

Objection to Planning Application B (20/00586/MAJ)

The Houghton Barton (NA1) area has been discussed at length in the consultation phase for the design of the Local Plan, at the Government Inspector's Enquiry and at the Local Plan review stages. Teignbridge Council adopted the original Local Plan on 6th May 2014 and the area of farmland proposed in this application has never been approved for development at any stage of the process.

As this planning application falls outside of any area that is approved for development, and considering the scale of farmland that will be and is already being lost under development in the area, this planning application to extend the area should be refused.

1. Development outside of agreed boundaries

This planning application is in its entirety, outside the development limit / boundaries of:

- a) The Local Plan that was agreed in May 2014.
- b) The Development Framework Plan that was agreed in June 2018.
- c) The Local Plan Review of 2018.
- d) The Local Plan Review 2020-2040 - Part 1

In the Local Plan Review 2020-40 - Part 1, in the Settlement Limit Review, section 2, para 2.3, the Council has already stated that:

"The principle of development within the limit is usually acceptable whereas development is strictly controlled in the area outside the limit, particularly for residential development."

And in the same review, later in the Statement of Consultation (March 2020) Teignbridge planners have already answered the question as to whether development adjacent to agreed boundaries should be allowed (Q11 response, p94):

*"Settlement Boundaries, or **settlement limits**, remain in the draft Local Plan as they are a recognised way of **controlling urban sprawl**. The development that may be permitted within and outside settlement boundaries is set out in Policy SP2: Settlement Limits and the Countryside, which **restricts development outside Settlement Limits**."*

Additionally, in the "Statement of Community Involvement" from the applicant, it was shown that after a public meeting for the NA1 development, feedback showed that the public preference was for development to come forward on an allocated site **in line with the Local Plan** (Para 4.2). The Planning Statement from the applicant that accompanies this planning application summarises the feedback from this meeting, but unsurprisingly omits this particular public response.

Hence this application should not be approved. The applicant has shown that the public would prefer development to stay within the agreed Local Plan area and the Council have also indicated the need to control urban sprawl and indicated that development outside of the agreed area will be strictly controlled.

If the application was to be approved, a precedent will be established for many landowners who own other land adjacent to the area. The urban sprawl mentioned in the Council's response would become very difficult to control.

2. Consultation

The adopted Local Plan repeatedly promises that, in line with the National Planning Policy Framework (NPPF), local people, communities and stakeholders will be involved in the decision-making. (For instance; page 9 - para. 1.7; page 10 - para 1.9)

There has been no public consultation about the area affected by this particular application. The public meeting concerning the original Houghton Barton (NA1) development plan was held at a time before this planning "extension" had been proposed.

As this application area is entirely outside of the Local Plan and noting the public feedback mentioned above, it would be unlikely to gain public support at a similar consultation.

3. Decision Making Framework

In the planning statement accompanying this application, a legal judgement is highlighted that suggests precedent for approving applications outside of a development plan (p 25 - para 5.3). This is presumably aimed at discouraging the Council from refusing the application for fear of legal repercussion.

This particular planning application proposes development over an area of productive farmland that extends the NA1 part of the Local Plan by nearly 13%. As such it could be argued that rather than being a "minor infringement" (as referred to in the judgement cited by the applicant), this planning application would be considered a "major addition" to the Local Plan, especially for local residents, the landscape and the wildlife. As such, it is unlikely that a legal argument to allow this extra development outside of the Local Plan would be successful.

The Council should be more concerned with the precedent set if this application is approved, rather than if it is refused. In these challenging times, local farmers and landowners will be monitoring the progress of this application closely.