

DARTMOOR NATIONAL PARK AUTHORITY
DEVELOPMENT MANAGEMENT COMMITTEE

Friday 6 November 2020

Present: K Ball, S Barker, A Cooper, W Dracup, G Gribble, P Harper, G Hill, J McInnes, S Morgan, D Moyse, J Nutley, N Oakley, C Pannell, M Renders, P Sanders, P Smerdon, P Vogel, D Webber, P Woods

Officers: L James, Solicitor (acting on behalf of Devon County Council)
C Hart, Head of Development Management
N White, Monitoring Officer

Apologies: None

The Chairman welcomed the public, Nigel Tigwell, Independent Person and Laura James, Legal Representative.

Members were reminded that when voting consistent language should be used i.e., *For the motion, Against the motion or Abstain*

1431 Minutes of the Meeting held on Friday 2 October 2020

The minutes of the meeting held on Friday 2 October 2020 were agreed and signed as a correct record.

1431 Declarations of Interest and Contact

Members agreed to declare those interests set out in the matrix of membership of other bodies.

The Chairman declared, on behalf of all Devon County Council (DCC) Members, a personal interest in item 0300/19 – Lower Mills, Buckfast Road, Buckfast, due to 20 of the proposed units within the proposed development being set aside for nomination by DCC.

He reminded Members that any Member from the local area who may have made a public declaration in the recent past in support of the application should declare this as a separate interest.

Mr Barker declared an additional personal interest, due to the fact that after the site was acquired, DCC, along with officers, had met with applicants. However, this related to a different application to build a care home on the site. At that time his involvement with the District Council and County Council related to the search to find alternative uses for the factory unit. DCC did give advice at that time and it is in the public domain. His role was as the Cabinet Member for Adult and Social Care.

The Chairman checked with the Monitoring Officer whether Mr Cooper had joined the meeting. Unfortunately, he had not been able to do so; the decision was taken to proceed without Mr Cooper.

1432 Items requiring urgent attention

None.

1433 Applications for Determination by the Committee

Members received the report of the Head of Development Management (NPA/DM/20/018).

Item 1 – 0300/19 – Mixed use development involving: demolition of community hall, part demolition of existing factory buildings and retail floorspace; construction (through the conversion of existing buildings and new build) of a care village (use class C2) comprising 124 extra care units, a 60 bed care home, a 32 bed dementia care home and a communal facilities hub; change of use of former factory building for the re-provision of a 230 sq.m (GIA) community hall (use class F2(b)) and extended retail provision providing 120 sq.m (GIA) of additional floorspace; and associated open space, landscaping, car parking and access works – Lower Mills, Buckfast Road, Buckfast

Speakers: Councillor Andy Stokes, Buckfastleigh Town Council Representative
Mr Jonathan Deacon, Applicant
Mr Iestyn John, Agent (to respond to Member questions only)

The Head of Development Management advised Members that the application before them was for a major development of the site and was a result of an effective, collaborative effort between agents, the Abbey and Planning Officers.

Mr White, Monitoring Officer, advised that Mr Cooper had not been able to join the meeting and, therefore, would not be able to vote on the application.

A series of slides and photographs of the site as it currently appears, were shown to Members. The site lies 1km north east of Buckfastleigh, on the western bank of the River Dart. Buckfast Abbey lies to the north; a number of the nearby buildings are listed and also designated as scheduled ancient monuments. The site covers an area of 3.89 hectares of previously developed land, formerly occupied by the Axminster Spinning Mill, now part of the wider Buckfast Abbey Estate. There is a range of commercial and industrial buildings on site. Some of the buildings are designated heritage assets. The existing South Park Community Centre is included within the application. There are three vehicular access points off Buckfast Road. The application is Environmental Impact Assessment (EIA) development and is classed as a major development. These regulations are separate to Planning regulations.

Vision – Buckfast Abbey Care Village would provide a mix of regulated care and extra care housing, plus communal areas; it would be run by a dedicated trust for residents of all dependency levels, including those who require nursing or dementia care. The Care Village would form an integral part of the Buckfast Abbey Christian and Charitable Mission.

