

PLANNING APPLICATION REPORT

Case Officer: Lucy Hall

Parish: Salcombe **Ward:** Salcombe and Thurlestone

Application No: 4063/19/FUL

Agent/Applicant:

Mr Philip Andrews - WvH Planning Ltd
Elmwood
High Park Avenue
East Horsley, Surrey
KT24 5DD

Applicant:

Mr & Mrs R & L Dafforn
31 Elystan Place
London
SW3 3JY

Site Address: Sandnes, Beadon Road, Salcombe, TQ8 8LU

Development: Replacement dwelling with associated landscape works (amendment to design previously approved 1125/17/FUL)

Reasons for item going to committee – At the request of the local ward members, Cllr Pearce & Cllr Long on the basis of the huge amount of public concern regarding the application.



Recommendation: Conditional Approval

Conditions:

1. Standard three year time limit for commencement of development
2. Development to be carried out in accordance with approved drawings
3. Implementation of landscape proposals
4. Ecology (light spill)
5. Restriction of works until confirmation a licence has been provided
6. Removal of PD rights
7. Unsuspected contamination
8. Restriction on external lighting
9. Surface water drainage
10. Foul drainage
11. Low carbon
12. Trees

Key issues for consideration:

Impact on landscape including AONB and undeveloped coast, Design, residential amenity, impact on TPOs, CMP & ecology

Site Description:

The existing building is a detached two storey dwelling (with storage underneath) built into a steeply sloping, wooded hillside located within an extensive plot. It is situated on the north eastern side of Beadon Road, on the western edge of Salcombe. The main dwelling is located to the north of the plot with an extensive wooded garden to the south. The site lies within the development boundary, South Devon AONB and is subject to a blanket TPO. The site is close to the undeveloped coast boundary.

The Proposal:

The application seeks full planning permission for the demolition of the existing dwelling and its replacement with a new detached dwelling.

The new building would be set into the hillside, over three stories, occupying a similar part of the plot to the existing dwelling. The external palette is detailed within the Materials Schedule and includes 'braas tegelit' slate grey over the mono pitched roof section, a base black ECOlastic membrane layer covered in natural rolled pebbles over the flat roof section, dark grey stained timber and white render to the walls, with local Devon stone within the basement area. The proposed dwelling has large areas of glazing within the two main living floors, broken up with elements of brise-soleil.

The proposed floor plans show storage, gym, sauna as well as a swimming pool and shower within the basement; 4 bedrooms, bathroom, 2 studies and utility/plant as well as car port at ground floor & master bedroom and main living space at first floor. The two floors with habitable accommodation include the provision of balconies accessed via several of the rooms.

The existing highway access and parking arrangements are proposed to be retained. Comprehensive landscaping works are also proposed including new planting. The application also seeks approval for a construction management plan.

Following the submission of revised documents including revised elevation plans, revised construction management plan, light spillage assessment and ecological assessment on the lighting impacts to bats, the application has been re-advertised. The consultation runs until 26 November and any representations which are not covered within this report will be updated at committee.

Consultations:

- County Highways Authority: No highways implications
- Environmental Health Section: No comments received
- Tree Specialist (SHDC) – no objections
- Landscape Specialist (SHDC) (verbal discussion with case officer) – no objections
- Ecologist (SHDC) - no objection subject to conditions
- Drainage (SHDC) – refer to standing advice
- Salcombe Town Council:

