

PLANNING APPLICATION REPORT

Case Officer: Charlotte Howrihane

Parish: Kingsbridge **Ward:** Kingsbridge

Application No: 1386/22/FUL

Applicant:

Mr Dick Whittington - Dick Whittington
Developments Ltd
2 Sharpitor Cottages
Sharpitor
Salcombe
TQ8 8LW

Site Address: Dennings, Wallingford Road, Kingsbridge, TQ7 1NF



Development: Erection of six new residential dwellings (resubmission of 3830/20/FUL)

Recommendation: Conditional approval

Reason application is at Committee: Cllr O'Callaghan has called the application to committee due to the high level of concern about the proposals and to enable a debate around the drainage concerns.

Conditions:

1. Time limit (3 years);
2. In accordance with approved plans;
3. CEMP- to include traffic management plan (prior to commencement)
4. No part of the development hereby approved shall be occupied until the parking facilities, visibility splays, turning areas and access drainage have been provided in accordance with the submitted details and these shall be retained and maintained thereafter;
5. Unexpected contamination;
6. Drainage to be carried out in accordance with submitted strategy
7. Foul drainage
8. Removal of PD rights;
9. Adherence to updated ecology report and reptile mitigation strategy where it relates to the land outlined in red on the submitted site location plan;
10. Submission of a Arboricultural Method Statement prior to the commencement of development;
11. Landscaping scheme to be submitted and agreed including details of boundary treatments and implementation and management plan;
12. Schedule of external materials to be submitted and agreed;
13. Local natural stone
14. Details of external lighting to be submitted
15. Compliance with energy statement;
16. Installation of EV charging points prior to occupation of dwellings
17. PV panels to be installed prior to occupation of dwellings
18. Installation of timber louvres on buildings prior to first occupation of dwellings and to secure their retention thereafter;
19. Flat roof areas not to be used as balconies/terraces (Units 1-4)
20. All windows marked to be fitted with obscure glass shall be fitted with obscure glass prior to first occupation of the dwellings and retained thereafter.
21. Scheme of translocation for reptiles to be adhered to- confirmation to be provided by ecologist

Consent would be subject to a S106 agreement to secure off-site OSSR contribution of:

- £11,814.72 towards improvements to and on-going maintenance of play facilities in Kingsbridge;
- £13,143.49 towards improvements to and on-going maintenance of sports facilities in Kingsbridge

Key issues for consideration:

Principle of development, housing mix, design, landscape impact, trees, residential amenity, highways and parking, ecology, drainage, low carbon development

Site Description:

The site is located on Wallingford Road, located north of Kingsbridge town in a semi-rural setting. The application site relates to the plot of the detached house known as The Dennings which is a large nineteenth-century house and its gardens which front the road. There are currently some small outbuildings (sheds, lean-tos) on the site, some of which are in a state of disrepair.

The site is on part of the land that was subject to approval for outline planning consent for 14 houses under application reference: 2574/16/OPA and is across the road from a new detached dwelling that was approved under 2710/19/FUL south of Wallingford House.

Access to the land is from Wallingford Road, which, where it passes the site, is rural in character and lacks footways; it continues north past the site to serve a limited number of additional properties and is a no through road. Immediately south of the site Wallingford Road forms a Y junction with a very narrow lane that heads upwards, north-west to link with Stentiford Hill; this route is too narrow for most vehicles but is used by pedestrians.

Three dwellings are located within the immediate vicinity of the application site, Brookland House to the south on the same side of the road as the application site and on the opposite side of the road, Brookland Barn and Fairfield. Further to the north is Wallingford House and consent was most recently granted under 2710/19/FUL for a detached house on land to the south of Wallingford House to be constructed.

The eastern boundary of the site adjoins agricultural fields, beyond which is the residential development at Applegate Park, which is currently under construction.

Wallingford Road runs along a valley bottom with the application site rising steeply to the east. Housing on Stentiford Hill and Manor Park to the west and south west is set at a much higher level.

Existing housing to the south on Wallingford Road is mostly semi-detached dwellings and many have no off street parking and rely on on-street parking. Allotment Gardens and St Marco Gardens, cul de sacs off Wallingford, also to the south of the site, also contain detached properties.

The site is outside of any designated landscape area but is within 250m of the South Devon Area of Outstanding Natural Beauty.

The site is not located in a high risk flood zone (i.e.flood zone 2/3). However, it is within a Critical Drainage Area.

There are two trees subject of a Tree Preservation Order on land to the east of the site which are outside of the application site boundary. Most of the site area is currently scrubland, with some trees and hedgerows on the wider site boundary.

The site is within walking distance of the town centre facilities.

The Proposal:

The application seeks permission for the erection of six dwellings.

Plots 1-4 would be three-storey, three-bedroom dwellings, including garage, bathroom, bedroom, utility and storage cupboard on the ground floor; office and open plan living room/kitchen and dining area on the first floor and two additional bedrooms with ensuite bathrooms at second floor level. The external materials proposed are profiled zinc roofs, render and larch clad walls, and polyester powder coated aluminium grey windows. Balcony and terrace balustrades would be frameless glass.

Plots 5 and 6 would be two-storey in scale with the same materials proposed but a varied layout with four bedrooms proposed in each unit. On the ground floor would be three bedrooms, utility, bathroom and living room and on the first floor would be an additional bedroom with walk in wardrobe and bathroom, separate toilet, office and open plan living, kitchen and dining area with a terrace area off the living room.

As well as the garages, which would be large enough for cars, sixteen parking spaces are proposed within the site; two for each dwelling, and four additional visitor spaces. Electric vehicle charging points are proposed to each dwelling.

Each dwelling would be fitted with solar PV panels on the roof, as well as air source heat pumps.

Due to the topography of the site, rear gardens would be terraced with sleeper retaining walls. Retaining walls towards the front of the site would be a mix of stone-facing, and sleeper walls.

