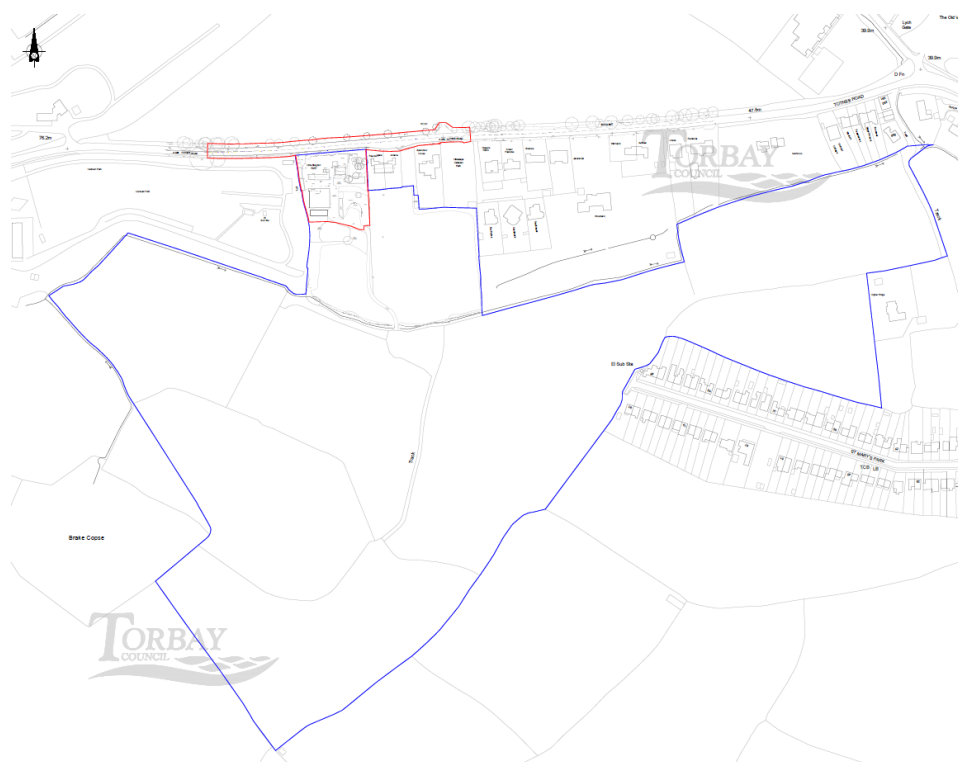




Application Site Address	Little Blagdon Farm Totnes Road Paignton TQ4 7PW
Proposal	Demolition of nine disused farm buildings and construction of new vehicular access.
Application Number	P/2019/0478
Applicant	Mrs Anne-Marie Bond
Agent	Mr David Stewart – Torbay Development Agency
Date Application Valid	10/05/2019
Decision Due date	05/07/2019
Extension of Time Date	13/09/2019
Recommendation	That planning permission is granted, subject to the conditions detailed below. The final drafting of conditions and addressing any further material considerations that may come to light to be delegated to the Assistant Director of Planning and Transport.
Reason for Referral to Planning Committee	The application has been referred to Planning Committee as the proposed development is on land owned by Torbay Council, is not a minor variation to an existing planning permission, and the application has received objections.
Planning Case Officer	Emily Elliott

Location Plan:



Site Details

The site comprises a 0.45ha parcel of land with nine disused farm buildings. The site lies adjacent to Beachdown Park, which is to the west of the site, the A385 (Totnes Road) is to the north, and there are residential dwellings located to the east. The site has an existing vehicular and pedestrian access. The site levels vary, with ground levels near the existing entrance being around 68.65m AOD in the north-west corner, which falls to 64.33m AOD in the south-east corner of the site. The site has been vacant since April 2004. The site forms part of a larger area of land allocated in the Local Plan for housing development.

Description of Development

This planning application proposes the demolition of the nine existing disused farm buildings and the construction of a new vehicular access from the A385 (Totnes Road).

Pre-Application Enquiry

None sought.

Relevant Planning Policy Context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 places a duty on local planning authorities to determine proposals in accordance with the development plan unless material considerations indicate otherwise. The following development plan policies and material considerations are relevant to this application:

Development Plan

- The Adopted Torbay Local Plan 2012-2030 ("The Local Plan")
- The Adopted Paignton Neighbourhood Plan 2012-2030

Material Considerations

- National Planning Policy Framework (NPPF)
- Planning Policy Guidance (PPG)
- Published standing Advice
- Planning matters relevant to the case under consideration, including the following advice and representations, planning history, and other matters referred to in this report:

Relevant Planning History

There are no previous planning decisions of particular relevance to the proposal.

Summary of Representations

The application was publicised through a site notice and neighbour notification letters were sent to sixty neighbours. 103 letters of objection have been received.

A summary of the concerns raised in objection include:

- Not in keeping with local area

- Noise
- Privacy/overlooking
- Residential amenity
- Sets a precedent
- Drainage
- Traffic and access
- Trees and wildlife
- Overdevelopment
- Impact on local area
- Conflicts with the Torbay Local Plan
- Conflicts with the Paignton Neighbourhood Plan
- Conflicts with the Collaton St Mary Masterplan

Summary of Consultation Responses

Torbay Council Strategy and Project Delivery Team (Planning and Transport) Service Manager:

The development plan for the area comprises of the Adopted Torbay Local Plan 2012-30 (December 2015), and the Adopted Paignton Neighbourhood Plan (June 2019). The Collaton St Mary Masterplan was adopted as an SPD in 2016 and is a material consideration along with the explanatory and justification text in the Local Plan and Paignton Neighbourhood Plan policy documents.

To be clear, as this is an application for the access alone, I have only addressed matters that concern it and not any future development.

The access is needed to serve strategic housing development allocated in Policy SS2 and SDP3 of the Local Plan. The Masterplan indicates an access through Little Blagdon Farm as proposed by the application. The Paignton Neighbourhood Plan seeks for proposals to help provide housing growth as set out in the Local Plan (PNP1) and supports development in Collaton where proposals are in accordance with the Masterplan (PNP24). Therefore the proposal is in accordance with the adopted Development Plan and Masterplan and indeed an important part of the strategic infrastructure (noted in Local Plan policy SS6) needed to deliver the strategic policies of the Development Plan.