There are partnership arrangements with DCC and the National Health Service. The Care Village would have a dedicated health team which would include physiotherapists and the use of a dedicated hydrotherapy pool. A domiciliary home care team would support individuals living in the local community in their own homes and would operate out of the Village. Amenities and activities would be open to the wider community. 20 extra care apartments would be provided at social housing rent or shared equity arrangements. A nomination process would be established with DCC.

All of the units fall within the use class C2 – defined as a ‘residential institution’ – ‘for the provision of residential accommodation and care to people in need of care’. To accord with the C2 definition, therefore, all residents would require some form of care.

With regard to the proposed units, the total floor space is 31,562sqm, broken down as follows:

- 124 extra care apartments, split into 5 blocks:
 - Block A - the existing mill building would be 18 extra care units and would also include a café (eight one-bedroom apartments and 10 two-bedroom apartments);
 - Block B, a new four storey building, would contain 54 extra care apartments plus a guest bedroom for visiting relatives and basement level car parking;
 - Block C, a new three storey building, would contain 36 extra care apartments, plus communal facilities;
 - Block G – two new blocks, each of two storeys, each containing eight extra care apartments;
 - A range of tenures would be offered. The nomination rights for 20 apartments are to be offered to DCC for allocation to local residents with care needs.
- Block D – the central entrance and community facilities hub which would include restaurant/bar, craft workshop, swimming pool etc. There would be a 24 hour concierge and the facilities would be available to the public.
- Blocks E and F are the 92 bed care home. This includes the specialist dementia care unit with 32 beds.
- The majority of the buildings would be linked, with the exception of Block G.
- Block H - The retail facilities already on the site would be retained and a small amount of additional floor space would be provided by way of small extensions to those units.
- Block J – refurbishment of the existing stone barn to contain the village post office and the community centre.

There would be large areas of garden and open space for recreation. Existing tree cover on the river corridor would be retained, in addition to the buffer zone between Block G and existing development on the south side of the site. All of the mature lime trees along the frontage of Buckfast Road would also remain.

The main issues were highlighted as follows:

- Major Development Test – Paragraph 172 of the National Planning Policy Framework 2019 (NPPF) gives guidance on major development within National Parks and is reiterated in Policy DMD2 of the Development Plan. ‘Major development’ is a matter of planning judgement, taking into consideration the nature of the development, its scale and setting and whether it could have a significant adverse impact on the National Park. It is not considered to be major development in the context of para. 172 of the NPPF; it would not have a harmful impact on the National Park.
- Environmental Impact Assessment (EIA) – defined as ‘urban development project where the development includes more than one hectare of urban development which is not dwelling house development’. The application has been advertised and consultations have been undertaken on this basis. This is a legal requirement.

- The Environment Impact Assessment noted a number of impacts, including cultural heritage, biodiversity, landscape and visual impact, water resources, social economic impacts and human health, including impacts of construction. This information has informed the planning application, discussions and mitigation measures. It also informs the proposed conditions should permission be granted.
- The Authority is obliged, as stated within the regulations, to inform the Secretary of State of the outcome of the determination of this application.
- With regard to the historic environment, the site is adjacent to the grounds of Buckfast Abbey. The site has significant heritage value; the weirs and leat reflect the historical use of the site. Building A would be retained and refurbished. Building H, as part of Higher Mill, would be refurbished and building J which was originally workers' cottages, would be converted, although very little historic detail remains in these buildings.
- A programme of detailed investigation regarding archaeological issues would be recommended if and when development commenced. The site is far enough from any of the designated assets so as not to have any direct impact. The setting of the Abbey would be enhanced by the proposed development.

The Solicitor interjected to advise that a letter had been received from Historic England. In her opinion, the contents of the letter should be considered and the meeting adjourned in order to enable the Head of Development Management to do this. Following consultation with the Solicitor, the Chairman invited the Head of Development Management to continue his presentation, adding that an adjournment would take place immediately afterwards.