Consultations:

- County Highways Authority- no objection subject to conditions
- South West Water- no objection subject to adherence to submitted drainage strategy
- Drainage- no objection following confirmation that new SWW sewer has been installed
- Open Space, Sport & Recreation: no objection subject to financial contribution towards play and sports facilities in Kingsbridge (£11,814.72 towards play, £13,143.49 towards sport)
- DCC Education: No contributions sought
- Trees- no objection subject to submission of the noted information prior to any commencement on site including any demolition or earthworks.
- Landscape: holding objection withdrawn following submission of landscape strategy. Full landscaping condition required
- Environmental Health Section- no objection subject to condition
- Town Council: objection:

1. Inappropriate housing mix.

The Design & Access Statement reports: "The housing is aimed at the family house market which is in great shortage in the Kingsbridge area" and argues for large detached homes citing the JLP and SPD as evidence. However, approved developments in Kingsbridge at:

- K5, off West Alvington Hill, includes 26 in number 3 and 4 bed open market homes
- Applegate, off Belle Hill, includes 58 in number 3 and 4 bed open market homes
- K4/Lock's Hill, off Derby Road, includes 15 in number 3 and 4 bed homes

had already provided a surplus of large detached homes i.e. 99 open market 3 and 4 bed homes in total.

Moreover, all 6 dwellings have a study/home office identified providing the opportunity to become another main room meaning the proposals were likely to be perceived as 4 or 5 bedroom dwellings for prospective purchasers.

South Hams & West Devon Housing strategy 2021-2026 reports: an under occupancy of 4 and 5 bed homes at 27% in the South Hams compared to the rest of England at 19%.

Joint Local Plan Policy Dev8 reports: the most particular needs in the policy area are:

- i. Homes that redress an imbalance within the existing housing stock.
- ii. Housing suitable for households with specific need.
- iii. Dwellings most suited to younger people, working families and older people who wish to retain a sense of self-sufficiency.

Supplementary Planning Document Policy Dev8.1 reports: a step-change in the delivery of smaller homes will enable greater churn within the existing housing stock as it will facilitate down-sizing for older people, as well as providing a first-step towards independent living for young people and young families. Housing stock that comprises a relative over-provision of large houses makes it increasingly difficult to rebalance the demographic profile and increase home ownership because the current housing stock is inherently unaffordable. Large dwellings, particularly those in coastal settlements, are not suited to smaller households or households that are earning close or similar to the national wage. When seeking to ensure a diversity of

size, the number of bedrooms will be used as the key metric (as the number of bedrooms in a dwelling has a significant impact on how affordable it is), with the Strategic Housing Market Assessment Part 2 providing thresholds for the number of dwellings required by bedroom. In order to ensure that homes are not built with a surplus of rooms that can be used as bedrooms, the LPAs will carefully examine floor plans. The SHMNA Part 2 provides a breakdown of housing mix required to meet the needs of projected household formation throughout the plan period. The housing mix prescribed for each housing tenure type within the SHMNA Part 2 should be considered as the requirement for all schemes of over 5 units.

Strategic Housing Market Needs Assessment 2017 reports: a requirement for owner occupied 1-2 bed homes for the 20 year period from 2017 at 49% with 4 or more bed homes at 18%.

The draft Kingsbridge, West Alvington & Churchstow Neighbourhood Plan Policy H2 (at Regulation 17 independent examination stage) reports: that market housing should respond to local housing needs in terms of type, size, special needs and tenure.

Given the above Housing Strategy, JLP, SPD, SHMNA and KWAC evidence it is strongly suggested that the housing mix proposals are totally inappropriate for Kingsbridge and will not meet the needs of local people.

2. Concerns regarding drainage proposals.

The proposal is for surface water sewers via flow control to connect with a new sewer from the Applegate housing development. Seemingly, South West Water has supported the proposal however, said agreement cannot be accessed (and therefore is not publicly available) via SHDC's planning portal.

There are currently unresolved surface water drainage issues at the nearby Applegate major housing development which is seeking to discharge via the Wallingford Road locale. Indeed, Devon County Council has commenced a formal investigation under Section 19 of the Flood & Water Management Act 2010 following a flood event in Kingsbridge on 4 June 2022.

Therefore, the drainage methodology for all new housing developments in town is crucial and drainage matters should be considered at the decision stage with input from the applicant, SHDC, Devon County Council Flood Management, Environment Agency and South West Water and should not be placed with a single agency for an opinion nor for subsequent consideration as a planning condition (if SHDC is minded to approve the application).

3. Overlooking of adjacent residential dwellings.

The proposed units with large expanses of glass will overlook existing homes on the opposite side of the road

4. Highways issues.

Notwithstanding Devon County Council's feedback, the access road to the site is narrow and local evidence highlights it is already difficult to navigate. Likewise, the adjacent Wallingford Road (from the junction with Fosse Road) is also problematic. It is inevitable that an increased traffic flow will mean householder, delivery and service vehicles will meet and with parking spaces occupied it will be difficult for 2 way traffic to transit. Moreover, a footway is not proposed to cope with the increased number of pedestrians. It is strongly suggested that the proposed access road to the site is unsuitable for vehicles and pedestrians.

Representations:

Twenty one letters of objection have been received, although several of these are from residents who have submitted multiple representations. Some of these are objecting to another application on the site (1629/22/ARM) but have been copied to this application. The representations can be seen in full on the Council website, but can be summarised as follows:

- Nothing affordable
- Overbearing to other properties on Wallingford Road
- Poor access to the site, particularly during construction
- Road is in a poor state and this will be made worse
- Proposal will make parking problems on Wallingford Road worse
- Proposal will increase flooding and water run-off
- Parts of Wallingford Road flooded last year, possibly due to development works
- No time given for rebuilding of stone wall which has been demolished, which has exacerbated water run-off
- The applicant has submitted two different applications on the site, one should be withdrawn
- Parking spaces provided won't be used for parking
- Development will rob the town of more of its green spaces
- Excessive height
- Loss of privacy to neighbouring properties
- Disturbance to neighbours from car parking areas- noise and fumes
- Environmental impact
- Assessment of development impact on neighbours is unrealistic
- Glazing will cause light pollution
- Temporary track discharges rainwater onto the road
- Construction works will add to the disturbance already experienced by residents from current construction works
- Not in keeping with existing buildings along the road
- Allegations about the developer
- No local distinctiveness
- Works already carried out on site have probably impacted on ecology
- Infrastructure of the town is not equipped for further development
- Similar appeal was dismissed so why is this being reconsidered?
- This type of development is feeding the housing crisis

The South Hams Society has submitted a letter of objection detailing concerns regarding drainage and flooding and the risk of flooding to Kingsbridge town centre.

