

# Local Plan Review 2020-40 – Part 1



**PlanTeignbridge**

LOCAL PLAN REVIEW 2020-2040

## Settlement Limit Review

March 2020

**It must be noted that any changes to settlement limits set out in this paper DO NOT constitute a change to the adopted settlement limits within the existing Local Plan 2013-2033.**

**Any changes to settlement limits proposed through this Review Paper can only be implemented through an updated Local Plan or Neighbourhood Plans.**

**Settlement limits currently adopted in the Local Plan 2013-2033 will remain in force until a replacement Local Plan has been adopted or a Neighbourhood Plan which has amended a settlement limit in their Neighbourhood area is Made/adopted.**

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## 1. Introduction

- 1.1 The purpose of this topic paper is to set out the methodology and principles upon which the existing Teignbridge Local Plan 2013-2033 settlement limits have been reviewed.
- 1.2 The role of the settlement limit is to define the built limits of a settlement and differentiate between what is considered the built form of a settlement where the principle of residential development is usually acceptable and the countryside where housing is restricted. This difference between the built up area within the settlement and the countryside beyond the limit is essential in the application of local plan policy particularly policies S21A: Settlement Limits and S22: Countryside. The settlement limit defines what is considered countryside and therefore defines what Local Plan Policy should be applied to a particular development.
- 1.3 Settlement limits guide development to sustainable locations demarking a concentration of existing residential and employment premises, services and facilities. In addition, they provide clarity and certainty for developers and the general public by highlighting the areas which will be more acceptable than others for particular types of built development.
- 1.4 It must be noted that the settlement limit is a planning designation only and has no other administrative relevance. Settlement limits do not necessarily reflect land ownership limits, parish limits or the exact curtilage of dwellings.
- 1.5 Whilst the principle of development, particularly residential development is usually acceptable within the settlement limit, this does not automatically grant planning permission to such a proposal or mean the Local Planning Authority will grant planning permission. All proposals, whether within, adjacent or outside of the settlement limit will be determined in accordance with the relevant policies of local and neighbourhood plans unless material considerations indicate otherwise.
- 1.6 This Settlement Limit Review paper (March 2020) accompanies the Local Plan Review's second phase of public consultation. It updates the previously identified settlement limit revisions in light of the responses to the Local Plan Review Issues Consultation conducted in 2018.

## 2. Background

### What is a Settlement Limit?

- 2.1 A settlement limit is also known as a settlement limit within the current local plan but also referenced to as village envelope or development limit, but these terms all hold the same meaning in planning terms.
- 2.2 A settlement limit is a line on a plan which provides the divide or limit between built up areas of Towns and particular villages and the countryside.
- 2.3 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.
- 2.4 The settlement limit aims to guide development to the most sustainable locations where the greatest concentration of services and facilities are located.

### Why are they being reviewed?

- 2.5 Settlement limits were last comprehensively reviewed over 20 years ago through the preparation of the 1996 Local Plan. The currently adopted Local Plan 2014 revised existing limits only to incorporate allocated sites.
- 2.6 Over the last 20 years our urban areas, towns and villages have experienced various incremental changes to physical features on the ground which form an integral part of a settlement but are not included in the limit. A review also provides the opportunity to remedy any errors or inconsistencies in the original limit. A comprehensive review enables all existing settlement limits to be assessed using a transparent and standard methodology which takes account of the built development which is both on the ground now and planned up to the end of the plan period 2040.

Figure 1: Teignbridge District Planning Area

### What settlements have been reviewed?

- 2.7 All existing settlement limits in the Districts Planning Authority area (Figure 1), have been reviewed in line with the set of principles which have been applied consistently.
- 2.8 The existing settlements which have been subject to the settlement limit review are listed Table 1.



