

DARTMOOR NATIONAL PARK AUTHORITY
DEVELOPMENT MANAGEMENT COMMITTEE

Friday 3 February 2023

Present: A Cooper, W Dracup, R Glanville, G Gribble, G Hill, J McInnes,
S Morgan, M Moyse, J Nutley, N Oakley, M Renders,
L Samuel, P Sanders, P Smerdon, P Woods

Officers: C Hart, Head of Development Management
H Union, Solicitor (acting on behalf of Devon County Council)
A Gandy, Acting Head of Forward Planning
Oliver Dorrell, Planning Officer
Sassie Williams, Planning Officer

Apologies: Mr Harper, Mrs Pannell, D Thomas, P Vogel

The Chairman welcomed the registered speakers, Miss H Watt, Mr P Atkin, Mr J Giblin and Cllr R Cheadle.

1518 Declarations of Interests and Contact

Members agreed to declare those interests set out in the matrix attached to the Agenda (Membership of other Councils).

The Chair, on behalf of all Members, declared a personal interest in item 0336/22 – Former Water Treatment Works, North Bovey Road, Moretonhampstead, having received email correspondence from the applicant.

Mr McInnis declared a personal interest, due to knowing the applicant, in item 0474/22 – 8 Meldon Cottages, Meldon, Okehampton.

Mrs Hill, Mr Renders, Miss Moyse and Mrs Samuel declared a personal interest in item 0336/22 – Former Water Treatment Works, North Bovey Road, Moretonhampstead, due to knowing the applicant's mother as a West Devon Borough Councillor.

Mr Smerdon declared a personal interest in item 0336/22 – Former Water Treatment Works, North Bovey Road, Moretonhampstead, due to knowing the applicant's stepmother who is the Leader of South Hams District Council.

1519 Minutes of the meeting held on 2 December 2022

The minutes of the meeting held on 2 December 2022 were agreed and signed as a true record.

1520 Items requiring urgent attention

None.

1521 Applications for Determination by the Committee

Members received the report of the Head of Development Management (NPA/DM/23/001).

Item 1 - 0336/22 - Change of use of former Water Works to single-family dwelling with associated landscaping – Former Water Treatment Works, North Bovey Road, Moretonhampstead

Speaker: Miss H Watt, Applicant

The Case Officer reminded Members that the application was for the change of use of the former Water Works to a single dwelling and associated landscaping. Members were familiar with the site; it was debated twice at Development Management Committee. On 7 October 2022 Members resolved to undertake a site visit which took place on the 21 October 2022. The application returned to Members on December 2022 where, following debate, it was resolved to defer a decision to allow for the application to be advertised as a potential departure from policy. The application was duly advertised in the local press and by a separate site notice which was displayed close to the entrance of the site. No comments were received following this publicity and officers consider that the requirements under the appropriate regulations have been met. The officer recommendation had not changed and remained one of refusal for the reasons set out in the report.

The Head of Development Management advised that he recognised the mood of Members at the last meeting but that his recommendation, based on policy, was as before. He had carefully framed the additional commentary as advice, not a recommendation; that advice was provided should Members be minded to grant permission. He recognised the implications of a departure from policy and the precedent that planning permission may generate debate. He advised Members not to forget the planning conditions in any decision they may make; suggested conditions were set out at the end of the report. He added that if Members felt that further planning obligations were necessary, they should consider whether they were necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development. It would be appropriate to consider any obligations before addressing any matters that may offset those requirements.

He stated that he was aware that Members had received an email from the applicants raising concerns about the implications of a commuted sum to offset affordable housing provision and the impact of a locality clause. The request to consider vacant building credit as a means of offsetting any affordable housing liability was presented earlier this week. Officers had worked swiftly to address this; it was not a simple exercise for this particular type of building and legal advice was sought. It was concluded that the building was eligible. The Head of Development Management clarified to Members that vacant building credit was a government directive aimed at maximizing the potential of brownfield sites. It was not part of the Local Plan policy. If affordable housing provision in the form of a commuted sum were to be considered that could be offset by the vacant building credit which means that there would be a zero contribution. However, vacant building credit should not be used to offset other obligations, for example, the locality clause, detailed within the report for Members to consider.