Comments received November 2020

‘Objection as although the design of the building had been amended, there was still too much glass meaning that the proposed property would not merge into the woodland as with the approved application 1125/17/FUL. This would have a detrimental impact on the AONB and was therefore contrary to Salcombe NDP policy ENV1. It was also contrary to NDP policy ENV7 as the proposal did not maintain the character of the key area A as defined within the NDP. The design of the property was contrary to NDP policy B1 in that it did not respect the context and setting. As the new proposal was a third larger than the approved application it was also felt to be overdevelopment of the site. Despite the report on access town council still considered that the size and weight of vehicles to be used in accessing the site were too large for the designated route and would cause irreparable damage to Beadon Road (or Beadon Lane as it was known locally). There was also no provision for the protection of pedestrians on what was virtually a footpath. There was also concern about the transfer of trailers from the lorry unit to a tractor, where would this take place as it was not mentioned in the CMP. The surfaced part of Beadon Road from its junction with the A381 had parking on it all year round and was a residential area. There was not felt to be sufficient parking on site and therefore parking should be provided offsite and contractors transported to the site as development parking must not put additional pressure on street parking within the town which would be contrary to NDP policies B1 and T1. There was a concern over the timetable shown in the CMP as this had planning approval for 6 November as a start point; as this date had already passed then it could be assumed that the whole programme would slip back, if approved, meaning that the house assembly could be in the busiest time of the year.’

Comments received January 2020

‘Objection - Although the design of the building has been amended, there was too much glass meaning that the proposed property would not merge into the woodland as with the approved application 1125/17/FUL. This would have a detrimental impact on the AONB and was therefore contrary to Salcombe NDP policy ENV1. It was also contrary to NDP policy ENV7 as the proposal did not maintain the character of the key area A as defined within the NDP. The design of the property was contrary to NDP policy B1 in that it did not respect the context and setting. As the new proposal was a third larger than the approved application it was also felt to be overdevelopment of the site. The size and weight of vehicles to be used in accessing the site were too large for the designated route and would

cause irreparable damage to Beadon Road (or Beadon Lane as it is known locally). The entrance to Beadon Road from the A381 indicated that this was a no through road so Devon Highways did not consider Beadon Lane to be a usable road. There was also no provision for the protection of pedestrians on what was virtually a footpath. There was also concern about the transfer of trailers from the lorry unit to tractor, where would this take place as it was not mentioned in the CMP. The surfaced part of Beadon Road from its junction with the A381 had parking on it all year round and was a residential area. There was not felt to be sufficient parking on site and therefore parking should be provided offsite and contractors transported to the site as this parking must not put additional pressure on street parking within the town which would be contrary to NDP policies B1 and T1. The CMP stated that the bulk of deliveries of the pre constructed building would be made for 3 weeks from 19th July 2021, this was the busiest time of the year in Salcombe and therefore this phase should be deferred until mid-September at the earliest.'

Representations:

The application was re-advertised on 2 November and the consultation period runs until 26 November. At the time of writing the report the Council has received 39 letters of representation from third parties all raising objections. The comments received can be summarised as follows: -

- Revised CMP takes very little notice of 300 plus previous objections.
- Revised CMP is woefully inadequate and does not consider issues such as how verges/Devon banks/flora and fauna will be protected; how pedestrians using Beadon Lane will be protected including from fallen demolition materials; how 11m trailers will be turned around & where the wash down facility will go.
- CMP does not satisfy the need to keep Beadon Lane in its current state.
- CMP says traditional build would take longer than a kit build, however, inconvenience of a longer build is insignificant compared to the permanent damage to the environment from the current proposal.
- Strongly disagree with proposal to surface Beadon lane
- Access to Beadon Lane via Beadon Estate will benefit the contractors and will pose a risk to the safety of a quiet residential estate. Question whether vehicles will be able to get through as cars are often parked on both sides of the road.
- Development will adversely change and spoil Beadon Lane.
- Contrary to the NP
- Scale of proposal is unacceptable and unsuitable for the AONB and will ruin a well-loved beauty spot.
- Inadequate parking to sustain level of building works required
- Light pollution from large glass windows will cause issues in an area that is very dark and full of wildlife.
- Landscaped gardens are not in keeping with surrounding areas.
- Mass culling of trees is unacceptable and no assurance tree roots will be damaged from 32 tonne trucks.
- Agree with Town Council's comments.
- Existing building is an eyesore and needs replacing but a smaller scale traditional build that was sympathetic to the location and CMP that took into account challenging access would be more acceptable.
- Proposal will lead to increased traffic
- Beadon Lane should be retained for pedestrians

The previous resubmissions attracted over 330 letters of objection, 3 letters of support and 11 undecided comments. All of the comments received can be summarised as follows:

- CMP proposing use of/alterations to Beadon Lane unacceptable, adverse impacts on and issues relating to;
 - o Character
 - o Local residents
 - o Sewer and water mains within the vicinity, could be damaged by large vehicles
 - o Biodiversity and wildlife
 - o Loss of trees and hedge
 - o Potential for it to become a rat run
 - o Use as a car park to serve North Sands beach and cause traffic problems
 - o Beadon Lane must remain as it currently is
 - o Widening of Beadon Lane would impinge on land owned by neighbouring owners
 - o No legal right to cross land not owned by applicants
 - o Re surfacing not in keeping
 - o Danger to pedestrians
 - o Decrease house prices
 - o School children and parents using the tops of Beadon Road for drop off/collection
 - o Alternative arrangements should be considered, e.g. via Sandhills
 - o Existing house constructed without paving the lane, no justification for this one
 - o Prevent access for emergency services
 - o Highway drainage/storm water issues
- Proposed development too large, obtrusive impact on the area and out of keeping with local area, proposed dwelling significantly bigger than the previously approved replacement dwelling
- Too many areas of glazing within proposed dwelling, could result in light pollution and harm dark skies
- Questions over motivation of SHDC to continue with current considerations
- Development is contrary to Salcombe NP
- Design of house not suited to the local area, does not fit with the local vernacular
- House unlikely to be used permanently, Salcombe residents have been squeezed out of Salcombe
- Harmful impact on the South Devon AONB
- Alternatives ways of getting materials onto site should be explored
- Traditional build would not require pre-fabricated panels to be delivered
- Allowing application would set a dangerous precedent
- CMP lacks details
- Construction parking has not been addressed
- Existing building does need to be improved
- Ecologically friendly dwelling should be constructed
- Development does not provide family housing
- Impact on conservation area
- Existing house is an eyesore and new design is an improvement

The Council also received a letter of representation from the South Hams Society who objected on grounds of scale, design, impact on AONB, trees, ecology and use of Beadon Lane for construction purposes.

Relevant Planning History

- 2344/20/HHO, Householder application for erection of a timber outbuilding to provide appropriate bat mitigation, Sandness – conditional approval
- 1125/17/FUL, Replacement dwelling with associated landscape works, Sandness, Conditional Approval, October 2017.

Under the Business and Planning Act (which temporarily modifies The Town and Country Planning Act 1990) the expiry date for this application has automatically been extended until 1 May 2020.

- 41/0241/08/F, Demolish of existing and erection of replacement dwelling, Sandnes Beadon Road Salcombe Devon TQ8 8LU - Refusal

ANALYSIS

Principle of Development/Sustainability:

There is no objection with the principle of demolishing the existing dwelling and replacing it. The existing dwelling, which dates back to the 1960s/70s does not display any particular architectural merit and it is felt that there is a real opportunity to improve the site. There is an extant consent on the site for a replacement dwelling but the applicants are proposing an alternative approach for the redevelopment of the site.

Although the site lies within the town and the development boundary, defined within the Neighbourhood Plan, it is on the edge of the built form within a highly sensitive location. In considering the proposal careful regard needs to be afforded to a range of material considerations including the appropriateness of the design, impact on the AONB, impact on TPOs and residential amenity.

The site falls within a low density policy area, where in accordance with NP Policy SALC Env 7 only development which would not detrimentally impact on the character of the low density development, mature gardens and trees will be permitted. This proposal is for the replacement of a single dwelling and the proposed dwelling is similar in scale to the extant 2017 approval, therefore it is considered to accord with this policy.

Design/Landscape:

The site lies within the South Devon AONB. The NPPF requires great weight to be given to conserving and enhancing landscape and scenic beauty within AONBs which are considered to have the highest status of protection in relation to these issues. The need to conserve and enhance the AONB is reinforced within JLP policies DEV23 and DEV25 and NP policy SALC Env1. The need for high quality design which is appropriate to its context and contributes positively to it is discussed within JLP policies DEV10, DEV20, DEV23 and DEV25 and NP policy SALC B1.