Settlements	
Abbotskerswell	Ipplepen
Bickington	Kennford
Bishopsteignton	Kenton
Bovey Tracey	Kingskerswell
Broadhempston	Kingsteignton
Chudleigh	Liverton/Cold East
Chudleigh Knighton	Newton Abbot
Cockwood/Middlewood/Westwood	Shaldon
Dawlish	Starcross
Denbury	Stokeinteignhead
Doddiscombsleigh	Tedburn St Mary
East Ogwell	Teignmouth
Exminster	
Heathfield- No amendment	
Ide	

Table 1: Settlements subject to Limit Review

- 2.9 It should be noted that all of the above settlements, with the exception of Heathfield have been subject to amendment. Heathfield settlement limit was assessed in line with the Principles but no amendment was required.
- 2.10 Settlements within Dartmoor National Park stand outside of the jurisdiction of Teignbridge District Planning Authority and have not been subject to this settlement limit review.

### **3. How have settlements been reviewed?**

- 3.1 The Paper establishes a set of principles to examine and refine settlement limits to ensure each limit has been examined in a consistent, fair and repeatable way.
- 3.2 This provides guidance and transparency to developers and the public on how the local planning authority has approached the settlement limit revision. In addition it establishes a baseline methodology upon which future revision can be undertaken i.e. through subsequent stages of the Local Plan Review.
- 3.3 The limit review has been established upon a set of central principles which guide the refinement process.

#### **Methodology and Principles**

##### **Principle 1**

- 3.4 **The limit will be defined tightly around the built form of settlements which will be informed by defined features such as walls, fences, hedgerows, roads, canals and woodland.**
- 3.5 The built form largely includes the curtilages (defined below) of properties in recognition of the combined status of properties and their curtilage as a single planning unit.

## Curtilages

- 3.6 A curtilage is an area of land immediately beside or around a building which is closely associated with and serves the purposes of that building in some necessary or useful way. For dwelling houses the curtilage will usually be the garden but other non-domestic buildings may also have curtilage. A builder's workshop may have an operational, outside area commonly known as a builder's yard which forms the curtilage of that building.
- 3.7 A curtilage can provide amenity space around dwellings and can accommodate ancillary domestic paraphernalia such as washing lines, children's play areas and equipment, swimming pools, garden structures, ornamental gardens, etc. In the case of commercial uses, it can provide practical operational areas for associated ancillary facilities including storage areas, car parking, un/loading areas, etc.
- 3.8 Although the curtilage relates to a building and not to a particular use, in most cases the use of both the building and its curtilage will be the same, for example, a garden will be used for the residential purposes of a house. A curtilage is often, but not necessarily always, marked-off or enclosed. Therefore, planning permission is usually required for a change of use to extend the curtilage of residential and non-residential buildings onto adjoining land used for another purpose, for example, to extend the garden of a dwelling onto adjoining agricultural land.

## Principle 2

### **3.9 Settlement limits will include:**

- a) Existing commitments which form a continuous part of the built form of a settlement, these include:
- ) Unimplemented planning permissions which are still active and have not expired as of 15<sup>th</sup> January 2020. These are schemes that have gained planning permission for built development which lie on the edge of existing towns and villages but have yet to commence construction. Expired permissions have not been included within the revised limit.
  - ) Implemented permissions include sites on the edge of settlements which have either started construction or completed construction as recorded from 15<sup>th</sup> January 2020.
  - ) Local Plan allocations which are identified in the adopted Local Plan, have already been included within the settlement limits of our urban area and towns, where they closely relate to the built form of the settlement. Any additional allocations presented through the Local Plan Review should be included within a revised settlement limit through subsequent reviews.
  - ) Made Neighbourhood Plan residential and employment allocations where they form a continuous part of the built up settlement should be included.
- b) **The curtilage of buildings which closely relate to the character of the built form and have enclosing features.**



- 3.10 The curtilage of buildings which clearly relate to the associated building by proximity and character have been included within the settlement limit. Determining factors include: enclosing features such as hedgerows and fences, land-use type and the degree of suburban residential character compared against the surrounding agricultural context.
- 3.11 Areas of hardstanding, ancillary parking area and tennis courts have also been included within the settlement limit as these are common features within the curtilages of buildings and relate to the built form.