The value reduction that this implied was tested. The Authority has had an intermediate model of affordable housing in operation for a number of years; there were about 60 approvals that relate to that intermediate model. The model was aimed at increasing the pool of more affordable homes that may be available to local people who do not qualify for social housing per se, people who can afford properties on the open market but may find that Dartmoor prices were beyond their means. This case demonstrated that.

Miss Watt thanked Members for their support to date, adding that she appreciated that officers had had to consider additional information very quickly. She stated that, it was clear that there was considerable support for the application. Following the Authority's re-advertisement of the application, on the grounds that it deviated from the Local Plan, no complaints had been received. She felt that the planning application would resolve an ongoing problem for North Bovey as the site, in its current form, was an eyesore at the entrance to the village. It was also visible from the Dartmoor Way.

Miss Watt expressed surprise by the Authority's request of £148,000 in the form of a commuted sum. She was also concerned about the Local Person restriction, adding that although she and her partner fulfilled the criteria, few others would do so for the type of property proposed. In addition, there was also concern regarding the possibility of this restriction making the application unviable due to issues regarding whether the proposed building would be mortgageable.

In concluding, Miss Watt reiterated that the site was redundant and a different purpose for it had not been found for over a decade. The site is accessed via narrow lanes which would mean that many business options would have to be excluded. She was hopeful that Members would find a solution to enable the site to become a beautiful, environmentally friendly family home.

In response to Member questions, Miss Watt confirmed that it was indeed her intention to reside at the property and use it as the family home.

In response to Member questions, the Head of Development Management responded as follows:

- With regard to the granting of a European Protected Species License, the licence would be applied for once any planning permission was granted.
- Should planning permission be granted a precedent would be set due to a departure from Local Plan policies. The precedent could then be applied elsewhere in applications relating to other redundant buildings on Dartmoor.
- If Members considered the affordable housing provision should be made on this site they could consider a commuted sum; the vacant building credit that has been assessed would mean that there would be a zero contribution as it would offset that commuted sum.

Mrs Morgan stated that it was recognised that the proposal was contrary to officer advice; however, the application makes use of a redundant building which is currently detrimental to the special qualities of the National Park and does not currently make a positive environmental, social and economic contribution. The application has overwhelming support from the local community and Parish Council.

Stringent planning conditions would be attached to the application. She proposed that planning permission be GRANTED, subject to the suggested conditions as set out within the report, with no financial or occupancy obligations.

She added that the proposal was supported by strategic policy 1.2 1d in that it would make efficient use of land and infrastructure and support the economic vitality of the National Park. Under policy 3.12 1a the application site was located within adjoining, or well related to, a local rural settlement; 3.12.1c - the proposal would make a positive environmental social and economic contribution; 3.12.1d - all activities and structures on site are demonstrated to have a low impact in terms of the environment and use of resources consistent with development of this type; 3.12.1f - the development would conserve and enhance the National Park's special qualities.

Miss Moyse seconded the proposal.

Ms Woods proposed that the locality connection be debated and proposed an amendment to Mrs Morgan's proposal that a s.106 Legal Agreement include the local settlements of Moretonhampstead, Chagford, North Bovey, and covering the parishes of Chagford, Lustleigh, Manaton and Moretonhampstead, for at least a period of five years be applied. Mr Glanville seconded the proposed amendment.

The Chair advised Members that they were obliged to debate and then vote on the amendment prior to considering the original proposal. Mrs Morgan stated that she would not support the proposed amendment because it essentially negated what she had proposed. The obligation of local occupancy would change that application. It would make things very difficult for the applicant and the application was for an open market dwelling. The Chair pointed out to Members that the suggested conditions within the report were not put before them previously, neither was the suggestion of a s.106 before because the officer's view was that this matter should be refused due to the application being a departure from policy. The application was deferred it at the last meeting to allow the opportunity for officers to come forward with conditions which is what they had done, together with suggestions for a s.106 legal agreement. Miss Moyse advised that she would not support the proposed amendment; she expressed concern over the possible effect the amendment would have on the ability to mortgage the dwelling.

With regard to the question of mortgages, the Head of Development Management advised that this was an issue that officers recognise and have dealt with over a number of years. The Acting Head of Forward Planning deals with the changeover of intermediate dwellings that the Authority has approved. The Authority is advised every time these dwellings are sold on; properties are moving in the market which confirms that they are attractive to buyers who may not be able to reach the heights of the more expensive Dartmoor prices. Depressing the value gives local people the opportunity to buy. There is evidence that Banks/Building Societies will lend on these particular properties. The Acting Head of Forward Planning advised Members that there are around 60 intermediate discount market affordable properties in the National Park with similar restrictions. He confirmed that he had personally managed 15 transfers in the last two years, all of which have achieved mortgages.