- The majority of the site lies within Flood Zone 1. An area to the north eastern edge of the site and the roads along the River Dart are within Flood Zones 2 and 3. More vulnerable buildings have therefore been allocated to those areas with low risk. The lower ground floor car park would be accessed from the existing road on the east of the site; a de-mountable flood barrier is proposed. An alternative access point, to the west of the site would remain flood-free at all times. A flood water drainage scheme would deal with surface water across the site. The applicant has worked closely with the Environment Agency (EA) to resolve the issues raised in the initial consultation. Members can be confident that these issues have been resolved to the satisfaction of the EA.
- A detailed survey of care provision needs has been undertaken in the Dartmoor, Teignbridge and surrounding areas, concluding that there is a strong need. An ageing population and more complex care needs in the future are recognised. The proposed care home would provide care to residents with all types of dependency need. The Torbay and South Devon Health Care Trust originally requested a contribution of £91,000 towards the provision of services. Following a response from the applicant, the Trust has reviewed its position and no longer wishes the Authority to pursue this contribution. DCC is in agreement with the aims of the proposed development as it would meet number of shortfalls in care provision. It would work closely with the Abbey Trust in respect of allocations to the care home and the dementia unit.
- Renewable and low carbon technology is considered suitable. Solar panels, air source heat pumps and water source heat pumps are proposed. The hydro electric screw would provide electricity for this development. A 'fabric first' approach is proposed to ensure the buildings are highly insulated, above the current required standard. It is proposed to harvest rainwater to be used for the flushing of WCs, washing of laundry etc.
- A detailed transport assessment has been undertaken; it has been concluded that there would not be any adverse impact on the highway network in the locality.

There would be three vehicle access points to the site, a total of 254 car parking spaces (139 of which would be in the underground space). 11 electrical charging points are proposed.

- There has been a detailed landscape and visual impact assessment carried out. 10 trees within the site would be removed but would be compensated for by new planting. As previously mentioned, the boundary trees would be retained.
- The detailed mitigation measures included in the layout, design and lighting scheme are proposed in order to ensure that there is no adverse impact bat flyways – the river corridor and the roadway outside of the site. Natural England has been consulted on the application,

The Head of Development Management summarised that the Axminster Spinning Mill and associated factory buildings formed an important link to Buckfastleigh's industrial heritage based on the wool trade. As a Brownfield site, previously developed land, the principle of redevelopment is a sustainable option. The applicant has had extensive pre-application discussions with officers. The application before Members is a well-conceived scheme. It would have a positive impact on healthcare provision in the area and would provide in the region of 170 new full-time jobs which would exceed the numbers employed when the mill was in full use. A dedicated training scheme, to include apprenticeships is also proposed.

In response to a question which had been asked at the site inspection meeting, the height of Block B is 17.5m, including the basement. The height of Block A 15.7m. It should, however, be noted that the site slopes considerably from west to east. With regard to floor areas, the existing factory units, including those recently demolished, equate to 15,600sqm. The proposed extra care units and care home total 10,761sqm, the retail units 950sqm and the community centre 300sqm.

The Monitoring Officer advised the meeting that the Chairman had lost connection to the meeting and asked the Deputy Chairman to step in as Acting Chair until issues had been resolved. The Deputy Chairman confirmed his agreement.

A revised condition 18 was proposed as follows:

'No care unit shall be occupied until the improved and amended accesses, parking facilities, commercial vehicle loading/unloading area, visibility splay, turning area, access drive and access drainage have been provided and maintained in accordance with the application drawings and retained for that purpose at all times'.

With regard to the Heads of Terms which would apply to the s106 Legal Agreement that would apply to planning permission, he advised that it had been agreed that the age restriction should be deleted; a positive action which would allow all members of society to benefit from the provision of the care village. There would be a requirement for any occupant to have defined care needs in order to be eligible. The community hall would be required to be available prior to the demolition of the existing facility; there should also be ring-fenced funds for its maintenance.

The Solicitor stated that the Heads of Terms should also include the transfer of ownership of the community hall. She advised that Members should be made aware of whether they were at a draft stage and available for negotiation as they do not, currently, deal with matters such as triggers and timings.

