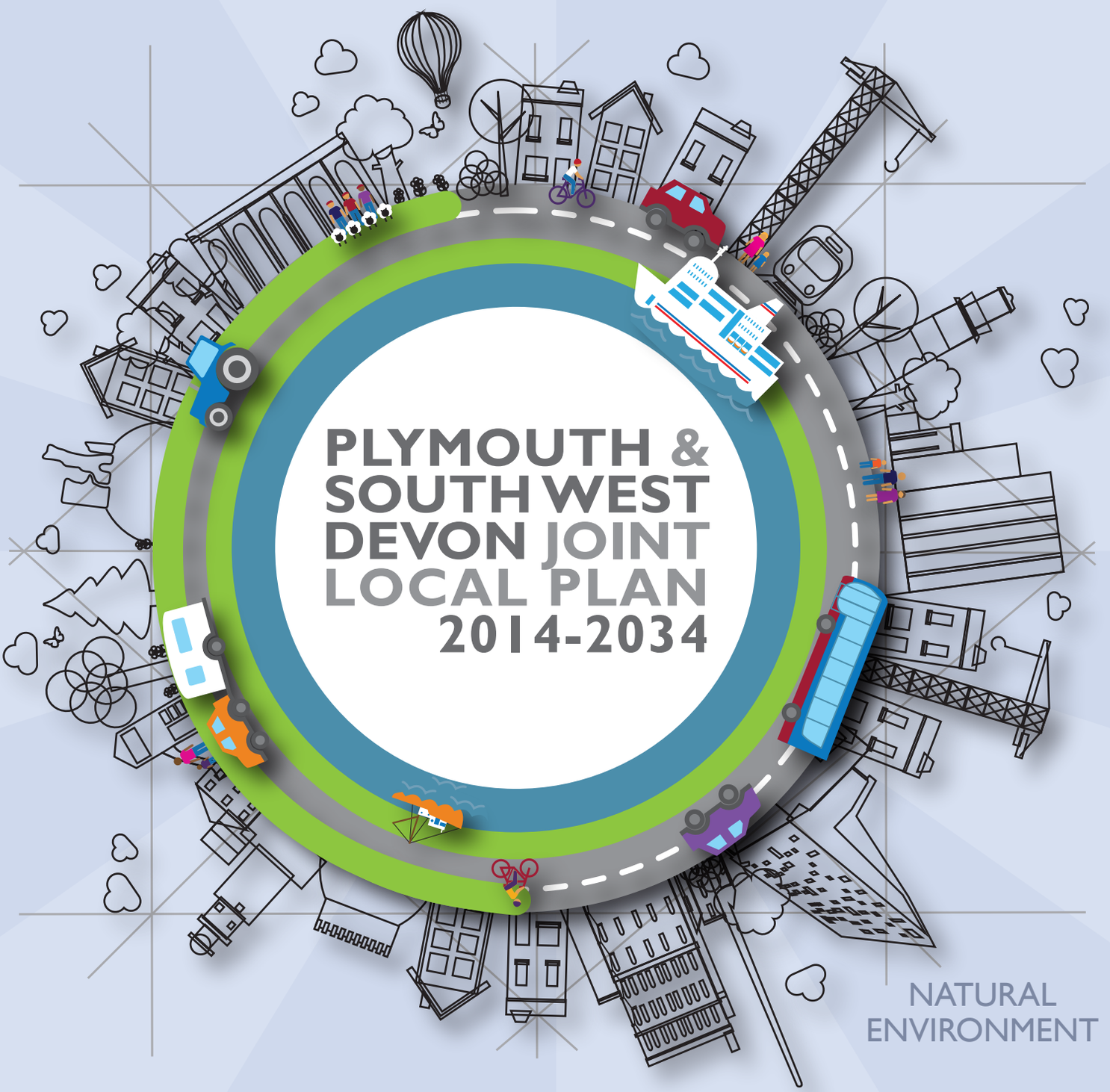
CONSULTATION DRAFT

HEALTHY COMMUNITIES

PLACE SHAPING AND HERITAGE

HOUSING

ECONOMY



PLYMOUTH & SOUTH WEST DEVON JOINT LOCAL PLAN 2014-2034

NATURAL ENVIRONMENT

CLIMATE CHANGE, FLOODING AND COASTAL CHANGE

TRANSPORT AND INFRASTRUCTURE

SUPPLEMENTARY PLANNING DOCUMENT NOVEMBER 2019

produced by West Devon Borough Council, South Hams District Council and Plymouth City Council

Plymouth and South West Devon Supplementary Planning Document

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1 Introduction

What is this document about?

1.1 This Supplementary Planning Document (SPD) has been prepared by Plymouth City Council (PCC), South Hams District Council (SHDC) and West Devon Borough Council (WDBC) to amplify and give guidance on the implementation of the policies of the Plymouth and South West Devon Joint Local Plan (JLP).

1.2 The spatial strategy of the JLP operates at three different spatial levels:

1. **The Plan Area** - This includes the Plymouth Housing Market Area (HMA), which is made up of Plymouth, South Hams and West Devon local authority areas and part of Dartmoor National Park.
2. **The Plymouth Policy Area (PPA)** - This incorporates the administrative area of Plymouth along with Plymouth's urban fringe. Locations that are part of the wider urban area (e.g. Woolwell, Langage) and where major development is committed (e.g. the new community at Sherford), as well as the city's landscape setting, fall within this policy area.
3. **The Thriving Towns and Villages Policy Area (TTV)** - This incorporates rural South Hams and West Devon, including its market towns, settlements and villages.

1.3 The SPD provides guidance for each of the spatial levels as set out within the JLP and shown on the following policy maps:

- Policies Map: Plymouth Policy Area[1]
- Policies Map: Thriving Towns and Villages Policy Area (South Hams)[2]
- Policies Map: Thriving Towns and Villages Policy Area (West Devon)[3]

1.4 Throughout the JLP, there is reference to both a PPA and a TTV Policy Area SPD, this SPD incorporates both.

1.5 The JLP also refers to the Okehampton Masterplan SPD and the Tavistock Masterplan SPD. Both the design and the delivery parts referred to in these documents have been incorporated into this SPD at Section 11 'Detailed provisions relating to the Thriving Towns and Villages Policy Area (TTV)', superseding both documents.

What is the status of this document?

1.6 The SPD will be a material consideration in the consideration of planning applications pursuant to Part 4 of the Town and Country Planning (Local Planning) (England) Regulations 2012 as amended.

1.7 Once formally adopted the SPD will supersede the following SPDs which were previously adopted by the three local authorities:

Adopted SPD to be superseded	Adoption date
Plymouth	

1 https://www.plymouth.gov.uk/sites/default/files/PoliciesMapPPA.pdf
2 https://www.plymouth.gov.uk/sites/default/files/PoliciesMapTTVSH.pdf
3 https://www.plymouth.gov.uk/sites/default/files/PoliciesMapTTVWD.pdf

Adopted SPD to be superseded	Adoption date
Sustainable Design SPD	07/2009
Planning Obligations and Affordable Housing SPD 2nd Review	07/2012
Shopping Centres SPD	07/2012
Development Guidelines SPD (First Review) including Coastal Planning	04/2013
South Hams	
Open Space, Sport and Recreation Supplementary Planning Document	06/2006
Affordable Housing Supplementary Planning Document	09/2008
Planning Obligations Supplementary Planning Document	12/2008
West Devon	
Reuse of Rural Buildings SPD	03/2006
Infrastructure and Facilities to Support New Development SPD	06/2007
Affordable Housing Code of Practice	03/2012
Assessing the Impact of New Retail Development in West Devon SPD	04/2013
South and South West of Tavistock Masterplan SPD	04/2013
East of Okehampton Masterplan SPD	01/2014

Table 1 Adopted SPDs to be superseded

1.8 The Cornwall and West Devon Mining Landscape World Heritage Site Supplementary Planning Document remains in place and should be considered alongside this document.

1.9 In addition to this document, there are two companion documents which have also been updated/produced to support the guidance within the SPD, these are:

- Developer Contributions Evidence Base; and,
- Traditional Farm Buildings: Their adaptation and re-use (Barn Guide)

1.10 The Developer Contributions Evidence Base document informs Section 12 (Planning obligations, conditions, the Community Infrastructure Levy and development viability) of the SPD. It presents methodologies used to calculate the value of developer contributions, in particular via planning obligations, required to mitigate the impacts of new development proposals on key infrastructure provision, such as transport, education, health, green space.

1.11 The Barn Guide is previous guidance from SHDC and WDBC which aids developers looking to adapt or re-use traditional farm buildings which are common in rural areas. This document hasonly been updated so amended so that it now also covers Plymouth. This is guidance which details how the buildings character and interest can be successfully conserved through the planning process.

1.12 In the future, additional guidance documents may come forward to amplify policies in the JLP. These documents should also be considered alongside this SPD.

How to use this document

1.13 The SPD is intended to be used by all members of the community, as well as those directly involved in the development industry.

1.14 For ease of use, the SPD has been divided into the following sections, following the structure of the JLP itself for case of reference:

1. Introduction
2. Sustainable Development and the Climate Emergency
3. Healthy communities (DEV1-DEV6)
4. Housing (DEV7-DEV13)
5. Economy (DEV14-DEV19)
6. Place shaping and heritage (DEV20-DEV22)
7. Natural environment (DEV23-DEV28)
8. Transport and infrastructure (DEV29-DEV31)
9. Climate change, flooding, and coastal change (DEV32-DEV36)
10. Detailed provisions relating to the Plymouth Policy Area
11. Detailed provisions relating to the Thriving Towns and Villages Policy Area
12. Planning obligations, the Community Infrastructure Levy and development viability (DEL1)

As part of the SPD a set of appendices have also been produced which give further detail and guidance:

13. APPENDIX 1: Residential extensions and alterations
14. APPENDIX 2: Specific materials for the Plan Area
15. APPENDIX 3: Shop fronts, including ATMs
16. APPENDIX 4: Primary shopping boundaries and frontages
17. APPENDIX 5: New work in conservation areas
18. APPENDIX 6: Additional guidance for DEV26
19. APPENDIX 7: Open space assessment form

1.15 If further appendices are produced in the future they will go through a similar process of consultation and adoption as the previous.

Monitoring and review

1.16 The SPD has been designed to be and is intended to be capable of being revised and updated as and when required to take into account significant legislative or planning policy changes.

1.17 The three councils/local planning authorities (LPAs) will monitor the effectiveness of this guidance and review as appropriate in the light of its performance and future changes in planning law and policy guidance.

1.18 Please note:Where guidance refers to the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG) this is referring to Revised NPPF [4]and the subsequently updated NPPG[5].

What else should be considered?

1.19 Alongside the Plymouth and South West Devon Joint Local Plan and this SPD, developers will also need to consider each LPA's 'Local Validation List' which identifies the information needed to register, assess and determine any planning application:

- Plymouth's Local Validation List [6]
- South Hams' Local Validation List[7]
- West Devon's Local Validation List[8]

1.20 'Made' Neighbourhood Plans also need to be considered. The progress and status of Neighbourhood Plans across the Plan Area can be found on the South West Devon Neighbourhood Plans page[9]and the Plymouth Neighbourhood Plans page[10].

1.21 Each LPA offers a pre-application service to provide advice and guidance on prospective planning applications. Developers are encouraged to seek advice if there is uncertainty before a planning application is submitted:

- Plymouth City Council's development enquiry service (pre-application advice)[11]
- South Hams District Council pre-application service[12]
- West Devon Borough Council pre-application service[13]

1.22 Irrespective of the need for planning permission, most building works require building regulation approval. For advice on building control and regulations please visit:

- Plymouth City Council building control and regulations[14]
- Devon Building Control Partnership[15]

1.23 Whilst PCC is a unitary authority which is responsible for the provision of all local government services, SHDC and WDBC are part of a 'two-tier' local government structure alongside Devon County Council (DCC) which has a significant role within the planning system in these two areas. Where PCC's and DCC's processes are different, this has been clearly identified throughout the SPD.

1.24 For South Hams and West Devon, DCC plays the role of:

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4 https://www.gov.uk/government/publications/national-planning-policy-framework--2
5 https://www.gov.uk/government/collections/planning-practice-guidance
6 https://www.plymouth.gov.uk/planninganddevelopment/planningapplications/applyplanningpermission0
7 https://www.southhams.gov.uk/article/4045/Planning-Validation-Checklists-Local-List-
8 https://www.westdevon.gov.uk/article/4045/Planning-Validation-Checklists-Local-List-
9 https://www.neighbourhoodplanning.swdevon.gov.uk/
10 https://www.plymouth.gov.uk/neighbourhoodplanning
11 https://www.plymouth.gov.uk/planninganddevelopment/planningapplications/makeplanningapplication/developmentenquiryservice
12 https://www.southhams.gov.uk/article/3225/Pre-Application-Service
13 https://www.westdevon.gov.uk/article/3225/Pre-Application-Service
14 https://www.plymouth.gov.uk/planningandbuildingcontrol/buildingcontrolandregulations
15 http://www.devonbuildingcontrol.gov.uk/

- The Minerals and Waste Planning Authority - in this role DCC has prepared and adopted Minerals and Waste Plans and also determines planning applications for minerals and waste development;
- The Highways Authority (HA) - in this role, DCC has a duty to maintain the safety and functionality of roads and ensure that development has an acceptable impact on the highway network. In its work as HA, DCC also plans and delivers walking and cycling routes, maintains Public Rights of Way and works with other transport providers such as bus and train companies to improve multi-modal travel options;
- The Education Authority - in this role, DCC has a duty to secure sufficient educational provision (including early years and childcare) to meet the needs of children, retaining responsibility for overall strategic planning of school places. Part of this role is to ensure that the educational impacts of development are managed through securing appropriate developer contributions and delivering additional infrastructure;
- Lead Local Flood Authority (LLFA) – in this role DCC is responsible for managing flood risk from surface water, groundwater and ordinary water courses and also has a consenting role for ordinary watercourses. In order to manage the impact which development has on flood risk, DCC engages with the planning system through the preparation of local plans and responding to planning applications. The Lead Local Flood Authority (LLFA) is a statutory consultee in the planning process, to assess the surface water drainage for major planning applications whilst the authority also reviews some minor applications on a case-by-case basis;
- DCC also has a wide variety of responsibilities in relation to social care and infrastructure provision which it engages with the planning system in South Hams and West Devon. DCC is responsible for public health, adult and children's social care, youth services and waste management;
- DCC also maintains the Historic Environment Record (HER) for South Hams and West Devon.

2 Sustainable Development and the Climate Emergency

What part can the SPD play in responding to the Climate Emergency?

2.1 In 2019, the three JLP Councils each declared a Climate Emergency, with South Hams and West Devon also declaring a Biodiversity Emergency. These declarations showed the concern that the Councils have for the dangers presented by accelerating climate change, and a commitment to taking clear and decisive action to move to carbon neutrality across the JLP area. These declarations were made after the process of creating the JLP and so are not explicitly referenced within it.

2.2 The role of the SPD is to amplify and explain how the policies of the JLP will be implemented. Although the SPD cannot add new policy in its own right in response to the Climate Emergency it can play a significant role in the delivery of a more sustainable future by establishing clearly how the low carbon policies and sustainable development strategy of the JLP will be implemented.

How does the Joint Local Plan contribute to carbon neutrality?

2.3 The JLP contains development management (DEV) policies which address directly the need for low carbon solutions within the development and planning process. Guidance on these policies is set out later in this SPD.

2.4 Additionally, the strategic approach of the JLP is strongly based on underlying principles of sustainable development which are highly relevant to the Climate Emergency:

a. The spatial strategy of the JLP (section 3) is driven by focusing growth at Plymouth. As part of the development of the plan, the three LPAs undertook a sustainability assessment of all the different options for the distribution of growth across the Plan Area, ranging from complete dispersal across the area to complete concentration at Plymouth. The distribution strategy chosen had the greatest sustainability benefits. By focusing growth at Plymouth new residents have the opportunity to take advantage of local jobs and services and to choose to travel without using the car.
b. The spatial strategy also locates development in the Main Towns of the TTV Policy Area, again focusing most development in locations where new residents have the choice to make low carbon choices for work, leisure activities and travel.
c. The plan actively discourages new development in locations which are remote from services, facilities and jobs.

2.5 These principles are set out in greater detail in Strategic Objective 1 (SO1) of the JLP.

2.6 The JLP sets out clear sustainability principles which lie at the heart of the spatial strategy. Policies SPT1 and SPT2 are deliberately placed as the first policies of the JLP in order to establish from the outset that it is fundamentally about the delivery of sustainable development.

2.7 Policy SPT1 (Delivering sustainable development) of the plan sets out a 'golden thread' of sustainability principles in policy, and sets out that "The LPAs will support growth and change that delivers a more sustainable future for Plymouth and South West Devon." The principles set out in this policy support the creation of a sustainable economy, a sustainable society and a sustainable environment. They set a context for all new development taking place in Plymouth and South West Devon.

2.8 Policy SPT2 (Sustainable linked neighbourhoods and sustainable rural communities) takes one particular dimension of sustainable development, namely the sustainability of the places where people live in the Plan Area. It establishes some key principles about the achievement of sustainable neighbourhoods and communities. As for SPT1, the provisions of this strategic policy can be tracked through the JLP. The explanatory text sets out a series of measures in Figure 3.2 of the JLP which represent sustainability outcomes that are aspired to for the Plan Area, and which will be promoted as appropriate through the development management process.

2.9 Finally, the remaining SPT policies set out over-arching principles that not only establish how the LPAs will drive forwards change in the Plan Area over the plan period, but which also set out the context and expectations for how development should be delivered. As well as setting the plan requirement and delivery strategy for housing, employment and retail development, the SPT policies include policies on strategic green space, the marine environment, the protection of sensitive environments, and a strong transport strategy framed around reducing the need to travel and maximising the ability for people to travel using low carbon modes. This transport strategy is particularly important as, if we are to move to a carbon neutral society, the carbon cost of travel must be significantly reduced.

2.10 The commitment of the Councils to advancing sustainable futures for the region can be seen in new initiatives coming forward from the Councils and their partners. This includes, for example, the work on climate emergency action plans and the declaration of intent to designate Plymouth Sound as the UK's first National Marine Park in recognition of the vital importance of the ocean to our overall well-being.

2.11 These strategic approaches and policies inform the rest of the JLP. Policies set out in the Strategy for the PPA, Strategy for the TTV Policy Area, Development policies and Delivery and monitoring sections of the JLP provides the detail of how the overarching strategic policies should be applied. By applying all of the relevant policies in the JLP to all development proposals coming forward, the LPAs will ensure that sustainable forms of development are achieved.

2.12 Sustainable development, and an explicitly recognised link between the sustainable characteristics of development and carbon reduction, therefore underpins the strategy and all policies of the JLP. In relation to the recent declarations of Climate Emergency, it is therefore fair to say that the JLP gives the LPAs the tools to use to ensure that all new development which takes place in the plan period takes place sustainably, and is considered in the light of climate change.

How will this affect planning decisions?

2.13 The JLP, along with 'made' Neighbourhood Plans and the Devon County Council Minerals and Waste Local Plans, comprises the development plan for Plymouth and South West Devon. It sets out the policies that will be used to determine planning applications by PCC, SHDC and WDBC as the LPAs. Therefore, the considerations set out above show how the plan aims to achieve sustainable forms of development and to reduce carbon impacts will be applied to the consideration of planning applications. The matters outlined above set the context for the discussions the LPAs will have with applicants, and for the decisions they will need to arrive at.

2.14 Clearly, the declarations of Climate Emergency sit alongside these matters. It will be for the LPAs to decide how best to use the policies in the JLP to achieve their Climate Action Plan commitments.

3 Healthy communities (DEV1-DEV6)

Introduction

3.1 Planning decisions can have a major beneficial impact in terms of meeting vital health and well-being objectives, and improving the living conditions of the community.

3.2 The guidance in this chapter primarily supports polices DEV1 to DEV6 in the JLP. It also reflects national guidance, and should be read alongside the NPPF, NPPG and the site specific policies set out in the JLP.

3.3 Further details of the key criteria that determine the acceptability of new developments in the context below can also be found in Section 4 'Housing (DEV7-DEV13)' and Section 6 'Place shaping and heritage (DEV20-DEV22)'.

Protecting health and amenity (DEV1)

What is this policy about?

3.4 DEV1 is a policy to ensure that development helps to deliver healthy communities by supporting good residential amenity, accessibility and, in respect of larger developments, their wider health impacts.

DEV1.1 – Impact of new development

3.5 DEV1.1 aims to ensure new development provides for satisfactory daylight, sunlight, outlook, privacy and the protection from noise, vibration and odour disturbance for both new and existing residents, workers and visitors.

3.6 Details relating to these points are available throughout the SPD but specifically in:

- Guidance at 'Delivering high quality housing (DEV10)';
- Guidance at 'Place shaping and the quality of the built environment (DEV20)'; and,
- Guidance at 13 'APPENDIX 1: Residential extensions and alterations'.

3.7 Developers will need to demonstrate through the application process that these points have been considered.

DEV1.2 – Accessibility

3.8 The LPAs are under a duty to ensure that new developments and public spaces are designed to be accessible to all people. DEV1.2 looks to ensure this is possible.

3.9 All appropriate practical measures should be incorporated into new proposals to enable access to developments by all members of the community, including people with disabilities or for whose mobility is impaired by other circumstances. Good quality housing and well-planned, enabling, local environments can have a substantial impact on the quality of life.

3.10 To ensure accessibility, good practice guidance should be considered when designing a new development proposal. Including, but not exclusive too:

- RTPI guidance on Dementia and Town Planning[16]; and,
- Design of an accessible and inclusive built environment. External environment - code of practice[17]

DEV1.3 – Health Impact Assessments

3.11 DEV1.3 requires a Health Impact Assessment (HIA) to be submitted as part of any Environmental Statement in relation to planning applications with a likely significant health impact. This is to ensure health and wellbeing are properly considered in planning proposals and health inequalities are addressed. A development is considered to carry a particular risk of a significant impact on health where a development is for 100 houses or more or consists of more than 10,000 square metres of industrial/commercial land.

3.12 Guidance on Health Impact Assessment Tools [18]has been produced by the Department of Health and Social Care. The London Healthy Urban Development Unit (HUDU) has also developed a rapid HIA tool[19], which is less resource intensive using existing evidence to quickly assess the impacts of a development plan or proposal and recommend measures to address negative impacts and maximise benefits.

3.13 HIAs should aim to enhance the potential positive aspects of a proposal through assessment, avoiding or minimising any negative impacts, with particular emphasis on disadvantaged sections of communities that might be affected.

3.14 Early discussions with Public Health are actively encouraged so that the design of the development maximises the potential health benefits of the proposal.

Public Access Defibrillators

3.15 DEV1 ensures development proposals safeguard the health and amenity of local communities and consider health infrastructure in all proposals. Sudden cardiac arrest (SCA) is a leading cause of premature death and every minute counts, but with immediate treatment many lives can be saved.

3.16 Unless it can be demonstrated that a registered PAD exists within close proximity of the site (normally to allow collection and return to the site within three minutes), provision of a PAD will normally be expected as part of any planning application for:

- All new gyms/recreational developments;
- All new schools or when a new development is proposed on a school site;
- All new public buildings;
- All new retail/leisure development over 500 square metres;
- All new libraries;
- All new clinical developments, including GP surgeries, pharmacies and dental practices;
- All new hotels;
- All new transportation hubs such as coach stations, train stations, airports and seaports;
- Developments in public spaces such as green spaces or blue spaces where foot fall is expected to be above 2,000 per day;

16 https://www.rtpi.org.uk/knowledge/practice/dementia-and-town-planning
17 https://www.thenbs.com/PublicationIndex/documents/details?Pub=BSI&DocID=320519
18 https://www.gov.uk/government/publications/health-impact-assessment-tools
19 https://www.healthyurbandevelopment.nhs.uk/our-services/delivering-healthy-urban-development/health-impact-assessment/

- All new industrial estates; and/or,
- All new employment uses over 1,000 square meters.

3.17 The PAD should be installed on an external surface of a building or other appropriate location. It should also be registered with the South Western Ambulance Service Federation Trust (SWASFT) and monitored and maintained in accordance with their registration requirements thereafter.

3.18 Where the provision of a PAD and associated signage has been proposed, it will be secured through a planning condition attached to the planning permission.

Air, water, soil, noise, land and light (DEV2)

What is this policy about?

3.19 Planning plays an important role in protecting the environment from pollution and managing natural resources. DEV2 is a policy to ensure development proposals will not cause unacceptable on- or off-site risk or harm to human health, the natural environment or living conditions, either individually or cumulatively.Each LPA's Local Validation List states when an assessment is needed to be submitted as part of a planning application to address concerns highlighted in this policy.

DEV2.1 and DEV2.2 – Air

3.20 Both DEV2.1 and DEV2.2 aim to minimise negative air quality impacts by development proposals.

3.21 Developments will normally be refused where a development is going to have a significant impact on an Air Quality Management Areas (AQMAs), create a new AQMA, or result in an adverse effect on a European Site. Instead, recognising the impact that emissions have on human and environmental health, the LPA's will seek to support developments that minimise their impact on air quality.

3.22 Maps showing the AQMAs across the Plan Area are available below:

- Plymouth City Council[20];
- South Hams District Council[21];
- There are currently no AQMAs in West Devon.

3.23 When ensuring development proposals avoid or mitigate against having a negative impact on air, the type of mitigation required on a particular development should be informed by:

- Outcomes from transport statements, assessments and plans;
- Air Quality Assessments or emission profiling;
- LPAs' Air Quality Action Plans;
- Specific needs identified in site specific spatial policy allocations;
- Travel awareness/planning and highway development requirements;
- The latest Defra Local Air Quality Management Guidance[22];

20 https://www.plymouth.gov.uk/environmentandpollution/airquality
21 https://www.southhams.gov.uk/article/3902/Air-Quality
22 https://laqm.defra.gov.uk/supporting-guidance.html

- The latest information to be found on the UK Air Pollution Information System[23]; and/or,
- Relevant technical guidance and acknowledged best practice.

3.24 Whilst the LPAs recognise the importance of the Government's 'Road to Zero Strategy'[24] and supports the aim of decarbonising transport networks, there are also other opportunities within the transport networks to make small improvements that will have significant positive impacts on air quality.

3.25 The LPAs expect all new development proposals to take into consideration the below list of potential measures:

- Provision of electric vehicle charging points (Guidance on the requirements of electric vehicle charging points can be found at 'Specific provisions relating to transport (DEV29)');
- Designation of parking spaces for low emission vehicles;
- Provision of facilities to encourage sustainable travel, such as cycling facilities;
- Travel planning with new residents/businesses to encourage travel by sustainable transport modes as well as the uptake of ultra-low emission vehicles;
- Green travel vouchers;
- Facilities within developments which support active modes of transport such as: drying rooms; showers and lockers etc.
- Ensuring good connectivity to existing and future public transport, cycle and pedestrian routes; and,
- The provision of trees and landscaping features where appropriate.

3.26 For major developments which are likely to have a negative impact on air quality, the level of contribution towards off-setting measures will be calculated based upon the damage caused by the additional emissions. This approach allows for mitigation measures to be delivered in line with any existing air quality action plans.

3.27 Any mitigation measures will be secured through planning conditions or through planning obligations and will be negotiated on a case-by-case basis.

3.28 Please see 12 'Planning obligations, the Community Infrastructure Levy and development viability' for further guidance on planning obligations.

DEV2.1 and DEV2.3 – Water

3.29 Development may not be supported if there is likely to be interruption to the quantity or quality of water available to off-site supplies. Evidence may be required if a development is identified as having an unacceptable impact on private water supplies in the vicinity of the proposed development.

DEV2.1 and DEV2.4 – Light

3.30 DEV2.1 and DEV2.4 ensures development avoids harmful environmental impacts and increased health risks arising from a number of factors, including light and light pollution.

23 http://www.apis.ac.uk
24 https://www.gov.uk/government/news/government-launches-road-to-zero-strategy-to-lead-the-world-in-zero-emission-vehicle-technology

3.31 When considering light pollution as part of a development, the latest edition of Guidance for the Reduction of Obtrusive Light[25] written by the Institution of Lighting Professionals (ILP) should be considered.

3.32 As a general principle, lighting impacts upon habitats used by wildlife, particularly hedgerows, should not be subject to new illumination. When considering sensitive design of lighting to avoid or minimise impacts on wildlife the latest edition of the Bats and artificial lighting in the UK Guidance Note 08/18[26] written by the ILP and the Bat Conservation Trust (BCT) should be considered.

3.33 Further details of the key criteria that determine the acceptability of new developments in this context can be found in Section 4 'Housing (DEV7-DEV13)', Section 6 'Place shaping and heritage (DEV20-DEV22)' and Section 7 'Natural environment (DEV23-DEV28)'.

DEV2.1 and DEV2.5 – Land

3.34 DEV2.1 and DEV2.5 ensures remediation and mitigation of land from a number of factors, including instability and contamination. The LPAs support development which seeks to remediate brownfield land, as long as the end development is safe for use.

3.35 Where an application does not automatically require a contamination assessment, but where it has been determined that there is some potential risk of contamination, a Phase 1 assessment will need to be carried out before the application can be determined.

DEV2.1 and DEV2.6 – Soil

3.36 DEV2.1 and DEV2.6 aims to protect soil, including safeguarding the long term potential of the 'best and most versatile agricultural land' which is defined as land in grades 1, 2 and 3a of the Agricultural Land Classification.

3.37 However, the decision on the loss of agricultural land will be considered on a case-by-case basis. For example, in an area of mostly grade 4 agricultural land, the LPAs may consider the loss of grade 3b to be unacceptable, similarly in a landscape where there is very little land of grade 1 or 2, the LPAs may resist the loss of grade 3a.

3.38 Maps showing the agricultural land classifications in the South West are available through Natural England[27].

DEV2.1 and DEV2.7 – Noise

3.39 DEV2.7 looks to promote good health and a good quality of life through the management of noise.

3.40 Relevant planning applications should be accompanied with the appropriate information to assess its impact on noise. Applications should consider the following points to control noise generation:

- Sound power level and the resultant level of noise of equipment;
- Different methods of installing equipment so as to reduce noise;

25 https://www.theilp.org.uk/documents/obtrusive-light/
26 https://cdn.bats.org.uk/pdf/Resources/ilp-guidance-note-8-bats-and-artificial-lighting-compressed.pdf?mtime=20181113114229
27 http://publications.naturalengland.org.uk/category/5954148537204736

- Design and position of equipment on-site, including the position of entrances and screening if necessary;
- Sound-proofing or insulation measures, particularly for adjoining properties; and,
- Hours of operation.

3.41 Impacts will generally be considered against BS 8233 Guidance on sound insulation and noise reduction for buildings[28]. Where external amenities form part of the development, the LPAs will normally seek a level of 55dB LAeq (16 hour) in these areas.

3.42 Noise is of particular concern for uses associated with the night-time economy, whether it is from the use itself, the activities within or related to the use of the premises, or from a use that generates an abundance of short term visits. Any planning application associated with the night-time economy will be considered carefully during the planning application process along with the following guidance.

DEV2.8 – Avoidance of impacts on European Sites

3.43 DEV2.8 looks to define when a development will not be acceptable in terms of air, water, soil, noise and land impacts on a European Site by stating that development will only be permitted where it can be concluded that it will not cause an adverse effect on the integrity of a European Site. All forms of pollution will need to be considered both during construction and during operation, including: dust; emissions; runoff; surface water; groundwater and noise and percussive impacts. This information will need to inform any formal assessment under the Habitats and Species Regulations 2017.

3.44 Please see guidance at 'Protecting and enhancing biodiversity and geological conservation (DEV26)' for further guidance on the impact on European Sites.

Night-time economy

3.45 There are many elements to the night-time economy including theatres, night-clubs, restaurants, hot food take aways, public houses and bars. This guidance follows on from the considerations under DEV2 to encourage the promotion of a safe and vibrant night-time economy across the Plan Area.

3.46 Development must ensure that it does not incur an unacceptable impact from resulting noise, litter and anti-social behaviour. Planning conditions may be included with the grant of any planning permission in order to protect local amenity and local communities.

3.47 The following guidance should be read in conjunction with any specific guidance issued by the relevant local authority regarding licenses and permits.

'Agent of change'

3.48 Paragraph 182 of the NPPF 2019, introduced the principles of 'agent of change', this is interpreted as meaning that existing industrial and commercial units amenity should be protected from future residential developments. The 'agent of change' principle is particularly significant for the Plan Area as the live music[29] scene plays an important role in the cultural offer of Plymouth and the South West with a number of venues across the Plan Area.

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28 https://shop.bsigroup.com/ProductDetail?pid=000000000030241579

29 In the context of this guidance, 'live music' is defined as the amplified performance of music – either by a live band or a DJ.

3.49 Where a sensitive development is proposed adjacent to an existing commercial/industrial use it will only be acceptable if the uses can be demonstrated to be compatible, or can be made compatible through on-site/off-site improvements at the developer's expense. This may include the provision of soundproofing measures to the proposed development as advised by a certified acoustic engineer.

3.50 The LPAs may also seek a contribution towards improving noise insulation to an existing live music venue. In the event that measures to ensure that the noise sensitive development can coexist with the live music venue are not satisfactorily provided, the LPAs may refuse planning consent for the new development.

3.51 Please see Section 12 'Planning obligations, the Community Infrastructure Levy and development viability' for further guidance on planning obligations.

Highways, transport and noise/amenity

3.52 Where applications are likely to attract customers from a wide area, suitable and sufficient car parking and space for public transport should be considered, including space for bus stops and taxi ranks.

3.53 Adequate provision should also be made for the loading/unloading of goods and servicing items. If appropriate, the LPAs may attach a restrictive planning condition to an application to ensure noise and other disturbances is kept to a minimal, for example, to ensure reverse beepers are turned off after a certain time at night.

3.54 Please see Section 8 'Transport and infrastructure (DEV29-DEV31)' for further guidance on highways and transport.

Opening hours

3.55 In residential areas, opening hours may be restricted to ensure minimal impact on the noise amenity of surrounding residents. In general, residential areas are more sensitive to noise between certain hours and restrictive conditions limiting hours of operation may be attached to planning applications to ensure a minimal negative impact on residents. Any restrictive conditions will be based on specific circumstances, such as the location of the application site and appropriate evidence.

3.56 In areas where there is an intensity or concentration of night-time economy uses more flexibility may be considered and in mixed-use areas a balance will be struck between commercial activity and the protection of local amenity.

Odours

3.57 Odours, normally cooking odours, and extraction systems can cause nuisance to local residents in terms of smell, noise and vibration. Applications for uses which cause odours should be accompanied with the appropriate information about the extraction system to assess its impact and planning conditions may be put in place for control.

3.58 Generally flues should terminate at a maximum 1 metre above ridge height. Internal flues will normally require Building Regulation approval (in line with Building Regulation Approved Document J[30]) and fire risk assessment.

30 https://www.planningportal.co.uk/info/200135/approved_documents/72/part_j_-_combustion_appliances_and_fuel_storage_systems

Waste management

3.59 For guidance on waste management please see guidance at 'Waste management (DEV31)'.

Use of outside areas

3.60 The use of the premises and any external activities should be assessed. Applications will need to consider:

- Safety, including the free flow of pedestrians and the management of queues;
- Litter and the attraction of vermin or other animals such as seagulls;
- Fixtures and fittings which must be of suitable construction; and,
- Increased capacity for the premises and any impact this may have on the provision of toilet facilities, waste and means of escape from fire.

Smoking shelters

3.61 The provision of outdoor smoking areas should be considered at the design stage of a proposal and take into account the potential for noise or odour nuisance, litter, obstruction of the highway/pavements, and compliance with the Health Act 2006.

Street cafes

3.62 Tables and chairs placed outside buildings can provide enjoyable facilities and contribute to the vibrancy and character of an area, as long as they do not obstruct pedestrian access or endanger pedestrian safety.

3.63 Where tables and chairs are located on private land, planning permission is likely to be required whilst those on public pavements and pedestrianised areas are dealt with by licence applications to the relevant Highway Authority.

3.64 If planning permission is required for outdoor chairs and tables in association with a food and drink uses, the following considerations will apply:

- Street cafés need to relate positively to the existing street-scene and movement of pedestrians needs to be considered;
- There should be at least 2 metres of clear, unobstructed footway width between the edge of the street café and the edge of the carriageway. A greater width may be required in some locations;
- Where the use directly fronts the premises from which the refreshments are served, an unobstructed corridor to the shop entrance of at least 2 metres should be retained;
- Tables/chairs should be sufficiently spaced to enable wheelchair and pram access;
- When tables and chairs are proposed directly outside a shop front on a public highway, a physical barrier of approximately 1 metre in height will be required to guide visually impaired persons safely around the use; and,
- The style of furniture should reflect its purpose and location. Domestic ‘patio style’ furniture is unlikely to work in the city or a district centre setting for example. Particular attention will need to be given to outdoor furniture designs in conservation areas.

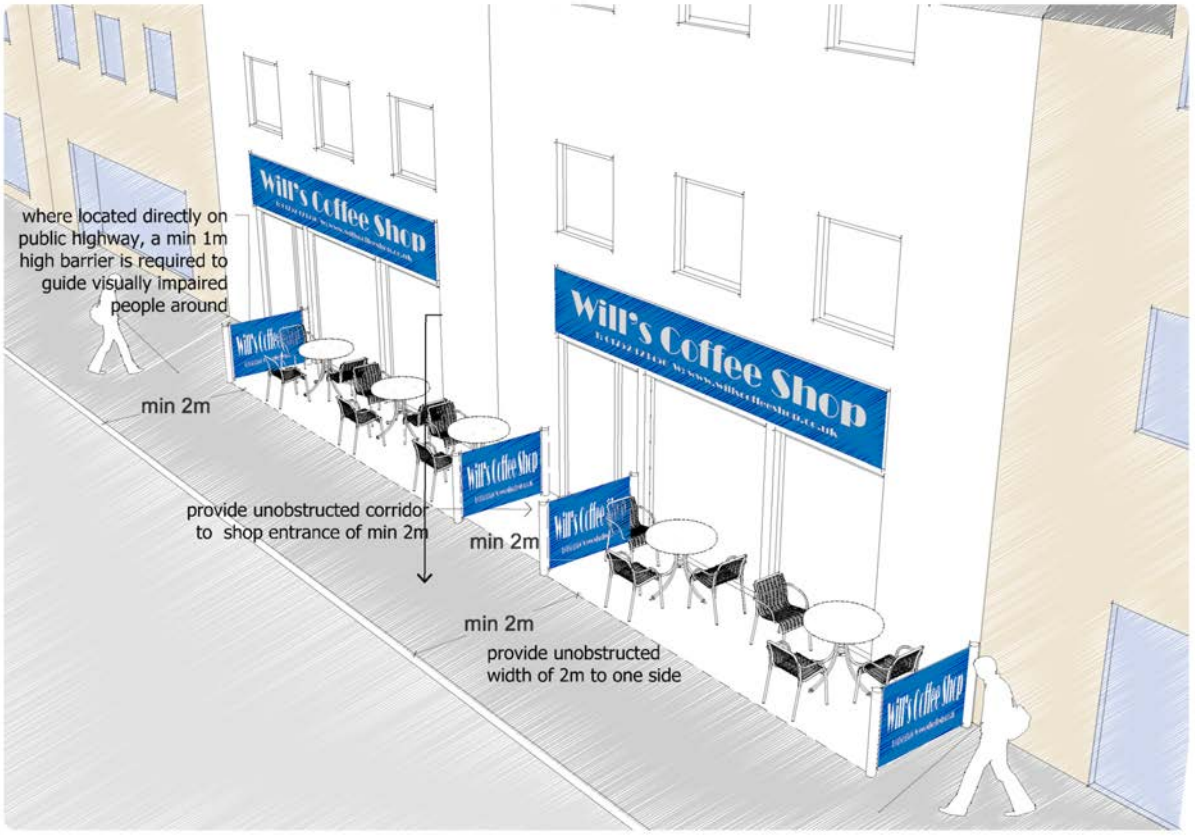

Figure 1 Street cafe planning considerations

3.65 The display of signs, such as A-Boards, on the pavement or pedestrianised areas, where related to these outdoor refreshment areas, will be strictly limited to ensure unnecessary obstructions or visual clutter does not occur. A lack of the appropriate permission or license may result in enforcement action taken.

3.66 For further guidance on shop fronts and advertisements please see 15 'APPENDIX 3: Shop fronts, including ATMs'.

Sport and recreation (DEV3) and Playing pitches (DEV4)

What is this policy about?

3.67 Policies DEV3 and DEV4 supports opportunities for sport, physical activity and active leisure. DEV3 also includes guidance on protecting, enhancing and creating new public rights of way (PROW) and bridleways.

DEV3 and DEV4 - Sports facilities and playing pitches

3.68 DEV3.1, DEV3.2 and DEV4 support opportunities for sport, physical activity and active leisure and are policies to ensure that development and growth is matched by an appropriate level of provision for playing pitch and other sports facilities.

3.69 The LPAs most up-to-date Playing Pitch strategies address both internal and cross-boundary issues and displaced demand between the different authorities.

3.70 The LPAs are obliged to consult with Sport England with regard to the provision of new playing pitches/sports facilities or development affecting playing field land. It is recommended that this guidance is read alongside guidance provided by Sport England[31]; and the relevant sport Non-Governing Body (NGB):

- Football Association[32];
- Rugby Football Union[33];
- England and Wales Cricket Board[34]; and,
- England Hockey[35].

3.71 The playing pitch standard is outlined in Figure 3.2 of the JLP as set out below:

Meaure	PPA	TTV Policy Area - Main Towns, Towns & Key Villages	Reason for difference in standard across Plan Area
Playing pitch standard	0.79ha per 1,000 people	1.27ha per 1,000 people	City standard reflects the greater ability to achieve more intensive use of playing pitches given population densities.

Table 2 JLP Figure 3.2 extract - playing pitch standards

3.72 The Town and Country Planning (Development Management Procedure) (England) Order 2015 (DMPO 2015) defines a playing pitch as: *"a delineated area which, together with any run-off area, is of 0.2 hectares or more, and which is used for association football, American football, rugby, cricket, hockey, lacrosse, rounders, baseball, softball, Australian football, Gaelic football, shinty, hurling, polo or cycle polo"* and can have either a grass surface or an artificial one.Playing pitches vs. playing fields[36]

3.73 A playing field is defined as: ***"****the whole of a site which encompasses at least one playing pitch".*

3.74 It is important to recognise that the definition of a playing field includes more than the surface of the pitch and the LPAs will protect all parts of a playing field, not just those which are currently laid out as pitches. This is because other parts of a playing field are a resource which may be needed, now or in the future, and it is important that they be afforded the same protection.

DEV4 - Playing pitches

3.75 Policy DEV4 looks to protect and improve the stock and capacity of playing pitch facilities and improve the quality of existing playing pitches and ancillary facilities.

31 https://www.sportengland.org/
32 http://www.thefa.com/get-involved/player/facility-development-and-technical-guidance
33 http://laws.worldrugby.org/
34 https://www.ecb.co.uk/be-involved/club-support/club-facility-management/project-development-guidance
35 http://www.englandhockey.co.uk/landing.asp?section=1877§ionTitle=Facilities+Support
36 A playing pitch is also a playing field in the context of the guidance in this SPD.

Re-development of existing playing pitches

3.76 The re-development of existing playing pitches will only be acceptable where the proposed development meets the five exceptions outlined in Sport England's Playing Fields Policy and Guidance[37] or provided for in specific allocation policies.

3.77 Planning applications will be considered against the current version of these exceptions should they be amended in the future.

Provision of new playing pitches

3.78 Proposals for new playing pitches should conform to current Non-Governing Body's (NGB) and Sport England's technical standards which are available via Sport England's Planning for Sport[38] website and documents.

3.79 For a new pitch there usually needs to be an establishment period of at least 12 months (although this can vary depending on the amount of maintenance that is carried out during this period). The size and general establishment of all pitches should meet with Sport England's technical Guidance note Natural Turf for Sport[39].

3.80 New residential development on larger sites will, where practicable, be expected to deliver new playing pitch facilities on-site. Where relevant, this is set out in the specific allocation policies within the JLP. In these cases it is recommended that applicants engage with the relevant LPA at an early stage to consider the form, location, layout, specification etc. of pitches and ancillary facilities to ensure they are incorporated into a masterplan and applications in an acceptable manner.

Design and layout requirements

3.81 Playing pitches should be integrated with other land uses in any new development scheme and should complement other provision such as sport and leisure facilities, green infrastructure and other community provision. Sport England's Active Design Guide[40] provides useful information to help inform development design and layout and should be taken into account.

3.82 Developers should be able to demonstrate how the playing pitches proposed meet the requirements identified for the development.

3.83 The size of a changing area for grass roots football should be 16 square metres (including bench space) plus showers, toilets, entrance hall, two officials' changing rooms (each with an internal area of 5 square metres) and incorporate a shower, toilet and wash basin, spectator toilets, storage and a social area including a small kitchen.

3.84 Ancillary facilities should be based on Sport England's Clubhouse Design Guide[41] and the relevant sport's NGB guidance.

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37 https://www.sportengland.org/facilities-and-planning/planning-for-sport/playing-fields-policy/
38 https://www.sportengland.org/facilities-planning/planning-for-sport/
39 https://www.sportengland.org/facilities-and-planning/design-and-cost-guidance/natural-turf-for-sport/
40 https://www.sportengland.org/facilities-and-planning/active-design/
41 https://www.sportengland.org/facilities-and-planning/design-and-cost-guidance/clubhouses/

3.85 Full specifications and construction details should be provided to ensure that the playing fields will be of an acceptable quality. The specification and details should be produced by a suitably qualified agronomist in accordance with current Sport England and NGB technical guidance and should include details of: surface materials; levels; fencing; gates; soil cultivation/amelioration; seeding; drainage and lighting (including lux levels).

Mitigation

3.86 Whilst new residential development on larger sites will be expected to deliver new playing pitch facilities on-site, on smaller sites, or where it is not practicable, new residential developments will be required to contribute towards new or improved playing pitch/sports provision through a planning obligation for off-site provision.

3.87 Mitigation will apply to all residential developments with the exception of self-build dwellings. Financial contributions will be reasonable and proportionate and calculated based on the number of new residents resulting from the proposed development. Contributions towards maintenance will also be required.

3.88 Contributions towards new provision or improvements to existing sites will be required where there are identified local deficiencies in the quantity, accessibility or quality and/or value of sports and recreational facilities. Each LPA's separate Playing Pitch Strategy states where new/improved provision is needed based on demand. Other local evidence includes 'made' Neighbourhood Plans and Town/Parish Open Space, Sport and Recreation (OSSR) Plans.

3.89 Mitigation for loss of facilities and the impact on new residents are two distinct and separate issues and should be considered separately in determining planning obligations.

3.90 In some cases it may be acceptable to re-develop existing playing pitches and provide new facilities elsewhere. This will also typically be secured through a planning obligation and will need to meet Sport England criteria.

3.91 Please see Section 12 'Planning obligations, the Community Infrastructure Levy and development viability' for further guidance on planning obligations.

DEV3.2 - Water and waterside access

3.92 Access to the water such as to the sea, estuaries and rivers/etc. for recreation, whether alongside, on, or in the water, is of key importance to the Plan Area.

3.93 Waterfront development proposals which shut off access to and from the water, fail to address opportunities to improve access to the water or otherwise impedes the vision of the Plan Area being a vibrant waterside location, embracing will not be supported.

DEV3.3 – Public rights of way and bridleways

3.94 There are opportunities to improve connectivity, particularly linking new development sites to existing recreational areas, green spaces and Public Rights of Way. Opportunities to increase, or improve, Public Rights of Way (PROW) alongside new development, will be actively pursued.

3.95 Provision of a good network of PROW can help to reduce the need to travel by car and also encourage healthy, active lifestyles. The LPAs may therefore seek off-site contributions towards creation of new, or improvements to existing, PROW or recreational links reflecting needs set out in:

- Specific allocation policies;
- Green Infrastructure Frameworks; and/or,
- Any local requirements identified in 'made' Neighbourhood Plans, or Town/Parish OSSR Plans.

Community food growing and allotments (DEV5)

What is this policy about?

3.96 DEV5 is a policy to support and encourage local food growing by ensuring the provision of allotments and/or community food growing sites. The allotments/community food growing space standard is outlined in Figure 3.2 of the JLP:

Measure	PPA	TTV Policy Area - Main Towns, Towns & Key Villages	Reason for difference in standard across Plan Area
Allotments / community food growing space	0.15ha per 1,000 people	0.15ha per 1,000 people	n/a

Table 3 JLP Figure 3.2 extract - allotments/community food growing space

3.97 Alongside formal allotments/community food growing space, the LPAs will also encourage the implementation of edible landscaping such as orchards and food forests, etc.

What needs to be considered in the implementation of this policy?

3.98 Besides the standards outlined above, new and improvements to existing allotments will need to adhere to the guidance outlined below to ensure the provision is appropriate for its use. Allotment proposals, which do not accord with the provided guidance, will be considered not appropriate to the demand and therefore could result in planning permission being refused.

3.99 On large residential development sites, for example 500 dwellings or more, in an area where there is a local deficiency in allotment provision, such as when the aforementioned standard has not been met, or there are no allotment sites within a 1 kilometre radius, the LPAs will seek on-site delivery of new allotments. In all other situations where the allotment standard is not met, the LPAs may seek a planning obligation to improve or expand existing allotment site.

3.100 Any proposals for allotments should include details of:

- The ongoing management through a suitable body such as city, town or parish councils, allotment associations, community groups or management companies. Within Plymouth area plots will be managed by PCC; and,
- The arrangement, specification and management of land for allotments, including details of the charging schedules for future plot holders and the specifications for enclosures.

3.101 The specified management practices will also need to adhere to best horticultural practices and comply with the relevant British Standards.

3.102 To ensure delivered allotments are fit for purpose and the details secured (including the implementation and maintenance of allotments), the LPAs will be seeking to utilise a planning condition, a bond or planning obligation clause. Measures will require:

- The applicant to pay an inspection fee to the LPA to check and sign off the completed work; and,
- Set out measures for remediation if the applicant fails to deliver the work in accordance with the approved drawings.

3.103 Please see Section 12 'Planning obligations, the Community Infrastructure Levy and development viability' for further guidance on planning obligations.

Allotment design

3.104 The design of new allotments or improvements to existing allotments as part of a planning application should adhere to the following guidelines:

- Allotment plot sizes:

Allotment plot size	PPA	TTV - Main Towns, Towns & Key VIllages
10 x 12.5m	Standard plot	Standard half-sized plot
10 x 25m		Standard plot

Table 4 Allotment plot sizes

- Allotments should be evenly distributed across settlement areas based on a catchment radius of approximately 1 kilometre. Allotments should not be located in parcels of less than 0.5 hectares to enable efficient management;
- Every allotment site should include sufficient provision for paths and communal facilities. Each site should include a hard surfaced circular main access path which is 3 metres wide, or include provision for turning head to allow for maintenance vehicle access. The surfacing of any minor footpaths will depend on the size of the site, access, and the levels;
- Allotments should be well located in relation to complementary green spaces;
- Areas that involve ball sports should be suitably buffered;
- Water supply pipes and any other service runs should align with the path network;
- Allotments should be proportionate to the scale of the site and design should include:
    - Cultivatable soil, free of rubble or contamination and supported by soil test results;

- Enclosures formed by dog, stock and rabbit proof fencing that is attractive, integrates well with the adjacent areas and, where appropriate, incorporates native hedge planting;
- A secure and accessible community hut;
- Toilets (male/female, including wheelchair accessible) and washing facilities;
- Grey water recycling, unless demonstrated to be impractical;
- Rainwater collection facilities on each communal building;
- A storage area for each plot of at least 2 square meters;
- 1 water stand pipe per every 5 standard TTV Policy Area plots or every 10 standard PPA plots;
- Cycle parking;
- 10 per cent of plots should be designed for disabled access which includes smaller raised beds;
- Access provision for cars with a minimum 3 meter wide lockable access gate, vehicle turning and adequate car parking.

- Traditional orchard fruit trees may form a small part of an allotment site but would more commonly form part of planting schemes in other green spaces such as parks or natural green space; and,
- Allotments should not be located:

    - In a floodplain;
    - In attenuation ponds; and/or,
    - On land overshadowed by buildings or vegetation that would inhibit productivity.

Hot food takeaways in Plymouth (DEV6)

What is this policy about?

3.105 A key health issue identified by the LPAs concerns the impact on the diet and health of young people as a result of the proximity of fast-food premises to educational premises. Policy DEV6 resists proposals that seek to provide new hot food take aways (Use Class A5[42]) within a 400 metre radius of providers of secondary education within the PPA only.

What needs to be considered in the implementation of this policy?

3.106 The food environment is the interaction between the physical, biological and social factors affecting individuals, or a group of individual's, eating habits and the resulting patterns of food consumption. A toxic food environment is one in which options for obtaining a healthy diet are constrained by some or all of the following: lack of choice; saturation of food outlets offering mostly unhealthy choices; advertising of and availability of unhealthy food choices in preference to those regarded as healthy and lack of availability of retailers selling healthy foods.

3.107 Substantial consideration will be given to the food environment when determining applications within 400m of an existing (or proposed) secondary school.

42 A5 Hot food takeaways - For the sale of hot food for consumption off the premises, Town and Country Planning (Use Classes) Order 1987 (as amended)

3.108 400m is accepted nationally as the average distance a school child would be willing to walk during a 1 hour lunch break in order to access food from an outlet outside the school grounds. It is roughly equivalent to a 10 minute walk. 400 metres will be measured using a circle radius rather than actual walking route in order to remain as transparent and enforceable as possible. However, where there are major obstructions such as a major road or impassable green space dissecting the route within the 400m this figure may need to be reduced accordingly and will be considered on a case-by-case basis.

3.109 For further guidance on A5 uses please see guidance at 'DEV18.5 - Specific impacts'.

4 Housing (DEV7-DEV13)

Introduction

4.1 The delivery of sufficient homes to meet the needs of the Plan Area is one of the greatest challenges for the JLP. Section 3 of the JLP (the spatial strategy) sets out the overall housing need whilst sections 4 and 5 outline site allocation policies. Policies DEV7 to DEV13 sets out policies for the type, mix and quality of housing to be provided, including for specialist groups.

4.2 Policy SPT3 (Provision for new homes) in Section 3 of the JLP sets out the overall housing requirements in each policy area:

- Within the Plymouth Policy Area (PPA) - at least 19,000 new homes, of which 4,550 should be affordable;
- Within the Thriving Towns and Villages (TTV) Policy Area - at least 7,700 new homes of which 2,050 should be affordable.

4.3 The guidance in this chapter primarily supports polices DEV7 to DEV13 in the JLP. It also reflects national guidance, and should be read alongside the NPPF, NPPG and the site specific policies set out in the JLP.

Meeting local housing need in the Plymouth Policy Area (DEV7)

What is this policy about?

4.4 DEV7 is a policy to ensure a wide choice of high quality homes which widen opportunities for home ownership, meet needs for social and rented housing, and create sustainable, inclusive and mixed communities in the Plymouth Policy Area (PPA).

4.5 Early discussions with the LPAs are encouraged to ensure the proposed development meets the housing needs of the PPA.

DEV7.1 – Overall housing mix

4.6 DEV7.1 requires a mix of dwelling sizes, types and tenures appropriate to the area to be delivered to ensure a wide choice of high quality homes.

4.7 Within the PPA, local evidence will be used for negotiation when discussing housing mix. In particular the LPAs will use the Strategic Housing Market Assessment Part 2[43] (Chapter 4) as a starting point for negotiation.

4.8 DEV7.1ii specifically refers to ensuring housing is available for households with specific needs, these could include, but is not limited to:

- Older people;
- Service families and veterans;
- Families with children; and/or,
- Persons with long-term health problems or disabilities.

43 https://www.plymouth.gov.uk/sites/default/files/StrategicHousingMarketNeedsAssessmentPart2.pdf

DEV7.2 – Affordable housing within the PPA

4.9 DEV7.2 sets out the expected affordable housing contribution for developments of above ten homes. For guidance on affordable housing please see 'Affordable Housing (DEV7-DEV9)'.

Meeting local housing need in the Thriving Towns and Villages Policy Area (DEV8)

What is this policy about?

4.10 DEV8 is a policy to ensure a wide choice of high quality homes is available in the Thriving Towns and Villages (TTV) Policy Area by increasing opportunities for home ownership, meet the needs for social and rented housing, and create sustainable, inclusive and mixed communities.

4.11 The policy seeks to ensure that the mix of new homes delivered in the TTV policy area corrects demographic imbalances and enhances community resilience. Ensuring a broad mix of new homes will contribute to enabling young people to find homes of their own, young working families to secure appropriate housing for each lifestage, and older people to access housing that meets their changing needs.

4.12 Early discussions with the LPAs are encouraged to ensure the proposed development meets the housing needs of the TTV.

DEV8.1 – Overall housing mix

4.13 DEV8.1 requires a mix of dwelling sizes (referring to the number of bedrooms per dwelling), types and tenures appropriate to the area and as supported by local housing evidence.

4.14 In South Hams and West Devon there is an imbalance in provision. There is a higher proportion of 4 or more bed homes than the rest of Devon and Cornwall (8.2 per cent for West Devon, 7.1 per cent for South Hams). Both are also in the top three in Devon and Cornwall for under-occupancy with around 35 per cent of homes having less than 0.5 persons per bedroom.

4.15 Housing stock that comprises a relative over-provision of large houses makes it increasingly difficult to rebalance the demographic profile and increase home ownership because the current housing stock is inherently unaffordable. These houses are not suited to smaller households or households that are earning close or similar to the national wage.

4.16 When seeking to ensure a diversity of size, the number of bedrooms will be used as the key metric (as the size of a dwelling has a significant impact on how affordable it is), with the Strategic Housing Market Assessment Part 2: Objectively Assessed Need for Affordable Housing (SHMNA Part 2)[44] providing thresholds for the number of dwellings required by bedroom. In order to ensure that homes are not built with a surplus of rooms that can be used as bedrooms, the LPAs will carefully examine floor plans.

44 https://www.plymouth.gov.uk/sites/default/files/StrategicHousingMarketNeedsAssessmentPart2.pdf

4.17 Home working is supported and as such the provision of one room identified as an office or study will be accepted, but other rooms that have the potential to be used as bedrooms (other than living rooms, kitchens, dining rooms, rooms with mains plumbing/toilets or rooms with no windows and/or main entrances) will be considered as such, and considered against the requirements of DEV8 on that basis.

4.18 On major development proposals, the smallest home in the Nationally Described Space Standard (NDSS)[45] category should meet the minimum NDSS requirement but also be no more than 75 per cent of the size of the largest home in the same category. For example if the largest three bed, six person dwelling on a site is 160 square meters, the smallest three bed six person home should not exceed 120 square meters. The number of the largest dwellings within each category should not exceed the number of the smallest dwellings within each category; in the example given above, a scheme with more 160 square meters three bed, six person dwellings than 120 square meters three bed, six person dwellings will not be supported.

4.19 The terms 'appropriate to the area' and 'local housing evidence' relate to the use of information regarding housing stock in the settlements and parishes of the TTV Policy Area. The baseline when considering the 'existing stock' will be taken from the latest census. When submitting an application, applicants should demonstrate an understanding of the existing housing stock, and explain how an application responds to both the identified needs within the SHMNA Part 2, and the existing housing mix within the nearest settlement, or as part of the wider parish.

4.20 DEV8.1(i) – Redressing imbalance

4.21 In parts of the TTV policy area, the current mix of housing has been imbalanced and the demographic profile shows a continuing trend of young people and working age families displaced.

4.22 The SHMNA Part 2 provides a breakdown of housing mix required to meet the needs of projected household formation throughout the plan period. There is a degree of variability to household projections, and as such the housing mix prescribed in the SHMNA Part 2 for each LPA will form the basis of a discussion regarding proposed housing mix, taking into account local circumstances and particular characteristics on a site by site basis.

For housing schemes of 5 units and over

4.23 The housing mix prescribed for each housing tenure type within the SHMNA Part 2 should be considered as the requirement for all schemes of 5 units and over. For smaller schemes this may require a degree of rounding up or down depending on the overall number of units. A pragmatic approach will be applied to ensure broad consistency with the requirements identified in the SHMNA Part 2.

4.24 DEV8 is clear that housing mix requirements may be adjusted by the LPA to correct existing imbalances in the housing stock of a given settlement or parish. An imbalance is defined as being different by a variance of more than 10 per cent from the LPA average for any housing type or size, as established by the Office for National Statistics (ONS) data. In such cases, it may be appropriate to stray from the prescribed percentages identified in the SHMNA Part 2 in such a way that helps redress an existing imbalance. A flexible approach

45 https://www.gov.uk/government/publications/technical-housing-standards-nationally-described-space-standard

will be taken to negotiating the most effective way of responding to existing imbalances, with viability and market signals as additional factors that could influence what is considered to be an acceptable mix.

4.25 If housing proposals are considered as outline, housing mix will be prescribed as a condition of the permission.

For housing schemes of less than 5 units

4.26 The prescribed ratios in the SHMNA Part 2 can be considered informative, but it is unlikely that small schemes can fully reflect all of the identified needs expressed in the SHMNA Part 2. Instead, a full understanding of the current housing mix within a settlement, taken from ONS data, will need to justify the dwelling(s) proposed. Proposals that seek to deliver a type of dwelling for which there is already an over-provision when compared to the 2011 baseline are unlikely to be supported unless there are other material considerations that justify the size and type of housing proposed.

4.27 Where there is an identified policy conflict with DEV8, in that a proposal seeks to exacerbate an identified existing imbalance, a local connection requirement may be sought through a planning obligation to offset the negative impact of further skewing the housing mix.

4.28 Similarly, where proposals seek to deliver homes of a type and/or size of which there is an existing overprovision, and in settlements and parishes which have an affordability ratio of above a factor of 10, an open market reduction may be sought in perpetuity on specified dwellings, secured through a planning obligation. This will make certain dwellings more affordable when considering the open market value against the level of average earnings.

4.29 For further guidance on planning obligations in Section 12 'Planning obligations, the Community Infrastructure Levy and development viability'.

DEV8.1(iii) – Younger people, working families and older people

4.30 Emphasis has been placed on delivering dwellings to meet the needs of younger people, working families and older people. The SHMNA Part 2 identifies a required uplift in 1 and 2 bed properties compared to the 2011 baseline for West Devon (8 per cent of housing stock in 2011 comprised of 1 and 2 bed) and South Hams (15 per cent combined 1 and 2 bed) in order to meet the needs of newly formed households throughout the plan period. Increased delivery of 1 and 2 beds will benefit different needs groups, but only if the 1 and 2 bed properties are delivered with attributes that are suited to specific needs. Household sizes are projected to continue to get smaller throughout the plan period in the TTV Policy Area.

DEV8.2 and DEV8.3 – Affordable housing within the TTV

4.31 DEV8.2 and DEV8.3 sets out the expected affordable housing contribution for developments in the TTV. For guidance on affordable housing please see 'Affordable Housing (DEV7-DEV9)'.

Meeting local housing need in the Plan Area (DEV9)

What is this policy about?

4.32 DEV9 is a policy which gives additional provisions for the delivery of a range and mix of housing to meet local housing needs across the whole Plan Area.

DEV9.1 – Affordable housing in the Plan Area

4.33 DEV9.1 states what could be included as affordable housing:

- Affordable housing for rent, for example:
    - Social and Affordable Rent; and,
    - Affordable Private Rent ('Build to Rent').
- Affordable routes to home ownership, for example:
    - Starter homes;
    - Shared ownership;
    - Shared equity; and,
    - Rent-to-buy.

    Please see 'Affordable Housing (DEV7-DEV9)' for guidance on the delivery of affordable housing across the Plan Area.

DEV9.2 - Self and custom build housing

4.34 DEV9.2 states that the LPAs will support self and custom build housing developments provided that they meet the requirements of other policies.

4.35 Self and custom build housing is defined in the Housing and Planning Act 2016[46]: *"The building or completion by – (a) individuals, (b) associations of individuals, or (c) persons working with or for individuals or associations of individuals of houses to be occupied as homes by those individuals. But it does not include the building of a house on a plot acquired from a person who builds the house wholly or mainly to plans or specifications decided or offered by that person."*

4.36 In practice the majority of self builds are built to the customer's design by local builders or house manufacturers and not physically built by the eventual occupier.

4.37 The LPAs support self, custom and community housing as they provide accommodation suitable for individual needs and promote sustainable and innovative construction and design.

4.38 In order to qualify for a Community Infrastructure Levy (CIL) relief in those parts of the Plan Area where CIL applies (currently the Plymouth LPA area only), a self-build home must be the occupant's sole or principal residence for at least three years following completion of the build.

4.39 Other policies such as housing mix, size, design and tenure (DEV7, DEV8, DEV9 and DEV10) will need to be considered on a case-by-case basis depending on the need at that time. In some locations smaller units will be required rather than large bespoke properties.

4.40 Each LPA has separate initiatives with regard to self/custom build. Please contact the appropriate LPA to discuss what support is available.

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46 http://www.legislation.gov.uk/ukpga/2016/22/enacted

4.41 As identified in criterion DEV9.2i, the provision of serviced plots within major developments can make a significant contribution to help meet the LPA's duty under the Housing and Planning Act 2016. Where this is proposed:

- Phasing is required to ensure self/custom builders can claim their CIL exemption, if applicable;
- Serviced plots/shells should be marketed to the LPA's satisfaction for a period of at least 12 months at an agreed price, following which the developer may apply to the LPA to vary the planning consent; and,
- The part of the site containing the serviced plots will usually be capable of being accessed without entering the main site to enable the serviced plots/shells to be brought forward at the start of the development.

4.42 Whilst they should not be overly prescriptive, developers may also wish to agree a Design Code at the time of obtaining outline consent for the plots. This would give comfort to the buyers of neighbouring properties that the serviced plot houses will fit in with the overall development.

Community-led self/custom build

4.43 The LPAs wish to encourage community-led self/custom build housing development as a way to meet specific housing needs identified by the community. Groups considering providing community-led housing should contact PCC's Housing Delivery Team or SHDC's and WDBC's Housing Enabling Team at the earliest opportunity for guidance.

4.44 For guidance on affordable self/custom build please see 'Affordable Housing (DEV7-DEV9)'.

Additional considerations for self/custom build in the TTV Policy Area

4.45 All properties secured for self/custom build, particularly those on exception sites in the TTV Policy Area, will need to refer to DEV8 and will be secured in perpetuity through a planning obligation (s106 agreement).

4.46 Local Lettings Plans and/or a planning obligation may be attached to properties/sites brought forward for self/custom build. This may depend on the location and ownership of the sites. In the TTV, attention should also be paid to the rural exception sites policy (TTV27 – Meeting local housing needs in rural areas) and to 'made' and emerging neighbourhood plans in that community.

DEV9.3 - 'Build to Rent'

4.47 DEV9.3 seeks to support development, which increases housing choice in the private rented sector, including 'Build to Rent.' Applications that propose 'Build to Rent' will be considered on a scheme by scheme basis.

4.48 'Build to Rent' is defined in the NPPF as: *"Purpose built housing that is typically 100% rented out. It can form part of a wider multi-tenure development comprising either flats or houses, but should be on the same site and/or contiguous with the main development. Schemes will usually offer longer tenancy agreements of three years or more, and will typically be professionally managed stock in single ownership and management control."*

4.49 It is the LPAs' expectations that 'Build to Rent' will be delivered in accordance with the NPPG[47] guidance on 'build to rent'.

4.50 In addition to the NPPG requirements, the LPAs will require 'Build to Rent' schemes to:

- Include a covenant or clawback to ensure the homes are held as 'Build to Rent' for a minimum of 15 years; and,
- Ensure that all units are self-contained and let separately, that there is unified ownership and management of the development and that longer tenancies (three years or more) are available to all tenants.

4.51 For guidance on Affordable Private Rent please see 'Affordable Housing (DEV7-DEV9)'.

DEV9.4 – Accessible housing

4.52 DEV9.4 specifies the mix of accessible housing units which will be sought on both new build and conversions (where possible), with reference to Category M4(2) and Category M4(3) of the Building Regulations Approved Document M[48]. On schemes of 5 or more dwellings, 20 per cent of the total number of dwellings should where possible meet Category M4(2); and on sites of 50 dwellings or more, at least 2 per cent should meet Category M4(3). For the avoidance of doubt all part figures relating to the number of M4(2) and M4(3) figure will be rounded up to whole dwelling numbers.

4.53 It will be the LPA's assumption that the M4(3) units will be constructed to an 'adaptable' rather than the 'accessible' standard. Where the latter is required, the LPA will negotiate with the developer how this will be achieved. For clarity, M4(3) 'adaptable dwellings' are to be constructed to be adjustable for occupation by a wheelchair user, whereas accessible dwellings should be constructed for immediate occupation.

4.54 Category M4(3) will be counted as contributing towards the Category M4(2) dwelling requirement.

4.55 In exception circumstances, where it can be robustly justified and that it is impossible for developers to fully comply with M4(2) or M4(3), due to site characteristics such as topography, the LPAs will still encourage developments to meet achievable elements within the standard.

4.56 Categories M4(2) and M4(3) will be secured by way of a planning condition imposed on new development as part of the process of granting planning permission.

4.57 Technical guidance relating to the access to and use of dwellings is set out in Building Regulations Approved Document M Volume 1[49].

47 https://www.gov.uk/guidance/build-to-rent
48 https://www.gov.uk/government/publications/access-to-and-use-of-buildings-approved-document-m
49 https://www.planningportal.co.uk/info/200135/approved_documents/80/part_m_-_access_to_and_use_of_buildings

Affordable Housing (DEV7-DEV9)

4.58 DEV7 (Meeting local housing need in the Plymouth Policy Area), DEV8 (Meeting local housing need in the Thriving Towns and Villages Policy Area), DEV9 (Meeting local housing need in the Plan Area) and DEV10 (Delivering high quality housing) sets out how the need for affordable housing will be met. The below sets out guidance in relation to the affordable housing provision across these policies.

4.59 When referring to 'affordable housing' the most up-to-date definition as defined in the NPPF should be used.

4.60 It is recommended that this guidance is considered alongside the Strategic Housing Market Assessment Part 2: Objectively Assessed Need for Affordable Housing (SHMNA Part 2)[50].

4.61 In this chapter there is guidance that relates to the whole Plan Area and additional guidance that is bespoke to the PPA and TTV Policy Area. Section headings will inform you as to what policy area the guidance is applicable to.

Affordability of housing in the Plan Area

Affordability of housing in the PPA

4.62 The PPA has an affordable housing need. Plymouth's housing need evidence demonstrates an element of this. In May 2019 there were 11,010 households on the Plymouth housing register, 2,840 of these were considered to be in priority need (Bands A-C).

4.63 The NPPG, Housing need assessment, September 2018[51] states that assessing affordability involves comparing housing cost against the ability to pay.

Plymouth worked example

4.64 In Plymouth, the lower quartile house price (entry level market housing) was £136,800[52] (September 2018). The lower quartile gross annual workplace earnings for September 2018 was £20,860[53]. This provides a ratio of lower quartile house price to lower quartile gross annual workplace earnings of 6.56[54].

4.65 Although the lower quartile house price is more affordable than most parts of the South West, it is significantly above the usual lending formulae for mortgages which is still based on 3.5 times gross income, plus a standard capital deposit. Therefore housing affordability is still a big issue as house prices continue to increase more than wages causing the gap to widen.

4.66 The below example is based on September 2018 dataset[55]:

Affordable purchase price = lower quartile gross annual workplace earnings x 3.5 times lending + 10% deposit.

50 https://www.plymouth.gov.uk/sites/default/files/StrategicHousingMarketNeedsAssessmentPart2.pdf
51 https://www.gov.uk/guidance/housing-and-economic-development-needs-assessments
52 https://www.ons.gov.uk/peoplepopulationandcommunity/housing/datasets/ratioofhousepricetoworkplacebasedearningslowerquartileandmedian
53 https://www.ons.gov.uk/peoplepopulationandcommunity/housing/datasets/ratioofhousepricetoworkplacebasedearningslowerquartileandmedian
54 https://www.ons.gov.uk/peoplepopulationandcommunity/housing/datasets/ratioofhousepricetoworkplacebasedearningslowerquartileandmedian
55 https://www.ons.gov.uk/peoplepopulationandcommunity/housing/datasets/ratioofhousepricetoworkplacebasedearningslowerquartileandmedian

Affordable purchase price = £20,860 x 3.5 + £7,301 = £80,311

Table 5 Plymouth lower quartile income and housing affordability example

The cost of affordable housing products in the PPA

4.67 The table below gives a flavour of the cost of some affordable housing products within the PPA. Plymouth figures (September 2018[56]) are used as an example:

Affordable housing product	Average cost
Social Rent	£70.36 per week
Affordable Rent	£113,76 per week

Table 6 Example of affordable housing products within the PPA

Affordability of housing in the TTV Policy Area

4.68 The TTV Policy Area has an affordable housing need and housing need evidence demonstrates this. In April 2019 there were 1,451 households on the South Hams housing register, of these 693 were considered to be in housing need in Bands A-D. In West Devon there were 873 households on the Devon Home Choice register and 417 were considered to be in housing need Bands A-D.

4.69 The NPPG, Housing need assessment, September 2018[57] states that assessing affordability involves comparing housing cost against the ability to pay.

South Hams worked example

4.70 In the South Hams, the lower quartile house price (entry level market housing) was £212,500[58] (September 2017). The lower quartile gross annual workplace earnings for September 2017 was £18,57758. This provides a ratio of lower quartile house price to lower quartile gross annual workplace earnings of 11.44.

Affordable purchase price = lower quartile gross annual workplace earnings x 3.5 times lending + 10% deposit. Affordable purchase price = £18,577 x 3.5 + £6,501.05 = £71,521.45

Table 7 South Hams lower quartile income and housing affordability example

56 Homes England Statistical Data Return 2018 (Local Authority View) – https://www.gov.uk/government/collections/statistical-data-return-statistical-releases
57 https://www.gov.uk/guidance/housing-and-economic-development-needs-assessments
58 https://www.ons.gov.uk/peoplepopulationandcommunity/housing/datasets/ratioofhousepricetoworkplacebasedearningslowerquartileandmedian

West Devon worked example

4.71 In West Devon, the lower quartile house price (entry level market housing) was £161,000 (September 2017[59]). The lower quartile gross annual workplace earnings for September 2017 was £16,823[60]. This provides a ratio of lower quartile house price to lower quartile gross annual workplace earnings of 9.57.