RESOLVED: Members AGREED the proposed amendment to add to the Local Person Occupancy Restriction.

At the Chair's suggestion, Mrs Morgan repeated her original proposal, with the addition of the amendment as mentioned in the resolution above, as follows:

Mrs Morgan proposed that subject to a s.106 Legal Agreement, to include a 'Local Person' occupancy restriction, together with the suggested conditions as set out within the report, permission be GRANTED

RESOLVED: That, subject to the completion of a s.106 Legal Agreement regarding a 'Local Person' occupancy restriction and the conditions listed below, permission be GRANTED.

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out strictly in accordance with the site location plan and drawings numbered 1004 A201, 1004 A202, 1004 A203, 1004 A204, 1004 A205 and 1004 A206, Ecological Impact Assessment Rev1 ref: 2-218-CT-EcIA (Lakeway Ecological Consultancy) and British Standard 5837:2005 Arboricultural Survey (Advanced Arboriculture, 16 May 2012) received on 9 August 2022
3. Notwithstanding the drawings hereby approved, prior to their installation, samples of all proposed external facing and roofing materials for the buildings and surfacing materials for the permeable parking area shall be submitted to the Local Planning Authority for approval; thereafter, only approved surfacing, external facing and roofing materials shall be used in the development.
4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any Order revoking and re-enacting that Order with or without modification, no extension to the dwelling hereby permitted shall be constructed without the prior written authorisation of the Local Planning Authority.
5. Prior to the commencement of any works, demolition or development on the land, a tree survey giving details of (a) the location and condition of all trees; (b) those to be retained; and (c) any felling, topping, lopping or other surgery required, shall be submitted to the Local Planning Authority for approval. Thereafter, no tree shall be felled, uprooted, lopped or topped unless strictly in accordance with the approved survey scheme or with the prior written consent of the Local Planning Authority. Any tree removed without consent, or found to be dying, damaged or diseased, shall be replaced on a like for like basis unless otherwise agreed in writing by the Local Planning Authority.
6. The development hereby permitted shall be implemented strictly in accordance with the recommendations and requirements of the Ecological Impact Assessment (Lakeway Ecological Consultancy, dated 8 August 2022).
7. The development hereby permitted shall be implemented strictly in accordance with the recommendations and requirements of the Bat Licence issued by Natural England.
8. Prior to the dwelling being occupied, the biodiversity/ecological enhancement measures described in the Ecological Enhancement report valid 9 February 2022, shall be completed such that they comply with Part 3 of Policy 2.3 of the Dartmoor Local Plan (Biodiversity Net Gain). Thereafter, the approved

biodiversity/ecological enhancement measures shall be maintained in perpetuity.

9. No external lighting shall be installed at any time at the application site.
10. No works are to take place during the bird nesting season (01 March to 31 August, inclusive) unless the developer has been advised by a suitably qualified ecologist that the works will not disturb nesting birds.
11. One electric vehicle charging point shall be installed and available for use prior to the first occupation of the dwelling.

Item 2 – 0474/22 - Retrospective application for variation in design for application 0262/18 and change of use from extension for living accommodation to a dwelling - 8 Meldon Cottages, Meldon , Okehampton, EX20 4LU

The Case Officer advised Members that the application was for a retrospective, new build, open market dwelling in the open countryside, adjacent to 8 Meldon Cottages, an end of terrace property. The site comprised an unauthorised building adjacent and attached to number eight which was currently occupied as a dwelling. The application was recommended for refusal and was brought before the committee because the tenant of the property is an employee of Dartmoor National Park Authority. She highlighted two key issues with the proposal, namely the lack of policy support for such a new build open market dwelling in the location and the detrimental impact of the dwelling on the character and appearance of the terrace of properties and the wider local area.

Planning permission 0262/18 which granted permission for a three-story side extension to 8 Meldon Cottages. However, the extension was not built in accordance with the approved plans; it was both wider and taller than the approved plans. Extensions were added to the front, rear and side. Alterations were made to the fenestration and the rear dormer window was built considerably larger than that which was approved. It was therefore considered by officers that the building constructed was entirely unauthorised. It was considered as a retrospective application for a new open market dwelling in the open countryside and aspects of the form, design and detailing would be scrutinised accordingly.