The Head of Development Management clarified that the Draft Heads of Terms have been discussed with the applicant in detail and they are in agreement with the broad Heads of Terms as set out. The last one relates to the phasing of development. There are intended to be four phases of development over four years, as follows:

- Phase 1 - refurbishment of existing shops and new community hall;
- Phase 2 - demolition of existing community hall and warehousing on site;
- Phase 3 - the construction of Blocks A, B, C, D and E and all infrastructure;
- Phase 4 - to include works to Blocks F and G and the completion of landscaping

The application offers a positive enhancement of the site. The design is of high quality and it provides a sense of space. Members are recommended to grant planning permission, subject to the completion of the s106 Legal Agreement.

The meeting was adjourned to enable the Head of Development Management and the applicant to consider the contents of the letter which had been received earlier from Historic England.

The meeting recommenced at 12.00noon.

The Deputy Chairman took a roll call to ensure that Members had re-connected to the meeting. It was confirmed that The Chairman had been unable to reconnect to the meeting.

The Head of Development Management advised Members that, having had the opportunity to consider the late submission from Historic England, there were no issues within the letter to prevent Members from determining the application today. He advised that Mr Deacon and Mr John had been provided with a copy of the letter for their consideration during the adjournment. He read the letter to Members. In commenting on its contents he advised that there were two elements within the letter that Members should take note of. The first is Historic England's ongoing view on the design and appropriateness of the development as a whole and its potential impact on the designated heritage assets. These assets are within the Abbey complex, not on the proposed development site. He advised that these concerns have been adequately addressed within his report. The second part relates to the archaeological issues within the site. At this stage it is unknown what may be found when the existing buildings are removed from the site. The proposed condition number 10 is for an archaeological watching brief; this allows for a qualified individual to visit the site to ensure that everything is done to protect and identify anything of interest which is found. He proposed, in response to Historic England's concerns, that a Mitigation Strategy be provided i.e., that officers would be made aware of what would happen to any finds on the site. For example, finds can be re-buried provided that accurate records are made. He therefore recommended that condition 10 includes the words 'Mitigation Strategy' alongside the report contained within the last sentence of the proposed condition.

Councillor Stokes advised Members that the Town Council broadly supported the proposed development. It was pleased to see the development of a Brownfield site and the provision of 170 jobs, along with any training provision that this may bring. Councillors hope that these jobs would directly benefit the community. However, he added that the Council did have some concerns. It had been hoped that a significant proportion of the site would have been developed for housing in order to address the Buckfastleigh/Buckfast housing target. It had also been expected that a substantial element would have been affordable housing. It was welcomed that the provision of various resources would be made available to the local community; however, he

advised that there was currently no information about what these resources would be, nor a guarantee that they would be available in perpetuity.

He stated that concerns had been received from retailers within the town centre regarding the retail facilities on the site. The proposed development would have ample parking and easy access from the nearby A38; this could potentially divert customers from the town centre. He added that reassurance could be provided by the addition within the proposed conditions for a commitment to a form of permanent transport provision into the town centre. The council would welcome an impact assessment in an attempt to remove some of the uncertainty surrounding out of town commerce.

It is welcomed that the applicant would address environmental concerns; however, considering the government's target of an 80% reduction in emission by 2025 and the Authority's own target to be carbon neutral by that date, it was felt that the measures proposed do not go far enough. There is no carbon audit for construction or details of the materials to be used and whether they would be from sustainable sources or of low carbon manufacture.

The council is glad to see the proposed replacement of the village hall but would like to receive reassurance that the community would not be disadvantaged by its demolition.

Cllr Stokes stated that, in the opinion of the Town Council, the application should be considered as a 'major' application by the Authority which should be refused in its current state. The council would like to see the Authority insist that the proposal maximises the benefits to the local community.

There were no questions from Members for Cllr Stokes.

Mr Deacon advised Members that he had been the Financial Director for Buckfast Abbey for the past 36 years. He has seen dramatic change during that time but it was his belief that these changes had always been undertaken sympathetically and sensitively to reflect the Abbey's position within the National Park, the listed buildings and the archaeology.

He explained that the monks at the Abbey are Benedictine monks, meaning that they strive follow the rule of St Benedict, written in 516AD. There is a very important section of this rule which relates to how guests should be treated – *'treat them as if they were Christ himself'*.