Relevant Planning History

- 1591/16/OPA- Outline planning permission with all matters reserved for the creation of 56 new dwellings- withdrawn

- 2574/16/OPA- Outline application with all matters reserved for 14 new dwellings- conditional approval
- 3599/20/FUL- Demolition of existing dwelling and erection of eight new dwellings- withdrawn
- 3830/20/FUL- Erection of six new dwellings- refused (appeal dismissed APP/K1128/W/21/3282469)
- 0576/21/FUL- Replacement of existing dwelling with two new semi-detached dwellings- withdrawn
- 1629/22/ARM- Application for approval of reserved matters following outline approval 2574/16/OPA (Outline application with all matters reserved for 14 new dwellings)relating to access, appearance, landscaping, layout and scale and discharge of outline planning conditions- currently under consideration

ANALYSIS

1.0. Background:

1.1. This application is a resubmission of 3830/20/FUL. This application was the subject of a non-determination appeal, which was dismissed in March 2022 (appeal reference APP/K1128/W/21/3282469). The main issues identified in this appeal were:

- 1) Whether or not adequate arrangements are made for the disposal of surface water from the site,
- 2) Whether the proposed development would constitute an efficient use of land; and,
- 3) Whether the proposed development makes adequate provision for any additional need for infrastructure arising from the development.

1.2. The Inspector summarised each main issue as follows:

- 1) Drainage: 'The proposal would not provide an adequate means of drainage and would therefore fail to comply with Policy DEV35 of the Local Plan which seeks to ensure that development incorporates sustainable water management measures, minimise surface water run-off, and ensure that it does not increase flood risks or impact water quality elsewhere' (para 15).
- 2) Efficiency of land use: 'I find that the proposal respects the density and pattern of development at this locality and would not be harmful to the character or appearance of the surrounding area in this regard. In these respects, the appeal proposal would represent efficient use of land' (para 22).
- 3) Infrastructure obligations: 'When the appeal against non-determination of the planning application was made, no suitable or enforceable mechanism had been provided by the Appellant and which provided for the required infrastructure contributions. However, during the course of this appeal, the Appellant has provided copies of an executed and dated planning obligation which, it is maintained, provides the necessary and appropriate contributions towards infrastructure'... (para 30)... I therefore conclude on this main issue, that the planning obligation is necessary to make the development acceptable in planning terms, and that the financial contributions, sought by the Council and agreed by the Appellant, would be directly related to the development proposed. Consequently, the appeal scheme would comply with the requirements of Policies DEV4, DEV27, DEV30 and DEL1 of the Local Plan' (para 32).

1.3. As such, the appeal was dismissed solely because the proposal had not satisfactorily addressed matters relating to flood risk and surface water drainage.

1.4. The National Planning Practice Guidance (NPPG) notes, in relation to appeals against refusal of planning permission, that Local Planning Authorities are at risk of an award of costs if they behave unreasonably. Examples of unreasonable behaviour include 'persisting in objections to a scheme or elements of a scheme which the

Secretary of State or an Inspector has previously indicated to be acceptable' (Appeals Guidance, paragraph 49). It would therefore be unreasonable for the Local Planning Authority to refuse the application for reasons which were previously considered to be acceptable.

2.0. Principle of Development/Sustainability:

- 2.1. Policy TTV1 of the Joint Local Plan (JLP) provides a hierarchy of settlements for the distribution of growth and development to deliver homes and jobs, to enable each town and village to play its role within the rural area. The aim of the policy, which is reinforced within Strategic Objective SO6 is to steer new development towards the most sustainable locations. Kingsbridge is within Tier 1 of the settlement hierarchy, as one of the Main Towns within the Plan Area.
- 2.2. The emerging Kingsbridge, West Alvington & Churchstow (KWAC) neighbourhood plan (which has recently been successful at referendum and awaiting adoption by the Council) also identifies a settlement boundary, within which the principle of development is supported. Policy KWAC H2 of the emerging local plan supports proposals for market housing '*within allocated sites within the JLP, on infill sites within the designated settlement boundaries of the Plan, or as part of an exception site*'
- 2.3. The site is within the designated settlement boundary for Kingsbridge as part of policy KWAC Env1, and the principle of development is therefore compliant with both the spatial strategy outlined within the JLP, and the emerging neighbourhood plan.

3.0. Housing Mix:

- 3.1. Policy DEV8 seeks to provide housing which meets local needs, and prevent development which would exacerbate an existing imbalance in housing stock. ONS data for Kingsbridge shows that there is no current imbalance in the provision of 3-bed and 4-bed dwellings, and the proposed dwelling therefore complies with DEV8.
- 3.2. Policy DEV10 states that '*new dwellings (including conversions of existing properties into flats) should be of sufficient size and layout to provide good quality accommodation to meet the needs of their occupants, with developers required to meet Nationally Described Space Standards. Sufficient external amenity space or private gardens should also be provided.*'
- 3.3. The Nationally Described Space Standards require a minimum gross internal floor area of 102sqm (2-storey, three bed properties), and 130sqm (3 storey, four bed properties). The proposed four bed properties would be 187sqm, as well as a 37sqm garage, and the three bed dwellings would be 181sqm. Each property would benefit from a private garden area, and the proposed development therefore complied with space standards and DEV10.

