

Ward Budleigh And Raleigh

Reference 17/1584/FUL &
18/2015/FUL

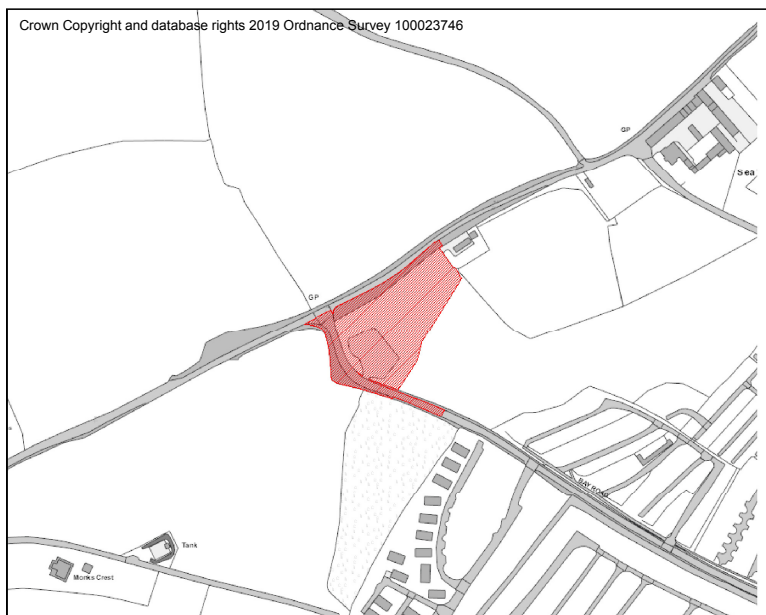
Applicant Ladram Bay Holiday Park

Location Land North West Of Ladram Bay Holiday Park
Ladram Bay Otterton Budleigh Salterton EX9
7BX

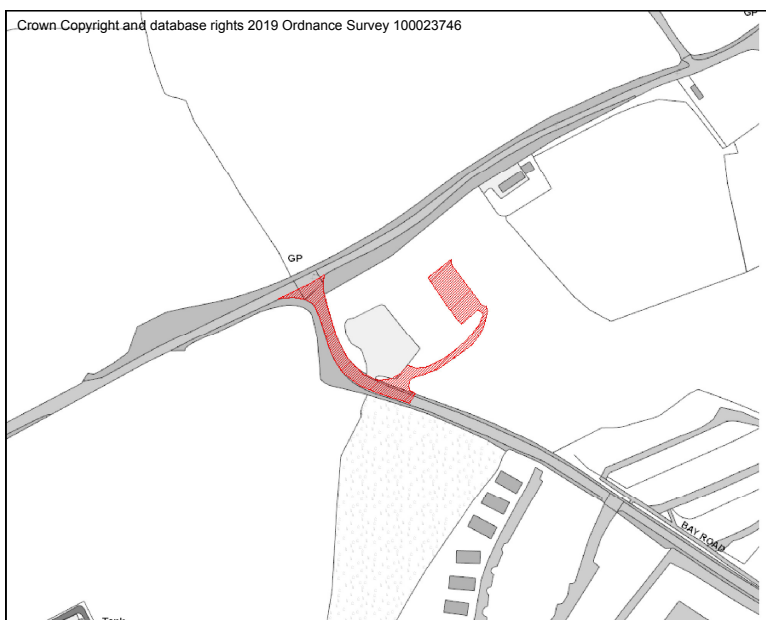
Proposal **(17/1584/FUL)** Revisions to planning permission 16/1709/FUL (Construction of new service yard and building) to incorporate repositioned and widened vehicular access from Ladram Road, creation of additional vehicular access off Bay Road, formation of private access road to water purification tanks, provision of footpath (including gateway to field), construction of retaining wall around service yard, enlarged storage building and new parking area and associated details.
(18/2015/FUL) Installation of LPG storage tanks and associated works.



RECOMMENDATION: Approval with conditions



17/1584/FUL



18/2015/FUL

		Committee Date: 11 th June 2019	
Raleigh (OTTERTON)	17/1584/FUL	Target 30.08.2017	Date:
Applicant:	Ladram Bay Holiday Park		
Location:	Land North West Of Ladram Bay Holiday Park Ladram Bay		
Proposal:	<u>17/1584/FUL</u> - Revisions to planning permission <u>16/1709/FUL</u> (Construction of new service yard and building) to incorporate repositioned and widened vehicular access from Ladram Road, creation of additional vehicular access off Bay Road, formation of private access road to water purification tanks, provision of footpath (including gateway to field), construction of retaining wall around service yard, enlarged storage building and new parking area and associated details		

RECOMMENDATIONS: 17/1584/FUL - Approval with conditions

		Committee Date: 11 th June 2019	
Raleigh (OTTERTON)	18/2015/FUL	Target 31.10.2018	Date:
Applicant:	Ladram Bay Holiday Park		
Location:	Ladram Bay Holiday Park Ladram Bay		
Proposal:	<u>18/2015/FUL</u> - Installation of LPG storage tanks and associated works		

RECOMMENDATIONS: 18/2015/FUL - Approval with conditions

EXECUTIVE SUMMARY

This report is before Members as the officer recommendations differ from the views of the former Ward member.

