

Superscripts denote page numbers.

Pertinent text in illustrations is highlighted with a yellow background.

This comment refers to the Local Planning Authority and the Local Highway Authority. The Local Planning Authority is part of South Hams District Council (SHDC) and the Local Highway Authority is part of Devon County Council (DCC).

1. This planning application⁴ has been made to determine if prior approval is required for a proposed change of use of agricultural buildings/barns to 1No dwellinghouse (class C3) & for associated development (Class Q (a+b)). The existing building was previously used for storage of machinery, hay and straw according to a completed application form dated 12th October 2023 and downloaded from the Local Planning Authority's web site on 18th November 2023.⁵
2. Legislation in Paragraph Q.2 of Part 3 of Order 2015 of Town and Country Planning⁶ states that if a planning application for a development is submitted under Class Q(a) and Q(b), permission for development is subject to the developer applying to the Local Planning Authority prior to the start of development. This will be to determine a number of issues of which one is to determine if prior approval of the Local Highway Authority is required regarding the impact of the development on transport and highways.
3. The legislation in Paragraph W of Part 3⁶ then goes on to say that where in the opinion of the Local Planning Authority the development is likely to result in a material increase or a material change in the character of traffic in the vicinity of the site, the Local Planning Authority must consult the Local Highway Authority, where the increase or change relates to traffic entering or leaving the proposed highway. I do not know how to interpret this and I believe it is open to interpretation. However it may mean that the Local Highway Authority must be consulted if there is any concern regarding the safety of traffic at the point where such traffic joins a public road. If this is the case, I believe there will be good visibility at the point vehicles joins the public road from the development site, as currently laid out in the plans uploaded to the Planning Portal up to 18th November 2023.⁷

4. However I believe the Local Planning Authority still has a duty to consider policies which cover issues which are not specifically referenced in the 2015 Order regarding Class Q development rights. Indeed there is still a need to consider policies in the government's National Planning Policy Framework, the planning authority's Joint Local Plan and the parish's Neighbourhood Plan together with material considerations on important matters like highway safety.⁸ Ultimately development rights should only be granted which are in the public's best interests overall.
5. My main concern is that roads leading to the site are woefully inadequate in terms of width as stated by the Local Highway Authority.⁹ Also, according to Department for Transport records of Police submissions, these roads have a history of accidents involving injury.¹⁰ Indeed within a hundred metres of where cars will enter onto the public highway from the proposed development site, there is a corner where police have reported a number of accidents involving injury.¹¹
6. In addition to this, 25 new dwellings are currently being built in a small area within less than half a mile of the proposed development site.¹² This is being done at 3 sites where 14 dwellings are being built at one site and 9 dwellings are being built at another.¹² Eleven of these 25 new dwellings are being built outside any village boundary. In all but 3 of the 33 villages listed in the Joint Local Plan for Plymouth and South West Devon¹³, the planned number of new houses falls short of the indicative level deemed appropriate for the village setting. This was deduced by studying the Plymouth, South Hams & West Devon 5 Year Housing Supply Statement dated December 2022.¹⁴ The local roads surrounding the site, for which permission is being sought, were designed to cater for a small community. In view of how many new dwellings are being built in each of the 33 villages and how many new dwellings are being built within less than half a mile of the site in question, roads surrounding the site in question will see a percentage increase in traffic which is likely to be unusually high compared to that seen by roads surrounding sites in the rest of Plymouth and South West Devon. Not only this but this is in an area where roads are twisty and narrow and have a history of accidents which caused personal injury.

7. The 3 villages where new builds exceed the indicative target are Lewdown, Lee Mill and Folly Gate. In these villages, all development sites where 10 or more dwellings are being built are serviced by a wide road. This is in stark contrast to the narrow and twisty lane which services the half mile stretch where 25 houses are currently being built and the site where planning permission is being sought.
8. Granting development rights to this site will not comply with the National Planning Policy Framework (Paragraph 124(c)).¹⁵ This states that policies should support the availability and capacity of infrastructure and services to promote sustainable travel modes that limit future car use.
9. Neither will granting development rights to this site comply with the majority of the policies for transport (Paragraph DEV29) in the Local Planning Authority's Joint Local Plan for Plymouth and South West Devon.¹⁶
10. In summary, I believe the location of the site is unsuitable in view of the level of traffic which local roads were designed to cope with, the history of road accidents which have occurred on these roads reported by police, the large number of new houses which are currently being built in the area, and the additional traffic which these new houses will introduce onto the local roads.
11. As someone who lives within half a mile of this site and has used these roads for daily needs for the last 17 years, I believe that granting development rights to this site will make unsafe roads less safe. For this reason I believe that it would be inappropriate to grant development rights for this site.