The Terrace was traditional in style; the houses have slate roofs and rendered walls. Windows and doors were recessed and mostly of timber construction. To the south of the terrace runs the Granite Way cycleway. Meldon is not a recognised settlement in the adopted Local Plan; the site is therefore considered open countryside in planning terms. Neither the Spatial Strategy found in policy 1.3 nor the Housing Strategy, which is summarised on pages 72 and 73 of the Local Plan provides support for a new build open market dwelling in this location.

Strategic policy 1.5 makes clear that all developments should reinforce local character and Dartmoor vernacular and that planning applications exhibiting anything less than good design will be refused. The front and side porches fail to respect the simple form of this historic, traditional row of cottages. The projections to the front, side and rear of the building create a complicated and fussy impression, together with inappropriate detailing such as boxed eaves and UPVC windows and the wide dormer window.

The Case Officer advised that Okehampton Hamlets Parish Council had expressed support for the application; there were no comments received from members of the public.

To assist Members with any queries regarding the 2018 planning permission and the actual building that has been constructed, the Case Officer displayed a slide which clarified any issues.

Mr Sanders proposed the recommendation, which was seconded by Mr McInnes.

RESOLVED: That permission be REFUSED for the reasons as set out within the report.

The Head of Development Management clarified the next steps for Members, advising that officers would now have to consider what enforcement action was necessary. He added that it was likely that the case would be brought back to Members in due course. The implications for the people who currently occupy the building would obviously need to be taken into consideration.

Item 3 – 0266/21 - Development of 41 houses (22 open market, 19 affordable dwellings), associated access, parking and creation of open space – land at Binkham Hill, Yelverton

Speakers: Mr Peter Atkin, Agent for the Applicant
Mr John Giblin, Objector
Cllr Ric Cheadle, On behalf of Buckland Monachorum PC

The Head of Development Management advised Members that the application was for the development of 41 houses, 22 open market house and 19 affordable, associated access, parking and the creation of open space. He reminded Members that the application was first presented to the Development Management Committee in March 2022 at which point the matter was deferred for a site inspection to allow for the further consideration of the red line boundary issue and the treatment of the southern boundary with the existing development at Binkham Hill. The land was allocated in the Local Plan for 41 homes of which not less than 19 must be affordable to meet identified local needs. It should include landscaping to the south and east of the site; a link to the Princetown cycleway and the delivery of appropriate highway improvements on Dousland Road. Consultations on the revised plans have taken place and an additional 27 letters have been received in respect of those revisions.

The plans have been scrutinised under the old policies but they now needed to be determined under the new policies. The application was submitted under the old Local Plan but Members were now determining it under the new Local Plan policies.

The main issues to be considered were:

- Design layout
- Highways access and safety
- Drainage concerns
- Housing need
- Biodiversity Net Gain
- Housing space standards

The new layout of the site retains 41 dwellings. All of the buildings, garages etc now lie within the allocated land. The extended area would house the pond for the drainage scheme and there would be some more landscaping in that location. The highway issues are all also within the allocated land. There would be a single point of access off the main road; the visibility displays would be improved and there are good pedestrian cycle links through the development and good permeability which is a positive principle of all new development. The house types have been redesigned with more emphasis on terraces and linked dwellings and there is a stronger landscape boundary on the southern side and good separation the proposed properties and those existing properties, on average about 20 metres between the existing and proposed. There is a mix of render, timber cladding and natural slate roofs on the dwellings. There would be 14 affordable rented dwellings, five in shared ownership.

There is an extensive landscaping scheme, including green areas within the development and a mixture of boundary treatments, from soft landscaping to fencing and walls.

With regard to the s.106 legal agreement, a monetary contribution is requested to explore the need for an extension to the 30 mile an hour limit – following up on comments received from the Highways Authority. The proposed parking on the site meets local policy requirements of 1.5-2 units per property. Cycle storage facilities would be created, as well as electric vehicle charging points for each dwelling.