When the Axminster Spinning Company went into receivership in 2013, the Trustees were required to seek approval from all of the monks to purchase the site. The monks requested that the site be used in a way that would replace the jobs that were lost when the mill closed down. It was determined that the best use of the site would be a care facility and similar complex to the one in Bristol, run by St Monica's Trust was deemed to be the most suitable. This was very well received by the monks and the local community at a consultation meeting.

Mr Deacon stated that the Buckfast Abbey Trust would oversee the running of the care village, wanting CQC standards to be outstanding, to pay more than the minimum rates of pay. The aim would be to provide stimulating activities for the residents which would also be available to the local community.

The application is for a 'care village' not a retirement village. At least one resident in each apartment would have a care need. Individuals of all ages with care needs would

be welcomed to the village and this would assist with diversity on site. If approved, the village would be run with a Benedictine ethos; a quote above the main entrance door will reflect this *"I was a stranger and you welcomed me"*.

In response to Member questions Mr Deacon responded as follows:

- With regard to the Vision Statement, discussions have taken place with Devon County Council regarding the proposed care provision; they are very keen to work with the Abbey Trust as a resource for placing individuals within the care home, the dementia care unit and filling the 20 allocated extra care apartments.
- The transition of an individual through the various areas of the development; this is a very important part of what the Trust would envisage. It would want to see people arrive with minimal care needs and as those needs develop, they would be moved into the relevant sections of the village. In this way it would be possible for partners to remain in close proximity to one another.
- Access to the river would be available not directly to the dementia and care units which would be protected. Normal barriers and protection would be in place.
- The shops would remain the same i.e., small farmers market, post office, general store. The inclusion of a small pharmacy and doctors unit are also possibilities. The facilities would, predominantly, be used by the residents. The development would not add any more shops; there would be a small increase in that they would each be extended under the proposals in order to provide better access etc.
- The Trust would liaise with the Police and follow any recommendations made to ensure safety.
- With regard to discussions with the healthcare providers, there is a long way to go yet. The Trust wants to be as flexible as possible and ensure all relevant funding is accessed by as many as possible.

In response to Member questions, Mr John, agent for the applicant, responded as follows:

- The existing building on the site would be converted into the community centre prior to the demolition of the existing building. This was confirmed to the Authority in the phasing plan which was recently provided to the Head of Development Management.
- Discussions have been held with the Village Hall committee regarding how the existing building is used. The proposed replacement building will provide those facilities requested by the committee.

In response to Member questions, the Head of Development Management advised that the blocks would be occupied as the phasing plan progresses. The phases allow for the units to be used independently. The proposed height of some of the buildings would not mask the views of the Abbey tower. The careful design of the public spaces and walkways provide good focal points of the Abbey tower. The public view from the bridge over the river near the A38 would not be impacted. He added that officers could liaise with the Abbey Trustees in order to provide the local community, council etc of progress.

With regard to facilitating of bat habitat, he advised that they are very light sensitive animals. Efforts have been made to ensure that the river corridor is kept dark by putting in careful planting and fencing. There will be some light spill but this is

considered acceptable and below 0.5 Lux. Bats use the periphery of the site, not the centre of it.

The Abbey has an excellent record regarding archaeological investigations. They are used to carefully recording anything that is found, as well as mitigating for any works needed. The initial investigations have not revealed anything of significance so far.

Mr McInnes proposed the recommendations, adding that this is an extremely complex application but an exciting one due to the proposed use of a brownfield site to real effect. His proposal was seconded by Mrs Morgan.

Members commented that the application would make excellent use of the site and would be good for the local community. The design was interesting and well thought out; the prospect of the creation of 170 jobs would be welcomed.

If granted, the redevelopment of the site could become a positive legacy for the town and for the Authority. This development could become an icon and exemplar as it would demonstrate how the care of people should be undertaken. The ability of the care village to cater for individuals at the early stages of care needs and enable them to move through other phases of care within the same community must be highly commended. In addition to care needs, the village would also address health and wellbeing. This concept is what is needed within the care sector – a whole life approach to care.

Members thanked the Head of Development Management for his thorough presentation.

