sqm, being an increase of 60% in footprint size which will have detrimental impact on landscape due to design, appearance, layout, scale, density and materials.
- Toilet block doesn't need baby changing facilities.

Other

- Applicant lands helicopter in Zealands Field, no permission for helipad.
- Car park site has fixed lines of posts installed, including in overflow car park
- Overflow car park has no planning permission, work carried out in 2022 with an excavator. Change of use of land to a car park
- 1 tonne excavator above Coronation Boathouse to clear bank of vegetation. Yet access to shore remains via steps, platforms and a steep wooden ramp across building. Completely unsatisfactory compared to PROW slope that used to be in use – request LPA liaise with DCC to reopen proper route to ferry steps

X4 neutral letters received, summaries as follows:

- New toilet block and sewage system needed and no objections to design/layout of car parking
- New mooring holder car park will work better for people using boats at high tide
- Concerns about possibility of 24 hours parking fees – strongly believe important AONB can be enjoyed by everyone
- ANPR hourly rates may make it better and move traffic more quickly
- Understand estate is a commercial enterprise and needs to fund itself, but thinks there should be some times when parking is free
- Like driving up to hut and having a warm welcome from a local and their gems of knowledge
- Concerned ANPR will mean early morning and evening walkers will have to pay for post and pre work wellness
- Disagree with charging for evening parking on the track from the pay booth to main beach parking. Doesn't help with Sloops business by creating parking issues in village with diners squeezing cars onto a road that is always busy

Relevant Planning History

- 0976/22/ARC - Application for approval of details reserved by condition 9 of planning application 0227/20/FUL. Approved.

- 3179/21/ARC – Application for approval of details reserved by conditions 14 & 15 of Planning Permission 0227/20/FUL. Approved.

- 2959/21/ARC – Application for approval of details reserved by conditions 6, 12, 17 of Planning Permission 0227/20/FUL. Approved.

- 0227/20/FUL – READVERTISEMENT (Revised plans received) Erection of new Estate & Harbour office; and granting of temporary 18 month consent for continued use of land for siting of portacabins and associated parking of vehicles for use as temporary estate office. Conditional Approval.

- 1218/18/FUL – Temporary change of use, for 1.5 years, of farmland to use of land for the siting of welfare cabins and parking of vehicles and plant for contractors working on the construction project at Clock. Conditional Approval.

- 0383/18/VAR – Variation of condition number 2 following grant of planning permission 2909/17/FUL to allow changes to the approved site plan. Withdrawn.

- 2909/17/FUL - Temporary change of use, for 2 years, of farmland to a use of land for the siting of welfare cabins and parking of vehicles and plant for contractors working on the construction project at Clock Cottage. Conditional Approval.

- 3579/16/FUL – Retrospective application for change of use of land for seating area, temporary use of parking space for parking of gastrobus, re-siting of 2 storage units and provision of refuse compound with lean-to store. Withdrawn.

- 55/0037/06/CU – Change of use of agricultural land for car parking by residential tenants of Evans Estates only. Conditional Approval.

- 55/1880/05/F (Zealands Corner) - Continuance of use without complying with condition 1 (temporary permission) and variation of condition 3 (to extend holiday use to any time of year). Withdrawn.

- 55/0021/03/F - Aterations to provide toilet for the disabled. Conditional Approval.

- 55/0554/87/3 (Zealands Corner) - Extension to existing holiday home. Refused.

- 55/0417/76/3 – Construction of septic tank for four dwellings. Conditional Approval.

- 545/WD/1 (Zealands Corner) – Rebuilding of rooms.

ANALYSIS

1.0 <u>Principle of Development/Sustainability:</u>

1.1 Policy TTV1 of the JLP sets out a hierarchy of sustainable settlements, where growth is to be directed/restricted. The application site is within the countryside, outside the settlement boundary shown in Figure 8 of the NP. As such, Part 4 is relevant to this proposal, stating that that development in the smaller villages, hamlets and countryside will only be permitted if it can be demonstrated to support the principles of sustainable development and sustainable communities (Policies SPT1 and 2) including as provided for in Policies TTV26 and TTV27. Policies SPT1 (Delivering sustainable development) and SPT2 (Sustainable linked neighbourhoods and sustainable communities) of the JLP support sustainable development which, amongst other things, encourages and supports opportunities for business growth, minimises pollution and adverse environmental impacts, protects the natural environment, and respects, maintains and strengthens local distinctiveness through high standards of design. These principles are discussed throughout this report.

1.2 Policy TP2 of the NP supports development which is within the settlement boundary of Bantham, but seeks to protect the adjoining countryside from inappropriate development. The supporting text to the Policy states that development outside the settlement boundary will be treated as an exception. Policy TTV26 of the JLP also seeks to protect the special characteristics and role of the countryside, setting out particular circumstances where development may be supported/avoided.

1.3 TTV26 states the following:

<u>'Development in the countryside:</u>

The LPAs will protect the special characteristics and role of the countryside. The following provisions will apply to the consideration of development proposals:

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

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.

2. Development proposals 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.'

1.4 In response to Policy TTV26(1), the Local Planning Authority follow the principle established by 'The Bramshill Ruling'. The Bramshill case held that, for the purposes of the NPPF, "…the word "isolated" in the phrase "isolated homes in the countryside" simply connotes a dwelling that is physically separate or remote from a settlement. Whether a proposed development is or is not "isolated" in this sense is a matter of fact and planning judgment for the decision-maker in the particular circumstances of the case in hand." In this case, the application site is in close proximity to the built form of Bantham and West Buckland and is not considered to be remote from the settlement or isolated. As such, only part 2 of TTV26 is of relevance.

1.5 With regard to 2(iii) and (iv), information has been provided to explain the need for the development in the proposed location. The Design and Access Statement states that visitor numbers have increased over the years, putting pressure on existing dated visitor infrastructure, highlighting the urgent need for rationalisation of parking and visitor facilities. Additional information has been provided on each aspect of the proposed development, which is summarised as follows:

Car Park for mooring holders/residents/estate office staff:

- Number of parking spaces carefully considered to ensure that there are enough spaces to accommodate busy periods when the tide is high and mooring holders are taking the opportunity to boat/sail on the estuary or outside the harbour. Car park ideal location close to the quay and Coronation Boathouse. Currently mooring holders have to find space in the main beach car park and then walk back up the lane with all items, i.e. oars, picnic, engines etc., which creates immediate danger with ingoing and

outgoing beach cars. The main car park is also locked in the evenings and can be full during good weather; residents and mooring holders need designated parking.