4.0. Efficiency of land use:

- 4.1. One of the concerns raised by the Council during the previous application was that the development, for six large and detached dwellings, would represent an incongruous addition to the town and would not relate well to the existing densities and pattern of development in the vicinity, and that the site would appear underdeveloped when considering site coverage and the built-up aspect of the surrounding area.
- 4.2. This reason for refusal was not accepted by the Inspector, who concluded the following:

'In terms of the pattern of local development and the wider development context and surroundings, as noted above where Wallingford Road narrows to a single trackway, the character and appearance of housing changes, with predominately more modest higher density housing giving way to more substantial detached dwellings. Whilst I acknowledge the Council's reference to the density of residential development to the south of the site at Allotment Gardens and St Marco Gardens, as I observed on my site visit there were a number of substantial detached dwellings located within those cul-de-sacs and which would reflect the density of the proposed development at the appeal site.

In my view, having considered the evidence and submissions before me and based on my site visit observations, by reason of the change in the character, scale and appearance of housing as Wallingford Road becomes a single track road, and given the relatively mixed density of housing close to the site, I find that the proposal respects the density and pattern of development at this locality and would not be harmful to the character or appearance of the surrounding area in this regard. In these respects, the appeal proposal would represent efficient use of land' (Appeal decision paragraphs 21 and 22).

- 4.3. As the current application proposed the same layout, density, and size of dwellings as the previous application, it would be unreasonable to object to the proposal on the grounds of density, or efficiency of land use, mindful of the aforementioned NPPG guidance.

5.0. Design:

- 5.1. JLP Policy SPT1 sets out the principles of sustainable development to be planned for and managed in the Plan area; this includes supporting development that respects local distinctiveness and sense of place.
- 5.2. Policy DEV20 relates to place shaping and the quality of the built environment. Among other matters, it states that development proposals will be required to meet good standards of design, contributing positively to both townscape and landscape, and protect and improve the quality of the built environment, through: *'having proper regard to the pattern of local development and the wider development context and surroundings in terms of style, local distinctiveness, siting, layout, orientation, visual impact, views, scale, massing, height, density, materials, detailing, historic value, landscaping and character, and the demands for movement to and from nearby locations.'* (DEV20.2)
- 5.3. Policy KWAC BE3 of the emerging neighbourhood plan requires development proposals to demonstrate high quality design. Most relevant is the first part of the policy, which states:

1. Development proposals in the plan area must demonstrate high quality design and will be supported where:

- a) They are innovative and locally distinctive and respond to and integrate with the local built surroundings, landscape context and setting. A contemporary design solution will be supported providing it respects the context and setting;*
- b) The design of new buildings is in keeping with the site and its setting and respect the scale, character and siting in terms of 'setback' of existing and surrounding buildings. The recommendations of the National Design Guide (January 2021) and the more locally specific requirements for Place Shaping and Heritage (Dev 20-22) of the JLP SPD 2020 are followed.*

c) High quality materials are used for buildings and hard landscape designs that complement the local and traditional palette of materials found within Kingsbridge, West Alvington and Churchstow.

- 5.4. Whilst the dwellings are large, this is not out of keeping with the local pattern of development, which features a wide range of property types, including large detached dwellings in generous grounds, semi-detached, and terraced properties along Wallingford Road. The sloping topography surrounding the site also results in properties of varying heights, and a feeling of enclosure as you approach the application site, due to the stone walls bordering the lane, and some dwellings elevated above road level.
- 5.5. The proposed dwellings would be a mix of two and three storey buildings. The bulk of the three-storey dwellings would be reduced by half of the dwelling being two storey, with a flat roof, and the additional storey included in the pitched-roof, gabled half of the dwelling. Units five and six would be two-storey dwellings, although elevated above the road level. Whilst the dwellings would include contemporary features, the proposed materials are reflective of the site surroundings, and a condition is proposed to require details of these materials to be agreed, ensuring a high quality finish appropriate to the location.
- 5.6. The design of the scheme is unchanged from the previous scheme, where the Inspector concluded, the following:

'In my view, having considered the evidence and submissions before me and based on my site visit observations, by reason of the change in the character, scale and appearance of housing as Wallingford Road becomes a single track road, and given the relatively mixed density of housing close to the site, I find that the proposal respects the density and pattern of development at this locality and would not be harmful to the character or appearance of the surrounding area in this regard.'
- 5.7. Subject to the recommended conditions, the design of the proposed scheme is considered to be acceptable, complying with policies SPT1 and DEV20 of the JLP, paragraph 130 of the NPPF, and policy KWAC BE3 of the emerging neighbourhood plan.

6.0. Landscape:

- 6.1. Policy DEV23 of the JLP relates to landscape character, and seeks to conserve and enhance landscape, townscape, and seascape character, scenic and visual quality, and avoid adverse landscape or visual impacts.
- 6.2. Policy KWAC Env3 of the emerging neighbourhood plan relates to the natural environment, and requires development to maintain and enhance the intrinsic character of the landscapes affected.
- 6.3. The character of the surrounding area is predominately residential, with a mix of property types as described above. Where Wallingford Road narrows to a single trackway, the character and appearance of housing changes, with more modest, higher density housing giving way to more substantial detached dwellings.
- 6.4. The site is currently garden area for the existing dwelling within the site. It includes some outbuildings, and an area of vineyard planted to the rear of the site. In wider landscape terms, the site is towards the bottom of the valley, with other residential properties surrounding it, including the new development at Applegate Park, currently under construction above the site to the rear.

- 6.5. Due to the currently sloping nature of the site, the proposed development would result in a permanent change to the existing site topography. Substantial levels of cut and fill would be required to accommodate the dwellings, together with the proposed parking spaces and access road. For this reason, retaining features are likely to be visually prominent, and the materials proposed, and quality of such materials, will be important. The materials detailed on the plans in relation to boundary treatments are considered acceptable in principle, subject to a condition requiring full details to be submitted and agreed with Officers.
- 6.6. The Council's Landscape Specialist has also reviewed the proposal and emphasised the need for native species to be predominant throughout the proposed soft landscaping on the site. An indicative landscape strategy has been submitted, to which Landscape raise no objection, subject to the imposition of a condition requiring a detailed hard and soft landscape scheme, prepared by an appropriate landscape professional, to be submitted for details to be agreed, should planning permission be granted.
- 6.7. Subject to the recommended conditions, the proposed development is considered to have an acceptable impact on the local landscape, in accordance with policy DEV23 of the JLP, and policies KWAC Be3 and KWAC Env3 of the emerging neighbourhood plan.