RESOLVED: That, subject to the detailed planning conditions and the completion of a s106 legal agreement following the heads of terms set out below,

permission be **GRANTED**

- 1 **Period for enacting planning permission** - The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2 **Approved drawings** - The development hereby permitted shall be carried out strictly in accordance with the following approved drawings:

LP01F

PL-A-01, 02, 03A

PL-B-01A, 02A, 03A, 04A, 05A, 06B, 07B

PL-C-01A, 02A, 03A, 04A, 05B, 06C

PL-D-01B, 02B, 03B, 04B

PL-E-01B, 02B, 03B, 04A, 05A

PL-F-01B, 02B, 03A, 04B

PL-G-01A, 02, 02A, 03A, 04, 05, 06, 010, 011

PL-H-01C, 02B

PL-S-01E, 02C, 05A, 06A, 07, 08, 09, 10, 11

Landscape Strategy - 562/01 Rev A, 562/02 Rev B

Tree Protection Plan – 04232 TPP 2.4.19

Drainage – 15234-204-P3, 15234-205-P3, 15234-206-P2, 15234-207-P2, 15234-208-P2, 15234-209-P2

- 3 **Use Classes** - The specific uses applied to the development shall be defined as follows:

Blocks A, B, C, D, E F, G1 & G2 – Use Class C2 (residential Institutions),
Blocks H & J – Use Class E,
Community Hall – Use Class F2(b), as set out in the Town and Country Planning (Use Classes) Order 1987 (as amended).

- 4 **Construction Environment Management Plan/ Landscape and Ecological Management Plan** - No development shall take place until a detailed Construction Environment Management Plan (CEMP) and a Landscape and Ecological Management Plan (LEMP) have been submitted to and approved in writing by the Local Planning Authority. These plans shall include details of all permits, contingency plans and 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 together with the amenity of neighbouring residents. The plans shall also include details of the following:

- a) parking for vehicles of site personnel, operatives and visitors
- b) loading and unloading of plant and materials
- c) storage of plant and materials
- d) programme of works (including measures for traffic management)
- e) provision of boundary hoarding behind any visibility zones
- f) measures to control dust
- g) measures to prevent mud and other deleterious materials from entering the public highway.
- h) timings of working with machinery on site to avoid undue disturbance, vibration, dust, etc.
- i) arrangements for delivery/unloading of plant, materials, etc.

Only the approved details shall be implemented during the construction period.

- 5 **Hours of working** - No site clearance, preparation or construction work shall take place on site outside of the hours of Monday - Friday 0800 to 1800 and Saturdays 0900 to 1300, nor at any time on Sundays, Bank or Public Holidays. This includes vehicle movements on the site.
- 6 **Demolition** - No demolition works shall take place until a written scheme of demolition has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the phasing/timing of works (to avoid bird nesting seasons), methods of demolition, noise and dust suppression and details of how materials are to be disposed of in a safe manner. The works shall only proceed in accordance with the agreed details.
- 7 **Management of surface water during construction** - No part of the development hereby permitted shall be commenced until the detailed design of the proposed surface water drainage management system which will serve the development site for the full period of its construction has been submitted to, and approved in writing by, the Local Planning Authority, in consultation with Devon County Council as the Lead Local Flood Authority. Thereafter, the development shall be carried out in accordance with the approved temporary surface water drainage management system. This temporary surface water drainage

management system must satisfactorily address both the rates and volumes, and quality, of the surface water runoff from the construction site.

8 **Contamination**

(i) Submission of Remediation Scheme - No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

(ii) Implementation of Approved Remediation Scheme - The remediation scheme shall be implemented in accordance with the approved timetable of works. Within 2 months of the completion of measures identified in the approved remediation scheme, a validation report (that demonstrates the effectiveness of the remediation carried out) must be submitted to the Local Planning Authority.

(iii) Reporting of Unexpected Contamination - 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.

9 **Tree protection** - Prior to the commencement of any works, demolition or development on the land, all existing trees, shrubs and hedges to be retained shall be protected by fences or suitable barriers erected beyond their dripline. Such fences or barriers shall be maintained until the completion of the development on the land. Within these protected areas there shall be no storage, deposit, tipping or placing of any materials, soil, spoil or other matter, no parking or movement of vehicles or trailers, no erection or siting of buildings or structures, no excavation or raising of ground levels and no disposal of water or other liquid. Furthermore, no fire(s) shall be lit within 20m of any protected area without the prior written authorisation of the Local Planning Authority.