This part of Beadon Lane is characterised by a range of styles of dwellings ranging from non-descript modern buildings to designated and non-designated heritage assets. There is a clear mix in terms of styles and age of properties and as such there is clearly an opportunity for modern design to be satisfactorily integrated.

Officers have no objections with the contemporary approach to the design of the replacement building. Whilst the previously approved scheme included split levels, the proposed dwelling in this application is similar in scale and form and therefore whilst overall, the perceived appearance of the dwelling will have a different massing from the extant approval, due to the height and footprint being broadly similar, it is considered that it will not result in harm on the character of both the locality and the South Devon AONB. The Landscape Officer has carefully considered the proposal in relation to the extant approval and offered no objections. Due to the site's position within the wooded valley, it will be largely well screened in wider views.

The proposed landscaping scheme has taken account of the site's topography, relationship with wider views, particularly from North Sands, and the relationship with the adjacent public right of way. The submitted landscaping scheme and visualisations contained within the LVIA represent a fair depiction of the visual impact of the replacement dwelling once completed, and that this would not be overly prominent when viewed from the surrounding landscape. With regards to the landscaping scheme, whilst there will be a notable change in the character of the immediate site in the short term, in the longer term the landscape scheme will establish to form a more naturalistic bank adjacent to the right of way, with effective screening of the dwelling. This would be sensitive to the local character of the area.

The amount of glazing within the proposed dwelling has been raised as concern in multiple objections. Particular regard must be paid to glazing in order to protect both the character and appearance of the area as well as the natural beauty of the South Devon AONB. The extant scheme also contained large areas of glazing, and locally, many examples of dwellings with significant glazed areas can be found. The Council's Landscape Officer has offered no objections based on the level of glazing compared to the extant scheme for the site which was considered acceptable due to the site's position within a wooded valley and therefore offering significant natural screening through the topography and established trees.

The applicants have commissioned a light spillage assessment which demonstrates that compared with the extant approval, there will be a reduction in the amount of light spillage. Compared with the extant approval there is a reduction in the amount of glazing within the building, particularly on the southern elevation where the current proposal provides 43 square metres of triple glazing compared with 48 square metres of double glazing on the extant scheme. With the triple glazing, the report suggests that there will be a 21% reduction of light spillage from the current scheme compared with the extant scheme.

The proposal is therefore considered to be in accordance with policies including SPT12, DEV10, DEV20, DEV23 and DEV25 of the Plymouth and South West Devon Joint Local Plan and policies SALC Env1, SALC Env2 and SALC B1 of the Salcombe Neighbourhood Plan.

Trees:

The site is subject to a blanket Tree Preservation Order. The application includes an Arboricultural Impact Assessment (05368 AIA Report Rev B; dated 27th February 2020) which has been considered with reference to the site, the proposed development and the landscape/arboricultural mitigation.

The Council's tree officer has reviewed the submitted details and confirms 'Upon review of the noted documents I consider the arboricultural implications of the build itself, impact on the woodland setting of the TPO and impacts that may arise due to access have now been suitably considered and measures to achieve a net increase in tree cover and associated enrichment have been achieved.' The Tree Officer has offered no objections on arboricultural merits. A condition ensuring that the tree protection measures and other recommendations contained within the arboricultural report are carried out is recommended. With the proposed condition officers are satisfied the proposal accords with the relevant policies including JLP policy DEV28 and NP policy SALC Env2.

Neighbour Amenity:

There is a good separation distance between the application site and the neighbouring sites and officers are satisfied that the proposal will not cause any harm to the amenity of neighbouring residents. No objections in this respect have been received.

Highways/Access:

The Highway Authority has offered no objections to the proposed development on highway safety grounds. It is proposed to utilise the existing vehicular access and parking within the site is proposed.

The extant consent includes a pre-commencement condition requiring the submission of a construction management plan (CMP). However, rather than deal with this via condition the applicants are seeking to agree this upfront as part of this application. This element of the proposal has attracted significant local objection with over 300 letters of representation and there have been various revisions put forward to try and address the concerns raised by third parties and officers.