Affordable purchase price = lower quartile gross annual workplace earnings x 3.5 times lending + 10% deposit. Affordable purchase price = £16,823 x 3.5 + £5,888.05 = £64,768.55

Table 8 West Devon lower quartile income and housing affordability example

Affordable housing thresholds in the Plan Area

4.72 The LPAs will seek to ensure that the spirit of the threshold policies is not avoided by the artificial sub-division of sites resulting in applications below the threshold, or developments at densities below that which is reasonably appropriate to the site. Applications close to the affordable housing threshold will be subject to thorough testing and policy assessment.

4.73 Where occupation is restricted by planning conditions or legal agreements e.g. residential care/nursing homes, student accommodation etc. a contribution to affordable housing may not be required. Provision for affordable housing however will be required from older persons housing (e.g. sheltered housing and extra care) and other supported housing schemes etc. because these are considered to fall within the Use Class C3 (dwelling houses). For clarity, this includes market-led retirement schemes.

4.74 'Made' Neighbourhood Plans may have their own individual policies and applicants will need to be aware of these. The progress and status of Neighbourhood Plans across the PPA and TTV can be found here on the South West Devon Neighbourhood Plans page[61] and the Plymouth Neighbourhood Plans page[62].

DEV7.2 – Affordable housing thresholds within the PPA

4.75 DEV7.2 sets out the expected affordable housing requirement for private sector developments above ten homes, which is that at least 30 per cent of the total number of dwellings should be affordable without public subsidy, subject to viability, or 20 per cent for a 'Build to Rent' scheme. These homes should be provided on-site, except in the case of sites of between 11 and 14 dwellings where the requirement can be met by providing an off-site contribution to deliver affordable housing elsewhere in the policy area. The affordable housing threshold will apply to the total number of dwellings that are being proposed on-site.

59 https://www.ons.gov.uk/peoplepopulationandcommunity/housing/datasets/ratioofhousepricetoworkplacebasedearningslowerquartileandmedian
60 https://www.ons.gov.uk/peoplepopulationandcommunity/housing/datasets/ratioofhousepricetoworkplacebasedearningslowerquartileandmedian
61 https://www.neighbourhoodplanning.swdevon.gov.uk/
62 https://www.plymouth.gov.uk/neighbourhoodplanning

DEV8.2 – Affordable housing thresholds in the TTV Policy Area

4.76 Much of South Hams and West Devon includes Designated Rural Areas, (The Housing (Right to Enfranchise) (Designated Protected Areas) (England) Order 2009)[63] and areas with special designations, as defined in section 157 of the Housing Act 1985[64].

4.77 DEV8.2 sets out the expected affordable housing requirement for private sector developments above ten homes, which is that at least 30 per cent of the total number of dwellings should be affordable without public subsidy, subject to viability. These homes should be provided on-site.

4.78 Should a site fall within a Designated Rural Area or an area with special designations (as defined in section 157 of the Housing Act 1985), financial contributions will be expected for developments of 6 to 10 units. Development of 6 to 10 units with a total gross internal area (GIA) of over 1,000 square metres, should provide an affordable housing contribution in accordance with Policy DEV8.2.

Affordable housing tenure mix

Affordable housing tenure mix in the Plan Area

4.79 Paragraph 64 of the NPPF states that where major residential development is proposed, it expects at least 10 per cent of the total number of homes on the development to be available as Affordable Home Ownership (as part of the overall affordable housing for the site), unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of a specific group. It allows for exemptions for developments that propose:

- Solely 'Build to Rent' homes;
- Specialist accommodation for a group with specific needs (such as purpose-built accommodation for the elderly or students);
- Self/custom build; or
- 100 per cent affordable housing schemes.

4.80 The Plan Area has a demonstrable need for a range of affordable housing products. For this reason and to help create the mixed and balanced communities that are required by the NPPF, the LPAs will expect the affordable housing tenure mix to be split between social rented homes (65 per cent) and Affordable Home Ownership tenures (35 per cent).

4.81 In exceptional circumstances, where viability considerations reduce the proportion of affordable housing, it may be possible to consider some of the rented units to be affordable rent in order to increase overall affordable housing delivery or to meet an identified need.

4.82 The form of Affordable Home Ownership tenure comprising the 35 per cent will be considered on a site by site basis, acknowledging the findings of the SHMNA Part 2 that products vary in affordability in terms of dwelling size and local market conditions.

4.83 The matter of affordable housing tenure mix should be discussed with PCC's Housing Delivery Team or SHDC's and WDBC's Housing Enabling Team at the earliest opportunity to ensure a balanced approach to the requirements of the NPPF and local housing need.

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63 http://www.legislation.gov.uk/uksi/2009/2098/made
64 https://www.legislation.gov.uk/ukpga/1985/68

Affordable housing tenure requirements in the Plan Area

4.84 The LPAs and their partners are committed to ensuring that all affordable homes are genuinely affordable in the local context and meet the identified housing need. To ensure this is the case:

- Where the affordable housing product makes reference to market rent or sales values, valuation evidence will be required by the LPAs to demonstrate the total housing costs of the tenure proposed against the market rent. This requirement will be captured through a planning obligation. Please see Section 12 for guidance on planning obligations;
- Rent levels within affordable housing products[65], should not exceed the Local Housing Allowance (LHA) in order to maintain affordability. LHA rates are available on the websites of the LPAs and applicable across the Plan Area;
- For clarity Intermediate Rent as part of a 'rent to buy' model should not exceed 80 per cent of the current market rent (inclusive of service charge);
- For Affordable Home Ownership Products[66] it will be the responsibility of the developer to provide evidence of the products' affordability. It is expected that these products will be affordable to people unable to access entry level market housing. This affordability assessment should be submitted to and approved by the LPA prior to the submission of a planning application and should be detailed in the Affordable Housing Statement accompanying the planning application. Reference should be made to the income data from the ONS Annual Survey of Hours and Earnings (ASHE); and,
- All houses provided as part of an affordable housing offer should be provided on a freehold basis.

Affordable housing tenure requirement in the PPA

4.85 In the PPA, essential local worker accommodation is not considered as an affordable housing product. This is because essential local workers generally earns around or above the average wages and are able to compete in the housing market.

Affordable self/custom build in the Plan Area

4.86 Affordable housing provision on self/custom build sites will be required in accordance with policies DEV7 and DEV8. In exceptional circumstances and at the LPA's discretion, the requirement to provide at least 30 per cent affordable housing on qualifying sites may be balanced against the LPA's duty to provide self/custom build plots, for example where the community benefits of self/custom build are realised.

4.87 Where affordable self/custom build housing is proposed, the affordable housing model should be submitted to and approved by the LPA prior to the submission of a planning application and it should be detailed in the Affordable Housing Statement accompanying the planning application. In considering the eligibility of the purchaser/occupant, the LPA will require an eligibility assessment, for example from Help to Buy South West[67], the cost of which will need to be met by the developer or seller.

65 This could include Social Rent, Affordable Rent and Affordable Private Rent as examples.
66 Affordable Home Ownership Products – this could include: starter homes; discounted market sales housing and other routes to home ownership.
67 https://www.helptobuysw.org.uk/

4.88 On self/custom build sites, affordable housing requirements may be met by the provision of serviced plots or shells for self or custom builders that are eligible for affordable housing and at an affordable price. Details of which should be submitted to and approved by the LPA prior to the submission of a planning application and should be detailed in the Affordable Housing Statement accompanying the planning application.

Affordable Private Rent in the Plan Area

4.89 Where schemes exceed the affordable housing threshold outlined in DEV7 and DEV8, 20 per cent of dwellings should be provided as Affordable Private Rent. To ensure the affordability in the local context, the LPA's require Affordable Private Rent schemes to:

- Set Affordable Private Rent at a level that is at least 20 per cent less than the private market rent (inclusive of service charges) for the same or equivalent property;
- Ensure Affordable Private Rent levels do not exceed the Local Housing Allowance (LHA) LHA rates are available on the websites of the LPAs; and
- Submit affordability and eligibility assessment information to the LPA as part of any pre-application service and include the approved proposal as part of the Affordable Housing Statement accompanying any planning application.

Affordable housing, service charges and other estate management charges in the Plan Area

4.90 Service charges are subject to separate legal requirements, however to ensure that total housing costs are considered when assessing the affordability of new affordable properties, the LPAs expect developers to limit service charges and estate management fees to reasonable levels on all new housing developments where affordable housing is provided. For this reason, the implications of the design and specification of the development on the service charge and estate management charge should be considered at an early stage and discussed through the LPA's pre-application services. This is particularly the case when developing supported housing for vulnerable or older people.

4.91 Where there are concerns about high service charge costs and management company fees, the LPAs will require the applicant to demonstrate how the total housing costs of the development meets the requirement of the NPPF to deliver affordable housing on-site to eligible applicants.

4.92 For general needs affordable housing, the LPAs would normally expect the service and estate management charge to not exceed the following per annum sums:

House	Flat without a lift	Flat with a lift
£208.00	£681.72	£1,040

Table 9 Service charge cap per annum (19/20)

4.93 These figures will be updated on an annual basis by RPI (Retail Price Index) +0.5 per cent.

DEV10.3 – Affordable housing design considerations in the Plan Area

4.94 DEV10.3 requires that affordable housing, including affordable private rent, should be indistinguishable from other homes on the site and reflect the type of housing on the development as a whole.

4.95 Affordable housing should not be different to the market housing in terms of build quality, materials, design detail, levels of amenity space, car parking and privacy. Tenure blind integration should be considered at an early stage of the design process. The affordable housing offer should also be a representative mix of the type and size (in terms of number of bedrooms) of the overall dwelling mix. The LPA may however wish to discuss the provision of specific types of affordable housing to meet an identified local need in certain circumstances.

4.96 For example, energy efficiency is also important, as reducing energy costs for occupants is particularly significant for those living in affordable housing and those more vulnerable to fuel poverty in addition to combating climate change.

4.97 Affordable dwellings should be spread throughout the development, although on large sites this can take the form of small clusters, not normally exceeding 12 dwellings. Consideration will be given for larger clusters for example in the case of older persons sheltered housing, extra care, and supported housing schemes.

4.98 The LPAs expects developers to liaise with Registered Providers (RPs) at an early stage to ensure that the specification of the proposed affordable units meet the RPs' technical requirements.

Registered Providers (RP)

4.99 The LPAs strongly prefer all forms of on-site affordable housing provision to be provided in conjunction with a RP that can secure effective long-term management of the property and ensure that any recycled subsidy contributes to alternative affordable housing provision locally. For clarity, where subsidy is being recycled there is a strong preference for this to be reinvested in the same local authority that it originated in.

4.100 As per the NPPF definition for 'affordable housing for rent,' the landlord should be a RP, except where it is included as part of a 'Build to Rent' scheme.

RPs in the PPA - Plymouth Housing Development Partnership (PHDP)

4.101 Within the Plymouth authority boundary, developers are encouraged to work in collaboration with PCC and the partners who form the Plymouth Housing Development Partnership (PHDP):

- Aster Group;
- Bournemouth Churches Housing Association;
- Clarion Housing Group;
- Guinness Partnership;
- LiveWest;
- Plymouth Community Homes;
- Rentplus;
- Sanctuary Housing Association;

- Tamar Housing; and,
- Westward Housing Group.

4.102 Homes England is also a member of the PHDP and works closely with PCC and its RP partners to help deliver affordable housing in the City.

RPs in the TTV Policy Area

4.103 The PHDP does not currently operate outside of the Plymouth LPA area. SHDC and WDBC do however work with a number of the RPs listed above in addition to:

- Hastoe Housing Association;
- South Devon Rural Housing Association;
- South Western Housing Society; and,
- Teign Housing.

Financial considerations in the Plan Area

4.104 It is important for developers to have a clear understanding of the likely financial impact of the affordable housing planning obligation in advance of acquiring land and making a planning application. The planning policy presumption is that the affordable housing should be provided without public subsidy. Any deviation from this policy must be agreed by the LPA on a case-by-case basis and will be assessed through a viability appraisal process as per policy DEL1.5. The viability appraisal and any accompanying report will be published on the appropriate LPA's website as set out in paragraph 57 of the NPPF.

4.105 For further guidance on viability please see Section 12 'Planning obligations, the Community Infrastructure Levy and development viability'.

Delivery and future control in the Plan Area

4.106 It is expected that affordable housing units will be secured through a planning obligation.

4.107 A copy of the standard planning obligation (Section 106) affordable housing clauses are available on request. If it is envisioned that the standard clauses need to be varied, the LPAs would encourage an early discussion as part of the pre-application service.

4.108 The delivery of affordable housing on-site requires timely completion, in line with market housing. This means that:

- Not more than 50 per cent of open market dwellings should be occupied unless and until 50 per cent of affordable housing has been completed and made available for occupation; and,
- Not more than 80 per cent of open market dwellings should be occupied unless and until 100 per cent of affordable housing has been completed and made available for occupation.

Off-site provision and commuted sums in the Plan Area

4.109 DEV7.2 and DEV8.3 assumes that affordable housing will be provided on-site for all qualifying developments and paragraph 62 of the NPPF also expects affordable housing to be provided on-site.

Off-site provision and commuted sums in the PPA

4.110 Within the PPA, circumstances where the affordable housing requirement may be provided by off-site provision, or via an appropriate financial contribution[(68)] (subject to appropriate evidence where required), include:

- Developments of between 11 and 14 units;
- Developments where it is impractical or unreasonable for an RP to manage a small number of units within a larger development, for example where viability has reduced the proportion of affordable housing numbers to a very low level;
- Developments where the total housing costs of the affordable rental product or affordable home ownership units would be unaffordable to eligible applicants. For example where very high service and other management charges would be required because of the nature of the development.

Off-site provision and commuted sums in the TTV Policy Area

4.111 Within the TTV Policy Area, the following applies:

- Housing schemes of 1 to 5 units will not require a financial contribution, unless a 'made' Neighbourhood Plan requests this;
- For housing schemes of 6 to 10 units within a Designated Rural Areas[(69)] (or other special land designation) of the TTV Policy Area, an off-site contribution will be required and calculated using the method below;
- For schemes over 10 units, or in the TTV Policy Area towns, a minimum of 30 per cent on-site provision will be required;
- Developments where the total GIA exceeds 1,000 squared meters will be expected to provide affordable housing contributions. Please speak to the affordable housing team in this instance.
- Guidance on 'Meeting housing needs in rural areas (TTV27)'will also be considered.

Calculating affordable housing commuted sums in the Plan Area

4.112 Across the Plan Area, financial contributions may be pooled with contributions from other developments to further the delivery of affordable housing at other locations within the relevant administrative boundary as appropriate and at the discretion of the LPAs.

4.113 The LPAs will require an early trigger in the planning obligation agreement for payment of the commuted sum, with at least 50 per cent made on commencement of development.

Affordable housing contribution = no. of affordable units x (open market value of the units minus the average Registered Provider (RP) purchase price for comparable properties).

Table 10 Method for calculating the commuted sum from residential development

68 Where the policy requirement for affordable housing doesn't result in a whole number of affordable units, the fraction will be required as a commuted sum rather than the number being either rounded up or down to the nearest whole number.

69 Designated Rural Areas are parish-level areas designated under S.157 of the Housing Act 1985 through SI 2009 No. 2098.

4.114 The housing mix used in calculating the off-site affordable housing contribution will be based on the affordable housing type and tenure mix.The average RP purchase price will be based on evidence supplied by developers and the RPs within viability assessments undertaken within the previous 12 months.

4.115 To help to collate this information, RPs and developers will be individually required to submit documentation confirming the purchase price paid for the affordable housing units (also known as the 'transfer price'). The LPAs reserve the right to seek clarification or further documentation as required.

Delivering high quality housing (DEV10)

What is this policy about?

4.116 DEV10 is a policy to ensure that new housing development is of high quality in terms of its design and resilience. This does not only include the range, type and size of housing required, but also ensures that housing and extensions to housing is built to a high standard in locations that relate well to existing communities and make a positive contribution to the character of all settlements across the Plan Area.

4.117 For detailed guidance on house extensions and alterations please see 13 'APPENDIX 1: Residential extensions and alterations'.

What needs to be considered in the implementation of this policy?

4.118 The LPAs will expect high standards of design, layout and landscaping for all developments which respect the character of the area.

4.119 When designing housing, regard should be had to the design principles in the Building for Life 12 Guide[70].

4.120 Specific design guidance should also be considered for specialist housing developments, such as the Housing our Ageing Population Panel for Innovation (HAPPI) principles[71]in older person proposals.

DEV10.1 – 'Sense of place' considerations

4.121 Great care needs to be taken in the design and layout of new housing development, including at the edge of built up areas, to ensure that it functions as a seamless part of the existing community rather than an unrelated addition. Masterplans and Design and Access Statements associated with the development need to take account of this wider context, not just in terms of the relation of the new buildings to the existing built environment, but in terms of connectivity to key facilities such as schools, shops and green spaces.

4.122 For guidance on design and specific materials across the Plan Area please see 'Place shaping and the quality of the built environment (DEV20)' and 14 'APPENDIX 2: Specific materials for the Plan Area'.

70 https://www.designcouncil.org.uk/resources/guide/building-life-12-third-edition
71 https://www.gov.uk/government/publications/housing-our-ageing-population-panel-for-innovation

DEV10.2 – Crime and fear of crime

4.123 DEV10.2 looks to ensure development proposals provide safe and secure living environments and are therefore expected to comply with the secure by design principles. Please see guidance at 'DEV20.6 – Community safety and crime' for further details.

DEV10.3 – Affordable housing design considerations

4.124 For affordable housing design guidance please see 'DEV10.3 – Affordable housing design considerations in the Plan Area'.

4.125 For guidance on space standards please see 'DEV10.5 – Space standards and outdoor amenity space'.

DEV10.4 – Residential annexes

4.126 DEV10.4 specifies that residential annexes will be supported where they are within the same curtilage and ownership as the principle dwelling. Problems can arise where this type of development creates a self-contained unit, either severed from the main dwelling or which could, with little or no adaptation, potentially be severed from the main dwelling to form a separate unit. This can result in the creation of sub-standard accommodation with inadequate privacy, access, parking and amenity space.

4.127 In respect of residential annexes, ancillary relates to the use and degree of dependence on the main dwelling, not the physical attachment or design/appearance of the annexe. Each case is likely to be different in terms of its built form (attached or severed) but the level of dependence will be consistently considered by the LPAs based on the criteria set out below. Annexes that demonstrate little dependence, i.e. are self-contained of the main dwelling, will likely be refused planning permission.

4.128 When considering whether an extension or outbuilding is capable of being occupied independently of the main dwelling, the LPAs will have regard to its relationship to the main dwelling, and the extent to which facilities such as bathrooms, kitchens and toilets are shared. The LPAs will normally expect an annex to:

- Be an extension to the existing dwelling, or an outbuilding sited within its garden;
- Be functionally related to the main dwelling, for example where the occupant is a dependent relative of the main dwelling's resident(s);
- Be used only in conjunction with the main dwelling;
- Be in the same ownership as the main dwelling;
- Be accessed via the main dwelling or its garden and not by means of an independent access.
- Be reliant on facilities and floor space provided by the main dwelling such that it cannot be occupied completely independently;
- Share a garden or other outdoor amenity space with the main dwelling, with no boundary demarcation or sub division of the land between the main dwelling and the annexe; and,
- Be designed in such a way as to easily allow the annexe to be used as an integral part of the main dwelling at a later date.

4.129 A residential annex should be designed as an integral part of the overall dwelling. The general design guidelines relating to house extensions, alterations and outbuildings in 13 'APPENDIX 1: Residential extensions and alterations'.

4.130 Planning conditions restricting occupancy to a member of the main dwelling's household will be attached where these are considered necessary.

Statement of use of annexe

4.131 When submitting a planning application for an annexe a written statement explaining who it will be used by, their relationship with the occupants of the main dwelling and how the use of the annexe complies with the criteria listed above should be included.

DEV10.5 – Space standards and outdoor amenity space

Space standards

4.132 DEV10.5 states that all dwellings, including Houses in Multiple Occupation (HMOs) and conversions, irrespective of tenure, should meet the Nationally Described Space Standard (NDSS)[72] as defined by DCLG.

4.133 Whilst the NDSS will be required in the majority of cases, a relaxed standard may be allowed in exceptional circumstances, for example, for the conversion of a listed building or another building where bringing it back into use is considered a greater benefit.

4.134 Where a relaxed standard is permitted, significant justification may be required through a viability statement.

4.135 Outdoor amenity space

4.136 DEV10.5 states that sufficient external amenity space or private gardens should be provided for with new dwellings (including conversions of existing properties into flats), this should be useable space and clearly identifiable as part of the planning application.

4.137 The following table sets out the standards of provision for outdoor amenity space and includes all front, rear and side useable areas (but excludes car parking):

Housing type	Minimum standard
Detached dwelling	100m^2
Semi-detached dwelling	75m^2
Terraced dwelling (including end terrace)	50m^2
Flats	50m^2 per development plus 5m^2 per additional unit over 5. This will normally be in the form of a communal space. Private balconies can be included in the calculation of amenity space, provided that they are a useable size of at least 3m^2.

72 https://www.gov.uk/government/publications/technical-housing-standards-nationally-described-space-standard

Housing type	Minimum standard
HMOs (up to and including 6 occupants)	10m^2 per person
HMOs (7 or more occupants)	15m^2 per person

Table 11 Outdoor amenity space standards by housing type

4.138 It is not appropriate to define leftover spaces as communal areas. Communal outdoor amenity areas should be:

- Located to give a degree of privacy from streets or other public areas;
- Be accessible to all residents;
- Laid out in a way which will provide good amenity to residents; and,
- Be located so as to be able to be supervised by residents in order to make them feel safe.

4.139 Whilst the table above sets out a minimum standard of amenity space expected for new dwellings, the proposed site's location and proximity to local parks and public open spaces will be taken into account during the application process, as well as whether the proposed site is within an older and more densely developed neighbourhood. Exceptions to the above standards will be negotiated on a case-by-case basis.

DEV10.6 – Development of garden space

4.140 Whilst new housing development in gardens can make a contribution to the local housing stock, garden development can have a negative impact on the character and amenity of an area.

4.141 Gardens are not defined as being previously developed land and a higher test of suitability will be taken when considering applications of new housing in gardens. The LPAs will carefully consider new development proposals of this type to ensure it only takes place on appropriate sites in residential areas and where it does not harm the character of the area.

4.142 For detailed guidance on house extensions and alterations please see 13 'APPENDIX 1: Residential extensions and alterations'.

DEV10.7 – Conversions to flats and Houses in Multiple Occupation (HMOs)

4.143 DEV10.7 looks to ensure that the conversions of existing properties into self-contained flats[(73)] and HMOs will only be permitted where the development will not harm the character of the area.

4.144 In order to ensure good quality smaller family dwellings are retained, houses of less than 115 square meters gross floor area are not considered suited for conversion to HMOs or flats. When assessing proposals, the LPAs will calculate the gross floor area of the dwelling as the area of the building ten years prior to the application, checking whether the property has been extended during this time. This is to prevent the extending of 'family' accommodation to take it above the 115 square meters floor area criteria.

73 A self-contained flat is where all the dwelling's rooms and basic amenities are accessible from behind a single entrance door.

4.145 When faced with an application to subdivide a dwelling, the following will be taken into consideration:

- Flat conversions need to respect the scale and character of the original building and other buildings in the neighbourhood; and,
- The property should be large enough to accommodate the number of flats proposed and provide the necessary amenities without the need for significant alterations or extensions.

Conversions of vacant or under-used buildings

4.146 In recent years the government has encouraged the conversion of vacant or under-used spaces in order to bring more life back into city, district and local centres and to make more efficient use of available space. In some cases planning permission is not needed due to permitted development rights. The Town and Country Planning (General Permitted Development) (England) Order 2015[74] is the principal order which sets out when planning permission is not needed, provided that no restrictive condition is attached or that the development is exempt from the permitted development rights through an 'Article 4' direction.

4.147 The LPAs will take the following considerations into account when assessing suitability for conversion:

- The proposed development should not cause the loss of a viable use that is considered important to retain, particularly given the LPAs' objective of creating sustainable, linked communities;
- There will be no adverse effect on the vitality and viability of shopping centres; and,
- The location and situation of the premises will provide an acceptable living environment having regard to the nature of the area and adjacent uses.

Standard of accommodation (flats)

4.148 It is important for the quality of life of occupants that flat conversions provide a decent standard of accommodation. As such the following considerations for the internal layout will apply:

- All flats should be self-contained and conform with Nationally Described Space Standards (NDSS);
- The proposal should not generally involve the provision of self-contained flats within basements and rear tenements, unless enough natural light is available;
- Where possible, 'stacking principles' should be adhered to with living rooms above living rooms, bedrooms above bedrooms, etc.;
- Principal habitable rooms should receive adequate levels of natural daylight; and,
- Single aspect flats should generally be avoided.

4.149 Providing separate access to the front and rear of each self-contained flat within a building can present a logistical challenge but is often required to enable occupiers to access amenity space, parking, and refuse storage areas etc. One possibility that is often considered is the installation of external rear stairs. However, external staircases can cause significant amenity problems for neighbours in relation to noise and privacy and can look unsightly as

74 http://www.legislation.gov.uk/uksi/2015/596/contents/made

well as compromise the safety of occupiers if they are poorly lit and become slippery in wet and cold weather conditions. For these reasons they will rarely be acceptable. The presumption is that access staircases should be accommodated internally.

DEV10.8 – Standard of accommodation (HMOs)

4.150 Under planning legislation, a HMO is defined as a residential dwelling occupied by 3 or more unrelated individuals that share basic amenities, such as kitchens, bathrooms and living space. Small/medium HMOs are occupied by between 3 and 6 unrelated individuals and are classified as Use Class C4 dwellings in planning terms. Large HMOs with more than 6 residents are unclassified by the Planning Use Class Order and considered sui generis.

4.151 DEV10.8 looks to ensure Homes in Multiple Occupation (HMOs) are only permitted when the proposal meets certain requirements.

4.152 Applications for HMOs will be expected to demonstrate the layout and design is suitable for the proposed use and number of occupants. HMOs will need to be of a decent standard for occupiers and this standard will be maintained with planning conditions that will form part of the planning permission. Licensable HMOs can be inspected throughout the duration of the licence to ensure licensing criteria is being met.

4.153 Please note, within certain areas of Plymouth, an Article 4 area has removed the permitted development rights of house owners to convert a single dwellinghouse (Use Class C3) into a HMO (Use Class C4). For further guidance on this please see guidance at DEV11.

Communal space for HMOs

4.154 It is expected that all HMOs will have shared kitchen facilities and will normally have at least one communal room. All room types within a HMO and their size should be indicated on the plans submitted when applying for planning permission. On occasion, an applicant may be able to demonstrate the provision of a communal room would not be appropriate and in such circumstances, the applicant will be required to provide an explanation justifying this position with the planning application. In such instances, the floor space of the bedrooms would be expected to be significantly larger and accord with the standards of bedroom sizes set out in HMO licencing guidance.

4.155 All units of occupation are expected to have access to shared facilities for cooking and bathroom/toilet facilities that are conveniently accessible, suitable and sufficient for the number of occupants. Detailed guidance on licensable HMO standards is available on the Council's websites:

- Plymouth City Council[75]
- South Hams District Council[76]
- West Devon Borough Council[77]

75 https://www.plymouth.gov.uk/homesandproperty/privaterentedaccommodation/housesmultipleoccupationhmo/hmostandards
76 https://www.southhams.gov.uk/HMO
77 https://www.westdevon.gov.uk/HMO

4.156 In addition to communal space, all HMOs should seek to provide an appropriate area for drying laundry. Where this is proposed within the property, it should be well ventilated and should not restrict the movement of occupants. Providing drying areas can reduce the likelihood of condensation and damp, which, when combined with poor ventilation, can have a detrimental impact on health.

4.157 All HMO proposals and extensions to existing HMOs will be expected to provide sufficient useable outdoor amenity space for the number of occupants as set out in guidance at DEV10.5. The outdoor amenity space should be readily accessible by all occupants, secure and should not be overly dominated by refuse facilities. Outdoor amenity space should be provided in addition to the space that is allocated for car parking, cycle parking, refuse storage and laundry drying areas. Where outdoor amenity space is restricted, HMO applicants will need to demonstrate that occupants have good access to public green space to mitigate for limited amenity space at the application site.

4.158 All planning applications for HMOs should provide a clear indication of the location and type of rooms available within the property and where communal space, including drying space, will be provided.

Management of HMOs

4.159 A manager of a HMO has a legal responsibility to properly manage that property and ensure the building and curtilage is maintained to a good standard with all facilities kept in proper working order. Guidance on HMO standards and the levels of management required is available on the LPA's websites.

Noise

4.160 Converting, or sub-dividing, a house to a HMO results in more people living in the property, and the potential for greater noise levels. Noise is by far the greatest direct cause of disturbance to neighbours. Reducing noise is also important for the existing surrounding community and the amenity of occupiers living in the HMO.

4.161 To minimise the impacts of noise disturbance, the internal layout of HMOs should be considered to ensure that, where possible, rooms of a similar type are located together and communal rooms, such as, lounges, bathrooms and kitchens do not immediately adjoin sleeping accommodation on the same floor. Soundproofing can also be put in internal vertical walls surrounding sleeping accommodation on the same floor, and between floors. Stairwell walls can be sound-proofed. Adjoining communal rooms and sleeping accommodation between neighbouring properties should also be avoided where possible and good sound insulation should be considered.

4.162 HMOs within residential areas generally have less impact on neighbours if they are located in large, detached properties. If the proposal involves a semi-detached or terraced house, then good sound insulation will be needed to prevent any noise disturbance to neighbours.

Refuse

4.163 Planning permission will only be granted for HMOs and extensions to existing HMOs if it can be demonstrated that adequate and effective provision has been made for the storage of recycling and non-recyclable waste. Waste containers should be suitably stored with bins located inside a dedicated refuse store wherever possible and off the highway. The maximum

number of bins required will be determined on a case-by-case basis and will be informed by an assessment of refuse emerging from the maximum number of occupants. Details of the proposed refuse storage arrangements should be provided with the planning application.

4.164 Further details on refuse storage can be found at DEV31. Advice and guidance on waste receptacles and collection services is available on each LPA's website.

Transport and parking

4.165 Additional pressure for on-street or off-street parking arising from a HMO conversion can be reduced if the HMO is located within easy walking distance of shops, amenities and public transport services.

4.166 The guidance set out at Policy DEV29 in this SPD indicates what level of car and cycle parking might be required to support HMO planning proposals.

Compliance and enforcement

4.167 The LPAs work closely with the Council's Housing Licencing Teams to ensure that HMOs have the appropriate planning permission and that HMO licences are in place where applicable. Enforcement action will be taken when planning or licencing breeches are identified.

Houses in Multiple Occupation in the Plymouth Article 4 Direction Area (DEV11)

What is this policy about?

4.168 Policy DEV11 seeks to prevent new concentrations of HMOs in the Article 4 area and seeks to positively control the balance of property types to ensure a range of housing needs can be met without compromising existing residential amenity. The definition of a HMO is set out at guidance at 'DEV10.8 – Standard of accommodation (HMOs)' above.

4.169 An Article 4 Direction to remove the permitted development rights of house owners to convert a single dwellinghouse (Use Class C3) into a HMO (Use Class C4) came into effect in Plymouth on 14 September 2012. The Article 4 Direction applies to a number of neighbourhoods in and around central Plymouth where there are particularly high concentrations of HMOs. A map showing the area covered by the Article 4 Direction is available online[78].

4.170 Within the Article 4 area, planning permission is required to convert a single dwellinghouse to a HMO with between 3 and 6 occupants. Planning permission to convert a property into a large HMO with more than 6 occupants requires planning permission throughout the entire city. These planning controls ensure that HMOs are more evenly distributed throughout Plymouth, they prevent excessive concentrations of HMOs and ensure mixed and balanced communities are delivered to meet a range of housing needs.

4.171 Please note that the guidance available in this SPD at 'DEV10.8 – Standard of accommodation (HMOs)'is also applicable to the Article 4 area.

What needs to be considered in the implementation of this policy?

Criteria for the acceptability of proposed HMOs

78 https://www.plymouth.gov.uk/sites/default/files/Article4DirectionMap_0.pdf

4.172 The degree of impact that a proposed HMO or HMO extension could have will depend on the location and nature of the existing and resulting housing stock and the number of existing HMOs and other non-family dwellings in the area.

4.173 Proposed HMOs and HMO extensions should not cause the loss of a viable use that is considered important to retain in the context of creating sustainable, linked communities. It is also important to consider opportunities to provide family dwellings to help re-balance communities, where appropriate, when considering conversions from other uses or HMO extensions.

4.174 Many HMOs within the Article 4 area are occupied by students and the transient nature of the student population can change the character of local services, shops and food and drink outlets. The student population brings significant financial benefits to Plymouth, but the uneven distribution of the student population and non-student occupied HMOs has put pressure on the housing stock in certain parts of the city and has led to the displacement of families.

4.175 While HMOs can assist in meeting the city's housing needs, there is still a need to manage the supply to avoid high concentrations in an area. Applications for HMO conversions in areas where there is already a high concentration of non-family dwellings will normally be resisted unless they can demonstrate the conversion will not lead to, or worsen, imbalanced communities, amenity concerns or loss of residential character. Applications for extensions to existing HMOs will be assessed on a case-by-case basis.

4.176 Using council tax data, HMO licensing information and planning application records, an evidence base has been prepared to assess HMO proposals. This database will be routinely kept up to date. It may not be possible to publish the detailed evidence on an individual property basis due to data protection laws, however, the LPAs will be able to provide statistical information about the proportion of HMOs within a 100 metre radius of the application site and this will be included in the application report and will be used to inform the decision making process. The 100 metre buffer zone and 10 per cent concentration level will enable the LPA to manage future changes in the city’s housing stock to ensure the surrounding area is not adversely affected by new HMO development.

4.177 Due to the types of information and resources available to the LPA, it is not possible to identify all existing HMOs in the city. In some circumstances, information provided by the applicant or in letters of representation can be used as evidence to support the LPA’s decision, where the information can be reasonably verified. Unsupported statements about the use of a property or properties will normally carry very little weight. The local community, or applicant, may choose to carry out research to produce an evidence base showing a detailed understanding of their area. It will be expected that such research is carried out professionally (normally by a professional accredited with the RTPI, RICS or another relevant institute) and in accordance with good practice and ethical considerations.

4.178 It may be necessary for the LPA to revise the HMO threshold in the interests of good planning if there is a significant change in the number of HMOs available or recognised changes to the city’s housing needs.

DEV11.1 – The ’10 per cent threshold’

4.179 Policy DEV11 defines a tipping point where the concentration of HMOs begins to adversely impact on the character and balance of the local community. In Plymouth, it is considered that within the Article 4 area, a threshold of 10 per cent of HMOs within the housing stock is an appropriate ceiling to maintain balanced communities. This figure is the number of buildings that are in HMO use as a percentage of all residential dwellings within 100 metres of the application site. Changes of use that would result in a concentration of HMOs higher than 10 per cent (including the application property) will normally be resisted. A balanced judgement will be sought depending on the circumstances of the planning application.

4.180 When considering HMO planning proposals, a 100m radius will be mapped around the application site; the number and type of residential properties within the area will then be calculated on the existing and planned number of HMOs within the 100 metre mapped zone. The map below shows an example of a 100m radius around a HMO application site.

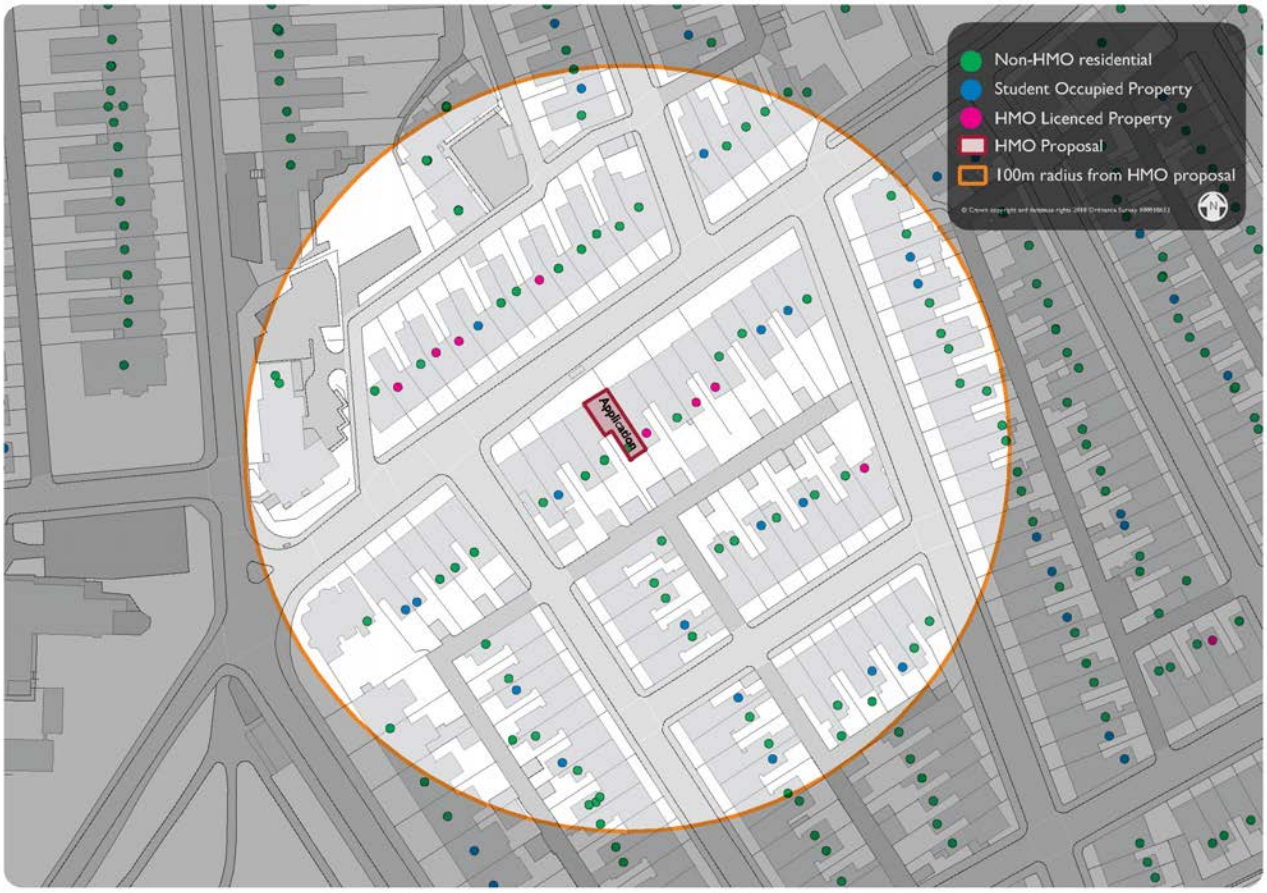


Figure 2 Map showing an example of 100m radius from a HMO planning proposal site

4.181 The threshold limit aims to prevent new concentrations of HMOs and seeks to encourage a more even housing distribution across central areas of the city.

DEV11.2 – Presumption against ‘sandwiching’

4.182 Any proposal to create a HMO which results in a single dwelling (Use Class C3) being sandwiched between two HMO’s is likely to be considered unacceptable. The ability to resist ‘sandwiching’ reflects the very significant negative impact that can be felt by occupiers

of single dwellings when they are directly conjoined on two sides by properties that are in multiple occupation. Subdivided units and HMO extensions will be considered on a case-by-case basis.

Figure 3 Illustration showing HMO 'sandwiching'

DEV11.3 – HMO licensing

4.183 Mandatory HMO licensing has been in force since the introduction of the Housing Act 2004, however, the prescribed description of what criteria makes a licensable HMO was subject to changes on 1 October 2018. HMO licensing is independent of the planning process and has its own specific requirements different to planning. Further information can be accessed on the Council's website[(79)].

4.184 It is an offence to breach planning legislation and housing laws. Appropriate enforcement action will be taken whenever necessary to address such matters.

Purpose built student accommodation in the Plymouth Policy Area (DEV12)

What is this policy about?

4.185 The education economy is of significant importance to Plymouth with the city hosting three major Higher Education Institutes (HEI): the University of Plymouth; University of St Mark and St John and Plymouth College of Art.

79 https://www.plymouth.gov.uk/housing/privaterentedaccommodation/housesmultipleoccupationhmo

4.186 In 2013/14, the PPA's student population contributed £300 million in to the area's economy (based on 31,654 students).

4.187 It is essential that accommodation is provided for those attending these establishments of the appropriate form and in suitable locations. While many students occupy older properties within established residential areas, many students also choose to live in purpose built student accommodation (PBSA).

4.188 DEV12 is a policy to ensure that PBSA in the PPA is only permitted where certain criteria can be adequately addressed.

What needs to be considered in the implementation of this policy?

Student accommodation demand

4.189 It is difficult to accurately determine the current level of 'need' for PBSA in the PPA. Only an estimate can be provided as need is influenced by a number of complex and variable factors, including student population trends, existing student housing supply, the tendency to live in halls of residence, the number of 'international students' which often choose PBSA and the quality and price of accommodation available.

4.190 Consideration needs to be given to the existing level of PBSA, schemes under construction and those in the development pipeline with extant planning permission. This information needs to be considered alongside up-to-date HEI student enrolment statistics and future projections within the city to ensure there is a genuine, identified need for new PBSA developments.

4.191 Applicants seeking permission for new PBSA are encouraged to engage with HEIs from the outset and throughout the planning process as appropriate to ensure proposals respond to any identified student needs.

4.192 First year students are considered to have the greatest need for PBSA and when studying away from home, the University of Plymouth actively encourage these more vulnerable students to live in managed PBSA. It is important that the LPA meets the accommodation needs of these students for their welfare and to ensure HEIs can flourish and continue to positively contribute to the PPA's economy. At the time of publication of the SPD there are a sufficient number of rooms available in PBSA to accommodate the needs of all first year students enrolled in Plymouth's HEIs.

DEV12.1 – Meeting the identified need

4.193 Policy DEV12.1 seeks to ensure proposed PBSA meets an identified need. Applications for PBSA will be required to identify the target market for the proposal and provide evidence to show how specific targeted occupant needs will be met. It will also be necessary to clarify why the identified need is currently unmet by the existing stock of accommodation.

4.194 Applicants should also provide information that details where students are likely to be drawn from to occupy the proposed development. If available, applicants will be requested to provide support from a HEI as appropriate.

4.195 Identifying the target market and level of need will help to determine whether students are more likely to choose PBSA rather than C3 dwelling houses and C4 HMOs.

DEV12.2 – An appropriate location

4.196 DEV12.2 ensures PBSA is delivered in the most sustainable locations where existing infrastructure is optimised and urban regeneration potential is supported. Applicants will need to demonstrate the proposal is within a short walking distance of a HEI using a direct, quick and easy route. This will facilitate ease of access to campus for students and will promote sustainable travel and minimise car use. In accordance with the JLP:

- Plymouth City Centre will be the primary location for PBSA in Plymouth, particularly on sites where the development will kick-start other regeneration projects; and,
- Developments proposed to support the University of St Mark and St John will be encouraged in the new district centre in Derriford, and will be assessed on their merits taking policy DEV12 criteria into consideration.

DEV12.3 – Excessive concentration of PBSA

4.197 DEV12.3 ensures the delivery of a balanced and sustainable community. Consideration will be given to the existing and planned PBSA in the area to avoid the creation of dominant single use areas.

4.198 An overconcentration of students living in a neighbourhood is not considered desirable due to the noise and social impacts this concentration brings and the pressure on supporting infrastructure (including the coordination of arrivals at certain times of the year).

DEV12.4 – Loss of an existing use

4.199 DEV12.4 ensures the proposal does not result in a harmful loss of an existing use. The LPA will consider the former and existing use of the development site, and will resist applications which would result in a harmful loss of employment opportunities or would have a detrimental impact on the amenity or character of an area.

DEV12.5 – Appropriate features within the development

4.200 DEV12.5 ensures the nature, layout and design of proposed PBSA is appropriate to the location, context and the identified user group. High quality PBSA can deliver regeneration benefits, whilst minimising any potential harm to local character, environmental quality or existing residential amenity. It is the LPA's desire that PBSA is designed to facilitate the needs of students currently drawn to HMOs to help redress community imbalances in some residential areas.

4.201 Within proposed PBSA there should be:

- An appropriate mix of room types to meet the identified needs of the target occupants, for example, it may be appropriate to deliver more cluster flats and shared rooms in new developments to give students a greater diversity of choice rather than single occupancy studios. The proposed accommodation type should be supported with appropriate evidence;
- Adequate communal space for students to facilitate social interaction and support modern ways of learning;

- Adequate social learning spaces to create opportunities for peer interaction and that support group work, which may include: informal break-out areas; common rooms; libraries or cafes with study zones located within the PBSA building; and,
- On-site laundry facilities to meet the needs of the student occupants and create further opportunities for social interaction between resident occupants.

DEV12.6 – Adjacent uses and the surrounding area

4.202 DEV12.6 ensures developments are integrated and support community cohesion. PBSA will therefore be resisted where it will have an unacceptable or adverse impact on adjacent properties or the general amenity of the surrounding area and any potential conflicts with neighbouring land uses will need to be minimised.

DEV12.7 – Management plans

4.203 DEV12.7 will ensure proposed PBSA is managed to provide a positive and safe living environment. It also helps minimise local concerns and the potential negative impacts on the local community. Therefore applications for PBSA will need to be accompanied by management plans that:

- Provide information on how the property will be staffed and managed to benefit all student occupants and the local neighbouring community;
- Include strong lines of communication for the reporting and monitoring of maintenance and welfare issues and must include 24 hour contact details;
- Provide information on the ongoing maintenance and upkeep of the building, both internally and externally;
- Are drawn up in consultation with the city's HEIs to ensure the management plans are effective, meaningful, and enforceable; and,
- Will be kept up to date and any revisions should be made available on request.

DEV12.8 – Arrival plans

4.204 DEV12.8 ensures applications for PBSA are supported by a clear and concise arrivals plan. An arrivals plan must include adequate and effective vehicular movement arrangements for the arrival of students moving in to and out of the PBSA at the start and end of terms. Therefore:

- Existing or planning parking facilities and drop-off bays should be sufficiently managed where appropriate to meet the needs of these students and minimise possible disruptions to the road network;
- Local car parking facilities suitable for use during drop-off and collection should be detailed within the arrivals plan and should include relevant information about the car parking hours of operation and the distance from the accommodation; and,
- Arrival plans should be agreed in consultation with the appropriate HEI, Local Highways Authority and the LPA.

DEV12.9 – Future proofing

4.205 DEV12.9 will ensure developments are sustainable and will help to address concerns about the perceived risk of redundant high rise PBSA buildings. Applicants will need to demonstrate that consideration has been given to the future use of the PBSA building should it become surplus to requirements in the future. Adaptations may include the internal conversion of the premises to accommodate non-student residents or office space for example.

4.206 Applicants should provide details of the expected lifespan of PBSA buildings to help the LPA plan, monitor and manage the future supply.

DEV12.10 – On-site parking

4.207 DEV12.10 will ensure developments are adequately and appropriately serviced in terms of parking facilities. Developments should be designed to achieve on-site parking levels as set out in guidance at 'Specific provisions relating to transport (DEV29)' of this document, ensuring that adequate measures are in place to maintain this level of provision and the effective practical use of it.

DEV12.11 – Recycling/refuse and cycles

4.208 DEV12.11 will ensure developments are adequately, and appropriately serviced in terms of storage for recycling/refuse and cycles. This will be negotiated on a case-by-case basis through the application process.

4.209 Further details on cycle storage can be found at guidance at 'Specific provisions relating to transport (DEV29)' whilst details on storage for recycling/refuse can be found at guidance at 'Waste management (DEV31)'.

Consideration of sites for Travellers and Travelling Showpeople (DEV13)

What is this policy about?

4.210 DEV13 is a policy to ensure the traditional and nomadic life of Gypsy, Roma and Traveller communities, including Travelling Showpeople, is facilitated whilst respecting the interests of the settled community. This guidance aims to provide a framework that will assist in the design and construction of appropriate sites for occupation by members of the communities.

4.211 For the purposes of the planning system, “Gypsies and Travellers” means: *“Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family’s or dependents’ educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of Travelling Showpeople or circus people travelling together as such.”*

4.212 For the purposes of the planning system, “Travelling Showpeople” means: *“Members of a group organised for the purposes of holding fairs, circuses or shows (whether or not travelling together as such). This includes such persons who on the grounds of their own or their family’s or dependants’ more localised pattern of trading, educational or health needs or old age have ceased to travel temporarily, but excludes Gypsies and Travellers as defined above.”* (Planning policy for traveller sites, CLG, August 2015[80]).

80 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/457420/Final_planning_and_travellers_policy.pdf

4.213 The Department for Communities and Local Government Advice Note 'Designing Gypsy and Traveller Sites' Good Practice Guide, May 2008[81] provides a good benchmark for considering the design of sites and should be considered alongside this guidance.

4.214 Please note that sites are also likely to need a licence from the relevant Council.

DEV13.1 – Location of new sites

4.215 New sites should be located near to existing settlements and to local services and facilities but should be of a scale that does not place an undue pressure on local infrastructure.

DEV13.2 to DEV13.7 – Site specific criteria

4.216 New sites should be developed in accordance with existing planning policies and designations, with particular regard made to:

- Convenience for residents;
- Safety for residents;
- Visual and acoustic privacy, both for people living on the site and those living nearby;
- Aesthetic compatibility with the local environment;
- Safe and convenient access; and,
- Scope for social integration with the local community.

4.217 In addressing each of these criteria, consultation with the local community of and with members of the settled community living in close proximity to a site is valuable to ensure best and most convenient use of available space.

4.218 When designing new sites, and to ensure criteria DEV13.2 to DEV13.7 of the policy is met, the following guidance should be adhered to.

Size

4.219 Sites need to be designed to provide land per household which is suitable for a mobile home, touring caravan and a utility building, together with space for parking. Sites work best when they take account of the size of the site and the needs and demographics of the families' resident on them.

4.220 Sites should ideally consist of up to 15 pitches in capacity unless there is clear evidence to suggest that a larger site is preferred by the community.

4.221 Smaller sites of 3-4 pitches can also be successful, particularly where designed for one extended family. These can be advantageous in making good use of small plots of land, whilst still retaining the qualities expected by families. When considering sites for one extended family, the relevant LPA may request evidence to demonstrate this.

Layout

4.222 The layout of the site will very much depend on the shape and size of the site, however consultation with the community is highly recommended when deciding how best to proceed with the overall layout of a site. While there is the traditional linear layout of pitches, a circular or horseshoe design may be preferable by the community.

81 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/11439/designinggypsysites.pdf

Orientation of pitches

4.223 Site layout and design should ensure a degree of privacy for individual households (for instance by ensuring that neighbours cannot directly overlook each other's living quarters), but without inhibiting the sense of community.

4.224 In designing the layout of a site enough space should be provided to permit the easy manoeuvrability of residents own living accommodation both to the site and on to a pitch. Account needs to be taken of members of the communities who favour the use of a mobile home in place of the traditional caravan which could be up to around 25 metres in length.

Density and spacing of caravans and trailers

4.225 To ensure fire safety it is essential that every trailer, caravan or park home is not less than 6 metres from another. Other structures are allowed in the separation zone if they are made of non-combustible materials and do not impede means of escape.

Site perimeter boundaries

4.226 The site boundary must provide clear demarcation of the perimeter of the site so as to prevent nuisance for existing residents. Boundaries should take into account adjoining land uses and be designed with safety and protection in mind. Measures to protect the safety of site residents from fire are of particular importance and it is essential that a clear gap of 3 metres[(82)] is provided within the inside of all site perimeter boundaries as a fire prevention measure.

4.227 Where owners of existing sites are experiencing difficulties in achieving this requirement due to current space constraints, it is strongly advised that they consult their local fire authority to identify ways in which the residents' safety can be safeguarded.

Health and safety

4.228 When designing the layout of a site, careful consideration must be given to the health and safety of residents, in particular children, given the likelihood of a high density of children on the site and high levels of vehicle ownership of towing caravans and land for employment purposes. The need for separate vehicular/pedestrian access should be considered.

Access for emergency vehicles

4.229 It is essential that consultation with local fire and rescue services take place at a very early stage of designing a site. In designing a site all routes for vehicles on the site, and for access to the site, must allow easy access for emergency vehicles and safe places for turning vehicles. To increase potential access points for emergency vehicles, more than one access route into the site is recommended.

4.230 Where possible, site roads should be designed to allow two vehicles to pass each other (minimum 5.5m). Specific guidance should be sought from the local fire authority for each site.

Security

82 Model Standards 2008 for Caravan Sites in England - https://webarchive.nationalarchives.gov.uk/20120920035001/http://www.communities.gov.uk/documents/housing/pdf/modelstandards2008.pdf

4.231 Site layout plays an important role in avoiding a sense of enclosure and isolation. The aim should be to 'design out' crime and social exclusion and 'design in' community safety and social inclusion through openness of design, allowing ease of access to, from and through the site, whether walking or driving.

4.232 Site layout should maximise natural surveillance enabling residents to easily oversee all areas of the site. Scheme specific advice on security provision for the site should be obtained from the LPAs and reference should be made to the secure by design principles highlighted at 'DEV20.6 – Community safety and crime' to inform detailed planning of the site.

Play areas

4.233 It is recommended that the inclusion of a communal recreation area for children of all ages is considered for larger sites and where suitable provision is not easily/safely accessible via walking or public transport.

4.234 Specially designated play areas should ideally be designed in consultation with children and parents from the community to ensure they provide equipment which will be best used. The site manager should also be consulted with regards to maintenance. Locating play areas in secluded areas of the site and near boundary perimeters is not favoured.

Parking

4.235 Adequate parking for residents use should be provided. Parking spaces should be a minimum of 2.4 x 4.8 metres as specified in guidance at 'Specific provisions relating to transport (DEV29)'. Resident parking should largely be provided for on individual pitches but a site could also contain additional parking facilities for visitors and/or specialist vehicles such as for commercial purposes and horseboxes. The location of parking and type of vehicles permitted on site will be considered on case-by-case basis and secured via condition if necessary.

Inclusion of space for work/animals

4.236 Working from residential pitches should be discouraged and residents should not normally be allowed to work elsewhere on-site. Where significant commercial or other work activity is envisaged for a site it is important to ensure that the site is delineated so that residential areas are separated from areas for commercial or work use. This also applies to the inclusion of space for keeping animals. Where there is demand for space for animals, and where the site provider is satisfied that it may be reasonable and practicable to include this, a grazing area for horses and ponies could be provided to reflect the cultural use of the horse as a traditional means of transport.

Landscape design

4.237 Landscaping to mitigate impacts should preferably be soft (grassed areas, shrubs and trees) rather than hard (such as paved or concreted areas).

Site management

4.238 Any planning application for sites, should set out the need for the accommodation and eligibility of the prospective households in the context of the definitions set out in this section. Applications should also include a site management strategy.

Additional considerations for the design of Transit Sites

4.239 Transit sites are not intended to be used as permanent accommodation by individual households, but may be in use all year round. Timescales are usually determined on a case-by-case basis.

4.240 The site requirements are similar to those relating to permanent sites outlined above except the proximity to community facilities is primarily in respect of the need to access schools and the provision of private amenity blocks. i.e. it is expected that private amenity blocks will be provided on each pitch to provide WC facilities, wash basins, showers and a hot and cold water supply. The preference is that this is provided as permanent fixed structures, however, where the site is not proposed to be in constant use, temporary structures may be considered.

4.241 In considering any planning applications the LPAs will have regard to the proposed nature of transit site use and the extent of facilities required.

Additional considerations for the design of Temporary Stopping Places (TSPs)

4.242 Temporary Stopping Places (TSPs) have different requirements to permanent and transit sites in that access to essential services is not a priority and the required on-site facilities are less.

4.243 The LPAs consider a TSP to:

- Be for the purpose of short term stays at times of increased demand. It is expected that a TSP will not normally be used for more than 3 months in any one calendar year and timescales for stopping will be determined on a case-by-case basis; and,
- Support an adopted Council accommodation policy and be located in accordance with a spatial network approach.

4.244 When determining the selection or location of sites for TSPs the LPAs will consider:

- Whether the site provides safe and convenient access to road networks;
- Whether the site is located so as to cause minimum disruption to surrounding communities;
- Any risks that may arise due to adjoining land uses, including the potential presence of young children;
- The site should provide no more than 10 pitches.

4.245 When considering the site layout, access and orientation of TSPs:

- It is expected that each pitch should be approximately 250 square metres in size, to allow for two touring caravans and two parking spaces;
- Markings or barriers should be provided to encourage residents to park safely, allow access for emergency vehicles and enable maximum use of the site in accordance with its intended capacity and fire safety standards. Particular regard must be given to the need to ensure a safe distance between trailers/caravans and other structures made of combustible materials. The advice of the Local Fire Officer should be sought in considering the layout of TSPs;

- The highway to and from the site must be of sufficient quality and size to enable access onto and off the site by heavy vehicles such as trailers;
- There must be a clear demarcation around the TSP to prevent unauthorised expansion of the site.

4.246 When considering site services and facilities for TSPs:

- It is essential for a cold water supply to be provided for the use of site residents, which may be by use of water standpipe or bowser;
- WC facilities must be provided for the use of residents, at a ratio of 1:4 (toilet facilities:households) with separate provision for men and women; and,
- A sewerage disposal point and refuse disposal facilities should be provided.

Additional considerations for Travelling Showpeople

4.247 Whilst most of the guidance above may apply, the needs of Travelling Showpeople are usually different to others of the community. Their sites often combine residential, storage and maintenance uses. Typically, a site contains areas for accommodation, usually caravans and mobile homes, and areas for storing, repairing and maintaining vehicles and fairground equipment. These combined residential and storage sites are known as plots and yards.

4.248 Although Travelling Showpeople travel for extended periods, they require a permanent base for storage of equipment and for residential use during the winter. These plots (or yards) are also occupied throughout the year, often by older people and families with children, for example. The Showmen's Guild 'Model Standard Package'[83] provides model standards and site considerations when developing and planning for Travelling Showpeople sites.

83 https://www.herefordshire.gov.uk/download/downloads/id/14107/ps07_-_travelling_showpeoples_sites_-_a_planning_focus_model_standard_package_revised_september_2007.pdf

5 Economy (DEV14-DEV19)

Introduction

5.1 Ensuring the Plan Area has a vibrant and diverse economy is key to the delivery of the JLP. Section 3 of the JLP (the spatial strategy) sets out the overall employment and retail need that the plan is seeking to achieve whilst Section 4 (Strategy for Plymouth Policy Area) and Section 5 (Strategy for Thriving Towns and Villages Policy Area) sets site allocation policies. DEV14 to DEV19 considers how land will be kept available for employment uses, including the specific requirements of key growth sectors, the diversification of the rural economy, tourism, and shopping.

5.2 The guidance in this chapter primarily supports polices DEV14 to DEV19 in the JLP. It also reflects national guidance, and should be read alongside the NPPF, NPPG and the site specific policies set out in the JLP.

Maintaining a flexible mix of employment sites (DEV14)

What is this policy about?

5.3 DEV14 sets out the criteria to help make decisions for proposed changes of use of employment land. The JLP allocates a range of sites for B Class Uses across the Plan Area, these can be viewed in Section 4 and Section 5 of the JLP. Alongside the provision of new employment land, the LPAs need to ensure that land which is currently in employment use is protected unless a number of provisions can be met.

5.4 For the purpose of this policy the term 'employment land, premises and sites' includes all land currently in use for:

- Business (Class B1);
- General Industrial (Class B2); and/or,
- Storage and Distribution (Class B8).

5.5 The LPAs also recognise that other uses of land provide employment opportunities and also combine with B Class Uses to provide areas of economic development. For example:

- Retail and leisure;
- High technology premises including research, business and science parks;
- Agriculture;
- Mineral extraction;
- Telecommunications;
- Transport uses such as ports and airports;
- Specialised waste facilities;
- Residential institutions;
- Energy production; and/or,
- Tourism development.

5.6 Proposals for change of use will be carefully assessed for the impact that they could have on the provision and maintenance of employment land. Some proposed changes of use however do not require planning permission. The Town and Country Planning (General

Permitted Development) (England) Order 2015[84] is the principal order which sets out when planning permission is not needed, provided that no restrictive condition is attached or that the development is exempt from the permitted development rights through an 'Article 4' direction.

5.7 Where planning permission is required for changes of use, these will be determined in line with the JLP policies having regard to the benefits which the proposed change of use will bring to the location.

DEV14.1 – Change of use of existing employment sites

5.8 DEV14.1 sets out the exceptional circumstances where there may be justification for the loss of employment land. However, in such cases the LPAs will seek measures, including developer contributions to employment related initiatives, to mitigate this loss in accordance with Policy DEV19.

5.9 Please see Section 12 'Planning obligations, the Community Infrastructure Levy and development viability' for further guidance on planning obligations.

5.10 Where the provisions of Policy DEV14.1iii come into effect, a change of use of an existing employment site will need to demonstrate that there is no reasonable prospect of the site being used as employment land in the future.

5.11 In these circumstances, clear and robust evidence will be required to demonstrate that there is no demand for employment floorspace in the form of a marketing report. This report should be proportionately relative to the nature of the proposal and advice should be sought with the LPA on the extent of the justification required.

5.12 The report should contain proof of the following:

- The site has been continuously marketed as an employment site for at least 24 months;
- The site has been marketed for an appropriate mix of employment uses, tailored to its location in the Plan Area and local evidence such as the size of nearby units and the mixture of uses appropriate to the site;
- A viability assessment was undertaken on the site, addressing the feasibility and economic viability of refurbishing, renewing or modernising larger scale office buildings for use as smaller units, produced by a qualified surveyor familiar with the local market for business uses;
- The site has been marketed by a workspace provider/commercial agent;
- The site has been marketed through appropriate methods. Evidence could include:
    - A copy of the dated letter of instruction to the workspace provider/commercial agent and dated copies of the property details;
    - Web based marketing through the appointed commercial agents website and other relevant search engines;
    - Advertising within target publications such as the local press; and/or,
    - On-site/premises marketing boards constant throughout the period in which the property is being marketed;

84 http://www.legislation.gov.uk/uksi/2015/596/contents/made

- Evidence that the premises/site was marketed at a price with associated terms that are commensurate with market values and based on evidence from recent and similar transactions and deals.

    - Where possible at least three examples should be provided of completed transactions involving similar sites or premises with similar terms within the local area, preferably in the last 12 months. Alternatively, written evidence from an independent qualified valuer on the market values in the local area could be provided;
    - All information about prices and terms should be provided in a format that enables easy comparisons, using equivalent and comparable expressions of price per unit of floorspace. Where the price changed during the marketing campaign, the reasons for this should be included within the report;
    - Where premises are marketed with a lease, the length of the lease offered should not be unduly restrictive and should include the potential for short term lease in appropriate places.

- A record of enquiries through the period of the marketing campaign. This should include the date, contact details and nature of the enquiry including the type of business or individual enquiring, how the enquirer found the premises and the follow up actions taken.

    - Where the flow of enquiries has been limited or decreasing, the marketing report should explain the measures undertaken to refresh the campaign.

Supporting the rural economy (DEV15)

What is this policy about?

5.13 DEV15 is a policy to support the diversification of the rural economy and to improve the balance of jobs within rural areas. Businesses of all types, sizes and sectors are, in principle, supported to prosper, grow and provide decently paid employment opportunities.

5.14 This is particularly relevant in the TTV Policy Area as the majority of rural employees work in small and medium-sized enterprises (SMEs) and, whilst the unemployment rate in rural areas is relatively low, many job opportunities are poorly paid, seasonal and/or insecure. Retention and growth of local employers and supporting business start-ups and home working are therefore key considerations when determining applications.

What needs to be considered in the implementation of this policy?

5.15 Proposals and measures to address the above would be considered as favourable in the determination of a planning application. The economy is dynamic and applicants are invited to prepare, in consultation and collaboration with the LPAs and other interested parties, evidence that assesses the current economic conditions and sets out a clear rationale for the proposed development.

5.16 SHDC and WDBC will also be issuing an Enterprise Strategy and Action Plan to provide further guidance. When published, these should be taken into consideration alongside this guidance.

DEV15.5 – Garden centres and farm shops

5.17 Garden centres and farm shops should reflect and support the local area and the economy. Proposals that are of an inappropriately large-scale and/or seeking to introduce business that harms the local economy and/or heritage are unlikely to be supported.

5.18 75 per cent of goods (measured by retail value) sold within new farm shops and garden centres will be restricted to a specified geographical area. This may be defined simply as the Plan Area, combined local authority areas or a measurable radius from the proposal site, in order to ensure sufficient benefits of the proposal are retained within the local economy.

Providing retail and town centre uses in appropriate locations (DEV16)

What is this policy about?

5.19 The network of centres in the Joint Local Plan Area, as identified in Figure 3.7, Figure 3.8 and Figure 3.9 of the JLP, plays an important role in providing shops and services to the local population. They are a vital part of ensuring sustainable communities and provide an important part of the appeal of individual areas. The location of where retail and town centre use is directed and supported is therefore an important consideration in considering development proposals.

5.20 DEV16 is a policy which seeks to ensure that retail and town centre uses are located in appropriate locations by adopting a 'centres first approach' and supporting the spatial strategy of the plan. The guidance set out below amplifies the policies set out in the JLP and should be considered alongside that set out in the NPPF and NPPG.

DEV16.1 – Retail spatial strategy

5.21 Section 3 of the JLP sets out the spatial strategy for the Plan Area and includes SPT5 (Provision for retail development) and SPT6 (Spatial provision of retail and main town centre uses) which identifies a centres-first approach to retail and other town centre uses. In support of this, Figures 3.7 (Retail hierarchy in Plymouth Policy Area Centres) and 3.8 (Retail hierarchy in Thriving Towns and Villages Policy Area Centres) sets out the retail hierarchy.

5.22 Maps showing the location and extent of the primary shopping areas, in addition to the primary and secondary frontages for each retail and town centre, can be found in 16 'APPENDIX 4: Primary shopping boundaries and frontages'.

5.23 When considering how proposals accord with the spatial strategy, consideration will be given to the strategy and the retail hierarchy.

DEV16.2 – Sequential test

5.24 All proposals which include 'main town centre uses' (as defined by the NPPF)[(85)] in edge of centre locations, out of centre locations and the Derriford Commercial Centre will require a sequential test unless they are subject to one or more of the following exceptions:

85 **Main town centre uses:** Retail development (including warehouse clubs and factory outlet centres); leisure, entertainment and more intensive sport and recreation uses (including cinemas, restaurants, drive-through restaurants, bars and pubs, nightclubs, casinos, health and fitness centres, indoor bowling centres and bingo halls); offices; and arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities).

- Small scale rural offices or other small scale rural development (in accordance with the NPPF and policy DEV16);
- Proposals that are located in an existing or proposed centre within the retail hierarchy identified by policy SPT6 or are provided for as positive allocations in the JLP, (except the Derriford District Centre); and/or,
- Where the use(s) are specified in policy allocations and the scale of the proposal is in line with the policy.

5.25 It is the applicant's responsibility to demonstrate that this test has been met and failure to do so can itself justify refusal of an application.

5.26 This requirement applies irrespective of the amount of floorspace proposed, although it will be applied proportionately relative to the nature of the proposal and its possible impacts. Whilst proposals for A1 retail space typically requires the most robust and detailed sequential tests, the policy requirement applies equally to other main town centre uses.

5.27 Detailed guidance on undertaking a sequential test is set out in the NPPG (Town centres and retail[86]). The guidance here amplifies that provided nationally. Applicants are strongly recommended to carry out their sequential assessment with the involvement of the relevant LPA through a pre-application service.

5.28 The following elements should be considered in producing a sequential assessment.

Before starting a sequential test

5.29 Before starting the sequential test it is important to be clear that the test must not be operator specific in its considerations. It should rather focus on the use class or use classes being applied for as part of the scheme. As part of this it can consider the broad range of goods or the offer the proposal seeks to provide. Where such matters are to be taken into account they must be robustly demonstrated and evidenced. It is strongly recommended that potential restrictive conditions are identified from the outset where relevant matters are considered to influence the sequential test.

Defining the catchment area

5.30 A sequential test must consider whether there are sequentially preferable sites which are suitable and available within the catchment area of the proposal. The starting point for a sequential test is therefore to define the catchment area. The catchment area should not be specific to an individual operator and should be agreed in discussion with the LPA. The catchment area should be the same as the geographical area that the development seeks to serve.

86 https://www.gov.uk/guidance/ensuring-the-vitality-of-town-centres

Sequential hierarchy

5.31 Once a catchment area has been defined and agreed the applicant should identify sites to consider within the catchment area. The starting point for this is to list those town centres (as defined by the NPPF[87], including local and district centres and the City Centre) that form part of the retail hierarchy (set out in policy SPT6 and shown in Figures 3.8 and 3.9 of the JLP) and which are within the catchment area.

5.32 Where the proposal has a city-wide or town-wide catchment, it should normally prioritise sites within the city or town centre; similarly, district level catchments should normally prioritise district centres over local centres.

5.33 The sequential test should first consider sites within the boundaries of the relevant town centres; then edge of centre sites should be considered, with preference given to accessible sites which are well connected to the town centre. Only after such sites have been considered should out of centre sites be considered, and again preference should be given to accessible sites which are well connected to town centres.

5.34 The definition of 'edge of centre' sites differs depending on the nature of the proposal as follows:

- For A1 retail schemes: a location that is well connected to and within 300m from the Primary Shopping Area (as shown on the adopted proposals Map);
- For other main town centre uses: a location within 300m of the town centre boundary;
- For Office development (Use Class B1a): outside town centres but within 500m of a public transport interchange (for example that located at Derriford Hospital).

5.35 All sites that are potentially available and/or suitable within the sequentially preferable locations described above should be considered. Matters such as land ownership and the cost of rent and preferences over ownership or leasehold occupation are not matters that are normally considered to be legitimate considerations for the sequential test.

5.36 The NPPF expects applicants and LPAs to demonstrate flexibility on issues such as format and scale to enable the occupation of sequentially preferable sites to be fully explored. This includes issues such as the proposed inclusion of a drive-through facility. In identifying sites consideration must be given to the flexibility of the proposal to show how the scheme could be located on more sequentially preferable sites. This process should be informed by discussions with the LPA.

5.37 Guidance on whether a site is potentially available and/or suitable and guidance on sequentially preferable sites is set out in the NPPG.

Locational requirements

5.38 It is acknowledged that certain main town centre uses have particular market and locational requirements which mean that they may only be accommodated in specific locations. Where this is the case these should be discussed with the relevant LPA and robust justification must be provided for consideration. For example stating that adjacent surface level car parking

87 **Town centre:** Area defined on the local authority's policies map, including the primary shopping area and areas predominantly occupied by main town centre uses within or adjacent to the primary shopping area. References to town centres or centres apply to city centres, town centres, district centres and local centres but exclude small parades of shops of purely neighbourhood significance. Unless they are identified as centres in the development plan, existing out-of-centre developments, comprising or including main town centre uses, do not constitute town centres.

is required is not sufficient without specific reasons why this is the case, as many town centres are served by dedicated parking facilities which would also meet such a need. Similarly, the applicant's desire to incorporate a drive-through facility should not justify the exclusion from the sequential test of sites that do not have vehicle access. For the avoidance of doubt land ownership or a desire for a specific unit or site does not provide such a justification.

DEV16.3 – Impact assessments

5.39 DEV16.3 states when an impact assessment is needed for edge of centre and out of centre locations. The floorspace thresholds are lower than those of the NPPF to ensure that there is no detrimental impact on the vitality and viability of existing centres and on existing, committed and planned public and private investment in centres, including proposed centres. It is also the case that an impact assessment is required for proposals in the Derriford District Centre and other policies which do not specifically allocate a retail or leisure use or where the amount of floorspace proposed in the policy is exceeded.

5.40 Detailed guidance on undertaking an impact assessment is set out in the NPPG. This should form the basis of an impact assessment and it is strongly recommended this is undertaken with the involvement of the relevant LPA through a pre-application service. The most recent shopping/retail study produced by the relevant LPA should also be considered as part of any assessment and the LPA retains the right to request more up-to-date information if relevant/required.

5.41 Any impact test should also be considered alongside the cumulative impacts with other developments.

Derriford Commercial Centre (PLY38) additional guidance

5.42 In relation to proposals within the Derriford Commercial Centre (PLY38) the requirement for a sequential test and impact assessment relates specifically to ensuring that proposals with a city-wide catchment are directed to the Plymouth City Centre in the first instance such that the Commercial Centre fulfils a complementary role to the City Centre rather than competing with it.

5.43 The requirement for a sequential test and impact assessment should be discussed directly with the LPAs before an application is submitted to inform applicants where a sequential test and/or an impact assessment may not be required. In considering this, the LPAs will consider the follow matters:

- Is the proposal complementary with the role of the City Centre or likely to compete with it (including cumulatively with the other approved development in the commercial centre)?
- Does the proposal involve leisure or office floorspace of less than 2,500 square meters gross?
- Does the proposal include less than 1,000 square meters of gross floor space of A1 comparison goods?
- Is the proposal to vary an existing planning permission in a way that will change the catchment of the centre and potentially impact on the City Centre?
- Does the proposal accord with the requirements of policy PLY38 in other respects?

Promoting competitive town centres (DEV17)

What is this policy about?

5.44 South Hams and West Devon have a complex network of shopping catchments with different roles and functions. Dartmouth, Ivybridge, Kingsbridge, Okehampton, Tavistock and Totnes are the main retail centres but the smaller towns and key villages also play an important role in providing shopping facilities.