- There are 146 mooring holders and the car park includes spaces to meet forecasted peak need (July-August), plus provide spaces for residents (10 cottages), who have historically parked in the car park since this was permitted in 2006.
- The mooring holders and residents spaces will be clearly delineated and the car park would be available to residents and mooring holders season pass / permit holders, and not chargeable under the ANPR system.
- Estate and Harbour Office did not contain a public car park, just a small car park for staff and visitors to the office
- Concerns raised during consultation period about cars of visitors to holiday accommodation being parked on the lane causing traffic incidents could be alleviated by providing a number of designated spaces in the new car parking area
- Reference to Neighbourhood Plan supporting text which states *'The majority of Questionnaire respondents (81%) considered that car parking in the parish was a problem to some degree in the summer, and 54% of respondents considered that it was a year-round problem to some degree. Of those who considered parking to be a problem there was overall support for a single new car park on a greenfield site in preference to the provision of more parking spaces in the villages'.*
- Application sought to introduce some control over existing lane side parking which at present see's people parking indiscriminately and causing traffic obstructions and safety issues on the lane. Lane side parking has been reduced to two which provide pull in spaces for one of the paystations.
- Whilst original intention was to restore the site to grassland the Estate are adapting to changing requirements of beach goers and mooring holders, aiming to make best use of land available and manage pressures on the area in most efficient way possible.
- Landscaping proposed as part of car park scheme will increase appearance and biodiversity of the site.
- Limitations on what can be done in the main car park due to the existence of the Scheduled Ancient Monument.

<u>Toilet/shower block</u>

- Proposal reuses existing foundations of the building, ensuring no resulting new groundworks within the site of the SAM, also ensuring materials/embedded energy in foundations are reused
- Extending existing building shell to provide additional internal capacity would not be done without additional groundworks.
- Existing building of poor quality and not capable of any significant improvement which warrants its retention as a feasible option
- Proposed development represents a visual improvement to appearance of current building
- Size of replacement building responds to general requirement for welfare and hygiene standards. On peak season days there can be 2000/3000 people on the beach and existing facilities simply do not meet modern standards for this number of visitors
- Toilets will be open when beach is open and locked shut when it is not. No intention for toilets to be open overnight and happy for such to be conditioned.

<u>Village sewage treatment plant</u>

- Current system under capacity for current requirements, serving 14 residential properties along with the Sloop Inn and Estate/Harbour Office. Current system would probably serve domestic population equivalent of around 35 in number
- Applicant advised by Sewage and Waste Water Engineers that current system is in a general poor state of repair and beyond economical repair. System is undersized for

the current design input flows and loadings and being an aged system is not designed to meet the minimum standards currently expected / imposed by The Environment Agency in terms of aerobic treatment.

ANPR system

- Will manage the collection of parking charges outside of core hours when the payment hut is not manned. The ticket hut will be manned during core/peak hours to provide visitor assistance and information.
- Aims to improve and rationalise the arrival experience for both visitors and residents by enhancing existing parking areas and introducing new payment features – contributing to wider parking strategy and circulation.
- Prevents visitors having to stop and pay manually at the hut resulting in improved traffic flow and reducing congestion in busy times which is currently a significant problem
- Infrastructure designed to limit visual impacts
- Provides a fairer system of charging as people will only pay for the time spent in the car park, whereas currently all visitors pay for a full days parking as there is no way to monitor arrivals and departures.
- There can be no planning related objection to the introduction of such a system which is in use up and down the country. Many of the car parks we all now use are switching to a more automated and digital solution and the idea that Bantham cannot consider a technology that everyone else can, is unreasonable.

1.6 It is considered that a need for the development has been identified and that, as the proposed development is required in connection with the beach facilities/services and a number of buildings/ existing properties within Bantham, it must be located at the proposed site and cannot be provided elsewhere. The proposed car park provides approximately 0.1hectares of parking/access space, including the existing residents car park which provides approximately 0.04hectares of parking/access space, being an increase of 0.06hectares. It is acknowledged that part of the proposed car park should be restored to agricultural land, including part wildflower meadow and part arable land, as a requirement of conditions imposed on 0227/20/FUL (Plan Reference: 435 100 Rev P2). The land is identified as being Grade 3 Agricultural Land but no information has been provided to confirm whether this is Grade 3a or 3b (only Grade 3a falls within the definition of the BMVAL). The loss of Grade 3 agricultural land would weigh negatively in the planning balance. However, given the scale of the area of agricultural land which would be lost and the layout of the development and landscaping associated with such, it is considered unlikely that the proposed car park would prejudice agricultural operations associated with the land to the south of the site, and the proposed development would support the existing use of the wider site as a beach car park and visitor facility.

1.7 Impacts on the PROW network are discussed in further detail below, however, for clarity, it is considered that the removal of the lane side parking (except for two spaces) and formalisation of the wider parking strategy is likely to improve the safety of pedestrians/cyclists using the PROW which runs along the access road to the beach. Impacts of the development on the landscape (including AONB) are also discussed in further detail below, however, it is not considered that the development will result in long term degradation of the landscape and natural environment.

1.8 Policy DEV24 is also of relevance when considering the principle of development due to the sites location within the Undeveloped and Heritage Coast. In this case, the development requires a coastal location and cannot be located outside the Undeveloped Coast as such is required in connection with the existing beach facilities/services and existing buildings/properties within Bantham. The development is required in connection with public access to the coast and estuary and seeks to address pressures on existing infrastructure resulting from increased visitor numbers. Impacts on the character and tranquillity of the AONB, Undeveloped and Heritage Coast is discussed in further detail below. DEV24 also requires development to be consistent

with the policy statements in the Shoreline Management Plan. The site falls within the 6c13 Policy Unit (Avon Estuary – East Bank – Mouth of Stadbury Farm). The preferred policies are for natural coastal evolution to continue through no active intervention; the development would not prevent this approach. Policy TP23 of the NP seeks to prevent development on or within the immediate vicinity of any of the beaches in the parish unless there is an overriding need for the facilities to be provided in that location and the design and landscaping is of the highest design quality that minimizes any visual or environmental impact on the coastal landscape. In this case, the development is within the immediate vicinity of the beach. However, as set out above, justification has been provided to show an identified need for the development and that it is necessary in the proposed location. The design and landscape impacts of the development are considered in further detail below.

1.9 Furthermore, it is acknowledged that the development will support tourism through the management and maintenance of parking and visitor infrastructure within the Bantham Estate. TTV2 sets out specific objectives of rural sustainability to be supported through development, including, amongst others: the growth and expansion of rural businesses and enterprises; and the delivery of sustainable rural tourism and leisure developments that benefit rural businesses, communities and visitors and respect the character of the countryside and historic settlements.

1.10 A number of comments have been received in respect of the opening times of the beach car park, the car parks charging schedule, inefficiency of ANPR systems, and infringement of users privacy. However, these matters are not material planning considerations. The car park is privately owned and therefore the management of such and of the ANPR system is the responsibility of the owner. The proposed car park is for mooring holders, residents and permit holders only and such could be restricted by condition. It is not considered that the Local Planning Authority can control the charging schedule or opening times of the beach car park through this planning application.

1.11 Comments were also received regarding the operation of and works to the beach car park, including overspill area, and works to the bank and PROW in close proximity to Coronation Boathouse. In respect of the overspill car park, the Planning Agent advised that the applicant's Estate Manager advised that nothing has changed in the 14 years that they have worked at the Estate and that the overflow car park has existed in its present form for at least 20 years. Google Street Scene imagery from July 2009 shows the overflow car park to be marked out with poles and the western area occupied by a number of vehicles. Google Earth Satellite Imagery shows that the land started to be used for parking between 2005-2010 and that this intensified between 2010-2015 (although the images show a snippet of time only). Notwithstanding such, these are not matters to be considered under the current planning application but have been reported to Planning Enforcement for further investigation.