The CMP includes a construction timetable with works within phase 1 commencing in September 2021 and works within phase 3, the house assembly scheduled to take place in May 2022. It is noted within the report that the programme has been carefully planned to start after the 2021 summer holidays and finish before half term 2022. The proposal is for a Huf Haus which is an offsite manufactured house which is built in a factory and assembled on site. The report estimates that 70%

of the total deliveries are associated with these pre-built components, and will be delivered to site over a maximum period of 3 weeks.

There are two possible access routes, option 1 involves going through Beadon Estate and onto Beadon Lane and option 2 involves going down Sandhills Road and onto Beadon Lane. The report recommends option 1 as the preferred route on the basis that the distance is shorter, there are less turns to navigate and the surface degradation on the final stretch along Beadon Lane is more management from the north and there are less substantial tree routes across the road. The applicants are aware of the strength of local opposition from Beadon Estate but maintain for the reasons set out that this is the most appropriate route which will ensure the least possible impact on the environment and residents. Option 2 has been identified as the preferred route for all vehicles under 3.5 tonnes.

The original CMP involved proposals to widen, improve and upgrade the private part of Beadon Road which in itself attracted significant objection from locals as well as Council planning officers and the tree specialist. This element has now been withdrawn although the report now recommends temporary ground boarding to the sections of road where required. The report also recommends a pre and post construction road condition survey and all of the trees along the access road have been assessed by an arboriculturist. The Council's tree specialist has confirmed they have no objections with the revised approach.

A lot of concerns have been raised about pedestrian safety with Beadon Lane being a popular route for walkers. To try and address this the CMP recommends that a banksman is on site at all times, ensuring any pedestrian traffic is temporarily stopped when delivery vehicles utilise the single track road.

Concerns have also been raised about the width of the lane and possible damage to trees from construction vehicles. A lot of work has been undertaken by the applicants to ensure that the proposed construction vehicles can use the lane. During phase 3 the report recommends materials will be transported along Beadon Lane using a modified agricultural tractor.

It is inevitable that there will be disruption to local residents from the redevelopment of the site, however, on balance, officers consider that the measures set out within the CMP will ensure that this is kept to a minimum.

Drainage:

It is stated within the application form that surface water would be discharged via a soakaway and foul via a package treatment plant. The Council's drainage specialist was consulted but they have not provided any substantive comments, referring to standing advice. The site is considered to be within a low risk area, being outside Flood Zones 2&3 and not within a Critical Drainage Area and therefore a drainage assessment is not required. On the basis the site has adequate land in which to accommodate drainage officers are satisfied there is a workable solution but the final design will need to be agreed with the Council's drainage specialists at condition stage.

Ecology:

Development plan policies require development to support the protection, conservation, enhancement and restoration of biodiversity and geodiversity.

The site has been subject to a number of recent bat surveys which have identified that the existing dwelling, which has been vacant for a number of years, is used as a roost by small numbers of bat species. Accordingly demolition of the dwelling would trigger a Habitats Regulations offence (demolition of a roost) and therefore require an EPS Licence to proceed.

When a Habs Regs offence is likely to result from a proposed development, the LPA is required to consider whether the proposal meets the 3 derogation tests and would be likely to be subsequently granted an EPS Licence by Natural England.

1 – Imperative Reason of Overriding Public Interest – The existing building has not been occupied for around 7 years and has fallen into a state of disrepair. The proposed development will enhance the site, bring it back into residential use, providing a dwelling of improved design and sustainability merits, meeting the IROPI test.

2 – No Satisfactory Alternative – Whilst the existing building could be retained, significant works would be needed to bring it up to modern living standards. To leave as is would possibly mean it would fall into a further state of disrepair which would result in the loss of the bat roost. This test is considered to be met.

3 – Maintenance of Favourable Conservation Status – the ecologist has advised that fly-in access to the roof void of a garage or into an open-fronted store should be provided within the plans for the site – this would maintain the interest of the site for the bat species and type of use concerned. The proposal also includes significant replacement planting which in the longer term will enhance the site safeguarding its ecological value. This requirement has been reflected on the submitted plans, a separate bat roost building has recently been granted planning permission, and accordingly consider this test met.