A point I have noted in the representations is with regards to phasing. I do not consider that the phasing in part 8 (and Table 8.1) of the Paignton Neighbourhood Plan can be taken as a phasing policy as it is not upper case policy. It is therefore to be considered as a material consideration. Treating it as a "phasing lock" policy would be tantamount to promoting less development than the Local Plan in my opinion, contrary to the basic conditions governing neighbourhood plans and the guidance on Neighbourhood Plans in the NPPF which, by virtue of being adopted, the Neighbourhood Plan has been agreed by the Council not to do.

There is a concern raised that the proposed access is leapfrogging the brownfield development identified in Phase 1 of the Masterplan and, as noted above, the Neighbourhood Plan in particular notes that development should accord with the Masterplan (PNP24). The Masterplan envisages that development of brownfield sites at Ocean Marine Garage and Torbay Holiday Motel will take place before phase 2, which is facilitated by this proposed access. The Motel site is subject to a current planning application. The Ocean Marine site is not currently understood to be available. The Masterplan states that phase 2 will “happen” post 2024. For the purposes of this application, although it provides the access, there is no detail about the delivery of the wider development and it is therefore difficult to provide a clear answer as to whether it is being brought forward too early or not. Realistically, even with the access constructed imminently, there will be a lead in time before housing can be delivered, and the need to boost housing supply over-rides adhering strictly to the phasing set out in the Masterplan. As stated, the access is in the location identified by the Masterplan.

For the above reasons, I do not advise that Phasing considerations in the PNP or Masterplan can be used to withhold planning permission in this case.

I don't think it is necessary to come to a definitive view of paragraph 14 of the NPPF, which provides safeguards to recently made neighbourhood plans where the Authority is not able to demonstrate 5 years' of housing land supply. The access is needed to meet the Local Plan's housing requirement and provide access to an allocated site and the Neighbourhood Plan contains policies to support development in accordance with the Masterplan.

However, with regards to housing supply, we recently published our initial assessment that showed there was currently less than 5 years' housing supply in Torbay, which does trigger the presumption in favour of sustainable development, particularly against the Local Plan policies. A consultation has been undertaken and a range of responses received. It is not likely that the final outcome will increase the housing supply above 5 years but I am not able to confirm the precise outcome at this time.

It is reasonable to require the proposed layout, landscaping, drainage and ecological matters to accord with the detailed design requirements of the Neighbourhood Plan, within the constraints of the site. These requirements are mainly contained in the various sub policies of PNP1 and PNP24. Whilst I note that the access is located within flood zone 1, there is a watercourse to the rear of the site, and it may be reasonable that the application should show more details of soakaways, as required by Policies PNP1(iv) and PNP1(i). I would recommend the drainage lead is consulted and provides a view on this.

It is an important principle that development should be linked to the village centre. However the current proposal simply seeks to establish an access and the layout and permeability with the village will need to be addressed through a planning application for the layout of the site. That said, some alterations can be made at the access to ensure it meets with the policies and provides access to the Village Centre. The proposal should contribute to and make provision for a safe, continuous and separated cycleway/pedestrian pathway insofar as this is achievable within the highway land available. The proposal does include a footpath and pedestrian access to the village centre. In order to achieve a safe and continuous route the paths indicated into the junction will need widening. This is addressed further through the transport comments.

I recommend that details of landscaping are required (in accordance with PNP1(c)), particularly as the hedgerow to the north of Totnes Road is being removed. The landscaping proposal should seek to replace hedgerows and enhance natural features (as required by PNP1(c)).

I note that there are also, amongst the representations, objections on the grounds of need. It is argued that the Local Plan's level of growth is not justified. Such matters would need to be considered through the upcoming review of the Local Plan and it is not appropriate to consider these through a planning application on a strategically allocated site such as this. The Neighbourhood Plan has been through independent examination and Council approval process very recently which confirmed that it met the Basic Conditions including not revising strategic growth figures or undermining strategic policies. As set out above, the Neighbourhood Plan supports the growth set out in the Local Plan. If the Local Plan was considered to be out of date (as argued in the representations), then the Presumption in Favour of Sustainable Development in paragraph 14 of the NPPF is triggered.

In summary, the proposal is needed to deliver an important strategic part of the Allocated Future Growth Area in the Development Plan. Many issues can be dealt with when considering specific applications that follow, however, some details can be addressed at this stage and should be considered.

Torbay Council Strategic Appraisal Officer:

*The demolition of the 9 vacant farm buildings will **not** result in any changes in the local environment that could affect the European sites (see the attached HRA, dated December 18). However, the construction of a new vehicular access would result in changes to the environment that could affect horseshoe bats, e.g. increased lighting or vegetation loss, alone or in-combination with other plans or projects and therefore it will require a Habitat Regulations Assessment.*

Natural England:

Natural England has reviewed your Habitats Regulations Appropriate Assessment (17 July 2019).

South Hams Special Area of Conservation (SAC)

We note that 3 greater horseshoe bat passes over 38 nights were recorded with automated detectors at the site. Similar low levels were recorded with the manual survey effort, and no greater horseshoe bats were recorded in the buildings that are to be demolished. On this basis, we struggle to understand why your Authority considers that the low level of greater horseshoe bat activity recorded at the site is likely to represent a risk to the greater horseshoe bat population associated with the South Hams SAC. In assessing impacts upon the SAC, a proportionate and reasonable approach should be applied that reflects the risk to the greater horseshoe bat population.

In this instance, we consider that a likely significant effect screening would suffice to demonstrate that impacts to the SAC have been fully considered in your decision making.

Devon County Council Senior Ecologist:

Habitats Regulations Assessment completed. The proposal would not result in adverse effects to the South Hams SAC, subject to mitigation.

RSPB:

The RSPB recommends that, if your authority is minded to grant permission, it ensures the development proceeds in accordance with all recommended mitigation measures, including adhering to all conditions on the Natural England European Protected Species Licence for bats that needs to be obtained prior to demolition of those buildings found to host roosting bats. We note that, while bat surveys were updated in 2018 and 2019, other habitat and species assessments date from the Phase 1 Habitat and Protected Species Surveys carried out in 2016.

We further recommend that:

- An ecological clerk of works is on site prior to and during works and reports to Torbay Council on outcomes.*
- The number of replacement roost sites for bats is increased to four, and that suitable artificial roost sites are placed in appropriate locations prior to demolition of any buildings.*
- Any active bird nests (those being built or in use by eggs or unfledged chicks) are protected from destruction during works. Vegetation (eg, ivy and bramble, and trees that may be affected by construction of the new access) and structures (disused buildings) can host nesting birds. Building 4/4a was used by nesting swallows in 2018; this species is site faithful, has several broods in a season and can still have unfledged chicks in the nest into early September. It was not clear from the information presented how works would proceed if active birds' nests were*

found (the proposal is to carry out works during spring/summer for least impact on bats but this timing is not ideal if birds are nesting in the buildings).