2.0 <u>Design/Landscape</u>

2.1 The site lies within South Devon AONB, the Undeveloped Coast and South Devon Heritage Coast, making this a very sensitive location, set within a highly valued landscape. DEV24 states that development which would have a detrimental effect on the undeveloped and unspoilt character, appearance or tranquillity of the Undeveloped Coast, estuaries and Heritage Coast will not be permitted except under exceptional circumstances. DEV25 requires the highest degree of protection to be given to the protected landscape of the South Devon AONB.

2.2 The site is within the following Landscape Character Areas/Types:

- National Landscape Character Area: 151 South Devon
- Devon Landscape Character Area: Bigbury Bay Coastal Plateau
- South Hams Landscape Character Types relevant to the development proposals:
    - 3G River Valley Slopes and Combes
    - 4A Estuaries

- 4D Coastal Slopes and Combes

2.3 A Landscape and Visual Impact Assessment (LVIA) has been provided. The Landscape Officer confirmed that the methodology is appropriate and that generally the assessment of effects of the proposals on the special qualities and valued attributes of the AONB, on Landscape Character and on visual amenity is broadly accepted. The LVIA concludes that the proposed development is small in scale, and does not impact the broader diverse character of the landscape setting to the AONB. It is stated that the landscape effects of the proposed development on the site and study area are generally considered to be not significant to slight beneficial as the proposed development will not result in the removal of any highly sensitive or significant landscape features. In addition, not all of the site is considered to positively contribute to the wider landscape character, and therefore provides a higher capacity for enhancement.

2.4 With regard to the replacement toilet block, no concerns were raised by the Landscape Officer. The existing building measures 10.7m x 3.4m (36.38sqm). The flat roof height is approximately 12.3m AOD and the sloping roof above approximately 13.1m AOD. The existing building is finished with white render which is highly prominent in long distance views. The proposed building measures approximately 12.5m x 5.3m (66.25sqm), with the increase in floor space being required to enable provision of additional toilets and showers. The flat roof height is approximately 13.2m AOD. Whilst the proposed buildings mass is larger than the existing, the use of timber cladding, timber doors, and a coastal green roof will help to assimilate the development with the surroundings. The proposed toilet block is a cantilevered building which will utilise the existing toilet block foundations and retain the grassland surrounding. It is considered that, subject to conditions to secure details of materials and the green roof system, the replacement building will provide an enhancement to the appearance of the site.

2.5 The new STP is to replace the existing STP which the applicant advised is in a general poor state of repair and beyond economical repair. The STP will mostly be below ground with above ground elements being low profile. The proposed development was amended following the initial consultation response from the Landscape Officer to relocate the proposed access track to the STP. It is now proposed to create a temporary field access route which diverts around the existing STP and enables installation of the new STP without impacting the existing service. Once the new STP is installed the existing STP would be decommissioned and removed, the temporary track would be seeded with species rich grassland mix and the existing access track would be extended south to the new STP, with the track being seeded with low maintenance grass seed. Additional landscaping, including an area of species-rich grassland mix, new native shrub buffer and tree planting, would be provided to screen the development.

2.6 The wider parking strategy seeks to improve and rationalise the arrival experience for visitors and residents by enhancing the existing parking areas. Three new paystations would be installed, one is to be ground mounted in the area north of the existing residents car park, one mounted to the existing bin store and one mounted to the proposed toilet block. A new ANPR camera would be installed on the existing ticket hut, replacing an existing CCTV camera. Full details of the paystations and ANPR camera/pole, including mounting and design can be secured by condition. Signage has also been included within the design and access statement and the original development description, however, this cannot be considered under the full planning application and the Planning Agent has been informed that separate advertisement consent may be required; reference to signage in the description of development has been removed. Notwithstanding such, it is appreciated that the pay stations, ANPR camera and signage is part of the wider parking strategy and that effort has been made to cluster new features together and to utilise existing features for signage. The Landscape Officer commented that the new features will be additionally intrusive and urbanising elements but will be experienced within the setting of the existing car park and visitor facility on site, and would not therefore be anomalous in the context of the existing land use.

2.7 Initial concerns were raised by the Landscape Officer regarding the number of pay stations along the access road and the need to retain roadside parking bays when there is a significant amount of parking provided elsewhere. The Landscape Officer's comments advise that '*The landscape condition of the roadside verges is currently poor along the beach road, because of the pressure of visitor numbers and parking. Whilst the proposed formalisation of on-road parking bays will partially address the condition, it will have an urbanising effect. The complete removal of on-road parking along the approach to the beach, and restoration of the verges to locally appropriate coastal grassland, would have a beneficial effect on both landscape condition and visual amenity, noting that parking here is visible even in more distant views across the landscape, as evidenced in the LVIA.'* In response to such concerns, the number of paystations was removed from 4 to 3, and the roadside parking bays have been removed from the proposal, except for x2 'pull-in spaces' for the paystation which would be surfaced with a reinforced grass finish so that, when not in use, they provide a softer, visual greening effect. The remainder of the lane, where visitors currently park, would have a grassed verge reintroduced to provide an enhancement to the visual appearance of the lane. New 25mm granite sett edging would be provided along the grass verges and flush edging provided to the 'pull-in spaces'. These would assist in discouraging parking along the grass verges, however, a restriction on roadside parking along with measures to prevent such (i.e. low timber bollards), could be secured by condition.

2.8 The proposed car park includes an area currently used for residents parking, granted planning permission under 55/0037/06/CU, as well as an area of land which has been used as a construction compound in connection with development projects in the surrounding area, including the estate and harbour office approved under 0227/20/FUL. Condition 8 imposed on 0227/20/FUL requires the construction compound (excluding the residents car park area), to be restored back to agricultural land and landscaped. In the submitted LVIA, the extension to the car park has been assessed based on its current, temporary state as a site compound which the Landscape Officer states *'almost inevitably leads to a conclusion that the proposed changes to the landscape and visual amenity will be positive in the long term.'* The Landscape Officer advised that the LVIA should have been based on the recent past agricultural use of the land or the baseline of the approved, restored landscaping scheme, which may result in a different conclusion on the more local effects of the proposals. Following such comments, the Planning Agent provided a Technical Note which considers the baseline as the landscape restoration scheme associated with 0227/20/FUL. The conclusion states that '*Overall the site will be experienced as part of a managed site, offering moderate beneficial visual benefits when compared to that of the existing baseline condition.'* The Landscape Officer was reconsulted and stated that the additional assessment work gives a more complete picture of the possible effects of the proposed development. There will be permanent changes to the appearance and qualities of the landscape, but some of these will result in a betterment compared to the existing situation, and other changes can be assimilated acceptably through the mitigation and enhancement proposals provided.