The report involves two separate applications relating to the same site, namely a replacement service yard and storage building (application 17/1584/FUL) that has been, and continues to be, developed on land beyond the edge of the Ladram Bay Holiday Park, located within the designated East Devon Area of Outstanding Natural Beauty (AONB) and Coastal Preservation Area (CPA) and bordering the Dorset and East Devon (Jurassic Coast) World Heritage Site.

Although planning permission was originally granted for the new service yard in 2017, its development has not been carried out in accordance with the approved plans. Indeed, there have been hugely significant departures from them which have been compounded during the course of consideration of the application. As a consequence, the plans have had to be continually modified so as to reflect the changing situation on site.

One of the main revisions involves substitute proposals for the installation of a number of L.P.G. storage tanks within a compound to be created on part of the north eastern bank of the cutting in which the service yard has been developed. This proposal, which is itself the subject of application 18/2015/FUL, originally envisaged the excavation of a subterranean (albeit open to the sky) compound contained within part of the field above the service yard to its north east together with the creation of a perimeter bank. However, in the light of concerns relating to the impact of the proposed operations upon the landscape, the proposal has been amended so that it is more integral to the service yard itself.

Whilst the wholly unsatisfactory nature of the manner in which the service yard and storage building development has progressed over the past two years in the absence of (until now) up to date drawings is duly acknowledged, it is necessary to consider and assess the proposal as progressed. Given that there is also a need to be mindful as to whether it might be expedient to take action to remedy the situation in light of the now retrospective nature of much of the development, it would not be reasonable to seek to resist the proposals solely on the grounds that they are substantial departures from the original approved details. It would be necessary to demonstrate that the development as carried out results in material harm to material planning interests, in this case the rural landscape character and natural beauty of the AONB and CPA.

In this regard, while there is considerable sympathy with the local frustration at the manner in which the current situation has been reached, it is not thought on balance that the development that has resulted from the various departures from the original approved details causes significant harm to the character or appearance of the AONB or the CPA. The proposals do now include significant landscaping works that, subject to agreement of a longer term management plan, would go some way towards assimilating the extended service yard and the other additional elements, such as the second entrance to the yard off Bay Road, the

service track to the water purification tank and the car park, into the surrounding landscape.

In the event that Members were to take a different position to this, it would be necessary to try to disaggregate some of the various elements of the variations to the original approved proposals in order to be clear as to what remedial works are required.

In relation to the L.P.G. storage tanks and compound, it is considered that their amended siting would represent less of an intrusion into the field above the service yard than the underground compound solution originally proposed. As such, this is also considered to be acceptable. However, clearly this may depend upon Members' views with regard to the extended service yard and whether any action should be taken to challenge this further.

On balance, it is recommended that planning permission for both applications be approved.

CONSULTATIONS

17/1584/FUL

Local Consultations

Parish/Town Council

The Otterton Parish Council objects to this retrospective planning application for the following reasons.

1. The development is 1/3 bigger than the original application to which the Parish Council also objected.
2. The visual impact of the building in an AONB is significant especially regarding the car parking area and the road. Currently insufficient landscaping has been undertaken to mask/blend the development into the surrounding area.
3. Traffic generated by the development will impact on this narrow access road and on the residents and wildlife living in this area.
4. Agreement to this application may set a precedent for further development of this site which it is thought to be at saturation point.

Former Ward Member - Raleigh - Cllr G Jung (Original observations 14/8/17)

I have reviewed Planning Application 17/1584/FUL for revisions to planning permission 16/1709/FUL (construction of new service yard and building) to incorporate repositioned and widened vehicular access from Ladram Road, creation of vehicular access off Bay Road and formation of private access road to water purification tanks, provision of footpath (including gateway to field) and construction of retaining wall around service yard on land North West of Ladram Bay Holiday Park Ladram Bay Otterton Budleigh Salterton EX9 7BX.

I require further detail for the access to the water purification tanks as this access will be highly visible to the surrounding area which is in the ANOB. Detail of finish and landscaping would be welcome.

I also would like further detail of the proposed footpath as further urbanization of this area linking the Gate House to the Holiday Park is again highly visible from the ANOB and needs to be appropriate for the special location.

The work so far on the Gate House and Service Yard has helped to overcome many of the concerns from residents and other Consultees regarding 16/1709/FUL and I hope the revisions and changes within this application will also enhance and be appropriate for the area.

However, these are my preliminary views taking account the information presently made available. I will reserve my final view on this application until I am in possession of all the relevant arguments for and against.