- *Machinery and materials (eg, from demolished buildings) are not stored on the fields south of the application site; these fields are valuable habitat for wildlife, including ciril buntings and should be safeguarded by erection of heras type fencing as necessary (but such fencing must not impact on field hedgerows).*
- *Mitigation measures for reptiles (slowworms) are implemented as set out in Results of Phase 1 Habitat and Protected Species Surveys 2016 (Andrew McCarthy Ecology).*
- *No artificial lighting is provided as part of this development.*
- *Appropriate compensation for habitats lost to this proposed development.*

In accordance with Policy NC1 Biodiversity and geodiversity of Torbay Local Plan 2012-2030, all development should positively incorporate and promote biodiversity features. It is no longer acceptable simply to avoid net loss; developments are expected to provide net gain for biodiversity (the Chancellor's Spring Statement 2019). In our view, the mitigation measures proposed for this development are unlikely to deliver any net gain so we consider it appropriate that your authority requires such delivery as part of any permission. This could, for example, be enhanced provision for roosting, foraging and commuting bats within Torbay or other positive measures to enhance biodiversity.

The RSPB is aware of proposals for residential development on fields to the south of the application site. Our comments above are separate from comments we will make as those proposals come forward.

Torbay Council Senior Tree and Landscape Officer:

The comments do not include any further discussion on the potential wider development and are concentrated on the creation of the new access.

The following comments are based on a review of the following documents:

- *05190 TCP 01.07.19 (Plan)*
- *01590 TCP 01.07.2019 (Tree Survey)*
- *8-21-10-01 (General arrangement)*

Update

A previous review of the arboricultural element of the proposal highlighted the fact that some trees had not been included within the survey/plans. The above arboricultural documents now include the extra trees along the north of the road that will be affected by the proposal for the new vehicular access for the future development at Little Blagdon.

Overview

The revised tree survey identifies a number of B category trees along the north edge of the A385. Reference to the preliminary general arrangement plan indicated that 5 trees are to be removed – 4 'B' category trees and a single 'C' category trees. No further trees appear to be removed to facilitate the development of the entrance. It may be that G33 and G1 through to T5 will be removed to facilitate the demolition of the existing buildings/structures.

Conclusion

- *Should the above assumptions, made in the overview be correct, to create the new access will require the loss of 4 'B' category trees and 7 'C' category trees.*
- *This loss of the trees will require mitigation should the project proceed*

Recommendation

- *An arboricultural impact assessment be submitted and agreed prior to commencement*
- *Landscape scheme be submitted and agreed prior to commencement*
- *Tree Protection Plan be submitted and agreed prior to commencement*

Note: The above recommendations can be conditioned.

South West Water:

No comment.

Torbay Council Drainage Engineer:

The development is located in Flood Zone 1 and the developer is proposing to discharge their surface water drainage using soakaways, please use the recently agreed standing advice for this planning application.

Torbay Council Senior Environmental Health Officer:

I have no concerns, the Lden is below 55dB for the site. That's the daily traffic noise (07:00 to 23:00). Although we should request a CEMP to deal with hours of work, noise and vibration and hours of work.

Torbay Council Highways Engineer:

Highways technical issues would be:

- *A request for provision of a shared pedestrian / cycle way link on to Totnes Road from the Development.*
- *A request for Clearway markings on the adjacent Bus Stop.*
- *A request for Double Yellow lines through Traffic Regulation orders in and around the proposed Junction and other areas on Totnes Road.*
- *The Stacking of seven cars in the right turn lane is probably adequate at this stage, but should be reassessed when / if future growth occurs.*

**Torbay Council Strategy and Project Delivery Team (Planning and Transport)
Service Manager:**

In order to accord with policies in both the Local and Neighbourhood Plans (specifically TA1, TA2, PNP1(f) and PNP1(h)) there is a need to improve the cycling connectivity of the site. The recommendation is that the east side of the access has a shared path and that the new path on the north side of Totnes Road is widened to become a shared path as well. The proposal for development on the opposite side of Totnes Road is seeking to provide shared path provision adjacent to Totnes Road that this proposal should connect to.

I am concerned about the width of the access road given that the TA states the junction has been designed for up to 350 dwellings. The Highways Design Guide sets out that a Major Access Road (as per the submitted design) should provide for a maximum of 300 dwellings and, even then only 200 if it is a cul-de-sac. Therefore the designed access is suitable for up to 200 dwellings (so long as an alternative emergency access can also be provided) but any additional dwellings would require either a widening of this access or an additional access, that latter being preferable. My recommendation would be to accept the design as submitted (subject to the above shared path minor alterations), given it accords with the Masterplan and strategic Local Plan policy, but to make clear that land may need to be reserved to allow for the widening of the road at a future date if additional access points are not made available.

With regards to visibility from the junction, there is at least 2.4m x 120m which is appropriate for this road. It is recognised that a bus stopped in the layby bus stop will reduce the visibility towards Paignton but this will be very temporary and occasional, and in any case around 50-60m will be maintained at all times – this is considered acceptable.

Paignton Neighbourhood Forum (06.06.2019):

The Forum objects to the proposal because it:

- Fails to accord with the Torbay Local Plan adopted by the Council in December 2015*
- Conflicts directly with the Collaton St Mary Masterplan adopted by the Council as Supplementary Planning Guidance for the area in February 2016*
- Departs from the Paignton Neighbourhood Plan approved by Referendum in May 2019*

The reasons for coming to this view are as follows:

- 1) Fails to accord with the Torbay Local Plan adopted in 2015.*

The Local Plan expressly states it is based on a 'plan monitor and manage' approach, not 'predict and provide' (LP 7.5.10) and will be monitored annually with overall

Reviews every 5 years (due now). To ensure only sustainable development occurs, the Local Plan requires net growth in job provision of 5,500 to be achieved within Torbay from a base of 59,000 in 2012 alongside housing growth allowed. The published information (Office of National Statistics) shows there has been no net growth in jobs in Torbay since 2012 even though additional housing has been permitted and built.

The Local Plan recognises that housing need in Torbay is due to assumed net inward migration, not natural increase. We are in year 8 of the adopted Local Plan and a clear imbalance now exists between lack of job growth and housing allowed which means new residents having to find work outside Torbay contrary to the sustainable development policy at the core of the Local Plan and national planning policy.

Curtailing further release of greenfield land and encouraging re-use of brownfield land has now become a critical priority of the Local Plan to ensure any remaining land is not squandered having regard to the recognised limited environmental capacity for further development that remains.