2.9 Initial concerns were raised by the Landscape Officer regarding the justification for the additional parking and the widened access to the west of the roadside boundary. It was also suggested that additional native planting could be provided to break up the car parking area into smaller bays where additional tree canopy cover would provide additional screening and shade. In response to such concerns, additional justification has been provided in respect of the amount of parking required, as set out in Section 1.0 of this report, and the layout of the car park has been amended. Additional areas of planting would be provided within the car park itself, and along all boundaries. Additional drawings have been provided to show the proposed access to the west of the roadside boundary, including reinstatement of the stone wall, and to show the timber field gate which would provide access to the STP and the agricultural field, both of which are considered to be acceptable and in keeping with the area.

2.10 The permanent increase in the size of the car park, on a site which was due to be restored to agricultural use and wildflower meadow will result in a negative visual change to the site, particularly when viewed from the footpaths adjacent to and south of the site. However, the

proposed landscape features offered as mitigation and enhancements are greater in extent than the approved landscape scheme for the restoration of the temporary compound and will provide a good level of screening to the car park (existing and proposed). Additionally, the removal of the roadside parking and the provision of additional landscaping, which can be secured by condition, would provide a visual enhancement when viewing the site from the north and when travelling along the access lane itself.

2.11 The initial concerns raised regarding the design of the development are considered to have been addressed, as discussed above. This is reflected in the Landscape Officers subsequent comments which remove the landscape holding objection. It is stated that *'Further explanation / justification has been provided to explain the number of additional car park spaces proposed, which will now be considered in the planning balance by the Case Officer. The amendments have addressed the concerns raised in my previous comments.'*

2.12 Subject to the conditions listed at the top of this report, it is not considered that the development will harm the character of the wider landscape. The impact of enlarging the existing 'residents' car park is considered to be mitigated by the proposed strategic landscape works and the improvements to the access road verge parking. The development is considered to accord with DEV2, DEV20 and DEV23 of the JLP and Policy TP1 and TP22 of the NP. In respect of the impact on the character of AONB, Undeveloped and Heritage Coast, it is not considered that the development will harm such due the mitigation and enhancement measures provided, the sensitive design of the toilet block and the carefully considered location of infrastructure associated with the parking strategy. The development is considered to accord with DEV24 and DEV25 of the JLP and TP22 of the NP, conserving and enhancing the character of the AONB, Undeveloped and Heritage Coast.

2.13 Paragraph 177 of the National Planning Policy Framework (NPPF) states that planning permission should be refused for major developments in designated areas (National Parks, the Broads and Areas of Outstanding Natural Beauty) "*...other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:*

a) The need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
b) The cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and
c) Any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated. "

2.14 The NPPF makes it clear that whether a proposal amounts to 'major development' is a matter to be determined by the decision maker, taking into account the nature, scale and setting of the proposal, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined. It is not synonymous with the definition of a 'major planning application', that is in terms of floor/site area or the number of dwellings, but rather whether the development could be construed as major development in the ordinary meaning of the word having regard to the character of the development in its local context.

2.15 Having regard to the scale, nature and setting of the development, and taking the local circumstances and context into account, the LPA do not consider the proposal to be Paragraph 177 'major development' in the context of the South Devon AONB. Such view is supported by the Landscape Officer. Accordingly the need to apply the test of 'exceptional circumstances' does not apply.

2.16 In considering this application, the Local Planning Authority have however, considered the overriding statutory duty of regard for the purpose of conserving and enhancing the natural

beauty of the AONB (Countryside and Rights of Way Act 2000, s85) and of the policies in the Council's adopted statutory management plan for the South Devon AONB.

3.0 Heritage Impacts

3.1 There are a number of Listed Buildings in close proximity to the site, including no's 1-10, and Coronation Boathouse. There is also a Scheduled Ancient Monument known as Bantham Ham to the western area of the site, including the toilet block and car park, and Coronation Quay is defined as a non-designated heritage asset in Policy TP21 of the NP. A Heritage Assessment has been provided and concluded that as the proposals are not visible from the village there are no impacts on the heritage assets there. The LPA's Heritage Officer, in relation to above ground built heritage assets, commented that given the lack of inter-visibility between the proposed development and designated heritage assets they do not disagree with the conclusion of the Heritage Assessment in relation to effect on setting.

3.2 The new toilet block sits on the footprint of the existing building; no further digging for foundations is required and no new soakaway is required as the impermeable area is not increasing and a green roof system is proposed. One paystation is to be mounted on the proposed toilet block, where there is an existing electricity supply, and another is to be mounted on the existing bin store structure. The power cables to the paystation mounted on then bin store structure are to run through existing service trenches. A plan was provided showing the location of such. Additionally, archaeological investigation was carried out in the car park area and nothing of interest was found. A Written Scheme of Archaeological Investigation has also been provided which Devon County Council Historic Environment Officer confirmed is acceptable. Historic England were consulted and raised no objection to the proposed development, including to the location of cables through Bantham Ham SAM. The applicant/Planning Agent are aware that the works would require Scheduled Monument Consent from Historic England.

3.3 Subject to conditions, it is not considered that the development will harm the significance or setting of heritage assets within and nearby the site, according with DEV21 of the JLP and TP1 and TP21 of the NP.

4.0 Neighbour Amenity

4.1 The only property in close proximity to the site is Zealands Corner, which is a holiday cottage owned by the applicant (545/WD/1 - 3408/WX/911/64 and 55/0554/87/3 are relevant). Given the proximity of the cottage to the existing parking, including residents parking, roadside parking and beach parking, it is not anticipated that the residential amenity of occupants of such will be detrimentally impacted. Visitors/occupants would be aware of the location of the holiday cottage adjacent to existing parking and the parking area would be used intermittently. Environmental Health were consulted and raised no objections to the proposed development in respect of noise impacts on residents.

4.2 A number of objections have been received which raise concerns regarding the inefficiency of ANPR systems and the potential for them to fail and cause a back log of traffic and also regarding the impacts of changes to the car park charging schedule and management of the car park. A number of supporting letters were also received in respect of ANPR systems being widely used, the ability to pay for only the duration of stay, and potential for the system to reduce village gridlock and impacts on properties along the approach road which can experience noise from queues of traffic accessing the car park. Notwithstanding such, the management of the ANPR system is the responsibility of the owner and the Local Planning Authority cannot control the charging schedule of the privately owned car park.

4.3 It is not considered that the development will harm residential amenity, according with DEV1 of the JLP and Policy TP1 of the NP.

5.0 Highways/Access:

5.1 A Transport Assessment has been provided with the application which concludes that there are no highways or transportation grounds on which to refuse planning permission for the proposed car park. The proposed car park is to be used by residents, permit holders and mooring holders which already travel to/from the site, but currently park in the existing resident's car park, the adjacent lane, or the beach car park. The Highways Department were consulted and raised no concerns with the information provided in the Transport Statement and no objections to the proposed development. Recommendations were made in respect of the visibility splays from the proposed car park onto the access road and in response to such amendments have been made to the proposed drawings, including removal of roadside parking and provision of visibility splays; these can be secured by condition.