South Hams
District Council

SOUTH HAMS DISTRICT COUNCIL

PLANNING APPLICATION

Town and Country Planning (General Permitted Development)
(England) Order 2015 (as amended)

Notice is hereby given that the following application has been lodged with the Council by:
Mr And Mrs Browse

App. No: 3426/23/PDM
For: Application to determine if prior approval is required for a proposed change of use of agricultural buildings/barns to 1No dwellinghouse (class C3) & for associated development (Class Q (a+b))
At: Land At Sx 784 653, Staverton

Members of the public can view the application details, plans and documents on our website www.southhams.gov.uk:

Anyone who wishes to make representations about this application is invited to submit them online using the link on our website www.southhams.gov.uk by

20 November 2023

We will publish your **name/address** and representation online for details please see - www.southhams.gov.uk/privacy

Community of Practice Lead Officer. Development Management
On behalf of **South Hams District Council**

If you do not have access to the internet please post your comments, clearly marked for the attention of The Planning Department, South Hams District Council, Follaton House, Plymouth Road, Totnes, TQ9 5NE

Please note: We will publish your **name/address** and representation online for details please see www.southhams.gov.uk/privacy. Representations cannot be treated as confidential – your name, address and comments will be available on the Council's website www.southhams.gov.uk. We are unable to send acknowledgements to signatories of petitions or standardised letters.

Please provide details of any contamination risks and how these will be mitigated:

The building has been used for the storage of machinery, hay and straw.

Providing the building is carefully cleared out before works begin, it is considered

Please provide details of any flooding risks and how these will be mitigated.

A flood risk assessment should accompany the application where the site:

- is in Flood Zones 2 or 3; or
- is in an area with critical drainage problems (such areas will have been notified to the

[Check if your site location is in Flood Zone 2 or 3 online.](#)

Check with your Local Planning Authority to see if your site is in an area with critical drainage

The site lies in Flood Risk Zone 1, with a low probability of flooding as shown on the map. This is not considered an issue. This proposal involves changing the use of an existing building. Therefore it is considered that the surface water drainage situation is not affected. The applicant's ownership will be utilised for the foul drainage.

Title: How the existing building was previously used

Source: <https://apps.southhams.gov.uk/PlanningSearchMVC/>

Conditions

Q.2—(1) Where the development proposed is development under Class Q(a) together with development under Class Q(b), development is permitted subject to the condition that before beginning the development, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to—

- (a) transport and highways impacts of the development,
- (b) noise impacts of the development,
- (c) contamination risks on the site,
- (d) flooding risks on the site,
- (e) whether the location or siting of the building makes it otherwise impractical or undesirable for the building to change from agricultural use to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order, and
- (f) the design or external appearance of the building,