This is why the Local Plan Inspector noted in his Report (para 41):

“Detailed monitoring and review are important considerations in the development plan process and the Council is committed to regular reviews of the Plan. There will be ample opportunity to increase housing numbers if justified by jobs growth. Alternatively it may be necessary to reduce housing numbers over the plan period if the Council's job growth strategy is less successful than hoped. At the present it is regarded as sensible and pragmatic to plan for 8,900 additional dwellings over the plan period.”

In sharp contrast, the proposal fails to accord with the prevailing situation and seeks to advance yet further greenfield development when the clear evidence shows there has been no increase in net job growth since 2012. Also without satisfactory evidence being presented in the application to justify the continuing detriment that will result to securing affordable housing in particular from key brownfield locations in more sustainable locations such as redevelopment of Crossways in the town centre.

In consequence, the proposal fails to accord with:

Policy SS1 – as it will not result in a step change in economic performance;

Policy SS2 – as it does not result in landscape and biodiversity integration required;

Policy SS3 – as it does not meet the requirement of sustainable development;

Policy SS6 – as it does not provide strategic transport improvement;

Policy SS7 – as it does not provide ecological/environmental improvement as required;

Policy SS8 – as it does not contribute positively to natural assets as required;

2) Conflicts directly with the Collaton St Mary Masterplan adopted in 2016.

The purpose of the Masterplan adopted by the Council has been to end the piecemeal approach to development that Collaton St Mary has suffered for decades. At the heart of the Masterplan is the need for a more cohesive approach based on creating a village centre to end the current lack of facilities.

Accordingly, the Masterplan adopted expressly states it is based on the approach of 'development radiating outwards from the village centre' (p.23).

The proposal does not accord with this. Three access points are shown on the adopted Masterplan to serve 350 homes on the south side of Totnes Road. The access points being at 'Woodlands' located first from the village centre, then at Little Blagdon Farm, and a third from the site of Torbay Motel to the west.

In sharp conflict with the Masterplan, the application perpetuates a piecemeal approach and is based on unsatisfactory information for the following reasons:

Traffic Impact – Totnes Road is an 'A' route that provides the main commercial and holiday traffic link between Torbay and all areas to the west. The issue of unsatisfactory access impact on Totnes Road traffic has been a reason for refusal of other proposals nearby in previous years. The importance of the link has not diminished, as evidenced when traffic tails back from Tweenaway junction, especially during the holiday season.

The submitted application assumes a level of vehicular traffic generation based on very limited days information from locations in Cambridgeshire and Sussex. It states no comparable information could be found anywhere in South West England. It further states the assumption has been made that less than 75% of the dwellings would be houses. The generated data is then mixed with very limited duration traffic count data for an out of holiday season period along the main highway of Totnes Road. It is not felt the resulting information is sufficiently robust on which to grant a planning approval.

Landscape Impact – all existing trees are shown to be removed from the north side in order to accommodate the assumed level of turning movements. No replacement landscaping is proposed which conflicts directly with the Masterplan objective of enhancing the landscape character of the area as required also by the approved Neighbourhood Plan (below).

Habitat Impact – the habitat survey is more than 3 years old and relates only to part of Collaton St Mary. It fails to meet the requirement of Local Plan Policy SS2 and NC1 and does not address satisfactorily the 'in-combination' assessment required of all other project sites in the vicinity to accord with the requirement of the Habitat Regulations.

The Habitat Regulation Assessment of December 2015 which accompanies the adopted Local Plan expressly states that no application must be approved until it is categorically proven that there will be no adverse impacts on protected sites (LP HRA 9.1.6).

The application fails to meet this requirement. Instead it refers to reduced recordings of protected species from the last survey baseline. No reference is made to the removal of extensive areas of undergrowth by the Council earlier this year and livestock transfer that contributed to the sustenance zone importance of the area. The application fails to address the need to protect and enhance the protected species.

3) Departs from the Paignton Neighbourhood Plan approved in 2019

As supported by the Council in November 2018, the approved Neighbourhood Plan requires in all parts of the Neighbourhood Area a balanced delivery of growth, biodiversity enhancement, satisfactory infrastructure provision and securing sustainable development by job led growth and housing provision being kept in balance.

The proposal departs from the following policies of the approved Neighbourhood Plan:
Policy PNP1 – as it will impact on protected species of a European protected site;
Policy PNP1(a) – as removal of the trees fails to value the existing treescape as required;
Policy PNP1(c) – as it fails to include new tree planting;
Policy PNP1(i) – as it fails to show how surface water will be accommodated satisfactorily;
Policy PNP22 – as it fails to make provision for separated cycling and pedestrian pathways;
Policy PNP24 – as it does not accord with the adopted Masterplan as required (see above).

In conclusion

The application is required by law to be decided in accordance with the statutory development plan unless material considerations indicate otherwise. The proposal does not accord with the development plan and there are no material planning considerations where the benefit would outweigh the harm caused.

The Forum notes with concern the proposal was submitted by officers on behalf of the former Council after the local elections on 3 May 2019 and before the new Council coalition administration came into being.

From enquires made it is understood the application is felt to be necessary to meet the requirement of a Land Release Fund award by Central Government. Given the

implications arising from the proposal it is of concern to the community that no prior formal approval to submit the current application seems to have been obtained from elected Members of the former Council nor from the new administration.

Request made on behalf of local residents under the Freedom of Information Act and Environmental Regulations for related monitoring reports has so far met with refusal by officers because it is considered they are not in the public interest to release. This response is currently being reassessed by officers prior to likely reference to the Information Commissioner and Local Government Ombudsman in view of the response so far given and considerable delay in receiving a reply to the formal requests to date.

In conclusion it is felt by the community there are fundamental problems with this application that go beyond the conflict with the approved development plan for the area and the application should be withdrawn, or refused, because:

- The proposal perpetuates an unjustified and piecemeal release of Greenfield land to the detriment of sustainable development;*
- The proposal undermines the ability to secure redevelopment of underutilised brownfield land in more appropriate locations such as Crossways in the town centre that is more able to provide for housing needs in a significantly more sustainable location;*
- The access proposed can be provided more appropriately as part of a comprehensive application if and when the required Local Plan Review has confirmed release of the land would be justified.*

Paignton Neighbourhood Forum (05.08.2019):

This letter is in addition to our objection letter to you of 6 June 2019.

No doubt you will be aware the Council's consultation on the housing land supply position in Torbay closed yesterday.