5.2 It is also acknowledged that the removal of the lane side parking may provide better access to the beach car park as vehicles currently park at an angle with part of the vehicles overhanging onto the road. Such may also improve the experience of pedestrians/cyclists using the PROW which runs along the access road. The applicant's intention is to improve/rationalise the arrival experience for visitors/residents by enhancing existing parking areas, including the ANPR system which may improve the flow of traffic by allowing visitors to enter and park before purchasing a ticket, rather than all stopping at the ticket hut.

5.3 It is not considered that the development will result in highway safety issues, complying with DEV29 of the JLP and TP1 and TP17 of the NP.

6.0 Drainage/ Coastal Change Management Areas:

6.1 The site is within Flood Zone 1 and is not shown to be at risk of surface water flooding on the Environment Agency Surface Water Flood Risk Maps.

6.2 Environmental Health were consulted on the application and raised no objections to the proposed method of foul water disposal, including the replacement of the STP and utilisation of the existing pipework and drainage field. Full details of foul water drainage can be secured by condition.

6.3 The proposed toilet block is to be constructed on the existing foundations and is a cantilevered building which will not increase the impermeable area around the building. The building also has a green roof system which would likely assist in surface water drainage; full details can be secured by condition. A SUDs scheme is provided for the proposed car park, with percolation tests having confirmed that infiltration is an appropriate method. A permeable sub-base would be located below the car park surfacing. The car park is to be surfaced in gravel, which would be laid over the granular sub base storage. The new section of access track to the STP is to be seeded with low maintenance grass seed. The Council's Drainage Officer raised no objections to the proposed development, confirming that it has been demonstrated that an acceptable drainage solution can be provided. Therefore, it is appropriate for full details of the surface water drainage scheme to be secured by condition.

6.4 Subject to conditions, it is considered that the development accords with Policy DEV35 (Managing flood risk and water quality impact) which states that development should incorporate sustainable water management measures to minimise surface water run-off.

7.0 Impacts on ecology and trees:

7.1 An Ecological Assessment has been provided which summarises that the site was considered to be of relatively low ecological interest, with no adverse impacts of the development predicted on important ecological features.

7.2 The assessment sets out a number of mitigation and enhancement measures which can be secured by condition, including:

- pollution control measures during construction
- removal of invasive species by suitably accredited specialist contractor
- protection of hedgerows throughout construction
- provision of new native shrub planting, areas of grassland with species rich mix, approximately 23 new native trees, a green roof on new toilet block comprising of coastal species, and a devon hedge bank planted with native species
- restrictions on external lighting being installed
- precautionary approach to vegetation clearance
- precautionary approach for reptiles/amphibians
- installation of a tree mounted bat box
- installation of a tree mounted bird box

7.3 DCC Ecology were consulted and raised no objections to the development providing a number of conditions are imposed to: secure a LEMP; secure a CEMP; prevent external lighting installation; prevent vegetation clearance during nesting season; secure compliance with the EIA.

7.4 Subject to conditions, it is considered that the development accords with Policy TP22 of the NP and JLP Policy DEV26 which states that '*Development likely to have a harmful impact on locally designated sites, their features or their function as part of the ecological network, will only be permitted where the need and benefits of the development clearly outweigh the loss and where the coherence of the local ecological network is maintained.'*

7.5 There are a number of trees and hedgerows in close proximity to the toilet block and proposed car park. The Tree Officer was consulted and raised no objections to the development, subject to a Tree Protection Plan, according with BS5837, being submitted and approved by the LPA prior to any works commencing. Subject to a condition to secure such, the development is considered to accord with DEV28 of the JLP.

8.0 <u>Low Carbon Development</u>

8.1 A DEV32 checklist has been submitted with the application which confirms the following:

- materials to be sourced locally
- timber to be sourced from sustainable sources – FCS
- permeable surfacing to the car park and access tracks
- provision of net gains in biodiversity
- LED lighting to toilet block
- EV charging point provided in new car park
- Re-use of existing toilet block foundations
- Installation of green roof to toilet block

8.2 It has been demonstrated that opportunities to minimise the use of natural resources throughout the development have been identified, according with the requirements of DEV32 of the JLP. It is important to note that the planning application was submitted prior to the adoption of the Climate Emergency Planning Statement.

9.0 <u>Conclusion:</u>

9.1 The principle of the proposal is considered to be acceptable, with the development responding to a proven need which requires a countryside location within the Undeveloped and Heritage Coast. Subject to conditions, it is considered that the impacts on landscape (including the AONB,

Heritage and Undeveloped Coast), ecology, trees, drainage, neighbour amenity and highways are acceptable.

9.2 The development is therefore recommended for approval, subject to conditions.

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

Planning Policy

Relevant policy framework
Section 70 of the 1990 Town and Country Planning Act requires that regard be had to the development plan, any local finance and any other material considerations. Section 38(6) of the 2004 Planning and Compensation Act requires that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise. For the purposes of decision making, as of March 26th 2019, the Plymouth & South West Devon Joint Local Plan 2014 - 2034 is now part of the development plan for Plymouth City Council, South Hams District Council and West Devon Borough Council (other than parts of South Hams and West Devon within Dartmoor National Park).

On 26 March 2019 of the Plymouth & South West Devon Joint Local Plan was adopted by all three of the component authorities. Following adoption, the three authorities jointly notified the Ministry of Housing, Communities and Local Government (MHCLG)* of their choice to monitor the Housing Requirement at the whole plan level. This is for the purposes of the Housing Delivery Test (HDT) and the 5 Year Housing Land Supply assessment. A letter from MHCLG to the Authorities was received on 13 May 2019 confirming the change.
On 14th January 2022 the Department for Levelling Up, Housing and Communities published the HDT 2021 measurement. This confirmed the Plymouth. South Hams and West Devon's joint HDT measurement as 128% and the consequences are "None".

Therefore a 5% buffer is applied for the purposes of calculating a 5 year land supply at a whole plan level. When applying the 5% buffer, the combined authorities can demonstrate a 5-year land supply of 5.97 years at end of March 2022 (the 2022 Monitoring Point). This is set out in the Plymouth, South Hams & West Devon Local Planning Authorities' Housing Position Statement 2022 (published 19th December 2022).