Further observations 29/11/17:

I have studied the documents related to 17/1584/FUL and compared it to the previous application that was agreed in Jan 2017 Ref No. 16/1709/FUL

The new application relates to revisions to planning permission 16/1709/FUL (construction of new service yard and building) to incorporate repositioned and widened vehicular access from Ladram Road, creation of vehicular access off Bay Road and formation of private access road to water purification tanks, provision of footpath (including gateway to field) and construction of retaining wall around service yard at Ladram Bay Holiday Park Ladram Bay Otterton Budleigh Salterton EX9 7BX

I am most concerned regarding the additional proposals plus various retrospective issues that have been brought to my attention, plus the lack of compliance to the conditions that the original planning application (16/1709/FUL) imposed.

This location and the related planning application has been problematic as the location is within the World Heritage location of the Jurassic Coast, it has also SSI and AONB protection. However, it was approved by the Local Authority because of the special need claimed by the owners and the design proposals overcame most of the objections that concerned very many consultees.

It has also been reported by various other consultees to the previous application that they have not been sent details of this revised application. Again, I am concerned that this Application has not accorded the full scrutiny by the previous consultees.

I was given a personal reassurance by the site owners that the development will be followed to the letter because of the special nature of its location. I therefore find it difficult to comprehend how this development has been built larger than approved, with so many changes and most of the conditions seemingly not being actioned.

Conditions from Application 16/1709/FUL

I cannot find any detail of the developer following the Conditions attached to the original application:

2. The development hereby permitted shall be carried out in accordance with the approved plans listed at the end of this decision notice.

The recent document submitted in this latest application Plan7237-03 Rev G shows that the building is much larger than the original proposal.

4. Notwithstanding the submitted details, before development is commenced a schedule of materials and finishes, and, where so required by the Local Planning Authority, samples of such materials and finishes, to be used for the external walls of the proposed development shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

I cannot find any record that the materials were agreed in writing from the local authority prior to these materials being applied to the building.

5. Notwithstanding the submitted details, none of the operations associated with the widening of the access road shown on drawing no. 7237-03 Rev. C shall be commenced until satisfactory layout and elevation details of the proposed entrance gate(s)/barrier(s) have been submitted to and approved in writing by the Local Planning Authority.

I cannot find any detail of the layout and elevation to the gate/barrier.

7. No development shall take place until satisfactory details of the systems for dealing with foul drainage and surface water drainage have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in accordance with the approved details before the service yard and covered storage building hereby permitted are first brought into use.

I cannot find details of the drainage treatments, which would need to be substantially increased due to the enlarged yard being hard surfaced (concrete) rather than the agreed crushed gravel.

8. No lighting or floodlighting shall be installed within or around the service yard or on the storage building hereby approved without a grant of express planning permission from the Local Planning Authority.

Finally, as I understand the building is completed, but there seems to have been no consultation to the lighting now fitted.

Retrospective Issues noted that are not included in this latest application

1. There seems to be a difference from 31metres to 42 metres to the Bay Road maintenance building. A substantial difference in size of the building.
2. There seems to be an increase in the maintenance yard when you include the building from 1260 metre squared to 2350 metre squared
3. The Kiosk seems to be larger than permitted.
4. A second access seems to have been included into the yard
5. The original approved area for development was 1445 square metres but the estimated area now is 3424 square metre. This is twice the area to the original application

6. The proposal for the access road to the purification facilities states an "undefined permeable surface" but it is reported that the surface is scarified asphalt which when compacted will not be permeable.

7. The building was to be open storage with a canopy above but the development has been transformed into enclosed units.

Conclusion.

Because of the alleged breaches in planning permission by the developer in carrying out the original planning permission conditions.

Because the increase in size of the total development including these proposals and substantial proposed landscaping which will create a total mass more than twice the original development.

The size of this development would now require a full "Environmental Impact Assessment" which I would insist on prior to this proposal being considered further.

Rather than a small gatehouse and storage yard this development has morphed into transforming half the field into a substantial development that when considering the special nature of the location totally intrudes and dominates the landscape.

In view of the above I cannot support this application.

The only proposal that I could support at this location is the original proposal, the retrospective additions and additional size of these buildings should be the subject of an enforcement notice and be removed.

I reserve my final views on this application until I am in full possession of all the relevant arguments for and against.

Further comments 6/6/18:

I have viewed the further documents and discussed the issues with the Parish Council, Planning Officers, other consultees and the applicants.

I understand the needs of a successful business, but I also recognise that the AONB is a special area that requires protection from inappropriate development.

In my previous comments prior to the further documents being submitted I stated that the only proposal that I could support at this location is the original proposal, the retrospective additions and additional size of these buildings should be the subject of an enforcement notice and be removed.