With regard to drainage, officers acknowledge that there are local concerns about the flooding issues, particularly out on the highway. The development would not contribute to those flooding issues off-site. The drainage strategy would deal with all surface water on the site ie. the attenuation pond and Sustainable Urban Drainage scheme is designed to make sure that water created by this development and that already exists on the site would be dealt with within the site. There is an option for the developer to connect to the public sewer and also the possibility of connecting, or piping some of that attenuation water, to the Devonport Leat. Those things would have to be done with the agreement of South West Water for the sewer, and any other landowners for the connection for the drainage.

Housing need – a revised report received by the Authority identifies that the development would have a significant impact on the identified shortfall of affordable housing in the locality. West Devon Borough Council has welcomed the increase in the affordable rented units, as well as the flexibility in the s.106 that, should the shared ownership dwellings prove unsaleable, these properties could become rented affordable housing to prevent them being vacant.

Biodiversity Net Gain - a new policy within the Local Plan – the applicants have met that requirement and actually oversubscribe; the requirement is to meet 10% net gain and this figure is greatly exceeded by the amount of landscaping and improvements that are provided

Nationally defined space standards - a benchmark that policy now requires consideration to ensure that houses are not excessively large or small for their intended needs. Officers are satisfied that these dwellings meet that requirement.

Mr Atkin advised Members that this application was previously discussed at the committee on 4 March 2022 where it was correctly noted that the previously proposed built form had inadvertently extended beyond the allocation boundary as defined in the adopted Local Plan by approximately 20 metres. Revisions to the application have ensured that the built form of the application has now been pulled back within the defined allocation boundary; the area beyond the allocation boundary remains within the application red line but it is now proposed that this area is a landscape ecological corridor to create new wildlife habitats, delivering exceptional ecological net gains of plus 91 in habitat units and nearly 200 net increase in hedgerow units, far exceeding the minimum 10% policy requirements.

He added that the applicant has continued to work positively with officers to resolve the previously identified issues at the site and is able to present a fully compliant scheme of 41 high quality new homes designed with an end user in mind. A local registered provider is on board in order to enable timely delivery on site. The site is allocated within the recently adopted Dartmoor Local Plan for 41 homes including 45% affordable housing. The application is supported by a local housing needs assessment and will contribute towards meeting identified housing needs at this location including a range of dwelling types and sizes to help young families to grow for others to downsize and to help first-time buyers onto the housing ladder. The applicant has requested continued flexibility within the section 106 where appropriate to increase the provision of affordable rented units. The revised proposals have been reconsulted on and continue to be acceptable in respect of Highways flood risk and drainage, ecology and high quality design to ensure the proposals sit comfortably within and contribute positively towards the local character of the area. The proposals are therefore demonstrated to comply with Local Plan which allocates the site for development as proposed and which will deliver significant positive benefits for the local community and environment.

Mr Giblin advised Members that he was speaking as representative of residents who were objecting to the proposed development. He stated that there were four critical objections, as follows:

1. 'Allocated Settlement' site boundaries
2. Sewage
3. Drainage
4. Local Housing Needs

At the site visit in 2022, clarification was given to the developers that future site infrastructure and development must sit within the defined allocated settlement boundary and not reach out into the additional 17% site growth area the developer was seeking. He advised that the newly proposed plan still included the additional 17% site growth and essential infrastructure. The plan clearly showed drainage infrastructure and a full-scale roadway extending beyond the red line outside the boundary. Despite attempts to establish if the current local sewage system had the capacity to cope with proposed extra demand they had been unable to find any confirmation that the network would cope.

With regard to drainage Mr Giblin stated that Dousland Road which was adjacent to the proposed development, was a known flood zone and had flooded eight times

since December 2022. Flooding blocks the southbound carriageway to a depth of at least one foot.

West Devon Borough Council had confirmed that a recent Local Housing Needs Assessment had been carried out and identified a housing need in the Yelverton locality. He stated that thousands of houses were being built in the Yelverton area that could absorb demand long into the future and therefore residents felt that this development was not required.

Cllr Cheadle advised that he was speaking on behalf of Buckland Monachorum Parish Council and also as the ward member. He stated that the Parish Council has no issues with the concept of new housing on the site and welcomed the provision of affordable housing in Yelverton. However, there were concerns with the specifics of the application: the revised housing needs assessment did not recognise the newly constructed affordable housing at Crapstone which, while outside the National Park, is within the boundary used by West Devon Borough Council to assess affordable housing need. Secondly, having declared a climate emergency and recognised the impact of the cost of living crisis, no provision for solar panels have been included and gas boilers would be installed rather than heat pumps, while a provision was made for electric car charging points. The new residents of these houses would have no means of charging vehicles except by buying expensive electricity from the grid. He commented that much was made of easy access from this development to the cycle and pedestrian trail to the east of the site. However, no such trail has been constructed. It was noted that there was the inclusion of a play area within the site but that there was no mention of any play equipment.