7.0. Area of Outstanding Natural Beauty:

- 7.1. The site is within 250m of the South Devon AONB. However, given the distinctly residential nature of the site surroundings, and the location within one of the district's identified Main Towns, the addition of these dwellings is not considered have a harmful impact on the wider setting of the AONB, and the development therefore accords with policy DEV25 of the JLP, paragraph 176 of the NPPF, and policy KWAC Env3 of the emerging neighbourhood plan, which all seek to protect the special qualities of the AONB.

8.0. Trees:

- 8.1. The proposal has been reviewed by the Council's Tree Officer, who has no objection to the proposal, subject to the submission of additional information in relation to tree protection prior to the commencement of the development. A condition to this effect is recommended, and the proposal is therefore acceptable with regard to policy DEV28 of the JLP.

9.0. Ecology:

- 9.1. The application was submitted with an Ecological Assessment update, as the previously-submitted information is now out of date. This updated assessment does not identify any ecological reasons to withhold planning permission, and provides recommendations such as pre-construction checks for wildlife, relocation of reptiles, and means to offer ecological enhancement, such as the installation of bat roosting provisions, native hedgerows and planting, and bird nesting provisions. Adherence to the recommendations of this assessment are recommended as a condition of any permission granted and as such, the proposal is considered to accord with policy DEV26 of the JLP.

10.0. Neighbour Amenity:

- 10.1. Many of the objections received relate to the impact of the proposed dwellings on the amenity of neighbour properties.
- 10.2. Policy DEV1 of the JLP seeks to ensure that new development provides for satisfactory daylight, sunlight, outlook, privacy and the protection from noise disturbance for both new and existing residents, workers and visitors. The policy notes that *'unacceptable impacts will be judged against the level of amenity generally in the locality.'*
- 10.3. Policy DEV2 also seeks to protect living conditions and the natural environment in terms of air, water, soil, noise, land, and light.
- 10.4. Due to the sloped topography of the local landscape, it is not uncommon for properties in Wallingford Road and the surrounding area to be at varying ground levels, resulting in overlooking between dwellings and gardens to varying degrees.
- 10.5. The closest properties on the other side of the road are Brooklands Barn (approximately 14m from the nearest proposed dwelling), Brooklands Barn (approximately 15m from the nearest proposed dwelling), and Fairfield (approximately 19m from the nearest proposed dwelling).
- 10.6. These neighbouring properties are themselves large properties with generous areas of curtilage surrounding them. As such, the low density of the development means that the proposed dwellings have been sited in 'the gaps' between the neighbouring properties, so that they would not be directly facing existing dwellings across the road.
- 10.7. Noting that there are substantial flat roof areas to some of the dwellings, a condition is recommended to prevent the use of these spaces as a balcony, or external amenity space, as this is likely to have an additional impact on neighbouring dwellings, and should be considered by the Local Planning Authority at a later date if required.
- 10.8. Officers are also mindful that units 1-4 would be partially screened from neighbouring dwellings and Wallingford Road by tree planting along the site boundary. These units would also include timber louvres over the majority of the glazed elements, which not only benefits the design of the properties, but also reduces the perception of overlooking from these glazed areas. A condition is recommended requiring these louvres to be installed prior to the occupation of the dwellings to ensure that they are installed as indicated on the plans.
- 10.9. Concern about the disruption to residents during the construction period is not a valid reason to refuse planning permission. A condition requiring a Construction & Environmental Management Plan (CEMP), which includes traffic management, delivery times, hours of work on the site, etc will be imposed on any permission granted to ensure that disturbance to the local highway network and neighbouring residents is minimised.
- 10.10. Objection has also been raised as to the overbearing nature of the proposed dwellings. Mindful of the separation distance, with the proposed dwellings being set back from the road, and the existing levels of amenity in the area, Officers are satisfied that, on balance, the proposal would not have a harmful impact on the amenity of nearby residents, subject to the recommended conditions.

11.0. Highways/Access:

- 11.1. Objections have been raised about the nature of the site access, the quality of the road, parking concerns, and potential disturbance from the construction works.
- 11.2. The Highways Authority have reviewed the proposal and commented as follows:

The Highway Authority notes this application is a reduced application in relation to the previously approved application 2574/16/FUL and 3830/20/FUL. It reduces the number of proposed dwellings from 14 to 6. The Highway Authority has had preliminary discussions with the applicant in advance of submission of this application to ensure that direct access of the private proposed road is safe and suitable. It can be seen the submitted Highway Engineering Layout Plan mimics the previous layout shown on drawing 2515/01 A which was previously deemed adequate.

Previously in 2016 a S106 clause was recommended, which required the possible imposition of a S278 give and take arrangement on Wallingford Road. The reduced housing numbers and local concern over necessary parking restrictions associated to this scheme have led the Highway Authority to reconsider this approach and it has been agreed these works are not necessary with the applicant. This is mainly due to the low levels of traffic using this part of Wallingford Road, lower levels of traffic generated from the proposals (around 40 two way vehicle movements per day), low vehicle speeds (20mph and below) and adequate forward visibility for drivers using the road to gauge pedestrians in the road. It is considered these characteristics are typical of shared use road arrangements and as a result it is considered the omission of the give and take scheme is accepted.

Note - At detailed design stage a concrete apron will be required between the highway and the private drive to a depth greater than the highway road construction. This is to prevent water migrating into the road construction and washing out the fines from beneath the road. In conclusion the Highway Authority would recommend that from a highway perspective the proposals are adequate.