**c) Brownfield Land which stands on the edge of the built form but is not physically or visually detached from the settlement.**

- 3.12 Currently planning policy establishes the principle of development on brownfield land as sustainable development where other policies of the development plan are met. The Council are seeking to encourage the redevelopment of brownfield/previously developed land and its inclusion within the settlement limit where possible is considered to facilitate this aim.

**d) Permanent Park Home sites which stand adjacent to existing settlement limit**

- 3.13 Teignbridge District has a number of Park Home sites, some of which are exclusively used as permanent residential properties. Permanent residential park home sites which stand adjacent to and closely relate to the built up area of settlements have been included within the settlement limit.

**Principle 3**

- 3.14 Settlement limits will exclude:**

**a) Open Spaces, Orchards and sports and recreational facilities which stand on the edge of the built form of settlements.**

- 3.15 Areas of open space (including orchards), sports and recreational facilities which stand on the edge of the built form of settlements are important recreational facilities for the community. In addition their open character can provide important views from the built form into the open countryside beyond, linking the settlement with its rural context. These spaces can also provide a visual buffer between the built form and the open countryside, softening the visual impact. Orchards on the edge of settlement can also play an important role in defining the historic character of a settlement, denoting their historic agricultural origins. These areas have been excluded from the settlement limit where possible to provide an additional layer of safeguard through the application of policy relating to the Countryside.

**b) Isolated development which is physically or visually detached from the settlement.**

- 3.16 Singular houses or small pockets of development which do not stand adjacent to the built form and have a detached character (derived from their physical or visual detachment) from the main bulk of the settlement have been excluded.

**c) Sections of large curtilage of buildings which relate more to the character of the countryside than the built form.**

- 3.17 Large curtilages of buildings at the edge of settlements, i.e. long rear residential gardens have been divided, with their furthest sections omitted from the settlement limit where there is an observable land-use difference, an open expansive character or dividing feature, delineating between the character of the built form and that of the rural beyond. Consideration has also been given to the character of the settlement and the contribution of the site to that character.

**d) Agricultural farmsteads and or buildings which stand on the edge of the built form of settlements**

- 3.18 Agricultural farmsteads are considered characteristically rural and part of the countryside and provide the historical connection between settlements and their agricultural origins. In addition these spaces can provide visual links to their rural context beyond. Therefore farmsteads standing on the edge of the built form of settlements are excluded as they relate more to the rural context. This approach also provides an additional safeguard against infilling which has the potential to undermine this distinctly rural feature.
- 3.19 Farmsteads which have been previously converted from agricultural use will be included within the settlement limit, where they are not visually or physically detached from the settlement. Allocations within a Neighbourhood Plan for the redevelopment of a farmstead which stands on the edge of a settlement will be included within a revised limit.

**e) Where an extension could lead to development which has a potential to adversely affect the character and/or setting of a Conservation Area**

**f) Caravan sites which serve a primarily temporary and/or holiday purpose**

**g) Areas of land which stand wholly with the Undeveloped Coast and where additional development pressures could have an urbanising effect on that undeveloped character.**

The undeveloped coast is a designation in the Local Plan and supported through the National Planning Policy Framework. It is based on the extent of maritime and

coastal influences, particularly its visibility from the sea, coastline and estuary. The undeveloped coast is designated for its own special character and is designed to remain open. As such designated areas have a presumption against development where a proposal does not have a demonstrable need to have a coastal location.