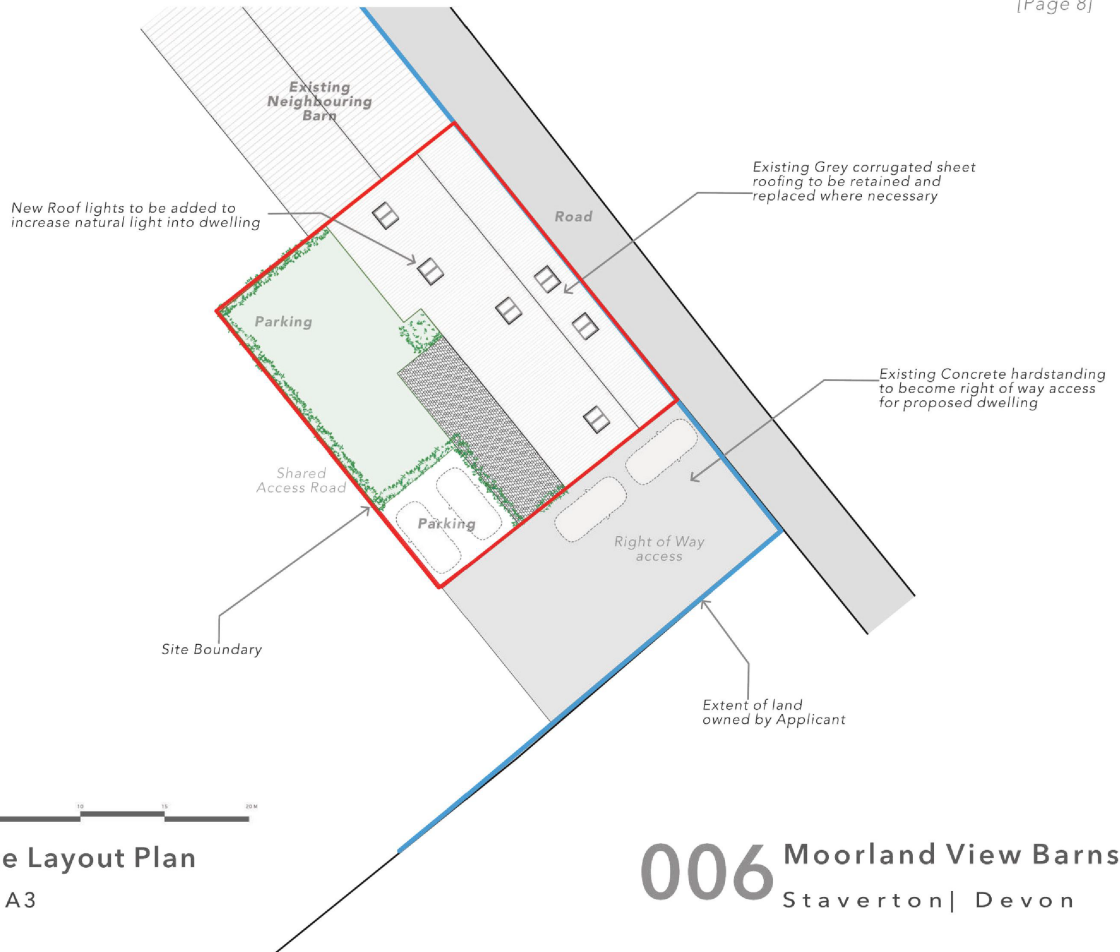
and the provisions of paragraph W (prior approval) of this Part apply in relation to that application.

(5) Where the application relates to prior approval as to transport and highways impacts of the development, on receipt of the application, where in the opinion of the local planning authority the development is likely to result in a material increase or a material change in the character of traffic in the vicinity of the site, the local planning authority must consult—

- (a) where the increase or change relates to traffic entering or leaving a trunk road, the highway authority for the trunk road;
- (b) the local highway authority, where the increase or change relates to traffic entering or leaving a classified road or proposed highway, except where the local planning authority is the local highway authority; and
- (c) the operator of the network which includes or consists of the railway in question, and the Secretary of State for Transport, where the increase or change relates to traffic using a level crossing over a railway.

Title: Extracts from The Town and Country Planning Order 2015
downloaded on 13th November 2023

Source: <https://www.legislation.gov.uk/>



Title: Site layout plan showing access to the road downloaded on 18th November 2023

Source: <https://apps.southhams.gov.uk//PlanningSearchMVC/>

What comments make for a good objection?

[An LPA will decide a planning application in line with relevant policies in its local plan](#) (if there is one) and the government's [National Planning Policy Framework](#) (NPPF), unless "material considerations" indicate otherwise. It will also consider the neighbourhood plan for the area, if there is one.

Therefore, constituents may wish to refer to some of the following in their response to a consultation or a representation at appeal:

- Relevant policies in the local plan, the neighbourhood plan (where one is in force) and in the government's NPPF.
- Other material considerations. [There is no set list of material considerations](#); it will depend on the circumstances of a case.
 - Examples of potentially relevant material considerations include: the design and layout of a building, its impact of on the character of an area, its impact on a designated area (for example, on green belt land), highway safety issues and disabled people's access.
 - Generally, [purely private considerations](#) such as neighbouring property values cannot be material considerations.

[An LPA is required to take into account the representations](#) it receives in response to its consultation. However, an LPA will not necessarily refuse planning permission, if residents object to a planning application. An LPA may still grant consent if material considerations indicate otherwise.

Title: What comments make for a good objection?