- 11.3. The Highways Authority recommends the inclusion of a condition requiring a Construction Management Plan to be submitted, prior to the commencement of development, as well as a condition requiring parking facilities, visibility splays, turning areas, and access drainage to be installed prior to the occupation of the dwellings.
- 11.4. With regard to parking, the proposal provides two parking spaces for each dwelling, as well as large garages for the larger properties (units 1-4) which could accommodate at least one car. Four additional visitor spaces are also proposed within the site. The emerging neighbourhood plan requires new residential development to comply with adopted parking standards (KWAC T3).
- 11.5. The neighbourhood plan does not specify whether it considers garage space to count as a parking space, however the JLP SPD states that '*whether garages are counted as being included in the overall off street parking provision will be considered on a case-by-case basis as in many situations garages are not used for the parking of cars*' (SPD para 8.9).
- 11.6. The SPD seeks a parking provision of 2 spaces per dwelling for three-bed properties, and 3 spaces per dwelling for four-bed properties. Considering the size of the garages included with the larger dwellings proposed, alongside two external parking spaces, Officers consider that the proposal provides adequate parking provision in line with the SPD standards, and would not pose a safety risk to users of the road due to the proposed visibility and low vehicle speeds along this road. The proposal therefore accords with policy DEV29 of the JLP, and policy KWAC T3 of the emerging neighbourhood plan.

12.0. Drainage:

- 12.1. The site is not in an area designated as being at an increased risk of flooding where it is outside of Flood Zones 2 and 3. However, it does fall within a Critical Drainage Area ('CDA').
- 12.2. The key policy in respect of this issue is policy DEV35 which among other matters requires that developments incorporate sustainable water management measures to minimise surface water run-off, and ensure that it does not increase flood risks or impact water quality elsewhere. Surface water from proposed developments should be discharged in a separate surface water drainage system which should be discharged according to the drainage hierarchies set out in the Plymouth and Devon Local Flood Risk Management Strategies.
- 12.3. The previous application for this proposal was refused solely because inadequate information has been submitted in relation to surface water drainage and flood risk. A more detailed drainage strategy has been submitted with the current application, to which South West Water has commented as follows:

'I refer to the above application and would advise that South West Water has no objection subject to the foul and surface water being managed in accordance with the submitted drainage strategy.

I further comment that South West Water are currently laying a public surface water sewer as part of the Belle Hill Development. In discussions with South West Water it has been agreed that, if SuDs cannot be achieved for the above application site, a connection into the newly laid surface water sewer for the roof and driveway run-off from will be sanctioned.'

- 12.4. South West Water have subsequently confirmed that this sewer has now been installed, and as such, the Council's Drainage Engineer raises no objection to the proposal subject to the imposition of a condition regarding surface water drainage.
- 12.5. Given that South West Water consider the proposed drainage strategy to be acceptable, and that adherence to this strategy can be a condition of any approval, Officers consider that the reason for refusal cited by the Planning Inspectorate in the previous decision has now been addressed.

13.0. Low Carbon development:

- 13.1. Policy DEV32 of the JLP sets out the carbon reduction targets of the Plan Area, and requires development to demonstrate how it is contributing to these aims.
- 13.2. The application is accompanied by a Carbon Reduction Statement, which details the measures proposed to reduce the impact of the dwellings. Solar PV panels are proposed, with a condition recommended to ensure that they are installed prior to the occupation of the dwellings, as well as air source heat pumps, and electric vehicle charging points (condition recommended to ensure installation). The dwellings also have passive control measures to limit the effect of solar gains on indoor temperatures in summer.
- 13.3. Subject to recommended conditions to ensure that the development is carried out in accordance with the measures included in this statement, the proposal is considered acceptable in terms of policy DEV32.

14.0. Financial Obligations:

- 14.1. Whilst objections about the affordability of the dwellings is noted, the site does not contain enough dwellings to trigger an affordable housing contribution.
- 14.2. The Education Authority at Devon County Council have reviewed the proposal and confirmed that they will not be seeking financial contributions.
- 14.3. It is considered highly likely that the new residents would use the existing play and sports facilities in the town. New residents would add pressure to those facilities, which have already been identified as being in need of improvement, and the pressure would require mitigating to assist with making those facilities sustainable. A financial contribution would thus be required. Based on the proposed dwelling mix (4 x 3 bed and 2 x 4 bed), and using the occupancy rates in the JLP Developer Contributions Evidence Base, the contributions required would be:
 - £11,814.72 towards improvements to and on-going maintenance of play facilities in Kingsbridge
 - £13,143.49 towards improvements to and on-going maintenance of sports facilities in Kingsbridge
- 14.4. The applicant has agreed these terms, and a Section 106 agreement is currently being prepared to this effect, in accordance with policy DEL1 of the JLP.

15.0. Summary:

- 15.1. The site is in an area where the principle of development is supported by both the JLP and the emerging neighbourhood plan. The scale and design of the dwellings has previously been considered acceptable by the Planning Inspectorate, and conditions are recommended to ensure that matters such as landscaping, materials, ecological mitigation, and neighbour amenity are appropriate.
- 15.2. The reason for refusal of the previous appeal have now been overcome, and there have been no significant changes to the proposal, or material change of policy and other considerations which would change the previous assessment. The application is therefore recommended for conditional approval, subject to the completion of the aforementioned S10 agreement.

This application has been considered in accordance with Section 38 of the Planning & Compulsory Purchase Act 2004

Planning Policy

Relevant policy framework

Section 70 of the 1990 Town and Country Planning Act requires that regard be had to the development plan, any local finance and any other material considerations. Section 38(6) of the 2004 Planning and Compensation Act requires that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise. For the purposes of decision making, as of 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 13th January 2021 MHCLG published the HDT 2020 measurement. This confirmed the Plymouth, South Hams and West Devon's joint HDT measurement as 144% 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 5.8 years at end March 2021 (the 2021 Monitoring Point). This is set out in the Plymouth, South Hams & West Devon Local Planning Authorities' Housing Position Statement 2021 (published 12th November 2021).