He asked four questions of officers:

1. Why does the housing needs assessment omit the newly constructed affordable housing at Crapstone and does this omission render the assessment invalid?
2. Why have solar panels been omitted, given a climate crisis and soaring energy prices?
3. Why is no cycle track between the development and Route 27 provided for, given Dartmoor National Park's stated enthusiasm to promote active travel?
4. What is a play area with no play equipment?

In responding to the questions raised the Head of Development Management advised that with regard to solar panels, the Authority is unable to insist that their installation should be part of a design. The dwellings were designed using an energy efficient building model. In addition, with regard to heat pumps, the Authority's policy is not prescriptive so officers cannot insist on this type of energy provision. Housing need – the National Park Authority needs to provide for its own needs and therefore does not cross the border into, for example, Plymouth, or the wider West Devon Borough Council's area. Members need to provide for the need that has been identified within parishes within the National Park, as predicated within the Local Plan. He re-confirmed the revised plan, which would ensure that there would be no buildings beyond the allocated land. The landscape buffer / corridor would contain the attenuation tank and green landscaping only.

With regard to the comments made about the flooding of the highway, the premise of any development site, in terms of draining, is that the developer must deal with

the water that comes off of that site. The Sustainable Urban Drainage Scheme would ensure that excess water from the site would not run off onto the highway.

In response to Member questions, the Head of Development Management advised as follows:

There was a clear way through from one development to another; a traditional farm gate would be opened up to enable pedestrians and cyclists to move through. There would be no vehicular access between the existing and proposed development.

Mr Glanville left the meeting.

Members raised the following questions;

- Is the attenuation pond underground or is it open? – it is an open pond
- Play Area – suggested condition 23 in the report that requires the developer to come forward with the way that the area would be laid out with equipment;
- Devon County Council's request for only five years contribution would need to be directed to the Council's Education Department;
- Surface water/sewage/drainage – condition number three would deal with drainage of surface water. The drainage strategy is well developed and officers are confident that connection can be made to the main sewer for the foul drainage; there is also the potential for surface water to enter the Devonport Leat;
- Fence height - Devon and Cornwall Constabulary advises on these types of developments. It is recognised that the development is in a rural area. The layout of this development is designed to ensure there are no dead end, alleyways etc and most of the routes through the site well overlooked there are plenty of open areas. Officers do take note of that advice and try to meet their requirements
- The management company would have the responsibility for the upkeep of the open spaces which are not in the ownership of individual home owners; the company would also have an obligation to ensure that the drainage attenuation equipment was performing as required

Mr Glanville returned to the meeting.

The Chair proposed the recommendation, which was seconded by Mr McInnes.

The Chair clarified that Mr Glanville would not be eligible to vote on the application as he had temporarily left the meeting.

RESOLVED: That, subject to the completion of a s106 legal agreement to include:

- i. 19 affordable homes as a mix of 14 affordable rented and 5 shared ownership properties in perpetuity;
- ii. Maintenance of all landscaping and areas not within the ownership/control of individual properties;
- iii. Implementation of biodiversity net gain measures;
- iv. Maintenance of the proposed surface water network including SuDS drainage system.

- v. A contribution of £12,414 towards education transport requirements.
- vi. A highway authority contribution of £5,000 towards the investigation, consideration and if approved, installation of a reduced speed limit in the vicinity of the site access.

and the conditions as set out below, permission be GRANTED

Condition(s)