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

The relevant development plan policies are set out below:

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

SPT1 Delivering sustainable development
SPT2 Sustainable linked neighbourhoods and sustainable rural communities
SPT8 Strategic connectivity
SPT9 Strategic principles for transport planning and strategy
SPT10 Balanced transport strategy for growth and healthy and sustainable communities
SPT11 Strategic approach to the Historic environment
SPT12 Strategic approach to the natural environment
SPT14 European Protected Sites – mitigation of recreational impacts from development
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
DEV15 Supporting the rural economy
DEV20 Place shaping and the quality of the built environment
DEV21 Development affecting the historic environment
DEV23 Landscape character
DEV24 Undeveloped coast and Heritage Coast
DEV25 Nationally protected landscapes
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
DEV33 Renewable and low carbon energy (including heat)
DEV35 Managing flood risk and Water Quality Impacts
DEV36 Coastal Change Management Areas

Neighbourhood Plan

The application is within the Thurlestone Neighbourhood Plan area. Relevant policies are as follows:

POLICY TP1 – GENERAL DEVELOPMENT PRINCIPLES
POLICY TP2 – SETTLEMENT BOUNDARIES
POLICY TP17 – FOOTPATHS AND CYCLE TRACKS
POLICY TP21 – NON-DESIGNATED HERITAGE ASSETS POLICY
POLICY TP22 – THE NATURAL ENVIRONMENT
POLICY TP23 – COASTAL MANAGEMENT

Material Considerations

Other material considerations include the policies of the National Planning Policy Framework (NPPF) and guidance in 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 2014-2034 Supplementary Planning Document
- South Devon AONB Management Plan
- Climate Emergency Planning Statement
- South Hams Landscape Character Assessment
- South Devon and Dorset Shoreline Management Plan (SMP2) (pg. 422-237) https://southwest.coastalmonitoring.org/wp-content/uploads/SDADCAG_SMP2/SDAD_SMP2_Policy_Statement_Part_2.pdf

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.

Recommended Conditions

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 the following drawing numbers:

   - 3015-100-01 Landscape Layout Plan (1 of 5)
   - 3015-101-02 Landscape Layout Plan (2 of 5)
   - 3015-102-02 Landscape Layout Plan (3 of 5)
   - 3015-103-02 Landscape Layout Plan (4 of 5)
   - 3015-104-02 Landscape Layout Plan (5 of 5)
   - 3015-301-00 Location Plan - Wall and Gate Details
   - 3015-302-00 Boundary Wall Details
   - 3015-303-00 Proposed Field Gate to STP
   - 2106-PL04 Rev F Beach toilets - Proposed Elevations
   - 2107_SERV 1(A) Proposed New Underground Services
   - 3015-001 Rev 02 Location Plan
   - 2106-PL03 Beach Toilets – Proposed Plans

   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. No part of the development hereby approved, other than the installation of the ANPR camera and paystations 01 and 02 (as shown on the approved drawings), shall commence until a scheme of landscaping and tree planting has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be based on the approved plans listed in Condition 2, and shall include:

   a) Any arrangements for stripping, storage and re-use of top soil;
   b) details of any earthworks associated with the development, including volumes of cut and fill and arrangements for disposal of any excess excavated material or importation of material;
   c) details of new ground profiles including retaining bunds and banks;
   d) materials, heights and details of all boundary treatments;
   e) materials, heights, levels and extent of hard landscape treatments; including retaining walls, fences, gates, access road and driveway, and hardstanding areas;
   f) details of existing trees and hedging which are to be retained and how these will be protected throughout construction of the development;
   g) the location, number, species, density, form and size of proposed tree, hedge and shrub planting and grassed areas;
   h) the method of planting, establishment, protection, and maintenance of tree, hedge and shrub planting and grassed areas, including details of how any losses/plants which fail to thrive shall be made good as and when necessary; and
   i) a timetable for implementation of all hard and soft landscaping and tree planting, including details of phasing where required.

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

Reason: In the interests of the character and appearance of the development and the visual amenity of the area in which it is set, including the South Devon Area of Outstanding Natural Beauty, and the Undeveloped and Heritage Coast, and in the interests of the protection and enhancement of biodiversity. This condition is imposed in accordance with Policies DEV20, DEV23, DEV24, DEV25, DEV26 and DEV28 of the Plymouth and South West Devon Joint Local Plan 2014-2034, and Policy TP1 and TP22 and of the Thurlestone Parish Neighbourhood Plan 2015-2034.

4. No part of the development hereby approved, other than installation of the ANPR camera and paystations 01 and 02 (as shown on the approved drawings), shall commence until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. The LEMP shall relate to the Landscape Scheme submitted pursuant to condition 3 and shall be prepared by an appropriately qualified professional and be based on, but not limited to, the recommendations contained in the Ecological Impact Assessment dated January 2022 by GE Consulting. The LEMP shall include details of habitat creation, species specification, implementation, and management/maintenance schedules and specifications.

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

   Reason: In the interests of the character and appearance of the development and the visual amenity of the area in which it is set, including the South Devon Area of Outstanding Natural Beauty, and the Undeveloped and Heritage Coast, and in the interests of the protection and enhancement of biodiversity. This condition is imposed in accordance with Policies DEV20, DEV23, DEV24, DEV25, DEV26 and DEV28 of the Plymouth and South West Devon Joint Local Plan 2014-2034, and Policy TP1 and TP22 and of the Thurlestone Parish Neighbourhood Plan 2015-2034.

5. No part of the development hereby permitted, other than the installation of the ANPR camera, and paystations 01 and 02 (as shown on the approved drawings), shall commence until a Tree Protection Plan, in accordance with BS5837:2012 Trees in Relation to Design, Demolition and Construction, has been submitted to and approved in writing by the Local Planning Authority.

   The development shall be carried out in strict accordance with the approved Tree Protection Plan.

   Reason: In the interests of the character and appearance of the development and the visual amenity of the area in which it is set, including the South Devon Area of Outstanding Natural Beauty, and the Undeveloped and Heritage Coast, and in the interests of the protection of mature trees and hedges which are of amenity value. This condition is imposed in accordance with Policies DEV20, DEV23, DEV24, DEV25, DEV26 and DEV28 of the Plymouth and South West Devon Joint Local Plan 2014-2034, and Policy TP1 and TP22 and of the Thurlestone Parish Neighbourhood Plan 2015-2034.

6. No part of the development hereby permitted, other than the installation of the ANPR camera and paystations 01 and 02 (as shown on the approved drawings), shall commence until a Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include details of environmental protection throughout the construction phase of the development hereby permitted. The development shall be carried out in strict accordance with the approved CEMP.

   Reason: In the interests of the protection of protected species, habitats and sites. This condition is imposed in accordance with Policy DEV26 of the Plymouth and South West Devon Joint Local Plan 2014-2034, and Policy TP1 and TP22 and of the Thurlestone Parish Neighbourhood Plan 2015-2034.

7. Prior to their installation and any groundworks associated with such, full details of the design and mounting/construction method of the ANPR camera and all paystations shall be submitted to and approved in writing by the Local Planning Authority. The ANPR camera and paystations shall be installed in accordance with the approved details and shall thereafter be so maintained; any replacement camera/paystation shall also accord with the approved details. No groundworks, other than the installation of cables within the trenches shown on drawing number: 2107_SERV 1(a) shall be carried out in connection with the installation of paystations 01 and 02 (as labelled on the approved plans).

   Reason: In the interests of the character and appearance of the development and the visual amenity of the area in which it is set, including the South Devon Area of Outstanding Natural Beauty, and the Undeveloped and Heritage Coast, and in the interests of the protection of designated heritage assets, including the Bantham Ham Scheduled Ancient Monument. This condition is imposed in accordance with Policies DEV20, DEV21, DEV23, DEV24, and DEV25 of the Plymouth and South West Devon Joint Local Plan 2014-2034, and Policy TP1 and TP22 and of the Thurlestone Parish Neighbourhood Plan 2015-2034.