Please see attached the joint response of all 3 Neighbourhood Plan Forums which shows why there is already a supply of housing land in excess of the NPPF and adopted Local Plan requirement.

This is appended to this report, see Appendix A.

Key Issues/Material Considerations

1. Principle of Development
2. Impact on Visual Amenity
3. Impact on Residential Amenity

4. Impact on Highway Safety
5. Ecology and Biodiversity
6. Flood Risk and Drainage
7. Other Considerations

Planning Officer Assessment

1. Principle of Development

The proposal is to demolish the nine existing disused farm buildings at Little Blagdon Farm and construct a new vehicular access from the A385 (Totnes Road).

Policy SS2 of the Local Plan allocates Future Growth Areas, such as Paignton North and West Area, including Collaton St Mary. The site forms part of a larger area of land, which is designated within Policy SS2 as a Future Growth Area.

Policy SDP1 of the Local Plan states that development sites to the west of Paignton will be delivered through neighbourhood planning and masterplanning to provide employment and family housing opportunities. This will be underpinned by enhanced transport infrastructure along the Western Corridor and A385 Totnes Road. The proposed new vehicular access is needed to serve strategic housing development identified in Policy SS2 and SDP3 of the Local Plan. The Collaton St Mary Masterplan indicates an access through Little Blagdon Farm. Therefore, the proposed development is in accordance with the Local Plan and Collaton St Mary Masterplan. Policy PNP1 of the Paignton Neighbourhood Plan seeks for proposals to help provide housing growth as set out in the Local Plan and Policy PNP24 supports development in Collaton where proposals are in accordance with the Masterplan. The proposal is in accordance with the Local Plan and Collaton St Mary Masterplan.

Representations received in relation to the proposed development state that the proposal conflicts with the Torbay Local Plan, Paignton Neighbourhood Plan, and Collaton St Mary Masterplan. Some of these comments, which concern housing land supply are addressed later in this report. It is important to bear in mind that the proposal is only for the creation of an access to serve an allocated housing site. Any future housing development would need to be the subject of further planning applications.

In conclusion, the proposed development is needed to deliver an Allocated Future Growth Area in the Local Plan; the proposal is considered policy compliant and therefore the principle of development is considered acceptable.

2. Impact on Visual Amenity

Paragraph 124 of the National Planning Policy Framework (NPPF) states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. In addition,

paragraph 130 states that 'permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions'. Policy DE1 of the Local Plan states that proposals will be assessed against a range of criteria relating to their function, visual appeal, and quality of public space. Policy PNP1(c) of the Paignton Neighbourhood Plan states that development proposals should where possible and appropriate to the scale and size of the proposal to be in keeping with the surroundings respecting scale, design, height, density, landscaping, use and colour of local materials.

The proposal seeks to demolish the nine existing disused farm buildings at the site and to construct a new vehicular access from the A385 (Totnes Road). The existing disused farm buildings range in size and scale, and some appear dilapidated. The proposed new vehicular access from the A385 would include a new junction and a length of road through the site measuring approximately 25.5 metres in length.

Objectors have raised concerns that the proposal is a form of overdevelopment; it is not in keeping with the local area; it sets a precedent; and it would have a negative impact on the local area.

The Council's Strategy and Project Delivery Team (Planning and Transport) and Senior Tree and Landscape Officer both recommend conditioning a suitable landscaping scheme to mitigate the loss of vegetation, particularly with regard to the removal of the hedgerow which skirts the A385 and to enhance the natural features on site.

As previously discussed, the proposal under consideration is for the removal of existing buildings and the creation of an access and roadway; any associated housing development that may come forward in future, would need to be the subject of separate planning applications. It is considered that the proposed removal of nine disused buildings, some of which are in an unsightly condition, along with the creation of an upgraded junction and length of road would not result in any unacceptable visual harm.

Subject to the aforementioned landscaping condition, the proposal's siting, scale, and visual appearance are considered to be acceptable and without unacceptable detriment to the character and appearance of the locality or streetscene in accordance with the NPPF, Policy DE1 of the Local Plan and Policy PNP1(c) of the Paignton Neighbourhood Plan.

3. Impact on Residential Amenity

Policy DE3 Development Amenity of the Local Plan states that development proposals should be designed to ensure an acceptable level of amenity.

Objectors have raised concerns in relation to noise, privacy/overlooking, and the proposed development having a negative impact on residential amenity. The Council's Senior Environmental Health Officer has raised no objections to the proposed development, concluding that there would be no harm over and above the existing situation. The Council's Senior Environmental Health Officer has requested that a Construction Method Statement be secured to manage the hours of work, noise and vibration on site. A construction method statement will be required through the use of a planning condition to ensure that the construction works are undertaken in a manner that is not injurious to local amenity, this will mitigate any concerns raised regarding noise and vibration. The proposed removal of buildings and creation of an access and road would not result in other harm to neighbouring amenity.

Subject to the use of the aforementioned planning condition, given its siting, scale, and design, it is considered that the proposal would not result in any unacceptable harm to the amenities of neighbours. The proposal is considered to be in accordance with Policy DE3 of the Local Plan.

4. Impact on Highway Safety

Policy TA1 of the Local Plan sets out promoting improvements to road safety. Policy TA2 of the Local Plan states all development proposals should make appropriate provision for works and/or contributions to ensure an adequate level of accessibility and safety, and to satisfy the transport needs of the development. Policy PNP1(f) of the Paignton Neighbourhood Plan states that new development should aim to achieve where appropriate and subject to viability, connecting cycleways and footpaths where development involves new road infrastructure. Policy PNP1(h) of the Paignton Neighbourhood Plan states new development should aim to achieve where appropriate and subject to viability, comprehensive direct networks for walking, cycling and public transport within and beyond the development.

The Council's Highways Engineer has requested the proposed access and roadway make provision for a shared pedestrian/cycle way link on to the A385 from the proposed development. The Council's Strategy and Project Delivery Team (Planning and Transport) has recommended that the eastern side of the access has a shared path and that the proposed path on the northern side of Totnes Road is widened to become a shared path.

The Council's Highways Engineer has also requested clearway marking on the adjacent bus stop and double yellow lines through Traffic Regulation Orders in and around the proposed junction and other areas of the A385. The Council's Highways Engineer considers that the stacking of seven vehicles in the proposed right-hand turn lane is adequate at this stage, but will require a reassessment should future growth occur. Such requirements can be secured through the use of planning conditions.