- 1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2. The development hereby approved shall be carried out in accordance with the approved drawings.
- 3. No development shall commence until the following information has been submitted to and approved in writing by the Local Planning Authority:
 - (i) Soakaway test results in accordance with BRE 365 and groundwater monitoring results in line with Devon County Council groundwater monitoring policy.
 - (ii) Evidence that there is a low risk of groundwater re-emergence downslope of the site from any proposed soakaways or infiltration basins/tanks.
 - (iii) A detailed drainage design based upon the approved Sustainable Drainage Assessment and the results of the information submitted in relation to (i) and (ii) above
 - (iv) Detailed proposals for the management of surface water and silt runoff from the site during construction of the development hereby permitted.
 - (v) Proposals for the adoption and maintenance of the permanent surface water drainage system.
 - (vi) A plan indicating how exceedance flows will be safely managed at the site.
 - (vii) A detailed assessment of the condition and capacity of the Devonport Leat, should this option be progressed at the next stage. The assessment should identify and commit to, any repair and/or improvement works to secure the proper function of the surface water drainage receptor.
 - (viii) Evidence there is agreement in principle from either South West Water or the third party landowner, to lay the surface water sewer across their land to the Leat, dependent on which option is progressed in the future.

Thereafter, no building hereby permitted shall be occupied until the works have been approved and implemented in accordance with the details under (i) - (viii) above.

- 4. No development shall commence until a Method of Construction Statement (MCS), to include details of:
 - (i) parking for vehicles of site personnel, operatives and visitors
 - (ii) loading and unloading of plant and materials
 - (iii) storage of plant and materials
 - (iv) programme of works (including measures for traffic management)
 - (v) provision of boundary hoarding behind any visibility zones
 - (vi) timing of works on site

has been submitted to and approved in writing by the Local Planning Authority.

Thereafter, the development hereby approved shall be undertaken in accordance with the approved MCS.

5. No development shall commence until a detailed Construction Ecological Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. This Plan shall include details of all permits, precautionary methods of working including consideration of trees and protected species, contingency plans, mitigation measures that shall be put in place to control the risk of pollution to air, soil and controlled waters, protect biodiversity and avoid, minimise and manage the productions of wastes with particular attention being paid to the constraints and risks of the site. The Plan shall include details of the timings of the work to be agreed with the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details and any subsequent amendments shall be agreed in writing by the Local Planning Authority.
6. No development shall commence until a waste audit statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall demonstrate how the demolition, construction, and operational phases of the development will minimise the generation of waste and provide for the management of waste in accordance with the waste hierarchy, including:
 - (i) sustainable procurement in construction phase; and
 - (ii) methods for limiting the generation of waste and maximising recycling in construction phase.

Thereafter, the development hereby approved shall be undertaken in accordance with the approved waste audit statement.

7. No development shall commence until a Landscape and Ecological Management Plan has been submitted to and approved in writing by the Local Planning Authority. This Plan shall include details relating to habitat creation, including integrated bird nesting/bat roosting boxes, species specification and management.

Thereafter, the development hereby approved shall be undertaken in accordance with the approved Landscape and Ecological Management Plan.

8. No development shall commence until a detailed Lighting Strategy has been submitted to and approved in writing by the Local Planning Authority. The required strategy must provide detail with regards to lighting associated with the pre-construction, during construction and operational phase activities, and demonstrate how the best practice (BCT/ILP, 2018) guidance has been implemented. This Strategy will include details including the following: artificial lighting associated with public realm lighting, car headlights associated with traffic movements through the development, internal and external lighting associated with the dwellings.

Thereafter, the development hereby approved shall be undertaken in accordance with the approved Lighting Strategy.

9. No development shall commence until a repeat survey for the presence of badgers on the site and surrounding suitable habitat, with associated mitigation/compensation measures if required, has been submitted to and approved in writing by the Local Planning Authority.

Thereafter, the development hereby approved shall be undertaken in accordance with any approved mitigation/compensation measures.

10. No vegetation clearance shall take place during the bird nesting season (1 March to 31 August, inclusive), unless a suitably qualified ecologist confirms in writing to the Local Planning Authority that the clearance works will not disturb nesting birds.
11. Details of a landscaping and planting scheme shall be submitted to and approved in writing by the Local Planning Authority. The landscaping and planting shall be carried out in accordance with the approved scheme within twelve months of the commencement of the development, or such longer period as the Local Planning Authority shall specify in writing. The landscaping and planting shall be maintained for a period of not less than ten years from the date of the commencement of the development, such maintenance shall include the replacement of any trees or shrubs that die or are removed.
12. A detailed schedule of the materials and finishes to be used on the approved development shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the construction of the dwellings. This shall include samples of the roof slate, hanging slate, details of render finishes and cladding materials, window/exterior door units, verge/soffit details, positions of meter boxes, boundary fence and wall design, waste and recycling stores, driveway surface materials, electric vehicle charge units, roadway surface materials, pathway surface materials, kerbs and any proposed exterior lighting units. Thereafter, the development shall be undertaken in accordance with the approved schedule of materials and finishes.
13. All external windows and doors in the development hereby permitted, shall be of timber and/or aluminium construction and shall at all times thereafter be retained as timber and/or aluminium framed windows and doors.
14. All gutters and downpipes on the development hereby approved shall be of metal construction, round or half-round in section, and shall be painted black not later than 30 days after the substantial completion of the development.
15. No part of the development hereby approved shall be commenced until:
 - (i) The access road has been laid out, kerbed, drained, and constructed up to base course level for the first 20 metres back from its junction with the public highway
 - (ii) The ironwork has been set to base course level and the visibility splays required by this permission laid out
 - (iii) A site compound and car park have been constructed to the written satisfaction of the Local Planning Authority