## 4. Consultation

- 4.1 The Neighbourhood planning groups with a made/adopted neighbourhood plan were invited to a review of their related settlement limits in February 2018. Some minor amendments were made to Bishopsteignton, Abbotskerswell and Exminster's settlement limit as a result.
- 4.2 Further engagement was undertaken with all Town and Parish Council's, through a workshop event on 10 & 11 April 2018 where the Principles and their application were assessed in detail. Amendments suggested through this workshop were reviewed and, where appropriate incorporated into the updated version of the settlement limit, included in this paper.
- 4.3 The previous Draft Settlement Limit Review paper (May 2018) was subject to public consultation as part of the Local Plan Review: Issues consultation from 21 May 2018 to 16 July 2018.
- 4.4 Comments received through this consultation have served to ensure the accuracy in the application of the principles, drawing on local knowledge and expertise. Previous consultation comments on the May 2018 review have been assessed and reviewed against what is on the ground and the principles noted above and revisions made where appropriate.
- 4.5 Settlement limit revisions have also been assessed for their potential adverse impact on the character of Conservation Areas and the Undeveloped Coast with some modifications made to the proposed May 2018 limits as a result.
- 4.6 The comments received during the last Local Plan Review Issues Consultation which relate to the settlement limit principles and/or amendments are listed in appendix 1. This limit review document has sought to respond to the Consultation comments relating to limit principles and potential inaccuracies and has not sought to address comments relating to alternative approaches to settlement limit. This is a strategic matter for the Local Plan Review and will be addressed through the Local Plan Consultation Statement.

## 5. Changes in Settlement Limit Review- March 2020 from May 2018

- 5.1 Kenton has incorporated the revised settlement limit into their neighbourhood development plan. The limit revision was conducted in accordance with the principles in the settlement limit methodology May 2018. This revised limit has been subject to a successful independent examination and a public referendum in which more than half of those voted in favour of the adopting the neighbourhood plan. Therefore the settlement limit within the Kenton Neighbourhood Plan is the up to date and defined limit for the village and replaces the current adopted Kenton settlement limit in the current Local Plan (2013-2033).
- 5.2 As a result Teignbridge will not be making any further updates to the Kenton settlement limit unless changes are required as a consequence to allocated development in the Local Plan Review 2020-2040.
- 5.3 It should be highlighted that the Ipplepen Neighbourhood Plan is currently seeking to allocate for residential development. This will have a consequential amendment to the limit to ensure the site is included in line with principle 2.
- 5.4 To ensure the settlement limit is as up to date as possible and reflects the built-up area and approved planning permissions, an additional planning history search has been undertaken. This search examined all planning applications from 15<sup>th</sup> December 2017 to 15<sup>th</sup> January 2020 which involved the construction of a new dwelling to examine whether this may have resulted in a settlement limit extension in line with principle 2- existing commitments which form a continuous part of the built form of a settlement.
- 5.5 An additional two limit extensions were identified in Bovey Tracey and Kingsteignton. These are listed in Table 2 below.
- 5.6 Table 2 also lists the amendments made to the May 2018 limit revisions which have been reflected in this April 2020 update. These revisions are a consequence of public comments received during the Local Plan Review Issues paper (May 2018) consultation.

*Table 2: Limit changes since May 2018 Paper*

<b>Amendments made to Settlement limit from Issues Paper Settlement Limit Review (May 2018) to Local Plan Review Part 1 (April 2020)</b>			
<b>Settlement</b>	<b>Previous related Issues paper reference</b>	<b>Related properties</b>	<b>Amendment commentary</b>
Abbotskerswell	AB7	Plum Tree Cottage	The residential property of Plum Tree Cottage and its curtilage have been included within the extended limit. This property is residential, is not considered visually detached