Objectors have raised concerns regarding traffic and access in relation to the proposed development, however, it is important to bear in mind that the proposal under consideration is only for the demolition of buildings and creation of an access, not for housing. The Council's Strategy and Project Delivery Team (Planning and Transport) has raised a concern about the width of the proposed access road, in relation to the number of dwellings it may serve in the future. It is noted that the designed access would be suitable to serve up to 200 future dwellings, subject to an alternative emergency access also being provided, but for any additional dwellings beyond 200, it would require either widening the proposed access or providing an additional access.

The proposed access onto Totnes Road should have a visibility splay of 120 metres x 2.4 metres x 120 metres, which is the requirement for a 40mph access road. The proposal is able to meet this requirement. There is a bus stop layby nearby, it is recognised that when in use it would reduce the visibility towards Paignton, however this will be very temporary and occasional and in any case around 50-60 metres of visibility will be maintained at all times. The Council's Strategy and Project Delivery Team (Planning and Transport) considers the visibility splays to be acceptable. The proposal accords with the Local Plan and the Collaton St Mary Masterplan.

Subject to the use of planning conditions to secure works to the public highway, and the required specification for the proposed roadway and achieve the required visibility splays, it is considered that the proposed development complies with Policies TA1 and TA2 of the Local Plan and Policy PNP1(f) and PNP1(h) of the Paignton Neighbourhood Plan.

5. Ecology and Biodiversity

Policy NC1 of the Local Plan states that all development should positively incorporate and promote biodiversity features, proportionate to their scale. The site lies within the South Hams SAC greater horseshoe bat Sustenance Zone of the Berry Head to Sharkham Point SSSI roost (hibernation and maternity) and is within 100 metres of a Strategic Flyway (Natural England, 2010). The application site is approximately 8km north west of the South Hams Special Area of Conservation (SAC) and 3km west of the Lyme Bay and Torbay SAC.

The application is supported by a Phase 1 Habitat and Protected Species Survey (February 2017), a Final Bat Report (November 2018), a Greater Horseshoe Bat Activity Report (May 2019) and Information to Support a Habitat Regulations Assessment Report (May 2019). Objectors have raised concerns regarding the impacts on wildlife. Natural England, the RSPB, Torbay Council's Strategic Appraisal Officer and Devon County Council's Senior Ecologist have been consulted about this application. A Habitat Regulations Assessment (HRA) was commissioned and undertaken by Devon County Council's Senior Ecologist.

The Council's Strategic Appraisal Officer has stated that the demolition of the 9 vacant farm buildings will not result in any changes in the local environment that could affect the European sites. However, the construction of a new vehicular access would result in changes to the environment that could affect horseshoe bats, e.g. increased lighting or vegetation loss, alone or in-combination with other plans or projects and therefore it will require a Habitat Regulations Assessment. From the advice given by the Council's Strategic Appraisal Officer, a Habitat Regulations Assessment was commissioned and undertaken by Devon County Council's Senior Ecologist.

The habitats within the site boundary comprise primarily disused buildings and hardstanding with surrounding scrub vegetation. The western edge of the site is bounded by a hedge with adjacent park homes beyond and with arable fields to the south and adjacent properties to the east. The A385 runs along the northern boundary of the site. The adjacent fields to the south are managed by Torbay Coast and Countryside Trust under a low-intensity arable regime. This application is solely in relation to the demolition of farm buildings and farmyard and the construction of a Highway spur from the A385 to allow access to the wider housing allocation to the south which would be the subject of future planning applications. The proposal does not include any additional lighting.

The site is approximately 8 km from the South Hams SAC. The site is within a greater horseshoe bat 'Sustenance Zone' and within 100m of a greater horseshoe bat 'Strategic Flyway' to the north of the site, as defined by Natural England (2010). The proposed works would result in the permanent loss of bat roosts at the site and their development is therefore subject to compliance with European Protected Species requirements under Natural England's licensing regime. The submitted reports confirm that none of the bat roosts identified within the buildings are associated with greater horseshoe bats and therefore the buildings are screened out of this HRA assessment.

Mitigation measures outlined in Section 16 of the HRA, will ensure that likely significant effects on the greater horseshoe bat commuting/foraging habitats around the site and in combination with other projects are avoided. The mitigation measures will be secured through a planning condition. It is therefore concluded that this proposal will not have an adverse effect on the integrity of the South Hams SAC.

Natural England have raised no objections. The RSPB has recommended a number of mitigation measures which will be employed through planning conditions.

Subject to the proposed planning conditions, it is considered that the proposal would not result in unacceptable ecological harm and the proposed development is considered acceptable with regard to Policy NC1 of the Local Plan and the guidance contained in the NPPF.

Policy C4 of the Local Plan states that development will not be permitted where it would seriously harm, either directly or indirectly, protected trees or veteran trees, hedgerows, ancient woodlands or other natural features of significant landscape, historic or nature conservation value. Policy C4 goes on to state that development proposals should seek to retain and protect existing hedgerows, trees and natural landscape features wherever possible, particularly where they serve an important biodiversity role.

The site includes a section of the A385, which is subject to individual Tree Protection Orders (TPO) (2013.006), the TPO affords statutory protection to the trees on site. Objectors have raised concerns with regards to the proposals effects on protected trees. The application is supported by a Tree Survey and Plan. The Council's Senior Tree and Landscape Officer has stated that the revised Tree Survey identifies a number of B category trees along the northern edge of the A385. It is concluded that the proposed development will entail the loss of 4 'B' category trees and 7 'C' category trees, of which this loss will require mitigation and therefore has recommended a number of pre-commencement planning conditions, including the submission of an arboricultural impact assessment, a landscaping scheme and a tree protection plan.

Subject to the aforementioned planning conditions, the proposed development is considered in accordance with Policy C4 of the Local Plan.

6. Flood Risk and Drainage

Policy ER1 of the Local Plan states that proposals should maintain or enhance the prevailing water flow regime on-site, including an allowance for climate change, and ensure the risk of flooding is not increased elsewhere. Policy PNP1(i) of the Paignton Neighbourhood Plan states that developments will be required to comply with all relevant drainage and flood risk policy.

The site is located within the Critical Drainage Area and the application is accompanied by a Flood Risk Assessment. Surface water drainage would be via soakaways. Objectors have raised concerns with regards to drainage. The Council's Drainage Engineer has considered the submitted information and raised no objections.

Given the nature of the proposal, the intended means of surface water drainage are considered acceptable having regard to the adopted Standing Advice, and the proposal is therefore considered to be in accordance with Policy ER1 of the Local Plan and Policy PNP1(i) of the Paignton Neighbourhood Plan.