[*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

SPT3 Provision for new homes

SPT9 Strategic principles for transport planning and strategy

SPT10 Balanced transport strategy for growth and healthy and sustainable communities

SPT12 Strategic approach to the natural environment

TTV1 Prioritising growth through a hierarchy of sustainable settlements

TTV2 Delivering sustainable development in the Thriving Towns and Villages Policy Area

DEV1 Protecting health and amenity

DEV2 Air, water, soil, noise, land and light

DEV8 Meeting local housing need in the Thriving Towns and Villages Policy Area

DEV10 Delivering high quality housing

DEV20 Place shaping and the quality of the built environment

DEV23 Landscape character

DEV26 Protecting and enhancing biodiversity and geological conservation

DEV28 Trees, woodlands and hedgerows

DEV29 Specific provisions relating to transport

DEV32 Delivering low carbon development

DEV35 Managing flood risk and Water Quality Impacts

DEL1 Approach to development delivery and viability, planning obligations and the Community Infrastructure Levy

Neighbourhood Plan

The Kingsbridge, West Alvington, and Churchstow neighbourhood plan has recently been to referendum and was supported by the majority of voters. Although not yet formally adopted by the Council, the relevant policies of the plan can therefore be given very significant weight in the decision-making process:

Policy KWAC Env1 Settlement Boundaries and the avoidance of coalescence

Policy KWAC Env3 Impact on the Natural Environment, South Devon Area of Outstanding Natural Beauty (AONB), green corridors and green infrastructure

Policy KWAC Env5 Prevention of light pollution.

Policy KWAC Env6 Prevention of Flooding and the impact on water quality

Policy KWAC Env7 Carbon Reduction

Policy KWAC H2 Market Housing

Policy KWAC BE3 Design Quality
Policy KWAC T3 Car Parking
Policy KWAC HW2 Open Space

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 & South West Devon JLP SPD (2020)
South Devon AONB Management Plan (2019- 2024)

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.

Suggested 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 drawing numbers 05529 TIP 27.11.2020, 05529TPP 27.11.2020, and 05529 TCP 7.10.2020, received by the Local Planning Authority on 17th June 2022, drawing numbers 1567_0100_P1, 1567_0120_P1, 1567_0500_P1, 1567_0560_P1, 1567_0561_P1, 1567_0580_P1, 1567_0700_P1, 1567_0720_P1, received on 14th July 2022, drawing numbers 2515\A.C and A101, received on 26th September 2022, A100.2, A103, A109, A110, and A112, received on 17th October 2022, drawing number 2515/02.C, received on 2nd November 2022, and drawing number A108.2, received on 3rd November 2022.*

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

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

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

4. *Prior to commencement of any part of the site the Planning Authority shall have received and approved a Construction & Environmental Management Plan (CEMP) including:*

- (a) the timetable of the works;*
- (b) daily hours of construction;*
- (c) any road closure;*

(d) confirmation that the public footpath adjacent to the site will not be blocked or restricted from use by the construction works

(e) hours during which delivery and construction traffic will travel to and from the site, with such vehicular movements being restricted to between 08:00 and 18.00 Mondays to Fridays inc.; 09.00 to 13.00 Saturdays, and no such vehicular movements taking place on Sundays and Bank/Public Holidays unless agreed by the Planning Authority in advance;

(f) the number and sizes of vehicles visiting the site in connection with the development and the frequency of their visits, including confirmation that delivery vehicles will wait at an appropriate location away from the site before being called forward for direct access on to it.

(g) a site plan showing the compound/location where all building materials, finished or unfinished products, parts, crates, packing materials and waste will be stored during the demolition and construction phases;

(h) areas on-site where delivery vehicles and construction traffic will load or unload building materials, finished or unfinished products, parts, crates, packing materials and waste with confirmation that no construction traffic or delivery vehicles will park on the County highway for loading or unloading purposes, unless prior written agreement has been given by the Local Planning Authority;

(i) hours during which no construction traffic will be present at the site;

(j) the means of enclosure of the site during construction works; and (k) details of proposals to promote car sharing amongst construction staff in order to limit construction staff vehicles parking off-site obligations

(l) The proposed route of all construction traffic exceeding 7.5 tonnes.

(m) Details of the amount and location of construction worker parking.

(n) Photographic evidence of the condition of adjacent public highway prior to commencement of any work, and any damage incurred to the highway as a result of construction vehicles to be made good within 3 months of completion of build);

Reason: In the interests of public amenity and highway safety.

5. No part of the development hereby approved shall be occupied until the parking facilities, visibility splays, turning areas and access drainage have been provided in accordance with the submitted details and these shall be retained and maintained thereafter.

Reason: In the interests of highway safety.

6. Notwithstanding the submitted details, the development hereby permitted shall not proceed above slab level until:

a. Supporting calculations for the attenuation and flow control are submitted and approved by the LPA. Designed for a 1:100 year event plus 40% for climate change and 10% urban creep.

b. The site is within a Critical Drainage Area which means that any surface water leaving the site must be limited to the 1:10 year green field runoff rate.

c. Details of the management company and maintenance plan for the whole site.

d. Detailed Construction Phase surface water drainage plan, as a minimum to include details of the sediment control and final point of discharge.

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.

7. Foul drainage shall be connected to the South West Water main foul sewer in Wallingford Road unless an alternative means of foul water drainage is submitted to and agreed in writing by the Local

Planning Authority prior to installation of any alternative system. Once installed, the foul drainage system shall be retained and maintained for the life of the development.

Reason: To ensure a satisfactory and sustainable foul water drainage system is provided, retained and maintained to serve the development.

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

(a) Part 1, Class A (extensions and alterations)

(b) Part 1, Class AA (enlargement of a dwellinghouse by construction of additional storeys)

(c) Part 1, Classes B and C (roof addition or alteration)

(d) Part 1, Class D (porch)

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

(f) Part 1, Class F (hardsurfaces)

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

(h) Part 1, Class H (microwave antenna) and;

(i) Part 2, Class A (means of enclosure)

Reason: To enable the Local Planning Authority to exercise control over development which could materially harm the character and visual amenities of the development and locality.