10 **Archaeology** - No construction works, including excavations, shall commence until a written scheme providing for an appropriately qualified archaeologist to carry out a full archaeological watching brief during all stages of the development has been submitted to and approved in writing by the Local Planning Authority. The scheme, which shall be written and implemented at the applicant's expense, shall provide for the observation, recording and recovery of artefacts and post-excavation analysis. A full report detailing the findings, together with a Mitigation Strategy, shall be submitted to and approved in writing by the Local Planning Authority before the substantial completion of the development, unless otherwise agreed in writing by the Local Planning Authority.

- 11 **Surface water drainage management** - No part of the development shall be occupied until the surface water management scheme serving that part of the development has been provided in accordance with the approved details and the drainage infrastructure shall be retained and maintained for the lifetime of the development in accordance with the schedule contained in the 'Surface Water Features, Operations and Maintenance Plan' (John Grimes Partnership – Drainage Strategy - Appendix C - 2019) unless otherwise agreed in writing with the Local Planning Authority.
- 12 **Landscaping** - Prior to the laying out of all hard and soft landscaped areas, full details of the proposed hard landscaping and planting scheme shall be submitted to the Local Planning Authority for approval. The landscaping and planting shall be carried out in accordance with the approved scheme within twelve months of the substantial completion 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 five 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.
- 13 **Material/finishes** - A detailed schedule of the materials and finishes to be used on the approved buildings shall be submitted to and approved in writing by the Local Planning Authority prior to their construction. This shall include samples, as necessary, of the roof materials, walling stone, details of render finishes, window/exterior door units, balcony details, verge/soffit details, positions of any meter boxes, exterior vents and flues, bin stores, driveway surface materials, kerbs, fencing and solar panel units. Unless otherwise agreed in writing, the approved materials shall be used throughout the development, and retained and maintained thereafter.
- 14 **Lighting scheme to mitigate effects on protected species** - All exterior lighting shall be designed to accord with the recommendations of the Hoare Lea lighting report (revision 11) dated 27 August 2020. A detailed scheme shall be submitted to and approved in writing by the Local Planning Authority prior to its installation. The scheme shall include the erection of the screen fencing on the eastern river boundary, specific reference to the management plan to implement the recommendations of limiting light spill from the eastern elevations of those buildings facing the identified Bat flyway and details of all external lighting columns, bollards and fittings. The development shall not be occupied until the lighting scheme, fencing and management plan are in position/are operational.
- 15 **Hydro screw** - Full details of the proposed hydro- electric installation shall be submitted to and approved in writing by the Local Planning Authority prior to its installation.
- 16 **Green travel plan** - The development shall be managed in accordance with a 'Green Travel Plan' which shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of any care units.
- 17 **Emergency plan** - No care units shall be occupied until a detailed emergency management plan to address any residual flood risk or health & safety issues has been submitted to and agreed in writing with the Local Planning Authority. The development shall at all times be managed in accordance with the agreed plan.

- 18 **Highways** - Full details of the proposed alterations to the access points 1 & 2 shall be submitted to and approved in writing to the Local Planning Authority, in consultation with the Highway Authority (Devon County Council), prior to the commencement of construction works on the site. The works shall be carried out in accordance with the approved details prior to occupation of the development.
- 19 **Parking** - No care units or associated facilities shall be occupied/brought into use until the parking arrangements, as approved, are laid out and available for use by residents/employees.

S106 Agreement – Draft Heads of Terms

- All care units (including extra care units, care home beds) to be occupied by those in need of care (proof of assessment required if requested by LPA)
- Care units to be managed by Buckfast Abbey Trustees
- Facilities of care village to be available for wider community use
- Management arrangements for maintenance of open space, community facilities, etc.

- **20 extra care units:**
- Devon County Council to be allocated nomination rights for units
- Eligibility cascade (parish of provision/adjoining parishes/DNP/District, etc)
- Social rented tenancy
- In perpetuity
- Full access to all community facilities with no maintenance premium