7. Other Considerations

Housing Land Supply and the Development Plan

Objectors have stated that the Local Plan's level of growth is not justified, the Council's Strategy and Project Delivery Team (Planning and Transport) has stated that it is not appropriate to consider these through a planning application on a strategically allocated site such as this.

In terms of Torbay Council's housing supply, a recent initial assessment has shown there is currently less than 5 years' housing supply in Torbay, which does trigger the presumption in favour of sustainable development, particularly against the Local Plan policies. The Council's Strategy and Project Delivery Team has stated that a consultation has been undertaken and a range of responses received to the initial assessment, but they are unable to confirm the precise outcome at this time.

The Neighbourhood Plan has been through independent examination and Council approval process very recently which confirmed that it met the Basic Conditions including not revising strategic growth figures or undermining strategic policies. As set out above, the Neighbourhood Plan supports the growth set out in the Local Plan. If the Local Plan was considered to be out of date, which is stated in the objections received, then the Presumption in Favour of Sustainable Development in paragraph 14 of the NPPF is triggered.

Objectors have stated that the proposed development conflicts with the Local Plan, the Paignton Neighbourhood Plan and the Collaton St Mary Masterplan. Objectors have raised concerns regarding the effect a housing development would have in terms of the phasing in part 8, Table 8.1 of the Paignton Neighbourhood Plan. The Council's Strategy and Project Delivery Team has stated that treating Table 8.1 as a "phasing lock" policy would be tantamount to promoting less development than the Local Plan, which would be contrary to the basic conditions governing Neighbourhood Plans and the guidance on Neighbourhood Plans in the NPPF which, by virtue of being adopted, the Neighbourhood Plan has been agreed by the Council not to do.

The proposal is for an access and road to provide access to a site allocated in the Local Plan is considered to be in accordance with the Development Plan. It is noted that some of the objections raised really concern the provision of housing and whether the numbers are required, however, this is properly a matter for detailed consideration once planning applications come forward for the associated housing development in future.

Sustainability

Policy SS3 of the Local Plan establishes the presumption in favour of sustainable development. The proposed development would result in the removal of disused and unsightly buildings and open up the potential development of a site allocated for

housing within the Local Plan. Provision would be made for improved pedestrian and bicycle access.

Statement on Human Rights and Equalities Issues

Human Rights Act - The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

Equalities Act - In arriving at this recommendation, due regard has been given to the provisions of the Equalities Act 2010, particularly the Public Sector Equality Duty and Section 149. The Equality Act 2010 requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities. Protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race/ethnicity, religion or belief (or lack of), sex and sexual orientation.

Local Finance Considerations

S106:

Not applicable.

CIL:

The CIL liability for this development is Nil.

EIA/HRA

EIA:

Due to the scale, nature and location this development will not have significant effects on the environment and therefore is not considered to be EIA development.

HRA:

The application site is within a strategic flyway/sustenance zone associated with the South Hams SAC.

A Habitat Regulations Assessment has been carried out for this development. The proposed development is unlikely to have a significant effect on the South Hams SAC.

The application is suitable for approval subject to any other relevant material planning considerations/subject to securing the mitigation measures by condition as may be appropriate and any other relevant material planning considerations.

Planning Balance

The proposed development is solely for the demolition of existing buildings, the creation of an improved access onto the public highway, and the creation of a length of road through the site, along with associated works. The proposed development is intended to serve an allocated housing site for which planning applications may be submitted in future. Subject to the planning conditions detailed below, no unacceptable harm has been identified and the proposal is in accordance with Development Plan policies.

Conclusions and Reasons for Decision

The proposal is acceptable in principle; would not result in unacceptable harm to the character of the area or local amenity; would provide acceptable arrangements in relation to highways, flood risk, and ecological constraints. The proposed development is considered acceptable, having regard to the Torbay Local Plan, the Paignton Neighbourhood Plan, and all other material considerations.

Officer Recommendation

That planning permission is granted, subject to the conditions detailed below. The final drafting of conditions and addressing any further material considerations that may come to light to be delegated to the Assistant Director of Planning and Transport.

Conditions

Landscaping

Prior to commencement of the development hereby permitted, a detailed Landscaping Scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The Scheme shall include details of hard and soft landscaping, including all boundary treatments. Where applicable, it shall specify tree and plant species and methods of planting. The approved soft landscaping shall be planted in the first planting season following the first use of the development. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next available planting season with others of similar size and species.

Reason: In the interests of amenity and design in accordance with Policy DE1 of the Adopted Torbay Local Plan 2012-2030.

Justification: These details are required pre-commencement as specified to ensure that an adequate landscaping scheme will be provided to mitigate any potential biodiversity loss.

Arboricultural Impact Assessment and Tree Protection Plan

No development, including ground works or vegetation clearance, shall take place until an Arboricultural Impact Assessment and Tree Protection Plan has been submitted to and approved in writing by the Local Planning Authority. This information shall be prepared in accordance with BS 5837:2012 (or any superseding British Standard) and include details of tree protection fencing, which must be erected prior to the commencement of the development and retained until the completion of the development. No vehicles, plant or materials shall be driven or placed within the areas enclosed by the fences. The approved Arboricultural Impact Assessments and Tree Protection Plans shall be adhered to throughout the construction of the development.

Reason: To protect the trees to be retained in the interests of the amenities of the area and biodiversity, in accordance with Policies C4 and NC1 of the Adopted Torbay Local Plan 2012-2030.

Justification: These details are required pre-commencement as specified to ensure that trees to be retained are not damaged by building operations or vegetation removal, including their biodiversity interests.

Highways Agreements

The development hereby approved shall not be brought into use until all relevant highways agreements, concerning works within the public highway and along the proposed roadway have been entered into and the associated works have been carried out to the satisfaction of the Local Highway Authority. These shall include a shared pedestrian/cycle way link on to Totnes Road from the proposed development; clearway markings on the adjacent Bus Stop on Totnes Road; double yellow lines on the proposed junction and other areas of Totnes Road; as well as other works shown on the approved plans, or otherwise deemed necessary to achieve an adoptable road layout.

Reason: To provide safe and sustainable access to, and around, the site for all users in accordance with Policies TA1, TA2 and DE1 of the Adopted Torbay Local Plan 2012-2030.

Construction and Environmental Management Plan (CEMP)

No development (including demolition and ground works) or vegetation clearance works shall take place until a Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall be prepared in accordance with specifications in clause 10.2 of BS 42020:2013 (or any superseding British Standard) and shall include the following:

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".

- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction.
- d) The location and timing of sensitive works to avoid harm to biodiversity features. This includes the use of protective fences, exclusion barriers and warning signs.
- e) The times during construction when specialist ecologists need to be present on site to monitor works to ensure compliance with the CEMP, and the actions that will be undertaken.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.

The approved CEMP shall be adhered to and implemented throughout the construction period of the development strictly in accordance with the approved details.

Reason: In the interests of biodiversity and to minimise impacts on protected species in accordance with Policy NC1 of the Adopted Torbay Local Plan 2012-2030, and paragraphs 109 and 118 of the NPPF. These details are required pre-commencement as specified to ensure that biodiversity is not harmed by building operations or vegetation removal.

Dark Corridor

The Western Site boundary will be maintained as a dark corridor and protected from any artificial light intrusion during the construction phase with a lighting level of no more than 0.5 LUX within 2 metres of the Western site boundary.

Reason: To ensure that the development proceeds in an appropriate manner, in accordance with Policy NC1 of the Adopted Torbay Local Plan 2012-2030.

Heras Fencing

No development shall take place until details of Heras fencing (or similar) to be erected along the northern portion of the western boundary of the Site, have been submitted to and approved in writing by the Local Planning Authority. The fencing shall be to a height of at least 2 metres from the ground and at least 2 metres distance from the top of the existing bank. A high strength extruded plastic fencing mesh shall be fixed to one side of this fencing to provide a physical structure for bats to follow. The approved fencing shall be installed prior to the commencement of development and shall be inspected on a weekly basis during the construction process, and any defects repaired immediately.

Reason: To ensure that the development proceeds in an appropriate manner, in accordance with Policy NC1 of the Adopted Torbay Local Plan 2012-2030.

Justification: These details are required pre-commencement as specified to ensure acceptable effects in relation to bats during the construction phase of the development.

Hedgerow

In accordance with the submitted 'Information to support Habitat Regulations Assessment' (plan reference 'TE0271-MIT-B (Habitat Regulations) received 21st August 2019) details of a hedgerow of 70 metres on the western site boundary will be planted and managed to promote a denser growth of at least 2 metres in height shall be submitted and approved in writing to the Local Planning Authority.

Reason: To ensure that the development proceeds in an appropriate manner, in accordance with Policy NC1 of the Adopted Torbay Local Plan 2012-2030.

External Lighting

Prior to the installation of any external lighting within the site, full details including their design, siting and levels/type of illumination shall be submitted to and approved in writing by the Local Planning Authority. The external lighting shall thereafter be installed in full accordance with the approved details.

Reason: To safeguard legally protected species, including safeguarding foraging paths for legally protected bats, and in the interests of biodiversity in accordance with Policy NC1 of the Adopted Torbay Local Plan 2012-2030.

Machinery and Materials

No building related machinery or materials, including materials from demolished buildings are to be stored within the fields to the south of the application site at any time.

Reason: In the interests of protected species and in accordance with Policy NC1 of the Adopted Torbay Local Plan 2012-2030.

Bird Nesting

No removal of hedgerows, trees or shrubs shall take place between 1st March and 31st August inclusive in any given year, unless prior to the commencement of works a detailed biodiversity survey by a competent ecologist has been submitted to and approved in writing by the Local Planning Authority. The survey shall include the details of the check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting birds on the site. The development shall then be carried out in accordance with the details submitted.

Reason: In the interests of protected species and in accordance with Policy NC1 of the Adopted Torbay Local Plan 2012-2030.

Ecological Mitigation Measures

The development hereby approved shall be carried out in strict accordance with the mitigation measures outlined on Pages 7-8 of the submitted 'Information to support Habitat Regulations Assessment' (plan reference 'TE0271-MIT-B (Habitat Regulations) received 21st August 2019).

Reason: In the interests of protected species and in accordance with Policy NC1 of the Adopted Torbay Local Plan 2012-2030.

Construction Method Statement

No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- a) The parking of vehicles of site operatives and visitors.
- b) Loading and unloading of plant and materials.
- c) Storage of plant and materials used in constructing the development.
- d) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate.
- e) Wheel washing facilities.
- f) Measures to control the emission of dust and dirt during construction.
- g) A scheme for recycling/disposing of waste resulting from demolition and construction works, with priority given to reuse of building materials on site wherever practicable.
- h) Measures to minimise noise nuisance to neighbours from plant and machinery.
- i) Construction working hours from 8:00 to 18:00 Monday to Friday, 8:00 to 13:00 on Saturdays and at no time on Sundays or Bank Holidays.

Reason: This information is required prior to commencement to safeguard the amenity of the locality in accordance with Policy DE3 of the Adopted Torbay Local Plan 2012-2030.

Informative(s)

01. For the avoidance of doubt, any works to be undertaken within the public highway will require the separate consent of the Highway Authority.

02. Responsibilities of the applicant / developer:

All bats are protected by law. If bats are found, works must immediately cease and further advice be obtained from Natural England and / or a licensed bat consultant. Works must not resume until their advice has been followed. Nesting birds are also protected by law. During site clearance and construction works, suitable safeguards must be put in place to prevent threat of harm to legally protected species, including nesting birds and reptiles all of which are protected under the Wildlife & Countryside Act 1981 (as amended). Where works are to involve cutting or clearance of shrubs, hedges or other vegetation, which can form nesting sites for birds, such operations should be carried out at a time other than in the bird breeding season (which lasts between 1 March - 15 September inclusive in any year). Schemes must be in place to avoid threat of killing or injuring reptiles, such as slow worms. Slow worms may shelter beneath vegetation as well as among any stored or discarded sheeting, building and other materials. Further details can be obtained from a suitably qualified and experienced ecological consultant, or please refer to published Natural England guidelines for protected species.

03. In accordance with the requirements of Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order, 2015, in determining this application, Torbay Council has worked positively with the applicant to ensure that all relevant planning concerns have been appropriately resolved. The Council has concluded that this application is acceptable for planning approval.

Relevant Policies

C4 – Trees, Hedgerows and Natural Landscape Features

DE1 – Design

DE3 – Development Amenity

ER1 – Flood Risk

ER2 – Water Management

NC1 – Biodiversity and Geodiversity

SDP1 – Paignton

SDP3 – Paignton North and Western Area

SS2 – Future Growth Areas

SS3 – Presumption in Favour of Sustainable Development

SS6 – Strategic Transport Improvements

TA1 – Transport and Accessibility

TA2 – Development Access

PNP1(c) – Design Principles

PNP1(f) – Towards a Sustainable Low Carbon Energy Efficient Economy

PNP1(h) – Sustainable Transport

PNP1(i) – Surface Water

PNP24 – Collaton St Mary Village