Source: <https://commonslibrary.parliament.uk>

PLANNING APPLICATION REPORT

Case Officer: Ben Gilpin

Parish: Staverton

Application No: 50/2308/15/PNNEW

Agent/Applicant:

James Wells Planning Ltd
Top Floor Unit
2 Western Hangar
Lawrence Road
Mount Batten
Plymouth
PL9 9SJ

Applicant:

Mrs K James
c/o agent

Site Address: Whiteways Farm, Staverton, Totnes, TQ9 6AL

Development: Prior approval for change of use from storage or distribution (Class B8) and any land within its curtilage to 9no. dwellinghouse (Class C3)

Recommendation:

Prior Approval Not Required

- County Highways Authority

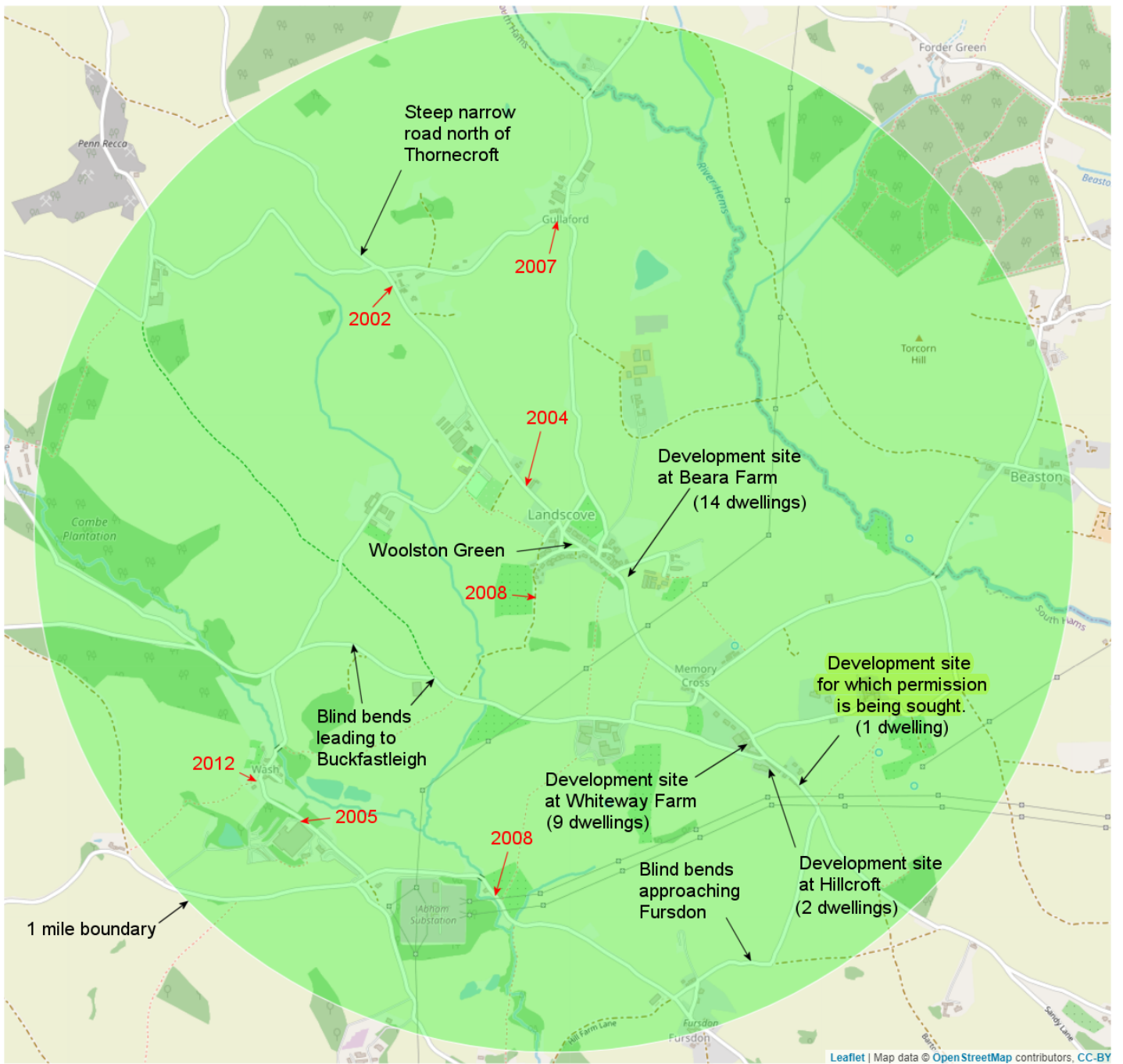
No objection:

Whilst the direct vehicle access to the site is reasonable from a safety perspective, the roads leading to the site are woefully inadequate in width terms. I have interrogated TRICS and a standalone B8 distribution use class generates 1.3 trips per 100m² of GFA. Looking at the proposed layout it appears that the total GFA change of use to residential is 1612m². So the existing site would have generated around 21 trips per day. A dwelling generates around 5 daily vehicle movements per day according to TRICS so 9 dwellings would be a total of around 45 two way trips per day. This leave a net increase of around 24 daily vehicle trips. I must have regard to the benefits the proposals would have in terms of reduced HGV movements to and from the site, should the buildings be converted. I think at appeal it would be argued there would be a significant reduction in HGV type traffic. Based on this the Highway Authority would be wise to accept an increase in residential car size traffic in exchange for the reduced HGV movements.

24 two way trips does not seem an unreasonable increase noting that equates to a worst case of an extra 2-3 vehicles in the peak hours/ day. I note there is reasonable forward visibility for drivers getting to and from the site so whilst the roads are narrow, drivers can drive to the conditions and if needs be reverse to safe passing spaces should they meet oncoming cars.

Title: County Highways Authority decision in the Decision Notice for Planning Development 50/2308/15/PNNEW at Whiteway Farm dated 13 October 2015

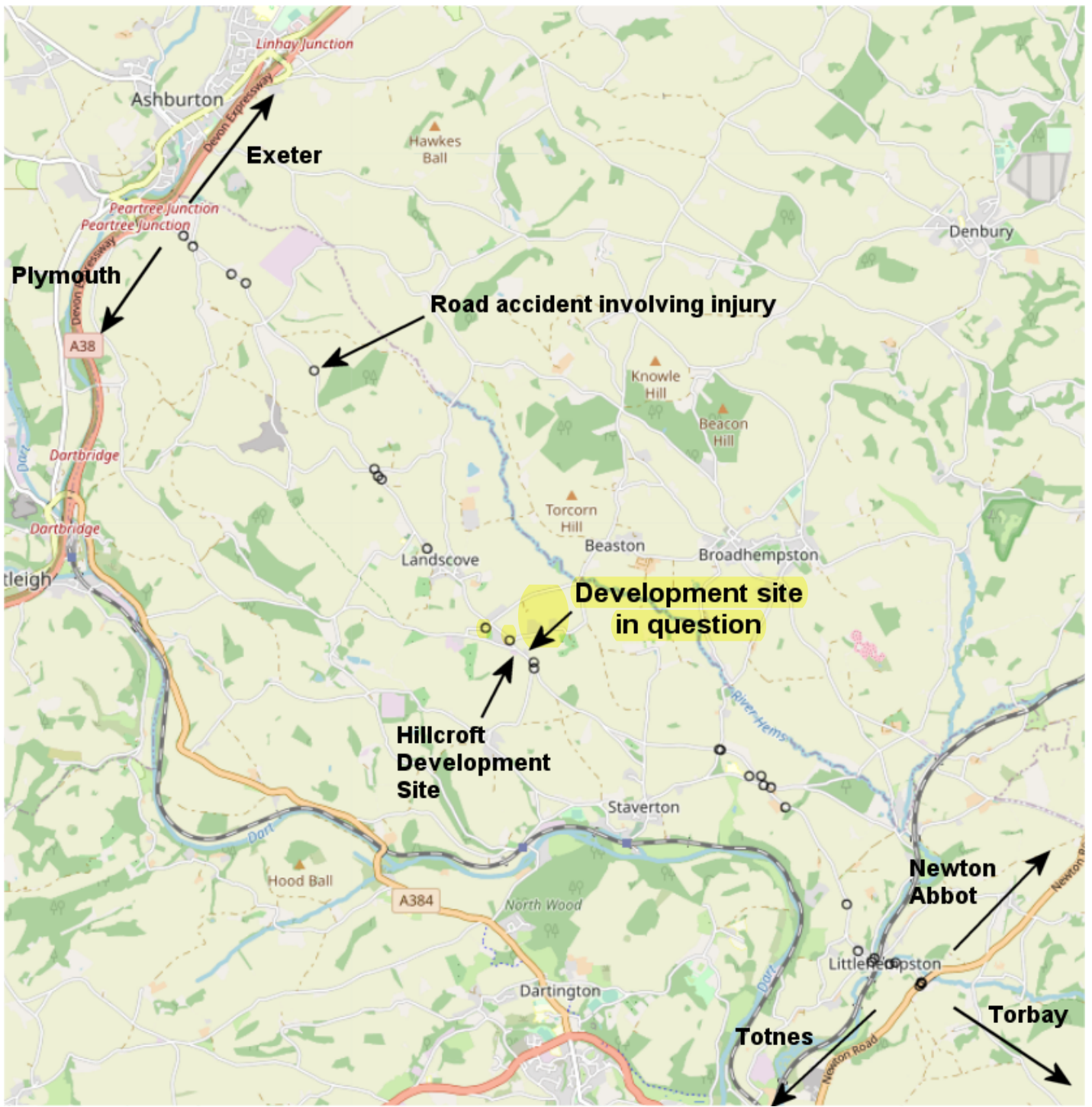
Sources 1. <https://apps.southhams.gov.uk/PlanningSearchMVC/Home/Details/152706>
2. <https://portal.southhams.gov.uk/CivicaTownLive/civica/Resource/Civica/Handle/doc/pagestream?DocNo=3558774&pdf=true>