5.45 DEV17 is a policy to support the protection of these vital functions provided by the main towns as well as facilitating the specific opportunities for redevelopment as well as the more general, but innovative, aspirationsin the PBA Retail and Leisure Study[88] and appendicies[89].

What needs to be considered in the implementation of this policy?

5.46 The strategic policies of the JLP seek to direct town centre uses to the main centres in the Plan Area. In the TTV Policy Area, existing uses are protected in the six main towns and new development is directed to the main and smaller centres. Policy DEV17 seeks to consolidate the self-sufficiency of communities by promoting a vibrant mix of uses and to ensure resilience in service provision for communities and their respective hinterland.

5.47 New development proposals should demonstrate a positive contribution to active and low carbon transport options and should make provision to improve and ensure access for all.

5.48 In encouraging a mix of uses care needs to be taken to avoid incompatibility in terms of noise and other disturbance that could harm amenity.

Protecting local shops and services (DEV18)

What is this policy about?

5.49 DEV18 is a policy to ensure that centres retain their primary function and to ensure that local services and facilities are retained to serve communities.

5.50 In implementing the policy there is a need to recognise that the nature and role of town centres has evolved over the years in response to issues such as changing retail behaviour. The policy therefore seeks to find a balance between protecting the primary retail functions of centres whilst also allowing the process of change to continue so that centres stay strong, relevant and at the heart of local communities.

5.51 Policy DEV18 also goes further, seeking to ensure that uses that can have unacceptable impacts on centres are properly managed. It also acknowledges and provides protection for facilities which play important roles in the local community which are not located in centres.

5.52 The primary and secondary frontages for each centre are set out in 16 'APPENDIX 4: Primary shopping boundaries and frontages'. The location of the proposals in these areas and/or the remainder of the centre will alter the requirement which it is considered against.

88 https://www.plymouth.gov.uk/sites/default/files/RetailAndLeisureStudy_0.pdf
89 https://www.plymouth.gov.uk/sites/default/files/RetailAndLeisureStudyAppendicies.pdf

DEV18.1 – Retail hierarchy

5.53 Each centre has its own unique characteristics, whether that is in relation to its size, the issues it faces or the wider role it plays for the area and local community. These characteristics will be considered in the determination of proposals. The primary consideration is to preserve the vitality and viability of each centre to ensure it continues its role and function in the retail hierarchy and for the community it serves. The retail hierarchy is set out in Section 3 of the JLP.

5.54 The location of the proposal within the centre will also be taken into consideration when determining proposals. Different considerations will be relevant depending on whether the proposal is in the primary frontage, secondary frontage or somewhere else in the centre.

5.55 When considering proposals the following will be taken into account:

- The overall proportion of A1 uses within the individual frontage, the part of a centre and/or street the proposal relates to and the centre as a whole;
- The number, distribution and proximity of different uses with in the individual frontage, the part of a centre and the centre as a whole;
- The particular nature, character, vibrancy and footfall associated with the existing and proposed use;
- The location and prominence of the unit within the frontage; and,
- The size of the unit and its frontage length.

DEV18.5 - Specific impacts

5.56 A concentration of food and drink outlets may create situations where their combined impact creates problems for local amenity or disturbance to local communities. The development of clusters can have a negative impact on the environment and character of an area and have a negative impact on the health of nearby residents.

5.57 It is for the applicant to satisfy the LPA that their development will not add to the cumulative impact problems in the locality where new uses are being proposed.

5.58 Within the defined centres, for applications for A5 uses, the LPAs will look to ensure:

- The total percentage of A5 (in the context of the total number of units) does not exceed 20 per cent; and,
- Where the above is met, there should be no less than two non A5 units between groups of hot food takeaways.

DEV18.6 – Community facilities

5.59 For development which looks to change the use of a community facility, in order to demonstrate that there is no reasonable prospect of a community facility continuing, the premises needs to have been marketed through a registered agent as a business (not as a development opportunity for an alternative use) for a minimum of 12 months.

5.60 Within the TTV Policy Area, within the same 12 month period, the owners of the business must show that they have highlighted the potential sale to the relevant parish councils (including adjoining parishes) to allow for the potential nomination of the property as an Asset of Community Value.

Provisions for local employment and skills (DEV19)

What is this policy about?

5.61 DEV19 is a policy to ensure major development proposals support local employment and skills in the construction industry.

What needs to be considered in the implementation of this policy?

DEV19 – Employment and Skills Plans (ESP)

5.62 Policy DEV19 states that the LPAs will require Employment and Skills Plans (ESP) for all major development proposals. ESPs should relate to the demolition, site preparation and construction phases of development and may be secured through a suitably worded pre-commencement planning condition.

5.63 The LPAs will work constructively with applicants to agree on the content of an ESP and there may be instances where the LPA will require a developer to submit effective monitoring on a continual basis to the LPA.

5.64 The LPAs will use the employment and skills benchmarks set out in the National Skills Academy's Client Based Approach as a starting point for negotiations with developers. This benchmarking has been formulated for a range of construction types and value bands, and have been agreed by the industry. The national Construction Industry Training Board (CITB) has an evidence base which justifies and demonstrates that the benchmarks requested are proportionate and achievable.

5.65 An ESP will not be requested for new residential development of under 10 units or for any new non-residential development under 1,000 square meters. In Plymouth, the LPA has produced a guidance note which clarifies the key components that are expected in ESPs.

5.66 To provide for the required growth of the Plan Area it is necessary to ensure inclusive growth in the employment base. This will require: the protection, where appropriate, of existing employment land; the bringing forward of new land, and the support of other processes including: land acquisition; provision of infrastructure; support for inward investment; start up and business growth, and for social enterprise and skills development.

Mitigation

5.67 Development that results in the loss of employment space, or involves the non-delivery of previously approved employment generating development proposals, will be expected to mitigate through a planning obligation.

5.68 Please see Section 12 'Planning obligations, the Community Infrastructure Levy and development viability' for further guidance on planning obligations.

6 Place shaping and heritage (DEV20-DEV22)

Introduction

6.1 The JLP seeks to ensure development is carried out in a high quality way, creating positive places which contribute to people's quality of life, engender local pride and take account of the context.

6.2 This chapter supports polices DEV20-DEV22 in the JLP. It also reflects national guidance, and should be read alongside the NPPF, NPPG and the site specific policies set out in the JLP.

6.3 As part of this SPD a number of specific design guidance appendices have been produced to support the consideration of design issues. These include:

- 13 'APPENDIX 1: Residential extensions and alterations'
- 14 'APPENDIX 2: Specific materials for the Plan Area'
- 15 'APPENDIX 3: Shop fronts, including ATMs'

Place shaping and the quality of the built environment (DEV20)

What is this policy about?

6.4 DEV20 seeks good quality design as an integral part of sustainable development. It is about creating places, buildings and spaces that work well for everyone, look good, last well, and adapt to the needs of future generations.

What needs to be considered in the implementation of this policy?

Existing context and character

6.5 Good design starts from an understanding of the place, the local context and thesite. Development proposals should be informed by a thorough analysis and appraisal of the physical and policy context and character of the area as well as the specific conditions of the site. This analysis should be summarised and the opportunities and constraints identified for pre-application discussion and to support planning application submissions.

Placemaking

6.6 New development should function well and create a positive sense of place. While in some places development should enhance the existing character of the site and local area, it should seek to raise the standard of design in other areas that have a relatively poor image and character, rather than replicating existing low quality design. This may include:

- Incorporating existing positive site features into new development to provide continuity and create a sense of maturity;
- Responding to the character of the local area in terms of design, architecture, landscape and public realm;
- Creating attractive new places with a positive and distinctive character appropriate to their role and function within the wider area, for example, new neighbourhoods, centres, streets or open spaces;

- Incorporating views and areas of historic interest; and,
- Creating accessible and inclusive environments that feel safe and enable active, healthy, lifestyles and wellbeing.

Masterplans

6.7 Large and strategically important schemes should have a clear vision and strategies for the manner in which the developments will come forward and must demonstrate how a sound analysis and response to the context has informed the evolution of the proposal.

6.8 Masterplans provide the opportunity to demonstrate how schemes will meet objectives for the area, including to show how development will integrate with existing masterplans and development. Mini-masterplanning exercises may be sought, where appropriate, to demonstrate that a proposal will fit within the potential future evolution of an urban block without prejudicing the redevelopment potential of adjacent sites. Masterplans are also important for residential layouts, including in the Main Towns in the TTV Policy Area, where they can aid the integration of new development into existing settlements.

Design codes

6.9 Design codes may be sought for large development sites and areas. These will be expected to provide specific and detailed development parameters. The graphic and written components of design codes should build upon a design vision, such as a masterplan or other design and development framework for a site or area.

Design Review Panels

6.10 It may be useful for prominent and strategically important schemes to be considered at an independent, bespoke Design Review Panel[90]. These can provide useful objective assessments of proposals and can add value at all stages of the development management process. They can be used for all scales of development where design is a key component to the decision making process. Recommendations from the independent design review panels can be taken into account in the determination of planning applications.

Design considerations

6.11 When considering new applications in relation to design, the LPAs will consider each development at each of the following scales:

- Neighbourhoods – an area of development that is local in scale and based around a nominal 5 minute walk or 400m distance where access to a range of local facilities, jobs, and public transport is possible;
- Blocks – the areas of towns and cities that are contained by a pattern of streets or spaces;
- Streets – the spaces between buildings, including the public realm; and,
- Building design – including proposed mix of uses, building footprint, height and massing, elevation composition, architectural expression, sustainable design, adaptability and the use of materials.

Neighbourhoods

90 https://www.plymouth.gov.uk/planningpolicy/designandhistoricenvironment/urbandesign

6.12 Depending on scale, new development should be designed to support existing, or create new, neighbourhoods within convenient walking-range of local facilities, jobs and public transport.

Blocks

6.13 Blocks are the areas of land contained by a pattern of streets or spaces. Blocks may contain shops, houses, parks, car parks and other aspects of community life. The way buildings are arranged and their relationship to the street affects the character, function and safety of an area. In particular the LPAs will expect the following to have been considered in the design of proposals:

Design principle	What needs to be considered?
Layout	The layout of blocks should be carefully considered. Perimeter block layouts will be encouraged as they provide an efficient use of land with building fronts and entrances facing public spaces and the backs providing a private space. Such layouts minimise unsupervised public spaces and routes that can feel unsafe.
Legibility and way-finding	Blocks should be designed to be easy to understand and navigate by arranging development to respond positively to the distinctive character and qualities and patterns of the natural and built environments. They should reinforce the local identity of an area and make it easier to get to and through.
Energy-use and orientation	Energy use should be considered in the design of blocks and new residential layouts, including the optimisation of passive solar gain and the need for solar-shading. When assessing applications the following guidance will be taken into account: • The main orientation of new dwellings should be within 30 degrees of south to maximise sunlight. The most frequently used rooms should be located on the south side of the building; • Spaces on the north side of the building, such as hallways, utility rooms and bathrooms should have smaller windows to minimise heat loss; • Windows should cover an area equal to at least 15 per cent of the room's floor area to ensure adequate daylight to habitable rooms; • Single-aspect flats or houses should generally be avoided, unless they are south-facing; • It is important to consider the shading effect that landscaping schemes will have on sunlight and daylight once the site's landscaping matures. While developments should be designed to maximise passive solar gain, it is also important that buildings are oriented to avoid overheating, without the need for air conditioning, especially if single aspect uses are proposed. Please see 'DEV32.3-DEV32.6 – Energy statements and methodology' for further details.

Design principle	What needs to be considered?
Building footprints	Building footprints of blocks should align and respond positively to adjacent streets, buildings and spaces. The depth of building footprints should be such that the need for artificial lighting and ventilation is minimised.
Active frontages	On public streets and spaces, developments should have active frontages, particularly at ground floor level where it is important that buildings overlook the street. Blank walls should be avoided on public frontages.
Entrances	Building entrances should be easy to find, well-defined and clearly visible from the street. Any changes in level must be carefully considered. Where ramps are necessary, these should be designed to relate well to the building and adjacent public realm. Utility boxes should be discreetly placed.
Corners	Street corners are particularly important in terms of way-finding. Buildings and blocks should be designed to turn corners well, so that both elevations seen from the street have windows in them, rather than offering blank walls or gable ends to the street. Windows and entrances that wrap around corners should be considered to maximise natural surveillance over the street and bring generous amounts of natural light into buildings.
Building heights and massing	Building heights should respond positively to the scale of adjacent buildings, streets and spaces. The size of individual buildings and their elements should be carefully considered, including in relation to: overshadowing; overlooking; local character; skylines and vistas and views.

Table 12 Design considerations for blocks

Streets, movement and the public realm

6.14 When designing new places or integrating new development within existing places, there should be a clear hierarchy of routes, providing a safe and attractive environment that is interconnected. The needs of the most vulnerable users should be considered first: pedestrians; then cyclists; then public transport users; and finally, other motor vehicles. In particular the LPAs will expect the following to have been considered in the design of proposals:

Design principle	What needs to be considered?
Urban layout	Development should respond positively to the layout of existing landscapes, buildings, streets and spaces to ensure that buildings relate well to each other. Streets should be well connected and spaces complementary and could involve: following retaining existing landscape features or existing building lines; creating new links between existing streets and providing new public spaces.

Design principle	What needs to be considered?
Rural layout	The landscape within which the site is located must be respected. The imposition of wide roads for example, in an area which is typified by rural lanes, should be avoided. Existing landscape features such as Devon banks should be included in developments where possible. Existing planting should also be retained where possible. Much of the South Hams and parts of West Devon are located in very sensitive landscapes where policy requires the conservation and enhancement of the natural qualities of the landscape. The retention and reinforcement of landscape features can help to deliver the conservation and enhancement required by Policy DEV25.
Movement	Development should allow for people to move safely and directly to and through places. Prioritising pedestrians, cyclists and public transport respectively and providing a positive experience for all users, whatever their mobility needs. Street layouts and materials should be simple, neat and easy to understand. Developments should provide an appropriate number of routes to and within them to allow direct and convenient movement and respect pedestrian desire lines, connecting with key routes and destinations within and outside the development.
Adaptability	Proposals should allow for potential future connectivity to adjacent areas of undeveloped land to enable fully permeable networks to develop in the future.
Public vs. private space	There should be a clear definition between public and private space. Design should ensure there is no ambiguity about which spaces are public and private. With houses for example, a buffer zone, such as a front garden, can successfully be used between public outdoor space and private internal space to support privacy and security.
Pedestrian and cycle links	It is important to improve connections between streets and spaces in new developments and existing areas by creating new pedestrian and cycle links and implementing wayfinding measures such as signage. Pedestrian and cycle networks should be continuous, direct, accessible, legible and without clutter and barriers. Where appropriate, large-scale pedestrian spaces should allow for cycle use. Safe and convenient crossing points should also be considered to provide continuity of pedestrian and cycle links.

Table 13 Design considerations for streets, movement and the public realm

6.15 Further guidance on modes of transport and traffic objects is available at Section 8 'Transport and infrastructure (DEV29-DEV31)'.

Public realm

6.16 The public realm, including the highways and pavements surrounding a development site, provides the setting to schemes and has the ability to enhance a project and provide benefits for all. Improvements to surrounding streets and pavements help a new development integrate successfully with its context. Proposals where the public realm is in poor condition and is not included in the development can be negatively affected and are a missed opportunity.

6.17 The LPAs recognise that the public realm is a vital ingredient in helping to create a sense of place, character, interest, amenity, quality of life and space to meet and socialise. When designing new public realm, an understanding of context is a key consideration and particular emphasis must be placed on creating high quality spaces with robust materials and design detailing. Early engagement to ensure accessibility of the public realm with the LPA and relevant groups is encouraged.

6.18 There will be situations where the development provides a new piece of public realm integral to the project and in some situations a public realm space may be delivered on its own without any associated building. This guidance is valid for both these scenarios and the LPAs will expect the following to have been considered at the design stage of an application:

Design principle	What needs to be considered?
Context and character	The primary objective of all public realm schemes should be to reinforce local character and deliver attractive, functional, sustainable and robust streets and spaces to compliment a locality. Public realm design should also contribute to new place-making, creating destinations which are designed primarily for people, supporting the economic and social activities they are engaged in. Where the character of an area is very strong, developments should identify the key design elements, materials and patterns that exist in the area which would be appropriate for use in the design and delivery of the new public realm. Schemes that support consistent use of materials and elements will be supported. Existing public open space of strategic/townscape importance should be safeguarded and enhanced where possible. Where the character is not so positive, designs should nonetheless strive to achieve high quality outcomes. Developers are encouraged, where appropriate, to achieve new, innovative and unique design solutions which generate character. Alternatively, an understanding of the history of the area can be useful to assist in generating positive design solutions.
Legibility	Public realm design should support and, where possible, improve the ability of visitors, tourists and residents to orientate and understand the urban and rural environments that they find themselves within. The use of vistas, views, clear and concise signage, information points, and landmark features are useful tools to help inform and orientate people.

Design principle	What needs to be considered?
	New public realm design should consider the placement of new objects very carefully including the planting of new trees, such as not to block key views and frustrate legibility, immediately or at some time in the future.
Accessibility	Streets and spaces should offer access, or offer alternative achievable access for everyone irrespective of their disabilities. Where raised carriageways are used, for instance in shared surface streets, early consideration needs to be given to disabled and vulnerable road users. The installation of street furniture, bollards and tactile paving should be considered as measures to provide clarity of routes for people with disabilities and Equality Impact Assessments (EqIAs) should be undertaken when considering any such scheme.
Adaptability	Space is arguably one of the most important assets and in places, such as in urban Plymouth and in town centres in the TTV Policy Area, where pressure to use every available space is high, the ability to use that space for a variety of uses becomes valuable. Developments should consider what potential exists for new streets and spaces to be used to support uses other than simply for access and movement. For instance, it may be that the space could host commercial, community or civic functions for a temporary period. Considering this early on in the development of the design will be important to inform an appropriate treatment and detailing of vehicle and pedestrian domains and avoid costly retro-fitting.
Sustainability	Sustainability of the public realm should be an overarching and long term goal. This should include material longevity for the hard landscape materials used, ensuring such materials retain their colour over time and perform well according to their designed function. Particular consideration needs to be given to hard materials which are used by vehicles, not just where access is provided, but where access can inadvertently occur, such as with vehicles mounting pavements. Designers should also consider the role of public realm schemes in providing sustainable drainage and mitigating extremes of temperature such as the use of porous road/path surfaces. Green infrastructure in the public realm such as parks, playing fields and ponds or lakes can all provide vital space for water to pond or flow, storing it safely and away from critical buildings and infrastructure.
Materials	Streets and spaces necessitate good quality durable materials which complement their context and weather attractively. The selection of materials and their performance and detailing will be important considerations for the success of the scheme over time.

Design principle	What needs to be considered?
	Designs need to be developed with maintenance costs in mind to ensure that materials are long-lasting and easily sourced. For details on appropriate materials throughout the Plan Area please see 14 'APPENDIX 2: Specific materials for the Plan Area'.
Street furniture	Obsolete, duplicated or unnecessary items of street furniture should be removed and new items installed only where necessary.

Table 14 Further public realm design considerations

Management and maintenance of the public realm

6.19 Items of street furniture and street surfaces should form part of a coordinated palette of materials and street furniture suites designed for an area. The suites of furniture and materials palettes should be consistently applied, except where developments call for something entirely bespoke and even these should share some commonality with developed palettes. In Plymouth, this co-ordination is guided by Plymouth's Paving Manual[91] which encourages the appropriate use of materials depending upon the location of the development and informed by the particular characteristics of the surroundings.

6.20 Public realm schemes achieved through the planning application process for adoption by the LPA are likely to require contributed sums for maintenance by way of a planning obligation. In addition, where the scheme involves development on the public highway, details of the scheme will need to be submitted to the Local Highway Authority (LHA) and agreed through a s278 Agreement. New areas of highway to be adopted by the LHA will normally be achieved through a s38 Agreement. Where both highway and planning authority are involved, consistency of information in respect of both the details and finishes between the two processes should be coordinated.

6.21 For private public realm schemes a planning condition may be placed on the approval of any application to ensure that an appropriate related external space management and maintenance plan is created and implemented.

6.22 Please see8 'Transport and infrastructure (DEV29-DEV31)' for further guidance on transport considerations.

6.23 Please see 12 'Planning obligations, the Community Infrastructure Levy and development viability' for further guidance on planning obligations.

Shop fronts, including ATMs

6.24 Shop fronts, advertisements and ATMs play a key role in parts of the public realm as they contribute to the character and appearance of the street-scene as well as attracting customers. Please see APPENDIX 3: Shop fronts, including ATMs for detailed guidance.

Building design

91 https://www.plymouth.gov.uk/sites/default/files/DraftPlymouthPavingManual.pdf

6.25 The LPAs will expect the following design issues to have been considered in the design of proposals:

Design principle	What needs to be considered?
Building lines	It is important that new development responds positively to the line of existing building frontages to create continuity of street frontage, unless there is a strong case to do otherwise which is supported by sound urban design analysis.
Boundaries	Developments should include clear and robust boundary treatments that are appropriate to their context and contribute to local character and identity. For example, new developments adjacent to areas of green space or countryside should include natural boundaries such as hedges which also encourage wildlife. For further guidance on hedgerows please see DEV28 (trees, woodlands and hedgerows). In urban areas building frontages rather than boundary treatments will generally be expected to address and overlook public open spaces. In the exceptional circumstances where boundary treatments can be justified in this situation, more formal boundaries may be appropriate, provided they are of good quality and respond positively to the context. All boundary treatments must not negatively affect the amenity of adjacent land or properties and must contribute to the security and safety of the development scheme.
Architectural quality	New development must be attractive and of good architectural quality. It should strive for architectural excellence and it is recommended that applicants use professional architects. Where appropriate the LPAs will encourage applicants to use a Design Review Panel to assist in raising design standards. A lack of local character should not be used as a justification for further nondescript or placeless development. Distinctiveness can be delivered through new designs that respond to local characteristics in a contemporary way. Local traditions and character should not be ignored without a robust justification. Architectural competitions are strongly encouraged for key strategic sites.
Adaptability	Buildings should be designed to be adaptable to support changes in use over time. They should be adaptable and resilient to climate change. Further guidance on low carbon development can be found at 'Delivering low carbon development (DEV32)'.
Efficiency and sustainability	Buildings should be designed to minimise their use of resources, both during construction and operation. Efficiency and sustainable design should be a generating principle for the architecture of buildings, rather than something added as an afterthought.

Design principle	What needs to be considered?
	Buildings must take every opportunity to use passive solar heating, natural ventilation and cooling, whilst minimising wastage of energy and resources. Energy-efficiency enhancements to existing buildings are strongly encouraged, including through measures such as external insulation. Such measures must be implemented sensitively to respond positively to local character.
Materials	Building materials should be robust, attractive and respond positively to local character. For details on appropriate materials throughout the Plan Area please see 14 'APPENDIX 2: Specific materials for the Plan Area'.
Design details	Design details can enhance or undermine the overall quality of proposals and at the earliest possible stage they should be carefully considered to ensure they are considered collectively and not given attention only as an afterthought. These include items such as: doors; windows; porches; balconies; lighting; flues/ventilation; eaves and verges; gutters; pipes/other rain water details; roof plant; lift over-runs; utility boxes; signage; metalwork and decorative features and bin, cycle and other storage areas. Junctions and joins between elements should also be carefully considered.

Table 15 Design principles for buildings

DEV20.5 – Landscape design

6.26 The LPA's expect landscape design to follow the same principles as set out above for the design of the public realm. Further detail on how to address landscape character and features has been provided in the guidance for 'Landscape character (DEV23)'. Special care will need to be given to the location of trees to ensure every planted tree has the best potential to reach maturity, for further guidance see the guidance for 'Trees, woodlands and hedgerows (DEV28)'. Landscape specifications will need to comply with current best horticultural practices and the relevant up-to-date British Standards.

6.27 When a landscape scheme is required, the LPAs will seek details of its ownership, implementation, management and how the management will be secured, including details of how the scheme will be inspected to ensure that completed work and maintenance operations are verified. The provision of these details will often be secured through a planning condition, as part of a planning obligation or through a bond. It is recommended that applicants consider the long-term maintenance of their proposed landscape scheme as early as possible.

6.28 Details of the maintenance can be provided as a stand-alone document or incorporated into a Landscape Ecological Management Plan (LEMP). The latter combined approach is preferred as it ensures landscape and biodiversity objectives are coordinated and reduces the number of documents to be submitted.

6.29 The specified management practices will need to adhere to best horticultural practices and comply with the relevant British Standards.

6.30 Where a developer wishes the Council to take on management of the landscaping scheme, appropriate commuted payments will be required. A scheme will only be taken on where it has been implemented in accordance with the agreed scheme, with mediation measures completed before the hand-over.

DEV20.6 – Community safety and crime

6.31 DEV20.6 looks to ensure development contributes to community safety and reduces opportunities for crime and the fear of crime. Developers need to show that crime prevention has been considered in the design and layout of all major developments including housing, commercial, public spaces, footpaths, cycle routes, and communal areas.

6.32 Where a proposed development undermines community safety, planning permission could be refused and where possible the LPAs will seek amendments or impose planning conditions which will address crime prevention issues.

6.33 The following criteria will be applied to meet the safety and security objectives:

- Providing places with well-defined routes, spaces and entrances that provide for convenient and safe movement without compromising security;
- Providing adequate natural surveillance (overlooking) of adjacent streets and spaces;
- Ensuring that all new developments are designed to make crime difficult to commit by increasing the risk of detection;
- Creating a sense of ownership by providing a clear definition between public and private spaces;
- In a residential context, developments should be designed with a defensible space, a threshold between the public realm and building entrances, unless this is out of character with a positive street scene such as within a conservation area;
- Promoting activity that is appropriate to the area, providing convenient access and movement routes;
- Providing where necessary for well-designed security features;
- Providing places that are designed with management and maintenance in mind, to discourage crime in the present and the future; and,
- Avoiding the creation of open internal car parking courtyards unless gated with suitable locking gates.

6.34 Additional guidance can be found through the Secured by Design initiative[92], led by the police service and supported by the Home Office.

6.35 Where appropriate, the LPAs will use planning conditions to ensure that secure by design measures are included during the development process to reduce crime and the fear of crime.

6.36 When considering community safety and reducing opportunities for crime and the fear of crime in developments, Public Health England's guidance on suicide prevention: suicides in public places[93] should also be considered at this stage.

92 http://www.securedbydesign.com/
93 https://www.gov.uk/government/publications/suicide-prevention-suicides-in-public-places

DEV20.9 – Public Art

6.37 DEV20.9 highlights how the LPAs are committed to ensuring public art is promoted in the PPA and is considered in the context of significant development proposals as a means of adding quality and interest for public enjoyment.

6.38 A Public Art Plan[94] for Plymouth has been produced to promote these objectives, and sets out clearly and concisely how public art will be promoted and secured in Plymouth. There is also The Plymouth Principles[95] , which is a guide to support and nurture public art in the city.

Development affecting the historic environment (DEV21)

What is this policy about?

6.39 DEV21 is a policy to protect the historic environment throughout the Plan Area, including both designated (World Heritage Sites, Scheduled Monuments, Listed Buildings, Protected Wreck Sites, Registered Parks and Gardens, Registered Battlefields or Conservation Areas) and non-designated heritage assets and their settings.

6.40 LPAs are obliged to consult with Historic England[96] on a number of different designated assets and it is recommended that this SPD is read alongside guidance provided by Historic England which covers a wide range of heritage issues, including energy efficiency and renewable energy installations.

6.41 To find out whether a site or building is protected i.e. whether it is a listed building, scheduled monument, protected wreck or registered park and garden or please see the National Heritage List for England[97] (NHLE).

6.42 The relevant Historic Environment Record (HER) should also be considered. In Plymouth, PCC maintains the HER, whilst in South Hams and West Devon, DCC maintains the HER. The HERs include locally sourced information on historic assets and provide information to support development proposals. The Devon HER[98] is available online. To access Plymouth's HER applicants are advised to contact PCC.

6.43 In addition to planning permission, other consents may also be needed. Please note that commencement of work (planning or otherwise) without the appropriate consent can be a criminal offence which may result in legal proceedings, and/or enforcement action to secure appropriate remedial works.

DEV21.2 – Designated heritage assets

Listed buildings

94 http://plymouthculture.co.uk/wp-content/uploads/2016/11/Public-Art-Plan-2.pdf
95 http://plymouthculture.co.uk/wp-content/uploads/2016/09/The-Plymouth-Principles.pdf
96 https://historicengland.org.uk
97 https://historicengland.org.uk/listing/the-list/
98 https://www.devon.gov.uk/historicenvironment/the-devon-historic-environment-record/

6.44 Within the Plan Area there are a large amount of listed buildings and sites of different grades (I, II* and II). Whilst some works, such as minor repairs and maintenance, may not require consent, any physical changes (internal or external) to these buildings or sites that are deemed to affect their character or special interest will require Listed Building Consent from the LPA.

6.45 To find out if a building or site is listed, applicants are advised to consult the local HER or to search the NHLE on Historic England's website. Please note that the list description is only intended for identification purposes and *all* of the building is protected by designation unless otherwise stated in the description as not being of special interest.

6.46 Certain religious buildings have what is known as Ecclesiastical Exemption[99] meaning that certain religious denominations in England, whose churches are in use as places of worship, may be exempt from applying for listed building consent.

Proposed alterations to a listed building

6.47 Proposed alterations or works to a listed building, including curtilage buildings and boundary walls etc., must respect historic character and special interest.

6.48 Proposals must demonstrate an appropriate level of understanding of the heritage asset and its significance. It should be clearly stated how the proposal will affect the asset, whether that is positive or negative.

Impact on the setting of a listed building

6.49 Impact on the setting of a listed building must be considered when applying for planning permission. The LPAs are under a duty to carefully consider whether proposed development is harmful and represents substantial or less than substantial harm.

6.50 Where substantial harm is identified then the development is unlikely to be regarded as acceptable.

6.51 Where less than substantial harm is identified then the LPA is required to consider whether other public benefits arising from the proposed development outweigh this harm. If this is considered to be the case, then the development may be approved.

Conservation areas

6.52 Within the JLP area there are a variety of conservation areas varying in size and key qualities, all have been designated because they have been assessed as possessing special architectural or historic interest and, for any changes proposed, the LPA's will look to reserve or enhance the special character and appearance of these areas.

6.53 Additional planning controls apply to conservation areas and planning permission may be required from the LPA for works such as:

- Demolition of all or part of a building or structure (including walls and outhouses);
- Minor developments (including alterations to roofs, the cladding of buildings or replacement doors and windows);
- Installation of satellite dishes; and/or,

99 http://www.legislation.gov.uk/uksi/2010/1176/made

- Tree works (including cutting, uprooting, lopping or topping of trees) which must be covered by a notification procedure to the LPA.

6.54 Proposals within a conservation area (usually areas with historic settlement centres) may have a higher likelihood of below ground archaeological potential.

Conservation Area Appraisal and Management Plans (CAAMPS)

6.55 CAAMPS identify the key features of conservation areas and guidance on the types of development encouraged. To view the current CAAMP documents please visit:

- Plymouth conservation areas[100]
- South Hams CAAMPS[101]
- West Devon CAAMPS[102]

6.56 In addition to the CAAMPs and where there are no CAAMPS in place the following guidance for conservation areas should be considered.

Detailed guidance for conservation areas

6.57 Any new development being considered in or affecting the setting of conservation areas needs to be very carefully designed to preserve or enhance the quality of each area.

6.58 When permission is not required to carry out works, it will be for individual owners to decide whether or not their proposals are 'conservation friendly' and achieve the aim to preserve or enhance.

6.59 When permission is required, the LPA will base its decision on how well the works respect the features and characteristics of the area. Applicants will need to demonstrate how their proposals will preserve or enhance the area by showing respect and compatibility. This does not mean that new buildings must copy their older neighbours in detail, instead their design should represent an imaginative and contemporary interpretation of the site context that demonstrates an understanding of the buildings and spaces around them. Sound choices of layout, scale, form and materials will be considered basic requirements in such locations.

6.60 As a simple checklist, proposals are more likely to preserve/enhance the character/appearance of a conservation area if they involve:

- The retention or reinstatement of authentic/original features like authentic windows and doors, stone walls, cast-iron rainwater goods, chimney stacks, decorative architectural detail and distinctive wall finishes or claddings;
- The avoidance of incongruous features like poorly designed windows and doors, panel fencing, satellite dishes and mass produced ‘add-ons’ like porches;
- The incorporation of wall or roofing materials that are prevalent in the area; and/or,
- The introduction of new buildings that add quality and interest to valued street scenes and views.

6.61 For further guidance on development in conservation areas please see 17 'APPENDIX 5: New work in conservation areas'.

100 https://www.plymouth.gov.uk/planningandbuildingcontrol/conservationandheritage/conservationareas
101 https://www.southhams.gov.uk/article/3469/Conservation-Area-Appraisals-and-Management-Plans
102 https://www.westdevon.gov.uk/article/3471/Conservation-Area-Appraisals-and-Management-Plans

Registered parks and gardens

6.62 All works to registered parks and gardens require planning consent from the LPA. Registration is a 'material consideration' in the planning process, meaning that the LPAs must consider the impact of any proposed development on the landscapes' special character.

6.63 Applicants are advised to check the HNLE to search for registered parks and gardens and the relevant HER which may also hold locally sourced additional information.

Scheduled monuments

6.64 All works to scheduled monuments require Scheduled Monument Consent obtained by applying directly to Historic England. The LPA is not normally involved in this form of consent being granted but, as some Scheduled Monuments are also listed, there may be duplication and applicants will need to work with both Historic England and the LPA.

6.65 Applicants are advised to check the HNLE to search for scheduled monuments and the relevant HER which may also hold locally sourced additional information.

Protected wreck site

6.66 There is growing recognition of the importance of historic marine wrecks, all works on or near a protected marine/ship wrecks require a license to be granted by the Secretary of State via Historic England.

6.67 Applicants are advised to check the HNLE to search for protected wreck sites and the relevant HER which may also hold locally sourced additional information.

Archaeology (assessing significance)

6.68 Sites of archaeological potential may be identified through consultation with the relevant Historic Environment Records (HER). Applicants should be aware however that HERs contain information only on known remains and may not include recent discoveries.

6.69 The absence of site records for any specific area within an HER should not be taken as an indication that no archaeological remains exist. Early consultation with the Historic Environment Team of DCC (for sites in West Devon and South Hams) or the Historic Environment Officer of PCC (for sites within the unitary boundary of Plymouth) is strongly recommended.

6.70 Following initial consultation with the relevant officers, various levels of archaeological assessment and evaluation may be required. This may take the form of non-intrusive work (such as desk-based assessment and/or geophysical survey), intrusive ground-work (such as trench evaluation) or a combination of both. In each case such works should be conducted by a suitably qualified archaeological contractor on behalf of the applicant. These investigations will allow the survival and significance of any archaeological remains to be assessed and

the appropriate mitigation measures recommended as necessary. Recommendations will be in line with Historic England's Guidance on Managing Significance in Decision-Taking in the Historic Environment[103].

DEV21.3 – Non-designated heritage assets (NDHAs)

6.71 Non-designated heritage assets (NDHAs) are buildings, monuments, sites, places, areas or landscapes identified as having a degree of significance meriting consideration in planning decisions but which are not formally designated heritage assets. The declaration of intent to designate Plymouth Sound as a National Marine Park is also of significance in this respect.

6.72 In some areas, local authorities identify some non-designated heritage assets as 'locally listed'.Non-designated heritage assets can also be identified through the neighbourhood planning process or through CAAMPS.

6.73 For sites not identified, the LPAs will take a criteria based approach within the decision making process. This allows for the effective consideration of buildings, structures and other features to be made based on real time threats and priorities as summarised in the following diagram:

103 https://historicengland.org.uk/images-books/publications/gpa2-managing-significance-in-decision-taking/

NON-DESIGNATED HERITAGE ASSET (NDHA) Assessment Methodology

Is it a physical structure such as a building, standing remains, wall or other man-made boundary feature?

NO

YES

Is there Historic Environment Records, archive or other evidence to suggest potential as a heritage asset such as archaeological or social interest?

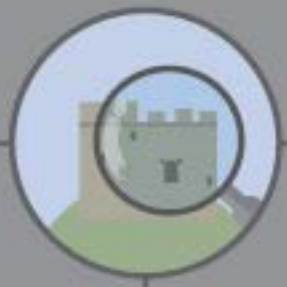
NO

Do not assess as a NDHA

YES

Is it a structure recorded on the first edition OS map of the 1880's or the 1906 edition?

YES



Does the extent or quality of the surviving fabric or other evidence justify further investigation or assessment?

NO

Do not assess as a NDHA

YES

NO

If a 20th century structure, does it possess architectural, historic or social interest of possible local significance?

YES

NO

Do not assess as a NDHA

Assess as a NDHA using criteria set out in Historic England Conservation Principles and with reference to the Local List criteria. The Local List criteria are as set out in Historic England Advice Note Number 7.

6.74 Consideration of a feature as a NDHA should not be seen as an assumption that it should be retained. It is an acknowledgement that evaluation and assessment is required and that appropriate weight must be given to the asset in consideration of planning balance. NDHAs should also not be seen as a restriction on development in itself, but an opportunity to enhance proposals by proper consideration of features deemed to be of local significance.

6.75 When undertaking an assessment, the advice on local lists in Historic England's Advice Note Number 7: Local Heritage Listing[104] should be seen as a starting point and advice should be sought from DCC in relation to designated assets in South Hams and West Devon.

Historic shop fronts

6.76 For guidance on historic shop fronts, please see 15 'APPENDIX 3: Shop fronts, including ATMs'.

Traditional farm buildings

6.77 Much of the Plan Area is rural and there are numerous traditional farm buildings which are no longer needed for agriculture but are about to be, or already have been, adapted to serve a different use. Early consultation with the relevant LPA is advisable for such proposals as a traditional farm building may be a significant element of an area's character. They are also a dwindling resource in terms of their traditional vernacular architecture and recording/research may be needed to inform planning decisions as well as in mitigation for consented change ('preservation by record').

6.78 Developers looking to adapt or re-use traditional farm buildings throughout the Plan Area are expected to follow the guidance available in the LPAs 'best practice' Barn Guide:Traditional Farm Buildings: Their Adaptation and Re-use [105] which details how the building's character and interest can be successfully conserved through the planning process.

6.79 When developing traditional farm buildings, the following are the essential features which will need to be considered carefully during the development process:

- The original fabric of the walls, floors and roof structure, and any original window frames, doors and shutters. There may be fittings of interest too, both inside and out;
- An uncluttered exterior characterised by extensive blank walls and roofs with unbroken lines and few openings;
- An unpartitioned interior characterised by impressive proportions, long sight lines and the structural elements exposed; and,
- An agricultural setting characterised by hard-surfaced yards and open field surroundings.

6.80 Applicants are expected to have a disciplined approach to design and carefully consider the setting and surrounding wildlife of traditional farm buildings.

104 https://historicengland.org.uk/images-books/publications/local-heritage-listing-advice-note-7/
105 https://www.plymouth.gov.uk/sites/default/files/TraditionalFarmBuildingsBarnGuide.pdf

Cornwall and West Devon Mining Landscape World Heritage Site (DEV22)

6.81 The Cornwall and West Devon Mining Landscape World Heritage Site has its own Management Plan and supporting SPD which sets out how the planning system will fulfil its responsibilities to this designated heritage asset: Cornwall and West Devon Mining Landscape World Heritage Site, Supplementary Planning Document, May 2017[106].

106 https://www.cornwall.gov.uk/environment-and-planning/planning-policy/adopted-plans/planning-policy-guidance-for-cornwall-and-west-devon-mining-landscape-world-heritage-site-supplementary-planning-document/

7 Natural environment (DEV23-DEV28)

Introduction

7.1 The environment is of key importance to all people that visit, live or work in the Plan Area. A healthy environment is important for existing residents, and essential for biodiversity and wildlife habitats.

7.2 The guidance in this chapter primarily supports polices DEV23 to DEV28 in the JLP. It also reflects national guidance, and should be read alongside the NPPF, NPPG and the site specific policies set out in the JLP. The guidance should also be considered in the context of the Climate Emergency declared by the three JLP Councils.

7.3 Please see Section 2 'Sustainable Development and the Climate Emergency' for further guidance on what part the SPD can play in responding to the Climate Emergency?

Landscape character (DEV23)

7.4 DEV23 is a policy to ensure new development conserves and enhances landscape, townscape and seascape character and avoids adverse landscape or visual impacts. This will be achieved by considering the character and distinctiveness of the area and how the siting and design of the proposed development responds to the landscape and townscape character. For instance through the conservation and enhancement of distinctive landscape features, the use of local design characteristics, materials and development patterns etc.

7.5 To support the JLP adoption process and the implementation of DEV23 the LPAs produced/commissioned Landscape Character Assessments which can be found online:

- Plymouth and Plymouth Urban Fringe Landscape and Seascape Assessment (Chapters 1 to 3)[107]
- Plymouth and Plymouth Urban Fringe Landscape and Seascape Assessment, (Chapter 4 onwards)[108]
- A Landscape Character Assessment for South Hams and West Devon[109]

7.6 Since the JLP was adopted there has been a declaration of intent announced to designate the Plymouth Sound as a National Marine Park whose context will also need to be considered in development.

7.7 In order to foster high quality development that respects, maintains, or enhances local landscape character and distinctiveness, all new development should consider the character and distinctiveness of the area, with the siting and design of the proposed development reflecting or enhancing local design characteristics and, wherever possible, using local materials. Planning applications should detail the measures taken to ensure the building design will be of a high standard, as well as include detail of layout alternatives together with justification of the selected option in relation to the landscape context.

7.8 The LPAs will use the following flow chart to assess the compliance of a planning application with JLP policy DEV23:

107 https://www.plymouth.gov.uk/sites/default/files/PlymouthAndPlymouthUrbanFringeLandscapeAndSeascapeAssessmentChapters1to3.pdf
108 https://www.plymouth.gov.uk/sites/default/files/PlymouthAndPlymouthUrbanFringeLandscapeAndSeascapeAssessmentChapter4Onwards.pdf
109 https://www.plymouth.gov.uk/sites/default/files/LandscapeCharacterAssessmentSouthHamsAndWestDevon.pdf

How to assess application compliance?

Is the site located within or adjacent to a sensitive area?

The following will be considered as sensitive areas under this policy:

- Areas of Outstanding Natural Beauty (AONBs)
- Undeveloped Coast and Heritage Coast
- Conservation areas
- Local Green Space
- Designated Green Spaces (under Policy DEV27)
- Areas with a visual relationship with AONBs, Undeveloped Coast, Heritage Coast, conservation areas, heritage assests, Local Green Space and or designated green spaces (under Policy DEV27)
- Areas within prominent locations such as ridge tops (check Figure 2.4 within the Plymouth and Plymouth Urban Fringe Landscape and Seascape Assessment (Chapters 1 to 3), important road corridors, Public Rights of Way (PRoWs), etc.
- Areas with a high level of tranquility, which can be found on Devon County Council's Environment viewer: http://map.devon.gov.uk/dc-cviewer/
- Areas identified as forming part of a character area or type as identified in any of the following:
  - Plymouth and Plymouth Urban Fringe Landscape and Seascape Assessment (Chapters 1 to 3)
  - Plymouth and Plymouth Urban Fringe Landscape and Seascape Assessment, (Chapter 4 onwards)

NO

All applications will need to demonstrate:

- A high standard of design taking account of the local character (see validation checklist), which will relate to the surrounding landscape, seascape and/or townscape. For further detail on what will be classed as high standard of design see further DEV23 sections below, DEV20 guidance and any current and future SPD appendices.
- How they will prevent further degradation of and enhance the areas tranquility

YES

Does the site design comply with the applicable guidance set out in any of the following:

Sensitive landscape and/or visual status needs to be addressed and a justification for the development needs to be provided (see validation checklist for details on required information for each type of development). The justification is expected to be proportionate to the scale of the application. Where the site is located within or adjacent to an AONB or Datmoor National Park NPPF paragraph 172 and Policy DEV25 will apply.

- AONB Management Plans (South Devon AONB & Tamar Valley AONB)
- Conservation Area Management Plans (Plymouth, South Hams & West Devon)
- Guidance for managing change set out in the applicable landscape or seascape assessment (see links above)
- Relevant Neighbourhood Plan or DPD
- Objectives for open spaces listed within the relevant open space assessment (Plymouth & South Hams and West Devon)
- The Landscape Design principles set out in this chapter
- The guidance set out in DEV20 section of the SPD
- Any current and future SPD appendices

The application should demonstrate how it complies with any of the above guidance. The justification is expected to be proportionate to the scale of the application.

Will the development protect and enhance the areas tranquility?

NO

Unlikely to support the application

YES

Likely to support the application from a landscape perspective and are likely to include conditions, S106 clauses and/or bonds to ensure appropriate implementation

7.9 To determine whether a landscape and visual impact assessment (LVIA) is required, please see guidance at 'DEV23.6 – Landscape and Visual Impact Assessment (LVIA)'.

DEV23.3 – High quality design

Design advice

7.10 The Plymouth and Plymouth Urban Fringe Landscape and Seascape Assessment and the South Hams and West Devon Landscape Character Assessment include guidance on how to manage change. The LPAs will expect development within those character areas and on the edges of these character areas to adhere to this guidance to ensure the development does not degrade the character of the area.

7.11 Further detailed guidance on how to utilise the landscape character assessment can be found within Chapter 1 of the Plymouth and Plymouth Urban Fringe Landscape and Seascape Assessment, which includes a user guide for the use of the landscape and seascape assessment.

7.12 Existing landscape characteristics and features should be addressed as follows:

How to address landscape characteristics and features

Landscape characteristics and features (for all applications)

Propotionate to the scale of the application, details should be provided as part of the application, where applicable within the Design and Access Statement and/or within a landscape strategy or scheme (see validation checklist for details on required information for each type of development)

Assessment should include:

- Consideration of the character of the site and wider context
- Assesessment of the quality and value of on-site features and how representative they are for the local area. Evidence for this assessment can be found in the following:
  1. AONB Management Plans
  2. Conservation Area Management Plans
  3. The applicable landscape or seascape assesment
  4. Relevant Neighbourhood Plan or DPD
  5. Relevant open space assessment
- Determine the importance of occuring landscape features in shaping the character of the area.

Identification of site constraints and opportunities

Assessment to then inform design:

- Retention of important features by appropriately integrating them into the design of the site
- Where loss is unavoidable, appropriate long-term mitigation will be required, taking account local characteristics and utilising locally prevelant landscape features identified in assessment
- Opportunities for enhancements should be explored.

DEV23.6 – Landscape and Visual Impact Assessment (LVIA)

7.13 DEV23.6 requires development, where necessary, to be supported by a LVIA or landscape appraisal.

7.14 A LVIA (within an EIA context) or landscape appraisal (where the assessment does not form part of an EIA) is necessary where a proposed development has the potential to result in a substantial negative impact to visual amenity or landscape character. A LVIA or landscape appraisal will need to be submitted to show how these impacts have been assessed and how the development has been designed to avoid, reduce and/or mitigate these impacts. Guidance on when a LVIA or landscape appraisal is needed has been provided below for both the PPA and the TTV Policy Area:

LVIA/Landscape Appraisal required
LVIA/Landscape Appraisal sometimes required
LVIA/Landscape Appraisal not required

Location **Development type**	**Within Plymouth administrative area**	**Within the Plymouth Urban Fringe (PLY61) and within character areas as defined within the Plymouth and Plymouth Urban Fringe Landscape and Seascape Assessment**	**Within a Strategic Green Space**	**Within 500m of AONB or National Park boundary** **Within Plymouth administrative area**	**Within 500m of AONB or National Park boundary** **Within the Plymouth Urban Fringe (Policy PLY61)**
Development with an overall height of 20m or more					
Development with an overall height of 15m or more	If edge of City LVIA/Landscape Appraisal is required.				
Development of 10 or more dwellings; with a floor space of 1,000m^2 or more; or a site area of 1ha or more in size.					

Location Development type	Within Plymouth administrative area	Within the Plymouth Urban Fringe (PLY61) and within character areas as defined within the Plymouth and Plymouth Urban Fringe Landscape and Seascape Assessment	Within a Strategic Green Space	Within 500m of AONB or National Park boundary Within Plymouth administrative area	Within 500m of AONB or National Park boundary Within the Plymouth Urban Fringe (Policy PLY61)
Development on previously undeveloped (greenfield) sites with a site area of 0.5ha or more		On a case-by-case judgement.		On a case-by-case judgement.	

Table 16 Matrix for LVIA and Landscape Appraisals requirements: PPA

Location Development type	Outside AONB Within Main Towns[110] (TTV1)	Outside AONB Within Smaller Towns, Key Villagaes and Sustainable Villages (TTV1, TTV2 and TTV3)	Outisde AONB Within Small Hamlets and the Countryside (TTV1 and TTV4)	Within AONB (or within 500m of AONB or National Park boundary) Within Main Towns (TTV1)	Within AONB (or within 500m of AONB or National Park boundary) Within Smaller Towns, Key Villages and Sustainable Villages (TTV1, TTV2 and TTV3)	Withing AONB (or within 500m of AONB or National Park boundary) Within Small Villages, Hamlets and the Countryside (TTV1 and TTV4)
Development with an overall height of 20m or more						

110 The TTV Main Towns are: Dartmouth, Ivybridge, Kingsbridge, Okehampton, Tavistock and Totnes.

Location Development type	Outside AONB Within Main Towns[110] (TTV1)	Outside AONB Within Smaller Towns, Key Villagaes and Sustainable Villages (TTV1, TTV2 and TTV3)	Outisde AONB Within Small Hamlets and the Countryside (TTV1 and TTV4)	Within AONB (or within 500m of AONB or National Park boundary) Within Main Towns (TTV1)	Within AONB (or within 500m of AONB or National Park boundary) Within Smaller Towns, Key Villages and Sustainable Villages (TTV1, TTV2 and TTV3)	Withing AONB (or within 500m of AONB or National Park boundary) Within Small Villages, Hamlets and the Countryside (TTV1 and TTV4)
Development with an overall height of 15m or more	If edge of settlement, LVIA/Landscape Appraisal is required.			If edge of settlement, LVIA/Landscape Appraisal is required.		
Development of 10 or more dwellings; with a floor space of 1,000m^2 or more; or a site area of 1ha or more in size.		If edge of settlement LVIA/Landscape Appraisal is required.		If edge of settlement LVIA/Landscape Appraisal is required.		
Development on previously undeveloped (greenfield) sites with a site area of 0.5ha or more				.	If edge of settlement LVIA/Landscape Appraisal is required.	

Table 17 Matrix for LVIA and Landscape Appraisals requirements: TTV Policy Area

7.15 Despite falling outside the criteria above, development may require a LVIA as part of an Environmental Impact Assessment (EIA). This will be subject to a separate screening exercise.

110 The TTV Main Towns are: Dartmouth, Ivybridge, Kingsbridge, Okehampton, Tavistock and Totnes.

7.16 The assessment work should be proportionate to the development it is assessing, and could range from a full assessment as part of an EIA to a short, focussed landscape appraisal of the impacts on a certain characteristic or view. Landscape and visual assessment work should be carried out by a qualified Landscape Architect and completed in accordance with the Guidelines for Landscape and Visual Impact Assessment, 3rd Edition 2013 (GLVIA3) LI/IEMA[111], or any subsequent updates.

7.17 LVIAs should:

- Map the local landscape character areas and/or elements at a scale appropriate to the development site and reference made to any existing character assessments, relevant management plans or strategies pertaining to the area;
- Identify key and representative views and visual receptors. Any viewpoints to be assessed should be agreed with the LPA and, where relevant, with key stakeholders prior to carrying out the assessment. Presentation of representative viewpoints should accord with best practice guidance;
- Where required, photomontages from agreed viewpoints should be prepared in accordance with 'Photography and photomontage in landscape and visual impact assessment' Landscape Institute Advice Note 01/11[112] or subsequent versions of this guidance;
- Include assessments of visual and landscape effects on the surrounding area and landscape together with any physical effects of the development, such as changes in topography; and,
- Provide evidence of landscape and visual impacts being considered in the design evolution of a scheme within the LVIA in accordance with the following hierarchy: Avoid; Reduce; Mitigate. This section should detail the measures taken to ensure the building and landscape design will be of a high standard, as well as details of layout alternatives together with justification of the selected option in terms of landscape impact and benefit.

DEV23.7 – Avoidance, mitigation, compensation and enhancements

7.18 The LPAs expect all applications to adhere to the mitigation hierarchy:

- AVOID: preference should be given to avoid impacts, for example, by positioning development away from the most sensitive areas;
- MINIMISE: constitutes measures to reduce impacts on-site;
- MITIGATE: ensuring all methods for design to deliver benefits to the landscape character, landscape features and visual amenity of the area have been included in the development;
- COMPENSATE: where the character, landscape features and visual amenity of the area has been lost, the LPAs will expect the applicant to deliver compensatory landscape measures such as the creation of new green space, tree and other planting, creation of new viewpoints, etc.

7.19 Besides following the mitigation hierarchy, the LPAs expect applicants to maximise the benefits landscape can deliver to communities by ensuring the design of the site explores means of delivering enhancements to the local landscape character and visual amenity of the local area.

111 https://www.routledge.com/Guidelines-for-Landscape-and-Visual-Impact-Assessment-3rd-Edition/Landscape-Institute-IEMA/p/book/9780415680042
112 https://landscapewpstorage01.blob.core.windows.net/www-landscapeinstitute-org/2019/01/LIPhotographyAdviceNote01-11.pdf

Undeveloped Coast and Heritage Coast (DEV24)

What is this policy about?

7.20 DEV24 is a policy to ensure the protection of the Undeveloped Coast and Heritage Coast across the JLP area. This is done by ensuring development which would have a detrimental effect on the undeveloped and unspoilt character, appearance or tranquility of the landscape is not permitted except under exceptional circumstances.

Defining the Undeveloped Coast

7.21 As part of the production of the JLP, the Undeveloped Coast was defined in response to NPPF paragraphs 170 and 173, the extent of which is available to view on the three JLP policies maps:

- Policies Map: Plymouth Policy Area[113]
- Policies Map: Thriving Towns and Villages Policy Area (South Hams)[114]
- Policies Map: Thriving Towns and Villages Policy Area (West Devon)[115]

7.22 A document was also produced stating how the LPAs decided to define the Undeveloped Coast through the policy designation: Undeveloped Coast Identification Process[116].

Defining the Heritage Coast

7.23 The South Devon Heritage Coast was defined in 1986, recognising it as one of the finest stretches of undeveloped coast in England and Wales. Heritage Coasts are now defined nationally by Natural England for the following purposes:

- Conserve, protect and enhance:
    - The natural beauty of the coastline;
    - Their terrestrial, coastal and marine flora and fauna;
    - Their heritage features.
- Encourage and help the public to enjoy, understand and appreciate these areas;
- Maintain and improve the health of inshore waters affecting heritage coasts and their beaches through appropriate environmental management measures; and,
- Take account of the needs of agriculture, forestry and fishing and the economic and social needs of the small communities on these coasts.

What needs to be considered in the implementation of this policy?

7.24 In much the same way as policy DEV23 seeks to ensure new development conserves and enhances landscape, townscape and seascape character, policy DEV24 refines this approach to the characteristics and features of the coastal landscape that make it special: its undeveloped and unspoilt character, appearance and tranquillity. This will be achieved by considering the character and distinctiveness of the area and how the siting and design

113 https://www.plymouth.gov.uk/sites/default/files/PoliciesMapPPA.pdf
114 https://www.plymouth.gov.uk/sites/default/files/PoliciesMapTTVSH.pdf
115 https://www.plymouth.gov.uk/sites/default/files/PoliciesMapTTVWD.pdf
116 https://www.plymouth.gov.uk/sites/default/files/UndevelopedCoastIdentificationProcess.pdf

of the proposed development responds to the character of the area, for instance through the conservation and enhancement of distinctive landscape features, the use of local design proportions, materials, and development patterns.

7.25 The variety of high quality, open, coastal views in this landscape, from expansive coastal clifftops to intimate estuaries, are a unique characteristic of the area that needs to be retained clear of visual intrusion.

7.26 Development proposals will need to fully consider impacts upon the undeveloped character, appearance and tranquillity of the coastal landscape, including consideration of night-time impacts of any lighting of the proposals alongside cumulative effects of other development in the locality upon the undeveloped character of the area. This will often be through the production of a Landscape and Visual Impact Assessment or Appraisal (LVIA). For further guidance on the production of LVIAs please see 'DEV23.6 – Landscape and Visual Impact Assessment (LVIA)'.

DEV24.1 and DEV24.2 – Coastal location

7.27 Policy DEV24 contains strong principle policy tests to avoid development that does not require a coastal location and that can be located outside the Undeveloped Coast.

7.28 In order to justify a coastal location any development proposal needs to demonstrate what local need is being met that cannot be delivered outside the Undeveloped Coast. In terms of housing, the principle will only be acceptable if the proposal is meeting a localised need, defined in the terms of this policy as meeting a need from the immediate or adjoining parish. Any housing proposal will be restricted by a s106 agreement, restricting ownership or occupation to people who can demonstrate such a local connection. Accepting the principle of housing in an Undeveloped Coastal location does not override the requirement to meet all other policy tests applicable to sensitive and designated landscapes.

7.29 Applications for development on an agricultural holding will need to demonstrate that the applicant does not own alternative agricultural land outside of the Undeveloped Coast policy area that could reasonably accommodate the proposed development.

7.30 Applications for development to support leisure or recreational pursuits are unlikely to be supported on the basis that the proposal is not meeting a need that requires a coastal location, but rather responding to a personal preference or choice.

7.31 Where development meets the principle policy tests of DEV24.1 and DEV24.2, the following broad types of development will be considered under the policy:

Coastal defences

7.32 Coastal defences are likely to be a significant feature of sections of the Undeveloped Coast in the future. Proposals should consider the siting, design, scale, appearance and materials suitable to their location rather than simply an engineering solution.

Camping, caravanning, chalet or similar sites

7.33 There are significant pressures for holiday accommodation development in this landscape. Camping and caravanning sites often form large and visually intrusive features, detracting from the special undeveloped character of the coastal environment. In recognition

of the pressure and existing impacts from such facilities, Policy DEV15 on the rural economy is not supportive of camping, caravan, chalet or similar facilities in the Undeveloped Coast, and such features are unlikely to meet the tests of DEV24.3.

Agricultural development

7.34 New industrial scale agricultural buildings that are located in prominent or sensitive locations, particularly where these are visually intrusive on skylines and ridges, impact negatively on the special character and scenic quality of the coastal landscape, and are unlikely to be supported. Wherever possible, new agricultural buildings should be located with existing farmsteads and buildings.

7.35 Where a new farm building in open countryside is the only available practical option, there should be a clear justification in the planning application describing how the location has been selected to minimise visual impact and best set the building into its landscape, involving the careful use of materials, colour, landform, screening and external landscape works.

Dwellings, residential conversions and other built facilities

7.36 Replacement or new dwellings, building conversions or other built facilities will need to carefully consider the positive aspects of the character and appearance of their built context, and will need to be modest in form and respectful of their highly sensitive setting so as to avoid visually intrusive development. This is likely to include a building form that reflects its context and topographical setting, often ‘stepping back’ with the topography rather than working against it to maximise views from the property.

7.37 Large or irregular expanses of glazing in dwellings and other buildings present particular problems with reflection and light spill in this landscape, impacting upon the undeveloped character and tranquillity of the coastal environment. There is a high degree of pressure to maximise coastal views from high value property, and the LPAs will seek to resist such features that are harmful to the landscape and scenic quality of the area. As with the building form, glazing proportions will need draw on the positive (often vernacular) proportions of development locally.

7.38 Development for the purposes of agriculture, forestry, public access and enjoyment of the coast and estuaries, or community facilities that meet the objectively assessed needs of the local community are considered to meet the aims of the Heritage Coast and will be supported in principle, provided that they meet the other criteria of the policy.

7.39 All development in the coastal landscape will need to consider its whole-life position on the site, particularly in areas identified as being subject to coastal change. Where there is a likelihood of failure or redundancy of development in the future, proposals should include for the restoration and removal of development, for example, when coastal defences fail or need replacing.

7.40 For further guidance on design please see guidance at 'Place shaping and the quality of the built environment (DEV20)'.

Nationally protected landscapes (DEV25)

What is this policy about?

7.41 Policy DEV25 protects nationally designated landscapes from inappropriate development and activity. It provides the basis for thorough consideration of development proposals such that any permissions granted will be for development and activity that conserves and enhances designated landscapes.

7.42 The nationally designated landscapes within (and extending beyond) the Plan Area are the:

- South Devon AONB;
- Tamar Valley AONB; and,
- Cornwall and West Devon Mining Landscape World Heritage Site (DEV22).

7.43 The setting of Dartmoor National Park and the declaration of intent in September 2019 to designate the Plymouth Sound National Marine Park may also be relevant in decision making.

7.44 The pressure for development in AONBs (Areas of Outstanding National Beauty) is well evidenced. By definition, the high quality landscapes and scenic beauty of AONBs act as an attractor for residential, tourism and increasingly business development. In addition, coastal AONBs are popular destinations for retirement and second home investments. This generates high demand for property driving up both land and property values, making AONBs attractive and profitable places in which to secure planning permission for development. Affordable housing delivery is often dependent upon market housing to support viability, which leads to a higher quantum of development needing to be accommodated. Conversely, the high quality environment of AONBs inherently has limited capacity to accommodate development without harm to their special qualities.

7.45 DEV25 formulates policy in relation to the management of the South Devon AONB and Tamar Valley AONB as required under Part IV, Section 89 of the Countryside and Rights of Way Act 2000. This SPD, in conjunction with the respective Management Plans, provides further guidance and support to fulfil the Section 85, 'duty to have regard to the purpose of conserving and enhancing the natural beauty of the AONB'.

7.46 The AONB Management Plans for the South Devon AONB and the Tamar Valley AONB provide detailed guidance with respect to the special qualities that define the unique 'natural beauty' and are essential reading for anyone seeking planning permission for development within or affecting the setting of an AONB:

- South Devon AONB Management Plan[117];
- Tamar Valley AONB Management Plan[118].

7.47 Strategic planning and decision making on development applications within or 'in the setting' of the AONBs are undertaken by the local planning authorities: SHDC; WDBC; Torbay Council; PCC; DCC; and, the Marine Management Organisation (MMO). The Management Plans are a material consideration in the plan-making and decision-taking process.

7.48 Development affecting the setting of Dartmoor National Park will be the subject of similar scrutiny, although development with the park falls within the remit of Dartmoor National Park Authority.

117 http://www.southdevonaonb.org.uk/about-the-aonb/looking-after-the-aonb/aonb-management-plan
118 http://www.tamarvalley.org.uk/care/aonb-management-plan/

7.49 The Cornwall and West Devon Mining Landscape World Heritage Site has its own policy in the JLP (DEV22) and its own Management Plan and supporting SPD which sets out how the planning system will fulfil its responsibilities to this designated heritage asset: Cornwall and West Devon Mining Landscape World Heritage Site, Supplementary Planning Document, May 2017[(119)].

What needs to be considered in the implementation of this policy?

7.50 There is a clear need to manage growth both within, and in the setting of, nationally designated landscapes. Communities need to be economically viable and have access to adequate and appropriate housing types, employment, services and amenities to meet local needs. To achieve sustainable development, these needs should be met in ways that conserve and enhance the AONB's special qualities.

7.51 The Sustainable Villages Assessment provides guidance with respect to where development might be most suitably located, although it is recognised that development needs arise throughout the areas.

7.52 Given that AONBs are given the 'highest degree of protection', appropriate development is likely to be small scale and related to specific and clearly evidenced local needs.

DEV25.3 – Major developments in the AONBs

7.53 Permission for major developments will only be granted in exceptional circumstances and where it can be demonstrated that they are in the public interest. There is no specific definition in the NPPF of what constitutes major development. This judgement is the subject of consideration, by the relevant LPA, of harm and significance, not quantum of development. It is strongly advised that a prospective developer seeks an early view in this respect.

7.54 Where development is deemed to be 'major development' it will be necessary to consider alternatives and cumulative impacts.

DEV25.2-DEV25.4 – Conserving and enhancing natural beauty

7.55 The key test for any development proposal is the need to 'conserve and enhance' natural beauty. The respective Management Plans provide clear guidance in this respect, identifying themes and objectives to guide project proponents in developing proposals and in the context of which a judgement regarding acceptability will be made.

7.56 Natural beauty is not an easily defined term, with a judgement being made in each context on the basis of a series of factors including special qualities, natural heritage, local distinctiveness, historic and cultural heritage, dark skies and natural nightscapes, tranquillity, and the delivery of management plan objectives.

7.57 The respective Management Plans and AONB Planning Guidance describe special qualities in detail and require an approach of seeking to avoid, minimise or mitigate harm through careful selection of location, design and materials.

119 https://www.cornwall.gov.uk/environment-and-planning/planning/planning-policy/adopted-plans/planning-policy-guidance-for-cornwall-and-west-devon-mining-landscape-world-heritage-site-supplementary-planning-document/

7.58 All policies relate to the statutory purpose of AONB designation whilst recognising that the natural world underpins the prosperity and wellbeing of the area and its communities. The ambition of this cross cutting strategy is to achieve environmental net gain, reduce potential harm and provide a framework for identifying actions that may enhance Devon's natural, built and cultural assets.

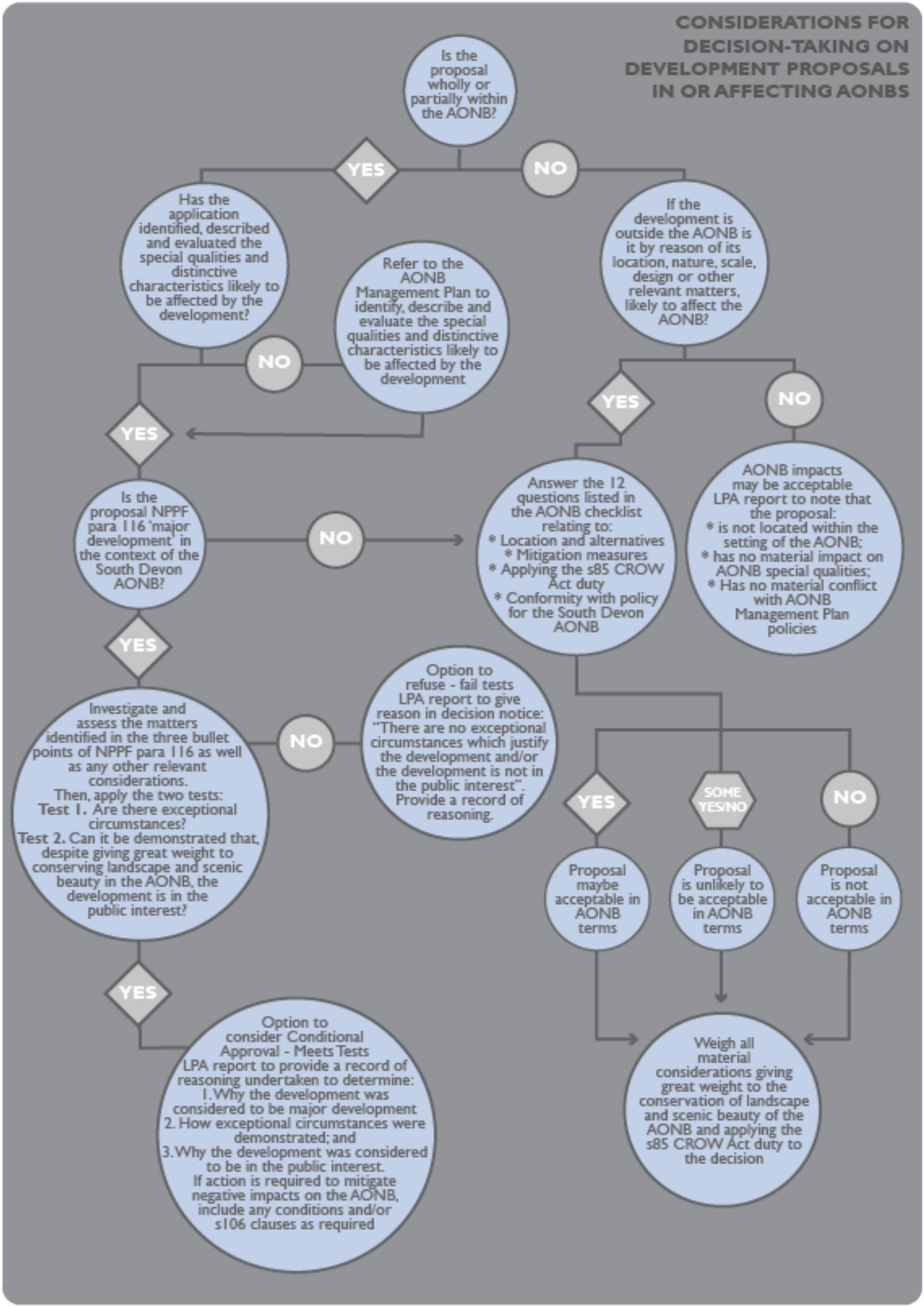
7.59 In this respect, whilst AONBs are entities in their own right, numerous other significant designations contribute to their special qualities. This includes nature conservation designations and historic environment designations: Special Areas of Conservation found within, overlapping or immediately adjacent to the AONB boundary; Sites of Special Scientific Interest; National Nature Reserves; Scheduled Ancient Monuments; Listed Buildings; Registered Historic Parks and Gardens; Conservation Areas and Protected Wreck sites.

DEV25.8 – Bringing forward proposals

7.60 The following diagram has been adapted from the South Devon AONB Planning Guidance[120] and provides a helpful flow diagram of the process of bringing forward proposals. Given the complexity of the necessary survey, assessment and design it is particularly important that early engagement is sought with the relevant LPA and it is strongly recommended that a prospective developer use the pre-application services.

120 http://www.southdevonaonb.org.uk/about-the-aonb/looking-after-the-aonb/aonb-management-plan

CONSIDERATIONS FOR DECISION-TAKING ON DEVELOPMENT PROPOSALS IN OR AFFECTING AONBS



Protecting and enhancing biodiversity and geological conservation (DEV26)

What is this policy about?

7.61 The JLP area has many characteristics which set it apart from others such as a high quality green city environment; a dramatic maritime setting and surrounding countryside. DEV26 is a policy to ensure that development supports the conservation, enhancement and restoration of biodiversity and geodiversity across the JLP area, alongside SPT12 (Strategic approach to the natural environment) which sets out the strategic approach to protecting the hierarchy of designated sites.

7.62 When considering habitat creation/restoration it is important to consider other guidance within this SPD, particularly with regards to the historic environment (DEV21) and landscape character (DEV23). There is potential for multifunctional outcomes if opportunities for enhancing the natural environment are considered alongside opportunities to conserve and enhance access to the historic environment.

7.63 The LPAs are required, through policy and legislation, to consider impacts upon biodiversity and geodiversity when determining applications. Relevant planning policy and legislation includes:

- Chapter 15 of the NPPF (Conserving and enhancing the natural environment);
- The 'Natural Environment' section of NPPG[121], particularly with regards to biodiversity and ecosystems;
- Government Circular 06/2005[122] (Biodiversity and Geological Conservation – Statutory obligations and their impact within the planning system);
- The Conservation of Habitats and Species Regulations 2017[123];
- Section 40 of the Natural Environment and Rural Communities Act[124] (NERC Act, 2006);
- Other legislation giving protection to species and habitats that may be of relevance includes:
    - Wildlife and Countryside Act, 1981 (as amended);
    - Protection of Badgers Act, 1992;
    - Hedgerow Regulations, 1997;
    - Environmental Impact Assessment Regulations, 2011; and/or,
    - Countryside and Rights of Way Act, 2000.
- The British Standard for Biodiversity - Biodiversity — Code of practice for planning and development BS 42020:2013[125]
- Biodiversity net gain – Good practice principles for development – A Practical Guide (CIEEM/IEMA/CIRIA, 2019)[126]

121 https://www.gov.uk/guidance/natural-environment#biodiversity-and-ecosystems
122 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/7692/147570.pdf
123 http://www.legislation.gov.uk/uksi/2017/1012/contents/made
124 https://www.legislation.gov.uk/ukpga/2006/16/contents
125 https://shop.bsigroup.com/ProductDetail?pid=000000000030258704
126 https://cieem.net/resource/biodiversity-net-gain-good-practice-principles-for-development-a-practical-guide/

- Bat Conservation Trust (BCT) Bat Survey Guidance – Bat Surveys for Professional Ecologists: Good Practice Guidelines 3rd edition[127]
- Government standing advice for Protected sites and species[128].

What needs to be considered in the implementation of this policy?

7.64 In order to be successful new development will need to consider:

- Relevant planning policy and legislation;
- The protected sites hierarchy;
- Mitigation hierarchy;
- Protected species and associated planning policy and legislation;
- Ecology survey information required to support planning applications;
- Biodiversity Net Gain; and,
- Securing measures for biodiversity and ensuring long term management.

The protected sites hierarchy

7.65 Designated sites (on the basis of presence of particular species and/or habitats) receive protection according to their status within the protected sites hierarchy.

7.66 DEV26 sets out the hierarchy of protected sites for biodiversity and geodiversity:

1. European Sites:

    - Special Areas of Conservation (SAC); and;
    - Special Protection Areas (SPA).

2. Nationally significant sites for nature conservation:

    - A Site of Special Scientific Interest (SSSI);
    - National Nature Reserve (NNR);
    - Ancient Woodland; and,
    - Marine Conservation Zone (MCZ).

3. Locally designated sites:

    - County Wildlife Site (CWS);
    - Local Nature Reserve (LNR); and,
    - Regionally Important Geological Sites (RIGS) and their function as part of a local ecological network.

7.67 The location of most of the these sites can be found on the government's Department for Environment, Food and Rural Affairs (Defra)'s interactive map[129]with the exception of CWS and RIGS which can be found on the DCC Environment Viewer Map[130].