Concerns have also been raised about the amount of potential light spill from within the building and the impact this would have on bats. The Council's ecologist's advice was that while there was potential for light spill on the surrounding woodland, on the basis the bat roost is far enough away and sheltered enough so that it wouldn't be impacted in combination with the fact that there is sufficient tree cover locally to ensure dark flight lights to the roost despite the glazing, the level of harm was not considered to justify a policy objection. Notwithstanding these comments, the applicants subsequently commissioned a light spillage assessment and appointed an ecologist to assess the impact, the findings of which are presented in a letter from Ecology & Habitat Management Ltd, 30/10/20. The report confirms that studies have shown artificial lighting can negatively impact bat roosting, commuting and foraging habitat and horseshoe bats are known to be very light sensitive species. It includes a table of proposed mitigation measures which include the use of soft white LED lights, limiting the use of external lighting and avoiding illuminating habitats likely to be used by bats including triple glazing which reduces UV light spillage. The report concludes that with the measures proposed, the new dwelling will not cause a significant negative impact to bats from effects of lighting. The implementation of these measures can be secured via a planning condition. Officers consider that compared with the extant approval this offers a significant improvement. The extant scheme includes a lot of glass and no restrictions on external lighting.

Therefore with the proposed conditions the proposal is considered to accord with the relevant policies including JLP policies SPT12 and DEV26 and NP policy SALC Env2.

Low Carbon:

JLP policy DEV32 requires all development to minimise its use of natural resources over its lifetime, such as water, minerals and consumable products, by reuse or recycling of materials in construction. The design and access statement includes a section on sustainability and within it confirms that the new dwelling will *'provide a high-quality form of development that will incorporate a number of energy efficient features in order to achieve a sustainable form of development. The house will be able to generate a high proportion of its energy requirements from renewable sources with the use of an air source heat pump. Together with other advanced technologies it will provide significant benefits to energy efficiency, heat retention including triple glazed windows and principles of solar gain and cross ventilation.'* Officers are satisfied that the information provided demonstrates compliance with DEV32.

While the principle of an ASHP is acceptable, in the interests of safeguarding residential amenity and prevent harm to the intrinsic qualities of the AONB a condition is recommended to ensure the installation complies with the guidance set out within the GPDO.

Other matters:

Issues have been raised regarding the use of the dwelling; as a replacement dwelling, it is not subject to the controls of a primary residence condition. Additional comments have been made in respect of the dwelling not being a family home; the proposal is for a 4 bedroom property, which is capable of providing family accommodation.

Due to the pre-fabricated nature of the proposed dwelling, comments have been made regarding both the construction type and ecological impacts of such construction methods. There are no planning policies which restrict the use of pre-fabricated/sectional buildings provided they accord with other material considerations. The submitted information states that the dwelling once constructed will be both thermally and energy efficient to run.

The site is not close to the Salcombe Conservation Area and therefore it is considered that this proposal will have no impact on the conservation area or other heritage assets.

Each application is dealt with on its own merits and therefore it is considered that no precedent would be set by the granting of this application subject to conditions.

Planning Balance:

The principle of demolishing the existing dwelling and replacing it has already been accepted by the Local Planning Authority. Officers are satisfied that when compared with the previous, extant approval, this scheme offers improvement in a number of areas including landscape and ecology. A lot of concern has been expressed about the construction management plan. On balance, officers are satisfied that the revisions to the CMP have gone far enough to address previous concerns.

The application is recommended for approval.