Title: Location of housing developments, road sections where care is needed, and accidents involving personal injury

Key: Dates in red denote dates of accidents submitted by the police to the Department for Transport involving personal injury between 2002 and 2012. This data is illustrated by Crashmap at www.crashmap.co.uk.

Source: <https://www.freemaptools.com/radius-from-uk-postcode.htm>



Title: Road accidents involving injury submitted by the Police to the Department for Transport 1979 - 2021

Description: Accidents are shown by black circles along a route to main roads which lead to large communities.

Sources:

1. <https://www.data.gov.uk/dataset/cb7ae6f0-4be6-4935-9277-47e5ce24a11f/road-safety-data>
2. <https://data.dft.gov.uk/road-accidents-safety-data/dft-road-casualty-statistics-accident-1979-2021.csv>
3. <https://gridreferencefinder.com/batchConvert/batchConvert.php>
4. <https://www.freemaptools.com/concentric-circles.htm>

Details

Planning Application Ref: 0146/18/FUL

Applicant Name: ATA Estates (Staverton) LLP

Description: Works to convert 8 storage buildings to 8 dwellings pursuant to Town and Country Planning (General Permitted Development)(England) Order 2015, Schedule 2, Part 3 Class P Prior Notification (50/2308/15/PNNEW)

Address: Whiteway Farm Staverton Totnes TQ9 6AL

Officer Name: Kate Cantwell

Agent Name: Mr Mark Evans

Decision Date: 23 December 2019

Conditional Approval

Application Date: 22 January 2018

Target Determination Date: 19 March 2018

Details

Planning Application Ref: 1938/23/FUL

Applicant Name: Mr Tom Pratt - ATA Estates (Staverton) LLP

Description: Subdivision of unit 6 (approved under planning consent 0146/18/FUL) into unit 6a & 6b

Address: Unit 6, Whiteways Farm Staverton TQ9 6AL

Officer Name: James Gellini

[Comment on this application](#)

Application within consultation/publicity period

Application Date: 05 June 2023

Target Determination Date: 31 July 2023

Details

Planning Application Ref: 1419/20/FUL

Applicant Name: Mr A Abrams - Landscope Eden Ltd

Description: READVERTISEMENT (revised plans received) Demolition of existing concrete barn and construction of fourteen dwellings including five for shared ownership/affordable rent (resubmission of 2176/18/FUL)

Address: Land West of Beara Farm Woolston Green Landscope

Officer Name: Jacqueline Houslander

Agent Name: Mr Michael Drake - Eden Land Planning Ltd

Decision Date: 23 December 2021

Conditional Approval

Application Date: 02 June 2020

Target Determination Date: 22 December 2021

Details

Planning Application Ref: 2104/23/FUL

Applicant Name: Veale

Description: Works to convert agricultural barn to form two dwellings (resubmission of 1022/23/FUL)

Address: Hillcroft Memory Cross To Fursdon Cross Staverton Devon TQ9 6AL

Officer Name: PI Officer

Agent Name: Mr Christopher Stacey - Christopher Stacey Architecture

[Comment on this application](#)

Application within consultation/publicity period

Application Date: 26 June 2023

Target Determination Date: 21 August 2023

Title: Planning application details for developments at which planning permission has been granted for 25 new dwellings and for sites at which work has begun