127 https://www.bats.org.uk/resources/guidance-for-professionals/bat-surveys-for-professional-ecologists-good-practice-guidelines-3rd-edition
128 https://www.gov.uk/topic/planning-development/protected-sites-species
129 https://magic.defra.gov.uk/magicmap.aspx
130 http://map.devon.gov.uk/dccviewer/

Mitigation hierarchy

7.68 Overall, the LPAs approach is to implement a mitigation hierarchy as set out in Policy SPT12.1 when considering ecology:

1. AVOID by altering the design or restricting timing of proposed works;
2. MITIGATE to reduce the impacts as much as possible by, for example, precautionary or sensitive vegetation or roof removal methods; etc.
3. COMPENSATE for any loss of habitat/features such that there is no net loss of biodiversity, for example through new hedgerows, bat roosts or bird boxes etc.

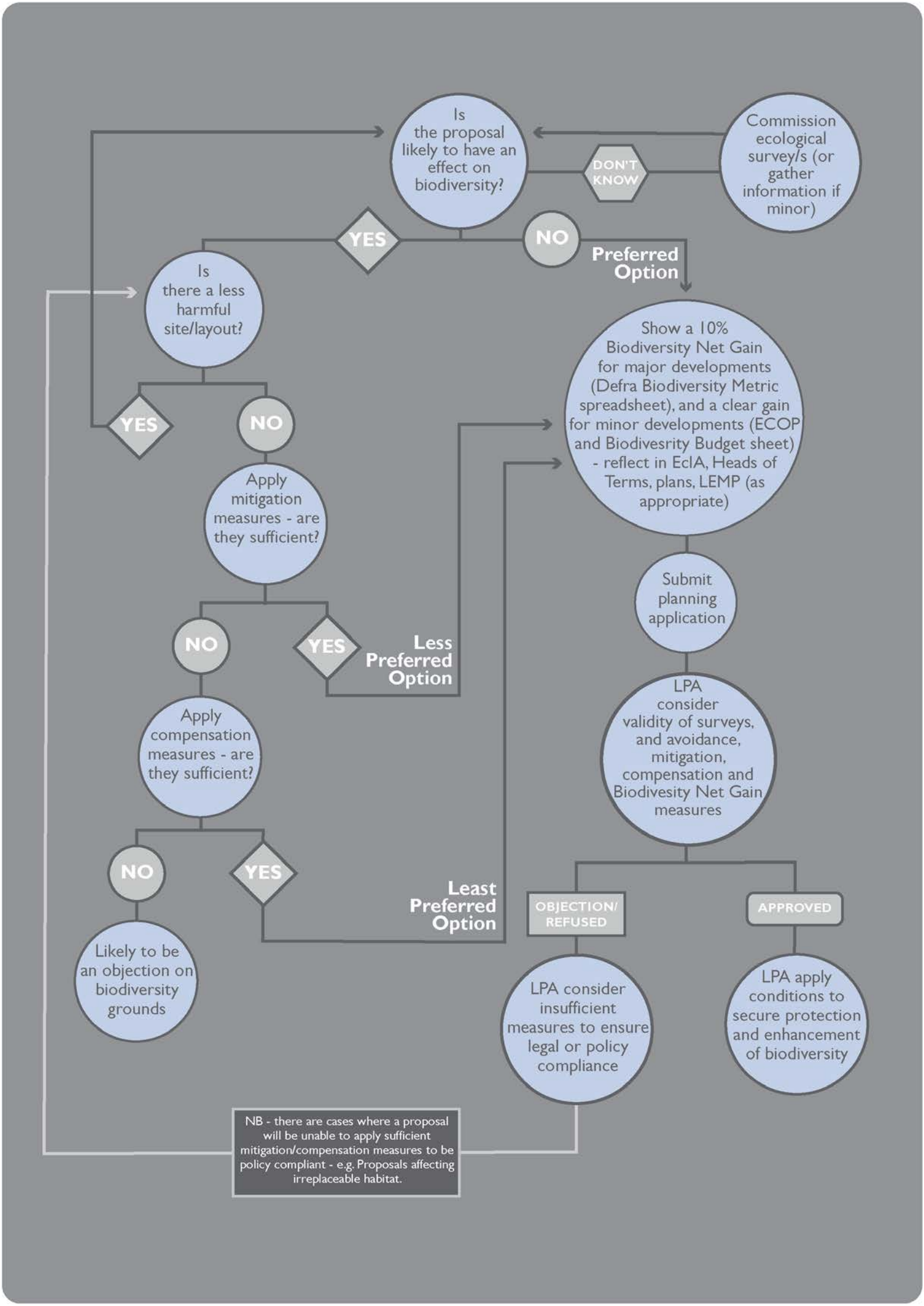
7.69 Ecological surveys should be undertaken when there is a reasonable likelihood of protected species being present.

7.70 Based on the findings of the ecological survey, the first step in design should be to avoid and minimise impacts on biodiversity through site consideration (if possible) and good design.

7.71 Compensation is a last resort if the mitigation hierarchy has been applied and residual impacts on biodiversity remain. This will be secured by the LPA for any loss of habitat/features to ensure there is no net loss of biodiversity (using the Defra Biodiversity Metric for major developments).

7.72 The preference for compensatory habitats/features is on-site, however where this is not practicable then off-site compensation may be considered on a case-by-case basis.

7.73 The figure below shows how the mitigation hierarchy is applied in practice in planning:


Is the proposal likely to have an effect on biodiversity?
DON'T KNOW
Commission ecological survey/s (or gather information if minor)
YES
NO
Preferred Option
Is there a less harmful site/layout?
YES
NO
Apply mitigation measures - are they sufficient?
NO
YES
Less Preferred Option
Apply compensation measures - are they sufficient?
NO
YES
Least Preferred Option
Likely to be an objection on biodiversity grounds
Show a 10% Biodiversity Net Gain for major developments (Defra Biodiversity Metric spreadsheet), and a clear gain for minor developments (ECOP and Biodivesrity Budget sheet) - reflect in EclA, Heads of Terms, plans, LEMP (as appropriate)
Submit planning application
LPA consider validity of surveys, and avoidance, mitigation, compensation and Biodivesity Net Gain measures
OBJECTION/ REFUSED
APPROVED
LPA consider insufficient measures to ensure legal or policy compliance
LPA apply conditions to secure protection and enhancement of biodiversity
NB - there are cases where a proposal will be unable to apply sufficient mitigation/compensation measures to be policy compliant - e.g. Proposals affecting irreplaceable habitat.

DEV26.1 - European Sites and Habitats Regulations Assessment (HRA)

7.74 European Sites are of international importance and receive the highest level of protection and include: Special Areas of Conservation (SAC); candidate SACs; Special Protection Areas (SPA) and provisional SPAs. The Tamar Estuaries Complex SAC and Plymouth Sound and Estuaries SPA are within the area covered by the declaration of intent to designate the Plymouth Sound National Marine Park.

7.75 The LPAs are required to consider the likelihood of proposed development having a significant effect on European Sites and ensure development does not have an adverse effect on their integrity. This is undertaken through the 'Habitats Regulations Assessment' (HRA) process. Where a significant effect is likely, the applicant will be expected to provide a document titled 'Evidence to inform a HRA'.

7.76 The HRA of the JLP concluded that the recreational impacts on designated sites arising from planned residential development, either alone or in combination with other plans or projects needs to be addressed. To enable the planned development to proceed, the Conservation of Habitats and Species Regulations 2017[131] requires that appropriate mitigation measures are in place to ensure that the proposed development will not result in an adverse impact on the integrity of the designated European sites.

7.77 Recreational mitigation will be delivered through the Plymouth Sound and Estuaries European Marine Sites Recreation Plan which requires all residential development within a 12.3km zone of influence to contribute towards the costs of the plan.

7.78 Further information about the HRA process, development within the Plymouth Sound and Estuaries European Marine Site Zone of Influence and the South Hams SAC Consultation Zone can be found within 18 'APPENDIX 6: Additional guidance for DEV26'.

DEV26.2 - Nationally significant sites for nature conservation

7.79 Nationally significant sites for nature conservation receive a high level of protection and include Sites of Special Scientific Interest (SSSI), National Nature Reserves (NNR), Ancient Woodland and Marine Conservation Zones (MCZ).

7.80 Where development is likely to affect a SSSI or NNR, directly or within identified 'Impact Zones'[132] around them, the LPA will consult Natural England and, where development may have an effect on Ancient Woodland, Standing Advice published by Natural England and the Forestry Commission should be consulted.

7.81 Where potential impacts are identified, the applicant will be expected to include avoidance and/or mitigation measures within their submission to ensure that the measures avoid or reduce impacts on the site to a negligible level. These measures should be reflected in supporting documents to the application.

7.82 For further advice with respect to Ancient Woodland please see guidance at 'Trees, woodlands and hedgerows (DEV28)'.

131 http://www.legislation.gov.uk/uksi/2017/1012/contents/made
132 These zones are available on the Defra interactive map.

DEV26.3 - Locally designated sites

7.83 Locally designated sites play an important function as part of the local ecological network either for interaction between communities and nature (Local Nature Reserves (LNRs)) or because they are of county importance for wildlife/geology in Devon (County Wildlife Sites (CWS) and Regionally Important Geological Sites (RIGS).

DEV26.4 - Protected species, Priority Habitats and Species and associated planning policy and legislation

7.84 The presence of protected species and Priority Habitats and Species and consideration of impacts of a proposed development upon them is a material consideration. Protected species receive levels of protection according to their designation (European, National and Priority Species).

- European Protected Species that are most likely to be encountered within the Plan Area are bats (17 species), dormice, otters and Great Crested Newts;
- Nationally protected species most likely to be encountered within the Plan Area are reptiles, Barn Owls and badgers;
- Priority Species/Species of Principal Importance are identified at a UK scale, focussed further at a Devon scale for which the county has a particular responsibility to look after the species and their supporting habitats;
- Priority Habitats/Habitats of Principal Importance of which there should be no net loss (otherwise an application may be refused). The vast majority of hedgerows in Devon are Priority Habitats, please see guidance at 'Trees, woodlands and hedgerows (DEV28)' for specific considerations and requirements relating to hedgerows.

7.85 Further information about the requirements relating to protected species in support of planning applications can be found in 18 'APPENDIX 6: Additional guidance for DEV26', including Habitats Regulations offences and European Protected Species derogation tests, protected species Standing Advice, and compensation for impacts on Cirl Bunting habitats.

DEV26.5 – Biodiversity Net Gain

Context

7.86 DEV26.5 states that net gains in biodiversity will be sought from all major development proposals. Biodiversity Net Gain[133] will be sought from all major developments across the Plan Area and can be considered met when there is at least a 10 per cent increase in biodiversity units when applying the Defra Biodiversity Metric 2.0[134].

7.87 This policy and guidance should also be considered in light of the government's recent response report to its consultation on introducing a mandatory approach to net gain in the planned Environment Bill: Net gain - Summary of responses and government response July 2019[135]. In particular, the government is indicating the 10 per cent requirement will become mandatory and will apply to smaller developments.

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133 *Please note – At the time of writing, UK policy, standards and practice relating to Biodiversity Net Gain is an area which is rapidly developing. As it matures, there may be updates to the approach outlined in this section – these updates may result from: Defra Biodiversity Metric; policy change; British Standard on Biodiversity Net Gain and latest good practice.*

134 http://publications.naturalengland.org.uk/publication/5850908674228224

135 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/819823/net-gain-consult-sum-resp.pdf

7.88 The guidance set out in this SPD anticipates this outcome and not only amplifies the implementation of DEV26.5 but encourages minor developments to also deliver net gain.

7.89 Applying Biodiversity Net Gain is not an alternative to the application of the mitigation hierarchy and it would be unacceptable practice for a developer to compensate without first seeking to avoid and mitigate. Biodiversity Net Gain is additional to 'compensation' which may be required for legal compliance.

7.90 Good practice with respect to applying Biodiversity Net Gain to a development can be found at:

- Biodiversity net gain – Good practice principles for development (CIEEM/IEMA/CIRIA, 2016)[136] and,
- Biodiversity net gain – Good practice principles for development – A Practical Guide (CIEEM/IEMA/CIRIA, 2019)[137].

Contributing to the biodiversity network

7.91 Where there is to be on-site or off-site compensatory and Biodiversity Net Gain habitat to be restored or created, DEV26.5 directs applicants towards ensuring measures secure: the restoration and re-creation of priority habitats; ecological networks; and, the protection and recovery of legally protected and priority species populations. It also helps support the delivery of the biodiversity network across the Plan Area, established in the JLP evidence base, Biodiversity Network creation process, 2017[138] where there is the greatest need or potential for habitat restoration and creation.

7.92 The JLP area Biodiversity Network includes:

- Core Sites – European Sites; SSSIs; Ancient Woodland; NNRs; MCZs; LNRs; CWS'; and, RIGS, and in some cases, Priority Habitats;
- Future Core Sites – Cirl Bunting Enhancement Zones and Greater Horseshoe Bat Sustenance Zones.
- Corridors/Stepping Stones –Strategic Nature Areas; Other Sites of Wildlife Interest (OSWI); river corridors and the B-line (key pollinator) corridors; and, Greater Horseshoe Bat Landscape Connectivity Zone.
- Other sites which may include Town or Parish wildlife corridors that may benefit from restoration or creation as identified in 'made' Neighbourhood Plans, and areas where priority species are known to occur and where improving connectivity of habitats will have the most benefit for biodiversity (including Priority Habitats); and,
- Habitat opportunities and priorities identified through the Local Nature and Recovery Strategies.

7.93 In support of the Defra Biodiversity Metric 2.0, it is anticipated that further habitat opportunity mapping and prioritisation will be undertaken to identify opportunities for habitat restoration and enhancement to deliver the greatest benefit, and that this will guide compensation/net gain provisions. This will be through Local Nature Recovery Strategies.

Assessing biodiversity value and delivering net gain

136 https://cieem.net/resource/biodiversity-net-gain-good-practice-principles-for-development/
137 https://cieem.net/resource/biodiversity-net-gain-good-practice-principles-for-development-a-practical-guide/
138 https://www.plymouth.gov.uk/sites/default/files/BiodiversityNetworkCreationProcess.pdf

Major development

7.94 Applying DEV26.5, the LPAs will seek 10 per cent measurable Biodiversity Net Gain from all major development. To validate any major development planning application, a completed Defra Biodiversity Metric 2.0 spreadsheet[139] should be completed by a suitably experienced and qualified consultant ecologist and submitted with the application.

7.95 The spreadsheet must show the assessment of existing/pre-development biodiversity units, proposed/post-development biodiversity units reflecting any proposed on or offsite habitat creation and restoration, and a value representing the change in biodiversity value – this figure must show a 10 per cent increase in biodiversity units to be policy compliant. See APPENDIX 6: Additional guidance for DEV26 for further information.

Minor development

7.96 Although DEV26.5 specifically relates to major development proposals, the LPAs will also encourage provision for biodiversity net gain where appropriate for smaller developments. Use of the Defra Biodiversity Metric 2.0 would be disproportionate for minor development applications. Nonetheless, minor developments are able to deliver proportionate (in relation to type, scale and impact of the development) with measurable net gain or enhancements for biodiversity.

7.97 Minor development planning applications will be encouraged to submit an Ecological Opportunities Plan (ECOP) and Biodiversity Budget. These may either be undertaken by a suitably qualified ecological consultant (if a requirement for an ecological survey has been triggered), or by the applicant for schemes which have not triggered an ecological survey.

7.98 An ECOP (with reference to section 5.4 of the Biodiversity — Code of practice for planning and development BS 42020:2013[140]) is a method of presenting in a plan how the habitats or features for protected species and habitats will be lost, retained, created and/or enhanced – i.e. the application of the mitigation hierarchy in practice.

7.99 An ECOP should be proportionate, it may be simple in format and content (e.g. if showing bat and bird features for a barn conversion), or more complicated if showing various habitat and species retention/provisions for a multiple dwelling proposal.

7.100 The accompanying Biodiversity Budget should record, in a table, the quantity of habitat currently on site (under broad headings if being completed by a non-professional), and the loss and gains of habitat as a result of the proposed development. Whilst it may not be possible to evidence a 10 per cent net gain for biodiversity (for example, if there is currently no biodiversity value) the principle of 10 per cent, or where not possible a clear biodiversity net gain, will be applied for policy compliance. An example of a Biodiversity Budget is given below:

Habitat/species	Existing provision	Loss	Gain
Hedgerow	75m	15m species poor	100m species rich

139 http://publications.naturalengland.org.uk/publication/5850908674228224
140 https://shop.bsigroup.com/ProductDetail?pid=000000000030258704

Habitat/species	Existing provision	Loss	Gain
Grassland	600m^2 lawn	400m^2	
Woodland			
Scrub			
Trees		4 birch	3 apple, 3 cherry, 3 plumb
Waterbodies			
Bats			3 inbuilt boxes
Birds			3 inbuilt boxes. Nesting potential in new hedgerows
Reptiles			1 hibernacula
Invertebrates, small mammals, amphibians			3 log piles

Table 18 Example Biodiversity Budget

7.101 Further information about how to consider compensation and Biodiversity Net Gain in planning applications can be found in APPENDIX 6: Additional guidance for DEV26.

7.102 Whilst there are various measures for biodiversity that can be included within minor developments to secure Net Gain, the following should be provided (unless structurally impracticable):

- One inbuilt bat box/brick/tube per dwelling;
- One inbuilt bird box/brick per dwelling;
- One inbuilt bee brick per dwelling; and,
- A hole for small mammals (such as hedgehogs) in each garden fence of 13 x 13cm.

7.103 Applying measurable net gain does not apply to permitted development, change of use of or alterations to buildings and house extensions. The process is also distinct from consideration of impacts relating to impact on European Protected Sites or Species or irreplaceable habitats (e.g. Ancient Woodland), and should not duplicate or seek to replace legislative or policy requirements in these cases.

Delivery of offsite compensation and Biodiversity Net Gain

7.104 The LPAs preference is for the restoration or creation of habitats onsite to deliver compensation and Biodiversity Net Gain measures, but where this is not possible, or there is a clear benefit, measures could be delivered offsite of which there are four main methods:

Method of offsite delivery	Requirements
Applicant/developer delivers on land within their control, in line with JLP Biodiversity Network priorities or 'made' Neighbourhood Plan.	Management Plan showing how the applicant/developer will maintain, monitor and resource the proposed measures into the long-term (30+ years).
Applicant/developer pays a sum to the LPA (based on biodiversity unit calculation and habitat creation costs) for the LPA to deliver measures in partnership with a third party, such as a nature conservation organisation in line with JLP Biodiversity Network priorities or 'made' Neighbourhood Plan.	Calculation showing habitat creation costs applicable to number of biodiversity units. This is likely to include: land purchase; habitat creation and ongoing management.
Applicant/developer pays a sum to the LPA (based on biodiversity unit calculation and habitat creation costs) for the LPA to deliver measures on land in the LPA's ownership and in line with JLP Biodiversity Network priorities or 'made' Neighbourhood Plan.	Calculation, developed with the LPA, showing habitat creation costs applicable to the LPA's land.
Applicant/developer pays a sum to the LPA (based on biodiversity unit calculation and habitat creation costs) which will be held in a 'habitat bank.' Approved providers will be able to bid into the bank for funding to deliver compensation/Biodiversity Net Gain projects which accord with JLP Biodiversity Network, 'made' Neighbourhood Plan or Nature Recovery Network priorities.	Calculation showing habitat creation costs (which may include land purchase) applicable to number of biodiversity units.

Table 19 Delivering offsite compensation and Biodiversity Net Gain

7.105 Key considerations for delivering successful compensation and Biodiversity Net Gain includes:

- Loss of habitats of high biodiversity value (priority habitats and habitats of 'high' distinctiveness) should be compensated for (and net gain provided) in the same type of high-value habitat.
- Compensation and net gain should be in the same habitat as that affected by development, or a habitat with a higher biodiversity value/distinctiveness that supports the same species affected (e.g. loss of semi-improved grassland could see creation of unimproved grassland) – provision should be ecologically equivalent or better.
- There should be no 'trading down' of habitats, with lost or damaged habitat being replaced with habitat of lower biodiversity value. Compensation and net gain should show an improvement in the extent or condition of specific features in qualitative terms as well as meeting the quantitative 10 per cent Biodiversity Net Gain.
- If offsite, compensation and net gain provision should typically be local to the development if this is consistent with identified delivery of restoration and creation of ecological networks and priority habitats.
- As well as creation of new habitat, beneficial compensation and net gain can be secured by enhancing or restoring degraded habitats that should have high biodiversity value.

- Offsite compensation and net gain provision should apply the Lawton principles of creating more, bigger, better and joined up areas for biodiversity.
- Well-designed on/offsite provisions may secure wider environmental/social-economic benefits contributing to thriving and sustainable communities.

DEV26.6 - Securing measures for biodiversity and ensuring long term management

7.106 To give the LPAs the assurance that measures for biodiversity have been properly considered and taken into account, the LPAs may require evidence to be provided as part of an application. This evidence will vary according to scale of development.

7.107 Policy DEV26 provides not only for the mitigation and compensation of unavoidable impacts on wildlife but also for Biodiversity Net Gain. Planning obligations will be used to secure the following:

- Off-site mitigation/compensation (including fees for the translocation of protected species);
- Off-site delivery of Biodiversity Net Gain (where it cannot be provided onsite);
- Long-term management of mitigation/compensation measures which have been delivered off-site in perpetuity, and for Biodiversity Net Gain measures, for a period of 30 years or longer (management either provided/secured by the applicant in accordance with a Management Plan, or by payment of an agreed commuted sum; and/or,
- Inspection fees or a bond to ensure correct implementation and management of the work on-site or off-site when carried out by the applicant or a third party, to ensure the scheme complies with Policy DEV26 in practice.

Green and play spaces (DEV27)

What is this policy about?

7.108 DEV27 is a policy to protect and support a diverse and multi-functional network of green space across the Plan Area, ensuring the delivery of multifunctional open spaces for wildlife, the historic environment, health, recreation, flood risk mitigation, carbon storage and food production. It relates both to sites with a specific designation and also to undesignated green spaces within the Plan Area.

7.109 To ensure that these spaces are protected and enhanced as a result of the growth in the Plan Area, a network of green spaces has been mapped and will be protected.

7.110 It is recommended that this guidance is read alongside the relevant Open Space Assessment (OSA) or any future versions, should they be updated:

- Plymouth Policy Area Open Space Assessment (POSA)[141];
- South Hams Open Space, Sport and Recreation Study 2017: Quantity, Quality and Accessibility Standards[142];
- West Devon Open Space, Sport and Recreation Study 2017: Quantity, Quality and Accessibility Standards[143]

PPA hierarchy of green spaces

141 https://www.plymouth.gov.uk/sites/default/files/PlymouthPolicyAreaOpenSpaceAssessment.pdf
142 https://www.plymouth.gov.uk/sites/default/files/SouthHamsOpenSpaceSportAndRecreationStudy.pdf
143 https://www.plymouth.gov.uk/sites/default/files/WestDevonOpenSpaceSportAndRecreationStudy.pdf

7.111 DEV27 sets out a hierarchy of green spaces for the PPA, and areas directly adjacent, to afford greater protection to those green spaces that deliver the most benefits and services for communities. This is necessary to ensure the sustainability of the JLP's growth agenda.

7.112 The green space hierarchy set out in the JLP has been justified by the evidence provided within the Plymouth Policy Area Open Space Assessment (POSA), site specific information for the Strategic Green Space (SGS) sites, and the Thriving Towns and Villages (TTV) Policy Area Open Space, Sport and Recreation (OSSR) Studies.

7.113 The hierarchy of green spaces across the PPA is as follows:

- Strategic Green Space (SGS) - six SGS sites have been identified and allocated in the JLP due to their multi-functional nature that will deliver benefits for communities, wildlife and growth projects. A proactive approach will be taken to their delivery and works on these sites will be aligned to the timing of the surrounding areas growth. They will help to mitigate any potential recreational impacts on the South Dartmoor Woods SAC and protected landscapes. The six sites are set out below, with the objectives for each SGS set out in a specific JLP policy:

    - Central Park (PLY19);
    - Derriford Community Park (PLY41);
    - Woolwell Community Park (PLY44);
    - Plym Valley (PLY45);
    - Sherford Community Park (PLY49); and,
    - Saltram Countryside Park (PLY54) .

- City Green Space (CGS) – CGS sites meet the value threshold for their type of green spaces as defined in the POSA;
- Neighbourhood Green Space (NGS) – NGS sites are green spaces which were assessed within the POSA but did not meet their typologies value threshold.

DEV27.1 - Strategic Green Spaces

7.114 Development within a Strategic Green Space (SGS) will normally only be permitted where it enhances the value of the green space. In assessing whether development delivers a value enhancement to the SGS, the LPAs will review the application against the specific SGS allocation within the JLP, which sets out clear objectives for the green space. Any development which does not comply with these objectives may be refused.

DEV27.2 – Open spaces, including designated City Green Space and Neighbourhood Green Space

Neighbourhood Green Space

7.115 The policy seeks to safeguard open spaces throughout the Plan Area from built development except in certain circumstances. Within the PPA, this includes also designated City Green Space (CGS) and Neighbourhood Green Space (NGS) sites. Applicants bringing forward proposals will need to include an open space assessment with demonstrates that one of the following tests is satisfied:

- Test one - the open space is surplus to requirements;

- Test two - the loss will be replaced by equivalent or better provision in a suitable location; or,
- Test three - the development is for alternative sports and recreation provision, the needs for which clearly outweigh the loss.

7.116 Additionally, the policy provides that development will be resisted on sites where the functions and characteristics of the green space would be lost and mitigation would not be possible.

7.117 The above tests are considered further below.

Test one – Surplus to requirement

7.118 In making a judgment with regard to whether a site is wholly, or partly, surplus to requirements the LPAs will take account of the following:

a. The value of the green space - this is in relation to its typology and size as per the applicable LPA's Open Space Assessment (OSA), which takes account of the site characteristics and functions. An overview of the applied typologies and associated size thresholds, where applicable are below:

Plymouth Policy Area	TTV Policy Area
Parks and Gardens • Large: over 10ha • Medium 2-10ha • Small: under 2ha	Parks and Gardens
Natural and Semi-natural Green Spaces • Large: over 10ha • Medium 2-10ha • Small: under 2ha	Natural Green Spaces
Green Corridors • Large: over 10ha • Medium 2-10ha • Small: under 2ha	Greenways
Amenity Green Spaces • Large: over 10ha • Medium 2-10ha • Small: under 2ha	Amenity Green Spaces
Allotments, Community Gardens and Urban Farms • Large: over 10ha • Medium 2-10ha • Small: under 2ha	Allotments
Churchyards and Cemeteries • Large: over 10ha	Cemeteries and Churchyards

Plymouth Policy Area	TTV Policy Area
• Medium 2-10ha • Small: under 2ha	
Provision for Children and Young People • Large: over 10ha • Medium 2-10ha • Small: under 2ha	Play/Youth
Agricultural Land • Large: over 10ha • Medium 2-10ha • Small: under 2ha	
	Civic Spaces
	Beaches

Table 20 Green space typologies and associated size thresholds

b. The potential to increase the value or quality of the open space to fulfill more functions, fulfill its function better, or mitigate any deficiencies - this will be particularly important within the PPA and towns across the TTV where the creation of new green space is more difficult due to the urban nature of these areas. The applicable OSA and any 'made' Neighbourhood Plans will also be taken into account.
c. The site's accessibility and potential neighbourhood catchment as identified within the JLP and the relevant OSA:

Measure	Plymouth Policy Area	TTV Policy Area
Walking distance to nearest local accessible natural space (this can include any of the aforementioned typologies except for the ones listed below and as long as they are publically accessible)	400m walking distance Identified as 240m buffer zone around the site (OSA)	300m walking distance (to a space of 2ha<)
Walking distance to nearest local playable space/ LEAP	400m walking distance identified as 240m buffer zone around the site (Plymouth Play Assessment, PPA)	400m walking distance
Walking distance to nearest neighbourhood/strategic playable space	1,000m walking distance identified as 600m buffer zone around the site (PPA)	1,000m walking distance

Table 21 Accessibility parameters across the Plan Area

Taking account of a site potential to meet a local deficiency is essential to support sustainable growth as approval of development on a site could reduce the opportunities for the LPA to address a local deficiency and exacerbate the deficiency within the local area. This will be particularly important within the PPA and towns across the TTV Policy Area where the creation of new green space is more difficult due to the urban nature of the area.

d. Amount of green space in the area - If the loss, or part loss of the site, will result in the below then the site shall not be considered to be surplus to requirement:

- The local area not meeting its quantity or accessibility standard as set out in the JLP Figure 3.2 (below);
- Increasing an already existing deficiency; and/or,
- Reducing opportunities for the area to address its existing deficiencies.

Measure	PPA	TTV Policy Area – Main Towns, Towns & Key Villages	Reason for difference in standard across Plan Area
Accessible natural greenspace[144]	5.09ha per 1,000 people	1.91ha per 1,000 people	City standard reflects urban context and need for major greenspaces to achieve liveable city
Allotments/community food growing space	0.15ha per 1,000 people	0.15ha per 1,000 people	
Urban local nature reserves	1ha per 1,000 people		Urban local nature reserves have specific role in city environment

Table 22 JLP Figure 3.2 extract re. green spaces

7.119 The existing low quality nature of a green space will not form a consideration in whether the site is surplus to requirements, unless the applicant is proposing to replace the green space with a better provision in a suitable location.

Test two – Equivalent or better provision in a suitable location

7.120 It will not always be possible to mitigate the impacts of a development satisfactorily and in these cases the proposal may be refused. However, in cases where appropriate mitigation or compensation can be achieved, the LPAs will expect this to include a net increase of the value and quality of the remaining green space or the delivery of new green space which provides an equivalent or better provision in perpetuity. Better provision will be deemed a provision which helps to address local deficiencies, which is of a similar or larger size than the space lost, meets its typologies and size value threshold and has been designed and delivered to meets it quality standard and includes provisions for its maintenance.

144 Accessible natural greenspace – this includes any of the following typologies: parks and gardens, natural & semi-natural green spaces and amenity greenspaces.

7.121 The acceptability of the mitigation or compensation will be assessed through comparing the original OSA site form, which can be found in the relevant open space assessment, with a completed audit form, which can be found in 19 'APPENDIX 7: Open space assessment form', for the remaining improved or proposed replacement green space. This will be accompanied by the necessary mapping, indicating which parts of the site fulfil, or will fulfil, which specific functions, or by a before and after, existing versus proposed, comparison of value/quality. For NGS' the LPAs will be seeking an up-lift in value to achieve CGS status.

7.122 The audit form is based on the following value criteria, which should be used to inform the design of the retained open space or proposed new provision:

Principle	Questions to ask
Designations	Does the proposal enhance an already existing designated area, including a historic designation? Does it provides scope for the delivery of additional designated areas?
Community involvement	Does the proposal encourage community involvement, for example, is there scope to host events, etc.?
Water bodies	Is there a water body proposed or is an already on-site feature being improved?
Informal recreation	What level and types of access is proposed? Does the proposal include any form of play provision? - When asking this question the type of green space should be taken into account, not every green space is suited to equipped play. What forms of informal recreation are provided for within the proposed green space?
Sports and other organised activities	Does the proposal include any sports provision? When asking this question the type of green space should be taken into account, not every green space is suited to sports provision.
Context	How does the site interact with neighbouring areas? What function do these neighbouring areas fulfil?
Accessibility	Does the proposal improve accessibility for users, including less-able users, within the site at entrances and off-site linkages?
Natural habitats/biodiversity	Does the proposal increase biodiversity on site? Does it tackle invasive species if present on site?

Principle	Questions to ask
Character setting	How will the proposal improve the setting of the wider area? How does it take account of the local character and improve it? How does it address views? How does it link into other local infrastructure? If there are any historic assets in the area, how does the scheme address these?
Amenity detractors	Does the proposal assist in addressing amenity detractors?
Educational interest	Does the scheme incorporate means to enable educational benefits, e.g. interpretation boards, pond dipping decks, built facilities for local community use for education, etc…?
Productive landscape	Does the scheme incorporate any form of productive landscape such as community orchards, allotments, coppicing, forestry, etc?
	How does the scheme respond to the broad objectives set out in the original assessment?

Table 23 Principles of value of green space to be considered

7.123 The audit form also includes quality criteria which should inform the design and long-term maintenance of the retained open space or proposed new provision. The long-term maintenance should be secured through conditions or a planning obligation (S106 agreement).

Quality criteria	Questions to ask
A welcoming place	Are the entrances clear and well-presented? How are the proposed boundaries defined? What is the quality of the proposed access? What is the experience of the green space? Has signage been provided?
A healthy, safe and secure place	What is the standard of the proposed amenities? Is there provision of natural surveillance? Have the approaches been designed to be open and clear? Has sufficient space for refuse been included in the design?

Quality criteria	Questions to ask
A clean and well-maintained place	Is the proposed management plan sufficient and does it include a sustainable funding stream?
A sustainable place	Does the site allow for composting? Do the proposals consider the impact of its management regimes on resources and biodiversity? Does the proposal include sustainable management practices?
Conservation and heritage	Is the design in keeping with its setting? Does it take account of its historic context, if applicable?
Community involvement	How does the new provision propose to increase community involvement?

Table 24 Quality criteria and questions to be considered

7.124 The LPAs expect green space improvements and the design of proposed replacement green spaces to adhere to the guidance provided in chapter DEV20 and DEV23 and seek to deliver biodiversity benefits and any future guidance produced in addition to this SPD.

7.125 The LPAs expect the applicant to deliver and maintain the 'appropriate mitigation' in accordance with a management plan or provide a contribution to deliver and maintain all the necessary works associated with this proposed increase in net value and net quality related to the 'appropriate mitigation.' This will normally be secured through an adherence planning condition, with ongoing maintenance and funding secured through a planning obligation. For major schemes, appropriate implementation may be further secured through the implementation of inspection fees or a bond (for further detail refer to the landscape section of this document).

7.126 Where the applicant is unable to deliver on-site mitigation, off-site mitigation will be sought. In these circumstances, the LPA may seek a contribution to replace the lost green space and to maintain the new provision. The Developer Contributions Evidence Base document sets out a benchmark methodology for calculating the cost of mitigating this impact.

Test three – The development is for alternative sports and recreation provision, the needs for which clearly outweigh the loss

7.127 The LPAs will consider development for alternative sports and recreation provision as direct delivery of sports and recreation facilities, whose need has clearly been identified within the respective LPA's playing pitch strategy or can be demonstrated through an independent study. Applications will be determined on case-by-case basis to assess whether their benefits outweigh the loss or partial loss of the green space having regard to relevant Open Space Assessment, the site specific environmental data, the relevant playing pitch strategy and the Plymouth and South West Devon Sports and Leisure Facilities Plan 2016 to 2034: Assessment report.

7.128 Further consideration will be given to the design of the site in line with the guidance provided above and in chapters 'Place shaping and the quality of the built environment (DEV20)'(design), 'Landscape character (DEV23)' (landscape character) and 'Protecting and enhancing biodiversity and geological conservation (DEV26)' (Biodiversity).

7.129 In summary, for applications affecting open space, the LPAs require the applicant to submit a site open space assessment, which demonstrates how it meets the policy requirements. The open space assessment form is available at 19 'APPENDIX 7: Open space assessment form'.

7.130 The applicant should be aware that a development could meet one of the three tests and still be considered unacceptable where it would result in the loss of the functions and characteristics of the green space and mitigation is not possible.

7.131 Please see 12 'Planning obligations, the Community Infrastructure Levy and development viability' for further guidance on planning obligations.

DEV27.3 – Accessible green and play spaces

Delivery of new and improvements of existing green spaces

7.132 Development is expected to support the provision of accessible green space and place space taking account of the current relevant OSA and the standards set out in the JLP. The LPAs will welcome and encourage the delivery of new and appropriately managed accessible green space on-site. For smaller developments the LPAs will seek contributions through planning obligations to secure quantity, quality and/or accessibility improvements to existing local accessible green spaces. Contributions will be reasonable, proportionate and calculated based on the number of new residents resulting from the proposed development.

7.133 Within the PPA, where the applicant is intending to deliver new green space on-site, the LPAs expect the applicant to submit a completed open space assessment form for the proposed green space provision. The open space assessment form is available at 19 'APPENDIX 7: Open space assessment form'.

7.134 The LPAs expect the provided green space to meet both value and quality standards for its typology and size threshold to ensure the delivery of a well performing and high quality green space network. The assessment of which will utilise the same criteria as outlined above in the appropriate mitigation and compensation section. The submitted open space assessment form will be used to create an up-to-date list of proposed City Green Spaces to be designated within the next review of the JLP or within the preparation of the Local Green Space DPD.

Delivery of new/improvements to quality of existing play spaces

7.135 As part of proposed development, play spaces shall be provided taking account of the current play areas audit within the relevant open space assessment. The LPAs will welcome and encourage the delivery of new and appropriately managed play spaces on-site (where the development is of a sufficient scale and there is no play area within a 240m radius). For smaller developments, and/or developments within a 240m radius of existing play area, the LPAs will seek contributions through planning obligations to secure improvements to the quantity or quality of existing play spaces within the locality.

7.136 Please see 12 'Planning obligations, the Community Infrastructure Levy and development viability' for further guidance on planning obligations.

7.137 Detail on expectations from new play spaces are detailed in the respective OSAs and play space audits, with new play spaces expected to comply with the latest playground equipment standard (currently BS EN 1176[145]) and playground surfacing methods (currently BS EN 1177), or any future versions, should they be updated. They should also be based on good design guidance including:

- Play England's design guide, Design for Play[146];
- The Fields in Trust guidance, Guidance for Outdoor Sport and Play: Beyond the Six Acre Standard[147]; and,
- Any future guidance produced in addition to this SPD.

7.138 The standards relating to quality are set by the Fields in Trust and cover three types of play space:

- Local areas for play (LAPs);
- Locally equipped areas for play (LEAPs); and,
- Neighbourhood equipped areas for play (NEAPs).

7.139 While, traditionally it has been commonplace for development to include these three types of place spaces, there is increased doubt as to the merit of an LAP due to their size and limited equipment which may not be best to stimulate children's imagination and free play. Typically, the LPAs will not be seeking LAPs unless there is a clear local need for such a space.

7.140 Accordingly, the LPAs continue to welcome provision of LEAPs and NEAPs, particularly based upon natural play, materials and space. These areas are commonly referred to as Local Landscaped Areas for Play (LLAP). The LPAs will look at these alternatives wherever possible and practicable.

7.141 In terms of youth provision the Councils and partner organisations, currently provide a range of spaces including: skate parks; BMX tracks and multi-use games areas (MUGAs). These facilities are provided to varying degrees in association with larger NEAPs, and the demand for new facilities will be considered based upon local evidence including the respective OAS, 'made' Neighbourhood Plans or Town/Parish Open Space, Sport and Recreation Plans.

7.142 When calculating equipped play space, this should extend to a fenced boundary or logical boundary on the ground. Equipped play spaces also require space surrounding the play equipment where a fundamental intention is that these should be playful spaces where families can make active use of the spaces (often considered to be 'buffer zones' between equipped play space and neighbouring dwellings). These 'buffer zones' should be based on Field in Trust guidance, and should be reflected around any proposed new play spaces. This informal play space can be multi-functional perform an amenity function, or, if well designed, can contribute towards accessible green space. The Fields in Trust propose a figure of 0.55 hectares per 1,000 population as a quantity standard for informal play space surrounding designated equipped playing space.

7.143 The LPAs expect play space siting to accord with the following standards:

145 https://shop.bsigroup.com/ProductDetail?pid=000000000030292459
146 http://www.playengland.net/wp-content/uploads/2015/09/design-for-play.pdf
147 http://www.fieldsintrust.org/Upload/file/guidance/Guidance-for-Outdoor-Sport-and-Play-England-Apr18.pdf

Type	Size requirements	Buffer zones
Local Equipped Area of Play (LEAP) or potentially Local Landscape Areas for Play (LLAP)	0.04ha (minimum activity zone of 400m^2)	20m minimum separation between activity zone and the habitable room façade of dwellings
Neighbourhood Equipped Area of Play (NEAP)	0.1ha (minimum activity zone of 1,000m^2 comprising an area for play equipment and structures and a hard surfaced area of at least 465m^2 (the minimum needed to play five-a-side football))	30m minimum separation between activity zone and the boundary of dwellings

Table 25 Play space siting standards

Planning obligations for green space

7.144 Planning obligations have an important role to play in ensuring that the green infrastructure impacts and needs of new development are met. The JLP, supported by the various Open Space Assessments and building on the 2010 Plymouth Green Infrastructure Delivery Plan[148], provides a strong local policy and delivery justification for the use of planning obligations in relation to both local and strategic green infrastructure impacts.

7.145 Each new home potentially has an impact on the existing green infrastructure, or creates a need for new green spaces. Developer provision of, or contributions to, green infrastructure delivery and/or management may therefore be necessary to make the development acceptable in planning terms.

7.146 Please see 12 'Planning obligations, the Community Infrastructure Levy and development viability' for further guidance on planning obligations.

Trees, woodlands and hedgerows (DEV28)

7.147 Trees, woodlands and hedgerows play a critical role in the Plan Area. Not only do they provide a visual contribution but also proximity to trees, woodlands and hedgerows has been proven to improve physical and mental health and wellbeing. Vitally, they also help us adapt to and tackle climate change by:

- Absorbing carbon dioxide and providing urban cooling through evapotranspiration;
- Creating micro-climatic effects that can reduce energy demands in buildings by reducing wind speeds;
- Reducing rain water runoff, providing shade, shelter and helping to improve air quality; and,
- Helping to deliver sustainable water flow and improved water quality through interception and filtration in our catchment area.

What is this policy about?

148 https://www.plymouth.gov.uk/sites/default/files/PlymouthGreenInfrastructureDeliveryPlan.pdf

7.148 The LPAs aim to secure exemplary, constraint-led design that not only creates an early sense of place to new occupiers by the appropriate protection of existing trees, woods and hedges, but by also securing new tree, hedge and woodland planting on-site or, on occasion, as offset planting to ensure net gain in canopy cover is delivered.

7.149 New development should be designed to create harmony between retained, new trees and built structures. A layout design should create a positive spatial relationship between trees and buildings so that they enhance, not detract from, the quality of the development, allowing enough space, laterally and vertically for the retained tree to achieve its final full crown form without extensive tree surgery works. Wherever possible existing trees, woodlands and hedgerows should be retained in areas of communal land and /or public open space.

What needs to be considered in the implementation of this policy?

7.150 The guidance in this section should be read in conjunction with the latest British Standard, currently BS:5837:2012 Trees in Relation to Design, Demolition and Construction[(149)], whether or not planning permission is required. Developers should at all times refer to BS:5837 to ensure that its guidance is followed in the protection, incorporation or removal of trees.

7.151 The tree information in the table below must be submitted where there are trees, woodlands or hedgerows within a proposed application site, or on land adjacent to an application site (including in neighbouring gardens and street trees), that could influence or be affected by the development. Trees with a stem diameter of greater than 75mm when measured at 1.5m above ground level).

7.152 The amount of detail required will vary depending on the scale of the development proposed. If the necessary tree survey is not received an application may be refused on the grounds of insufficient information:

Type of application	Information required (see BS:5837 for full details)	Comments
Pre-application and/or Outline	Tree Survey	Based on accurate topographical survey.
	Tree Constraints Plan (TCP)	Needed to inform the site design and layout.
Major applications (Full and/or Reserved Matters) (A full application will still require a Tree survey and Tree Constraints Plan as detailed above)	Arboricultural Impact Assessment (AIA)	The assessment should clearly explain the criteria used to assess impact of development on trees.
	Tree Protection Plan (TPP)	Plan should clearly indicate the trees to be removed/retained.
	Mitigation planting plan	Plan should indicate proposed replacement planting to result in canopy cover gain.

149 https://shop.bsigroup.com/ProductDetail/?pid=000000000030213642

Type of application	Information required (see BS:5837 for full details)	Comments
	Arboricultural Method Statement	Required when special protection measures are needed to be taken within the root protection area.
	Proposed location of underground services, SUD systems, in particular attenuation tanks, site compounds and utility trenches.	Needed to avoid significant damage to root systems.
Householder and/or minor applications (Some Minor applications *may* require the same level of information as major depending on the scale of development)	Scaled plan showing: • Location of trees affected by the proposal identified with adequate referencing (e.g., T1, T2) • Tree stem diameter when measured at 1.5m above ground • Mitigation planting for any removed trees	Plan should indicate trees to be retained/removed, including any work associated with the proposal such as access to the site and service runs. Plan should also indicate proposed replacement planting to result in canopy cover gain.
If any of the trees are covered by a Tree Preservation Order, then the level of requirement is as for a Full Application.		

Table 26 Amount of detail/information required per application type with regards to trees

7.153 Any approved tree moving or pruning should be carried out by qualified tree surgeons to the latest British Standard, currently BS:3998:2010 Recommendations for Tree Work [150].

Arboricultural Impact Assessment (AIA)

7.154 The process of assessing impacts on trees should be undertaken throughout the design process, this is not just an application submission requirement and is expected to be an iterative process for both the applicant and the LPA. Appropriate impact assessment will save abortive or unnecessary design costs and help to achieve a high quality layout.

7.155 The LPAs expect all applications to adhere to the mitigation hierarchy in relation to trees:

- Avoid loss;
- Mitigate;
- Compensate; and,
- Enhance.

7.156 Where negative impacts cannot be avoided they should be mitigated for. Where this is not possible they need to be compensated.

150 https://shop.bsigroup.com/ProductDetail?pid=000000000030089960

7.157 All developments should enhance the local landscape – space for new planting and improvement in the conditions of existing trees need to be incorporated into layout design.

7.158 Wherever possible early phased planting or protection of receiving soil environments should be made to aid in early integration of the scheme into the landscape.

7.159 Each layout should be assessed in terms of its impact upon the significant arboricultural features on-site. When submitting an application it must be accompanied by an AIA which:

- Provides a realistic assessment of the impacts of both tree loss and on retained trees;
- Assess' positive and negative impacts;
- Uses a system to assess impacts that is transparent and repeatable;
- Assess' the impact of canopy loss (see tree replacement);
- Assess' the impact on visual amenities;
- Assess' the impact on the health and viability of retained trees;
- Assess' the extent of root damage and loss of soil volume present for tree root growth; and,
- Provides an assessment of the spatial relationship between trees and buildings and from shading (positive and negative impacts).

7.160 When designing a scheme, ensure the appropriate level of advice is sought from an arboricultural specialist at the earliest early stage possible.

7.161 Where appropriate, the LPA will use planning conditions to ensure trees are protected during the development process. In addition the LPAs have a duty to protect trees, ensuring they are of good quality and of public benefit where it is considered necessary to do so. Where appropriate, Tree Preservation Orders will be served to ensure that such trees are retained.

Ancient woodland, ancient and veteran trees – assessment required

7.162 DEV28 states that development resulting in the loss or deterioration of the quality of irreplaceable habitats (such as ancient woodland, aged or veteran trees) should be refused, unless able to demonstrate the need for, and benefits of, the development in that location clearly outweighing the loss.

7.163 Where ancient wood pastures are identified, they should receive the same consideration as other forms of ancient woodland.

7.164 Natural England's and Forestry Commission's Standing Advice[151] gives further detailed guidance which will be used as the minimum benchmark for considering relationships between existing Ancient Semi-Natural Woodland (ASNW) and new development.

7.165 The following principles will be used when assessing development proposals that may affect ancient woodlands, ancient/veteran trees and their immediate surroundings:

151 https://www.gov.uk/guidance/ancient-woodland-and-veteran-trees-protection-surveys-licences

Principle	Description
Identifying ancient woodland	The first step in identifying ancient woodland is to refer to the Natural England's Ancient Woodland Inventory (AWI)[152] and the Woodland Trust's Ancient Tree Inventory (ATI)[153]
Avoidance of harm	In line with the Assessment Guide[154]associated with Natural England's standing advice, the following questions will be considered: • Is the site of the ancient woodland the only possible place for this proposal? • Does it have to be on the ancient woodland site (i.e. is it location dependent) or can it go anywhere else?
Impacts of nearby development	Ancient woodland, the product of centuries of habitat continuity and undisturbed soils, is sensitive to indirect impacts such as additional usage (trampling), ground water disturbance, increased light pollution and potential construction and post occupancy pollution, and therefore, indirect impacts should be avoided or wholly mitigated. Further evidence is available via the Woodland Trust's publications, including the guidance on the retention and planting of trees in new development report Residential Development and Trees[155].
Buffers	In addition to the mitigation measures for indirect effects, a minimum 15 meter buffer should be maintained between a development and ancient woodland, including throughout all construction phases. A larger buffer is likely to be required for particularly significant engineering operations, or after-uses that generate significant disturbance.
Compensation	Ancient woodland is an irreplaceable resource and cannot be compensated for by creating new woodland. Therefore, discussions on compensation will not form part of the assessment of the benefits of the development proposal. However, in exceptional circumstances where it is deemed that there is unavoidable residual damage or loss to ancient woodland, the measures taken to "compensate" for this must be of a scale and quality commensurate with loss of irreplaceable habitat, this should aim to create 30 hectares of new woodland for every hectare lost.
Translocation	An ancient woodland ecosystem cannot be moved as stated in Natural England's Standing Advice.

Table 27 Principles of assessing development proposals with regards to ancient woodlands, ancient/veteran trees and the immediate surroundings

Hedgerows

152 https://data.gov.uk/dataset/9461f463-c363-4309-ae77-fdcd7e9df7d3/ancient-woodlands-england
153 https://ati.woodlandtrust.org.uk/
154 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/740503/FCNE_AWSA_AssessmentGuideFinalSept2018.pdf
155 https://www.woodlandtrust.org.uk/publications/2019/01/residential-developments-and-trees/

7.166 There are multiple benefits from hedgerows (wildlife, historic, landscape), and the clear preference is for the retention of existing hedgerows within development schemes wherever possible. If hedgerows cannot be retained, and it is practical, they should be translocated.

7.167 Ancient and/or species-rich hedgerows are a Habitat of Principal Importance (and Biodiversity Action Plan (BAP) habitat). They are commonly the most important resource for wildlife on a site both before and after wildlife and should be seen as both a constraint and opportunity within a development.

7.168 To ensure the wildlife benefit of hedgerows is protected and enhanced by a development, the LPAs will consider the following factors:

- Buffering of a hedgerow;
- Boundary treatment adjacent to a hedgerow;
- Avoiding illumination of hedgerows;
- Management treatment of hedgerows; and,
- Restoration of poor quality hedgerows by management, repair or ‘gapping up’.

7.169 When considering proposed development design/layout and hedgerows, the LPAs have the following hierarchy of preference:

1. Retention of hedgerows in public realm (buffered by public open space, dark and with both sides of hedgerow accessible for maintenance);
2. Retention alongside roads/public areas (with one side of hedgerow accessible for maintenance);
3. Retention of hedgerows with one adjacent private garden boundary, in which case 25 per cent of the hedgerow would be treated as lost due to long-term degradation and loss of biodiversity value;
4. Retention of hedgerows with two adjacent private garden boundaries, in which case 50 per cent of the hedgerow would be treated as lost due to long-term degradation and loss of biodiversity value.

7.170 Developments resulting in sandwiching of hedgerows between two adjacent private gardens must show how they have considered options 1-3 in the hierarchy. Where hedgerow is to be treated as lost, compensation will be required and should be calculated using the Defra Biodiversity Metric 2.0

7.171 If a section of hedgerow is lost, the LPAs will expect the replacement to be of the same type, for example, Devon Bank or no bank.

7.172 For further guidance on BAP habitats and Species/Habitats of Principal Importance please see 'DEV26.4 - Protected species, Priority Habitats and Species and associated planning policy and legislation'.

New planting requirements

7.173 The mitigation hierarchy will be used in relation to tree planting:

- AVOID LOSS – retain suitable[156] existing arboricultural features on-site where ever possible;
- MITIGATE – replace trees lost with on-site planting in accordance with the following table:

Trunk diameter of tree lost to development (cms) (cm measured at 1.5m above ground level	No. of replacement trees
Less than 15	0-1
15 - 19.9	1
20 - 20.9	2
30 - 39.9	3
40 - 49.9	4
50 - 59.9	5
60 - 69.9	6
70 - 79.9	7
80+	8

Table 28 No. of replacement trees needed based on trunk diameter of lost tree

- COMPENSATE– if replacement of all trees lost is not achievable on-site, contributions will be sought through the use of planning obligations; and,
- ENHANCE.

7.174 Please note that the loss of woodlands and hedgerows will be considered as a loss of habitat and will be assessed for contributions under policy 'DEV26.5 – Biodiversity Net Gain'.

7.175 Voluntary groups who champion the role of trees consider that trees should:

- Fit the space available;
- Need little attention over life;
- Thrive in local conditions ;
- Help local people relate to their surroundings in a positive way; and,
- Provide multiple benefits.

7.176 The LPAs fully endorses this approach and will also seek to plant larger and longer lived species of trees for the future and trees that are known to be able to adapt to climate change.

156 Suitable is regarded as a tree, hedge or wooded features whose loss would either be highly detrimental to the local and wider landscape, non-replaceable in a reasonable time frame, lead to the loss of an important habitat feature, is of historic importance, serves as a screen to an otherwise unsuitable development etc.

7.177 Successful planting and establishment relies on providing the correct growing conditions for each tree. This requires specialist knowledge about the way trees grow and the ability to anticipate their needs, especially with regard to:

- Volume of un-compacted soil;
- Soil quality;
- Nursery stock quality;
- Depth of planting; and,
- Post-planting cultivation.

7.178 Information on these aspects can be found in British Standards BS 8545:2014 Trees: from nursery to independence in the landscape, BS 3882:2015 Specification for topsoil and BS 8601:2013 Specification for subsoil and requirements for use.

7.179 Developers should be able to demonstrate how:

- They plan to meet these standards as part of the design; and,
- They have met the standards once development is completed.

7.180 In the event that new trees fail to grow in line with reasonable expectations or other evidence comes to light which indicates that standards have not been met and the developer is unable to show otherwise, the LPAs may serve a breach of condition notice on the developer to carry out remedial works.

Mitigation - replacement trees, woodlands and hedgerows

7.181 DEV28 states that mitigation should be delivered on-site, but if this is not achievable, off-site compensation will be required to provide a net gain in canopy cover in line with local standards. In the PPA, the Tree Canopy Cover Assessment[157] 2017 report aims to increase the canopy cover from 18.5 to 20 per cent, focussing on areas which currently have low canopy cover compared to the city.

7.182 If tree loss cannot be adequately mitigated for within the site in accordance with the table below, compensation will be sought in the form of a planning obligation for tree planting off-site in line with local standards.

7.183 Obligations in respect of trees will be required where:

- New planting is required off-siteto mitigate the impact of a development; or,
- Where A, B or C category trees (see BS:5837 - Trees in relation to Design, Demolition and Construction[158]) are felled as part of a development, where no planting opportunities exist on site, off site planting will be sought to achieve a net gain in canopy cover. However the LPA's starting point will be to retain trees on-site through design-led retention.

7.184 Tree planting will take place ideally on:

- Openground in public open spaces, community land, etc.; and/or,
- In hard landscaping areas such as pavements and shared spaces using a recognised below ground crating system to provided adequate soil volume/soil quality for the chosen

157 https://www.plymouth.gov.uk/sites/default/files/PlymouthPolicyAreaTreeCanopyCoverAssessment.pdf
158 https://shop.bsigroup.com/ProductDetail/?pid=000000000030213642

species, for example, 15-20m cubed for Streetwise Lime as derived from latest industry guidance.

7.185 Where planting can take place directly into open ground the contribution will be lower than where the planting is in areas of hard standing. This is due to the engineering practicalities of planting trees in areas of hard standing, for example, porous load bearing sustainable urban drainage system under parking bays.

7.186 Contributions to tree planting off-site, to include new street trees where appropriate, will be administered by the LPAs in accordance with local standards.

7.187 Please note that the loss of woodlands and hedgerows will be considered as a loss of habitat and will be assessed for contributions under policy 'DEV26.5 – Biodiversity Net Gain'.

7.188 Please see 12 'Planning obligations, the Community Infrastructure Levy and development viability' for further guidance on planning obligations.

Plan for Trees - Plymouth

7.189 All tree planting in Plymouth will be carried out in accordance with the principles set out in Plymouth's Plan for Trees[159] which states 'we will enhance neighbourhoods by selecting, growing and planting high quality trees that also increase canopy cover and diversity'. Where appropriate such planting will be of native species.

159 https://www.plymouth.gov.uk/planningandbuildingcontrol/treesandhedges/plantrees

8 Transport and infrastructure (DEV29-DEV31)

Introduction

8.1 Infrastructure needs to be provided when planning for growth and delivering development. Unless infrastructure needs are met, development can be unsustainable and lead to the creation of unbalanced communities without the services and facilities they need to thrive.

8.2 The guidance in this chapter primarily supports polices DEV29 to DEV31 in the JLP. It also reflects national guidance and should be considered alongside:

- The NPPF, NPPG and the site specific policies set out in the JLP;
- The Chartered Institution of Highways and Transportation (CIHT) and the Institute of Highway Engineers (IHE)'s Guidance Note: Residential Parking[160];
- The government's Manual for Streets: Designing and modifying residential streets[161] and Manual for Streets 2: Designing and modifying non-trunk roads and busy streets[162]; and,
- Design Manual for Roads and Bridges (DMRB)[163].

8.3 Whilst PCC is a unitary authority, SHDC and WDBC are part of a "two-tier" local government structure. This means that DCC carries out the majority of the strategic functions in these areas. In terms of transport and infrastructure this means that, as the Highways Authority (HA), DCC has a duty to maintain the safety and functionality of roads and ensure that development has an acceptable impact on the highway network. In its work as HA, DCC also plans and delivers walking and cycling routes, maintains Public Rights of Way and works with other transport providers such as bus and train companies to improve multi-modal travel options.

Specific provisions relating to transport (DEV29)

What is this policy about?

8.4 DEV29 is a policy to ensure that new development contributes positively to the achievement of a high quality, effective and safe transport system, ensuring sustainable transport choices are promoted and the natural and historic environment is respected.

DEV29.2 - Parking dimensions

8.5 When applying parking standards for both residential and non-residential developments, the following minimum dimensions should be adhered to:

Parking space	Dimension
Parking bay	2.4m x 4.8m
Parallel parking space	2.0m x 6.0m (3.0m x 6.0m if a HGV loading bay)

160 https://www.ciht.org.uk/media/4395/guidance_note_-_residential_parking.pdf
161 https://www.gov.uk/government/publications/manual-for-streets
162 https://www.gov.uk/government/publications/manual-for-streets-2
163 http://www.standardsforhighways.co.uk/ha/standards/dmrb/

Parking space	Dimension
Parking bay in front of a garage	2.5m x 5.5m
Parking bay for persons with disabilities	3.8m x 5.0m
Domestic garage (internal dimensions)	6.5m x 3.5m
Additional width will be required where adjacent to a structure or where there is a shared pedestrian entrance.	

Table 29 Parking dimensions

DEV29.3 – Parking provision: residential

8.6 Car parking standards for new residential development are important to avoid adverse impacts of inadequate parking such as excessive on-street parking or illegal parking and to protect the amenity of surrounding residential areas and ensure safety of the highway network.

8.7 The below table shows indicative car parking provision to be provided within any new residential development, including residential conversions. Any application that proposes a lower or higher level of parking will be required to provide evidence to justify this proposal. Evidence may be presented on the grounds of the impact to the function of the highway, the location within the Plan Area (for example, in rural areas, additional parking may be necessary as well as additional parking for visitors) future programmed infrastructure improvements, and/or availability or restrictions in the surrounding area.

Type/size of development	Indicative parking provision
1 bedroom dwellings	1 space per dwelling
2 bedroom dwellings	2 spaces per dwelling
3 bedroom dwellings	2 spaces per dwelling
4 bedroom dwellings	3 spaces per dwelling
HMOs	1 space per 2 bed spaces
Purpose-built student accommodation (PBSA)	The number of spaces will be looked at on a case-by-case basis and based on location and presence of a CPZ. A suitable number of spaces for the purposes of drop-off should be provided.

Table 30 Indicative car parking provision for new residential development

8.8 In the South Hams and West Devon LPA areas, a higher number of parking spaces may be necessary due to greater reliance of residents and visitors on private cars. It will need to be demonstrated that sufficient parking is provided and that the number of spaces, their location, layout and design will not have adverse impacts with respect to highway safety, amenity and character.

8.9 Whether garages are counted as being included in the overall off street parking provision will be considered on a case-by-case basis as in many situations garages are not used for the parking of cars. This may be secured via condition. Garages of increased width (6.5 x 3.5) are considered necessary for the future roll-out of Electric Vehicle Charging Points in all new properties.

8.10 If larger new developments include new access roads, these could have on-street parking designed in and counted as part of the development.

8.11 For specific design details for off-road parking such as garages, car ports and hard standings please see 13 'APPENDIX 1: Residential extensions and alterations'.

Car-free development

8.12 Car-free development can enable higher housing densities to be achieved on development sites, create pedestrian and child-friendly streetscapes, and help to embed sustainable travel habits among residents. They may be appropriate in certain areas throughout the Plan Area and will be considered on a case-by-case basis alongside any evidence to support it.

8.13 If a car-free development is proposed, the LPAs will carefully consider:

- The location and accessibility of the site;
- Any existing residents parking schemes;
- The proximity of the development to public transport;
- Whether there are good cycle links;
- The potential for overspill parking and the potential impact on the surrounding areas; and,
- Any proposed measures or features of the development designed to enable and ensure that car-free living can be achieved throughout the design life of the development.

8.14 The enforceability of the scheme by planning condition or planning obligations will also be considered.

8.15 Please see 12 'Planning obligations, the Community Infrastructure Levy and development viability' for further guidance on planning obligations.

DEV29.4 – Parking provision: non-residential

8.16 The below table shows indicative car parking provision to be provided for non-residential applications, any deviations will be considered on a case-by-case basis:

Type/size of development	Indicative parking provision
A1 Shops less than 370m^2	1 space per 28m^2 gross floorspace
A1 Medium non-food shops 370–999m^2	1 space per 24 m^2 gross floorspace
A1 Large non-food shops more 999m^2	1 space per 20 m^2 gross floorspace
A1 Medium food and convenience goods shops 370-999m^2	1 space per 21m^2 gross floorspace

Type/size of development	Indicative parking provision
A1 Large food and convenience goods shops more than 999m^2	1 space per 14 m^2 gross floorspace
A2 Offices providing services mainly to visiting people	1 space per 30m^2 gross floorspace
A3 Restaurants and cafes	1 space per 5.5m^2 used by customers
A4 Drinking establishments	1 space per 2m^2 of floorspace used by customers for drinking. For dining floor space, the same standard will apply.
A5 Hot food take aways	1 space per 5.5m^2 used by customers
B1 General business uses	1 space per 30m^2 used by customers
B2 Manufacturing	1 space per 51m^2 gross floorspace. Lorry parking will be assessed on merits of each case.
B2 Small industrial units less than 235m^2	1 space per 44m^2 gross floorspace. Small industrial units, particularly of the grouped or court variety will need a separate assessment. Parking provision will normally be communal.
B8 Warehouses less than 2,500m^2	1 space per 70m^2 gross floorspace. Lorry parking will be assessed on merits of each case
C1 Hotels and guest houses	1 space per guest room + 1 space for the resident proprietor/resident manager. Conference/function space will be determined on merit Coach parking needs will be assessed on merits of each case.
Hostels (sui generis)	1 space per 8 residents + 1 space per 2 non-resident staff + 1 space for any resident proprietor/manager
C2 Convalescent/nursing homes	1 space per 8 residents + 1 space per 3 non-resident staff + 1 space for any resident proprietor/manager. Provision for visitors will be determined on merits of each case. For nursing homes, attention will be paid to need for adequate servicing, particularly for ambulances, and additional staff.
C2 Hospitals	1 space per 4 staff + 1 space per 3 visitors
C3 Dwelling houses and C4 HMOs	Parking standards are set out in table above.
C3 Communal housing for the elderly and less-able	1 space per 2 dwellings + 1 space per warden

Type/size of development	Indicative parking provision
Holiday caravans (sui generis) and chalets (C3)	1 space per unit. Additional spaces required where camping or other facilities are provided, or made available for non-residents.
D1 Primary schools	1 space per teacher + 1 space per classroom for support staff and visitors
D1 Secondary schools	1 space per teacher + 1 space per classroom for support staff and visitors
D1 Higher and further education	1 space per 2 staff + 1 space per 15 students
D1 Libraries	To be determined on the merits of each case.
D1 Crèches, day nurseries or day centres	Attention should be paid to the safety of the children. Adequate facilities should be provided for the dropping off and collection of children.
D1 Doctors', dental and veterinary surgeries and other health services (excluding hospitals)	1 space per practitioner, 1 space per 2 additional staff, and 2 spaces per consulting room
D2 Cinemas and conference facilities larger than 1,000m^2	1 space per 5 seats
Concert halls, casinos, community centres, and indoor sports facilities larger than 1,000m^2	1 space per 22m^2 gross floorspace
D2 Dance halls less than 1,000m^2	1 space per 3 m^2 of net public floor area
D2 Community centres less than 1,000m^2	1 space per 5.5 m^2 of main assembly hall floor space
D2 Snooker, billiards and pool halls less than 1,000m^2	1 space per table + 1 space per 2 tables
D2 Squash courts less than 1,000m^2	1 space per court + 1 space per 10 spectator seats Additional spaces may be required if a bar and/or other members' facilities are provided.
D2 Swimming pools less than 1,000m^2	1 space per 6m^2 of water area
D2 Gyms less than 1,000m^2	To be assessed on the merits of each case.
D2 Stadia with less than 1,500 seats	1 space per 10 seats
D2 Stadia with more than 1,500 seats	1 space per 15 seats
Launderettes and amusement centres	1 space per 28m^2 gross floorspace

Type/size of development	Indicative parking provision
Motor repair garages, car sales petrol filling stations and car washes	1 space per staff + 3 spaces for each service/fitting/testing bay. 1 space per 10 cars displayed Adequate provision shall be made for loading/unloading, servicing and fuel tanker supplies. For car washes, sufficient circulation space for waiting cars is required.
Taxi and private hire vehicle offices	1 space per staff/driver

Table 31 Indicative car parking provision for new non-residential development

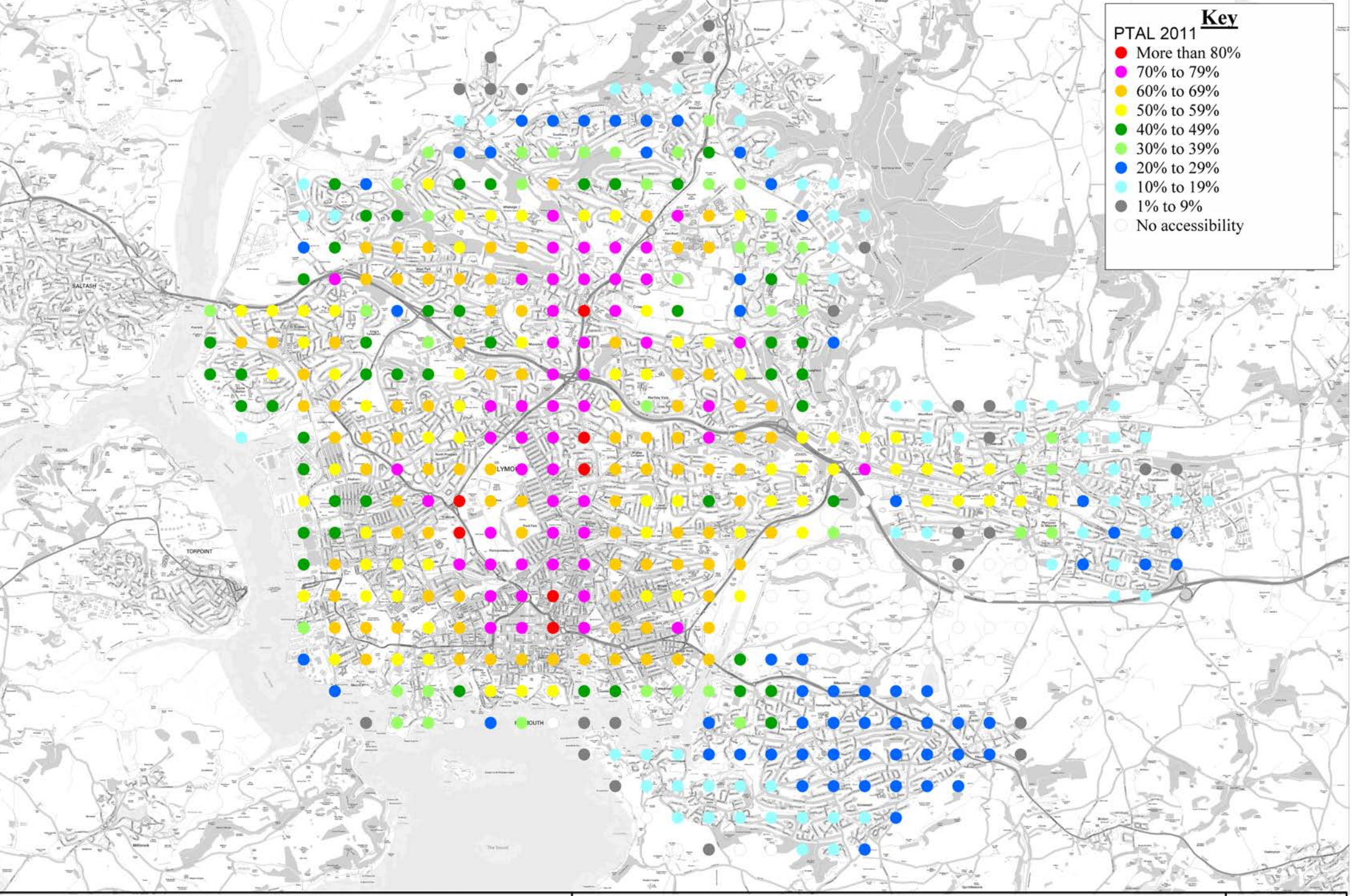
Methodology for calculating accessibility - Plymouth

8.17 Within the Plymouth administrative area only, there is a methodology for calculating maximum car parking provision for non-residential development based upon the overall accessibility of the site and the above table, having regard to public transport journey times. These levels of provision include both operational and non-operational parking.

8.18 The following steps should be taken to determine the maximum car parking standard for a particular development in Plymouth:

1. Calculate the site's 'accessibility per cent score'. This is taken from the nearest point(s) on the following accessibility map. Then subtract this score from 100 to calculate the site's accessibility.
2. Add 20 per cent.
3. Multiply this percentage by the indicative car parking standard identified in the table above.

8.19 It should be noted that the following map is not site specific and a more detailed consideration may be required. The accessibility on the map is given as a band. The midpoint of the band should be used unless there is evidence to the contrary. This evidence may include a lower or higher accessibility level on the adjoining point with the site somewhere between the two.



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Published 2012
Scale 1:43129

Accessibility by Public Transport: % of People within 30 minutes

Parking for motorists with disabilities

8.20 Parking for motorists with disabilities should be located as close as is practical to the main pedestrian entrance of the development and in line with DfT guidance for Inclusive Mobility[(164)]. Provision for such parking is included within the calculated parking levels above and should be calculated on the basis of the size of the car park before any reductions/additions have been applied. A minimum of 10 per cent overall provision.

8.21 The provision for dementia-friendly car parking should also be considered and should be:

- Larger spaces with bold and clearly defined boundaries;
- Located as close to walkways, elevators and ticket machines as possible;
- Brightly lit so as not to cast shadows;
- Signage should also:
    - Be clear, large and bold with not too many words, a yellow background with bold, black typeface is preferable.
    - Have a combination of both pictures and simple text, no jargon or acronyms;
    - Avoid the use of abstract images or overly stylised icons;
    - Have a tonal contrast between the sign and the surface it is mounted on;
    - Be mounted lower than at traditional eye level height (optimal height is 1.2 metres from the ground);
    - Be consistent around the premises so as not to add to confusion and anxiety;
    - Ideally be made from non-reflective materials; and,
    - If the signs are relating to doors, they should be fixed onto the doors they refer to and not on adjacent surfaces. Glass doors should also be clearly marked.
- Attendants should also be trained on how to deal with people who have dementia and their caregivers.

Controlled Parking Zones (CPZ)

8.22 Within Plymouth, should a development have the potential to increase levels of demand for parking which has the potential to adversely impact on residential parking, an applicant may be required to fund the process to consider the implementation of a CPZ in accordance with the Council's CPZ policy.

8.23 As part of this process the applicant will be required to fund the 'fact find' and community engagement, as set out within the CPZ policy and meet the cost to implement a CPZ where a CPZ is to be implemented.

8.24 Occupants of new developments likely to lead to an increase in demand for parking, within an existing, will be excluded from permits in accordance with the Plymouth Joint Highways Committee Report recommendation of May 1997. It must be checked that there are no adjoining areas where on-street parking could take place to the detriment of others.

164 https://www.gov.uk/government/publications/inclusive-mobility

8.25 Where the extension, amendment or implementation of a CPZ fails to meet the defined criteria, as set out within the CPZ policy, or not acceptable to the local community, alternative mitigation measures will need to be considered which could include engineering works or contributions towards more sustainable transport modes.

8.26 Please see 12 'Planning obligations, the Community Infrastructure Levy and development viability' for further guidance on planning obligations.

Motorcycle parking

8.27 The LPAs encourage safe use of motorcycles. Therefore secure motorcycle parkingshould be included within all new developments, and should be provided in line with the IHE's Guidelines for Motorcycle Parking[165]. The dedicated number of spaces will be evaluated in the assessment of the overall parking provision for the site.

8.28 Where included, motorcycle parking should be well lit, covered and contain stands that allow the vehicles to be securely anchored.

DEV29.5 – Other parking facilities

Cycle parking

8.29 For both residential and non-residential development, as a starting point, cycle parking should be located within the building itself and then, if there is no option, communal stores should be provided. Whilst Sheffield hoops are acceptable for visitors/short-term use, when determining applications, the LPAs would require something more long-term and secure for residents such as lockers etc.