I still hold that view, but I do understand that this will be considerable cost to the applicant. Therefore, if a compromise solution was to be negotiated, that satisfied the concerns of the Parish Council and other Consultees I may reconsider my views.

Because the previous application was considered through the Development Planning Committee and concerns raised at that time regarding this development I feel it would be appropriate that this amended retrospective application be considered again by the same committee.

I reserve my final views on this application until I am in full possession of all the relevant arguments for and against.

Further comments:

Thank you for providing me an opportunity to study the draft reports.

I am afraid that I am of the same view as previously and cannot support either application.

I believe the service yard especially requires review by the Development Management Committee as it was a controversial and only approved after a long and lengthy debate.

I will reserve my final views on these applications until I am in full possession of all the relevant arguments for and against.

Technical Consultations

Natural England

Dear Central Planning Team,

Planning consultation: Revisions to planning permission 16/1709/FUL (Construction of new service yard and building) to incorporate repositioned and widened vehicular access from Ladram Road, creation of additional vehicular access off Bay Road, formation of private access road to water purification tanks, provision of footpath (including gateway to field), construction of retaining wall around service yard, enlarged storage building and new parking area and associated details.

Location: Land North West of Ladram Bay Holiday Park Ladram Bay Otterton Budleigh Salterton EX9 7BX.

Thank you for your consultation on the above, which was received by Natural England on 27 April 2018.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

SUMMARY OF NATURAL ENGLAND'S ADVICE

NO OBJECTION - SUBJECT TO APPROPRIATE MITIGATION BEING SECURED

We consider that without appropriate mitigation the application would:

- have a significant impact on the purposes of designation of the East Devon AONB
In order to mitigate these adverse effects and make the development acceptable, the following mitigation measures are required / or the following mitigation options should be secured:
- A comprehensive landscape masterplan for the whole of the Ladram Bay Holiday Park site, incorporating mitigation for this development and also previous unmitigated development impacts, to ensure an overall improvement in the appearance of the site and its impact on the landscape of the AONB.

We advise that an appropriate planning condition or obligation should be attached to any planning permission to secure these measures.

Natural England's advice on this and other natural environment issues is set out below. We provided advice on this application in August 2016 (our ref: 191851) and December 2016 (our ref: 202538). In these responses, we advised that the application would have significant impacts on the East Devon Area of Outstanding Natural Beauty (AONB) - see attached.

This is because the development site is separate from and located to the north west of Ladram Bay Holiday Park, in a locally prominent location within the AONB which was previously open farmland. We advised that the LVIA was poorly structured, hindering proper assessment. The photomontages were of very poor quality, providing little assistance in judging the scale and nature of the impacts.

As a consequence of the poor quality and visual impact of this and previous ad hoc developments within the Holiday Park, we strongly recommend that a comprehensive landscape masterplan for the whole of the Ladram Bay Holiday Park site should be required. This should incorporate mitigation for this development and previous unmitigated development impacts as well as enhancements to the overall appearance of the site, acknowledging its location in a nationally protected landscape.

Landscape character

The development site is within local Landscape Character Type 2b: Coastal slopes and combes. We note that the relevant management guidelines for settlement and development are to conserve by:

1. Maintaining the inherent pattern of sparse settlement.
2. Ensuring that recreation and leisure-related infrastructure along the coast and at the mouth of combes are of a scale, size and type that contribute to the unspoilt character and tranquillity of the cliff landscapes in the adjacent Landscape Character Type.

We strongly advise you to seek and give weight to the advice of the AONB Partnership. Their knowledge of the location and wider landscape setting of the development should help to confirm the significance of the impacts on the purposes of the AONB designation and the appropriate level of mitigation. They will also be able to advise whether the development accords with the aims and policies set out in the AONB Management Plan.

If you have any queries or suggestions regarding the IRZs, please send an email to the NE IRZs Mailbox.

Should the developer wish to discuss the detail of measures to mitigate the effects described above with Natural England, we recommend that they seek advice through our Discretionary Advice Service.

If you have any queries relating to the advice in this letter please contact me on 0208 026 7400.

Should the proposal change, please consult us again.

Yours faithfully

Darren Horn

Planning Adviser - Devon, Cornwall and Isles of Scilly Team

darren.horn@naturalengland.org.uk

Environmental Health

I have considered this proposal and do not foresee any Environmental Health Pollution issues with this application, therefore I have no further comment to make, however I

have forwarded the application to my colleagues in Private Sector Housing who may wish to comment on the water purification proposal.

East Devon AONB

Our original comments to application 16/1709/FUL are attached below for reference and to avoid repetition on the landscape character referencing. Our original comments referred to the fact that this development would require very strong justification, beyond site access control, to be sited in the location proposed.

It is noted that the applicant has implemented alterations to the approved proposal in a range of areas notably the scale of the building, building and surfacing design, road design, access gateways, footpath, car parking, lighting and internal tracks. Collectively these all amount an increased impact on the visual and landscape character of the AONB.