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 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. This confirmed the Plymouth, South Hams and West Devon's revised joint Housing Delivery Test Measurement as 163% and that the consequences are "None". It confirmed that the revised HDT measurement will take effect upon receipt of the letter, as will any consequences that will apply as a result of the measurement. It also confirmed that that the letter supersedes the HDT measurements for each of the 3 local authority areas (Plymouth City, South Hams District and West Devon Borough) which Government published on 19 February 2019. On 13th February 2020 MHCLG published the HDT 2019 measurement. This confirmed the Plymouth, South Hams and West Devon's joint HDT measurement as 139% 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 6.4 years at end March 2019 (the 2019 Monitoring Point). This is set out in the Plymouth, South Hams & West Devon Local Planning Authorities' Housing Position Statement 2019 (published 26 July 2019). The methodology and five year land supply calculations in the Housing Position Statement are based on the relevant changes in the revised National Planning Policy Framework published 19 February 2019 and updates to National Planning Practice Guidance published by the Government in September 2018, subsequently amended by NPPG Housing Supply and Delivery published 22 July 2019.

As a result of Government policies and guidance regarding lockdown due to Covid 19, the 2020 Housing Survey was delayed by approx. 2 months as site visits could not take place. The 2020 5YLS update is therefore delayed by four months and will now be published in November 2020. The impact from Covid 19 is likely to slightly reduce the supply identified for 2020/21 due to 2-3 months of limited/nil construction activity during lockdown. There is no evidence to suggest that this would have a material change to the JLP Authorities 5YLS position, given the substantial 5YLS position at the 2019 monitoring point i.e. 6.4YLS which represents a surplus of 1,977 deliverable dwellings above what is required over the period 2019-2024 to demonstrate a 5YLS.

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
SPT11 Strategic approach to the Historic environment
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
TTV26 Development in the Countryside
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
DEV9 Meeting local housing need in the Plan Area
DEV10 Delivering high quality housing
DEV20 Place shaping and the quality of the built environment
DEV23 Landscape character
DEV24 Undeveloped coast and Heritage Coast
DEV25 Nationally protected landscapes
DEV26 Protecting and enhancing biodiversity and geological conservation
DEV27 Green and play spaces
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
DEL1 Approach to development delivery and viability, planning obligations and the Community Infrastructure Levy

Salcombe Neighbourhood Plan, 2018 – 2034 (made)

SALC ENV1 Impact on the South Devon AONB
SALC ENV2 Green infrastructure throughout the parish
SALC ENV6 Locally important views
SALC ENV7 Maintaining the character, density and green infrastructure in key areas
SALC B1 Design quality and safeguarding heritage assets

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 Supplementary Planning Document
South Devon AONB Management Plan

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.

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 plans and documents: -

Construction Management Plan (Eclipse Construction) Rev I, 3/11/20

B100g (proposed floor plans & elevations), b160a (brise soleil detail) & light spillage assessment – rev A (Huf Haus) (dated 29/10/20), 2/11/20

Materials schedule, 16/07/20

Arboricultural Impacts Assessment Report, Aspect Tree Consultancy; Tree Protection Plan & Layout Plan (27/02/20)

B125g (proposed landscape plan), b120g (proposed site plan), b121a (OS Map), b122e (block plan), b123k (bat mitigation and bat house) & LD/S01 revision D (landscape proposals), 11/06/20

Mitigation Method Statement (David F Wills), December 2019

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. All elements of the Landscape Scheme, as shown on drawing number LD/S01 revision D 'landscape proposals' shall be implemented and maintained in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation. The landscaping scheme shall be strictly adhered to during the course of the development and thereafter.

Reason: To ensure the provision of an appropriate landscaping scheme in the interests of the visual amenities of the locality and to assimilate the development into its surroundings.

4. The recommendations and mitigation measures set out in the report from Ecology & Habitat Management Ltd, dated 30/10/20 shall be fully implemented and therefore retained in perpetuity.

Reason: To safeguard the interests of protected species from light spill.

5. No works should commence until the LPA has been provided with a copy of the licence issued by Natural England pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2010 authorising the works to go ahead.

Reason: In the interests of ecology.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended (or any order revoking and re-enacting that Order with or without modification), no development of the types described in Part 1 and Part 2, Class A of Schedule 2 to the Order shall be undertaken without the express consent in writing of the Local Planning Authority other than those expressly authorised by this permission.

Reason: To safeguard the character and appearance of the area.

7. 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.