8.30 All cycle parking should be secure, clearly visible, well-signed, well lit, easily accessible, step free and preferably covered.

8.31 High quality and conveniently located, secure cycle parking should be incorporated into new developments in accordance with the minimum standards below:

Type/size of development	Minimum cycle parking provision
All dwellings	1 space per bedroom
HMO and purpose-built student accommodation (PBSA)	1 space per 2 bed spaces
All uses	25 per cent of the indicative car parking provision (before any discounting on the basis of PT accessibility) or 1 space per 8 employees, whichever is greater.

Table 32 Minimum cycle parking provision for new non-residential development

165 http://www.motorcycleguidelines.org.uk/

8.32 For developments of flats, secure communal stores should be provided. They should be well lit, fully covered, conveniently located and contain cycle stands that allow individual cycles to be secured by both wheels and frame with standard “D” Locks. Sheffield style racks are the standard, but can be supplemented by other designs providing that they can be used by those with limited strength. Individual lockers may also be acceptable.

8.33 For ground floor flats, where adequately sized lifts are provided or where it is appropriate, storage within accommodation is still the preferred option, but it will need to be expressly considered in the design. It will be important to ensure that cycles can be brought into the building easily and quickly and not become a nuisance for residents.

8.34 Where separate cycle parking is provided within the building, it needs to be conveniently located and close to the main point of access. Where cycle parking is to be provided separate to the building, such as a detached garage or other out buildings, it will need to be secure, with doors designed for easy access. The size of a garage may need to be increased to accommodate the cycle parking.

8.35 Visitor cycle parking will tend to be shorter stay and less likely to be overnight. Therefore the emphasis should be on convenience and natural surveillance and should allow individual cycle frames and wheels to be secured.

8.36 For staff, cycle parking should be located within the main building. If this is not possible then it should be located close to the entrances and closer than any corresponding car parking. Employers should also provide lockers for personal belongings, showers, and changing facilities.

8.37 For visitors, short-stay cycle parking should also be close to the appropriate building entrances and closer than car parking.

Electric Vehicle (EV) charging points

8.38 The JLP seeks to support the use of sustainable transport measures which includes the use of electric vehicles. In order to support the use of electric vehicles the LPAs need to ensure that there is a network of charging locations at places of work, rest and play.

8.39 EV charging points should be incorporated in new developments as set out in the table below in order to help reduce the carbon footprint and to promote the use of green energy sources:

Development type	Minimum provision
Residential dwellings with driveways/garages	One standard electrical vehicle dedicated charging point per house with garage or driveway. A switch inside the property will be provided so that power to the chargepoint can be switched off.
Other residential developments	A scheme to be produced detailing how at least 25 per cent of parking bays to be provided with dedicated freestanding weatherproof standard charging points. 50 per cent of all other spaces to be serviced with passive wiring to allow future charging point connection.

Development type	Minimum provision
Staff parking provision for workplaces	A scheme to be produced detailing how at least 25 per cent of parking bays to be provided with dedicated freestanding weatherproof standard charging points. 50 per cent of all other spaces to be serviced with passive wiring to allow future charging point connection.
Supermarkets, leisure facility, or other high turnover car parking	A scheme to be produced detailing the proposals for electric vehicle charging points/serviced bays. As a minimum the LPAs would expect this to include some provision for Rapid charging points and cabling.

Table 33 Electric Vehicle (EV) charging point's provision

8.40 If a development has city-wide or regional importance such as a hospital, leisure centre or entertainment complex then a greater level of active charging bays than the minimum may be required to help support and encourage EV demand both now and for the long term. Existing parking supply should be included within the calculation of parking needs and ratio of charging bay provision. Where there are a large number of short stay parking spaces (i.e. parking under an hour) then the preference may be for a lower number of rapid charging bays.

8.41 In the case of schemes of 200 homes or more, the LPA's will seek, in the provision of the development, communal charging facilities and details of their ongoing maintenance.

8.42 Reference to standard or rapid charging points shall refer to the latest guidance on vehicle chargepoint or workplace chargepoint scheme guidance from the Office of Low Emission Vehicles. Installation standards should also be taken from the following guidance documents:

- Electric Vehicle Homecharge Scheme minimum technical specification[166]
- Workplace Charging Scheme minimum technical specification[167].

8.43 All vehicle charge points should be provided with adequate protection to prevent accidental damage.

8.44 Consideration should be given to employing load balancing systems to enable the installation of a greater number of chargepoints to the available power supply.

8.45 Developers may wish to charge for the electricity provided to these points, where they do so the re-charge cost should be reasonable and based upon the average unit electricity cost as published by the Department for Business, Energy and Industrial Strategy and should be no more than 1.5x the average unit rate.

8.46 To achieve national and local carbon reduction targets, new development will be expected to incorporate low carbon technologies such as EV charging, renewables and storage. To accommodate these technologies, all new developments are required to provide a three phase electricity supply to all occupied buildings.

166 https://www.gov.uk/government/publications/electric-vehicle-homecharge-scheme-minimum-technical-specification
167 https://www.gov.uk/government/publications/workplace-charging-scheme-minimum-technical-specification

8.47 Development without its own off street parking that will generate car trips and use of existing car parking facilities will be expected to contribute towards the LPA's publicly accessible chargepoint network through an appropriate s106 contribution.

8.48 Please see 12 'Planning obligations, the Community Infrastructure Levy and development viability' for further guidance on planning obligations.

Publicly accessible EV charging points

8.49 Chargepoints will be designed to meet the following specifications:

- The public charge points should have a Pay-As-You-Go and Contactless payment functionality without the need to sign up to a membership scheme;
- The associated parking bays should be designated for electric vehicles with appropriate signage;
- Once operating and available for use of the charge point should be added to the National Charge Point Registry[168];
- Charge points should be able to supply data on usage; and,
- The charge points should be maintained in a serviceable condition and accessible for 5 years from completion of installation.

DEV29.7 – Travel Plans

8.50 DEV29.7 states that development proposals should, where appropriate, incorporate travel planning.

8.51 A travel plan is a long-term management strategy for integrating proposals for sustainable travel into the planning process. Travel plans are based on evidence of anticipated transport impacts of development and should consist of a package of measures aimed at promoting sustainable travel and reducing reliance on single occupancy car journeys.

8.52 When considering whether a travel plan will be required the LPAs will take the following into account:

- Relevant national and local policy including the NPPF paragraph 111 which states that *"All developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed."* *and* NPPG guidance on Travel Plans, Transport Assessments and Statements[169]
- The scale of the proposed development and its potential for additional trip generation;
- Existing intensity of transport use and the availability of public transport;
- Proximity to nearby environmental designations or sensitive areas;
- Impact on other priorities / strategies (such as promoting walking and cycling);
- The cumulative impacts of multiple developments within a particular area; and,
- Whether there are particular types of impacts around which to focus the travel plan.

168 https://www.national-charge-point-registry.uk/
169 https://www.gov.uk/guidance/travel-plans-transport-assessments-and-statements

8.53 For a definitive view on whether a travel plan will be required, developers should seek early advice from the Transport Planning Team at PCC in Plymouth and from the Highways Development Management Team at DCC in South Hams and West Devon. Decisions about whether or not a development will require a travel plan will be made on a case-by-case basis and will depend on the nature and travel impacts of the development.

Travel planning in Plymouth

8.54 Where a travel plan is requested, it should include the following:

- A site accessibility audit report giving a description of the site and information on how the site is accessed by all modes of travel;
- A quantified action plan to address and promote sustainable travel to and from the site covering staff, customers, residents and visitors (and pupils and parents in connection with a school travel plan);
- A monitoring strategy, to be agreed with the Local Highway Authority, which, provides a methodology and schedule for monitoring travel to and from a development site by all modes of travel. This also includes modal share targets agreed by the LPA and HA;
- A commitment from the developer to operate the travel plan and to ensure that the travel plan is delivered, including by the end user, if agreed at framework stage;
- A commitment to work with the relevant LPA travel plan officers or Highway Authority staff and to provide relevant data on progress against agreed modal share targets;
- Welcome packs for residential development;
- Fully funded Travel plan objectives and the provision of facilities to support sustainable travel and the appointment of a travel plan coordinator.

8.55 In order to allow for the sharing of car parking areas where mixed use developments are proposed, a Car Parking Management Plan may be implemented. Reference should be included within the Travel Plan and the need for such a plan may also be implemented via a condition of planning permission. The Car Parking Management Plan include details relating to the management of the car park, allocation of spaces, operating hours, enforcement and other details that affect the use of the car park. It may also include intentions for future charging for staff parking.

8.56 When developing a travel plan the following guidance documents offers helpful advice:

- The Essential Guide to Travel Planning[170]
- Good Practice Guidelines: Delivering Travel Plans through the Planning Process[171];
- Plymouth City Council's Travel Plan guidance for developers; and,
- Travel Devon Toolkit for businesses and employers.

8.57 In Plymouth where a travel plan is required, a travel plan management and audit fee will be payable to the LPA by the developer.

8.58 Please see 12 'Planning obligations, the Community Infrastructure Levy and development viability'for further guidance on planning obligations.

170 https://www.sustainabilityexchange.ac.uk/files/essential_guide_to_travel_planning.pdf
171 http://www.greensuffolk.org/assets/Travel-Plans/Documents/Travel-Planning/Good-Practice-Guidelines-travel-plans-and-planning.pdf

8.59 As part of an application, voluntary sustainable travel policies or travel plans may also be submitted. These are welcomed from all developments where a travel plan has not been specifically requested by the LPAs but where the organisation/development has a commitment to encourage sustainable travel. It is recommended that reference to such be included within a Design and Access Statement.

Travel planning in South Hams and West Devon

8.60 In South Hams and West Devon the Highway Authority is DCC who will advise on the need for a travel plan. This will be determined on a case-by-case basis due to the different levels of public transport and active travel infrastructure across the market towns and wider rural area. The need for a travel plan is dependent on the development use being proposed, its scale, location, existing sustainable travel provision and the likely impact of the proposal.

8.61 DCC as Highway Authority currently does not charge a fee for travel planning in South Hams and West Devon. As in Plymouth, travel plan measures are implemented/funded by the developer. Monitoring is also undertaken by the developer with findings reported to DCC.

8.62 Travel plans should include the following:

- A welcome pack for each dwelling or, in the case of employment development, for each unit and staff. The welcome pack will include a travel pack and vouchers for sustainable travel;
- Travel vouchers to encourage the use of sustainable travel. The vouchers may be split between public transport, cycle provision, and as the network develops, car clubs;
- A travel pack providing information to facilitate the use of sustainable travel. Information will include the location of bus stops, timetables, bus service routes, cycle route maps and other appropriate information to support car sharing and car-clubs.

8.63 Welcome packs will be produced by the developer and approved by DCC prior to the commencement of development. The welcome pack will be provided prior to first occupation of each dwelling or employment unit.

8.64 In some cases, a travel plan will set out the need for, and a commitment to:

- Improving walking and cycling infrastructure;
- Improving public transport;
- Providing facilities as part of the development to facilitate sustainable travel, including shower rooms, drying rooms, cycle storage space, electric vehicle charging points and car-club spaces; and,
- The employment of a travel plan coordinator to promote sustainable travel, run travel events and monitor the travel plan.

DEV29.8 – Permeability

8.65 New development and improvements to existing infrastructure should assist in creating a fine-grained network of walking and cycling routes (also referred to as 'filtered permeability'). This can help achieve a mode shift by providing a journey time benefit for pedestrians and cyclists, and also helps provide a network of “quiet ways” where the impact of motorised traffic as a barrier to walking and cycling is reduced.

8.66 Proposals that link to existing streets, public spaces and key attractions will be encouraged and should be enhanced as part of any new proposals. Routes should be maintained so that they remain attractive and safe.

8.67 Developers should ensure that routes are: well lit, overlooked and accessible. This will be determined through the undertaking of a site-wide Accessibility Audit. For all proposals the LPAs will consider whether:

- The opportunities for sustainable transport modes have been considered to reduce the need for major transport infrastructure
- Safe and suitable access to the site can be achieved for all people; and improvements can be undertaken within the transport network that cost effectively limits the significant impacts of the development.

8.68 A successful design would promote a good level of use and therefore natural surveillance is ensured, preventing concerns around crime.

DEV29.9 – Strategic transport infrastructure

8.69 New development should, where appropriate, contribute to meeting the wider strategic transport infrastructure needs generated by the cumulative impact of development in the area. This may include providing: cycling; pedestrian and public transport routes and facilities; travel planning; new roads; car parks; bridges and highway structures.

8.70 Construction (Design and Management) Regulations 2015[172] must be taken into account in terms of designing out risks whilst considering build-ability, ongoing maintenance, whole life cost and eventual demolition / decommissioning. Upon completion of construction the developer shall provide the LPA with the Health and Safety File in accordance with the regulations.

8.71 Development should be sustainable and encourage and contribute towards behavioural change. Planning obligations may be sought from applications to help facilitate this, mitigate the impact of new development and maximise the benefits from new strategic transport infrastructure.

8.72 Please see 12 'Planning obligations, the Community Infrastructure Levy and development viability' for further guidance on planning obligations.

Highway design considerations

8.73 Manual for Streets[173] and Manual for Streets 2[174] (MfS) provides guidance for practitioners involved in the design, planning and approval of new residential streets, the layout of commercial estate roads and modifications to existing highway. MfS primarily focuses on residential streets, but many of its key principles may be applicable to other types of street, for example high streets and lightly-trafficked lanes in rural areas.

8.74 In the South Hams and West Devon LPA areas, major developments will be expected to demonstrate an approach to streets whereby the hierarchy, layout and design is safe and would not have an adverse impact with respect to amenity and character.

172 http://www.legislation.gov.uk/uksi/2015/51/made
173 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/341513/pdfmanforstreets.pdf
174 https://www.gov.uk/government/publications/manual-for-streets-2

8.75 There is also up-to-date guidance on designing streets around bus travel: Buses in Urban Developments[175]. If buses are to be accommodated within new development then early consultation with public transport providers is essential.

8.76 New areas of highway which are to be adopted and maintained public at expense should be constructed in accordance with requirements and procedures as set out in the Design Manual for Roads and Bridges[176], the accompanying Specification for Highways Works[177] and the DCC Design Guide[178] or any other technical specification/documentation as approved for use by the Highway Authority.

8.77 Roads to be adopted by the Highway Authority (HA) must meet HA specifications in respect of layout and construction and therefore early liaison to confirm this is advised.

8.78 Road safety, pedestrian and cycling audits are required at preliminary design and post-completion stages of any new development. Pedestrian and cycling audits should be undertaken in accordance with any Local Walking and Cycling Infrastructure Plans (LCWIP). This will help ensure that barriers to cycling such as one way streets are made two way for cycling wherever possible.

8.79 The design of new areas of highway should also take account of the Disability and Discrimination Act[179] along with reference to the document, Inclusive Mobility[180].

8.80 Please see 12 'Planning obligations, the Community Infrastructure Levy and development viability' for further guidance on planning obligations.

Speed control

8.81 The default design speed and speed limit for residential streets within new developments should be 20 miles per hour.

Construction management plans

8.82 Whilst construction management plans cover many aspects of managing construction works during a development. To ensure no adverse effects, where considered necessary, the LPAs will request details as part of any construction management plan to ensure reinstatement of any roads/pavements which may be damaged during the construction of a development. In these cases, improvements to the public realm may also be sought and negotiated separately.

8.83 For further guidance on the public realm please see 'Place shaping and the quality of the built environment (DEV20)'.

New bridges and highway structures

175 https://www.ciht.org.uk/media/4459/buses_ua_tp_full_version_v5.pdf
176 http://www.standardsforhighways.co.uk/ha/standards/dmrb/
177 http://www.standardsforhighways.co.uk/ha/standards/mchw/vol1/index.htm
178 https://www.devon.gov.uk/planning/apply-for-planning-permission/get-help-with-an-application/guidance-for-applicants
179 http://www.legislation.gov.uk/ukpga/1995/50
180 https://www.gov.uk/government/publications/inclusive-mobility

8.84 Developers will be required to prepare full drawings and an Approval in Principle (AIP) document in accordance with BD 2/12 (entitled Technical Approval of Highway Structures) of the Highways England's Design Manual for Roads and Bridges (DMRB)[181] for the design and construction of new bridges, retaining walls and other highway structures that will directly affect, or may affect, the highway or any other existing highway structures in close proximity.

8.85 The AIP documentation shall be submitted for technical review and approval during the planning and design development process. Subsequent to the approval of the AIP, a design/check certificate will be submitted for endorsement before commencement of the works. This should be funded by the developer.

8.86 In South Hams and West Devon, Devon County Council has published technical details with regards to new structures with potential highway implications, for further information visit their website: Technical approval for structures[182].

8.87 In the case of structures of minor significance it may be sufficient to provide outline drawings only, sufficient to show the scope, magnitude and complexity of the proposed works followed by the submission of a design/check certificate. Examples of such minor structures are retaining walls with a retained height not exceeding 2 metres and other structures or culverts with a span or diameter not exceeding 0.90 metres.

8.88 Proposals for new bridges, retaining walls and other highway structures must take into account aesthetics, form, function, material durability and environmental impact.

External Wall Insulation (EWI)

8.89 External Wall Insulation is used as a retrofit solution on existing buildings to improve their energy efficiency. Whilst this is supported in principle, it needs to be designed sensitively to respect the existing streetscene and installed using durable materials. House builders and providers need to be mindful that where EWI is proposed in areas adjacent to the public highway, it should not be installed so that it impacts on the public highway or endanger the public. In such instances, it is recommended that internal wall insulation is favoured.

8.90 If EWI is proposed, it should avoid overhanging the highway, should not create an obstruction on footways or carriageways, or prevent the authority carrying out routine maintenance to any part of the highway. If there is any utility company equipment near the property the applicant/agent will need to speak to them to agree the cost of any alterations that are needed. The Highway Authorities will not be liable for any damage to insulation caused by the maintenance of street furniture, footway or carriageway surfacing, or utility company equipment.

Meeting the community infrastructure needs of new homes (DEV30)

What is this policy about?

8.91 The LPAs not only want to deliver new homes, but also deliver sustainable communities. DEV30 is a policy to ensure that extensive single use areas of housing are avoided and instead ensure that developments build in community infrastructure and help mitigate any adverse impacts.

181 http://www.standardsforhighways.co.uk/ha/standards/dmrb/vol1/section1/bd212.pdf
182 https://www.devon.gov.uk/roadsandtransport/make-a-request/technical-approval-for-structures/

What needs to be considered in the implementation of this policy?

8.92 Policy DEV30 refers to the community infrastructure needs of new homes in contributing to the delivery of sustainable communities. Extensive single use areas of housing should be avoided, instead new development should mitigate its impacts by contributing to community infrastructure through planning obligations or through the provision of new infrastructure as part of a development.

8.93 New housing development leads to population growth which places additional pressures on existing infrastructure, such as schools, healthcare, sports/recreation and community facilities/village halls etc. Consequently, in order to mitigate the impacts, it is considered appropriate that new housing development should make a contribution towards necessary improvements in community infrastructure.

8.94 Please see 12 'Planning obligations, the Community Infrastructure Levy and development viability' for further guidance on planning obligations.

Digital connectivity

8.95 Given its geographical position and large rural population, the Plan Area's digital connectivity is essential for the areas sustainability. Both SPT2.3 and SPT8.5 aim to ensure development builds upon the area's digital connectivity.

8.96 To implement this, new planning applications should encompass future-proof digital connectivity, i.e. Fibre To The Premises (FTTP), to new developments/premises and superfast speeds with 25Mbps as a minimum. This will usually be secured via condition.

8.97 Digital infrastructure development should:

- Be designed and sited to avoid harmful impacts on public amenity or unacceptable street clutter in the public Avoid harm to the significance of heritage assets or their settings and support local distinctiveness;
- Demonstrate an absence of alternative sites, including, but not only, the possibility of sharing of existing masts and sites;
- Provide self-certification to the effect that a mobile phone base station when operational will meet the International Commission on Non-Ionising Radiation Protection (ICNRP) guidelines; and,
- Provide a statement for each site indicating its location, the height of the antenna, the frequency and modulation characteristics and details of power output and where a mobile phone base station is added to an external mast or site, confirmation that the cumulative exposure will not exceed the ICNIRP guidelines.

Waste management (DEV31)

What is this policy about?

8.98 DEV31 is a policy which aims to achieve a sustainable solution to waste management whilst ensuring that refuse storage facilities, in their various forms, do not detract significantly from the appearance of the local environment. Appropriate design and location of waste storage and collection facilities can help and assist people to prioritise reducing, reusing, and recycling.

8.99 When considering waste management, in the South Hams and West Devon administrative areas, Policy W4 of the Devon Waste Plan[183] also applies, including the accompanying Waste Management and Infrastructure SPD[184] and should be considered alongside this SPD.

DEV31.1 – Design and access arrangements for refuse collection vehicles

8.100 The construction of all access roads for refuse collection vehicles will need to be designed to withstand the maximum payload of the vehicle (30 tonnes), including manhole covers and gully gratings etc.

8.101 In a new development, sufficient space should be provided for the refuse collection vehicles to manoeuvre. Roads and parking areas should be laid out to ensure reasonable convenience for the collection vehicles.

8.102 The Councils will generally collect bulk bins directly from communal stores. However, where access to stores is restricted by locked gates or similar, arrangements must be in place to ensure that collectors have access to the bins on collection day. Key coded access is preferable to keys or fobs and distance to be walked by collectors should be considered and will be controlled by planning condition.

8.103 The main factors to bear in mind are:

- Any structure under which the refuse vehicle has to operate should provide a minimum vertical clearance of 4.5 meters, with a minimum working area of 3.5 meters width, by 4 meters length, where the emptying of the containers will take place;
- Refuse collection vehicles should not be expected to reverse into or from a highway to make a collection. Where collection vehicles do have to enter a development, there should be sufficient on-site turning circles or hammerheads with no parking to allow safe manoeuvring and exit from the development;
- Roads with inadequate width or turning facilities are inaccessible to collection vehicles and in such cases alternative presentation points on a nearby public highway have to be arranged;
- The length of a refuse collection vehicle plus container is generally 10m and the working length should take into account of the size of the container, making the length of the vehicle with the container in the emptying position 12 meters. A further 2 meters is required for the operatives to stand clear of the bin whilst being lifted;
- The emptying position that the vehicle manoeuvres to and operates from should be relatively level and flat for the entire length of vehicle and container;
- Any slopes or gradients (other than those necessary for surface water drainage) should be avoided. Ideally the vehicle should pull into a dedicated off road bay, without the necessity of reversing into or out of the bay;
- A minimum width of 4.5 meters clearance for refuse vehicles will be sought on access roads, taking into account of any additional width required for parking of vehicles on one or both sides of the road;
- All access roads must have a minimum of 4.5 meters vertical clearance along their length;
- Ideally, refuse collection vehicles should be able to continue moving forward at all times (due to their size, reversing and turning round is difficult) and therefore cul-de-sacs

183 https://www.devon.gov.uk/planning/planning-policies/minerals-and-waste-policy/devon-waste-plan
184 https://www.devon.gov.uk/planning/planning-policies/minerals-and-waste-policy/supplementary-planning-document

should be avoided. If this cannot be avoided, a turning circle must be provided at the end of the road. This must be a minimum of 24.6 meters in diameter excluding any additional width required for parking of vehicles;
- All roads must have hard wearing metalled surfaces;
- Applications for flats above garages/coach houses, must be carefully considered.

Figure 10 Minimum road width clearance required where on-street parking is provided for on both sides of the road

DEV31.2 – Providing integrated facilities in new developments

8.104 The quality, design and provision of refuse storage should always be considered at the beginning of the design process for new developments in order to ensure:

- Adequate refuse and recycling facilities are provided;
- Storage of wheelie bins, communal waste bins and refuse sacks does not detract from the street-scene, obstruct access or detract from residential amenity;
- Separation of waste takes place at source to reduce landfill and improve recycling;
- There is access, both for users of the waste storage facility and for those who collect waste;
- Waste materials do not create odours or attract vermin; and/or,
- Waste storage does not create a fire hazard or impact on public health.

8.105 Under the Environmental Protection Act 1990 those that fail to carry out proper disposal design and methods may have a duty of care imposed on them or statutory nuisance and enforcement action may be invoked to secure an appropriate remedy.

8.106 The volume of refuse storage required depends on the type of development proposed. In the most common types of development the recommended storage is as follows (the number of containers required should always be rounded up when calculating the amount of storage needed):

Type/size of development	Minimum volume of storage required
Flat for 1 person	70 litres per week for refuse and 40 litres per week for recycling
Per dwelling house (not flats or HMOs)	2 x 240 litre wheeled bins
Up to 6 residents living in flats	4 x 660 litre wheeled bin, two for refuse and two for recycling
Up to 10 residents living in flats	4 x 1,100 litre wheeled bin, two for refuse and two for recycling
Retail, office, commercial or industrial	Dependent on need

Table 34 Volume of required refuse storage

8.107 When designing a scheme, the space intended for refuse storage should be big enough to fit the recommended amount of bins as above.

8.108 Please see 'DEV10.8 – Standard of accommodation (HMOs)' for guidance on refuse storage for HMOs.

Residential development

8.109 New residential developments should include adequate and appropriate means of storing refuse and recyclable materials, preferably enclosed.

Internal storage

8.110 Kitchen/utility room layouts should allow sufficient space for a minimum of two ten-litre waste bins and provision should be made for additional bins/ storage space for other recyclable items such as glass and textiles.

External storage

8.111 For detached, semi-detached and end of terrace dwelling houses with side access the external waste storage areas should be integrated with the fabric of the dwelling or an associated garage, or otherwise screened or sited out of public view, but readily accessible to the occupiers. The layout should enable bins to be moved easily to the point where they can be collected, e.g. the kerbside or a communal collection point.

8.112 Mid-terrace dwelling houses and other properties without side or accessible rear access must include an enclosed waste store integrated with the fabric of the dwelling and be readily accessible to both occupiers and the kerbside or area from which the waste bins are collected.

8.113 For low-rise flats (up to four storeys in height), houses in multiple occupancy and high density housing developments, if provision is made for individual waste storage for each dwelling, the principles outlined above for mid-terrace dwellings should be applied. Otherwise, as a general rule, a communal refuse enclosure or store designed for an appropriate number of bulk refuse and recycling bins should be provided if six or more dwellings are present.

8.114 If the development has less than four dwellings, then a store or space (communal or individual) must be provided for each 2 x 240 wheeled bins for each dwelling.

8.115 In addition to the guidelines set out above, resident storage facilities should be designed to be:

- Fit for purpose – large enough to accommodate the volume of refuse anticipated from the residential development;
- Visually unobtrusive; and,
- Easy to access by refuse collectors and householders. Potential obstacles such as steps, heavy shale and steep slopes should be avoided.

8.116 There may be circumstances where stores need to be located in a prominent location, however storage should not be on the highway. This is likely to be acceptable only where alternative locations do not comply with other elements of this guidance. In these instances, it needs to be demonstrated that this will be done safely and in a visually acceptable manner and considerations should be made of the choice of building materials, the scale and position of the stores in relation to the proposed dwellings and the potential to incorporate bin storage areas into other structures such as porches, garages or high garden walls.

Good and poor examples of provision for bin storage in residential design

Commercial development (including food and drink uses)

8.117 Premises should be served with one or more 1,100 litre bins with recycling and food waste storage provision. The number of bins to be provided will be based on a reasonable estimation of refuse generation by the premises. Where the premises will generate relatively little refuse, 240 litre wheeled bins may be used.

8.118 Adequate facilities must be provided for the collection and storage of waste from the premises. This is particularly important in terms of trade waste at commercial premises and especially premises in sensitive locations where good screening of waste storage areas will be required. Designs must consider:

- Prevention of nuisance from odour and noise or the potential for litter;
- Adequate size and layout for the anticipated number and type of waste receptacles;
- Access and egress for collection and potential for noise nuisance;
- Adequate lighting and drainage from the site;
- Hose pipe facilities to wash the floor after collection; and,
- Security from unauthorised access.

8.119 The provision of food can lead to significant amounts of fat/grease entering the drainage system. To prevent obstructions or blockages, suitable grease traps should be installed.

Shops with rear servicing

8.120 New shopping developments should normally be designed to enable servicing and deliveries by larger vehicles to the rear of the premises and normally will be the appropriate location for waste storage facilities. These should be designed so that they are integrated into the scheme, and accessible to users and collection vehicles.

8.121 For groups of shops it may be possible to design communal facilities.

8.122 Security should be provided for all waste storage areas, to design out opportunities for vandalism or fly-tipping.

Shops without rear servicing

8.123 In establishing commercial areas it may not be possible to provide rear servicing for shops, so waste collection will be provided from the street frontage.

8.124 In the design of new shopping developments of this type, it is essential to ensure that facilities are provided within the fabric of the building to enable the separation of waste and its collection from the street. This could take the form of an enclosed structure within the shop frontage that is capable of taking the requisite number of bins, or a screened sideway with easy access to the street frontage for collection purposes. Bag collection is not acceptable and everything should be containerised.

8.125 When more than one shop unit is proposed, consideration should be given to designing in communal facilities that are easily accessible to all units as well as collection vehicles.

Mixed use developments

8.126 For mixed use developments, commercial and residential waste must be stored and collected separately with separate accesses to each.

Industrial or commercial development

8.127 All developments intended for industrial or commercial use must provide adequate space for solid waste storage and the numbers of refuse and recycling containers required will be dependent on the nature and size of the business.

8.128 The same considerations for volume and design above i.e. screening, location and security will also apply for industrial or commercial development.

8.129 Waste facilities at the front of the building may be necessary provided that they are not on the highway. Such facilities should be kept secure in order to prevent vandalism and fly tipping and the facility should not restrict access to the premises.

8.130 For efficient disposal and collection of industrial waste, it is preferable to store it in external enclosures which should be integrated with the design and layout of the rest of the development, accessible to users, screened and readily accessible to collection vehicles.

8.131 The developer must ensure that all facilities relating to the storage or pre-treatment of waste conform to any national guidelines and regulations that may be in place regarding the specific type of waste produced.

DEV31.3 – Site Waste Management Plan (SWMP)

8.132 For all major developments in the Plymouth administrative area, a Site Waste Management Plan (SWMP) will be required. This will need to demonstrate how the demolition, construction and operational phases of the development will minimise the generation of waste.

9 Climate change, flooding, and coastal change (DEV32-DEV36)

Introduction

9.1 The JLP has an important role to play in delivering sustainable development whilst at the same time supporting national and international efforts to respond to climate change and build more resilient communities.

9.2 The guidance in this chapter primarily supports polices DEV32 to DEV36 in the JLP. It also reflects national guidance, and should be read alongside the NPPF, NPPG and the site specific policies set out in the JLP.

Delivering low carbon development (DEV32)

What is this policy about?

9.3 DEV32 is a policy which aims to reduce carbon emissions, increase energy security, including through the deployment of decentralised energy, minimise resource use and ensure new developments mitigate and are adapted to climate change.

9.4 It is recommended that this section be read in conjunction with the following advice:

- Decentralised Energy Masterplanning – A manual for local authorities (ARUP, 2011)[185];
- CP1: Heat Networks: Code of Practice for the UK (CIBSE/ADE, 2015)[186];
- Guidelines for connecting to heat networks (Plymouth Part 1 and 2 Heat Network Connection Packs)[187];
- Guidelines for connecting to 5th Generation District Heating and Cooling networks (Plymouth Part 1 and 2 Plymouth 5DHC Network Connection Packs)[188];
- Heating, ventilation and air conditioning (HVAC) energy efficiency, overview guide (Carbon Trust, 2011)[189];
- AM12 Combined Heat and Power for Buildings (CHP) (CIBSE, 2013)[190];
- National Guidance on Combined Heat and Power and Community Energy[191];
- NPPG Guidance on Renewable and low carbon energy[192];
- NPPG Guidance on Climate change[193]; and,
- Site Layout Planning for Daylight and Sunlight: A guide to good practice (BR209)[194]; and,
- CIBSE TM59 Overheating guidance[195].

What needs to be considered in the implementation of this policy?

9.5 The following diagram sets out the information that needs to be provided for the implementation of this policy, according to whether it is a major or minor application:

185 https://www.theade.co.uk/assets/docs/resources/DENet_manual_lo_v10.pdf
186 https://www.cibse.org/knowledge/knowledge-items/detail?id=a0q200000090MYHAA2
187 https://www.plymouth.gov.uk/districtenergy
188 https://www.plymouth.gov.uk/districtenergy
189 https://www.carbontrust.com/resources/guides/energy-efficiency/heating-ventilation-and-air-conditioning-hvac/
190 https://www.cibse.org/knowledge/knowledge-items/detail?id=a0q20000008I7nsAAC
191 https://www.gov.uk/guidance/combined-heat-and-power
192 https://www.gov.uk/guidance/renewable-and-low-carbon-energy
193 https://www.gov.uk/guidance/climate-change
194 https://bregroup.com/services/testing/indoor-environment-testing/natural-light
195 https://www.cibse.org/knowledge/knowledge-items/detail?id=a0q0O00000DVrTdQAL

MAJOR

MINOR

- Energy Statement or Strategy
- Design and Access Statement includes:
  - Resource minimisation evaluation
  - Climate resilience evaluation

- Design and Access Statement includes:
  - Resource minimisation evaluation
  - Climate resilience evaluation
  - Energy hierarchy

YES

NO

In a district energy opportunity area or having relevant characteristics

Complete Solar Masterplan study to demonstrate compliance unless feasible

Deliver 20% carbon reduction by onsite renewables, or, if not feasible, offsite s106 contribution

YES

NO

Is there an existing district energy network?

Must connect to district energy network

Future-proof for district energy network connection

20% carbon reduction through onsite renewables, or, if not feasible, offsite S106 contribution

S106 contribution to network or 20% carbon reduction through onsite renewables

DEV32.1 – Minimising natural resources in development

9.6 DEV32.1 aims to minimise the use of natural resources in the development over its lifetime. The structure, layout and design of places can help reduce their resource requirements in terms of both construction and in use, including energy demands, water and land take, and help to sustain natural ecosystems. Having a mix of uses and facilities within a neighbourhood can reduce travel demand and energy demands and efficient use of resources can take place at a number of scales. Designing multi-functional buildings and spaces for more than one purpose and provide greater flexibility for changing needs, can avoid duplication or prolong longevity.

9.7 The method of construction and materials used has a big impact. Embodied carbon emissions arise from the life-cycle material flows of buildings and infrastructure. Certain materials or construction methods have a greater impact on carbon than others. Cement, for example, has been attributed to about 8 per cent of the global carbon dioxide (CO_2) emissions[196]. Reducing construction waste and using recycled materials or existing buildings will help minimise use of resources. Ensuring a place is also designed to be durable will help make it less resource hungry over time, by extending lifespan or allowing materials to be reused and reducing maintenance and replacement. The consumption of resources, over the lifespan of the development, when it is in use should also be considered, this includes water, energy use and waste.

9.8 The LPAs will encourage the use of sustainable construction techniques that promote the reuse and recycling of building materials, maximise opportunities for the recycling and composting of waste on all new development proposals (residential and non-residential) and reduce CO_2 emissions. Developers should explore the potential to implement water recycling measures on a building or site-wide scale to significantly reduce mains water demand as part of all new development. New developments should be designed, wherever possible, in line with best practice (such as the UK Green Building Council's Embodied Carbon: Developing a Client Brief[197]) to minimise resource use and reduce the embodied carbon content. This should be set out in a section of the Design and Access Statement.

DEV32.2 – Taking account of the impact of climate change

9.9 Developments need to take into account the impact of a changing climate, including designing for resilience to climate change. Major developments should provide a climate change resilience section in the Design and Access Statement, to demonstrate that they will be resilient to the main anticipated effects of changing climate as specified in DEV32.2. These will vary according to the local context i.e. coastal/sea level, surface water drainage, temperature extremes and urban cooling etc.

9.10 Local risk assessments can also be used to identify those climate risks, including those arising from severe weather events. Risk assessments should consider the implications for the built environment and development, infrastructure, services and biodiversity of the likely impact of climate change, taking account of projected changes in temperature, rainfall, wind and sea level in its design. This should set out the potential vulnerability of a development to climate change risk over its whole lifetime. It should set out the risk, its magnitude and whether it can be avoided or reduced through mitigation.

196 https://reader.chathamhouse.org/making-concrete-change-innovation-low-carbon-cement-and-concrete#
197 https://www.ukgbc.org/wp-content/uploads/2017/09/UK-GBC-EC-Developing-Client-Brief.pdf

9.11 In terms of mitigating these risks, to improve resilience, the section in the Design and Access Statement should set the relevant measures incorporated into the design, such as:

- Building in flexibility to allow future adaptation if it is needed, such as setting back new development from rivers so that it does not make it harder to improve flood defences in future;
- By maximising summer cooling through natural ventilation in buildings and avoiding solar gain;
- Through district heating networks that include tri-generation (combined cooling, heat and power);
- Through the provision of multi-functional green infrastructure, which can reduce urban heat islands, manage flooding and help species adapt to climate change, as well as contributing to a pleasant environment which encourages people to walk and cycle;
- Allowing sufficient space between buildings, tree planting, shading and street layouts which encourage air flow; and,
- Using light and reflective surfaces or vegetation on buildings, including green roofs.

9.12 Developments should also avoid the risk of maladaptation (adaptation that could become more harmful than helpful). For example, designing buildings to maximise solar gain in winter without thinking through the implications for overheating in summer. Reference is made to the latest CIBSE TM59 overheating guidance which should be used for all residential planning applications.

9.13 To achieve national and local carbon reduction targets, new development should be able to incorporate low carbon technologies such as EV charging, renewables and storage. To accommodate these technologies, all new developments are required to provide a three phase electricity supply to all occupied buildings.

DEV32.3-DEV32.6 – Energy statements and methodology

9.14 Details of how points DEV32.3 to DEV32.6 are considered in an application should be summarised within an Energy Statement. An explanation of what an Energy Statement comprises is set out below with subsequent details of the relevant policy requirements.

9.15 An Energy Statement is required for all major planning applications (including new build, conversion developments and outline permission applications) to assess how the proposal(s):

- Meet the aims of the policies;
- Takes into account any higher energy efficiency standards proposed over and above Building Regulations; and,
- Uses low carbon energy generation technologies.

9.16 Each assessment is required to demonstrate how the targets for regulated CO_2 emission reduction over and above 2013 Building Regulations will be met using the energy hierarchy. The Energy Statement should follow the following five stages of analysis:

1. Calculate baseline energy consumption of the development using SAP/SBEM or equivalent modelling software based on design to Building Regulations standard regulated

use only. Planning applicants are encouraged to use updated Standard Assessment Procedure (SAP 10)[198]

2. carbon emission factors to assess the expected carbon performance of a new development. Applicants should continue to use the current Building Regulations methodology for estimating energy performance against Part L 2013 requirements but with the outputs manually converted for the SAP 10 emission factors. It should be noted that the use of the SAP 10 emission factors in this context is for demonstrating performance against planning policy targets and, as such, is separate to Building Regulation compliance. Applications should therefore ensure that compliance with Building Regulations is maintained.
3. The Greater London Authority (GLA) Carbon Emission Reporting Spreadsheet[199] can be used for calculating and reporting the emissions results using SAP 2012 and SAP10 emissions factors, which should be submitted alongside an energy assessment. Baseline energy consumption to baseline CO_2 emissions should be converted using standard and appropriate conversion factors as provided by the Departments for Business, Energy & Industrial Strategy (BEIS) in Valuation of energy use and greenhouse gas (Supplementary Guidance to the HM Treasury Green Book on Appraisal and Evaluation in Central Government (2018)[200]. The baseline should include CO_2 emissions from all energy consumption. Emissions associated with water and space heating and cooling should be calculated from both a gas and electrical baseline.
4. Recalibrate baseline CO_2 emissions, taking account of reductions in energy consumption resulting from additional energy efficiency *design* measures beyond minimum standards in Building Regulations. As part of this, details of the additional energy efficiency measures (in excess of those needed to comply with current Building Regulations) that will be incorporated into the development should be included and, where available, specific details such as building material 'U values[201];
5. Calculate the target CO_2 emissions to be achieved through on–site renewable or low carbon sources (being equivalent to 20 per cent of the baseline);
6. Specify what options have been considered to meet this target and justify the proposed mix of approaches by:

- Illustrating in the proposal how the use of heat pumps, waste heat/cooling, community/district heating or centralised heating system and co-location of uses has been explored (see DEV32.6 for guidance on district energy networks);
- Evaluating energy storage and local distribution options with the objective of maximising efficiency of energy use. This applies to heat as well as to electrical energy;
- Identifying how Domestic Hot Water and space heating are delivered efficiently and proposals take account of different demand profiles;
- Where this approach/technology is not applicable or has been ruled out, give the reasons why this consideration has been excluded;
- For each technology deemed to be suitable for the site, proposals should include:
    - Proposed system size;
    - Estimated energy generation;
    - Estimated CO_2 savings (to be expressed in tonnes of CO_2 per annum); and,

198 https://www.bregroup.com/sap/sap10/
199 https://www.london.gov.uk/sites/default/files/copy_of_gla_carbon_emission_reporting_spreadsheet_v1.1.xlsx
200 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/794737/valuation-of-energy-use-and-greenhouse-gas-emissions-for-appraisal-2018.pdf
201 '**U-values** (sometimes referred to as heat transfer coefficients or thermal transmittances) are used to measure how effective elements of a building's fabric are as insulators.

- Site-specific design requirements (e.g. where the technology would be installed, maintenance requirements or estimated life cycle).

- The location of any renewable or low carbon energy technologies should be shown in design plans, for example, proposed location of solar panels on roof; location of plant room for communal heating system etc.

9.17 For larger developments that are to be completed in a number of phases or over a number of years, an Energy Masterplan and Energy Strategy should also be produced and submitted. In particular, the energy masterplan should show the proposed energy infrastructure e.g. additional electricity or gas supplies and renewable energy technologies. Together, these documents should set out the overall energy characteristics of the development and calculated carbon emissions, and include full detail for the first phase. Reviews of the Energy Strategy may be required in advance of each respective phase and a full energy statement should accompany each reserved matters planning application.

9.18 Baseline compliance with current Approved Document Part L (BRUKL)[202] should be met through sustainable design principles and energy efficiency measures alone, without the incorporation of renewable technologies. Energy Statements should be accompanied with relevant Standard Assessment Procedure (SAP)[203] and BRUKL documentation to confirm the calculations undertaken.

9.19 Further to compliance with Part L, a 20 per cent carbon reduction should be met through the following energy hierarchy in order of applicability:

1. Connection to a district energy network;
2. Provision of a communal heating system with the facility to connection to a future District energy Network;
3. Provisions of the following renewable energy options:

- Bio-fuel boilers;
- Wind Turbine;
- Fuel Cells;
- Ground Source Heat Pump;
- Solar Water Heating;
- Air Source Heat Pump; and,
- Photovoltaic.

9.20 If this cannot be achieved onsite, an offsite contribution may be sought. This will be considered on a case-by-case basis.

9.21 Please note that direct electric or resistive electric heating is not permitted under DEV32 for a number of reasons. These include the finite capacity of the electrical distribution network in the city and an anticipated increase in demand on the network from other uses such as charging electric vehicles. Furthermore, projected reductions in the carbon intensity of grid electricity over time are predicated on the use of heat pumps, and not the widespread adoption of resistive heating as a replacement for gas boilers. Electric resistive heating is also significantly more expensive for the end users to run and it is likely to result in higher energy bills and are also not compatible with connection to district heating networks.

202 https://www.gov.uk/government/publications/conservation-of-fuel-and-power-approved-document-l
203 https://www.gov.uk/guidance/standard-assessment-procedure

9.22 The following tables should be completed for each element of the development (e.g. retail, hotel and residential), and a final set should be completed for the development as a whole:

	Carbon Dioxide Emissions (Tonnes CO_2 per annum)	
	Regulated	**Unregulated**
Baseline: Part L of the Building Regulations Compliant Development		
After Passive and Energy Efficiency Measures		
After the use of renewable / low carbon technologies		

Table 35 Example table showing CO2 tonnes per annum

	Regulated Carbon Savings (above compliance with Building Regulations Part L)	
	Tonnes CO_2 per annum	**%**
Savings from Passive and Energy Efficiency Measures		
Savings from the use of renewable/low carbon technologies		
Total cumulative savings		

Table 36 Example table showing Regulated Carbon Savings

DEV32.3 – Energy hierarchy

9.23 Development should minimise energy demand, maximise energy efficiency and integrate the use of renewable and low carbon energy in line with the energy hierarchy shown at DEV32.3.

9.24 DEV32.3 highlights the 'energy hierarchy' concept, which offers a sequential approach to reducing CO_2 emissions from development, prioritising fabric energy efficiency measures:

1. Reducing the energy demand of the development;
2. Use energy more efficiency in the development;
3. Supply energy from renewable sources on-site;
4. Delivering carbon reductions through off-site measures.

9.25 The following should be considered when addressing energy efficiency through design:

- Building fabric measures (including retrofitting to existing development);
- Energy efficient heating and hot water;

- Energy efficient air conditioning (only use where necessary);
- Insulation and airtightness measures;
- Demand management systems;
- Energy efficient lighting and appliances (use of low energy fittings);
- Solar Master Planning (building orientation) and,
- 'Smart' systems and storage (balancing demand and supply of energy)

DEV32.4 – Solar master plans

9.26 DEV32.4 states the need for a solar master plan for major developments. This is to show how availability of passive solar energy has been considered in a scheme's layout. The potential benefits of passive solar design can only be realised by careful siting and layout. For example, access roads could predominantly run east-west, with local distributors running north-south and glazing minimised on north facing elevations to reduce heat loss.Passive solar design principles can be applied equally effectively in housing and commercial developments.

9.27 It is important that passive design considers the potential for overheating in the summer, as well as reducing need for heating in the winter.A range of design solutions can be considered to help avoid overheating and the need for air conditioning. For example, high levels of thermal mass, maximising natural ventilation, passive cooling using planting for shade, roof overhangs to provide shade for high-sun angles, and smart glazing materials.

9.28 Winter Probable Sunlight Hours (WPSH) is a commonly used solar master planning metric and a simple measure of useful sunlight and daylight, reducing heating requirements over winter, whilst Vertical Sky Component (VSC) measures access to natural light, reducing the need for artificial lighting requirements.

9.29 A report should be prepared setting out how the proposed development meets the requirements and any conclusions should be addressed in the Design and Access Statement. Developments should show how sunlight solar access has been optimised by:

- Aiming to achieve a minimum of 10 per cent WPSH (when applied to one window on a wall oriented within 90 degrees of south in the main living space);

- Aiming to achieve a minimum VSC of 27 per cent; and,
- Providing a quantitative and qualitative report, detailing calculations of VSC and WPSH following the methodology set out in guidance Site layout planning for daylight and sunlight: a guide to good practice (BR209)[204].

9.30 Proposals should also set out the balance of glazing on northern orientated building elevations compared to southerly orientated elevations, achieving at least 60 per cent on southerly facing elevations. This should be done whilst still preventing a negative impact on neighbour amenity.

9.31 Consideration should also be given to the risk of overheating and any mitigation measures should be incorporated into the development. These measures may include: shading of higher sunlight angles; glazing design or thermal mass. This is an important issue as keeping buildings cool can also use significant amounts of energy. Proposals for mitigation

204 https://www.brebookshop.com/details.jsp?id=326792

should be clearly set out, including the measures considered and the reasons for the approach taken. Reference is made to the latest CIBSE TM59 overheating guidance which should be used for all residential planning applications.

9.32 Where groups of buildings are planned, the site layout design should aim to maximise the number of dwellings with a main living room that meets the above recommendation.

9.33 It may be difficult to achieve the improvements where there are existing site constraints, such as neighbouring buildings, developments or features which shade the development. If 10 per cent WPSH or 27 per cent VSC is not achievable a report should be submitted outlining how daylight and sunlight have been optimised and other measures adopted to reduce carbon emissions.

9.34 Where developments meet the standards and the applicants also commit to deliver glazing proportions, this may count as a credit of 5 per cent in relation to the 20 per cent overall target for renewable or low carbon energy to the 20 per cent overall target for renewable or low carbon energy.

DEV32.5 – On-site renewable energy

9.35 DEV32.5 requires all major development proposals to incorporate low carbon or renewable energy generation to achieve regulated carbon emissions levels of 20 per cent less than that required to comply with Building Regulations Part L[205]. All major development proposals should incorporate low carbon or renewable energy generation to achieve a 20 per cent reduction in the regulated carbon emissions rate over above Part L and any additional energy and passive saving measures introduced. The reduction should also take account of the predicted degression in any technologies used. Any development falling below this target will require additional justification with an assessment of the technical feasibility and viability.

DEV32.6 – District energy networks

9.36 DEV32.6 requires developments to connect to existing or be able to connect to new district energy networks which supply heat/cooling energy more efficiently to buildings, by:

- Providing a means to utilise waste energy from an energy intensive process;
- Producing and distributing heating/cooling from low carbon process; and,
- Through greater efficiencies of scale and where possible sharing heating/cooling.

9.37 All major development proposals within a District Heating Opportunity Area must either:

- Design their space heating, Domestic Hot Water and, where relevant, cooling systems, to be compatible and able to connect to a heat network;
- Where an energy network exists in the vicinity of the development, the applicant must prioritise connection, and provide confirmation from the network operator that the network has the capacity to serve the new development, together with supporting estimates of installation cost and timescales for connection;
- Where a development is outside of these areas, but has at least one of the following characteristics, the applicants should carry out a detailed technical feasibility of the development to deliver an on-site heat network, or, where this is not possible, demonstrate

205 https://www.gov.uk/government/publications/conservation-of-fuel-and-power-approved-document-l

that they are designed to connect to a future district energy network, agreeing the brief for the work in advance with the relevant LPA:

- Consisting of over 100 dwellings;
- Having a heat demand density of 30kWh/ square meters of land area;
- Having a mixed use nature e.g. more than one use and being of large-scale (e.g. greater than 3,000 square meters gross floor area);
- Including high process energy use such as data centre, swimming pool, laboratory, industry or other similar uses with high-energy demand; and/or,
- Predicted to have a total heat or cooling demand in excess of 500MWh/annum including 'unregulated' energy demand; and,

- Where developments within the Plan Area meet the above criteria, they should implement the proposals where these are technically feasible and viable, either for the applicants to deliver directly, or through a separate Heat Network Operator.
- All proposals should aim to use low temperature heating systems compliant with recommended connection guidance (Part 1 and 2 Plymouth Heat Network Connection Packs).

District heating and low temperature building zone in the PPA

9.38 In Plymouth, district heating opportunity areas have been identified:

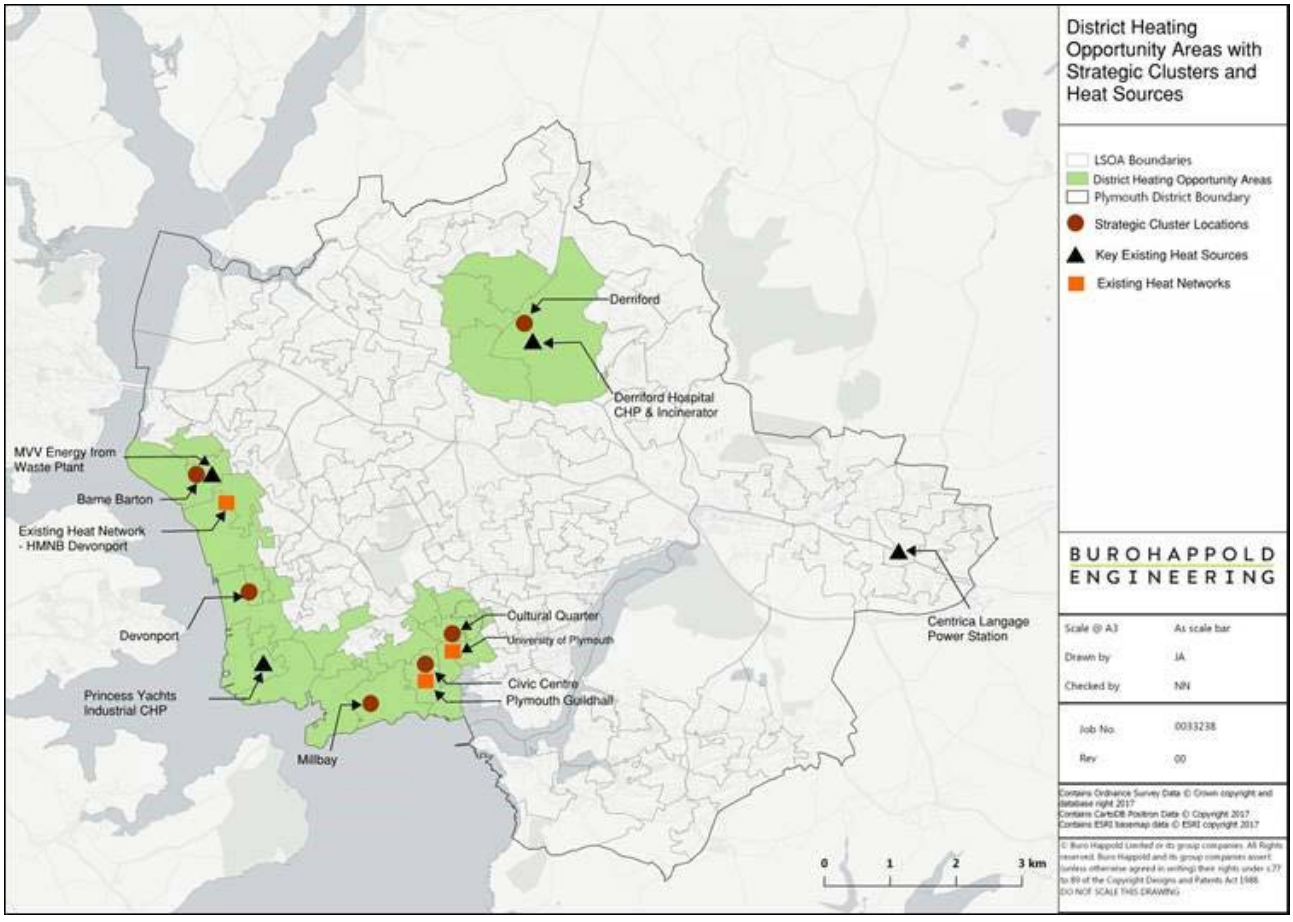

Figure 12 District heating opportunity areas in Plymouth

9.39 A low temperature building zone (LTBZ) has also been designated in Plymouth:

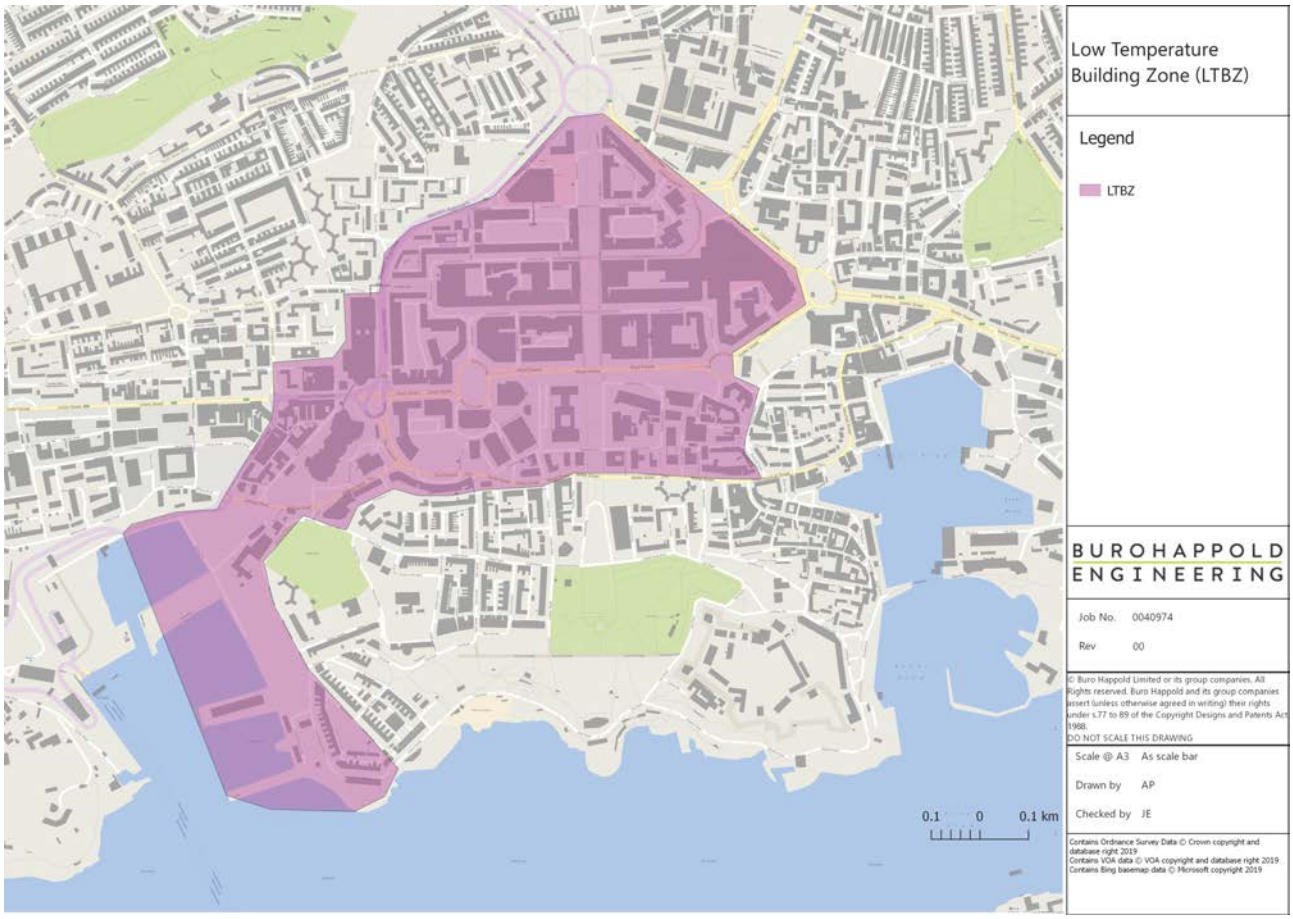

Figure 13 Low temperature building zone (LTBZ) in Plymouth

9.40 Developments coming forward within the low temperature building zone in Plymouth should have centralised wet heating designed for flow temperatures less than 60c (but preferably less than 50c for space heating) and a wide temperature differential between flow and return of at least 20c (preferably 30c).

9.41 This integrated network approach will allow developers the flexibility to connect as-and-when their development comes on stream. Applicants should work with the LPA on the mechanical environmental (heating and cooling) systems proposed for their new development to ensure the lowest carbon solution possible.

9.42 These systems should be low temperature (heating), centralised plant, water based and where possible electrically fuelled e.g. heat pumps supplying 'wet' central systems. This should also include allowances for access routes for heat network pipework from buried street infrastructure to the central plant areas;

9.43 High temperature cooling systems (12C and above cooling temperature) should be utilised and this cooling be delivered from a centralised plant room, utilising the same central plant that the heating uses where possible (i.e. heat pumps), or separate plant if the shared plant approach can be proved to be beyond viability.

9.44 The reduction in heating temperatures and raising of cooling temperatures is required to enable future proofing for the deployment of low temperature district systems. The aim is to supply both heating and cooling from a single ultra-low temperature heat network, avoiding the need for separate cooling systems.

9.45 Further details for the low temperature building zone design requirements can be found in the Part 1 and 2 Plymouth 5DHC Heat Network Connection Packs.

9.46 Micro-district energy can also be used in much lower density areas, utilising heat pumps and similar technologies, with shared ground arrays.

9.47 Certain commercial and manufacturing premises and processes generate quantities of waste heat. This represents a wasted resource that can be captured and used to fuel other premises or processes. The planned co-location of uses can provide significant benefits for energy efficiency.

9.48 The following aspects in relation to district energy (heating and cooling) should be taken into account in the:

- Designed in accordance with Part 1 and 2 Heat Network Connection Packs and in line with the latest best practice, including meeting the minimum standards set out in the CIBSE/ADE Heat Networks Code of Practice CP1[206] or any future version of this document;
- Where a site energy network is to be integrated with an existing area/site network, the proposal will be assessed in the context of the need to maximise/optimise the efficiency of the combined network;
- Consideration should be given to the feasibility of utilising renewable, low carbon energy sources or waste heat from the start, and to the design requirements to enable a phased transition to these where they are not initially viable;
- Design to minimise energy losses and high costs to residents – pricing should be shown to be reasonable and fair;
- Consideration should be given to the arrangements for operation and management of the system, including for energy sales;
- Applications for large installations of heat based renewable energy or waste to energy schemes should include a review of alternative sites, setting out significant heat users in these areas, influencing the final location of this plant to optimise opportunities for use of surplus energy. Applications should state what off-site energy network infrastructure and whether additional significant investment to the plant would be required to be able to export the energy;
- The LPA will require heat networks to sign up to the Heat Trust Scheme in order to ensure good customer satisfaction.

9.49 Where the district wide network is not yet operational in relation to the particular development under consideration the LPA will:

1. Seek an off-site contribution to the establishment of the network;
2. Require heating and cooling systems that are compatible with and allow for future easy connection to local district energy networks;
3. Safeguard locations for a potential Energy Centre;
4. Seek to ensure that any costs to residents are deemed reasonable and fair for the proposed development energy system prior to connection to the heat network.

9.50 If the proposals do not incorporate these measures, then justification will be required with an assessment of the technical feasibility and viability of using district heating and/or cooling.

206 https://www.cibse.org/knowledge/knowledge-items/detail?id=a0q200000090MYHAA2

9.51 Within the TTV Policy Area, applicants for development schemes with at least one of the below characteristics should provide a feasibility study to inform whether a heat network is included as part of a proposal or not:

- Consisting of over 100 dwellings;
- Having a heat demand density of 30kWh/ square metres of land area;
- Having a mixed use nature e.g. more than one use and being of large-scale (e.g. greater than 3,000 square metres gross floor area);
- Including high process energy use such as data centre, swimming pool, laboratory, industry or other similar uses with high-energy demand; and/or
- Predicted to have a total heat or cooling demand in excess of 500MWh/annum including 'unregulated' energy demand.

Renewable and low carbon energy (including heat) (DEV33)

What is this policy about?

9.52 DEV33 is a policy to support renewable energy development to help contribute to national targets through the production of renewable and low carbon energy.

9.53 When considering this policy, in the South Hams and West Devon administrative areas the Devon Waste Plan[207] also applies, including the accompanying Waste Management and Infrastructure SPD[208].

What needs to be considered in the implementation of this policy?

9.54 Some smaller scale renewable energy schemes can be built under a property's General Permitted Development rights if they are designed within certain parameters, but larger schemes will require express planning permission from the relevant LPA.

9.55 Renewable energy technologies are available in a variety of forms, some having specific planning considerations. The most commonly utilised are:

- Electricity generating
    - o Solar PV
    - o Wind
    - o Hydro, tidal
- Heat generating
    - Biomass
    - Heat pumps
    - Solar thermal
- Energy storage.

9.56 Renewable energy technologies are rarely able to provide energy on demand 24 hours of the day. Energy storage (thermal, electrical, compressed air etc.) can increase the efficiency of energy use and should therefore be seen as an integral component of a scheme.

207 https://www.devon.gov.uk/planning/planning-policies/minerals-and-waste-policy/devon-waste-plan
208 https://www.devon.gov.uk/planning/planning-policies/minerals-and-waste-policy/supplementary-planning-document

DEV33.8 – Energy generation facilities

9.57 DEV33.8 concerns proposals for new energy generation plants or energy from waste plants. Developments will be considered alongside all other policies and guidance and against the following criteria:

- Ability to maximise energy recovery or efficiency of generation. In the case of heat-based fuels, the proximity of uses (existing and new) that can utilise this energy should be considered;
- Efficiency of operation (use of waste heat, energy storage, distribution losses);
- Impacts specific to energy from waste facilities, as set out in National Guidance on the Incineration of Municipal Solid Waste[209].

9.58 Applications for large installations of heat based renewable energy or waste to energy schemes should include a review of alternative sites, setting out significant heat users in these areas, influencing the final location of this plant to optimise opportunities for use of surplus heat.

9.59 Applications should state what off-site heat network infrastructure and whether additional significant investment to the plant would be required to be able to export the heat.

9.60 For applications that propose to generate energy from waste, or developments which generate surplus heat, the primary consideration for the energy assessment is that the electricity generation plant is designed with a heat off-take facility to provide heat to an existing or future district heating network. It should also provide space for heat exchangers, storage, pumps, and pipes to the edge of the site, and have a costed strategy for how this will be done.

Community energy (DEV34)

What is this policy about?

9.61 DEV34 is a policy to support community energy projects. The LPAs consider that community-led energy development projects have the potential to offer significant and greater sustainable development benefits than wholly privately owned and operated developments. These benefits should be elaborated fully in applications for consent. Community energy projects can include renewable energy generation or energy efficiency schemes.

What needs to be considered in the implementation of this policy?

Community ownership of energy developments

9.62 The Government has promoted shared ownership of commercially developed renewable energy schemes. Shared ownership most commonly takes the form of split ownership, shared revenue or joint venture - typically between 5 and 25 per cent of a development to be owned by the community. One-off payments in cash or in kind to community groups or organisations do not constitute shared ownership.

209 http://www.wtert.co.uk/content/Defra%20report.pdf

9.63 The LPAs expect shared ownership to comprise a minimum of 20 per cent of the development and be delivered through a not-for-profit institution, having a majority of local representation on its governing body and being established to deliver benefits that will be enjoyed by the community for the lifetime of the development.

9.64 The offer of shares to private investors in the community does not of itself constitute shared ownership in the context of this policy, although

Managing flood risk and water quality impacts (DEV35)

What is this policy about?

9.65 DEV35 is a policy to manage flood risk and water quality impacts by directing development away from areas at highest risk, but, where development is necessary, ensuring that it is safe without increasing flood risk impacting on the designated sites or pollution elsewhere. The policy also requires applicants to utilise sustainable water management measures to ensure development reduces water use, increases its re-use, minimises surface water run-off and does not increase flood risk or adverse impacts on water quality.

9.66 Across the Plan Area there are two Lead Local Flood Authorities (LLFA) who produce flood management strategies, help to manage flood risk and liaise with planning on flooding matters. PCC covers the administrative area of Plymouth whist DCC covers South Hams and West Devon.

9.67 When designing schemes, applicants in South Hams and West Devon should consult DCC's Flood and Coastal Risk Management Team (LLFA) as LLFA. In Plymouth applicants are advised to contact PCC.

9.68 Applicants are also advised to contact other relevant organisations about their proposals such as South West Water (SWW) and the Environment Agency (EA) and consider how their proposal links to other aspects of the development such as the design of the public realm etc.

Plymouth Local Flood Risk Management Strategy (LFRMS)

9.69 The Local Flood Risk Management Strategy (LFRMS)[210] is produced by PCC as Lead Local Flood Authority (LLFA). The LFRMS is formed of two parts: Part 1 is a non-technical summary, and Part 2 (A Technical Guide) is a reference for developers, designers and other parties wishing to undertake works that either require the management of surface water or will impact upon the fluvial and inland coastal water environment.

9.70 Other Risk Management Authorities (RMAs) collaborating with Plymouth City Council to manage flooding are the Environment Agency (EA) and South West Water (SWW). Responsibilities for managing flood risk across the city are assigned as follows:

- Tidal - EA and PCC (LLFA)
- Fluvial - Main rivers (managed by the EA)

9.71 Ordinary watercourses (managed by PCC)

- Surface water - PCC (LLFA)

210 https://www.plymouth.gov.uk/emergencies/severeweather/flooding

- Public Sewers - SWW
- Groundwater - PCC (LLFA)

9.72 The Plymouth LFRMS sets out the principles by which these RMAs will manage these risks, namely:

- Effective planning of new development, taking current and future flood risk into account;
- The improved management of surface water for future developments
- Ensuring Sustainable Drainage Systems (SuDS) meet PCC and national design criteria;
- A consistent standard of flood defence, within practical and financial limitations; and,
- A prioritised programme of flood risk management schemes and interventions.

The role of Devon County Council in flooding and approach taken

9.73 In South Hams and West Devon, DCC is the LLFA, DCC's role in terms of flood risk and the approach taken is outlined below:

- DCC are statutory consultee on all major planning applications with surface water implications and provides comments to the district councils and two national parks. DCC encourage the use of sustainable drainage techniques on all major applications;
- DCC prioritise the delivery of flood schemes to vulnerable communities across Devon often working with other risk management authorities such as the EA and SWW;
- DCC take enforcement action when required where activities have been undertaken which causes an increase in flood risk on Ordinary Watercourses;
- DCC are responsible for the granting of Land Drainage Consents on Ordinary Watercourses. This is required for any works temporary or permanent, within the banks of an Ordinary Watercourse;
- DCC also maintain an asset register as required under the Flood and Water Management Act 2010.This register records all structures and features which are anticipated to have an impact on the flood risk in the area.

DEV35.2 – Exception Test

9.74 Applicants must assess whether and to what extent flood risk should be taken into consideration in any development proposal and, where it is not possible for the development to be located in zones with a lower probability of flooding, an Exception Test must be undertaken and demonstrated through a site-specific flood risk assessment.

9.75 The NPPG provides guidance on how to complete an exception test[211].

DEV35.2 and DEV35.7 – Flood Risk Assessment/Drainage Strategy requirements

9.76 DEV35.2 and DEV35.7 requires a Flood Risk Assessment (FRA) or a Drainage Strategy to be submitted when meeting validation requirements. When preparing these they should be proportionate to the scale of the development. The FRA should assess the sources and risks of flooding to the site and assess the risk of flooding from the site.The FRA should demonstrate that:

- The development is not at risk from flooding and does not increase flood risk elsewhere;

211 https://www.gov.uk/guidance/flood-risk-assessment-the-sequential-test-for-applicants

- Any necessary fluvial flood defences must provide a minimum standard of defence of 1 in 100 year return period with a 40 per cent allowance for climate change for the lifetime of the development;
- Developments at risk from tidal and coastal flooding must provide a minimum level of defence of 4.81mAOD, or be able to provide protection to this level with approved flood boards or flood-proof doors;
- Flood defence designs must be supported with calculations and or modelling outputs that demonstrate the development is protected for the lifetime of the development;
- All developments outside of Flood Zone 1 must demonstrate that safe access and egress is possible at all times;
- In order to manage any residual tidal flood risk over and above the required flood defence standard, it is recommended that ground floor should be made flood resilient with the use of waterproof floors and walls and by raising electric and communications services. Using the ground exclusively for garage space, car parking or bin storage is also good practice, though safe access and egress should still be provided; and,
- Demonstration that water quality and amenity/habitat value have been taken into account, are not impacted upon and are positively promoted within the proposals in accordance with current best practice guidance (CIRIA SuDS Manual).

9.77 To find out whether a site is within a flood zone, please see the government's flood map for planning[212].

9.78 The Drainage Strategy should demonstrate that:

- A viable surface water drainage system can be implemented;
- Sufficient space has been allowed for the drainage system;
- Sufficient space has been allowed for above and below ground attenuation features;
- Suitably sized components have been specified; and,
- A maintenance and management plan for the operation of the surface water drainage system has been included.

9.79 The Flood Risk Assessment/Drainage Strategy should include:

- Details of a drainage scheme design, whether infiltration or positively drained, to a minimum of 1 per cent AEP (1 in 100 year return period) with 40 per cent allowance for climate change;
- Calculations and or modelling outputs that demonstrate the drainage system is designed to the required standard, taking into account any tidelocking effects.
- Detailed design of the proposed drainage system, including: pipe sizes; manhole schedule; pipe materials and any proposed outfalls; tanks or other drainage features and their locations and demonstrate coordination with landscape or townscape designs;
- Infiltration rates for the site to support the decision to use an infiltration or piped drainage strategy, tested to BRE 365 (soakaway) standard[213];
- A maximum discharge rate for positive systems, an identified point of discharge and written confirmation of acceptance by the sewerage undertaker;
- Assessment of any surface water flowing onto the site from third party land that may compromise the design standard of the drainage system;

212 https://flood-map-for-planning.service.gov.uk/
213 https://www.eden.gov.uk/media/1072/bre_digest_soakawaysdesign.pdf

- A surface water exceedance flow route identified on a plan that shows the route exceedance flows will take both on and off site from the point of surcharge, and demonstrating that these flows do not increase the risk of flooding to properties on and off the site and or to Third Party Land including the Public Highway. Exceedance flows should be intercepted and contained on site as far as this is reasonably practicable and safe to do so, ensuring that flows are directed away from public access areas.
- Supporting hydraulic modelling should be undertaken using an industry approved package such as Microdrainage, Causeway or Infoworks. The Lead Local Flood Authority (LLFA) should be consulted regarding modelling criteria;
- Demonstration that water quality and amenity/habitat value have been taken into account, are not impacted upon and are positively promoted within the proposals in accordance with current best practice guidance (CIRIA SuDS Manual[214]);
- Requirement for groundwater monitoring when infiltration systems are being proposed. A ground investigation study should assess and confirm the anticipated path the water will take having been discharged to a proposed soakaway. This is to confirm that water will not follow a pathway that ultimately impacts upon third party land or property.
- A works programme with details of when the drainage is to be installed and how it is to be protected during construction;
- Future management, maintenance and any adoption proposals;
- A Construction Environment Management Plan (CEMP) is required that demonstrates that the proposed drainage system is protected from silt and pollution, and is inspected during the construction phase. Details of any pollution control measures should be marked up on a plan. The CEMP must also contain a construction programme.

9.80 If is it proposed to implement drainage infrastructure on land not within the applicant's ownership, permission in principle should be sought from the relevant land owner.

9.81 For major developments, a 10 per cent increase in impermeable area should be included to allow for urban creep over the lifetime of the development.

DEV35.3 – Flood Zones 2 and 3

9.82 DEV35.3 states that development proposals located in flood zones 2 and 3 will be discouraged unless wider sustainability benefits can be demonstrated, following the application of the sequential and, if required, the exception test approach.