Source: <https://apps.southhams.gov.uk/PlanningSearchMVC/>

5.164 The indicative housing figures should be used to inform neighbourhood plan or development plan-led development throughout the TTV policy area. Commitments and completions within sustainable villages prior to the end of March 2017 are not considered to make a contribution to the indicative figures, as these have already been counted within the JLP housing supply figures. The figures should be interpreted locally, applying constraints and opportunities. It is therefore understood that some neighbourhood plans may deliver more or less than indicated where justified by the appropriate level of evidence. The LPAs will keep under review the number of new homes coming forward in the Sustainable Villages over the life of the JLP. If monitoring shows that Neighbourhood Plans are not bringing forward allocations to support Policy TTV25, the LPAs will consider undertaking informal planning studies to identify new site opportunities that can be built in to the next review of the JLP.

Figure 5.8. Indicative Levels of New Housing in Sustainable Villages

Villages able to accommodate around 30 dwellings each	Blackawton, East Allington, Harbertonford, Marldon, Sparkwell, Ugborough Bridestowe, Exbourne, Lewdown, Spreyton
Villages able to accommodate around 20 dwellings each	Berry Pomeroy, Ermington, Halwell, Harberton, Lee Mill, Staverton, Woolston Green Bratton Clovelly, Highampton, Lamerton, Milton Abbot, Northlew, Sampford Courtenay
Villages able to accommodate around 10 dwellings each	Lee Moor, Morleigh, Rattery, Wotter Broadwoodkelly, Folly Gate, Grenofen, Inwardleigh, Monkokehampton, Stowford

Title: Indicative Levels of New Housing in Sustainable Villages

Source: <https://www.plymouth.gov.uk/sites/default/files/JLPAdoptedVersion.pdf>



Plymouth, South Hams & West Devon Local Planning Authorities' 2022, 5 Year Housing Land Supply Position Statement

December 2022

Title: Plymouth, South Hams & West Devon Local Planning Authorities' 2022, 5 Year Housing Land Supply Position Statement

Source: <https://www.plymouth.gov.uk/sites/default/files/2022-12/2022-Housing-Position-Statement.pdf>



National Planning Policy Framework

September 2023

Achieving appropriate densities

124. Planning policies and decisions should support development that makes efficient use of land, taking into account:
- a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;
 - b) local market conditions and viability;
 - c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;
 - d) the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and
 - e) the importance of securing well-designed, attractive and healthy places.

Title: National Planning Policy Framework (Paragraph 124(c))

Source: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1182995/NPPF_Sept_23.pdf

Policy DEV29

Specific provisions relating to transport

Development will be required to contribute positively to the achievement of a high quality, effective and safe transport system in the Plan Area. It will promote sustainable transport choices and facilitate sustainable growth that respects the natural and historic environment. Development proposals should therefore, where appropriate:

1. Consider the impact of development on the wider transport network.
2. Provide safe and satisfactory traffic movement and vehicular access to and within the site.
3. Ensure sufficient provision and management of car parking in order to protect the amenity of surrounding residential areas and ensure safety of the highway network.
4. Limit / control the overall level of car parking provision at employment, retail and other destination locations.
5. Provide for high quality, safe and convenient facilities for walking, cycling, public transport and zero emission vehicles.
6. Mitigate the environmental impacts of transport, including impacts on air quality, noise pollution, landscape character and the quality and distinctiveness of urban and rural environments.
7. Incorporate travel planning, including Personalised Travel Planning (PTP), which helps to maximise the use of sustainable transport in relation to the travel demands generated by the development and limit the impact of the development on the road network.
8. Ensure that access and infrastructure delivered as part of the development meets the need for walking, cycling and public transport connectivity both within the development and in the wider area alongside supporting place-shaping objectives.
9. Contribute to meeting the wider strategic transport infrastructure needs generated by the cumulative impact of development in the area.
10. Locate new homes in locations that can enable safe, secure walking, cycling and public transport access to local services and amenities.



Title:

Plymouth and South West Devon Joint Local Plan. ADOPTED MARCH 2019 produced by West Devon Borough Council, South Hams District Council and Plymouth City Council. Policy DEV29. Specific provisions relating to transport.

Source: <https://www.plymouth.gov.uk/sites/default/files/JLPAdoptedVersion.pdf>