We previously noted that the absence of an LVIA or photo montage did not help in judging the scale and nature of the impacts of the proposals in this application and how it might be viewed in the near and wider landscape. It was known that the original application would draw the adjacent development of the main holiday park into a new visual envelope and strong justification for this would be required. The scale and nature of the current much altered development might suggest that an EIA approach incorporating an LVIA would have assisted in validating such justification. To reference this current development, we attached an image taken 28 May 2018 from High Peak, Sidmouth.

We refer again to the EDDC adopted East Devon AONB Management Strategy (2014-2019) which adds depth to local plan policy in respect of the AONB. The Strategy recognises the significance of the coastal environment and undeveloped character of the AONB coastline. In particular Policy C1 – Conserve and enhance the tranquil, unspoiled and undeveloped character of the coastline and estuaries and encourage improvements to coastal sites damaged by past poor-quality development or intensive recreational pressure.

The options to the current situation would appear to be either to refuse, enforce back to the originally approved scheme or require significant mitigation action. We would add it might also be helpful to consider a mechanism for guiding an improved process for the long-term site enhancement and management at Ladrum, in line with East Devon AONB management Strategy Policy C1.

If refusal or enforcement back to the approved scheme is not taken, we suggest the following matters are considered:

- An improved landscaping scheme is developed and approved by EDDC in consultation with natural England/EDDC Landscape Officer/EDAONB to encompass the water tank, servicing area and car parking areas as detailed below. The scheme should address building and infrastructure design/materials as part of a full and comprehensive landscaping scheme.

The following is also recommended for consideration.

A long-term (annually reviewed) design and access plan is developed for the holiday site as a whole, in partnership with EDDC and the parish council and other key parties. This would help ensure that there are no unexpected proposals arising in future and that there is a clear and agreed direction for the site management and landscape enhancements. This requirement should be time limited so that it is in place within 1 year of notice. To enable all parties to agree variation and plan ahead, a management group for this plan should be established to include the parish council, EDDC and site management as a minimum.

The AONB Partnership recognises the significant economic impact the tourism and holiday park sector make to the local economy and is in support of economic development that makes steps to grow and develop, whilst conserving and enhancing the AONB. This is underlined by our Key Objective in the adopted East Devon AONB Management Strategy – Rural Economy & Services: A sustainable rural economy that serves to conserve and enhance the special qualities of the landscape.

Landscape Architect

Please find below the landscape and GI comments on planning application 17/1584/FUL - Land North West Of Ladram Bay Holiday Park:

- o The landscape and signage proposals are not fully coordinated. The signage plan shows additional planting which has not been detailed on the landscape proposals. The signage plan shows existing hedge bank and young tree planting retained, whilst the landscape proposals do not show the existing tree planting and indicate the planting of a new hedge bank. Please clarify

- o The suggested change to the entry point into the service yard are due to lorry movements; however no tracking information has been submitted to show that the current approved gate opening is insufficient to accommodate the lorries, which will use the site. This information is necessary to substantiate the need for the change to the service yard access. If the need can be demonstrated, I would recommend additional tree planting to either side of the access point to reduce the visual presence of the entry point.

- o The inclusion of the access road to the water purification tanks adversely impacts upon the approved mitigation planting required under approved planning application 16/1709/MRES. This planting was necessary to address the impact on the views from the south-west coastal path. Further the addition of the water purification tanks access road and the southern access to the service yard will extend the development and the required groundworks further south where it will become more visually prominent. No sections have been submitted to show how this changes will integrate into the landscape. The current proposed southern hedgerow will not offer sufficient mitigation especially during winter time as it will only form a thin layer of planting along only a short stretch of the water purification tanks access road. Further I see no need for the water purification tanks access road or the southern access to the service yard to be retained after the completion of the construction work as the existing lane provides a perfectly good access.

- ... o The proposed hedge bank detail is not in accordance with best practice. A hedge bank should be constructed as follow: (scanned document as section included)

Due to the aforementioned the scheme the scheme is unacceptable in landscape design terms as it does not comply with the following EDDC policies:

- Strategy 46 - Landscape Conservation and Enhancement and AONBs
- D1 - Design and Local Distinctiveness
- D2 - Landscape Requirements
- D3 - Trees and Development Sites

Further comments:

The as-built scheme differs from the revised drawings in the following ways:

- Entrance signage feature extends approximately 3m further northwards from the building than show on the drawings.
- An ornamental planting bed of grasses and other plants has been created in front of the entrance signage.
- Planting to western side of building adjacent Bay Road comprises a mixed native hedgerow in a straight line against the side of the building, with a grassed bank in front sloping down to the footway whereas the submitted planting plan shows a Devon hedgebank to the back edge of the footway with grass behind.
- The submitted drawings do not show the earthworks that have been undertaken recently in the field to the east of the application site.