9.83 To find out whether a site is within a flood zone, please see the government's flood map for planning[215].

DEV35.4 – Surface water drainage hierarchy

9.84 DEV35.4 looks to ensure development incorporates sustainable water management measures. For all new and existing development sites, surface water should be separated from foul flows in a separate drainage system.

9.85 PCC's LFRMS sets out a drainage hierarchy which differs from DCC in that discharge of surface water to a waterbody is identified ahead of infiltration, both hierarchies are set out in the relevant LFRMS and summarised as below:

9.86 PCC:

214 https://www.ciria.org/ItemDetail?iProductCode=C753F&Category=FREEPUBS
215 https://flood-map-for-planning.service.gov.uk/

- Discharge to a waterbody (if available and with sufficient capacity) with written permission from the riparian (wetlands adjacent to rivers/streams) owner or necessary consents;
- Infiltration;
- Discharge to a surface water sewer, highway drain or culverted watercourse with attenuation as required with written permission from SWW or the sewer undertaker;
- Discharge to a combined sewer (as a last resort, and with written permission from SWW or the sewerage undertaker).

9.87 DCC:

- Infiltration;
- Discharge to a waterbody (if available and with sufficient capacity);
- Discharge to a surface waterbody (with written permission from the riparian owner);
- Discharge to a surface water sewer, highway drain, or other drainage system with permission from SWW, DCC Highways or the riparian owner, respectively;
- Discharge to a combined sewer (with written permission from SWW).

9.88 Evidence should be provided that demonstrates these options have been assessed and appraised ahead of any proposal to discharge surface water to a combined sewer.

9.89 For positive drainage systems located in a Critical Drainage Area (CDA), discharge rates will be limited to 1 in 10 year greenfield run off rates. Outside of a CDA, discharge rates may be restricted if there is an increased risk of flooding or drainage issues downstream. Written confirmation of acceptance by the sewerage undertaker is required for all new discharges to a sewer.

9.90 Where surface water is discharged to a waterbody, the surface water design standard must take into account any tide-locking effects. Discharge rates may be unlimited to tidal waters and where it is demonstrated that there is sufficient capacity in a watercourse and no detriment to the watercourse quality. Surface water discharged to a waterbody must be free of contaminants with reference to the pollution risk matrix and mitigation indices in the CIRIA SuDS Manual.

Surface water and climate change

9.91 In planning for the area's future, it is important to consider the increased risks of flooding caused by climate change. The projections used for sea level rise and storm events over a period of 100 years, as recommended by the NPPF, are plus 40 per cent for rainfall intensity and river flows, and plus 10 per cent for wave heights.

9.92 A climate change allowance for 100 years is included in the PCC tidal flood defence standard of 4.81mAOD.

DEV35.4 – Sustainable Drainage Systems (SuDS)

9.93 DEV35.4 supports national requirements for all major development to incorporate sustainable drainage systems (SuDS) as an integral part of new development schemes. The use of SuDS offers huge benefits to the Plan Area in terms of reducing flood risk, reducing pollution, and incorporating opportunities for new green infrastructure which is both aesthetically pleasing and supports wildlife.

9.94 All development proposals should be accompanied by a drainage report which identifies the drainage strategy to be adopted. Where the development requires sustainable drainage because of the nature of the proposal or its location, the report should evidence how the proposal complies with the hierarchy of drainage options. Departures from the sequential application of the hierarchy should be fully justified.

9.95 To enable assessment of the adequacy of the proposed drainage strategy, the report should also:

- Set out the surface water management strategy for the whole site, including for any individual catchments within the site;
- For each catchment, the infiltration potential should be assessed and design-parameters of surface water volume and flow rate should be calculated, taking account of likely climate change;
- Demonstrate that the scheme is deliverable as designed, especially in relation to necessary consents and permissions;
- Ensure the scheme is fully coordinate with other aspects of the development and maximizes the potential of the drainage measures proposed to deliver additional water quality, amenity and biodiversity benefits taking account of the JLP design guide and the current CIRIA SuDS Manual; and,
- Specify the maintenance standard and management arrangements for drainage that will apply for the lifetime of the development, and how this will be implemented.

9.96 For developments not requiring SuDS, applicants are nevertheless encouraged to consider SuDS solutions, which are more sustainable and provide additional benefits for wildlife, recreation and other amenity when well designed.

9.97 In general, the LPAs will refrain from adopting SuDS. Where necessary, the LPAs will only adopt SuDS schemes through the use of a drainage agreement. A drainage agreement will also be necessary for drainage schemes implemented on Council or other third party land where the applicant, future owners or a third party instructed by either of the aforementioned will deliver the maintenance of these measures to ensure appropriate implementation and maintenance of the proposed drainage scheme. Failure to have such an agreement in place could result in a refusal of the application.

9.98 Further guidance, applicable across the Plan Area, is provided in Sustainable Drainage Systems: Guidance for Devon (2017)[(216)].

Coastal Change Management Areas (DEV36)

What is this policy about?

9.99 DEV36 is a policy to ensure inappropriate development, or any development that could add to the impacts of physical change to the coast is not be permitted in the Coastal Change Management Area (CCMA), as designated on the Policies Map.

What needs to be considered in the implementation of this policy?

9.100 Policy DEV36 uses the term 'inappropriate development'. The following requirements provide greater clarity over what is considered to be 'inappropriate' within the CCMA:

216 https://www.devon.gov.uk/floodriskmanagement/sustainable-drainage/suds-guidance/

- Proposals for development within the CCMA will only be supported where they are for small, temporary structures that will not add to the erosion risk. Residential development will not be supported;
- Proposals for redevelopment, enlargement or extension of existing buildings that fall within the exclusion zone will not be supported;
- Proposals to change the use of existing buildings into residential usage will not be supported;
- Proposals to undertake minor works to improve sea defences and strengthen or stabilise cliff faces will be supported where it can be demonstrated that the works are consistent with the management approach in the relevant Shoreline Management Plan (SMP) and there will be no material adverse impact on the environment. A detailed schedule of works, including materials to be used, must be submitted to the relevant LPA and agreed prior to works commencing. Proposals for major works to stabilise or strengthen cliff faces in areas where the SMP management approach is for 'No active intervention' will not be supported;
- Development proposals that require stabilisation, strengthening or other interference with the cliff before development can commence will not be supported; and,
- Proposals to stabilise or strengthen cliff faces will be supported where such work is necessary to ensure that existing safe public access to beaches is maintained.

9.101 In addition, when considering applications within the CCMAs the Environment Agency's national guidance for flood risk and coastal change[217] which advises how to take account of and address the risks associated with flooding and coastal change in the planning process will be considered, in particular the section regarding CCMAs.

217 https://www.gov.uk/guidance/flood-risk-and-coastal-change

10 Detailed provisions relating to the Plymouth Policy Area (PPA)

Introduction

10.1 Plymouth plays a key strategic role in providing essential services and facilities at both a sub-regional and regional scale. The guidance below specifically refers to PPA only policies. Guidance is included for:

- 'Improving Plymouth's city centre (PLY6)'; and,
- 'Plymouth airport (PLY42)'.

10.2 It also reflects national guidance, and should be read alongside the NPPF, NPPG and the site specific policies set out in the JLP.

Improving Plymouth's city centre (PLY6)

10.3 What is this policy about?

10.4 The Plymouth City Centre Strategic Masterplan[218] identifies five priority themes for the City Centre to achieve its potential:

- Intensifying the City Centre: optimising the population, density and diversity, to deliver a vibrant, healthy City Centre and safeguarding and enhancing retail floor space;
- City Centre Living: creating a critical mass of new housing and attractive living environments;
- Re-connecting the City Centre with its neighbours: creating safe, convenient, direct and attractive pedestrian and cycle connections across the ring road;
- Re-animating the Public Realm: creating a hierarchy of high quality public streets and spaces, with an enhanced Armada Way as the top priority;
- The Smart and Adaptable City: building flexibility and adaptability into the City Centre and making best use of smart technology - including for example with traffic management and flexible work and community space.

10.5 The Masterplan also sets out a series of key opportunity sites and major interventions.

10.6 PLY6 sets out the framework within which these initiatives will take place. It is also policy to ensure Plymouth City Centre not only remains the heart of the city and a place where people live, but remains Plymouth's shop window as the commercial and cultural centre driving the economy and attracting visitors.

PLY6.3 – Tall buildings

10.7 Tall buildings can have a dramatic impact over a wide area and can act as markers for key locations, buildings, spaces or facilities. For the purpose of this guidance a 'tall building' is any building or structure which is significantly higher than its neighbours and/or which recognisably changes the skyline. This is the definition established by English Heritage and CABE in their 2007 tall buildings guidance (since updated in Historic England's *Tall Buildings: Advice Note 4,* which has informed the guidance below).

218 https://www.plymouth.gov.uk/sites/default/files/PlymouthCityCentreStrategicMasterplan.pdf

10.8 Tall building opportunities exist within Plymouth's City Centre and Waterfront areas and are identified in the relevant site policies in the adopted Joint Local Plan. The Plymouth City Centre Strategic Master Plan (2017) recommends building heights of around 6 to 8 storeys in the City Centre, and this is therefore the maximum height that will normally be supported here.

10.9 Tall buildings can have a dramatic impact over a wide area and it is important proposals are critically assessed at pre-application stage by the local planning authority (LPA) and other relevant parties, such as Historic England. It will be important through this process to:

- Identify the visual impact of the tall building proposal and understand the character of affected areas;
- Review and improve the design; and,
- Understand what information and illustrative material is needed to allow accurate assessment of the impacts of the tall building proposal. Thorough urban design analysis that clearly demonstrates impact will be required. Outline tall building applications are unlikely to be acceptable.

10.10 Design and Access Statements must accompany tall buildings proposals and must demonstrate high quality in urban design and architecture, and a well-considered, positive response to the context.

10.11 Tall building planning applications will likely require an environmental impact assessment (EIA), to assess the proposed building and its cumulative impact, including:

- Accurate and realistic visualisations of the proposal in context;
- Consideration of the character of surrounding areas and the settings of heritage assets;
- Consideration of impact on significant views;
- Consideration of impact on townscape and public realm; and,
- Other relevant environmental issues, particularly sustainability and environmental performance, e.g. the street-level wind environment.

10.12 A successful application will have fully addressed a range of design criteria. Delivering architectural quality includes consideration of:

- Scale;
- Form and massing;
- Proportion and silhouette;
- Elevation materials;
- Design details;
- Relationship to other structures;
- Impact on streetscape and near views;
- Impact on cityscape and distant views; and,
- Skyline impact.

10.13 Tall buildings must set exceptional standards in design because of their scale, mass, wide impact and longevity. Architectural competitions are strongly encouraged. Tall building design must take the opportunities available for improving the character and quality of an area and respond to local character and history. It is important that a high standard of architectural quality is maintained throughout the process of procurement, detailed design, and construction, through the use of conditions and reserved matters.

10.14 It is important that social and environmental effects of tall buildings are assessed, including:

- Contribution to public space and facilities; and,
- Impact on the local environment, including microclimate, overshadowing, night-time appearance, light pollution, vehicle movements and the impact on the pedestrian experience.

10.15 Well-designed tall buildings provide an inclusive environment and improve permeability, accessibility and the legibility of the wider townscape.

Plymouth city centre shop fronts

10.16 For specific design guidance on Plymouth city centre shop fronts please see 15 'APPENDIX 3: Shop fronts, including ATMs'.

Plymouth airport (PLY42)

What is this policy about?

10.17 Policy SPT8 (Strategic connectivity) sets out that the Plymouth airport site will be safeguarded for general aviation uses until the first review of the JLP. Policy PLY42 sets out specific considerations that will be applied in relation to planning applications that may come forward in the meantime, including in relation to airport infrastructure that should be safeguarded.

PLY42.1 – Protection from prejudicial development

10.18 No development will be permitted on the Airport Site that will prejudice its possible future use for general aviation purposes. This includes development that would by itself prejudice this objective, or that when combined with possible further development, would do likewise.

10.19 Historically, an airport Public Safety Zone (PSZ) has existed to safeguard the surrounding areas of the airport site from high intensity development. The PSZ is set out in response to the level and type of activities taking place at an airfield. A new PSZ would need to be produced when the airport becomes operational again, based on the new operations. Until that time, and in the absence of a formally defined PSZ, decisions on development near to the airport will be guided by the PSZs which existed when the airport was last operated, as shown below:

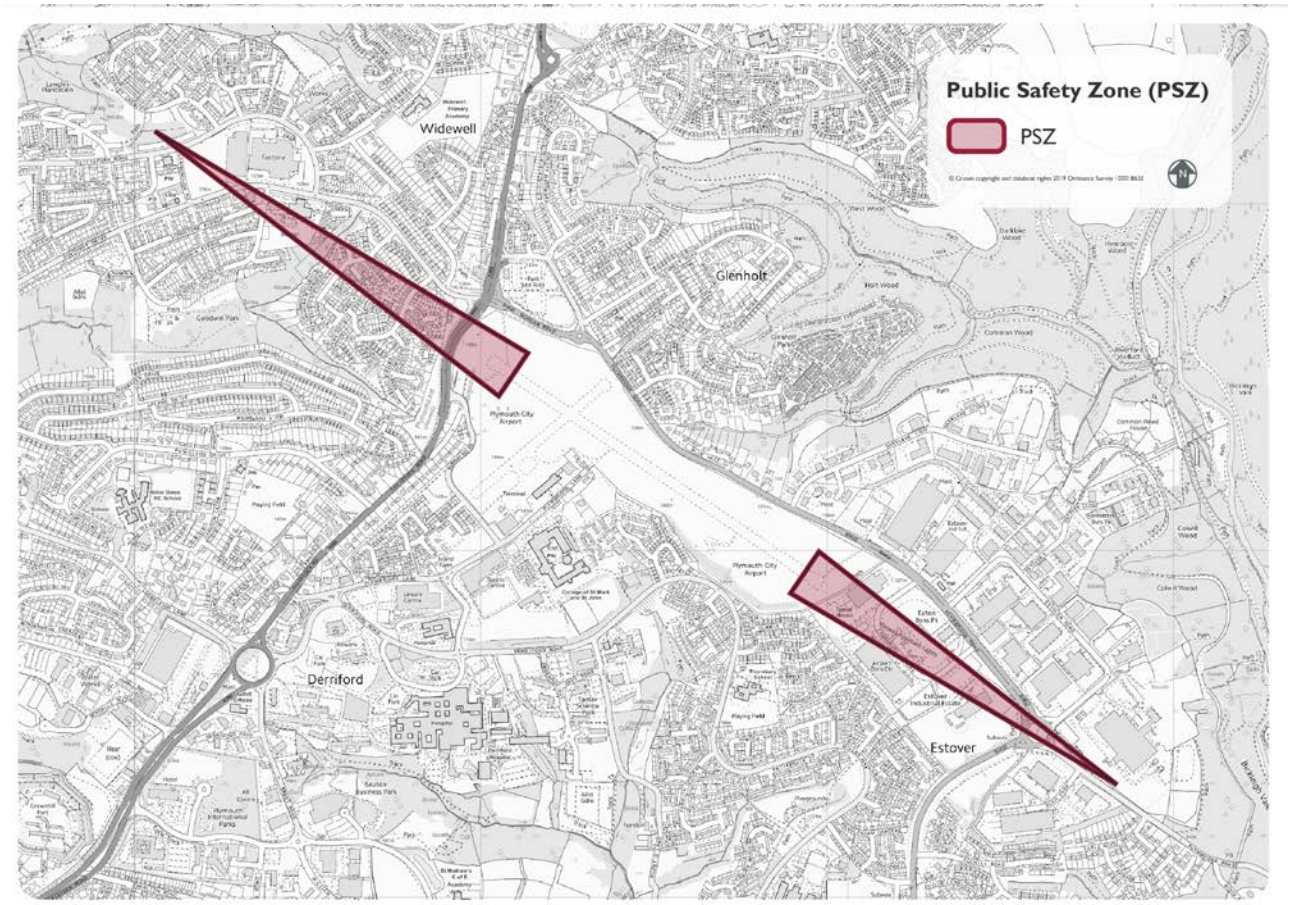

Figure 14 Public Safety Zone

PLY42.3 – Temporary uses

10.20 PLY42.3 states that temporary uses at the Airport Site will be acceptable provided these do not prejudice the future aviation use of the site. Any temporary uses that are approved will need to comply with the following requirements:

- The use(s) being approved for a period not exceeding three years, or beyond the anticipated JLP First Review date;
- The use(s) not to involve physical works or alterations to the site that would prejudice its future use; and/or,
- The use(s) complying with other guidance contained in this document.

PLY42.4 – Environmental improvements

10.21 PLY42.4 acknowledges the importance of maintaining the Airport Site in a good condition and in a form that does not harm the amenities of the local area to the detriment of neighbours and visitors to the area.

10.22 The LPA will encourage the following works with this objective in mind:

- Regular maintenance of the grounds of the Airport Site and its boundary margins; and,
- The provision of additional landscaping of an appropriate type at the boundary margins.

11 Detailed provisions relating to the Thriving Towns and Villages Policy Area (TTV)

Introduction

11.1 The characteristics of the Thriving Towns and Villages Policy Area (TTV) are very different from the urban area of Plymouth. There are specific opportunities and challenges that arise in the rural areas and the approach to addressing these issues are explained in Section 5 of the JLP.

11.2 The guidance below specifically refers to TTV only policies to address some of the specific challenges. Guidance is included for:

- 'Prioritising growth through a hierarchy of settlements (TTV1)';
- 'Delivering sustainable development in the Thriving Towns and Villages Policy Area (TTV2)';
- 'Development in Sustainable Villages (TTV25)';
- 'Development in the countryside (TTV26)';
- 'Meeting housing needs in rural areas (TTV27)';
- 'Horse related developments in the countryside (TTV28)'; and,
- 'Residential extensions and replacement dwellings in the countryside (TTV29)'.

11.3 In addition to the above, there is also specific design guidance available for sites in Tavistock and Okehampton, incorporated from the previous East of Okehampton Masterplan SPD and the South and South West of Tavistock Masterplan SPD which have been superseded by this document.

11.4 Specific design detail below at 'Specific design details for Okehampton (TTV14)'is applicable for the following JLP policies in Okehampton:

- Policy TTV14 - East of Okehampton

11.5 Specific design detail below at 'Specific design details for Tavistock (TTV16 and TTV17)' is applicable for the following JLP policies in Tavistock:

- Policy TTV16 - Callington Road, Tavistock
- Policy TTV17 - Plymouth Road, Tavistock

11.6 The guidance also reflects national guidance, and should be read alongside the NPPF, NPPG and the site specific policies set out in the JLP.

Prioritising growth through a hierarchy of settlements (TTV1)

What is this policy about?

11.7 Policy TTV1 identifies a settlement hierarchy to direct the location of new development to the most sustainable locations within the TTV Policy Area:

- The Main Towns
- Smaller Towns and Key Villages
- Sustainable Villages
- Smaller villages, Hamlets and the Countryside

11.8 The sustainable settlements in the top three levels of the hierarchy are named in paragraphs 5.8 to 5.10 of the JLP. There are no named settlements in level four of the settlement hierarchy, although there may be circumstances where is it considered acceptable to grant planning permission in settlements that fall within the bottom tier of the hierarchy.

11.9 National guidance states that all settlements are considered to be able to support the delivery of homes in rural areas, subject to site specific proposals meeting the relevant policy requirements of the adopted development plan. For the purposes to applying Policy TTV1 (and Policy TTV26), this document provides a characterisation of the smallest settlement, the 'hamlet' – beyond which is considered to be countryside for policy purposes.

11.10 No definition of 'settlement' is provided within the JLP, or within national policy/guidance. Instead, the LPAs will apply professional judgement and an understanding of the rural settlement pattern when considering if a proposal site can be considered to be in a sustainable location. Key to this is the connectivity between settlements, and whether a hamlet or smaller village, that is not named in the JLP or has a Neighbourhood Plan, plays a functional part of a hinterland around an identified sustainable settlement. The further from a sustainable settlement a proposal site is, the less chance of it being able to demonstrate how local services and facilities can be accessed without significant reliance on a private car.

11.11 The NPPF acknowledges that in rural areas sustainable transport alternatives to the private car are less prevalent than in urban areas, but this is only one part of the wider consideration of sustainability, and not justification for permitting development in locations that are constrained by the rural road network and will increase a reliance on travel by private car.

11.12 As identified within Policy TTV1, outside the top two layers of the settlement hierarchy, only housing proposals that can demonstrate that they are meeting a local housing need will be supported. This is consistent with NPPF paragraph 77, and with the delivery strategy of the JLP, which seeks to direct development towards the more sustainable settlements in the settlement hierarchy.

11.13 Housing proposals may be considered acceptable, alongside other policy considerations, if they can demonstrate that the proposal will result in a tangible local benefit. Housing proposals within the third tier (sustainable villages) and forth tier (smaller villages, hamlets and countryside) of the settlement hierarchy will be expected to meet local needs by restricting ownership or occupation to people with a demonstrable local connection, or by supressing the open market value of a house by a minimum of 20 per cent against the open market value in perpetuity. These restrictions will be written into a s106 agreement attached to the relevant planning permission.

11.14 Policy DEV8 (Meeting local housing need in the TTV Policy Area) requires applicants to show how a proposal is meeting a local need by diversifying the housing stock and broadening the choice for home ownership, but in sustainable villages and other rural settlements outside the top two levels of the settlement hierarchy is considered necessary to attach other requirements onto a planning permission in order to make the proposal acceptable in planning terms. The main tool that will be used to ensure local housing needs are being met in specific areas will be local connection requirements that will be written into a planning obligation prior to a planning permission being granted. This will require a

prospective owner or resident to demonstrate that they meet the eligibility requirements before being able to take possession of, or move into, a home that has been permitted because of the benefits it provides to local people.

11.15 It will be possible for 'local connection' to be meet in a number of ways, as various definitions are used to determine if someone has a local connection:

1. Living and/or working with the parish or adjoining parishes for a minimum of three full years out of the last five;
2. Living and/or working within the Plan Area for at least five full years out of the last seven;
3. Living within the parish or adjoining parish for at least eight of the first 16 years of their life;
4. Living within the Plan Area for at least 12 of the first 16 years of their life.

11.16 For further guidance on Affordable Housing please see 'Affordable Housing (DEV7-DEV9)'.

11.17 Where a proposal site is within the Undeveloped Coast or AONB, it may be necessary to restrict eligibility to an area more closely aligned to the policy designation, such as a coastal parish and adjoining coastal parishes, rather than the wider Plan Area.

11.18 Evidence of eligibility could be taken from Council Tax accounts, employee and tax records and school attendance information from the education authority.

Delivering sustainable development in the Thriving Towns and Villages Policy Area (TTV2)

What is this policy about?

11.19 TTV2 sets out high level principles that will be applied in the assessment of planning applications within the TTV policy area.

TTV2.1 and TTV2.2. – Vitality and vibrancy

11.20 The concept of vitality and vibrancy (TTV2.1 and TTV2.2) within the TTV Policy Area has been considered alongside TTV1, explaining that while the vast majority of development will be expected to be delivered in settlements in the top two tiers of the settlement hierarchy, the plan does make provision for how and where some low-level growth could take place within tiers three and four of the settlement hierarchy.

TTV2.3 – Rural business and enterprise

11.21 TTV2.3 creates a positive and proactive policy framework that will enable the rural economy to thrive. This high level policy will need to be balanced against site-specific constraints and opportunities, and does not override the need to respond to the established settlement hierarchy or protect the natural environment. The great weight given to the conserving and enhancing of protected landscapes will not be undermined by the pursuit of economic development.

TTV2.4 – Diversification of rural businesses

11.22 TTV2.4 references the diversification of agricultural and land-use businesses and makes provision for certain types of expansion. Businesses that will be supported will be those that also require a countryside location, or can demonstrate a tangible link between the new commercial activity and the original business. Diversification in itself does not mean that any additional business will be supported simply to cross-subsidise an existing business.

TTV2.5 – Sustainable rural tourism and leisure developments

11.23 TTV2.5 should be read along with the specific provisions of policies 'Prioritising growth through a hierarchy of settlements (TTV1)', 'Development in the countryside (TTV26)' and 'Supporting the rural economy (DEV15)'. This policy seeks to ensure that new tourism facilities respond to opportunities within the established pattern of sustainable settlements, and avoid dispersed and detached tourism facilities that will add seasonal strain on the rural road network.

TTV2.6 – Rural services and community facilities

11.24 TTV2.6 recognises the importance of the limited range of services and facilities in the TTV settlements, and the critical role they play in ensuring these settlements remain sustainable. The loss of such facilities will be resisted. Opportunities to enhance existing facilities will be pursued when they arise.

TTV2.7 – Sustainable transport accessibility

11.25 TTV2.7 recognises that opportunities to improve sustainable transport options in some parts of the TTV Policy Area may be challenging. Any chances to improve the accessibility and range of sustainable transport options, particularly where this will enable some modal shift, will be supported.

TTV2.8 – Natural infrastructure

11.26 TTV2.8 requires applicants to identify and respond to opportunities for net gains in natural infrastructure.

Development in Sustainable Villages (TTV25)

What is this policy about?

11.27 Policy TTV25 makes provision for 550 homes to be brought forward in Sustainable Villages and looks to Neighbourhood Plans (NPs) to allocate suitable sites. Where a NP is not prepared the LPAs will support development that meets local need, responds positively to the indicative figures and satisfies NPPF and JLP policies.

11.28 As such, the JLP does not identify sites for development in Sustainable Villages. In taking this stance the LPAs will support the preparation of NPs leaving it to NPs themselves to determine which sites to bring forward. The Indicative Housing Figures included in figure 5.8 of TTV25 identifies the potential number of homes that could be supported by the current provision of services, facilities and connectivity in the named Sustainable Villages. These figures should be used to inform both NP preparation and, where a NP has not been prepared, development-led proposals.

11.29 Policy compliant development proposals of 5 or more dwellings within or adjoining a sustainable village that are not allocated for residential development within a made neighbourhood plan, may be considered to be making a positive contribution to the housing supply figure in Policy TTV25. In this scenario the contribution towards meeting the identified housing needs for a settlement in figure 5.8 of the JLP will override the Policy TTV26 requirement to demonstrate that the proposal requires a countryside location and an occupation need.

11.30 The LPAs will monitor the number of houses coming forward in Sustainable Villages and take measures to address shortfalls if they arise. This could involve the LPA proactively promoting sustainable development where shortfall in provision is apparent or supporting acceptable developer-led planning applications.

11.31 It is acknowledged that figure 5.8 does not include villages within the AONBs but recognises that despite this, NPs within designated landscapes may wish to positively allocate sites where the landscape and visual impacts have been appropriately assessed and considered acceptable.

11.32 The Indicative Figures provide a guide to the level of development considered appropriate in the Sustainable Village based on a desktop assessment of services, facilities and connectivity. As a NP progresses the accumulated evidence base will enable the actual and appropriate number of houses to be identified by detailed refinement based upon capacity of the settlement overall and also of the site(s) identified, and an up-to-date Housing Needs Survey. This may indicate a lesser or greater number of houses should be allocated than identified in figure 5.8. For proposals being advanced to gain the support of the LPAs, they will need to be robustly evidenced and have paid due regard to TTV25 and the indicative figures identified.

11.33 As such the Indicative Figures are not prescriptive and should not be seen as minimum/maximum numbers. NPs should be robust and explicit in justifying how the indicative figures have informed site selection and the amount of development promoted. Groups choosing not to meet the indicative housing figure for their village/area should be mindful that policy TTV25 requires that the indicative figures 'should be provided through neighbourhood plans, unless such provision would conflict with other policies of the JLP'. In order to satisfy this requirement, a NP that proposes delivering a lower level of housing than identified in figure 5.8 needs to be justified using the other relevant JLP policies.

11.34 The indicative levels of new housing listed in JLP figure 5.8 relate only to new housing in the Sustainable Villages list in JLP paragraph 5.10. As indicated in the justification of Policy TTV25 in the JLP, paragraph 5.157, the commitments and completions within Sustainable Villages prior to the end of March 2017 are not considered to make a contribution towards the Indicative Figures. These had already been counted in the JLP housing supply figures.

11.35 Where a NP has been made or is being prepared, the contribution toward the Indicative Figure is counted only from sites allocated by the NP where completions were delivered after end March 2017 or where the first planning applications on those allocated sites were approved after end March 2017.

11.36 NPs are required to play a proactive role in identifying and allocating the sites that will meet the requirement set out in JLP Policy TTV25 to deliver 550 dwellings.

11.37 In terms of commitments and completions since March 2017, not all of these will be considered as making a contribution towards the Indicative Figures. The LPAs, in preparing the JLP housing supply figures, included an allowance for "windfall developments". These are, generally, small scale proposals of less than 5 dwellings that gain approval but have not been predicted or formally allocated. The figure included in the JLP calculations for "windfall developments" is largely based upon past development activity of this type. This is projected forward to provide a predicted estimate of the amount of residential development that will arise from "windfall provision" and be delivered from April 2017 to March 2034. Such provision falls outside the 550 units allocated to fulfil the Sustainable Village allowance identified in Policy TTV25 and cannot be counted in the Indicative Figures. As such, not all approvals and completions since March 2017 can be counted towards the Indicative Figures.

11.38 Proposals of less than 5 dwellings that have arisen through no active involvement in the NP process, will be classed as "windfall". NPs can, however, formally allocate larger development sites (sites of 5 dwellings or more) that have come forward through development-led proposals and have not commenced building work on-site. It may be appropriate to extend the Settlement Boundary to take account of these allocations and incorporate them within the boundary. Such actions would extend the "life" of the allocation beyond that of the planning consent and would enable the development to contribute towards the Indicative Figure. Other proposals, such as minor infill developments and one off conversions, would be classed as "windfall" and, hence, not count towards the indicative figure.

11.39 Development-led proposals of 5 or more dwellings will be counted towards the figure of 550 stated in Policy TTV25 where they are within or adjoining a sustainable village, are well related to the built form and benefit from safe access to local services and facilities, along with the other policy considerations of the plan.

11.40 As indicated in para 5.165 of the JLP, NPs in AONBs may wish to bring forward positive allocations to meet local housing need. The LPAs will encourage groups to undertake Housing Needs Surveys and use these and other evidence to identify appropriate allocations. Groups may also wish to provide evidence for the identification of Sustainable Villages where such allocations would be best located.

11.41 It must be borne in mind that neither the NPPF nor the JLP advocate or encourage a freeze on development in AONBs. Indeed both the NPPF and JLP contain policies against which appropriate development in AONBs could be brought forward. NPs provide the best mechanism through which local housing need can be assessed and best accommodated. NPs that do not take a positive stance run the risk of development-led proposals being approved that may not satisfactorily meet either local needs or community aspirations, and may not be located on a site that has the greatest support of the local community.

Development in the countryside (TTV26)

What is this policy about?

11.42 Policy TTV26 seeks to protect the special characteristics and role of the countryside from inconsistent and inappropriate development that could undermine the rural character and settlement pattern of the TTV Policy Area. The broad spatial strategy of the JLP seeks to direct the vast majority of development to named settlements within the settlement hierarchy.

Provision is made within the policy for supporting proposals that can demonstrate why a countryside location is required; these policy tests are necessarily high, and emphasise that development in the countryside should occur only in exceptional circumstances.

11.43 Paragraph 5.5 of the JLP indicates that TTV26 will be applied 'outside built up areas'. In conjunction with TTV1, a pragmatic approach will be taken to where TTV26 applies. Professional judgement will be informed by the rural settlement pattern and other factors when considering what can be considered a 'built-up area'. TTV1 refers to settlement types in a descending order of scale, with the smallest scale of settlement being the hamlet. This may mean that some development could come forward in a settlement best described as a 'hamlet', but a range of factors will be considered, including connectivity with other settlements, the location of the hamlet within the rural pattern of settlements, the relationship with the rural road network, the ability of the proposal to demonstrate it meets a local need and the potential impact on the existing built and natural landscapes.

11.44 Sites adjoining settlements in the top two tiers of the settlement hierarchy, the main towns and smaller towns and key villages, may be considered to be rural in character, but if the proposal accords with policies SPT1 and SPT2 and benefits from good connectivity with local services, it may not be assessed against the requirements of TTV26, in recognition that the development is being directed towards one of the more sustainable locations within the TTV policy area. Proposals of this type will still be considered against all other policies in the plan.

11.45 TTV26 will be applied to all applications considered to be outside the built up area of any settlement in tiers 3 and 4 of TTV1, providing the settlement is of sufficient size to be considered a hamlet, and that forms part of a functional rural network of settlements that includes at least one settlement from the top three tiers of the settlement hierarchy. Where a hamlet comprises of a compact core of buildings, these may collectively form a built-up area as described in paragraph 5.5.

11.46 For the purposes of applying JLP policies TTV1 and TTV26, a building or collection of buildings that originated in support of a single business or function, such as a farm or mill, that are distinct and detached from a rural settlement will not be considered as either a 'hamlet' or 'settlement', and will be considered as being in the countryside.

11.47 Hamlets that comprise a linear form, typically associated with a road or roads may be considered as forming a built up area providing that the built up area forms a continuous line of buildings, and is not interrupted by agricultural fields or large gardens. Opportunities to consolidate the core of such settlements are considered preferable to proposals that further elongate the linear form.

TTV26.1 – Isolated development

11.48 Provision TTV26.1 of the policy refers to proposals considered to be in isolated locations. In order to assess whether a proposal site is isolated, the Court of Appeal ruling of 28 March 2018 between Braintree DC and 1) Secretary of State for Communities and Local Government, 2) Greyread Ltd and 3) Granville Developments[219] will be applied (unless superseded by a later judgement). In particular, the ruling concluded that in planning the term 'isolated' should be considered to have its ordinary objective meaning of "far away

219 https://cornerstonebarristers.com/cmsAdmin/uploads/braintree-dc-v-ssclg-judgment-28-march-2018.pdf

from other places, buildings or people (Oxford Concise English Dictionary)". The reasoned justification for policy TTV26 states this policy seeks to restrict development that is distant from existing services and amenities, unless exception circumstances are met.

11.49 Policy TTV26.1 is broadly consistent with NPPF paragraph 79, although there are some divergences between the exceptions under TTV26.1 and the NPPF paragraph 79. Of note TTV26.1 (iii) only supports the reuse of redundant buildings for an appropriate use, whereas para 79 requires an immediate enhancement to the setting. In the case of a divergence in the exceptions, either exceptions shall apply.

11.50 With regard to TTV26.1(i) the term 'Rural Worker' is used to describe someone employed in an activity typically associated with an enterprise requiring a countryside location, such as agriculture, forestry or other land-based enterprises.

11.51 TTV26.1(iii) the term 'appropriate use' suggests a use that requires a countryside location, and is highly unlikely to include housing on the basis of the isolated location and lack of relationship with settlements in the hierarchy identified in Policy TTV1.

11.52 TTV26.1(iv) sets a necessarily high bar in terms of architecture and design that is required to mitigate the unsustainable nature of isolated locations. The significant enhancement required to meet the policy should demonstrate how the proposal responds to the unique circumstances of the proposal site. Identifying opportunities for enhancement and a proportionate response to these are critical elements of responding to this requirement. The scale of the proposal should also reflect the rural character of the location, and not seek to introduce new domestic dwellings that would form an incongruous mass of built form or curtilage into the countryside nor introduce an alien form of activity or domestic paraphernalia into an area. Where appropriate, and in order to determine if a proposal meets this particular exception test, the councils may refer applications to the Design Review Panel. This would be at the expense of the applicant, and the case officer would need to attend the review.

TTV26.2 – Development in the countryside

11.53 Any development proposals outside a built up area should also meet the relevant provisions of TTV26.2.

11.54 TTV26.2(ii) 'significant alterations' refers in particular to supporting structures that require repair, replacement or introduction.

11.55 TTV26.2(iii) 'other viable uses' refers to uses that are considered to need a countryside location, and are demonstrably land-based.

11.56 TTV26.2(iv) in order to meet this policy requirement an applicant should provide operational details of the farm business or land-based enterprise to demonstrate the requirement to live onsite. This will be subject to an independent agricultural needs assessment.

11.57 TTV26.2(v) Best and Most Versatile Agricultural Land (BMV) typically refers to classes 1, 2 and 3a. If there is uncertainty over the exact classification it will be up to the applicant to demonstrate what the land classification is for a piece of land. Development proposals on land that is classified as 3b may be resisted if 3b is considered to be the best quality agricultural land within the predominant local character area.

Meeting housing needs in rural areas (TTV27)

11.58 What is this policy about?

11.59 Policy TTV27 recognises that in certain circumstances the benefits associated with delivering housing that meet specific local needs could outweigh the harm associated with developing in a location that is less that optimum in terms of relationship with the existing built form and connectivity to services and facilities.

11.60 TTV27 provides the basis for bringing forward proposals that are an exception to adopted policy providing that they are demonstrably Affordable Housing-led. This policy may be applied to proposals of any scale, including single dwellings.

11.61 For proposals of one or two dwellings it will not be possible to include a proportion of open market share that does not exceed the 40 per cent permitted in policy. For this reason, proposals for one or two dwellings will need to offer a 100 per cent affordable dwelling to be considered policy compliant, as this is the only practical way for the dwelling to meet the aims of the policy. Proposals of three or four dwellings could comprise of no more than one open market housing product in order to meet the specific requirements of this policy.

11.62 If an initial assessment of the suitability of a housing proposal that adjoins a sustainable settlement, or is within or adjoining a smaller settlement that forms part of a network of rural settlements, is likely to result in a recommendation of refusal when considered against the policies of the JLP, it may be appropriate to consider if the outcome would be different if the housing proposal delivered a specific and tangible local benefit. The greater level of public benefit will contribute to outweighing the negative impacts of locating housing in a less than optimum location. Whilst a single affordable dwelling may have limited benefit, it does make a contribution to increasing the accessibility of rural housing to people who may otherwise find it difficult to live in areas where they have a local connection. When weighing the benefits of a proposal against the impacts it should be recognised that once a site goes beyond the edge-of-settlement it is highly unlikely that any social benefit will be able to mitigate the negative impact of introducing built form into a countryside location.

TTV27.1 – Meeting the need for affordable housing

11.63 TTV27.1 this policy uses the same definitions for affordable housing as taken from the NPPF, which includes discount open market housing, as long as it is secured in the form of a s106 requirement that restricts open market values to no more than 80 per cent of the open market average. ‘Proven need’ can be taken from a range of sources, but does not exclusively require an up-to-date Housing Needs Survey. The term ‘local’ is considered as part of TTV1, and may vary depending on the specific impacts of a development and the benefits required to mitigate that impact.

11.64 The policy relies on securing the maximum benefit for local people. Local connection requirements will be written into a planning obligation agreement to secure this, as described previously in this document.

11.65 Please see 12 'Planning obligations, the Community Infrastructure Levy and development viability' for further guidance on planning obligations and 'Affordable Housing (DEV7-DEV9)' for further guidance on affordable housing in the TTV Policy Area.

TTV27.2 – Housing mix

11.66 Where cross-subsidy is required to deliver affordable housing, the amount of open market housing required will be considered on a case-by-case basis. The LPA will require a viability assessment of the overall scheme to demonstrate why the amount of open market housing proposed is required.

11.67 40 per cent is the maximum permissible amount of open market housing, and is not the default threshold. If a proposal concludes that greater than 40 per cent open market housing is required to make a scheme financially viable it will not be considered policy compliant, and will not be considered as sustainable development. The proportion of tenures within the affordable housing offer needs to comply with the most up-to-date needs figures held by the relevant LPA. A proposal that only seeks to deliver discount open market housing will be resisted where there is evidence of need for alternative tenures.

TTV27.3 – Management of the scheme

11.68 Rented and shared ownership accommodation permitted as part of a TTV27 development will be allocated according to the most up to date allocation policy adopted by the Local Planning Authority. Discount open market dwellings will require a local connection eligibility for any owner or occupier, and will have a minimum 20% discount applied against open market value written into a s106 agreement and applied in perpetuity. The amount of discount may be increased depending on affordability levels within the local housing market.

11.69 Local connection restrictions applied in the Undeveloped Coast and Heritage Coast policy area (DEV24) and the Nationally Protected Landscapes (DEV25) may be worded to meet locally specific needs by either settlement or parish.

11.70 Any open market discount will be applied in perpetuity. The 'value' will be taken as an average of three valuations, and may include a valuation from surveyors appointed by the LPA. The value will be determined by the relevant LPA and will be considered final and non-negotiable.

Horse related developments in the countryside (TTV28)

What is this policy about?

11.71 Policy TTV28 provides specific guidance relevant to equine facilities and is in addition to policy TTV26 due to the specific impacts and potential for harm associated with this type of development.

TTV28.2 – Existing and new buildings

11.72 TTV28.2 refers to the extent of building and land contained within a proposal needing to be 'commensurate in size with the number of horses to be kept on the land'. The British Horse Society recommends a ratio of two horses per hectare on permanent grazing (1-1.5 acres per horse). The ratio of number of horses per area will also be used to consider whether the scale of building and associated infrastructure is acceptable. The number of horses being kept on the land is considered to be the correct measure at the time of determination of the application, a proposal will not be considered acceptable if additional space is being planned for the future acquisition of future horses.

TTV28.3 – Management

11.73 TTV28.3 requires that certain parts of the development be detailed in a scheme of management as part of the planning application. The scope of which should reflect guidance from the British Horse Society, including:

- New tracks should follow contours of the land – darker, porous surfacing materials are best;
- Choosing the right natural materials and colour of roof can be enormously effective in helping to blend a new building into the surrounding landscape;
- Keep lighting to the minimum for working and security purposes. Always minimise light spill by angling lighting to the ground and using night sky friendly lamps;
- Consider making space for wildlife in stabling buildings – barn owl boxes, swallow or house martin ledges or bat bricks will be valuable additions;
- Choose a relatively level site and avoid excessive cut and fill. Avoid artificial mounding of soil;
- Group developments with existing features in the landscape such as farm buildings – avoid open fields or remote corners; and,
- Surface dressing should blend with the surrounding landscape, ideally as close to the colour of the local soil as possible. Materials such as sustainably sourced wood chip, sand, or sand mixed with natural fibres are recommended. Avoid the use of synthetic materials.

Residential extensions and replacement dwellings in the countryside (TTV29)

What is this policy about?

11.74 Policy TTV29 provides further guidance about how replacement dwellings and extensions will be considered.

11.75 This policy will apply in all areas considered to be within the countryside. The same rationale will be applied as for TTV26 and TTV1 when considering whether a proposal is within the countryside.

TTV29.2 – Size of replacement dwelling

11.76 In the interests of maintaining a supply of homes that meet the needs of the households living within the TTV Policy Area and in keeping with the aims of DEV8, replacement dwellings should not increase the gross internal floorspace of the previous dwelling by more than 20 per cent.

TTV29.4 – Position of replacement dwelling

11.77 TTV29.4 makes provision for retaining elements of the previous built form of a replacement dwelling by using the same footprint as the previous building. Circumstances may dictate that this is either not possible or practical, in which case an applicant should discuss an alternative location within a plot with the LPA before submitting an alternative location within a planning application. In most cases the relocation of a dwelling will not be supported if it is not substantiated by a sound planning or engineering reason.

TTV29.5 – Extension scale and design

11.78 TTV29.5 considers appropriateness of scale of residential extensions. Extensions that may be considered 'significant' in scale will be those that require planning permission, and that seek to increase the existing internal floorspace of a dwelling by more than 50 per cent. The implications of extending a dwelling to such an extent will be to substantially change the affordability of the property, and as such proposals that do seek to bring about such a significant uplift in floorspace will also be subject to the provisions of policy DEV8, which seek to avoid perpetuating imbalances in the housing stock of the TTV Policy Area. The net loss of a smaller dwelling that is proposed to be extended to make a much larger dwelling will be considered as part of the planning balance.

Specific design details for Okehampton (TTV14)

11.79 The East of Okehampton Masterplan SPD included specific design guidance on allocated sites situated on gateway locations. These gateway sites have been allocated within the JLP and offer opportunities to create high quality built form that defines how the town is initially perceived. Specific design detail below is relevant to the following JLP policy:

- Policy TTV14 - East of Okehampton.

Okehampton character areas

11.80 The below image shows the indicative character areas of Okehampton which have been considered within the wider context of the town, taking into account the existing character areas and the creation of a transitional landscape into the countryside and into Okehampton Hamlets.

11.81

Figure 15 Indicative character areas of Okehampton

The densities associated with each character area needs to be considered alongside the housing mix requirements identified within the Strategic Housing Market Needs Assessment (SHMNA) that forms part of the JLP evidence base. While the SPD identifies where it may be applicable to deliver lower densities, this does not override the requirement to deliver a mix of dwellings size, types and tenures as identified within DEV8.

Traditional Okehampton character area

11.82 The 'traditional Okehampton' character area should contain a mix of detached, semi-detached and terraced housing types that are generally two storeys in height. An element of properties which contain third floor living within the roof space, reflecting the character of the town centre, will also be appropriate where the amenity of neighbouring properties is not compromised (i.e. by overlooking), there is minimal impact on the landscape and where such properties contribute in a positive manner to the quality of design of the local street scene. On these properties, there should be gable end windows and/or dormer rooflights. The differing topography in these areas may also lend itself to an element of split level housing.

11.83 There should be a higher density of dwellings along the main routes within this character area, reflecting the proximity to public transport routes, education and community facilities. There should be a strong built frontage along the main roads through the development. Key/focal buildings should be located along the main routes and around the neighbourhood centre.

11.84 Streets should be laid out in a compact built form which is similar in character, form and layout to the residential neighbourhoods in the centre of Okehampton. They should be designed as subtly defined carriageways and should not have a major strategic role.

Rural hamlet character area

11.85 Dwellings in the 'rural hamlet' character area should be appropriately grouped or clustered in an inward facing manner around a central courtyard or green space reflecting the rural hamlet characteristics of the farmsteads in the area. Typically these clusters should comprise of one larger unit/higher status building set within a larger curtilage (to replicate the traditional farm house), with a smaller grouping of buildings to reflect traditional barns, thereby creating a range of different housing types.

11.86 This character area should have strong pedestrian and cycle links to the Stockley Valley and to the rest of Okehampton (including the area covered by the 'traditional Okehampton' character areas, as well as good access to the surrounding countryside.

11.87 Hedgerows and existing trees should be a positive and strong feature of the built form, supplemented by additional planting, particularly along the boundaries, to create a strong landscape structure within which the development sits.

Materials

11.88 Typical materials that have been used historically in the Okehampton area are natural slate, stone and render. New development should aim to incorporate these locally sourced materials in buildings, rooftops and surfaces wherever possible. The use of render has also featured on more recent 20th century developments in the town and more modern sustainably sourced materials can be incorporated effectively into new developments where they are in keeping with the style of the area and can complement the more traditional materials.

11.89 Natural slate should be used on roof surfaces. Ideally, a mix of differing natural slates will be used throughout the new development to provide texture and interest to the roofscape. This is particularly important for the views into the site from the Dartmoor National Park and wider countryside. Concrete roof tiles will be resisted.

11.90 Where natural stone is to be used, particularly on key buildings and vistas, it should be randomly laid in lime mortar. Natural stone is encouraged on ancillary buildings and boundaries (for example on garages where the house is rendered). Brickwork will be discouraged as it is not typical of the local style.

11.91 There is a clear palette of colours which are distinctive to Okehampton and the Hamlets and should be used as the basis of building and street colour design in the new development for both residential and employment uses. These are shown below and can be used to reflect the existing buildings in the new whilst also providing identities to different areas of the new development.

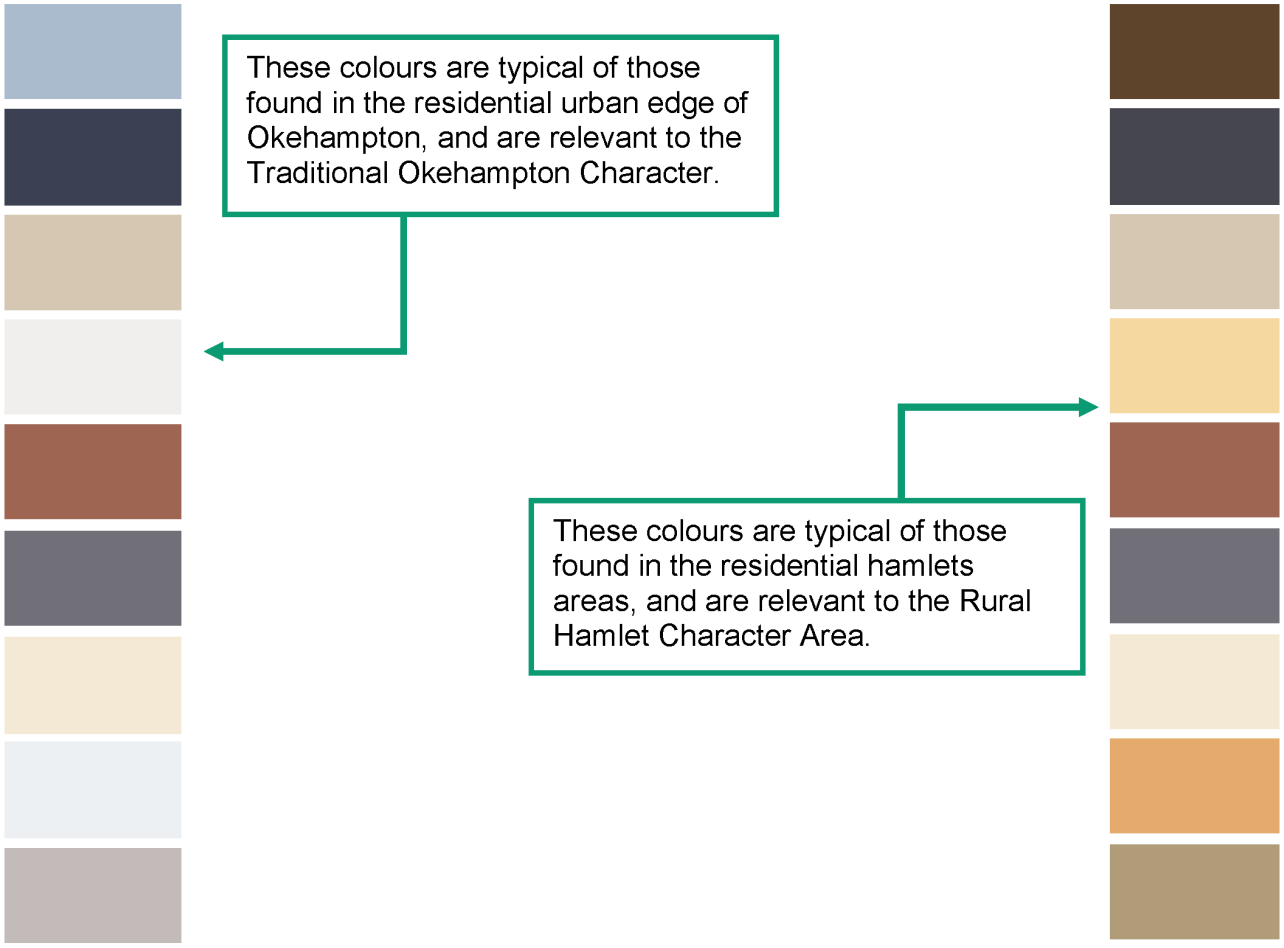

Figure 16 Okehampton colour palette

Specific design details for Tavistock (TTV16 and TTV17)

11.92 The South and South West of Tavistock Masterplan SPD included specific design guidance on allocated sites situated on gateway locations. These gateway sites have been allocated within the JLP and offer opportunities to create high quality built form that defines how the town is initially perceived. Specific design detail below is relevant to the following JLP policies:

- Policy TTV16 - Callington Road, Tavistock; and,
- Policy TTV17 - Plymouth Road, Tavistock.

11.93 The concept map for TTV16 shown below establishes broad locations and uses, and does not seek to fix specific uses to particular locations.

Tavistock character areas

11.94 The below image shows the indicative character areas of Tavistock which have been considered within the wider context of the town, taking into account the existing character areas and the creation of a transitional landscape into the countryside.

Figure 17 Indicative character areas of Tavistock

11.95 The densities associated with each character area need to be considered alongside the housing mix requirements identified within the Strategic Housing Market Needs Assessment that forms part of the JLP evidence base. While the SPD identifies where it may be applicable to deliver lower densities, this does not override the requirement to deliver a mix of dwellings size, types and tenures as identified within DEV8.

Larger plot residential character

11.96 This character area will comprise a lower density layout of predominantly semi-detached and detached properties. Situated on the higher ground, buildings should be interspersed with dense tree clusters and hedgerows so that these form the dominant features on the ridgeline, rather than the homes themselves. Skyline development will be resisted and buildings should be set down on the appropriate contour to avoid roof break across the ridgeline.

11.97 The streets in this area should be designed as subtly defined carriageways with no major strategic movement role. Their primary use should be for walking, cycling and an extension of the outdoor living environment.

Terraced residential character areas

11.98 This character area does not simply mean rows of terraced properties but refers instead to a strong building line facing onto the main vehicle routes within the development. Pedestrian footpaths should be provided along the building line so that the homes do not directly front the street. Along this building line, there should be an appropriate mixture of terraced town houses and semi-detached properties which have direct access onto the street. This should be interspersed by green frontages of hedges and/or trees to reflect the developments location on the fringes of the town. The main open spaces and community areas within the development should form part of this character area, benefiting from being easily accessible and overlooked by these homes. Higher densities of development can be accommodated within this character area, including opportunities for some flatted developments around the central 'hub'.

Shared space residential character areas

11.99 This character area should be found on the lower slopes of development and where there are opportunities for residential development to flow seamlessly into the surrounding countryside. They should be located on the peripheries of the allocation and have a dominant character of quiet spaces in a safe and social environment where pedestrians and cyclists are given priority over the private car. To encourage this, no through traffic should be permitted within this character area.

Materials

11.100 In Tavistock, the design of new buildings should draw inspiration from the World Heritage Site and the buildings within the town's conservation area. Typical materials that have been used historically are Hurdwick stone, Dartmoor granite, copper, local slates and timber. New development should aim to incorporate these locally sourced materials in buildings, rooftops and surfaces wherever possible. The use of render on other materials has also featured on more recent 20th century developments in the town and more modern materials can be incorporated effectively into new developments where they are in keeping with the style of the area and can complement the more traditional materials.

11.101 It is not necessary for new development to replicate the urban form of the past but to take inspiration from the special qualities of the historic built environment. The Council will encourage developments which successfully integrate features of the past with innovative, sustainable and modern design and construction methods. The 'fabric first' principle should be applied which means that the need for energy is reduced at the outset and the use of appropriate materials is key to this. This should be supported by overall energy efficient design which incorporates high standards of insulation, glazing and ventilation.

11.102 The overarching aim is to achieve a high quality, locally distinctive development which embodies the enduring character of the town whilst creating a sustainable development of its time.

11.103 Some materials (such as some mixes of self-coloured render) which have been used on recent developments have led to premature ageing of buildings and staining and the Council is keen to avoid the continued use of such materials and techniques. The Council will actively encourage the use of materials which will weather appropriately over time and contribute to the long-term attractiveness of the development. The highest specifications of design and materials possible will be sought across the development.

11.104 There is a clear palette of colours which are distinctive to Tavistock and should be used as the basis of building and street colour design in the new development. These are shown on the below:

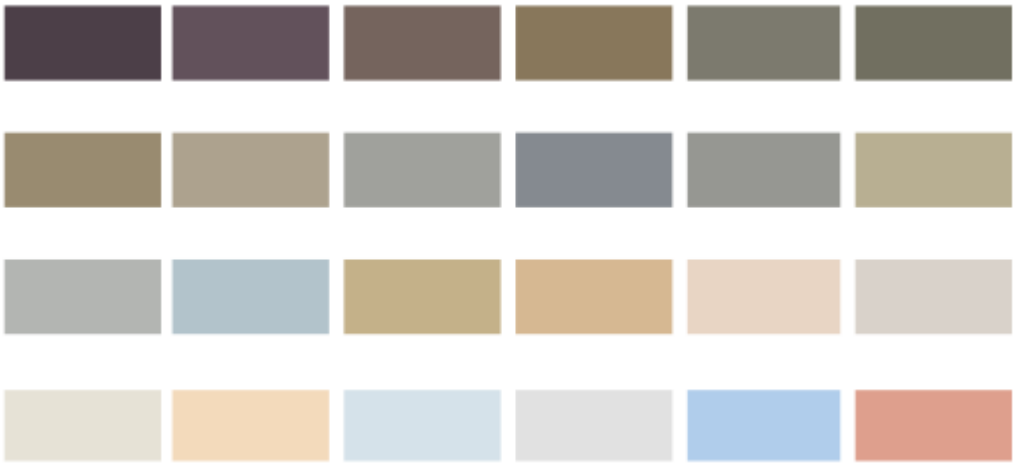

Figure 18 Tavistock colour palette

12 Planning obligations, the Community Infrastructure Levy and development viability

Introduction

12.1 Almost all development has some impact on the environment or amenities, or on the need for infrastructure, facilities and services. Sometimes, the impacts may be of such significance that development should not be permitted. However, often they can be mitigated through the design of the scheme and the use of planning conditions and/or through appropriate mitigation measures, including financial contributions and provisions to help address the cumulative impacts of development on infrastructure.

12.2 The section below helps provide clarity to developers, planners, stakeholders and local residents about how planning obligations will be sought and the impacts of development mitigated.

Policy context

12.3 The guidance in this section operates within the context of Strategic Objective SO12 (delivering infrastructure and investment) and primarily supports policy DEL1 in the JLP which sets out the policy approach that the LPAs will take in considering planning applications and in planning negotiations. It also reflects national guidance in the NPPF, in particular paragraphs 34 and 54-57.

12.4 Unless indicated otherwise, the guidance below applies to both the PPA and the TTV Policy Area.

12.5 The impacts of development are not constrained by administrative boundaries; where this is the case planning obligations and conditions may need to provide for mitigation measures in the adjoining area.

12.6 This SPD should be considered alongside the Developer Contributions Evidence Base document which sets out the methodologies for calculating benchmark developer contributions towards infrastructure required to mitigate the impacts of development. Whilst consistency of approach has been sought wherever possible, this is not always appropriate given the different geographies of the Plan Area and local government structures.

12.7 The evidence base document includes evidence and formulae to help provide a proportionate approach for determining the costs of mitigating the impacts of development, ensuring planning obligations are necessary, directly related and fairly and reasonably related in scale and kind to the development. The basis for the relationship between the JLP, the SPD and the Developer Contributions Evidence Base is shown below:

Evidence, including viability assessment

Joint Local Plan establishes policy

SPD illustrates and expands on how the policy will be applied

Developer Contributions Evidence Base sets out the financial calculation and changes for mitigation requirements

Site specific circumstances will dictate the exact type and level of contribution sought

12.8 Site specific circumstances will dictate the exact type and level of planning obligation to be negotiated.

12.9 Policies within the plan identify the strategic infrastructure measures for both the PPA and the TTV include:

- PLY37 (Strategic infrastructure measures for the City Centre and Waterfront Growth Area);
- PLY47 (Strategic infrastructure measures for the Derriford and Northern Corridor Growth Area);
- PLY57 (Strategic infrastructure measures for the Eastern Corridor Growth Area); and,
- TTV3 (Strategic infrastructure measures for the Main Towns).

12.10 Whilst not exhaustive, Annex 1 (infrastructure schedule) of the JLP also lists significant infrastructure interventions required to deliver the overall thrust of the plan and its key objectives.

Infrastructure Needs Assessment (INA)

12.11 To support the identification and delivery of infrastructure and facilities across the Plan Area, an Infrastructure Needs Assessment (INA)[220] was produced which included an infrastructure schedule for both the PPA (Appendix 3)[221] and TTV (Appendix 4)[222]. The INA forms part of the Plan for Investment and Infrastructure[223] and is used to inform decisions on plans, programmes and priorities. It also demonstrates to funding bodies and investors that the LPAs have a clear understanding of the area's infrastructure needs through to 2034.

12.12 The INA provides an assessment of the funding required to achieve the aspirations for the Plan Area and any gaps in funding provision, and hence will also support the review of the Community Infrastructure Levy (CIL) for Plymouth and decisions over the use of Section 106 agreements. It is a 'living document' that will be kept up to date to ensure it remains relevant in response to opportunities, pressures and changes over time, such as technological advances. The INA contributes to and supports the Plan for Infrastructure and Investment which is a key coordinating document and will effectively be the Infrastructure Delivery Plan for the JLP. The INA provides a complete list of infrastructure interventions and was used to inform the content of Annex 1 of the JLP.

12.13 The Plan for Investment and Infrastructure, with the most up-to-date INA, and other infrastructure planning tools, such as funding calculators, will be used to help determine the value and prioritise developer contributions to achieve their most effective use alongside other funding sources.

Approach to development delivery and viability, planning obligations and the Community Infrastructure Levy (DEL1)

12.14 The Community Infrastructure Levy (Amendment) (England) (No.2) Regulations 2019[224] came into force on 1 September 2019. Changes include the removal of the restriction on pooling of S106 agreements and the replacement of regulation 123 lists with annual

220 https://www.plymouth.gov.uk/sites/default/files/InfrastructureNeedsAssessment2017.pdf
221 https://www.plymouth.gov.uk/sites/default/files/PPAInfrastructureSchedule.pdf
222 https://www.plymouth.gov.uk/sites/default/files/TTVInfrastructureSchedule.pdf
223 https://www.plymouth.gov.uk/sites/default/files/PlanForInfrastructureAndInvestment2017.pdf
224 https://www.legislation.gov.uk/uksi/2019/1103/contents/made

Infrastructure Funding Statements. As such, both S106 and CIL can be spent on the same infrastructure project, with details of the Council's intentions being set out in annual Infrastructure Funding Statements.

What is this policy about?

12.15 DEL1 is a policy which recognises that a positive and strategic approach needs to be taken in relation to planning consents, planning obligations/agreements, and the Community Infrastructure Levy (CIL) in order to accelerate the delivery of development and secure developer contributions to meet the Plan Area's infrastructure needs.

DEL1.2 – Community Infrastructure Levy (CIL)

12.16 CIL was introduced through the Community Infrastructure Levy Regulations 2010[225] and currently only operates in the Plymouth administrative area.

12.17 CIL is a charge which local authorities can place on certain development types to help fund infrastructure improvements needed to support new development in their areas.

12.18 CIL can finance measures to mitigate both cumulative and direct impacts of development which might otherwise have been sought through the Section 106 planning obligations process. Unlike planning obligations, CIL receipts from a particular development are not earmarked for particular infrastructure. Instead, the majority of CIL monies are pooled into one fund which can then be used to pay for a wide range of infrastructure at different levels (strategic, citywide and local) that are required to support the needs of sustainable development.

12.19 To charge CIL the authority must have an adopted CIL Charging Schedule in place. Plymouth's CIL Charging Schedule, came into effect on 1 June 2013.

12.20 Whilst CIL can only make a limited contribution to the provision of infrastructure, in Plymouth it will normally be prioritised towards mitigating the cumulative impacts of development and the delivery of selected large strategic projects, especially where reliance on S106 contributions is likely to be difficult or insufficient. CIL is targeted at strategic infrastructure with S106 being primarily about local mitigation but supporting strategic infrastructure projects.

12.21 Consequently, the positive use of S106 agreements will support other types of strategic infrastructure, where the three statutory tests (detailed below) can be met. This can include: transport; education; health; natural infrastructure and playing pitches. S106 agreements will also support local infrastructure provision and initiatives such as: play areas; local green space and transport improvements and community infrastructure such as: youth or other services; libraries; community buildings and recycling centres.

DEL1.3 – Planning obligations

12.22 When assessing a planning application, the LPAs can take into account specific conditions, restrictions, activities or operations which would make the development proposal acceptable in planning terms. These are referred to as 'planning obligations' and can be used not only to mitigate the impacts of development but also to prescribe uses and secure policy compliance, such as affordable housing, and compensation for facilities lost through

225 https://www.legislation.gov.uk/uksi/2010/948/contents/made

development. Planning obligations (delivered through what are known as 'Section 106 agreements') are also an established and valuable mechanism for securing developer contributions towards meeting the infrastructure needs of a development.

12.23 A Section 106 Agreement is normally drawn up to include all relevant parties with a legal interest in the site. In some circumstances, an applicant may draft and submit a Section 106 Obligation without LPA involvement in the drafting of it, in the form of a 'unilateral' planning obligation. In both instances this is a legal agreement that is binding on the part of the signatories including the landowner and any subsequent owner of the land.

Planning obligation tests

12.24 Regulation 122 of the Community Infrastructure Levy (CIL) Regulations 2010[(226)] and the NPPF makes it unlawful for a planning obligation to constitute a reason for granting planning permission unless it meets the three statutory tests:

1. The obligation is necessary to make the development acceptable in planning terms;
2. The obligation is directly related to the development; or,
3. The obligation is fairly, and reasonably, related in scale and kind to the development.

12.25 All planning obligations will be negotiated on a case-by-case basis in order to ensure that the three tests outlined above are complied with. The guidance in this SPD and the information contained in the supporting Developer Contributions Evidence Base Document will help to ensure that the LPAs take a consistent approach in applying the tests:

1. **Test One** *(necessary to make the development acceptable in planning terms)* – the SPD provides guidance on the policy justification and the overall need for a planning obligation, which in the case of infrastructure impacts is related to evidence of infrastructure capacity. The LPAs published the evidence of infrastructure need in the form of the Infrastructure Needs. The LPAs will keep this evidence under ongoing review and publish updates on its website where appropriate.
2. **Test Two***(directly related to the development)* – the SPD and evidence base is fully consistent with the principle that planning obligations will only be sought which are directly related to the development. In respect of mitigation of the development's impacts, where these are local (e.g. an impact on a local transport junction) then the mitigation sought will be for the relevant local improvement; and where it is strategic (e.g. an impact on the need for strategic sports and leisure facilities) then the mitigation sought will be for the relevant strategic improvement. It will not always be possible to identify the precise project that a planning obligation will relate to. For example, there may be two or three projects under consideration, each of which would address an impact but where the service provider has yet to decide on which one to advance. However, the planning obligation will clearly commit the developer contributions to an appropriate project so that the obligation is directly related to the development.
3. **Test Three***(fairly and reasonably related in scale and kind to the development)* – the SPD provides guidance to ensure that obligations are proportionate and do not seek measures beyond what is needed to mitigate the particular impacts of the development. The LPAs will have regard to the formula based approaches to calculate the cost of impact mitigation for each unit of development. This is set out in the Developer Contributions Evidence Base document. This approach will help ensure that planning obligations are fair and reasonably related in scale and kind to the development.

226 http://www.legislation.gov.uk/uksi/2010/948/made

Thresholds

12.26 The indicative thresholds to help determine the scale of development below which negotiated infrastructure contributions are set out in the table below:

Development type	Plymouth	South Hams and West Devon
Residential	10 or over	5 or over

Table 37 Thresholds below which infrastructure contributions are unlikely to be sought

12.27 Commercial development may also have an impact and require contributions. This will be considered on a case-by-case basis, based on the size and type of development proposed.

12.28 Please note that these thresholds are a guideline only and there may be circumstances where infrastructure contributions would still need to be sought, for example, in relation to a smaller development on a green space which needs to mitigate its impacts off-site in order to satisfy the requirements of DEV27.

12.29 'Made' Neighbourhood Plans also need to be considered as some may set thresholds which are different from the above. Where they are different from the above table, thresholds identified in adopted Neighbourhood Plans will take precedence.

12.30 The progress and status of Neighbourhood Plans across the Plan Area can be found here on the South West Devon Neighbourhood Plans page[227] and the Plymouth Neighbourhood Plans page[228].

Planning obligation types

12.31 Planning obligations generally fall into four types which are outlined at Policy DEL1.3:

- **Type 1** An obligation which prescribes the nature of the development so that it meets policy requirements (such as the delivery of affordable housing or future proofing for district energy);
- **Type 2** An obligation which offsets the loss of any significant amenity or resource through compensatory provision elsewhere (such as an impact on wildlife, loss of employment uses, loss of community facilities);
- **Type 3** An obligation which provides for the ongoing maintenance or upkeep of facilities provided as a result of the development, or secures commuted maintenance sums for facilities that a developer would like the responsible agency to adopt;
- **Type 4** An obligation which mitigates the impact of development on infrastructure, including its cumulative impact, through direct provision or a financial infrastructure contribution, including on natural infrastructure and European sites.

12.32 Contributions to mitigate the infrastructure impact of development (Type 4 obligations) will be negotiated on a case-by-case basis, and only where there is evidence of an impact and an identifiable means for mitigating that impact. Such contributions can be sought retrospectively where an infrastructure scheme has been forward funded to unlock growth potential in anticipation of future development contributions. To assist the negotiation process,

227 https://www.neighbourhoodplanning.swdevon.gov.uk/
228 https://www.plymouth.gov.uk/neighbourhoodplanning

the SPD Developer Contributions Evidence Base document identifies need and sets out formulae which enable an average infrastructure mitigation cost per unit of development to be calculated. This Evidence Base document will be updated when necessary to reflect changing evidence and costs.

12.33 In order to ensure a consistent approach to Type 4 planning obligations, the following sections consider a number of the matters that a planning obligation might seek to address. However, an obligation will only be sought in relation to these matters where to do so would comply with Regulation 122 of the CIL Regulations 2010.

12.34 The primary infrastructure types, where contributions may be sought through the planning obligation process, include:

- Transport – including strategic transport projects to address the cumulative impacts of growth, public transport provision, travel planning and local highway and sustainable transport measures, including electric vehicle chargepoints;
- Education – including primary, secondary, early learning, special educational needs (SEN) provision and school transport;
- Healthcare – including primary care facilities in South Hams and West Devon and Wellbeing Hubs in Plymouth;
- Natural infrastructure – including strategic spaces needed to address the cumulative impacts of the growth of the city and city green spaces that meet wider than local community needs for recreation, as well as local spaces to meet community needs for recreation and play;
- Energy – including district energy or where measures for on-site carbon mitigation cannot be achieved;
- Sports infrastructure – including playing pitch provision;
- Community facilities – including libraries, waste/recycling facilities, village halls/community centres, youth provision, extra case housing and flood risk infrastructure;
- Public realm;
- Coastal defence measures;
- Low carbon / district heating measures;
- Plan for trees (PCC only);
- European Marine Site (EMS); and/or,
- Local employment and training initiatives.

12.35 If a planning obligation is required to mitigate development a planning obligations draft Heads of Terms (HoT), applicant's and solicitor's details and title information will need to be submitted as part of the validation process for what is willing to be provided as a contribution.

12.36 The following table sets out the four types of planning obligations together with infrastructure examples linked to the relevant JLP Policies. Earlier Sections of the JLP SPD, as indicated in the final column, provide an explanation of the relevant JLP Policies:

Planning obligation type	Infrastructure example with JLP Policy reference	SPD Section
Type 1 – Planning obligations	**Affordable housing provision** DEV7 – Meeting local housing need in the PPA	4

Planning obligation type	Infrastructure example with JLP Policy reference	SPD Section
which prescribe the nature of development so that it meets a policy requirement	DEV8 – Meeting local housing need in the TTV Policy Area DEV9 – Meeting local housing need in the Plan Area	
	Local employment and skills DEV19 – Provisions for local employment and skills	5
	Protecting and enhancing biodiversity and geological conservation DEV26 - Protecting and enhancing biodiversity and geological conservation	7
	Delivery of landscape and biodiversity measures DEV23 – Landscape character DEV26 – Protecting and enhancing biodiversity and geological conservation	7
	District heating future proofing DEV32 – Delivering low carbon development	9
Type 2 – Planning obligations which offset the loss of any significant amenity or resource through compensatory provision elsewhere	**Loss of employment uses** DEV14 – Maintaining a flexible mix of employment sites DEV15 – Supporting the rural economy	5
	Impact on Areas of Outstanding Natural Beauty (AONB) DEV25 – Nationally protected landscapes	7
	Impact on wildlife DEV26 – Protecting and enhancing biodiversity and geological conservation	7
	Mitigating impacts on valued green and play spaces DEV27 – Green and play spaces	7

Planning obligation type	Infrastructure example with JLP Policy reference	SPD Section
	Mitigating tree loss DEV28 – Trees, woodlands and hedgerows	7
	Loss of community facilities DEV30 – Meeting the community infrastructure needs of new homes	8
	Offsetting carbon emissions DEV32 – Delivering low carbon development	9
Type 3 – Planning obligations which provide for the ongoing maintenance of facilities and measures provided as a result of development	**Commuted payments for maintenance of facilities and measures provided** DEV3 – Sport and recreation DEV4 – Playing pitches DEV20 – Place shaping and the quality of the built environment DEV26 – Protecting and enhancing biodiversity and geological conservation DEV27 – Green and play spaces DEV28 – Trees, woodlands and hedgerows	3, 6 and 7
Type 4 – Planning obligations which mitigate the impact of development on infrastructure through direct provision or a financial infrastructure contribution	**Sports, recreation and playing pitches** DEV3 – Sport and recreation DEV4 – Playing pitches	3
	Public realm (including public art) DEV20 – Place shaping and the quality of the built environment	6
	Area of Outstanding Natural Beauty (AONB) DEV25 – Nationally protected landscapes	7
	European Marine Site (EMS)	7

Planning obligation type	Infrastructure example with JLP Policy reference	SPD Section
	DEV26 – Protecting and enhancing biodiversity and geological conservation and SPT14 – European sites – mitigation of recreational impacts from development	
	Play areas DEV27 – Green and play space	7
	Green infrastructure, including trees DEV27 – Green and play spaces DEV28 – Trees, woodlands and hedgerows	7
	Transport and highways DEV29 – Specific provisions relating to transport	8
	Education DEV30 – Meeting the community infrastructure needs of new homes	8
	Healthcare DEV30 – Meeting the community infrastructure needs of new homes	8
	Libraries DEV30 – Meeting the community infrastructure needs of new homes	8
	Community facilities DEV30 – Meeting the community infrastructure needs of new homes	8

Table 38 Planning obligation 'type', infrastructure example and relevant SPD section

Implementation of obligations and conditions

12.37 The following paragraphs detail the LPA's approach to the procedural elements of implementing DEL1.

Validation process

12.38 Planning applicants will be required to comply with the requirements of the relevant LPA's Local Validation List. Meeting these requirements will enable the LPA to process planning applications more efficiently and within the tight timescales set by Government.