8. Prior to the removal of the existing beach toilets and prior to the commencement of any works associated with the replacement beach toilets hereby permitted, a demolition and construction method statement shall be submitted to and approved in writing by the Local Planning Authority. The method statement shall include, but is not limited to:

   - details of how the demolition of the existing beach toilets and construction of the new beach toilets will be carried out without any new groundworks
   - existing and proposed sections through the site extending beyond the footprint of the existing/proposed beach toilets to show how the beach toilets relate to the surrounding topography. The sections must show the existing and proposed site levels relative to a fixed and identifiable datum point (AOD), and must be accompanied by a plan showing the points between which the cross-section has been made
   - details, including levels, of the existing beach toilets sub-structure which is to be retained

   The development shall be carried out in strict accordance with the approved demolition and construction method statement and, for the avoidance of doubt, no new groundworks shall be carried out in connection with the demolition of the existing beach toilets and construction of the replacement beach toilets.

   Reason: In the interests of the protection of designated heritage assets, including the Bantham Ham Scheduled Ancient Monument. This condition is imposed in accordance with Policy DEV21 in the Plymouth and South West Devon Joint Local Plan 2014 - 2034 and Policy TP1 and of the Thurlestone Parish Neighbourhood Plan 2015-2034.

9. Prior to their installation on/in the beach toilets hereby approved, full details of the following shall be submitted to and approved in writing by the Local Planning Authority:

   - timber boards for the external wall cladding, shown on Drawings: 2106-PL03 and 2106-PL04/F
   - coastal green roof, shown on on Drawings: 2106-PL03 and 2106-PL04/F
   - doors and windows (including rooflights), shown on Drawings: 2106-PL03 and 2106-PL04/F

   The development shall be carried out in strict accordance with the approved details and shall be maintained in accordance with such thereafter.

   Reason: In the interests of the character and appearance of the development and the visual amenity of the area in which it is set, including the South Devon Area of Outstanding Natural Beauty, and the Undeveloped and Heritage Coast. This condition is imposed in accordance with Policies DEV20, DEV23, DEV24 and DEV25 of the Plymouth and South West Devon Joint Local

Plan 2014 - 2034 and Policy TP1 and TP22 and of the Thurlestone Parish Neighbourhood Plan 2015-2034.

10. Prior to any works to construct the new car park hereby permitted, labelled as *'Car Park for residents, mooring holders & estate office staff'* on drawing number: 3015-103 Rev 02, details of the following shall be submitted to and approved in writing by the Local Planning Authority:

    a) existing and proposed site levels and existing and proposed sections of the car park area. The levels must be shown relative to a fixed and identifiable datum point (AOD) which is identified on a plan. The section drawings must:

        - Identify existing and proposed site levels
        - Show sections/slices through the site extending beyond the site boundary to show how proposals relate to surrounding buildings, surface features, vegetation, boundary treatments and topography and how they fit into the landscape context
        - Be accompanied by a plan showing the points between which the cross-section has been taken

    The development shall be carried out in strict accordance with the approved details and shall be maintained thereafter.

    Reason: In the interests of the character and appearance of the development and the visual amenity of the area in which it is set, including the South Devon Area of Outstanding Natural Beauty, and the Undeveloped and Heritage Coast, and in the interests of highway safety. This condition is imposed in accordance with Policies DEV20, DEV23, DEV24, DEV25 and DEV29 of the Plymouth and South West Devon Joint Local Plan 2014-2034, and Policy TP1, TP17 and TP22 and of the Thurlestone Parish Neighbourhood Plan 2015-2034.

11. Prior to any works to construct the new car park hereby permitted, labelled as *'Car Park for residents, mooring holders & estate office staff'* on drawing number: 3015-103 Rev 02, details of the following shall be submitted to and approved in writing by the Local Planning Authority:

    a) a strategy (such as installation of low timber bollards) to prevent vehicular parking on the red hatched areas shown and labelled as '*Red hatched area indicates newly formed grassed verges with no car parking'* on drawing numbers: 3015-101-02, 3015-102-02, 3015-103-02, and 3015-104-02.

    The strategy approved for part (a) shall be implemented in full prior to first use of the new car park hereby permitted and shall be maintained thereafter. For the avoidance of doubt, from the date of first use of the new car park hereby permitted, there shall be no vehicular parking on the red hatched areas shown and labelled as *'Red hatched area indicates newly formed grassed verges with no car parking'* on drawing numbers: 3015-101-02, 3015-102-02, 3015-103-02, and 3015-104-02.

    Reason: In the interests of the character and appearance of the development and the visual amenity of the area in which it is set, including the South Devon Area of Outstanding Natural Beauty, and the Undeveloped and Heritage Coast, and in the interests of highway safety. This condition is imposed in accordance with Policies DEV20, DEV23, DEV24, DEV25 and DEV29 of the Plymouth and South West Devon Joint Local Plan 2014-2034, and Policy TP1, TP17 and TP22 and of the Thurlestone Parish Neighbourhood Plan 2015-2034.

12. Prior to first use of the car park hereby permitted, labelled as 'Car Park for residents, mooring holders & estate office staff' on drawing number: 3015-103 Rev 02, a management plan shall be submitted to and approved in writing by the Local Planning Authority. The management plan shall include details of how use of the new car park will be limited to mooring holders, permit holders, estate office staff/visitors, and existing residents.

The car park shall only be used for parking motor vehicles only, and no caravans or boats shall be parked/stored within the car park, and there shall be no overnight accommodation of vehicles.

Reason: In response to the identified need and justification for the proposed development, and in the interests of the character and appearance of the development and the visual amenity of the area in which it is set, including the South Devon Area of Outstanding Natural Beauty, and the Undeveloped and Heritage Coast. This condition is imposed in accordance with SPT1, SPT2, TTV1, TTV2, TTV26, DEV20, DEV23, DEV24 and DEV25 of the Plymouth and South West Devon Joint Local Plan 2014-2034 and Policy TP1, TP2, TP17 and TP22 of the Thurlestone Parish Neighbourhood Plan 2015-2034.

13. Prior to first use of the car park hereby permitted, the wall labelled on Drawing Number: 3015-301 Rev 00 as '*Proposed extent of new wall. See drawing: 3015-302 Boundary Wall Detail' and* '*Position of part dismantled existing Wall on Drawing Number: 3015-301-00'* shall be constructed and restored in accordance with the details shown on Drawing Number: 3015-301-00, and shall be maintained thereafter.

    Reason: In the interests of the character and appearance of the development and the visual amenity of the area in which it is set, including the South Devon Area of Outstanding Natural Beauty, and the Undeveloped and Heritage Coast. This condition is imposed in accordance with Policies DEV20, DEV23, DEV24, and DEV25 of the Plymouth and South West Devon Joint Local Plan 2014-2034, and Policy TP1 and TP22 and of the Thurlestone Parish Neighbourhood Plan 2015-2034.