The new entrance way formed off Ladram Road is a major adverse intrusion on the character of the lane. There is ample room for articulated lorries to turn within the enlarged service yard and the site could function with just a single entrance as originally intended. As such the Ladram Road access, which does not appear to be used much, should be taken out and the previous earthbank and hedgerow reinstated to close off the opening (as attached plan).

The entrance signage is similarly out of keeping with the undeveloped rural character of the surrounding landscape and should be removed.

New standard concrete road kerb installed between the northern end of the new footway and the site entrance on Ladram Road should be broken out and a soft verge re-instated (as attached plan).

Details of the extent of low earth bunds currently being created along the line of existing fencing to the field to the east of the application site should be submitted as part of the current application including details of finished height and width and any associated planting proposed.

Landscape proposals Redbay Design dwg. no. 377/01 Rev G

Proposed additional planted hedgebanks indicated on the drawing to the west side of the shed and adjacent to the new footway are acceptable. Recent hedge planting along the side of the building can remain. Further native shrub mix planting should be provided to infill the space between the west elevation of the shed and proposed roadside hedgebank (as attached plan).

Planting to the north side of the shed should be extended from the back edge of the new footway to the existing hedge east of the yard access off Ladram Road (as attached plan).

Proposed planting to the east and south sides of the new car park is inadequate to screen it from the South West Coast path particularly views from the summit of Peak Hill and its western approach. A suitable woodland mix planting should be provided to the eastern and southern side of the proposed car park to screen it from views to the east (as attached plan).

A 10 year landscape management plan should be provided covering management and maintenance requirements for new and existing planting, hedgerows and grass areas. This should include heights at which hedgebanks and hedgerow are to be maintained.

Other Representations

19 representations of objection, including representations from the CPRE and the Otter Valley Association, have been received throughout the course of the application.

Summary of Grounds of Objection

1. Development is incompatible with its landscape setting, can be seen over the wider area and is therefore contrary to planning policies in the Local Plan which aim to conserve and enhance the landscape quality and character of the AONB; the development harms the landscape quality and character of the AONB and is visually intrusive.
2. What started off as a small facility with green credentials has now grown into a small industrial estate; due to the scale of the building, the extent of all the hardened surfaces and new accesses and roadways, the development as built is totally at odds with its rural location and significantly in excess of that previously approved.
3. Storage building has industrial shutter doors and, with a much bigger footprint than as approved, is imposing and dominant.
4. The entrance off Ladram Road into the yard is at least twice the approved area and has unnecessary wooden retaining walls and huge gates which adversely affect visual impact and concrete surfacing which increases the industrial appearance.
5. New entrance off Bay Road to the yard and water purification unit has large gates and is larger than as shown on the drawings, thus increasing visual impact and making it look industrial.
6. The justification for the departure from the details of the original planning consent does not outweigh the cumulative negative impact of the approved and subsequent incremental increase in built form on the AONB.
7. The proposal's objectives and that of the client maintain a tilted balance towards delivering overriding business needs.
8. Construction of something so large and well outside the limits of the planning permission shows a total disregard for the planning process and is disrespectful to the Planning Committee.
9. There is an alternative footpath that could have been improved which would result in pedestrians accessing Ladram Bay closer to Otterton; creating a footpath that leaves pedestrians at the junction of a busy single track road at the park entrance does little to address safety issues.
10. Vehicle tracking clearly showed that there would be insufficient room to bring lorries into the service yard from Ladram Road and the section of Devon bank that was removed should be reinstated and replanted.

11. Paving of road to the water treatment works is out of keeping and the maintenance of this facility has been undertaken for a number of years without the need of a paved access.
12. No ecological report on the impact that security lighting would have on bats.
13. Current solution for resolving drainage issues at the park entrance is inappropriate.
14. Need for a car park not demonstrated and there should be space within the margins of the existing car park within the site if the old recycling facility were removed.
15. There have been numerous 'changes and expansions' at Ladram, every one being subject to retrospective planning permission, always submitted after the work had been completed but always approved, which makes a mockery of the work of the planning department.
16. Justification for the changes seem to contradict the original reasons for the development.
17. Contrary to numerous Local Plan strategies and policies, namely Strategies 7, 44 and 46 and Policies D1, D2, D3, EN14, EN18, EN19, EN22 and E19.
18. The applicants must have known what size of vehicles were going to be using the service area and once again are deliberately trying to do everything by stealth.

18/2015/FUL

Local Consultations

Parish/Town Council

The Parish Council strongly objects to this planning application.

Whilst it is acknowledged by the PC that Installation of LPG storage tanks will not alter the visual aspect of the site it must be considered that this is in an AONB and on a World Heritage site and any works at all will be detrimental to the ecology of the area.. The previous agreement that additions to the site would be kept below the 'skyline' has now been broken and 'associated works' in that field are of real concern.

Planning for previous works in the field remain the subject of retrospective planning applications and until these have been agreed the PC objects to further applications.