12.39 It is important that applicants and their agents developers understand and familiarise themselves with the legal responsibilities that they have in respect of CIL, planning obligations and the planning application process.

Outline applications and pre application discussions

12.40 The LPAs encourage pre-application discussions with regard to planning obligations and conditions. The early discussion of planning obligation matters, specific proposals and potential abnormal development costs will provide greater clarity and certainty for developers as to the type and scale of contributions potentially sought and the conditions that may be needed to mitigate development impacts.

Drafting of agreements

12.41 Planning Agreements will normally be drafted by the LPA based on the use of 'Standard Agreements' to speed up the preparation of the S106 agreement. The LPAs will provide standard legal agreements and standard unilateral undertakings.

Financial contributions

12.42 All financial contributions contained in S106 agreements are expected to be paid within six months of the date of the agreement unless otherwise agreed. If any of the contributions are not paid within the timeframe, contributions will be index linked by increasing the specified sum in accordance with the following formula:

$$Y=(CxB)/A$$

Where:

- A is the value of the retail price index (RPI) compiled and published by the Office for the National Statistics last published before the said date of the agreement;
- B is the value of the RPI last published before the contribution is given;
- C is the amount of the contribution specified in the agreement; and
- Y is the amount of the contribution to be paid.

Table 39 Index linking formula for late financial contributions

12.43 However, to support development viability the LPAs recognise that this will not always be practical. In these circumstances, the LPA will accept payments at specific stages during the development process, for example, upon first occupation of half the dwellings etc. Trigger dates for the payment of financial contributions will be included in the S106 Agreement, as will any time periods by which the contribution is to be committed or spent.

12.44 In addition to index linking, late payment interest at 4 per cent above bank base rate will be added in the event of late payment of any invoices or demands for payment.

12.45 Contributions remaining unspent at the end of any time period specified in the S106 agreement will, on request, be returned to the payee along with any interest accrued.

12.46 The LPAs will, in most cases, seek to negotiate a five year time period to implement planning obligations where these involve the payment of a developer contribution. This is considered to be a reasonable timescale for the delivery of many mitigation measures. However, where a more strategic or complex intervention is needed, or resources need to be pooled from a variety of developments, then a longer time period will be sought, up to a maximum of 15 years.

12.47 The LPAs aim to take a strategic approach to infrastructure delivery, which includes taking a view on the most appropriate funding routes and identifying investment and delivery plans for its growth areas. It will use this process to consider which infrastructure needs are best supported through CIL revenues and to anticipate development proposals which may make contributions through planning obligations.

Monitoring, management and implementation of obligations and conditions

12.48 The monitoring and management of planning obligations will be undertaken by the LPAs to ensure that all obligations entered into are complied with on the part of both the developer and the Council, and that all financial contributions are committed and spent in accordance with the Agreement. Enforcement action may be taken by the LPAs where conditions or planning obligations are not being complied with.

12.49 Monitoring information detailing the agreements and the progress of agreements will be kept on a database maintained by the LPAs. The process will provide assurance that obligations have been spent in full and appropriately.

Fees

12.50 Applicants will be required to meet their own and the Council's reasonable costs, such as legal costs, of producing planning obligation agreements, whether the agreement is completed or not.

12.51 In addition, a Planning Obligation management fee will be payable on the signing of Section 106 agreements to meet the LPA's costs in administering and monitoring the agreement. Separate contributions may also be required for other specialist work in order to meet the Council's costs. The level of fee will be reviewed on an annual basis and published in the relevant LPA's Planning Services Fees Policy.

DEL1.5 – Development viability

12.52 The JLP has undergone comprehensive viability testing, including consultation with the development industry, and the plan policies found to be viable. Developments which comply with those policies are assumed to be viable and do not require a viability assessment. The majority of developments within the JLP area are expected to be both policy compliant viable and therefore the use of viability assessments should be considered as exceptional.

12.53 Where an applicant contends that planning obligations sought would make a proposal economically unviable DEL1.5 requires robust viability evidence to be submitted. It is expected that the applicant will submit accurate, complete and detailed information at the earliest opportunity in order to support a thorough appraisal of the scheme's economics. It is for the applicant to demonstrate whether the particular circumstances of their scheme justify the

need for a viability assessment. Any viability assessment submitted must refer back to the viability study that informed the JLP and should clearly articulate and provide evidence for what has changed since then.

12.54 Financial viability should be considered by applicants as a material consideration at the earliest opportunity. Where an applicant engages with the LPAs prior to the submission of a planning application this matter will form part of the advice provided to the applicant.

12.55 If during the course of determining a planning application it becomes apparent that viability is a material consideration it is expected that an extension of time will be required in order to review the viability position.

12.56 The financial viability assessment should be undertaken in accordance with the NPPF and reflect the recommended approach in the NPPG. Industry guidance, such as that provided by the RICS, may be referenced but it should be considered secondary to Planning Practice Guidance. If there is any conflict between Planning Practice Guidance and other guidance then the other guidance should be disregarded.

12.57 Any viability information which the applicant wishes the LPA to consider when determining the planning application will be publicly available unless specific commercial sensitivity or harm that outweighs the public interest can be evidenced. Any submitted viability assessment will be published on the planning portal other than in these exceptional circumstances.

12.58 The applicant will be required to fund the LPA's reasonable costs associated with the assessment of a viability assessment, as outlined in the LPA's fees policies.

Viability considerations following the grant of planning permission

12.59 Where a development has been identified by the LPAs as genuinely stalled due to unforeseen circumstances the LPAs may, at their discretion, and in line with planning policy, renegotiate Section 106 obligations.

12.60 The applicant will be required to fund the LPAs' reasonable costs in assessing the new assessment and supporting evidence in line with the Council's published fees policy. Should the LPAs agree to vary the section 106 agreement, the applicant will be required to meet the LPAs' reasonable costs for varying the agreement, including legal costs.

12.61 Applicants will be expected to identify and evidence what has materially changed between submission of the original planning application and the renegotiation. Errors in the original viability assessment would not normally be justification for a renegotiation of planning obligations.

12.62 Realisation of risk or underperformance against profit expectations are not considered to be justification for a post planning permission viability review.

12.63 A revised financial viability assessment will be required to support the application provided to the same standards as described in this Supplementary Planning Document.

13 APPENDIX 1: Residential extensions and alterations

Introduction

13.1 House extensions and other alterations can provide valuable additional space for households and improve the quality of accommodation. However, if not thoughtfully designed and carried out, they can lead to problems for adjoining householders and can contribute to a decline in residential amenity.

13.2 In some cases planning permission is not needed due to permitted development rights. The Town and Country Planning (General Permitted Development) (England) Order 2015 [229] is the principal order which sets out when planning permission is not needed, provided that no restrictive condition is attached or that the development is exempt from the permitted development rights through an 'Article 4' or 'Article 3' direction.

13.3 Although not definitive, it is recommended that in the first instance the Planning Portal [230] is looked at, to review guidance on permitted development and further information on residential alterations and extensions.

13.4 To view guidance on extensions for houses which are listed or within a conservation area please see Section 6.

13.5 If an extension is for someone with a disability it is best to consult with planning officers at an early stage through the LPA's pre-application services. Wherever possible, the LPAs will support proposals that are for the sole benefit of someone with a disability. However, applications will still need to apply the design principles in this SPD to ensure neighbours are not adversely affected by the proposals.

Residential extensions

Visual impact

13.6 Extensions and alterations should relate well to the main dwelling and character of the area. They should generally follow the same architectural style and use the same materials as the original dwelling. Proposals should also respect the character of the area, including building form and layout, architectural style and materials.

13.7 Occasionally, extensions which differ or even contrast with the original property can be acceptable. However, even where materials or designs contrast there should still be a harmonious relationship with the main body of the property being extended.

229 http://www.legislation.gov.uk/uksi/2015/596/contents/made
230 https://www.planningportal.co.uk/

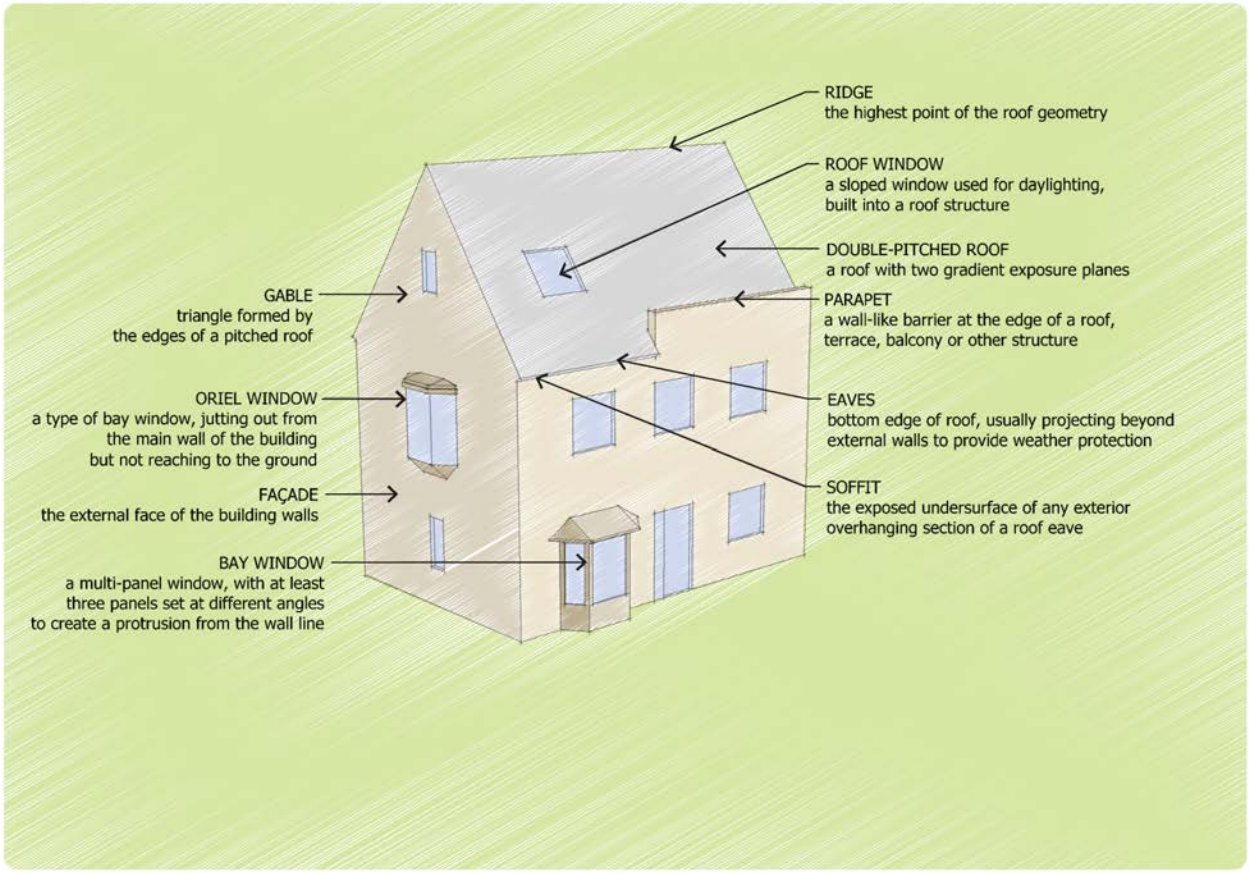

Figure 20 Technical terms for house design

Materials

13.8 Materials used in house alterations or extensions should generally match those of the existing house and relate to the surrounding area. In particular it is important to consider the impact of exposure and weathering on materials to ensure they will weather attractively. For example, in the PPA specifically, when using render, silicone render should be used to reduce the risk of staining and algae growth that has affected many buildings completed in recent years.

13.9 It is also important to ensure that small but important details, such as mortar colour and bonding style, are correct.

13.10 A condition may be applied to a planning permission to require particular materials to be used. For further guidance please see 14 'APPENDIX 2: Specific materials for the Plan Area'.

Roofs

13.11 The shape, pitch and colour of roofs (and the roofing materials) on house extensions should normally mirror those of the original home unless there are clear reasons why this is not reasonable or practicable.

13.12 Flat roofs will be discouraged where they are not a feature of the original house although they can sometimes be acceptable at the rear of properties, particularly where they are not prominent and help to reduce the height of an extension.

13.13 Green roofs will be encouraged where appropriate to support biodiversity, rainwater run-off attenuation and visual amenity etc.

13.14 When considering the roof design and orientation, the LPAs will also consider the potential for installing solar photovoltaic or thermal renewable energy.

Figure 21 Technical terms for roof designs

Windows

13.15 The positioning and design of windows is crucial to achieving a unified exterior. The windows in an extension should reflect the proportions of the existing windows. The size, shape and materials of windows should correspond with the existing windows and the horizontal and/or vertical divisions of individual windows should match.

13.16 Habitable room[231] windows should be positioned to maximise available daylight and sunlight and should normally be located to the front or rear of the dwelling.

Privacy

13.17 The LPAs have a responsibility to protect the existing amenities of all residents. Any alteration or extension should not have an unacceptable effect on the standard of living offered to occupants of homes that are to be extended and their neighbouring properties.

231 For the purposes of this document a habitable room is defined as a room used, or intended to be used, for dwellinghouse purposes (such as a livingroom, bedroom or kitchen).

13.18 The levels of privacy expected from a residential environment will differ depending upon the location. For example, within densely developed contexts such as city, town or neighbourhood centres, or areas with a medieval street pattern, it is reasonable to assume that privacy might be less than in lower-density neighbourhoods and in these circumstances other design solutions may be appropriate such as oriel windows for habitable rooms and obscured glazing in other rooms.

13.19 Habitable room windows facing directly opposite one another should be a minimum of 21m apart for a two-storey development, as shown below. This distance should be increased to when one or more of the buildings are three-storeys in height or there is a drop in levels. An exception may be allowed where the proposed extension is a single storey, and/or there is a boundary wall between the properties.

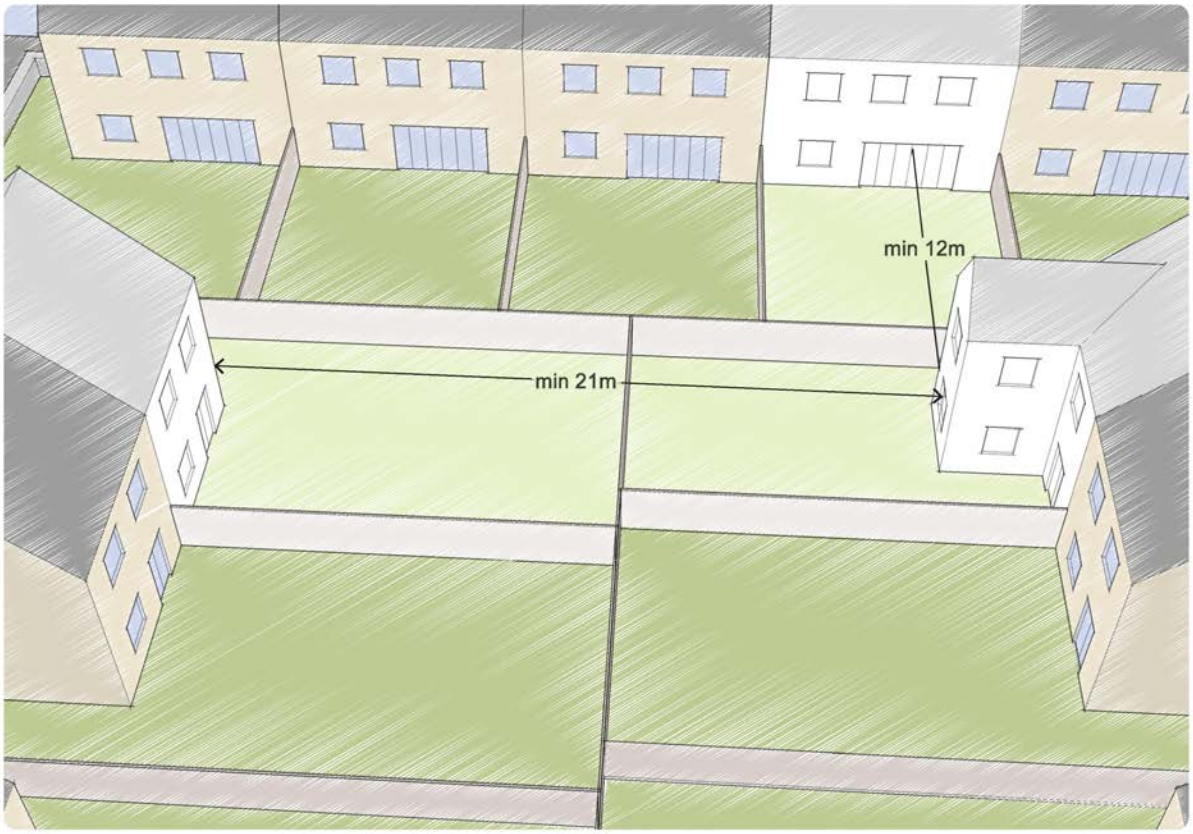

Figure 22 Minimum distance between habitable rooms

13.20 Overlooking of gardens may be unacceptable where it would result in an intrusive, direct and uninterrupted view from a main room to the most private area of the garden. This is often the main sitting out area adjacent to the property of the neighbours' house. In predominantly urban areas, as a general rule this area is the first 3-4 metres of a rear garden closest to the residential property.

13.21 Problems concerning privacy can sometimes be overcome by relocating windows or by the installation of roof lights. Obscure glass can be an appropriate solution if the facing window serves a non-habitable room. Planning conditions may be applied by the LPAs to planning permissions so that these solutions continue to protect neighbouring resident's amenity once the development is complete.

Balconies and roof gardens

13.22 Balconies and roof gardens can be unacceptable in higher density areas because of the impact they can have on the privacy of neighbours' gardens or habitable rooms. In assessing a proposal for a balcony or roof garden the degree of overlooking will be considered.

13.23 As well as overlooking, balconies can also create generate additional amenity impacts if they are positioned close to the site boundary such as noise. Consideration should be given to the location of any proposed balcony to prevent amenity impact to neighbouring properties.

13.24 Alternative designs, such as setting back the balcony/roof garden in rear extensions to reduce overlooking or a privacy screen will be considered on a case by case basis.

Decking, terraces and patios

13.25 Decking and other similar developments can lead to problems of overlooking and affect the amenity of neighbours, particularly in sloping gardens, and will therefore be resisted if they would create an unacceptable loss of privacy for neighbouring properties. However it is also important to note that decking, particularly in sloping gardens, could be classed as permitted and therefore cannot be controlled through planning legislation.

13.26 Screening or fencing may be used to overcome any overlooking problems but should be of a scale that does not unreasonably affect the outlook or daylight of the neighbouring property. Overlooking can also be reduced by positioning decking, a terrace or patio away from the property boundary.

Outlook

13.27 While views from a private house or garden are not safeguarded by planning legislation, an extension should not be constructed in close proximity to either a habitable room window of a neighbouring property or its private garden where it would have an unacceptable overbearing effect on a household's outlook.

13.28 In order to protect the outlook of neighbouring properties, the minimum distance between a main habitable room window and a blank wall, should be at least 12m. This distance should be increased for a three-storey development, normally to at least 15m.

Figure 23 Distance between habitable room window and blank facing wall

13.29 Where there is a difference in ground levels these should be taken into account and the distance increased, normally by an extra 3 meters for every 2 meters increase in height.

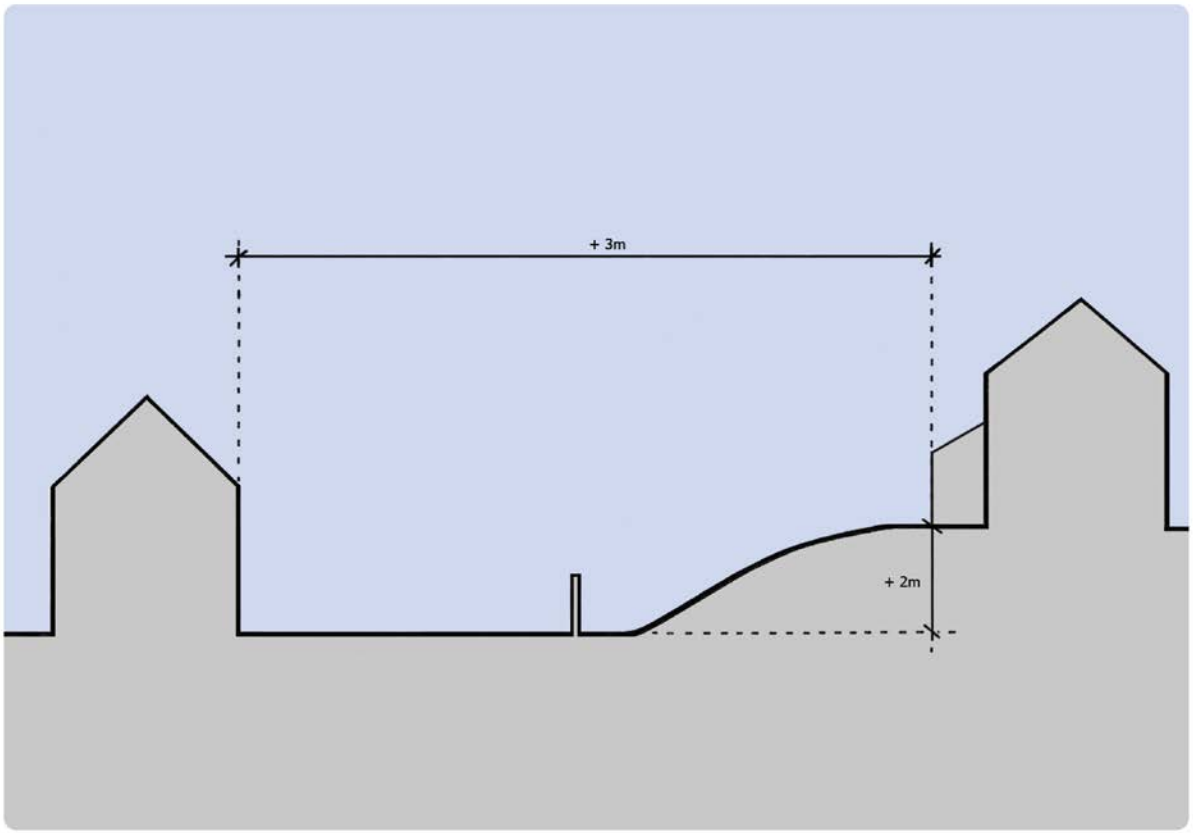

Figure 24 Difference in ground level

Daylight and sunlight

13.30 Extensions should not result in a significant loss of daylight or sunlight to habitable rooms of neighbouring properties, such as kitchens, living rooms or bedrooms. An extension should also not lead to an unsatisfactory loss of light to the property being extended.

13.31 Proposals which would result in a harmful loss of daylight or sunlight to a neighbouring property will be refused. In order to ensure that a proposed development will not cause a harmful loss of daylight the 45 degree guideline should be followed.

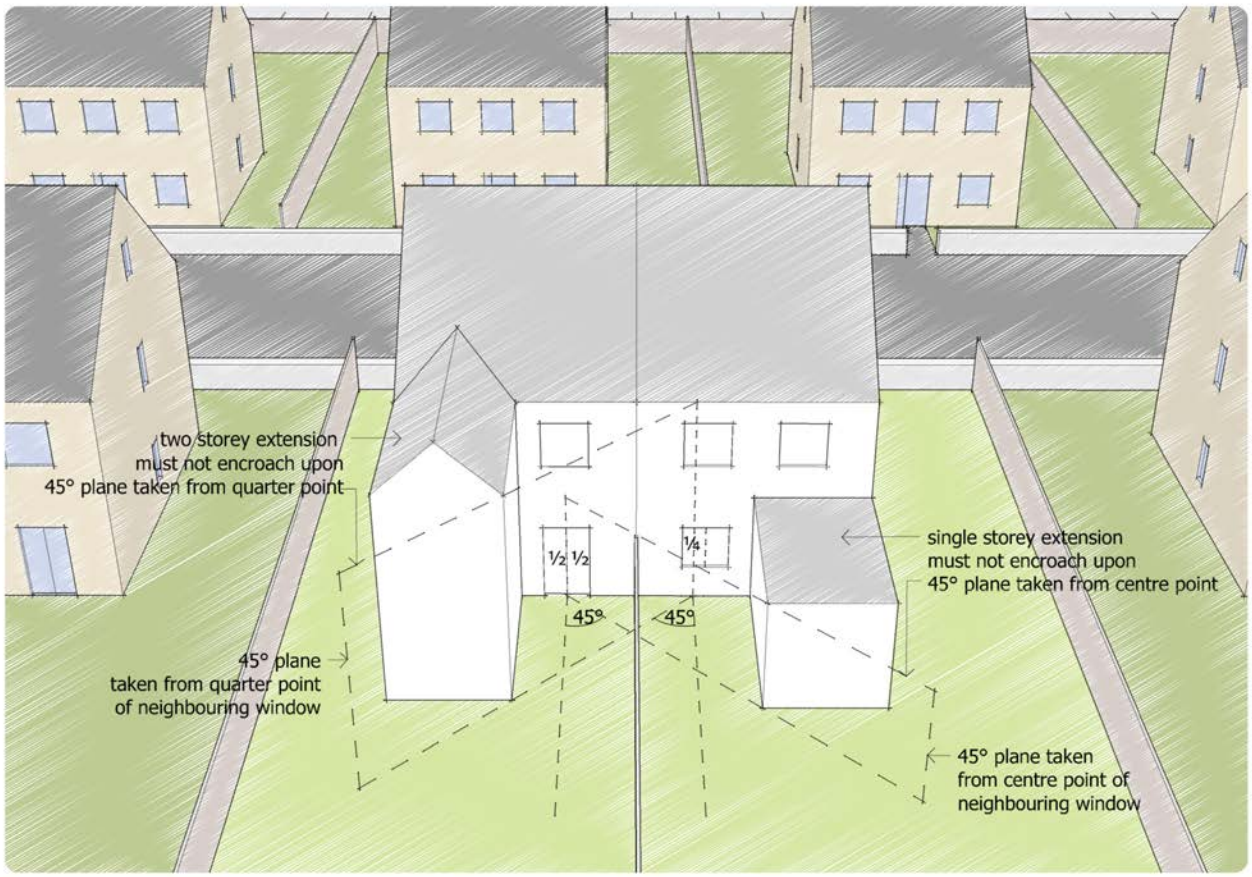

Figure 25 The 45 degree guideline

13.32 An imaginary line at an angle of 45 degrees is drawn from a point within the window of the closest ground floor habitable room of the neighbouring property towards and across the site of the proposed extension or new development. If there is more than one window lighting this room, the line is taken from the window which is the main source of light. When elevated to an angle of 25 degrees above horizontal, this line will show the maximum width and/or depth that a proposed extension can build up to without unreasonably obstructing light or views to a neighbouring property.

13.33 The 45 degree guideline is relevant to both single and two-storey house extensions. For a single-storey extension, the line is drawn from the mid-point of the window. For a two-storey extension, the line is taken from the quarter point closest to the boundary.

13.34 House extensions are normally only considered acceptable if they do not cross the 45 degree line when elevated to 25 degrees. Relaxation of this guideline may be considered for light-weight, transparent structures such as conservatories, or where the orientation of the properties concerned means that the guideline can be relaxed. Relaxation may also be considered where there is a difference in ground levels between adjacent sites or where there is a high boundary wall between two properties.

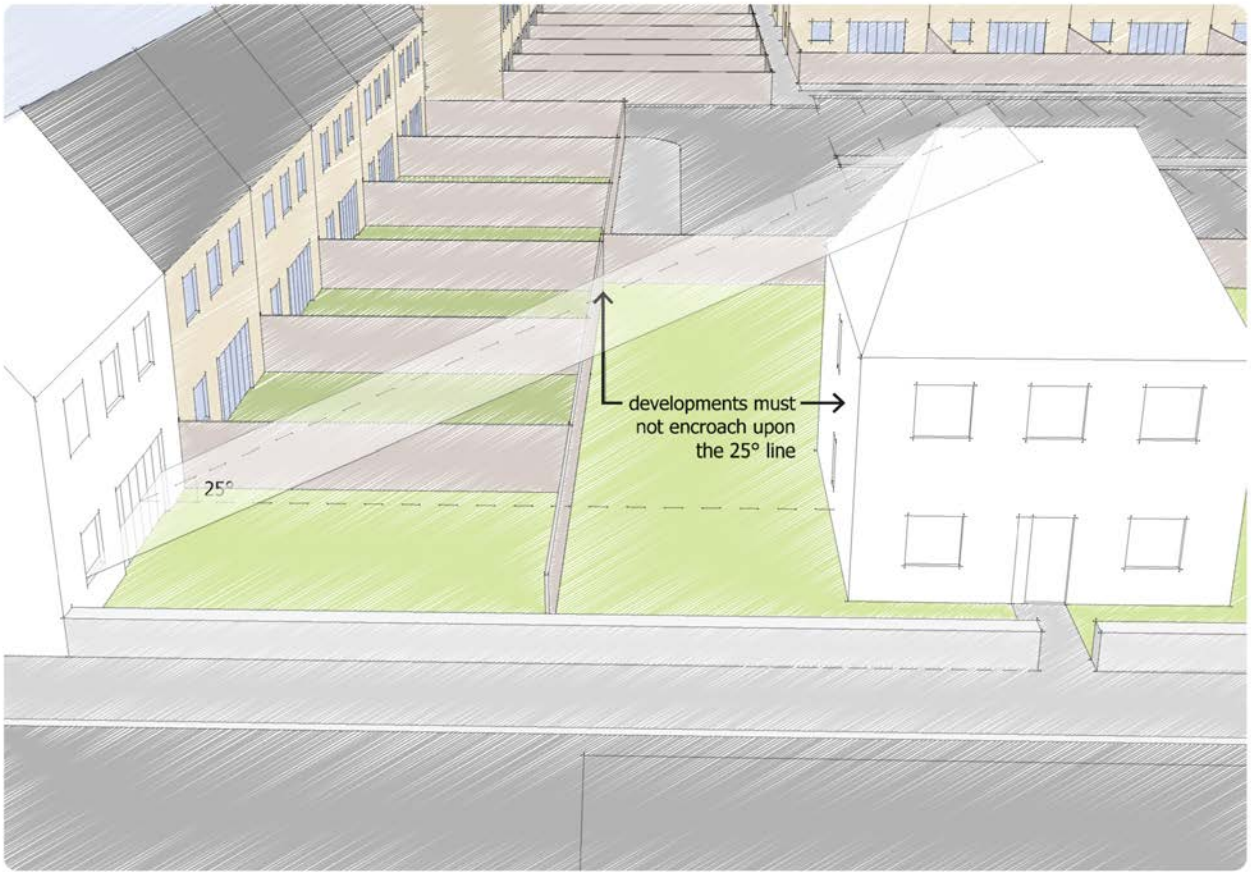

Figure 26 The 25 degree guideline

Front extensions

13.35 The front of a dwelling is usually the most visible part of the building. It often follows a clear/defined building line, helping to define the character of the street.

13.36 Extensions that project forward of the existing house will generally be resisted. Where a street has a clear established building line, the only development that might be acceptable at the front is likely to be a small, sympathetically designed porch. In certain circumstances, an exception may be allowed where there is no obvious building line, where the property is set back from other houses, or where front extensions are a feature of houses in the street or dwellings in more rural locations where there is no 'street scene'.

Figure 27 Front extensions

Side extensions

13.37 In order to ensure that a side extension does not over-dominate the existing house or street-scene, it should generally be subordinate (smaller) in scale to the original dwelling and set back from the front of the property, especially in a street characterised by regularly spaced properties of similar design and scale.

13.38 The individual characteristics of the site and proposal will determine the exact set back distance required, however a distance less than 1m will rarely be considered acceptable.

13.39 Where an extension is set back, the roof of the extension should be lower than that of the main house. This ensures that the extension is subordinate. Side extensions should also be of a width to ensure they appear less important that the original dwelling.

13.40 In some situations the erection of a two-storey side extension could create or contribute to an effect known as 'terracing'. This is where side extensions almost link up with neighbouring properties, leading to the appearance of a terraced street. Piecemeal joining up of individual properties is also likely to appear visually obtrusive and the loss of space can be harmful to the whole character and amenity of an area.

Figure 28 Side extensions and terracing effect

13.41 To avoid a terracing effect, a gap should be left between the extension and the boundary with the neighbouring property. This gap should generally be at least 1.5m wide. Where it is not feasible to leave a gap, an alternative is to set the extension further back from the front of the house. The required set-back distance to avoid the appearance of terracing will vary, however a set-back distance of at least 2m may be necessary.

13.42 Where there is an existing ground floor extension that is not set back from the front of the house, then a proposed first floor extension should normally be set back by at least 2m to ensure that subordination is maintained and terracing avoided.

13.43 Exceptions to these guidelines may be allowed in detached buildings which have their own individual design or can demonstrate exceptional architectural merit.

Corner plot extensions

13.44 A corner extension should demonstrate that it will have a positive effect on the street-scene. Blank walls should be avoided, as they detract from the street-scene and reduce natural surveillance.

Rear extensions

13.45 An extension at the rear of a dwelling is usually less visible than a side or front extension; however it can sometimes be seen from public areas. A rear extension should be in keeping with the main dwelling and the character of the area. An extension that follows an unusual layout may affect the character of the area and will therefore need careful consideration. In addition, the need to retain external amenity space should also be considered.

Roof extensions

13.46 Extending into roof space is a popular way of creating more residential accommodation and most roof extensions are permitted development as long as the ridge height is not changing. Where permission is needed, it is important to consider the height and ensure all roof alterations are of a high quality and relate well to the original home and the street-scene.

13.47 Wherever possible, a roof extension should be located at the rear of the property to minimise its impact on the street. Where the rear of the building is very prominent, such as at the end of a terrace or street, roof extensions should be of exceptional quality to be acceptable and conditions on planning applications may be necessary to limit the impact on neighbour privacy. Side extensions on hipped roofs are also particularly sensitive because of their prominence and impact on the symmetry of a building.

13.48 Roof windows and skylights usually lie flush with the profile of the roof. Providing enough head room can be created, these are normally the best option for roof extensions as they allow the profile of the roof to remain intact and are likely to have less visual impact on neighbouring properties.

Dormer windows

13.49 Proposals for dormer windows will be considered in the context of their impact on the dwelling, the street-scene and neighbours' amenity. Dormer windows should not dominate a building and should sit comfortably within the roof space. If it is necessary to create a large area in the roof space, it is generally preferable to construct a number of small dormers rather than a single large roof extension.

Figure 29 Dormer windows

13.50 Dormer windows should relate well to the building with respect to materials, scale, shape and angle of roof. The front and sides of the dormer should be covered in a material that matches, or is in harmony with, that of the existing roof. The style and sub-division of windows should relate to those that exist elsewhere on the building.

13.51 The positioning of dormer windows is important. They should not appear squashed towards any of the roof edges, and should be proportionate to the existing windows below.

13.52 Dormer windows are only acceptable on the front roof of a property if this is a feature of nearby properties and if they are sensitively designed and located.

13.53 Dormer windows on side roofs are particularly sensitive because of their prominence and impact on the symmetry of a building. Side dormers that unbalance the symmetry of a building are generally unacceptable. Only small, appropriately designed and positioned dormers are likely to be acceptable.

13.54 Dormer windows are generally more appropriate at the rear of a property providing they are located below ridge height and are sympathetically designed. Where the rear of the building is very prominent, such as at the end of some terraces, design criteria will be stricter.

13.55 It is particularly important to ensure that the positioning of dormer windows does not cause harm to the privacy of neighbouring properties and conditions may be added to planning applications with regards to obscure glazing and non-opening windows.

Boundary walls and fences

13.56 Boundary walls and fences mark the boundary of a property and maintain the privacy and security of occupiers. The design and location of walls and fences can however have a significant impact on the appearance of the street scene and on highway safety. Whether a planning application needs to be submitted when building or replacing a fence, garden wall or gate depends on a number of factors, including the height and position.

13.57 However, many modern dwellings also have permitted development rights removed.

Visual impact

13.58 The height and appearance of walls and fences should reflect the character of the existing street-scene. Materials should relate to their surroundings in respect of colour and texture.

13.59 Removal of any enclosure such as walls within a Conservation Area can have a negative impact on its setting, and may be resisted in the case of historic stone walls, for example, or boundaries which contribute the character of the Conservation Area. Examples and descriptions of walls of particular importance can be found in Conservation Area Appraisals which have been carried out in some towns and villages.

13.60 For further information on the historic environment please see guidance at 'Development affecting the historic environment (DEV21)' and 17 'APPENDIX 5: New work in conservation areas'.

13.61 A wall or fence positioned at the front of the property is usually sensitive and should not normally be of a height or material that would appear bland, intimidating or out of character with its surroundings.

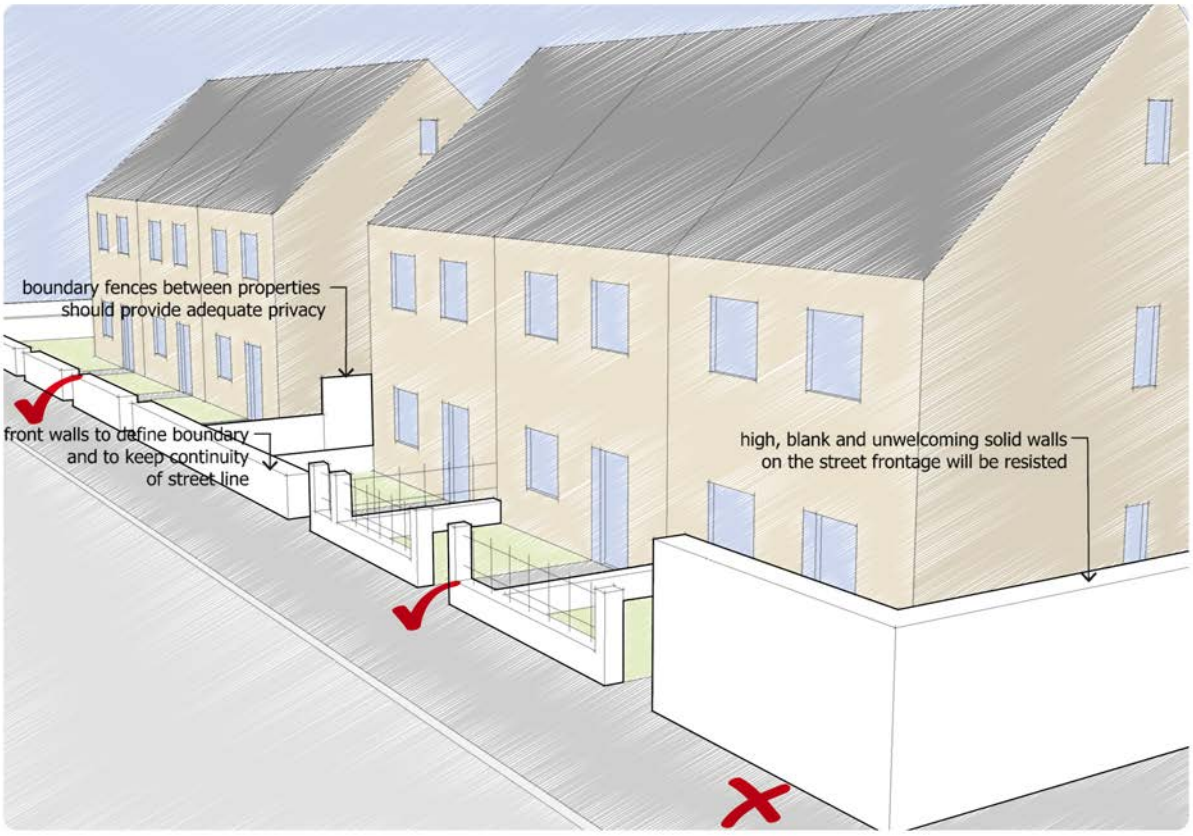

Figure 30 Boundary walls and fences

13.62 In residential streets the erection of front walls or other means of enclosure will be carefully considered to ensure it is not too high and relates well to the surrounding area. A previous planning condition or covenant may also have a restriction on front enclosures.

13.63 Walls or fences over 1m in height at the front of a property or at the side where the property is a corner plot may reduce natural surveillance and are likely to be resisted.

Highway safety

13.64 The height and positioning of walls or fences should not impinge on highway safety and particular care should be taken at junctions and bends in the highway. Walls or fences which restrict visibility for road users will be unacceptable. Details of specific requirements can be found in Highways Standing Advice, available from the relevant Highways Authority.

Impact on neighbours

13.65 Fences and walls should be designed and located so that they do not unreasonably restrict light entering a neighbouring property or have an unacceptable effect on outlook.

Off-road parking considerations

13.66 Provision for off-road car parking should be carried out in a sensitive way so as not to detract from the character of the area or reduce highway or pedestrian safety. It should also not lead to any substantial reduction in existing on-street provision where it is in limited supply.

13.67 In certain urban areas only, it is sometimes preferable to provide open fronted parking areas so as to encourage their use for vehicle parking as is their intended purpose and a justification will be required from the applicant if open fronted parking areas are not included. However, in high density urban areas, such as city, town or neighbourhood centres, or in strategically important and prominent locations, such as along the waterfront and in historic streets and Conservation Areas, open fronted parking areas may have a negative impact on the attractiveness of the street and could be resisted. Similarly, ground floor car parking that generates blank or unattractive street-facing building elevations in such locations will be resisted.

13.68 In more rural areas, car ports and garages should try and reflect the style of more traditional outbuildings in the countryside. This would include pitched roofs, rather than flat roofs, careful consideration of placement within the site, and use of appropriate materials, particularly if the site has a historic agricultural character.

Garages and car ports

Garages vs car ports

13.69 As garages are normally used as storage and not for parking, the LPAs may encourage the use of car ports as an alternative.

Highway safety

13.70 When determining planning applications, safety for pedestrians, cyclists and vehicles is paramount and obstruction should not be caused to the highway. For example, garage doors should not project over a pavement or road either during opening or when open.

13.71 Off-road car parking should be designed so that cars do not overhang the highway, for example when a car is parked prior to a garage being opened. To overcome this, when a driveway is in front of a garage, it should be a minimum of 5.5m long. Where a driveway is used by pedestrians to gain access to a property, it should be at least 3.2m wide.

13.72 To enable easy manoeuvring in and out of a garage or car parking area entrances should be designed so that a vehicle can enter or exit in a single turning movement. Where the entrance is on to a classified road then there should be room within the site for the vehicle to enter and exit the public highway in a forward gear.

Impact on neighbours

13.73 The construction of an off-street parking area should not negatively affect occupants of neighbouring properties. Proposals which are likely to create a disturbance in a residential area will be refused permission.

13.74 For garages, particular attention needs to be paid to the impact on neighbour's outlook and light, guidance is available above.

Visual amenity/street-scene

13.75 The design of a garage, whether attached to the property or freestanding, should relate well in scale and proportion to the original dwelling and to the surrounding area. Attention should be paid to the design of all parts of the structure including doors, walls and roofs. Where a garage is attached to a house it is usually preferable to set it back from the front of the property:

Figure 31 Garages

13.76 In urban areas, garages in front gardens will generally be resisted as these are prominent sites and can detract from the street-scene. In exceptional circumstances, garages in sloping front gardens may be allowed if the majority of the garage can be built into the garden. Garage doors should not open over the public highway to ensure there is no obstruction.

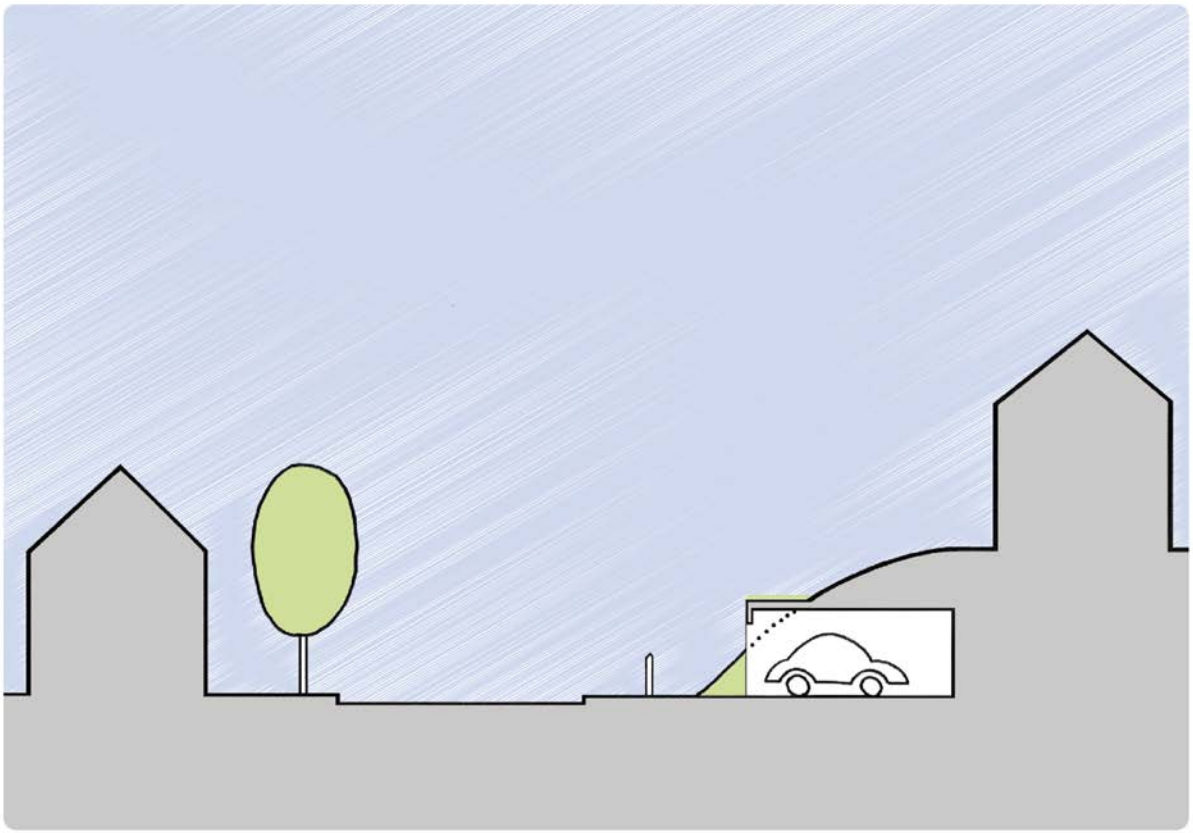

Figure 32 Garages in sloping front garden

Hard standings

13.77 It has become popular to pave over front gardens to provide parking space. Although this may be a convenient way of providing off-street parking, proposals need to be considered carefully to ensure there is no negative impact on residential amenity, safety, and environmental grounds as well as the character and attractiveness of the street. In many Conservation Areas, historic towns, villages and rural areas new hardstandings may be unacceptable due to the adverse impact on the character of the street scene.

13.78 In assessing proposals, the LPAs will have regard to the impact of the proposal on the street scene, highway safety and drainage.

13.79 When designing a hard standing the following guidelines should be adhered to:

- Retain as much original walling, fencing or railings as practical to ensure the appearance of enclosure is preserved. Full frontage crossings will not generally be permitted;
- Incorporate sufficient space for soft landscaping to screen cars and minimise the visual impact of the hard surfaced area; and,
- The hard standing should be constructed of permeable material so that water can soak into the surrounding ground. If it is intended to construct a hard standing using gravel,

a 1m tarmac or concrete apron is required adjacent to the public highway to prevent gravel coming onto the highway;

- The proposed hard standing should not drain onto the public highway. If the hard standing slopes/drains towards the highway, a channel should be installed to prevent run off onto the highway

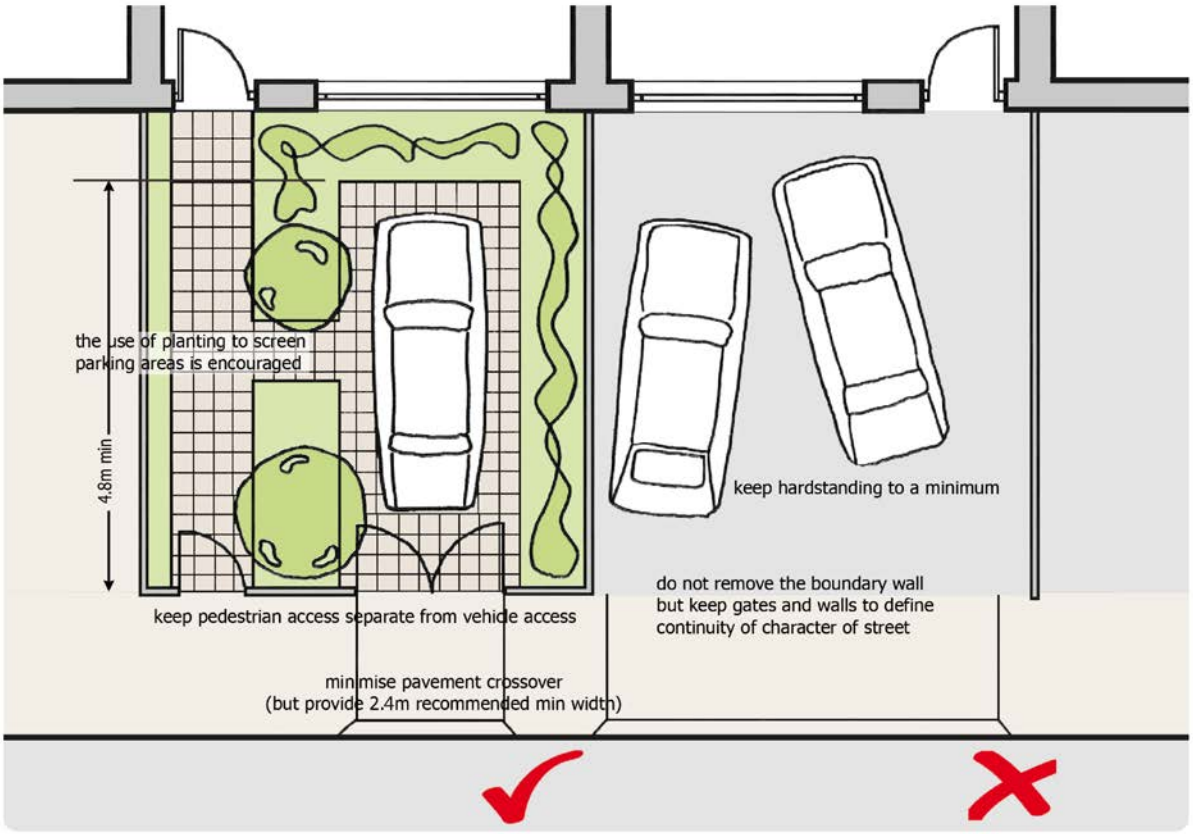

Figure 33 Hard standings

13.80 Further guidance on how to pave a front garden in a sustainable way is available on the Planning Portal [232] and in government guidance: Permeable surfacing of front gardens: guidance[233].

Parking to the rear of a property

13.81 The LPAs will resist any planning applications which proposes the total removal of rear boundary walls and/or opening up of rear curtilages to accommodate off-street parking where this would be prejudicial to security and visual amenity.

Dropped kerbs (Domestic Vehicle Crossings)

13.82 Driving a vehicle over a verge or footpath to access a property, without an appropriate vehicle crossing or without lawful authority from the LHA, is an offence under Section 184 of the Highways Act 1980 and may result in prosecution.

232 https://www.planningportal.co.uk/
233 https://www.gov.uk/government/publications/permeable-surfacing-of-front-gardens-guidance

13.83 Agreement from the local highways authority (LHA) is needed before you do anything on the highway. This consent procedure is separate from obtaining planning permission and the highway service applies its own guidelines in respect of the width and separation of pavement crossover points:

- Plymouth City Council[234]
- Devon County Council (South Hams and West Devon)[235].

13.84 To find out whether planning permission is needed for a dropped kerb, please contact the relevant LPA.

13.85 If planning permission for a new access onto a highway has been granted planning approval through the submission and determination of a planning application then permission to drop the kerbs and lower the footway has been accepted in-principle.

13.86 The following guidance has been adapted from the highway service guidelines.

13.87 The standard recommendation for any access onto a classified road is that the turning provision for a car should be provided within a private property. The vehicle should be able to enter and leave the property in a forward gear.

13.88 However, depending on the nature of the classified road (onto which access would be obtained), in terms of the volume and speed of traffic travelling along it, a new access without on-site turning provision may be acceptable to the LPA and each case will be considered on its' own merit.

13.89 When applying for planning permission the following guidelines should be adhered to:

- A property is only allowed to have one functioning domestic vehicle crossing, except in extenuating circumstances and applications to provide more than 1 crossing shall be considered on a case-by-case basis;
- Vehicles are not permitted to park on the crossing;
- Applications should provide sufficient room on the property to prevent a vehicle from protruding onto the footway/verge when parked. The minimum parking standards are 2.4m by 4.8m and the minimum crossing width shall be 2.7m (3 kerb lengths);
- A vehicle should be able to cross the footway/verge at right angles (90 degrees) to the road

234 https://www.plymouth.gov.uk/roadsandpavements/droppedkerbs
235 https://new.devon.gov.uk/roadsandtransport/make-a-request/vehicle-crossing-or-dropped-kerb/

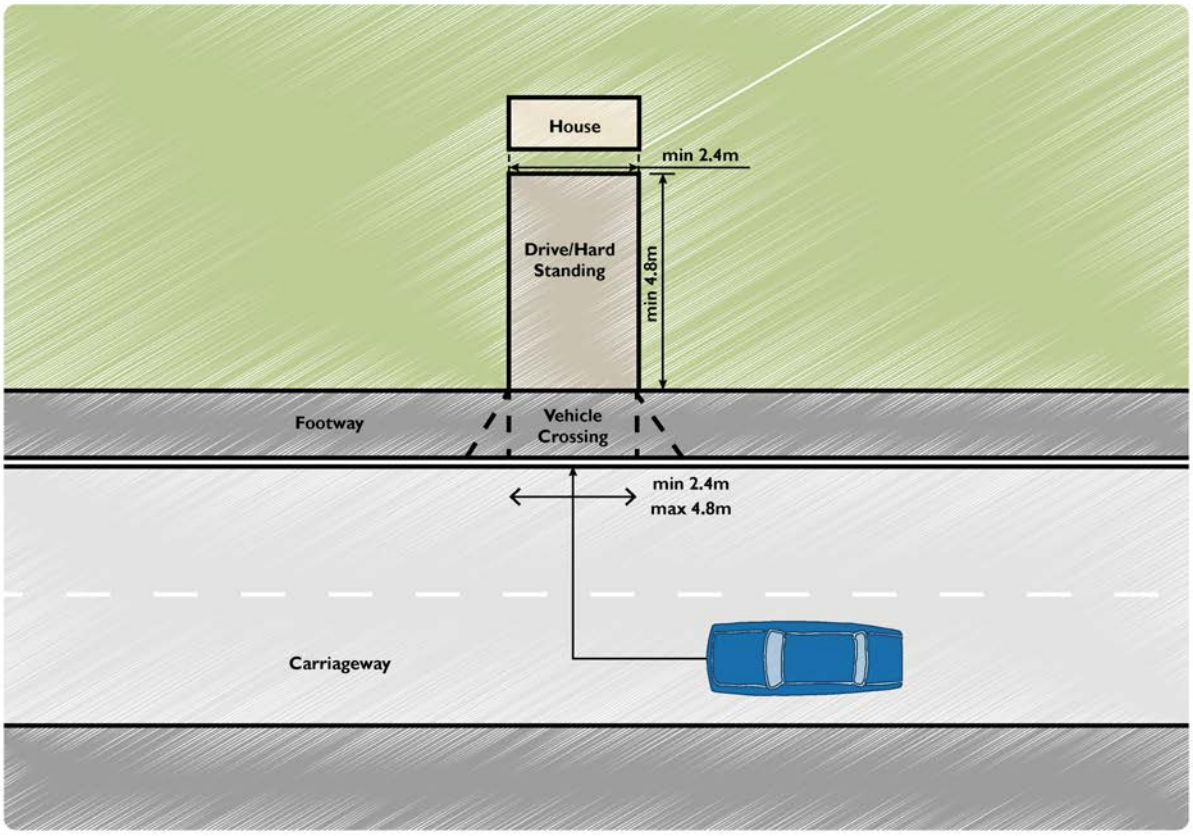

Figure 34 Individual crossing

- Any gates accessing the property are not permitted to open outwards onto the highway;
- If the proposed crossing is within 10m (or 15m on a classified road) of a junction or roundabout then the application will likely be refused; The proposed channel should be connected to the resident's private drainage system/soak away;
- Driver and pedestrian visibility should not be impeded by any of the following:
    - Walls, fences, or hedges along the frontage of the property or the neighbouring properties;
    - Street furniture or trees in the highway; and,
    - Vehicles parked on the highway.
- If any of the above are blocking access to the crossing or visibility they may need to be moved or removed any may incur an increased cost, in cases where these cannot be moved the application will likely be refused.
- If an inspection cover or telephone pole is present then, should planning permission or LHA agreement be secured then the application will need to arrange with the utility companies for these to be moved/lowered;
- It will not be possible to construct a vehicle crossing where a BT or similar communications chamber is present. The levels of these covers cannot be changed;
- If any of the following is present in the area of the proposed crossing the application will likely be refused:
    - Pedestrian crossing;
    - Disabled bays

- Residents parking zones; and/or,
- Pay and Display.

- Where two adjoining properties share an existing driveway or crossing or an application wishes to construct a new crossing to serve two properties:

  - A crossing covering the whole frontage of both properties will not be allowed.
  - The maximum overall width for the shared crossing will be 5.6m.

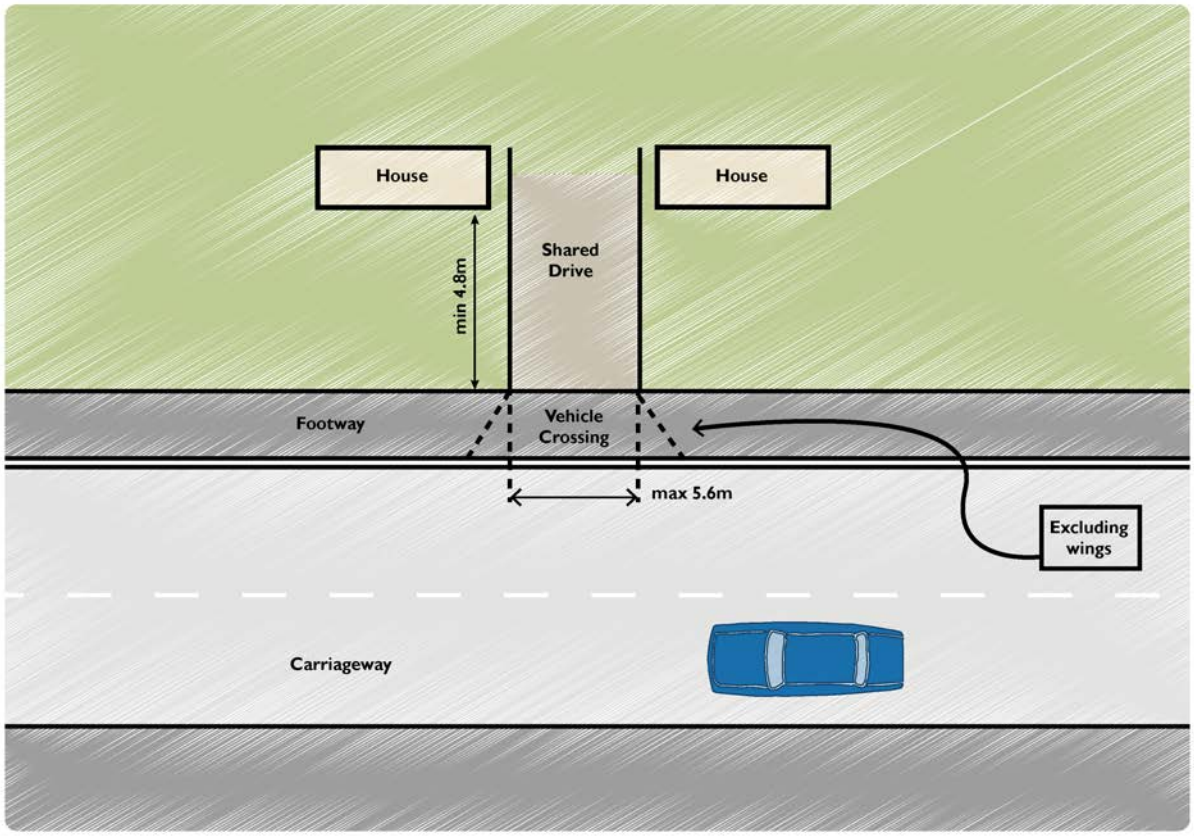

Figure 35 Shared crossing

- If there are neighbouring crossings, an additional dropped crossing will only be granted if there is a minimum of 6m distance between any existing access and the proposed crossing in order to preserve existing on-street kerbside car parking. However this will be subject to review and considered on a case-by-case basis.
- Existing crossings/drives, junctions and service lanes are all considered accesses.

13.90 For further guidance on transport and infrastructure please see 8 'Transport and infrastructure (DEV29-DEV31)'.

14 APPENDIX 2: Specific materials for the Plan Area

Introduction

14.1 Building material is any material which is used for construction purposes. Policies DEV10 (Delivering high quality housing) and DEV20 (Place shaping and the quality of the built environment) of the JLP sets out the expectation that materials should be of high quality, resilient to their context, endure over time and have proper regard to the wider development context.

14.2 Materials used in the Plan Area should be specified accordingly to have longevity, and be able to weather attractively, particularly as Building Regulations Approved Document C[(236)] identifies the area as being in a "very severe" weather zone.

14.3 Whilst materials and building techniques may not always be specified before planning permission is granted, the quality, deliverability and the functions they will be expected to perform should be clarified early in the process.

14.4 The materials characteristic of the Plan Area are set out below. Across the Plan Area a variety of different materials are used and some are more acceptable in certain areas than others. The local context and the different ways in which materials are used needs to be considered early in the design evolution of proposals.

Render/stucco

14.5 Render (or stucco) is a traditional construction material used as an external coating for walls. It is applied wet and hardens to a dense solid. It can be given the process of applying cement mixture to external, or sometimes internal walls to achieve a smooth or textured surface.

14.6 In the PPA severe local weather conditions have led to the dominant use of render or stucco as elevation finish for buildings, particularly on historic buildings. In the TTV render varies according to the construction material and the status of the building. Generally, the higher the status, the smoother and more refined the finish.

14.7 Traditional colours vary. On vernacular buildings colour only came from whatever was picked up in the limewash from the substrate so earthy off-white colours were the norm. On the town houses of wealthier inhabitants, colour was sometimes used as a status symbol – blue, green and yellow pigments were used for example. This reflection of status is characteristic and should inform colour choices for new development.

14.8 However, as locally distinctive as render is, there have been problems with render weathering unattractively on many recently completed buildings which have been subject to staining and algae growth, particularly within the PPA. The use of render within the PPA is therefore considered inappropriate on tall buildings and buildings in particularly exposed locations or next to busy roads and will normally be resisted in these circumstances.

14.9 On low to medium-rise buildings in the PPA, the use of render will only be supported if it is a high quality silicone system, with water and dirt repellence, to avoid problems with staining and algae growth. Render with a textured finish is particularly vulnerable to dirt adherence and should be avoided in the PPA.

236 https://www.gov.uk/government/publications/site-preparation-and-resistance-to-contaminates-and-moisture-approved-document-c

Cladding

14.10 Metal, ceramic and composite/laminate cladding may be supported, subject to agreement of appropriate quality, colour, detailing and finish and in compliance with Building Regulations. On medium-rise and tall buildings and in exposed locations a glossy finish may be sought to minimise dirt adherence.

14.11 Copper sheet cladding has historically been used to accent buildings of civic or strategic importance and can be obtained pre-patinated to its characteristic blue-green verdigris colour or left to weather to this finish naturally. It must be noted that it may take several decades to weather from its initial bright finish and this may be considered too long a process in some circumstances.

14.12 Within the PPA, industrial sheet-cladding materials, for example, those that link with ship-building and marine infrastructure, can be supported in appropriate locations, provided they are well detailed and sufficiently robust. A maintenance plan will need to be agreed to ensure they are maintained in good appearance throughout the life of the development.

Weatherboarding

14.13 Weatherboarding is a form of external cladding and has been used significantly around the PPA's waterfront neighbourhoods because of its connection with the marine context. Its use may also be appropriate in rural areas where it can link to an agricultural/barn aesthetic.

14.14 Untreated timber shiplap weatherboarding (such as cedar or larch, for example) has often been used on the basis that it requires no chemical preservatives and requires little maintenance, eventually weathering to a silver grey of a similar colour to local stone. However, care needs to be taken in specifying untreated timber weatherboarding, particularly on north-facing elevations, or where it can be difficult for the material to dry out, as this can create a darker appearance than may have been intended. There is also a susceptibility to moss and algae growth. There also needs to be an acceptance that the untreated timber may be considered unsightly by some people before it reaches its weathered state.

14.15 Painted fibre-cement shiplap weatherboarding has been used successfully on recent developments in PPA waterfront neighbourhoods, including at Devonport and Millbay. Its use will be supported in similarly appropriate contexts, subject to agreement on colour and detailing.

14.16 Weatherboarding is considered less appropriate in inland urban situations or in inappropriate historic contexts. It would be discouraged in Plymouth City Centre, for example.

14.17 UPVC cladding will generally be discouraged because of its poor quality appearance and negative environmental impact.

Stone and brick

14.18 Historic buildings reflect the geology of the locality and that varies tremendously. Slate is the bedrock across much of the TTV but that is found in many different colours and ranges considerably in quality. The spectrum covers various shades of grey, green, brown and even purple. There are many distinctive local stones including some unusual igneous rocks, from the green schist on the southern coast to the lamprophyres in the northern parishes and the green Hurdwick stone of Tavistock. In any location it is seldom necessary

to look far to see what the local materials are and the challenge is then to complement them. The Strategic Stone Study[237] led by Historic England, working with the British Geological Survey is a useful reference point.

14.19 The PPA's geology in the waterfront areas to the south is predominantly limestone, whilst the areas to the north are mostly slate and shale. Many of the PPA's historic buildings and fortifications are constructed of Plymouth limestone which was quarried locally, sometimes with granite added for plinths and features. The use of Plymouth limestone in building elevations is therefore encouraged, particularly in the south of the area because it is robust, weathers attractively and has a strong connection to place. Local slate is more appropriate in the north of the area.

14.20 Plymouth's mid-20th Century Beaux-Arts City Centre precinct is characterised by the use of Portland Stone on building elevations. It is important that new development responds to this legacy positively.

14.21 In the PPA's townscape, the use of brick is the exception rather than the rule. However, it is acknowledged thatsome brick is present on mostly 20th Century buildings and has been used in some recent development in areas such as Millbay. The use of brick will normally only be supported where it links to a positive existing use of brick in an area.

Slate hanging

14.22 Slate hanging is a feature across the TTV and some examples are centuries old. Two notable features of historic slate hanging are that the slates are usually smaller than roofing slates and they are also commonly laid back-to-front so that the riven edge forms a natural drip. These characteristic details may usefully be adopted in new work as well.

14.23 Slate hanging is commonplace on timber framed buildings and is sometimes very decorative, as seen in Dartmouth. Its use on solid walls is normally a response to extreme exposure in order to stop penetrating damp so its use on new build ought to reflect either orientation or construction type. As a locally distinctive feature it has considerable potential for use in retrofitting of external insulation to reduce energy use.

Cob

14.24 The use of earth in building is an ancient tradition in Devon and cob buildings are found throughout the TTV area. The amount of cob found is usually inversely proportionate to the easy availability of stone and there are more cob buildings in the north of the area. Earth construction is part of many stone and timber framed buildings in the form of wattle and daub, earth mortars etc. In recent years there has been a revival of interest in this low impact form of construction and in rural locations it will be a welcome approach to sustainable design.

Colour

14.25 Colour selection methodologies for building elevations should have a strong link to place, local character and geology.

Roofs

237 https://www.bgs.ac.uk/mineralsuk/buildingStones/StrategicStoneStudy/EH_project.html

14.26 Roof designs and coverings should respond positively to local character. Traditionally across the Plan Area they have been very simple, either slate or thatch.

14.27 The production of roofing slate in south Devon traces back to medieval times, but by 1910 had effectively ended due to cheaper Welsh slate arriving by railway. The greatest number of surviving roofs are those with slate from Mill Hill quarry near Tavistock. Whilst colours and quality varied, the prevalent characteristic was a blue grey colour and that will generally be the favoured type, wherever it may be sourced from.

14.28 In accordance with advice in BS 5534[(238)] fully metamorphosed slates will be favoured over the lesser items now being imported and nail fixing is preferred to clips unless local conditions justify an exception.

14.29 Whilst new thatch buildings will usually be welcomed in the TTV area they are a rare proposition and only a few exceptional hamlets or village locations where its use would be essential.

Metal roofing

14.30 Lead has long been used for roofing works but mostly on high status buildings and is seldom readily visible.

14.31 Zinc galvanised sheet has had occasional uses since the early 19th century and can be acceptable in some situations dependent on context. It can be an effective choice where a low pitch is needed.

14.32 The PPA's roof-scape is predominately grey in colour, with slate traditionally used on historic buildings and more recently grey metal cladding (e.g. aluminium or zinc).

14.33 Corrugated iron has been in widespread use across the TTV area since the mid-19th century. It is closely associated with the mining activities in the Tamar valley where it was often tarred. There are also notable examples of pre-fabricated buildings including chapels and village halls. Its most common use has been through the 20th century either covering or replacing thatch on rural buildings and so it has become an integral part of the local scene. Authentic '3 inch' corrugated is still available and lends itself to many uses for functional buildings, including garages, and on conversion projects. It may occasionally be used as an 'architectural' material as well. If used it is best left 'raw' or coated black.

14.34 Copper has been used successfully as an accent material on buildings in the PPA from the mid-20th Century onwards, marking the roofs of key buildings such as the Plymouth Guildhall, the Royal Bank of Scotland and the Roland Levinsky Building. Its use as a roof material will be supported in the PPA where it highlights important landmarks, buildings and townscape features and contributes towards way-finding and city legibility.

Living roofs

14.35 Technological advances make living roofs an attractive option and their use is encouraged wherever appropriate. These are positive in terms of rainwater run-off attenuation, biodiversity and visual amenity, a particularly important consideration where the roof plane is overlooked or visible from key public spaces. Green roofs and living walls can also assist in moderating extreme temperatures and enhancing air quality.

238 https://shop.bsigroup.com/ProductDetail?pid=000000000030363747

14.36 Mixed sedum roofs incorporating selected wild flower types should be considered.

14.37 Where green roofs and walls are proposed, a maintenance plan will be sought, to ensure they are kept in good order throughout the life of the development.

Eaves and verge details

14.38 The majority of historic buildings have simple eaves details. A large overhang is associated with thatched roofs whereas slate commonly has little overhang with fascia boards small or absent.Slate clad verges are locally distinctive and require no maintenance.

14.39 Designers of new developments should demonstrate how locally distinctive detailing such as this has influenced a proposal.

14.40 For further guidance on development in the historic environment please see Section 6 and APPENDIX 4.

Rainwater goods

14.41 In historic contexts the traditional materials should be respected, in the TTV area this has traditionally been cast iron and the most common gutter profiles half round or ogee.

15 APPENDIX 3: Shop fronts, including ATMs

Introduction

15.1 Shop fronts, advertisements and ATMs play a key role in parts of the public realm as they contribute to the character and appearance of the street-scene as well as attracting customers. This section provides specific guidance and is also applicable to other uses such as: banks; estate agents; restaurants; public houses; and other food and drink establishments, etc. Developments should give particular consideration to the robustness of materials and design detailing when considering development of shopfronts.

15.2 If a shop front is installed, altered, or replaced planning permission will generally be required and may also need separate Advertisement Consent.

15.3 Shop fronts should not be designed in isolation, but considered as part of the architectural composition of the building. The character of an area should be respected and care needs to be taken to ensure that standard designs are not imposed on areas with distinct architectural, historic or social character. The LPAs will expect corporate styles and branding to be adapted and modified to suit each particular location and will refuse proposals which seek to impose standard, corporate solutions at the expense of distinctive local characteristics.

15.4 Where existing shop fronts are a distinctive and original element of the building, the LPAs encourage them to be retained, or replicated, using good quality materials.