Amendments made to Settlement limit from Issues Paper Settlement Limit Review (May 2018) to Local Plan Review Part 1 (April 2020)			
Settlement	Previous related Issues paper reference	Related properties	Amendment commentary
			from the built form of the settlement and has enclosing features. This stands in line with principle 1 and 2b.
	AB7	Butchers Arms	Southern limit has been extended further west to include the full related curtilage to the Butchers Arm which include its beer garden. This stands in line with principle 2b.
	N/a	Properties on Priory Road: ) Coombe Cottage ) The Beacon ) Rockstone ) Seamore ) Overdale ) Highborough ) Kestor	The eastern settlement limit has been extended to include the residential properties on Priory road. Engagement with the Parish Council confirmed these properties form part of the built form of the village and should be included. This stands in line with principle 1 and 2b.
Bickington	BIC6	) The Old Vicarage ) Wisden ) Ferndale	Southern settlement limit has been extended to include the full residential curtilages of surrounding properties. The included areas have a domestic appearance, enclosing features and domestic character and appear more in character with the built for of the village than the countryside beyond. This stands in line with principle 1 and 2b.
Bovey Tracey	N/a	Willowray, Mary Street	Approved application 19/01437/CLDE confirms the residential curtilage of Willowray as a residential property which stands on the edge of Bovey Tracey. The property and its curtilage have been included within the revised settlement limit in line with principle 2.
Denbury	DEN3	Denbury Manor	Further investigation has identified the area encompassing Denbury Manor is sensitive to a change in the character of the Conservation Area. The Manor relates to historical context and development of Denbury. The site provides a perception of isolation from the

Amendments made to Settlement limit from Issues Paper Settlement Limit Review (May 2018) to Local Plan Review Part 1 (April 2020)			
Settlement	Previous related Issues paper reference	Related properties	Amendment commentary
			village and lacks clear views. Denbury Manor has been removed from the revised settlement limit in line with principle 3b and 3e.
	DEN3	St Mary's Church	The church and yard has been excluded from the revised settlement limit as an area of open space which stands on the edge of the settlement limit in line with principle 3a.
Doddiscombsleigh	N/a	Brookford (labelled The Well House on maps)	The revised eastern settlement limit has been extended eastward to include the triangle of land which forms the curtilage to Brookford. The area is enclosed and is domestic in character and has been included in line with principle 1 and 2b.
Ide	IDE4	Ide Primary School	The revised settlement limit has been further contracted to exclude the entirety of the school playing field in line with principle 3a.
Kingskerswell	N/a	Rock House, Maddacombe Road	The western settlement limit has been extended to include the full residential curtilage of Rock House. The included area forms part of the garden of Rock House, it has enclosing features and a domestic character. This area has been included in line with principle 2b.
Kingsteignton	N/a	Amberley, Broadway Road	Application 18/00942/OUT approved outline consent for 7 dwellings which extends slightly beyond the existing settlement limit. The limit has been extended to include this approved site in line with principle 2a.
Liverton	LIV7	) Downing ) Strawberry ) Lowood ) Tobermay ) Caravelle	The revised southern settlement limit has been contracted to exclude areas of woodland and open space which are divided from the nearby residential properties. This amendment stands in line with principle 3b
Shaldon	SHA7	Linacre	The revised settlement limit has been contracted to exclude the square parcel of land adjacent

<b>Amendments made to Settlement limit from Issues Paper Settlement Limit Review (May 2018) to Local Plan Review Part 1 (April 2020)</b>			
<b>Settlement</b>	<b>Previous related Issues paper reference</b>	<b>Related properties</b>	<b>Amendment commentary</b>
			Linacre. This land stands adjacent the Conservation Area and once formed an historic orchard. The area has been excluded from the settlement limit in line with principle 3a.
	N/a	Kopje House Coombe Croft	The northern settlement limit has been extended to include the full rear curtilages of Kopje House and Coombe Croft. These are residential properties with enclosing features and domestic character and have been included in line with principle 2b. It should be noted that the rear sections of the undeveloped coast overlap these curtilages but do not encompass them entirely.
	SHA8	Fernleigh	The previous limit revision included this property within the revised settlement limit. However this property stands wholly inside the undeveloped coast and has been excluded in line with principle 3g.
Stokeinteignhead	N/a	Grange Vale	The northern settlement limit has been extended to include the full residential curtilage of Grange Vale. The area is a domestic garden as confirmed through an officer site visit and the inclusion stands in line with principle 2b.