14. Prior to installation of the new sewage treatment plant and prior to any works above slab level of the replacement beach toilets hereby permitted, a foul water drainage strategy shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved foul water drainage strategy, which shall be maintained thereafter.

    Reason: To ensure that the site is adequately drained and to avoid pollution. This condition is imposed in accordance with DEV35 of the Plymouth and South West Devon Joints Local Plan 2014-2034.

15. Notwithstanding the submitted details, no development, other than the installation of the ANPR camera and paystations 01 and 02 (as shown on the approved drawings), shall commence until the following details have been submitted to and approved in writing by the Local Planning Authority:

    a. Green roof design for the replacement beach toilets and confirmation of surface water management without the soakaway. SuDS to be designed for a 1:100 year event plus 40% for climate change.
    b. Carpark drainage design, including calculations, to support the permeable paving on the steep gradient. Design to include baffles as required and confirmation that loose surface is suitable for the gradient and use

    The drainage scheme, including the Green roof, shall be installed in strict accordance with the approved plans/details and shall be maintained and retained in accordance with the approved details for the life of the development.

    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. This condition is imposed in accordance with DEV35 of the Plymouth and South West Devon Joints Local Plan 2014-2034.

16. The temporary access track labelled on Drawing Number: 3015-104 Rev 02 as '*Blue dashed line indicates new TEMPORARY field access track to new STP. Temporary track to be seeded with species-rich grassland mix once final STP access track is in use'* shall be removed in its entirety within three months following the installation of the new sewage treatment plant hereby approved. The land shall then be restored and landscaped in accordance with the approved Landscaping Scheme and Landscape and Ecological Management Plan (including timetable and maintenance details) submitted pursuant to conditions 3 and 4.

    Reason: In the interests of the character and appearance of the development and the visual amenity of the area in which it is set, including the South Devon Area of Outstanding Natural Beauty, and the Undeveloped and Heritage Coast. This condition is imposed in accordance with Policies DEV20, DEV23, DEV24, and DEV25 of the Plymouth and South West Devon Joint Local Plan 2014-2034, and Policy TP1 and TP22 and of the Thurlestone Parish Neighbourhood Plan 2015-2034.

17. There shall be no external lighting installed within the site unless a lighting scheme is first submitted to and approved in writing by the Local Planning Authority. All lighting shall be installed in accordance with the approved lighting scheme and shall thereafter be so maintained; any replacement lighting shall also accord with the approved details.

    Reason: In the interests of the character and appearance of the development and the visual amenity of the area in which it is set, including the South Devon Area of Outstanding Natural Beauty, and the Undeveloped and Heritage Coast, and in the interests of the protection of protected species and habitats. This condition is imposed in accordance with Policies DEV20, DEV23, DEV24, DEV25, and DEV26 of the Plymouth and South West Devon Joint Local Plan 2014-2034, and Policy TP1 and TP22 and of the Thurlestone Parish Neighbourhood Plan 2015-2034.

18. The visibility splays shown on drawing number 3015-104 Rev 02 shall be provided prior to first use of the car park hereby permitted, and shall be retained and maintained free of all obstruction over 1m high at all times that the car park is in use.

    Reason: In the interests of highway safety. This condition is imposed in accordance with Policy DEV29 of the Plymouth and South West Devon Joint Local Plan 2014-2034 and Policy TP17 of the Thurlestone Parish Neighbourhood Plan 2015-2034.

19. The development shall be carried out in strict accordance with the Written Scheme of Investigation prepared by South West Archaeology (document ref: BLBR23WSIv1 and dated: 13th February 2023).

    Reason: To ensure, in accordance with Policy DEV21 of the Plymouth and South West Devon Joint Local Plan 2014 – 2034, Paragraph 205 of the National Planning Policy Framework (2021), and Policy TP1 of the Thurlestone Parish Neighbourhood Plan 2015-2034, that an appropriate record is made of archaeological evidence/historic building fabric that may be affected by the development.

20. The development shall not be brought into its intended use until

    (i) the post investigation assessment has been completed in accordance with the approved Written Scheme of Investigation; and
    (ii) that the provision made for analysis, publication and dissemination of results, and archive deposition, has been confirmed in writing to, and approved by, the Local Planning Authority

    Reason: To comply with Paragraph 205 of the National Planning Policy Framework, which requires the developer to record and advance understanding of the significance of heritage

assets, and to ensure that the information gathered becomes publicly accessible. This condition is also imposed in accordance with Policy DEV21 of the Plymouth and South West Devon Joint Local Plan 2014 – 2034 and Policy TP1 of the Thurlestone Parish Neighbourhood *Plan 2015-2034.*

21. The development shall be carried out in accordance with the recommendations, mitigation and enhancement measures set out in the Ecological Impact Assessment dated January 2022, carried out by GE Consulting.

    Reason: In the interests of the protection of protected species and habitats. This condition is imposed in accordance with Policy DEV26 of the Plymouth and South West Devon Joint Local Plan 2014-2034, and Policy TP1 and TP22 and of the Thurlestone Parish Neighbourhood Plan 2015-2034.

22. No vegetation clearance shall take place during the bird nesting season (01 March to 14 September, 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 kept.

    Reason: In the interests of the protection of protected species, habitats and sites. This condition is imposed in accordance with Policy DEV26 of the Plymouth and South West Devon Joint Local Plan 2014-2034, and Policy TP1 and TP22 and of the Thurlestone Parish Neighbourhood Plan 2015-2034.

23. The development shall be carried out in accordance with the measures set out on the '*DEV32 for Minor development applications checklist'* and the associated sections of the Design and Access Statement by Rural Solutions, dated December 2021. The EV Charging Point (shown on drawing number: 3015-103-02), shall be installed and be operational prior to first use of the car park hereby permitted and shall be maintained in perpetuity.

    Reason: To demonstrate that the development can deliver low carbon development in accordance with Policy DEV32 of the Plymouth and South West Devon Joint Local Plan 2014-2034.

24. Unless otherwise approved as part of this Planning Permission or conditions imposed here-on, notwithstanding the provisions Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any Order or Statutory Instrument revoking and re-enacting that Order), no development of the types described in the following Classes of Schedule 2 shall be undertaken without the express consent of the Local Planning Authority, other than those expressly authorised by this permission:

    a) Part 2, Class A (gates, fences, walls etc)
    b) Part 2, Class B (means of access to a highway)
    c) Part 2, Class C (exterior painting)

    Reason: To ensure the Local Planning Authority retains control over the future development of the site in the interests of the character and appearance of the development and the visual amenity of the area in which it is set, including the South Devon Area of Outstanding Natural Beauty, and the Undeveloped and Heritage Coast. This condition is imposed in accordance with Policies DEV20, DEV23, DEV24 and DEV25 of the Plymouth and South West Devon Joint Local Plan 2014-2034, and Policy TP1 and TP22 and of the Thurlestone Parish Neighbourhood Plan 2015-2034.