Raleigh - Cllr G Jung

I have viewed the documents for 8/2015/FUL for the Installation of LPG storage tanks and associated works at Ladram Bay Holiday Park Ladram Bay Otterton. This Application requires the approval of other works related to a previous application. As this previous application is yet not determined I am unable to support this proposal now. I reserve my final views on this application until I am in full possession of all the relevant arguments for and against.

Further comments:

Thank you for providing me an opportunity to study the draft reports.

I am afraid that I am of the same view as previously and cannot support either application.

I believe the service yard especially requires review by the Development Management Committee as it was a controversial and only approved after a long and lengthy debate.

I will reserve my final views on these applications until I am in full possession of all the relevant arguments for and against.

Other Representations

Four representations of objection have been received, including one from the Otter Valley Association.

Summary of Grounds of Objection

1. A further inroad into the East Devon AONB beyond the boundary of the caravan park.
2. Weight to be given to importance of protecting the environmental significance of the site (within the AONB and on the World Heritage Site) over that derived from the provision of employment.
3. Installation will be visible from the Jurassic Coast and a large part of the surrounding AONB.
4. Query why tanks have to be above ground; underground tanks would be more appropriate in this area and, while some landscaping has been included it will not disguise their presence.
5. Contrary to the strategies and policies in the Local Plan which aim to protect designated areas from harmful development.
6. If tanks do have to be moved, they should be sited within the large open service yard that has been constructed.
7. Health and safety within the holiday park are continually raised as justification for carrying out further developments, but the applicants do not seem to consider the health, safety and general well-being of the residents of Otterton who have had to put up with the vast increase in traffic, noise, pollution and general intrusion that this ever growing site has inflicted on the village and its environs over the years.

POLICIES

Adopted East Devon Local Plan 2013-2031 Policies

Strategy 7 (Development in the Countryside)

Strategy 44 (Undeveloped Coast and Coastal Preservation Area)

Strategy 46 (Landscape Conservation and Enhancement and AONBs)

D1 (Design and Local Distinctiveness)

D2 (Landscape Requirements)

EN14 (Control of Pollution)

EN22 (Surface Run-Off Implications of New Development)

TC7 (Adequacy of Road Network and Site Access)

TC9 (Parking Provision in New Development)

Introduction

This report relates to two separate applications, both involving the development of a service yard on land to the north west of the Ladram Bay Holiday Park.

Application 17/1584/FUL seeks to largely regularise amended proposals for the service yard itself, following an original grant of planning permission for its development in 2017.

Application 18/2015/FUL involves the creation, within the service yard, of a compound for the installation of 12no L.P.G. tanks to replace existing tanks located within the park area to the rear of the site shop/store. The proposals have been amended in the light of officer concerns relating to the details of the siting of the compound originally submitted and are now integral to the service yard proposals themselves. However, rather than integrate the two applications into one, it is considered more appropriate to continue to process the applications as separate proposals but for them to be considered together, hence the combined nature of the report.

Relevant Planning History

Planning permission was granted in January 2017 (under application ref. 16/1709/FUL) for the development of the service yard, including an open fronted storage building, in place of the service yard within the park itself that was the subject of planning permission ref. 09/1715/FUL.

Site Location and Description

Ladram Bay Holiday Park is a long established park located approximately 1km to the east of Otterton, to which it is connected by Ladram Road, an unclassified highway. It occupies a highly sensitive location within the designated East Devon Area of Outstanding Natural Beauty (AONB) and Coastal Preservation Area (CPA) adjacent to the Dorset and East Devon Coast World Heritage Site (Jurassic Coast) (WHS).

The park houses a large number of static and touring caravans and tent pitches together with associated guest/holiday maker infrastructure and facilities in the form of an entertainment complex, shops, laundry, reception area and swimming pool, much of which has been developed over the past 20 or so years.

The pair of applications to which this report relates involve the development of a service yard for the park, referred to in Planning History above, that has been under construction during the past couple of years following the grant of planning permission (under application 16/1709/FUL) in January 2017. This development occupies the western corner of a field adjacent to the junction of Bay Road, a private road, with Ladram Road on elevated land to the north west of the park. Bay Road itself serves the holiday park alone, while Ladram Road extends to the north east of this junction towards Sea View Farm, at which point it turns back towards the park, albeit that at this point it takes the form of little more than a footpath.