16. The occupation of any dwelling in an agreed phase of the development shall not take place until the following works have been carried out to the written satisfaction of the Local Planning Authority:
 - (i) The cul-de-sac carriageway including the vehicle turning head within that phase shall have been laid out, kerbed, drained and constructed up to and including base course level, the ironwork set to base course level and the sewers, manholes and service crossings completed;
 - (ii) The cul-de-sac footways and footpaths which provide that dwelling with direct pedestrian routes to an existing highway maintainable at public expense have been constructed up to and including base course level;
 - (iii) The cul-de-sac visibility splays have been laid out to their final level;
 - (iv) The street lighting for the spine road and cul-de-sac and footpaths has been erected and is operational;
 - (v) The car parking and any other vehicular access facility required for the dwelling by this permission has/have been completed;
 - (vi) The verge and service margin and vehicle crossing on the road frontage of the dwelling have been completed with the highway boundary properly defined;
 - (vii) The street nameplates for the cul-de-sac have been provided and erected;
 - (viii) The electric vehicle charging points have been installed and are live for the use of residents.
17. Once constructed and provided in accordance with condition 16 above, the carriageway, vehicle turning head, footways and footpaths shall be maintained free of obstruction to the free movement of vehicular traffic and pedestrians and the street lighting and nameplates maintained to the satisfaction of the Local Planning Authority.
18. The proposed estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, road maintenance/vehicle overhang margins, embankments, visibility splays, accesses, car parking and street furniture, including electric vehicle charging points, shall be constructed and laid out in accordance with the approved drawings.
19. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.
20. The development of the residential dwelling houses hereby permitted must achieve either:
 - (i) a minimum 10% reduction in carbon emissions over Building Regulations Part L 2013, using a fabric-first approach; or
 - (ii) Association for Environment Conscious Building (AECB) or Passivhaus certification.

With regard to part (i), the Local Planning Authority shall be provided with evidence of air tightness tests on all new buildings; and Passivhaus or equivalent accredited on-site training for airtightness and avoiding thermal bypass and thermal bridging; or with regard to part (ii), relevant certification.

21. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any Order revoking and re-enacting that Order with or without modification, no extension shall be constructed or erected in or around the curtilage of the 19no. affordable dwellings hereby permitted, and no windows or roof lights other than those expressly authorised by this permission shall be created, formed or installed, without the prior written authorisation of the Local Planning Authority.
22. No work shall commence on the development hereby permitted until the expiration of 28 days following the date that written notice has been received by the Local Planning Authority of the intention to commence the development. At all times thereafter, until the completion of the development on the land, access shall be afforded at all reasonable times to any archaeologist accredited by the Local Planning Authority. This access shall include the right to observe and inspect any excavation and to retrieve and record any items of interest and finds.
23. Notwithstanding the provided detail, prior to the commencement of development, full details of the Local Equipped Area for Play, to include play equipment, landscaping and railings/fencing shall be submitted to and agreed in writing by the Local Planning Authority. Works shall be carried out in accordance with these agreed details and retained and maintained thereafter for the lifetime of the development. The play area shall be substantially complete and made available for use prior to occupation of the 25th dwelling, unless otherwise agreed in writing by the Local Planning Authority.

1522 Tree Preservation Orders, Section 211 Notifications (Works to Trees in Conservation Areas) and Hedgerow Removal Notices Determined Under Delegated Powers

Members received the report of the Trees and Landscapes Officer (NPA/DM/23/02).

RESOLVED Members NOTED the content of the report.