8. There shall be no floodlighting or other external lighting at the site unless otherwise agreed in writing by the Local Planning Authority. The scheme shall include details of the position, type, luminance and cowl of all external lights to the building and external areas. The development shall be carried out in strict accordance with the agreed details.

Reason: To safeguard the appearance of the locality and the amenities of adjoining residents and in the interests of ecology.

9. Notwithstanding the submitted information, no development shall be commenced until full details to confirm the condition and capacity of the existing surface water drainage scheme have been submitted to and approved in writing by the LPA. Design steps are:

- Percolation testing in accordance with DG 365 will be required to support the re-use of the existing soakaway. The report should include the trial logs and calculate the infiltration rate.
- Soakaway design to demonstrate it can accommodate additional surface water for a 1:100 year event plus an allowance for climate change. (Currently 40%)
- If the ground conditions are not suitable for soakaway then a controlled discharge to a watercourse or Sewer can be considered. The surface water should be attenuated for a 1:100 year event plus 40% for climate change. The offsite discharge should be limited to greenfield runoff rate. Full details of the flow control device including head/discharge relationship will be required.

If the calculated Greenfield runoff rate is too small to be practically achievable, then a maximum offsite discharge rate of 1.0l/s can be considered. Which is achievable in most cases with suitable pre-treatment and shallower storage depth.

- If discharging to the sewer written permission from SWW will be required.
1. If the Local Planning Authority concludes that the method of drainage approved as part of this permission is undermined by the results of the percolation tests, a mitigating drainage alternative shall be agreed with the Local Planning Authority.
 2. Shared maintenance and management plan for any shared scheme will be required.
 3. The drainage scheme shall be installed in strict accordance with the approved plans, maintained and retained in accordance with the agreed details for the life of the development.

Reason: To ensure surface water drainage scheme is in line with the current standards and that surface water runoff does not increase to the detriment of the public highway or other local properties as a result of the development.

10. Details of the works for the disposal of sewage shall have been submitted to and approved in writing by the Local Planning Authority, and the dwelling shall not be occupied until the approved works have been completed to the satisfaction of the Local Planning Authority. Details to include a completed FDA1 form and justification for private foul system.

If the proposed development results in any changes/replacement to the existing system or the creation of a new system, scale plans of the new foul drainage arrangements will also need to be provided. This will include a location plan, cross sections/elevations, specification and its capacity to hold additional load.

Written permission from South West Water will be required if discharge to mains sewer is proposed.

Reason: In the interests of the prevention of pollution.

11. The development hereby approved shall proceed in strict accordance with the information set out on sustainability within paragraphs 4.17 – 4.20 of the Design and Access Statement (WVH Planning). Notwithstanding the information submitted the air source heat pump must comply with MCS Planning Standards or equivalent and it must be no more than 0.6 cubic meters (including any housing) in volume. The air source heat pump must be used solely for heating purposes and be installed and fully operational prior to the first occupation of the dwelling.

Reason: in the interest of neighbouring amenity and to demonstrate that the development that the development can deliver low carbon development in accordance with Policy DEV32 of the Plymouth and South West Devon Joint Local Plan and in the interests of safeguarding residential and visual amenity.

12. The recommendations and mitigation measures set out within the Arboricultural Impact Assessment Report (05368 AIA REPORT REV B 22.4.20 , Aspect Tree Consultancy, February 2020), Layout Impact Plan Rev B (05368 LIP Rev A) & Tree Protection Plan (05368 TPP Rev B) shall be fully implemented, and the following should be adhered to: -

- (a) No development or other operations shall take place except in complete accordance with the approved scheme.
- (b) No operations shall be undertaken on site in connection with the development hereby approved (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and / or widening or any operations involving the use of motorised vehicles or construction machinery) until the protection works required by the approved protection scheme are in place.
- (c) No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within any area designated as being fenced off or otherwise protected in the approved protection scheme.
- (d) Protective fencing shall be erection in accordance with the details set out and retained intact for the full duration of the development hereby approved and shall not be removed or repositioned without the prior written approval of the Local Planning Authority.

Reason: To ensure the continued well being of the trees in the interests of the amenity of the locality.