15.5 Shop fronts are commonly made up of several different components and it is important to ensure these they work together and are in proportion with the scale and architectural style of the building:

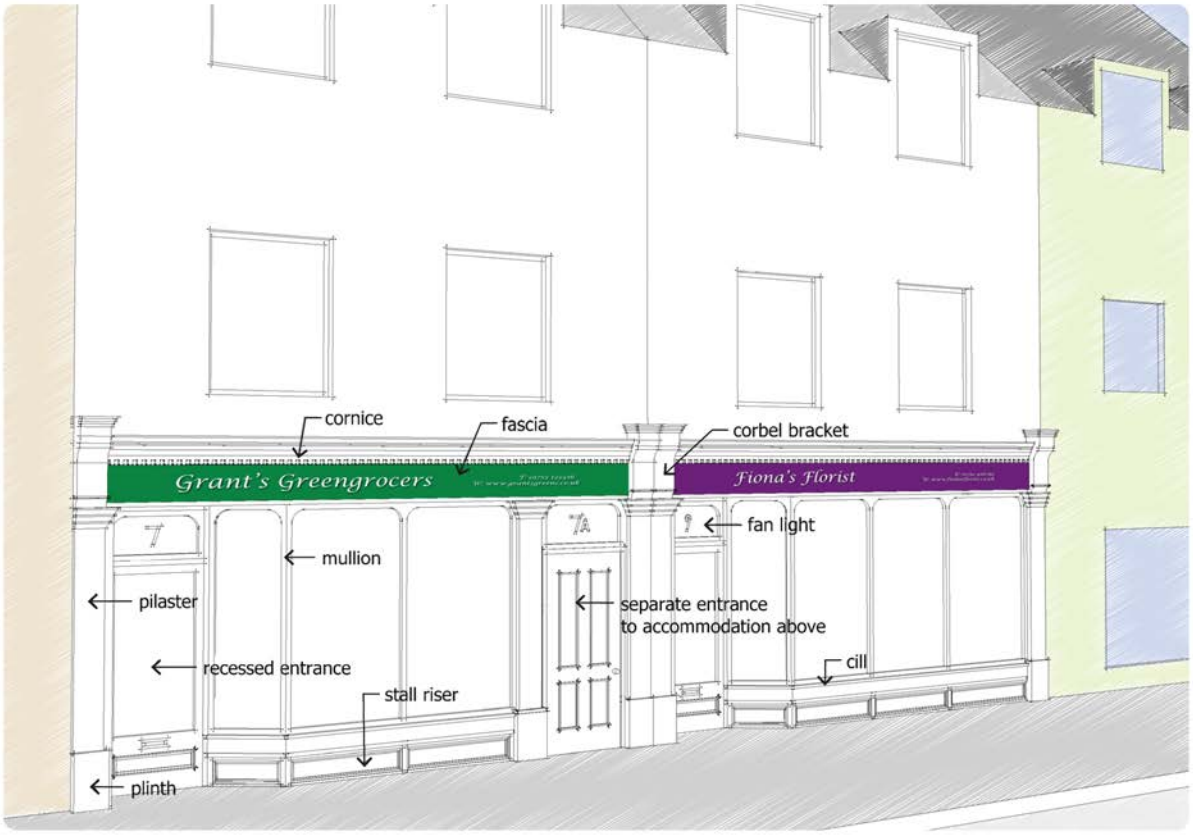

Figure 36 Traditional shop front elements

Fascia and pilasters

15.6 The fascia of a shop front provides the backdrop for the shop sign, and the pilasters define the shop width and support the upper floors.

15.7 The design of a fascia needs to be sympathetic to the shop front and building. If oversized, the fascia will unbalance the elevation composition of the shop front. There should be a visual gap between the top of the fascia and the window sills above:

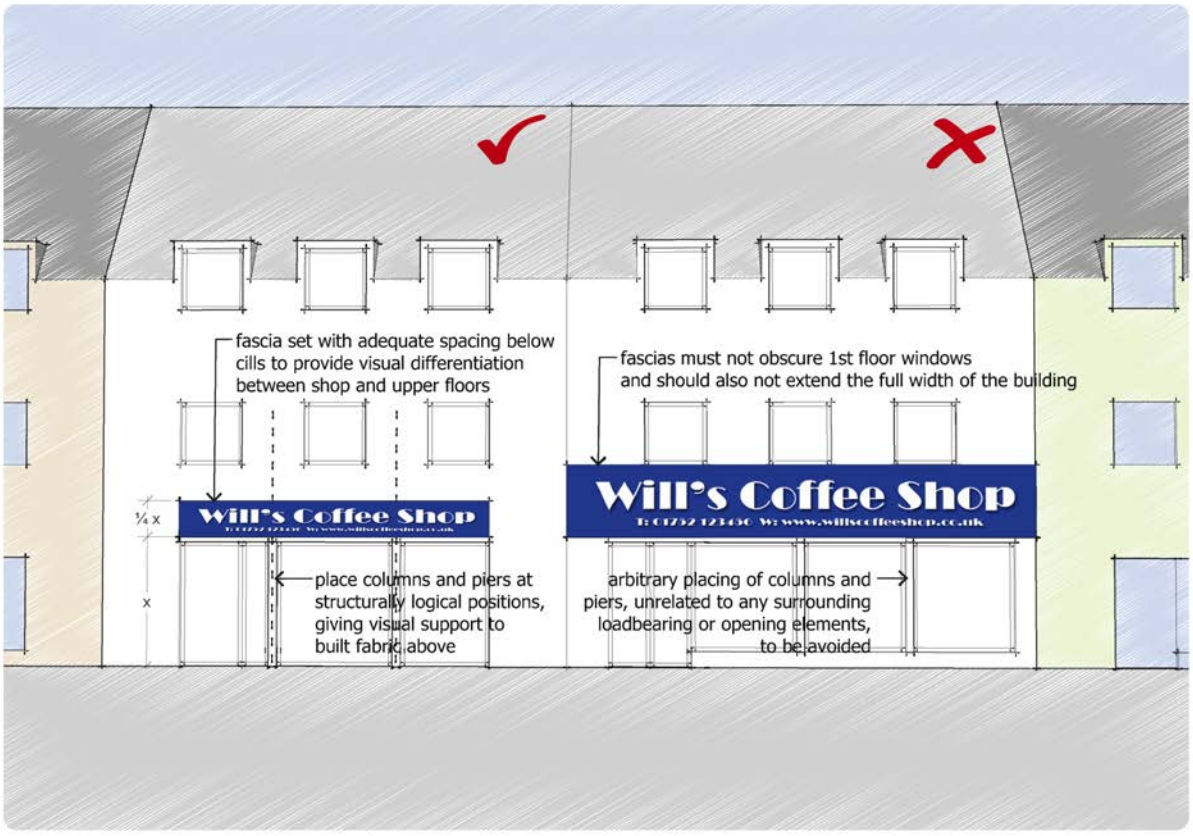

Figure 37 Modern shop fronts showing good and poor examples of shop front design

15.8 Where the existing shop front would be considered unacceptable according to the above guidelines, the replacement design will be expected to rectify the shop front.

15.9 Where there is a false ceiling inside a shop, it will not be acceptable to increase the height of the fascia in line with this. The change in level can be dealt with through careful detailing of the shop window itself, for example through transom lights with opaque glass or by setting the false ceiling back within the sh

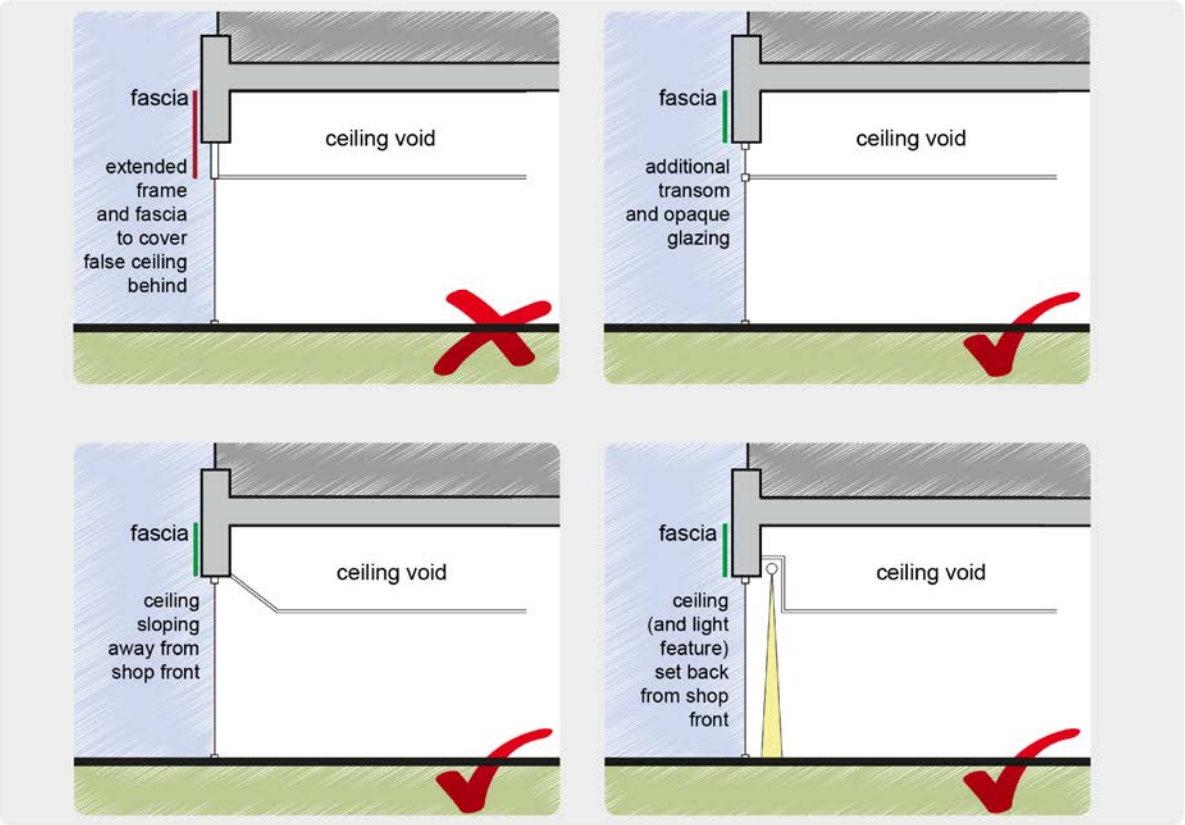

Figure 38 How to design a false ceiling without increasing fascia depth

Cornice

15.10 The cornice is a horizontal molding featured in some traditional shop fronts. It serves a practical purpose and also provides a visual break between the shop front and the upper floors. A cornice may be applied to a modern building and can be useful in providing an upper frame to the fascia and shop sign. Fascia signs should not obscure a cornice when it is a feature of the building and/or the street frontage.

Stall riser

15.11 The stall riser anchors the shop front to the ground. Shop fronts with no stall riser may appear top heavy. The design of the stall riser should reflect the character of the area. Where there is a common height or material used, this should be replicated and/or preserved.

Windows and displays

15.12 Interior signage that can be seen from the highway may require permission. The LPAs will encourage traders to ensure window displays assist in an attractive street-scene, even if the shop does not have goods to display. The appearance of above-ground windows should also be given attention, where windows serve as storage areas traders should consider introducing display windows or obscuring windows so that storage is not visible.

15.13 Window displays fronting highways should not endanger public safety.

15.14 The method of subdivision of windows should reflect the scale and style of the building. In general, there is more subdivision in traditional shop fronts than modern shop fronts.

15.15 A shop front design should ensure that activities within the property can be seen through a substantial proportion of clear glazed windows to enliven the street scene and promote natural surveillance, although it is acceptable for part of the shop front to include a window display area.

15.16 A minimum of two thirds of the shop front should be clear glazed to provide an active frontage (as illustrated below). However, each proposal will be considered on its own merits, taking into account the prominence of the shop front, its position in the street, the amount of existing ground floor frontage in the area, and the width of the shop front.

Figure 39 Shop front with active ground floor

15.17 A planning condition may be attached to require the ground floor commercial windows, or specified windows, to remain as active windows or window displays unobscured by the addition of vinyl or any other obstruction which restricts the visual transparency into and out of the window.

15.18 High quality materials and finishes are required for all shop fronts. In designing a shop front, consideration should be given to:

- The sustainability and longevity of materials;

- Their appropriateness to the character of the area and building;
- Visual relationship with the upper floor and adjacent buildings (particularly if part of a terrace).

Doors

15.19 Shop front doors and entrances should meet the specified Building Regulation standards for accessibility: Access to and use of buildings: Approved Document M [(239)]Doors must not open over the highway. Recessed entrances that create opportunities for antisocial behavior outside of opening hours should be avoided.

15.20 In the case of a long shop front, such as for a department store, frequent openings should be provided to keep a vibrant, lively shop frontage.

15.21 In conservation areas and/or on listed buildings, door furniture (handles, hinges, design) should be appropriate to the character of the door, shop front, building and context.

15.22 For further guidance on the historic environment please see Section 6. For guidance on historic shop fronts please see below.

Blinds and canopies

15.23 Blinds or canopies can be useful in protecting goods from direct sunlight, as well as providing shade and shelter to shoppers. They should be designed as an integral part of the shop front and relate satisfactorily to the features of a building and the character of the area and street-scene in both open and retracted state.

15.24 The following guidelines for blinds and canopies should be followed:

- A blind/canopy should cover the full width of the shop front between pilasters;
- A blind/canopy should be made of canvas or similar non-reflective material unless a solid canopy is considered part of the architectural design;
- In sensitive locations such as conservation areas traditional awning type designs are usually more appropriate than curved 'Dutch' blinds;
- A blind/canopy should sit beneath fascia level and constructed so that when fully open it will not cause obstruction to passers-by;
- Where a blind or canopy overhangs the public highway, it should have a minimum clearance of 2.4m;
- Whether modern or traditional, the blind box must be incorporated into the shop design and not simply applied;
- Fixed 'Dutch' blinds, the use of plastic and blinds over upper storey windows, basement windows or over doors alone will not normally be acceptable as they can look unattractive and permanently obscure the shop front; and,
- Any lettering/design on the canopy/blinds should not be allowed to dominate it and the style should relate to the design of the whole shop front, especially the fascia sign.

15.25 Where a shop front blind or canopy overhangs a public highway a licence will be required under the Highways Act.

ATMs and security

239 https://www.gov.uk/government/publications/access-to-and-use-of-buildings-approved-document-m.

15.26 The installation of a cash machine (ATM) should be considered as an integral part of the design of the shop front, using materials that are sympathetic to the building. It should be well-lit and positioned where there is a sufficient degree of natural surveillance and where users will not impede pedestrian movement. Where cash machines are designed into the facade, only a maximum of one third of the width of the shop front will be permitted to ensure an active frontage, natural surveillance, and to reduce the impact on the visual amenity of the street-scene.

15.27 Careful thought must be given to the need, design and siting of alarms and CCTV systems, specifically avoiding being sited on architectural features such as pilasters or decorative moldings.

15.28 In order to maintain active frontages and street-scenes outside of business hours, security should be sensitively designed to ensure minimal visual impact and should be integrated into the design of shop fronts at the outset. Planning permission is unlikely to be granted for external solid or perforated metal shutters and grilles as they present a blank frontage to the street and can be subject to graffiti and vandalism. The following alternative means of security are recommended (in order of preference):

- Security glass/glazing – this is usually laminated with the capacity to remain intact, even when broken;
- Internal shutter grilles – these can be fitted discreetly behind the shop window and are retractable. These should be open mesh if feasible;
- External open mesh grilles – these would be subject to planning and should be incorporated in the shop front design and building. Where possible it should only cover the glazed areas and not the whole shop front. The window display must still be visible and the housing box should be integrated within the shop front (recessed or flushed with the façade).

Historic shop fronts

15.29 Shop fronts of listed buildings, in conservation areas, or in other areas with historic character, need to respect the historic setting and it is recommended that this section is read in alongside guidance in 'Development affecting the historic environment (DEV21)' and 17 'APPENDIX 5: New work in conservation areas'.

15.30 The height of the fascia should be in proportion to the width of the pilasters and sit below the cornice. Above the pilasters, corbel brackets should be used to frame the fascia and support the cornice.

15.31 Large undivided areas of glass are not considered in-keeping with traditional shop fronts, and should be avoided. Vertical divisions with mullions, and in some cases horizontal divisions with a transom (a horizontal beam that separates the door from the fanlight or window above it) may be supported.

15.32 Over-lights are often placed above the door and in some cases the doors are set back from the shop windows. If a setback is needed in a new doorway, this should be no more than 1.5 meters in depth, incorporating sensitive lighting.

15.33 Traditional fittings should be considered.

15.34 If historic blinds/awnings (traditionally made of canvas) or a blind box exists then consideration should be given to repairing these or reinstatement.

15.35 Materials and finishes should be in keeping with the historic character of the building and area. The use of uPVC will not be acceptable on shop fronts of listed buildings, or in conservation areas.

Plymouth City Centre shop fronts

15.36 The guidance in this section is for Plymouth City Centre only and is in addition to the guidance set out in this appendix. All proposals will also be considered in the context of additional guidance contained within the Plymouth City Centre Masterplan and within the context of the City Centre's conservation area status.

15.37 Within the conservation area, the LPA will aim to restore and reveal original shopfronts which complement the centre's conservation area status.

15.38 Stall risers should be designed to take account of floor levels and form a suitable plinth to the shop front, but should not be excessively large. The use of natural stone such as granite, local limestone, Portland Stone or local slate should be used to create a high quality, sustainable, and long-lasting, stall riser. Other materials, such as high quality metal, will be considered if it can be demonstrated that they relate well to the wider building and to the composition of the shop front as a whole.

15.39 In many instances fascia and pilastersform part of the original building design are finished in stone. Where possible these original features should be retained. New windows should be inserted within the openings framed by the original fascia and pilasters.

15.40 The area between the top of the stall riser and bottom of the original fascia must have an overall appearance that is 'light-weight'. This should be achieved by:

- Maximising the height of the display windows or glazing;
- Avoiding the installation of box fascias;
- Using clerestories (high-level windows) of clear/translucent/obscure glazing or other light-weight treatments to minimise the extent of solid in the frontage; and,
- Framing elements (glazing bars, door frames, etc.) should form an integral part of the structure of the shop front employing high quality materials. The extent of framing should be minimised to ensure that shop fronts are of a suitable scale.

15.41 Materials appropriate for framing include metals such as bronze, or stainless steel, or contemporary style timber. Plastic framing will generally not create an appropriate finish.

15.42 Many buildings have solid canopies between the ground and first floor. These are part of the original building design and provide important shelter. Within solid canopies roller blind boxes for canvas awnings are housed. The use of traditional roller blinds in these positions is acceptable. Where traditional-style canvas awnings are proposed in other locations, the LPA will have regard to the individual characteristics of the building.

16 APPENDIX 4: Primary shopping boundaries and frontages

16.1 To view Appendix 4: Primary shopping boundaries and frontages, please visit:

https://www.plymouth.gov.uk/sites/default/files/SPDAppendix4PrimaryShoppingBoundariesFrontages.pdf.

17 APPENDIX 5: New work in conservation areas

Introduction

17.1 Conservation areas are designated by LPA's and are special places due to the survival of their authentic architectural and historic qualities. They vary greatly in nature and character and in the features which have historical significance. This is particularly true of the conservation areas within the Plan Area as they cover a range of areas in different shapes and sizes, from the very rural to the very urban.

17.2 Within conservation areas, a sense of history as well as identity prevails, and by designating conservation areas the LPAs are sharing the belief that these areas ought to be preserved and reinforced.

17.3 The LPAs have a statutory duty to ensure that developments requiring planning permission in conservation areas are approved only if they preserve or enhance the character or appearance of the area's features of special architectural or historic interest. Policy DEV21 of the JLP sets out the LPA's approach to the historic environment and additional guidance on designated and non-designated heritage assets is available within this SPD.

17.4 Describing and defining the features in conservation areas are usually done through Conservation Area Appraisals and Management Plans (CAAMPs). However, this is not always the case and, due to the number conservation areas across the Plan Area, a CAAMP may not have been produced for every conservation area. This guidance has been produced to explain what the features are in any of the conservation areas that demand such statutory respect and should be considered during the planning process.

17.5 Conservation areas are 'heritage assets' and all decisions made on planning applications affecting them will have to respond to whether the 'significance' of the asset would be impacted upon and whether the proposed impact is harmful.

Who is responsible?

17.6 Everyone who makes decisions about how the built and natural environment in conservation areas are treated has a shared responsibility towards their care. They, in particular, hold the key to successfully achieving those statutory conservation aims. The challenge is to do what can be done to ensure this part of our heritage is handed on to future generations, intact and enhanced.

17.7 When permission isn't required to carry out works to non-listed buildings, like repairs and redecorations and the replacement of windows and doors, it will be for individual owners to decide whether or not their proposals are 'conservation friendly'. Regardless of size, for advice and assistance on any project which has a structural or architectural impact within a conservation area, please contact the relevant LPA's Heritage Specialists/Officers.

17.8 For example, owners of the below unlisted house reversed its negative contribution to a conservation area by reinstating a solid timber panelled door and the vertical-sliding, single-glazed, painted timber sashes that had been previously removed.

Figure 40 Before (left) and after (right) restoration

17.9 When planning permission is required, the decision will be based on how well the works respect the features and characteristics described in this guidance and the CAAMPs. Applicants will need to demonstrate how their proposals will preserve or enhance the interest and character of the conservation area, showing respect for, and compatibility with, all that contributes in a positive sense towards their creation. This doesn't mean, however, that new buildings must copy their older neighbours in detail but their design should represent an imaginative and contemporary interpretation of the quality and qualities of the buildings and spaces around them, for example, in certain circumstances modern, contemporary designs may be appropriate.

17.10 Although conservation areas aren't designated to bring change to a halt, there will be times when particular proposals affecting particular buildings or sites will be inappropriate in principle, even if all aspects of their detailed design can be satisfactorily resolved.

New buildings in conservation areas

17.11 The below gives guidance for proposals which are introducing new buildings into conservation areas including:

- New buildings on vacant sites or in the grounds of existing buildings;
- New building as extensions to existing buildings; and,
- New buildings as replacements to existing buildings.

New buildings on vacant sites or in the grounds of existing buildings

17.12 When new buildings are proposed for sites, the first consideration will be whether any part of the site, or indeed the site as a whole, should be built on at all. This is because the absence of buildings can itself be a positive contributor towards a conservation area's special interest and character.

17.13 An open and undeveloped site, for example, might evidence and visually 'characterise' an important aspect of an area's historic development pattern or its relationship with the surrounding landscape. Within settlements these special spaces include greens or commons, squares and market places, parks and gardens, allotments, quaysides and courtyards, the cultivated parts of ancient burgage plots, surviving apple orchards, the landscaped gardens of higher status houses and Plymouth City Centre Precinct. The last are somewhat different to the rest as their special interest isn't based on a total absence of buildings but on their density, which is characteristically low. In addition, such gardens sometimes evidence the development of English garden design, and can include any number of important specimen trees.

17.14 For example, wide open spaces are associated with the iconic Abercrombie design for Plymouth post-war city centre regeneration:

Figure 41 Plymouth City Centre

17.15 And in the images below, an apple orchard within a village (left) survives to a remarkable extent and are especially characteristic of its setting and the open field (right) preserves and characterises the commanding nature of the settlement's original siting in the landscape.

Figure 42 Examples where open space is a positive contributor to an area's special interest and character

17.16 Outside settlements (and sometimes entering them too) such special spaces can include the adjacent fields of the open countryside. Although distinct from the settlement they often help to define its layout form (linear, nucleated, dispersed etc.) and its relationship with the landscape setting. These spaces are more common around smaller rural settlements where twentieth century development hasn't encroached into the countryside, leaving them still confined, for example, to the floor or one side of a valley or to the crest of a ridge. In larger towns and cities, parks and green spaces often perform the same function.

17.17 An absence of buildings can also contribute positively when it permits views of important buildings or features, or indeed other undeveloped spaces that are special. These views needn't be confined to the conservation area itself and can also be from the outside in or the inside out; in other words from wherever the more significant features that contribute towards the area's interest, setting and character can be seen to advantage. These views can range from the tightly framed, as glimpsed between buildings, to the panoramic, as observed across a foreground of open land. Blocking these views completely would be undesirable, but even a partial block, or the introduction of new buildings into a scene, could be equally undesirable if this harmed an otherwise agreeable composition, visual effect or a setting with historic significance.

Figure 43 Plymouth Hoe Registered Park and Garden within the Hoe Conservation Area

17.18 There are other conservation reasons why an absence of buildings from a site will be an important consideration when assessing its suitability for new buildings. The existence of important trees, landscaping features or archaeological remains are perhaps the more significant, and also the foreground or frontage of a building where its open or uncluttered appearance is an essential aspect of its authentic character.

New building as extensions to existing buildings

17.19 When a new building is proposed that will extend an existing one, two considerations are fundamental. The first is the same as above, which is whether all or part of the site chosen for the extension should be built on at all. Again this depends on what contribution the current 'absence of buildings' makes, and, whilst extensions are less likely to affect most of the 'open and undeveloped' spaces already listed, their impact on important views, trees, landscaping features and archaeological remains can be just as significant.

17.20 The second consideration is whether the existing building should be extended on the elevation proposed or extended. This is because a building's existing form can be essential to its character and setting. An absence of enclosed front porch extensions in a terrace of cottages, or side extensions in a series of semi-detached pairs are characteristics that preserve authenticity and create harmony. Where visible, the absence of extensions at the rear can do the same, as can their existence in a pattern and form that's repeated.

17.21 Where other types of buildings occupy a conservation area, such as farm buildings or warehouses, their characteristic forms and the desirability for preserving them, will influence their suitability for extension. This would be the case too with buildings such as toll houses and lodges which, although usually singular in their existence and style, add considerable interest to a conservation area, especially in their original form.

New buildings as replacements to existing buildings

17.22 When a new building is proposed which involves the demolition of an existing building, the first consideration will be whether the demolition works should be undertaken. This is because the vast majority of buildings in conservation areas have been purposefully included in them on account of the positive contributions they make. The presumption for most buildings, therefore, is that they should not be demolished but retained with their interest and character preserved or reinforced.

17.23 The special qualities of historic buildings are often unique and derive mainly from their patina of age, their style and the idiosyncrasies and sensibilities of their construction and siting. Replicating these is rarely possible today as modern standards relating to the siting, servicing and construction of new buildings must be met. In addition, old buildings may possess other values that would be lost completely through demolition, such as being the work of a particular architect or estate, having associations with past events or people, or providing tangible evidence of how a settlement has developed.

17.24 The demolition and replacement of a building is likely to be acceptable, therefore, only if it's historic form and characteristics have been eroded by less than sympathetic, irreversible, changes. On the other hand, if a building isn't historic at all, and doesn't relate in any positive way to its historic neighbours, or the conservation areas as a whole, demolition may well be considered positively desirable. In this case the challenge will be to make sure the replacement is suited to its setting.

17.25 For example, the new buildings shown below were designed and sited to respect their different settings. The new rendered cottage range (left) is in a local village whilst the warehouse style apartment block (right) occupies a historic waterfront. The new development (below) also compliments the Grade 1 listed building at Devonport, Plymouth.

17.26

Figure 44 Examples of new buildings in conservation areas making a positive contribution to setting

Making changes in conservation areas

17.27 The below gives guidance for proposals which are making changes to buildings within conservation areas including:

- Making changes to the outside appearance of existing buildings;
- Making changes to frontage areas and boundary structures; and,
- Making changes to intensify or alter the use of existing buildings.

Making changes to the outside appearance of existing buildings

17.28 When changes to the outside of buildings are proposed in conservation areas, the first consideration will be whether the change should be made. This is because nearly every aspect of a building can create interest and character, from its overall form to the arrangement and detailing of its parts. Even minor changes can erode the positive contribution they make, and because most buildings are part of a group, their impact can be widespread and not just effect the building itself.

17.29 The changes which most erode interest and character are those that involve the loss of genuine authentic features, be they windows and doors, bargeboards and chimneys or the claddings and treatments of walls and roofs. Repair will preserve their originality and the building's integrity too, but if repair isn't practical, like-for-like replacement will minimise the loss. Replacements that aren't like-for-like can do significant damage if they introduce different designs or materials to the ones being lost, since their characteristics may not suit the building or the setting it's in. The unique identity it has, as well as its historic character, might both be eroded; and this would be true whether the changes replaced something existing or added something new.

17.30 For example, the below shows before and after photos of the impact replacements windows which are not like-for-like can have on a building's historic and architectural character. The new windows are painted timber, recessed in their wall openings, have glazing bars and have equally-sized, flush-fitting casements.

17.31

Figure 45 Before (left) and after (right) photos of the impact of unsympathetic changes on an area's historical and architectural character

Making changes to frontage areas and boundary structures

17.32 When changes are proposed to the frontage areas of buildings, or to the treatment of their boundaries, the first consideration will be whether these should be made. This is because the way boundaries are formed, the line they follow, and the way the private area behind it is used and treated, can all contribute towards interest and character.

17.33 Different frontage and boundary treatments usually characterise particular periods in the development of settlements and, indeed, the status of the buildings they serve. They also create a whole range of positive visual effects, like enclosure and identity. By changing

the use or appearance of the frontage area (for example, from garden or cobbles to tarmac for parking) or the boundary structure if there is one (for example, from ornamental railings to fence panels, or by removing or realigning any of its length) not only is this likely to erode the historic interest of a setting but its characteristics too, in what is the most prominent of locations.

17.34

Figure 46 The uniform treatment of the boundaries make a significant contribution to the character of the street.

Making changes to intensify or alter the use of existing buildings

17.35 When proposals are made to change the use of a building, or alter and maybe extend it to continue an existing use, the first consideration will be whether these should be made. This is because particular uses may contribute towards the interest and character of a conservation area but they will only remain so for as long as they can be accommodated without causing harm.

17.36 Uses are rarely static in nature, and the time may come when a building is no longer capable of accommodating the evolving demands of even a long established use without major changes to its fabric and appearance. Where these will be damaging to an area's interest and character, relocation might be the more appropriate solution. Further, because it is not just the host building a use needs to be compatible with, but the host area as well, a proposal for a new use or the intensification of an existing one may not be appropriate where this would generate levels of traffic, parking, noise or any other environmental effects that could harm the established character of a conservation area or prejudice its future preservation or enhancement.

17.37 The Royal William Yard in Plymouth is a good example of sensitive regeneration of historic buildings to accommodate new uses.

Figure 47 Royal William Yard, Plymouth

Considering detail in conservation areas

17.38 When proposals are fine in principle the real challenge is to make sure they're appropriate in detail too. Achieving this requires skill, as they're less likely to preserve interest and character, and strengthen identity, if they introduce characteristics that aren't already established. Attention to detail is therefore essential, first when analysing an area's existing characteristics, and then in translating them into proposals that are imaginative and contemporary and show a respectful eye for what's gone before.

17.39 The below diagrams show examples of both good and bad examples of how changes can enhance or destroy the character of a street:

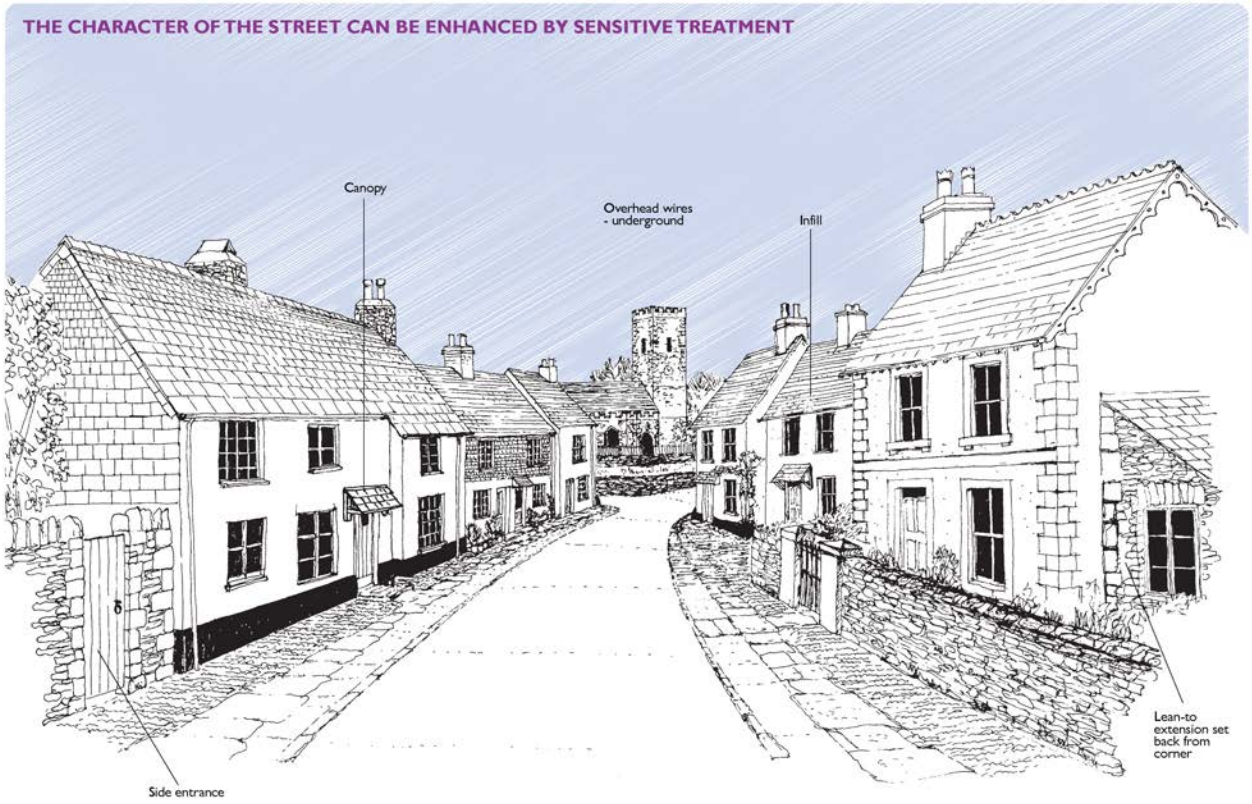

Figure 48 Examples of changes which can enhance the character of a street

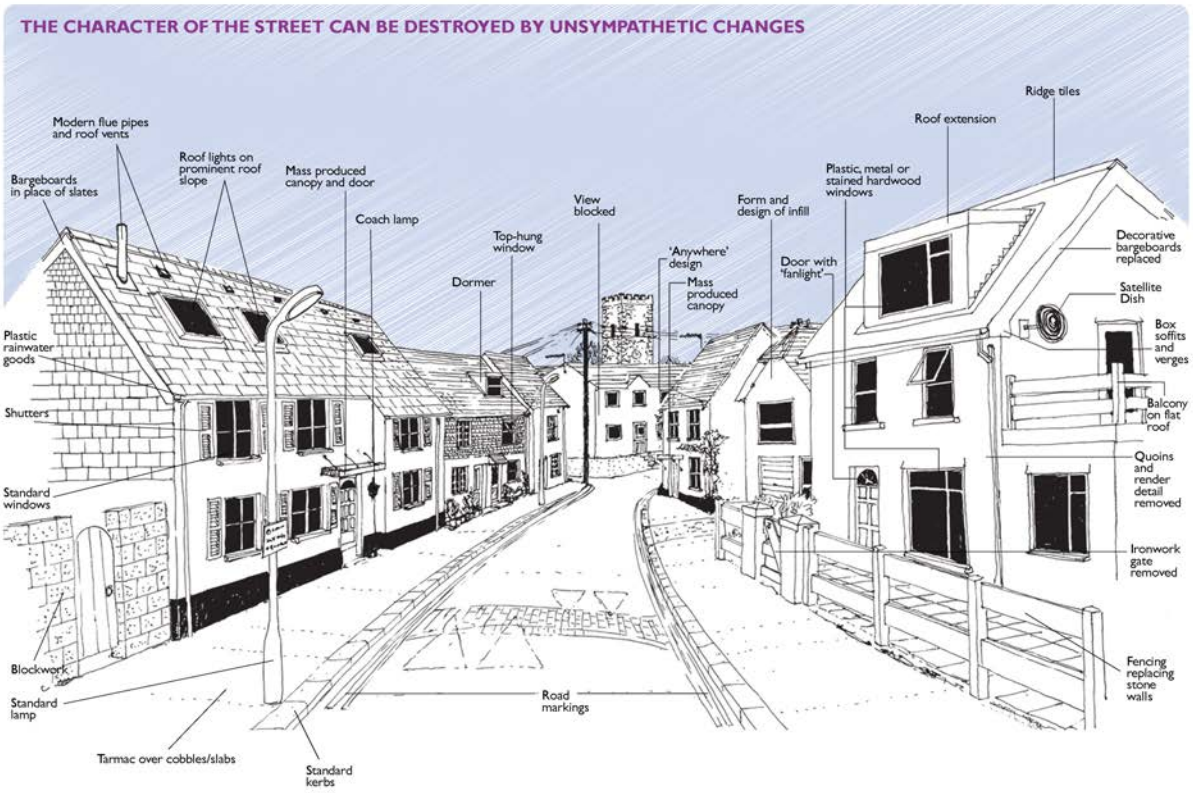

Figure 49 Examples of changes which can harm the character of a street

17.40 The below gives additional guidance on the detail which needs to be considered when proposing development in conservation areas including:

- The characteristics of siting and alignment;
- The characteristics of materials;
- The characteristics of scale and form; and,
- The characteristics of style and detailing.

The characteristics of siting and alignment

17.41 New buildings are more likely to look as if they belong to a conservation area if they're sited and arranged in much the same way as those already there. In recent years common practice has been to set new buildings back from the highway, with 'open plan' gardens or parking areas in front, but this isn't a pattern that's typical of historic areas in the area. Here, most buildings relate to the highway in one of three distinct ways, each telling something about their age, status and use:

- The first is where buildings are sited directly on the highway, at the back of the pavement if there is one or behind an 'unprotected' strip of land belonging to them. From roof to doorstep, therefore, their fronts are very much part of the street scene.
- The second is where buildings are set back from the highway behind private front gardens with waist high boundary walls. Although usually facing the highway, the prominence of

these buildings in the street scene will depend on the depth of the garden and how densely it is planted.

- The third is where buildings are set back from the highway within private gardens 'protected' by high level walls. As a result, these buildings, as well as their gardens, may not form part of the street scene at all.

17.42 The below example shows the sensitive combination of restoration and new build which has been placed to strengthen and enhance the characteristics of the village square.

Figure 50 Before (left) and after (right) example of redevelopment where siting was a key consideration

17.43 Buildings in groups often share a common frontage or 'building line' that's more or less parallel with the line of the highway, and, as few highways are ever dead straight, this relationship creates many pleasing and often unique visual effects. Building lines that diverge away from the highway are especially interesting as they may evidence a significant time or event in the past. Near the centre they might define an ancient market place, while at the crossing point of a river or stream they could evidence the existence of an earlier bridge or ford that has since been superseded.

17.44 Another important aspect of layout patterns is the relationship buildings have with one another along the highway, both in terms of their formations (singly, in pairs or in groups of any number) and the gaps between them. The variations are indeed enormous, and in most areas several patterns will exist. In cities, towns and large villages continuous terracing will often be dominant in and near the centre, while beyond this a number of other patterns will prevail, from short terraces or semi-detached houses in fairly regular series, right through to widely-spaced detached houses set in landscaped grounds. In small villages established patterns tend to be more mixed, and the key to their preservation rests very much in ensuring new development complements the mix in its particular locality.

Figure 51 Dense layouts, characteristic of historic urban areas

The characteristics of materials

17.45 Over the centuries ideas about floor plan arrangements and architectural styles have spread with relative ease to produce similar forms and appearances throughout the country. Building materials, however, tell a different story. Transporting these was difficult and expensive so first choice usually went to the materials closest to hand. It is not surprising, therefore, that in a country with such a diverse geology, the materials used to construct its historic buildings are a prime source of local identity. This can be very local indeed where the geology is especially varied and able to supply a bounty of serviceable building stones, roofing slates and clays and shillets for cob. Farming practices helped too by supplying straw for thatch, and sometimes local reed from a number of wetland areas chiefly on the coast. In addition innumerable kilns alongside quarries, beaches and navigable rivers were busy producing lime; the essential ingredient for mortars and renders which were gauged with local beach or river sands. These, then, are the materials that truly belong in the area, having enjoyed a long tradition of use, while brick, tiles and exposed timber frame construction only rarely found favour.

17.46 Deciding what the most suitable materials are for a building project isn't simply a matter of making choices from the range that already exist. It is important to recognise which materials are present in a conservation area and which are not, but equally it is important to recognise how the materials that do exist are used, how extensive their use is, and how they

are distributed. Each of these aspects is a potential source of interest as well as identity, bearing in mind that many conservation areas are made up of a series of identifiable zones each with characteristics of their own. Slate hung walls, for example, might be conspicuous by their absence from certain parts of a conservation area, but be dominant in another or make only an occasional appearance. And when slate hanging does occur, it might only be applied to certain types of building, and even then, only to particular elevations.

17.47 Such patterns in the use and distribution of materials will usually have sense and purpose, so new work that doesn't respect them could erode their historic interest and may look out of place. Expensive slate hanging, for example, was often only applied to elevations that took the brunt of the weather, while houses built of rubble stone were often rendered to reflect their 'superior' status in comparison to 'humble' outbuildings whose stone was left exposed. It wouldn't make sense, therefore, if the house render was removed to expose the stonework and a new garage built alongside with a perfectly flat rendered finish.

17.48 Materials make an immense contribution towards the interest and character of conservation areas, not only in creating their distinctive identities, which is important enough, but also in creating a sense of authenticity that is genuine and meaningful. This is why the introduction of other materials, such as panel fencing in place of stone walls, plastic windows in place of timber, or indeed tarmac in place of cobbled pavements, can have such a disruptive and erosive impact. It is also why special care is always needed when specifying materials for new work. It is not enough to choose stone, for example, without considering its type and form (eg thin-bedded slate stone or rounded limestone), its colour, the texture and colour of its bedding mortar and the method of its laying and pointing. Nor is it enough to choose natural slates without considering their colour, their sizes, the way they're to be laid, and the method of their fixing.

17.49 The below examples show the importance of materials when making planning decisions in the conservation area:

Figure 52 This prominent slate cladding is attractive, but its use can be rare and needs to remain so to preserve its particular identity

Figure 53 Narrow cobbled roads and stone buildings are characteristic of Plymouth's historic Barbican area

Figure 54 Renewing the render of this cottage was appropriate, but not the added patterning

17.50 For further guidance on materials across the Plan Area please see APPENDIX 2: Specific materials for the Plan Area.

The characteristics of scale and form

17.51 Scale and form are two aspects of building design which are closely related and derive mainly from the attributes of size, shape and proportion. All buildings have them, as do their parts, and in combination they make a very significant contribution towards a conservation area's interest and character. In particular, the scale and form of buildings has quite a fundamental influence over the way a conservation area is perceived in terms of the kind of settlement it's in. In general the more similar buildings are in these respects the more likely they will relate to each other in harmonious ways.

17.52 In historic settlements such relationships tend to be the rule rather than the exception, mainly due to the prevalence of traditional materials and methods of construction. These have tended to keep buildings within certain bounds by restricting wall heights and limiting the widths between them to the distance a pitched roof could span (around 6 metres). So even the largest buildings in market towns have simple forms and modest, human scales. But, whilst visual harmony normally prevails in historic areas, the different ages and types of building in each will introduce distinctive patterns, so that roofs, for example, may be characterised by either steep or shallow pitches, or hipped or gabled ends.

17.53 For example, the new developments shown in both photographs are only a short distance apart, but the differences in their scale and proportions suit them to their different, well-established settings

Figure 55 Examples of good siting and form

17.54 Scale and form, however, do much more than illustrate the development and visual impact of traditional building techniques. Of very special interest is the way they shed light on a settlement's history, including its status and functions, its patterns of growth and the fluctuations of its fortunes. In comparison, therefore, to a handful of tiny cottages at the heart of a coastal hamlet, a row of 3-storey town houses in any market town will have a completely different story to tell about the whys and wherefores of their construction. Patterns of this kind characterise every historic settlement and provide a great deal of tangible evidence and information about former times. But it isn't simply for want of ensuring the story they tell can

be read by future generations that they need to be respected. The great variety of visual effects they create are of value too, including every level of visual enclosure, and these could easily be harmed by the introduction of new buildings of inappropriate 'stature'.

The characteristics of style and detailing

17.55 The architectural style of historic buildings, and the detailing of their parts, create visual delight and together supply a tremendous amount of information about their age, status and occupation. They illustrate too how a conservation area has developed over the centuries, giving insight into how its fortunes have fared and what significant events have helped shape the way it looks today.

17.56 The style of most historic buildings is characterised, to a large extent, by the particular treatment of windows and doors. They, therefore, are especially sensitive to change, making any alterations to them undesirable.

17.57 As a general rule, the earlier historic buildings, the less likely their exteriors will have been consciously designed. An attractive appearance was doubtlessly sought, but practical considerations prevailed. So whilst room layouts were often the same in similar sorts of buildings, room sizes, and the size and arrangement of their windows, varied enormously to reflect the particular needs and aspirations of their occupants. The results, outside, were compositions most often described as picturesque and usually defined as 'vernacular' in style, their key characteristics being informality, irregularity and simplistic.

17.58 As the rule also implies, the later historic buildings are the more likely their exteriors will have been consciously designed. Formality is the key characteristic of their compositions, and for this they're usually defined as 'polite' in style. Buildings designed in this way usually embody classical traditions, so that the proportions of windows and doors, and their arrangement, combine to create regular patterns with vertical emphasis. Such 'politeness' outside was often at the expense of convenience inside, as achieving a balanced design was considered most important, especially on principle elevations. Such politeness also meant that architectural features of classical origin became common, particularly cornices at the eaves and pilasters in support. Indeed, these, along with essential sash windows, were often used to 're-front' vernacular buildings in order to bring them 'up to date' and into fashion. As the detailing of these features (especially sash windows) changed over time they now help to date buildings and the changes made to them. They also show how local craftsmen interpreted national ideas and used them to create buildings and places with distinctive characteristics of their own.

17.59 The architectural styles of buildings, the way they're distributed and the detailing of the features that characterise them are all significant contributors towards the interest and character of a conservation area. Above all, they provide that essential ingredient, 'authenticity', without which a conservation area would be without its true identity.

17.60 The below examples show how style and detailing plays a key role in defining conservation areas.

Figure 56 The ‘vernacular’ style of these 17th century cottages derives mainly from the informality of their appearance

Figure 57 The ‘polite’ style of this 19th century house derives from the formality of its architectural treatment which creates a dignified and refined appearance

Figure 58 The formal style of this building reflects its status as an important corner of the Abercrombie plan for Plymouth

17.61 Guarding against the erosion of vernacular characteristics means avoiding changes that will 'regularise' a building's appearance, like altering windows to a single, standard pattern or size. Taking care not to 'gentrify' simple cottage entrances is important too, while extensions should 'simply' continue the irregularities and informalities of their parent. Polite characteristics, on the other hand, are more likely to be eroded by repairs that don't include the renewal of decorative architectural features, or by extensions that are crudely detailed and disregard the key design features of their parent.

17.62 Recognising the different styles, and translating their characteristics into designs for new buildings, requires skill in the understanding and handling of traditional details if they are not to appear superficial and denigrate the 'genuine articles'. New buildings ought not be copies of the old. Rather they should display a purposeful relationship with their setting, and contribute positively towards its character, in a manner that's both imaginative and contemporary. Those qualified and experienced in architectural design will be best able to provide the professional advice and guidance needed and those with a proven record should be sought and commissioned.

17.63 Below are examples of new development which has introduced modern design into historic settings:

Figure 59 The new staircase linking the Royal William Yard to Devils Point successfully introduced a distinctly modern architectural style and materials to the historic victualling yard. Image © Jay Stone

Figure 60 This small development is modern, but it is suited to its village setting too, both in terms of its overall vernacular styling as well as the quality and subtle detailing of its parts. Note, for example, the softened corners to the rendered walls and the superior appearance of the roof with its traditional 'mitred' hips (in comparison to the existing tiled ones on the left).

18 APPENDIX 6: Additional guidance for DEV26

Introduction

18.1 The below gives further guidance on policy and guidance on 'Protecting and enhancing biodiversity and geological conservation (DEV26)', it includes information on:

- Habitat Regulations Assessments (HRA), including details on:
    - The Plymouth Sound and Estuaries European Marine Site Zone of Influence; and,
    - The South Hams SAC Consultation Zone.
- Requirements for protected species; and,
- How to consider compensation and Biodiversity Net Gain in planning applications.

European Sites and Habitat Regulations Assessments (HRA)

18.2 This guidance expands on guidance at 'DEV26.1 - European Sites and Habitats Regulations Assessment (HRA)' of the SPD.

Habitats Regulations Assessment (HRA)

18.3 The LPAs are required to ensure that proposed development (alone or in-combination with other development) will not have an adverse effect on the integrity of European Sites – this is undertaken through the 'Habitats Regulations Assessment' (HRA) process.

18.4 Applications are first subject to 'Screening' of the likelihood for significant effects. If there are none then the process ends here.

18.5 If there is a likelihood of significant effects, applications are subject to a more detailed 'Appropriate Assessment' after which Natural England will be consulted. Natural England have issued Standing Advice with respect to consultations on recreational impact only within the Plymouth Sound and Estuaries EMS Zone of Influence.

18.6 Development will only be permitted if it will not adversely affect the integrity of a European Site either alone or in combination with other development.

'Evidence to inform a HRA'

18.7 Where there is potential for a proposed development to significantly effect a European Site (other than where these relate to recreational impacts only within the Plymouth Sound and Estuaries EMS Zone of Influence), the applicant will be expected to provide a document titled 'Evidence to inform a HRA'.

18.8 This document will identify effects and their significance and the proposed avoidance and/or mitigation measures incorporated in the proposal to ensure it will not adversely affect the integrity of a European Site.

18.9 These measures should carry through to other supporting documents for the planning application and the document will inform the HRA carried out by the LPA.

18.10 Plymouth Sound and Estuaries European Marine Sites (EMS)

Recreational pressure

18.11 The Plymouth Sound and Estuaries SAC and Tamar Estuaries Complex SPA are collectively referred to as the Plymouth Sound and Estuaries European Marine Site (EMS).

18.12 A 12.3km Zone of Influence (ZOI) exists around the EMS which was clarified and confirmed as part of the evidence base informing the Joint Local Plan: EMS Recreation Study Document 04. Survey of recreational use within the Plymouth Sound and Estuaries European Marine Site: Scoping report and survey results[240].

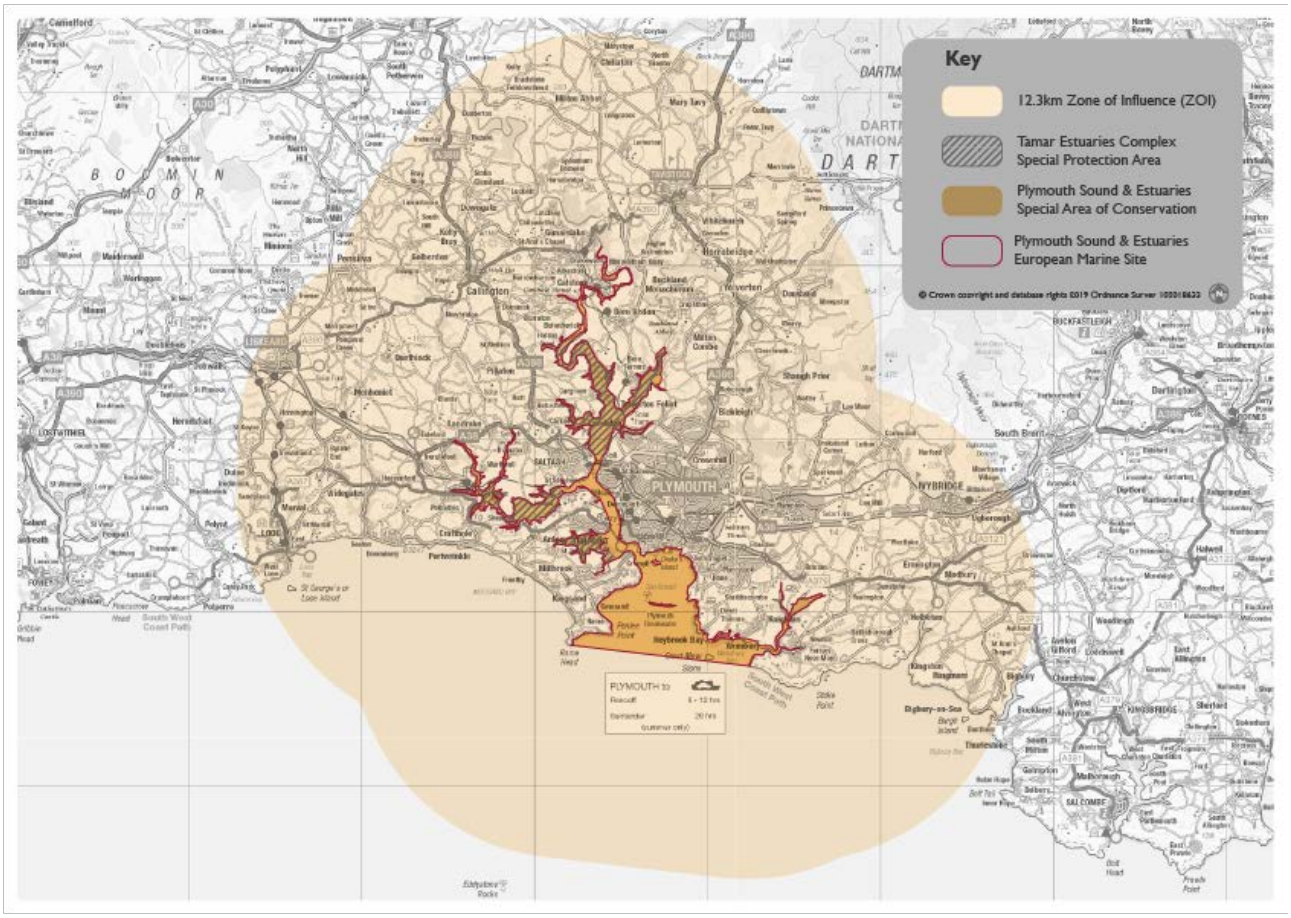

Figure 61 12.3km ZOI around Plymouth Sound and Estuaries EMS

18.13 Recreational pressure from residents associated with new development within the 12.3km ZOI will require mitigation to ensure that they do not have a significant effect on the Plymouth Sound and Estuaries EMS. Without mitigation new residents, in combination with other development, could have a significant effect.

18.14 A Strategic Access Management and Monitoring Strategy (SAMMS) identifies the management actions that are required to mitigate the potential in-combination of new housing development including which mitigation sums from development are required to contribute towards mitigation.

18.15 Within the PCC administrative area this mitigation sum will be taken from the CIL contribution, whilst within the WDBC and SHDC administrative areas, the sum will be taken by a scheme secured by condition.

240 http://www.plymouth-mpa.uk/wp-content/uploads/2018/06/171207-Rec-Study-04-FINAL-JLP-evidence.pdf

18.16 Where a chargeable development falls within the ZOI but does not have any other potential to effect the Plymouth Sound and Estuaries EMS (other than recreational pressure), applicants are not required to submit an 'Evidence to inform a HRA' document. In these cases the LPA will complete a HRA and Appropriate Assessment making reference to the Standing Advice issued by Natural England with respect to consultations on recreational impact only within the Plymouth Sound and Estuaries EMS Zone of Influence.

18.17 Please see 12 'Planning obligations, the Community Infrastructure Levy and development viability' for further guidance on planning obligations.

Development below the high water mark

18.18 Developments below the high water mark can have a profound effect on the marine environment which can have a knock-on effect on other aspects of the environment and for other users. Impacts can include:

- Physical loss of habitat area from new structures such as slipways and dredging;
- Fragmentation of habitats;
- Physical damage to the habitat so that it degrades over the long-term e.g. through increased anchoring;
- Biological disturbance e.g. through increased bait collection;
- Pollution of the shore and estuary such as construction sites and oil spills;
- Obstruction of natural currents (hydrodynamics) by built structures such as quays and slipways which can cause erosion of key habitats;
- Contribution to adverse in-combination effects; and/or,
- Disturbance to wintering birds, migratory fish and other species protected under European law.

18.19 The most common concerns and issues raised through the planning process are listed below and details provided under a method statement on how this will be minimised should be provided:

- The disturbance of the sediment during construction and the subsequent mobilisation of any contaminants;
- The placement of pilings and structures on the seabed which can alter the hydrodynamics within the estuary;
- The loss of intertidal and subtidal habitat, where a culmination of small loses can have a major impact on the overall functioning of the estuary;
- Increased runoff which can lead to higher levels of pollutants entering the water; and/or,
- When heavy plant machinery are used on the foreshore.
- The disturbance to migratory birds during construction and as a direct or indirect result of the development.

18.20 Developments which would result in an element of detrimental impact must have regard to the principles of the mitigation hierarchy.

18.21 If a development is deemed necessary then, regardless of which licences are required, the developer will need to demonstrate that they have taken all steps necessary to minimise detrimental impact on biodiversity.

18.22 In addition to the above environmental considerations, proposed development will also need to take into account:

- Economic considerations and the potential impact of any development on those with an interest in using the waters;
- Navigation considerations and the activity of the navy, commercial shipping and recreational vessels, including at night where light pollution can impact the effectiveness of navigational lights;
- Climate change and coastal defences, including rising sea levels and increased adverse weather;
- Ecological considerations through poor working practises during construction (noise and pollution), through loss of habitat or by indirectly changing the way the water functions;
- Recreation considerations, where access both to and into the water is of importance;
- Waterfront development proposals which shut off access to and from the sea, fail to address opportunities to improve access or otherwise impede PCC's vision of being a vibrant waterfront city embracing a Plymouth Sound National Marine Park, willnotbesupported.

18.23 Any development below the high water mark will also require a 'Marine Consent' from the Marine Management Organisation (MMO)[241]. If the development lies within the intertidal area between high water and low water mark, then both planning permission and marine consents are required. Additional consents may also be required from the harbour authority and the Environment Agency (EA).

South Hams SAC

18.24 The South Hams SAC comprises five distinct and separate significant Greater Horseshoe bat roosts (themselves nationally designated SSSIs).

18.25 Areas surrounding the roosts (Sustenance Zones) have been identified as being of particular importance in supporting the critical feeding and commuting activity of the Greater Horseshoe bats, and the wider landscape (Landscape Connectivity Zone) has been identified as of importance for the more dispersed activity of the bats further from the roost locations.

241 https://www.gov.uk/topic/planning-development/marine-licences

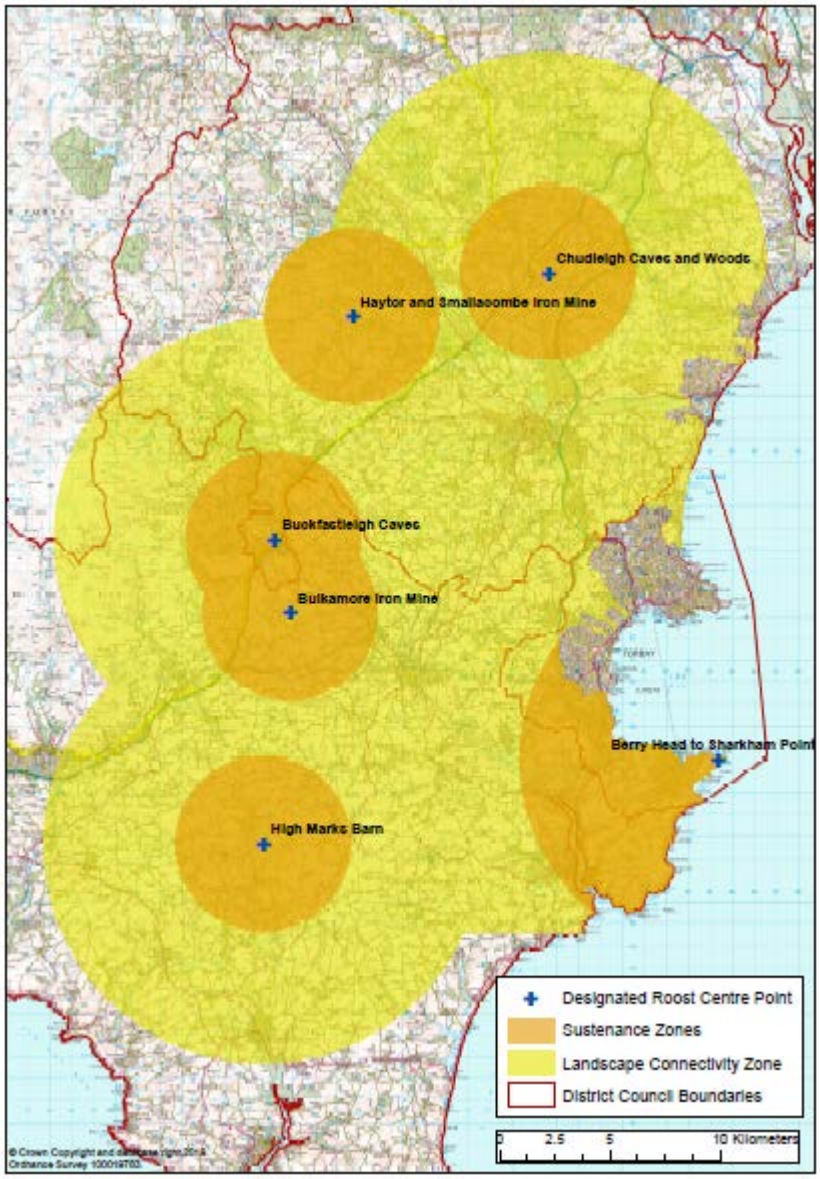

Figure 62 South Hams SAC consultation area

18.26 The roosts and supporting features fall within five LPA administrative boundaries (SHDC, Teignbridge District Council, Devon County Council, Torbay Council and Dartmoor National Park Authority).Given the complexities of the South Hams SAC and potential for development a joint South Hams SAC Guidance Document[242] has been adopted across the five LPA areas and should be consulted when undertaking development within the Sustenance Zones or Landscape Connectivity Zone, to understand the likelihood of proposals having significant effects on the South Hams SAC, and whether a HRA is likely to be required.

18.27 The Guidance Note will also be supplemented by a number of Advice Notes giving specific advice on survey effort, mitigation measures and useful information which will assist when considering the impacts of a proposal.

European Protected Species

18.28 This guidance expands on guidance at 'DEV26.4 - Protected species, Priority Habitats and Species and associated planning policy and legislation'.

242 https://www.devon.gov.uk/planning/planning-policies/other-county-policy-and-guidance/south-hams-sac-guidance

18.29 Applicants must avoid impacts on European Protected Species (EPS) wherever possible. EPS may be encountered regularly when undertaking ecological surveys in support of a development proposal, including small scale residential applications, for example, bats roosting within a roofspace, or major development sites for example, dormice nesting in hedgerows or bat foraging/commuting along boundary features.

18.30 EPS that are most likely to be encountered within the JLP area are bats (17 species), dormice, otters and Great Crested Newts.

18.31 To identify when Great Crested Newts (GCN) should be considered within the planning process, see the GCN Consultation Zones[243] at which act as a guide as to when it might be reasonable to undertake a GCN assessment following national guidance.

18.32 Where there is presence of EPS, the likely impacts of the proposed development on EPS should be identified. The LPA will consider whether the proposed development is likely to trigger one or more of the offences against EPS as defined by the Habitats Regulations:

- Deliberately capture, injure or kill an EPS;
- Intentionally or recklessly disturb an EPS in its place of rest/ breeding site;
- Intentionally or recklessly damage, destroy or obstruct access to a EPS place of rest/ breeding site (even if the EPS is not occupying the resting / breeding place at the time); and/or
- Possess or sell or exchange an EPS (dead or alive) or part of an EPS.

18.33 Where an offence is considered likely the LPA is required to consider whether the proposal meets the 'three derogation tests' and accordingly whether Natural England is likely to subsequently grant a EPS Licence for otherwise illegal activities to proceed lawfully.

18.34 For a proposal to meet the three derogation tests it must:

- Have an Imperative Reason of Overriding Public Interest (IROPI);
- No Satisfactory Alternative (that would meet the IROPI); and,
- Maintain the Favourable Conservation Status of the EPS concerned.

18.35 If the LPA is satisfied the three derogation tests are met it may grant planning permission and the applicant can then apply to Natural England for an EPS Licence[244].

18.36 The applicant will be required to provide evidence to inform the LPA's consideration of the three tests. The first two tests are planning tests, whilst the third is an ecological test. It is noted that the LPA may not require the level of detail subsequently necessary for Natural England to conclude their consideration of the third test, but nonetheless sufficient information is required to give the LPA confidence that the third test is met, for example, if a compensatory bat roost is required, it should be reflected on submitted plans.

18.37 If EPS are present, but it is considered that a Habitats Regulations offence is unlikely or can be avoided (and an EPS Licence is not required), the applicant must ensure that a non-licence method statement or mitigation strategy is included within the submission, detailing any necessary avoidance or mitigation measures that will ensure the development is undertaken in a lawful manner.

243 http://www.dbrc.org.uk/great-crested-newt-consultation-zone-5km-maps/
244 https://www.gov.uk/guidance/wildlife-licences

UK Protected Species

18.38 Applicants must avoid impacts on UK protected species wherever possible. The most common UK protected species encountered within development in the JLP area are reptiles, Barn Owls and badgers. It will be necessary to establish the presence of and implications upon these protected species before applying for planning permission and to avoid impact wherever possible. Any avoidance and mitigation measures should also be included within the submission.

18.39 Natural England has issued standing advice regarding protected species[245] to assist LPAs with considering how developments might impact protected species and with assisting LPAs in their decision making for planning applications. The same information may be useful to applicants and developers.

18.40 For works affecting some UK protected species, further licences[246] may be required from Natural England.

Biodiversity Action Plan (BAP) habitats and species and UK Habitats and Species of Principal Importance

18.41 Applicants must avoid harmful impacts on BAP habitats and species wherever possible. BAP habitats and species are those identified as being the most threatened and requiring conservation action under the UK BAP. The UK BAP lists have been used to help draw up statutory lists of Habitats and Species of Principal Importance listed in section 41 of the NERC Act (2006) for which LPAs have a duty to conserve (commonly referred to as Priority Habitats and Species).

18.42 Within Devon the Devon BAP Priority Species[247] list was updated in 2018 with a list of 1,600 species known to be rare in Devon and a list of 96 species for which Devon has a particular responsibility to look after the species and their supporting habitats. The location of Priority Habitats can be found on Defra's interactive map[248].

18.43 If adverse impacts cannot be avoided they must be mitigated as far as possible and compensated for on or off-site (if it can be satisfactorily secured). For Priority Habitats, compensation must be by restoration of existing, or creation of new Priority Habitat to ensure no net loss of that particular habitat type. If compensation is not possible an application may be refused.

Cirl Buntings

18.44 Cirl Buntings are a rare species in the UK (reflected by inclusion as a s41 Priority Species, listing on Schedule 1 of the Wildlife and Countryside Act, 1981, on the Red list as a species of high conservation concern, and a Devon BAP Priority Species) with a very restricted range, most of the population occurring within South Devon.

245 https://www.gov.uk/guidance/protected-species-how-to-review-planning-applications
246 https://www.gov.uk/guidance/wildlife-licences
247 https://www.naturaldevon.org.uk/devons-natural-environment/devons-wildlife/devonspecialspecies/
248 https://magic.defra.gov.uk/magicmap.aspx

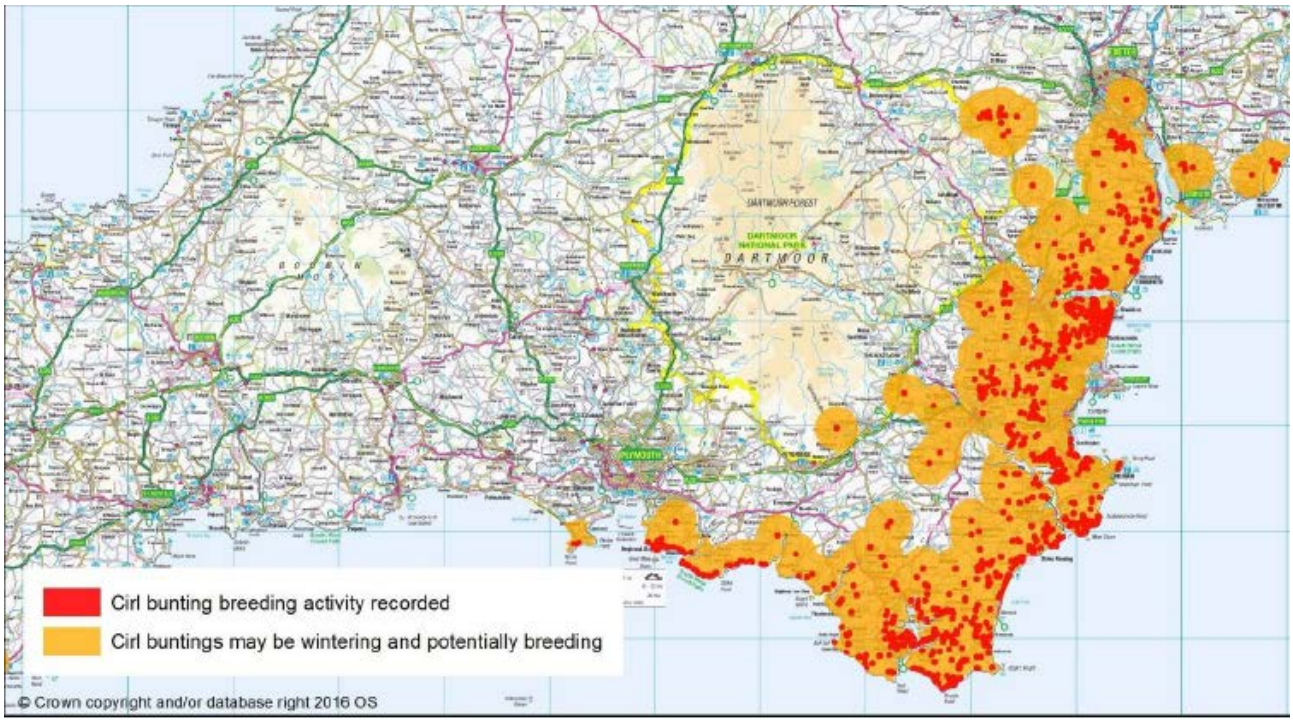

Figure 63 Cirl Bunting breeding range in Devon Primary source: 2016 national survey

18.45 In areas where there are historic records of Cirl Buntings breeding territories, or where suitable habitat is present on a development site, the developer and the LPA will either need to accept presence of Cirl Buntings and agree on the level of presence or undertake specific Cirl Buntings surveys, in accordance with the Wildlife and development guidance note: Cirl Bunting (2017)[249], or the latest iteration thereafter.

18.46 Where loss of summer breeding or winter Cirl Bunting habitat is unavoidable, compensatory habitat must be provided. This is unlikely to be achieved on the development site but may be able to be achieved on other land within South Devon.

18.47 To adequately compensate for the loss of habitat associated with one pair of Cirl Buntings, it is necessary to provide at least 2.5ha of appropriately managed habitat, to include:

- <1.13ha ofsemi-improved/rough grassland (summer feeding habitat);
- <0.2ha hedge/scrub (nesting habitat); and,
- <1ha weedy overwinter stubble (winter feeding habitat).

18.48 Where suitable mitigation or compensation cannot be provided on site, contributions towards off-site compensation will be sought.

18.49 Where offsite compensation is made as a contribution towards land purchase for a nature reserve and RSPB (or other body), management and monitoring costs for the first five years with subsequent costs being met by RSPB (or other body) reserve management budget, full details of cost calculations can be found within the Wildlife and development guidance note: Cirl Bunting (2017).

How to consider compensation and Biodiversity Net Gain in planning applications

18.50 This guidance expands on guidance at DEV26.5 of the SPD.

249 https://www.rspb.org.uk/globalassets/downloads/documents/conservation-projects/wildlife-and-development-guidance-note--cirl-bunting-october-2017.pdf

Major applications

1. Consultant ecologist to undertake desk study and initial Preliminary Ecological Appraisal:

    - Assess habitats, their quantity and value;
    - Record findings within Preliminary Ecological Appraisal; and,
    - Undertake further protected species surveys if required.

2. Complete the Defra Biodiversity Metric Calculator:

    - Calculate area and quality of existing biodiversity units;
    - Calculate proposed onsite habitat restoration and creation (and if relevant offsite) in terms of biodiversity units; and,
    - Calculate change in biodiversity units, the value must show a 10 per cent increase in biodiversity units to be policy compliant.

3. Submit PEA/protected species surveys results as an Ecological Impact Assessment (EcIA) with the Defra Biodiversity Metric Calculator spreadsheet.
4. Include details of ongoing management and maintenance of onsite provisions (within a Landscape and Ecological Management Plan – LEMP).
5. If compensation/net gain provisions are to be offsite, provide details of how this will be achieved, and how it fits will local priorities for habitat restoration and creation:

    - If on land owned by applicant, a Management Plan will be required for 30+ years, delivery of which will be secured by s106 clause.
    - If on land owned by a third party, as above with the third party signatory to the s106.
    - If unable to provide on land in applicant's control, provide a calculation showing habitat creation costs applicable to required number of biodiversity units. This is likely to include: land purchase; habitat creation and ongoing management. When agreed, the sum to provide this habitat creation/restoration will be secured by s106 clause and paid upon meeting the trigger to the LPA.

6. LPA to secure provisions by Section 106

18.51 NB – Any necessary impact avoidance and mitigation measures will need to be detailed within the EcIA and adherence to these will be conditioned, and for larger and/or more complex schemes a proportionate Construction and Environmental Management Plan will be required.

Minor applications

18.52 Is an ecological survey required? (find out by reviewing LPA local validation checklist)

18.53 ***Yes -*** Consultant ecologist to:

1. Undertake desk and site survey and record findings within Preliminary Ecological Appraisal.
2. Where there will be an impact on protected habitats or species undertake further surveys as appropriate. Compile results within an Ecological Impact Assessment.
3. Complete an ECOP and Biodiversity Budget and attach these as appendices to the PEA/EcIA, showing a 10% or (where not practicable) a clear biodiversity net gain. Reflect any provisions on elevation drawings as applicable.

4. Where necessary (depending on scale), include details of ongoing management and maintenance of onsite provisions (within a Landscape and Ecological Management Plan)
5. If considered appropriate and proportionate Biodiversity Net Gain, the LPA will condition adherence to the ECOP (and elevation/other drawings as applicable).

18.54 ***No -*** Applicant to:

1. Applicants will be encourage to complete an ECOP and Biodiversity Budget sheet, showing a clear biodiversity net gain, to include (as a minimum):

    - One inbuilt bat box/brick/tube per dwelling;
    - One inbuilt bird box/brick per dwelling;
    - One inbuilt bee brick per dwelling;
    - A hole for small mammals (such as hedgehogs) in each garden fence of 13 x 13cm.

2. If considered appropriate and proportionate Biodiversity Net Gain, the LPA will condition adherence to the ECOP (and elevation/other drawings as applicable).

19 APPENDIX 7: Open space assessment form

19.1 To view Appendix 7: Open space assessment form, please visit:

https://www.plymouth.gov.uk/sites/default/files/SPDAppendix7OpenSpaceAssessmentAuditForm.pdf.

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