9. The recommendations and safeguarding measures given in the Ecological Assessment Update prepared by Burton Reid Associates dated March 2021 and Reptile Mitigation Strategy prepared by Burton Reid Associates dated March 2021 received by the Local Planning Authority on 04 March 2021 where it relates to the land outlined in red on the submitted site location plan shall be followed, including precautions to prevent threat of harm during construction works, and incorporation of biodiversity enhancement measures as described in the reports.

Reason: To safeguard legally protected species, and to ensure no biodiversity loss.

10. The development shall not be carried out until all measures within the hereby approved Tree Protection Plan Rev no. 1: 05529 TPP 27.11.2020 received by the Local Planning Authority, which are within the land outlined in red on the submitted site location plan, have been installed in accordance with the submitted Tree Protection Plan and in accordance with the details contained within the mitigation strategy contained within the Arboricultural Impact Assessment Report prepared by Aspect Tree Consultancy dated 27th November 2020 and the Addendum to this assessment (dated 6th May 2021), received by the Local Planning Authority on 17th June 2022. Once installed the measures shall be retained until all machinery, equipment and materials have been removed from site. At no time shall any machinery, equipment or materials for the construction of the dwellings hereby approved be stored within the Tree Protection Areas and Construction Exclusion Zones shown on the submitted Tree Protection Plan.

Reason: To ensure no harm is caused to retained trees on the site during the construction works.

11. Prior to first occupation of any dwelling on the site, full details of hard and soft landscape works, including an implementation and management plan prepared by an appropriately qualified professional, shall have been submitted to and approved in writing by the local planning authority. Details of soft landscape works shall include retention of any existing trees and hedges; finished levels/contours; planting plans; written specifications (including cultivation and other operations

associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and shall include details of boundary treatments. The hard landscape works shall include means of enclosure; boundary and surface treatments; vehicle and pedestrian/cyclist circulation. All works shall be carried out in accordance with the approved details and the implementation plan and thereafter maintained in accordance with the approved management plan.

Reason: To secure a landscape scheme that will complement the development in the interests of visual amenity

12. Prior to installation, a schedule of materials and finishes to be used in the construction of the external surfaces, including roofs, shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out only in accordance with the details so approved.

Reason: In the interest of visual amenity and to ensure the development will harmonise visually with the character and appearance of the site and its surroundings.

13. The stonework shall be constructed of natural stone which matches the colour and texture of that occurring locally, details of which shall be submitted to and agreed in writing by the Local Planning Authority, prior to the installation. The new stonework shall be laid on its natural bed and pointed in a lime mortar recessed from the outer face of the stone. Machine cut or sawn faces shall not be used in the wall or for quoin stones.

Reason: In the interest of visual amenity and to ensure the development will harmonise visually with the character and appearance of the site and its surroundings.

14. Details of any external lighting (including security lighting), including design, siting and illumination-type and lux level, to be erected, placed, or sited within the site shall be submitted to and approved in writing by the Local Planning Authority prior to installation. The work shall thereafter be carried out in accordance with the approved details and under no circumstances shall it cause light pollution nor shall external illumination be operated on the site other than in accordance with the approved scheme.

Reason: In the interests of the amenities of the occupiers of neighbouring residential properties.

15. The construction of the dwellings hereby approved shall be carried out in accordance with the details contained in the Carbon Reduction Statement received by the Local Planning Authority on 14th November 2022. All measures contained within the hereby approved document to limit carbon emissions shall be implemented prior to first occupation of the hereby approved dwellings.

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

16. The electric vehicle charging points as shown on the approved plans shall be installed prior to the first occupation of the dwellings hereby approved. They shall then be retained and maintained for the life of the development.

Reason: To ensure that the development contributes to the carbon reduction aims of the Joint Local Plan.

17. The solar PV panels as shown on the approved plans shall be installed prior to the first occupation of the dwellings hereby approved. They shall then be retained and maintained for the life of the development.

Reason: To ensure that the development contributes to the carbon reduction aims of the Joint Local Plan.

18. Prior to first occupation of the dwellings hereby approved the timber louvres as detailed on drawing number 2515/02.C, received by the Local Planning Authority on 2nd November 2022 shall be installed in accordance with the hereby approved details and shall thereafter be retained and maintained for the lifetime of the development.

Reason: In the interests of adjoining amenity to avoid unacceptable light pollution resulting from the proposed development.

19. Prior to first occupation of the dwellings hereby approved, all windows marked to be fitted with obscure glass on drawing number A103 received by the Local Planning Authority on 17th October 2022, and drawing number 2515/02.C, received on 2nd November 2022, shall be fitted with a minimum of level 3 obscured glazing over the entirety of each of the windows with no clear areas and shall thereafter be permanently retained in that condition.

Reason: In the interests of adjoining amenity

20. The flat roof areas of the dwellings hereby approved shall not be used as a balcony, roof garden or similar amenity area without the grant of further permission from the local planning authority.

Reason: To safeguard the amenity of the locality and the privacy of neighbouring properties.

21. Prior to the commencement of development including site clearance, a detailed scheme for translocation of reptiles shall be submitted to and approved in writing by the Local Planning Authority. The scheme of translocation shall include a plan to show the receptor site(s) and proximity to the development; details of habitat creation and management works prior to translocation including the provision of artificial refuges; details of reptile exclusion fencing to be installed and a plan to show location of fencing; details of capture methodology and habitat manipulation to discourage reptiles from returning during construction phase of development and details of receptor site management and monitoring during the construction phase of the development and ongoing habitat management at the receptor site in perpetuity. Once approved works shall proceed in strict accordance with the approved scheme for translocation of reptiles and the land shall be maintained in perpetuity thereafter as a habitat for reptiles. The temporary reptile fencing shall remain in situ for the duration of the development works and shall only be removed once all works have been completed including landscaping works and equipment and machinery associated with the construction phase of the development have been removed from the site.

Reason: In the interest of ensuring no harm is caused to protected species