Proposed Development

17/1584/FUL

The scheme, as approved by Members of the Development Management Committee (and following extensive pre-application negotiations), for the service yard and storage building complex incorporated, in summary, the following elements:

1. A single entrance to the service yard off Ladram Road utilising a (then) existing agricultural field gateway that was shown to be slightly widened.
2. The storage building itself, which was shown to be essentially L-shaped in plan form, measuring 31 metres in length in each direction and open fronted (i.e. to the yard) with a grass roof.
3. A crushed stone surface finish to the yard area.
4. A security control box/kiosk integral to the west elevation alongside a barrier-controlled park entrance across the carriageway of Bay Road.
5. Minor widening of the Bay Road carriageway alongside the storage building.
6. The infilling of an existing gateway off Bay Road to the south of the storage building and its replacement with an equivalent of similar width approximately 30 metres along the road to the south east towards the holiday park.
7. A comprehensive landscaping scheme, principally centred around significant levels of hedge and tree planting around the southern and eastern sides of the building and yard.

However, over the ensuing months following the grant of permission it became established that the development was not being carried out in accordance with the approved plans. The current application (17/1584/FUL) was therefore eventually submitted, in July 2017, in response to advice from officers (first issued some three months previously) that a fresh submission was required in order to regularise the identified departures from them.

Since this time however, and throughout the course of the application, the development has continued to proceed on the basis of further departures, which are considerable in number, from the approved details which have had to be 'regularised' through the submission of various versions of updated plans, hence the considerable delay in bringing the application before Members. Indeed, in order to obtain some clarity with regard to what was becoming a most complicated situation, the applicants' agents were requested in December 2017 to provide a detailed written schedule of the revisions (both those already implemented and any further modifications proposed) to the original permitted scheme together with explanations/justifications for them. This was eventually provided in February 2018.

Subsequent to this, additional discrepancies from the approved plans have continued to be identified, principally in the form of additional landscaping works and planting that have taken place around the development that are not in accordance with any approved, or even previously submitted and amended, landscape plans.

The current situation, however, is that officers are satisfied that the current plans before the Authority do now reflect the development as it has progressed on site together with the various landscaping works carried out to date whilst also including further landscaping proposals that have yet to be implemented. The application

therefore seeks permission retrospectively for the retention of the development as undertaken.

Although some further relatively minor revisions to the plans have been provided in relation to the proposals for the installation of L.P.G. storage tanks within the service yard that are specifically the subject of application 18/2015/FUL, the other application to which this joint report relates, officers' view is that further delays in bringing these matters before the Committee for consideration cannot be accepted. There has, understandably, been some concern expressed among the parish council, former ward member and interested third parties as to the length of time that has been taken to progress these applications.

The discrepancies/departures from the approved plans are summarised as follows, together with a brief precis, in each case and where provided, of the stated justification for them:

1. An increase in the length of the western 'arm' of the storage building from 31 metres to 43 metres. It has been advised that, in designing the steel frame at the right-angled turn point of the building, a large hip beam was required by the structural engineers. Its size was such that once in place the area beneath it could not be used for storage or capable of being accessed by operational vehicles and is solely a ground level walk-in area not suitable for vehicular or high-loaded storage as originally required. The building was originally designed to ensure provision of a specified square meterage of storage space and the increase in length was increased to allow for the addition of the hip beam, which was necessary in order to tie the structure together and support the imposed load from the soil and the sedum roof above.
2. The enclosure of the front (service yard) elevation of the storage building, including the installation of roller shutter doors. This is in order to provide additional security for the materials and vehicles stored within the building and reduce the health and safety risk from chemicals and other dangerous substances that are also kept in storage.
3. The laying of a tarmac pavement/footpath alongside Bay Road to connect to an existing path inside the recognised park area to the south east of the field in which the service yard development has been built. The stated justification for this footway is that the previous arrangement where the road was shared by pedestrians and motorists represented a health and safety hazard for the park. The provision of a separate unobstructed pedestrian path ensures that the access and egress of vehicles, including those of holidaymakers (some with touring caravans and tents), delivery drivers (including those delivering large static caravans) and maintenance staff (both tractors and cars), can take place without detriment or danger to pedestrians, including footpath walkers and staff members.
4. The formation and laying out of a second access road to the service yard from Bay Road on the southern side of the storage building. It is argued that this is logistically safer for access than having to use Ladram Road to access the approved entrance. It also offers staff and maintenance access to the service yard without endangering the public on Ladram Road and provides access to a separate unmade track - that has also been laid around the outside of the cutting in which the yard has been laid - to a water purification tank to the north east of the development. In addition, maintenance

vehicles, articulated lorries and static caravans are both taken into the service yard at delivery times and then taken into the park or off site, as required. The size and scale of the bell mouth of this second entrance and the turning area within the service yard itself is laid out so as to facilitate the turning circle of an articulated lorry and enables vehicles to turn in and out of the park area without the difficulties of interfering with the roadside verges or hedges, as well as a telegraph pole, in Ladram Road near to the approved entrance.

Other movements to and from the service yard are generated by gas supply deliveries, delivery of materials, maintenance as well as construction and maintenance staff attending daily meetings ahead of work in the holiday park itself.

Salt is stored within the new storage area and needs to be transported to the water purification building, hence the requirement for the track. Furthermore, this generates daily trips for meter readings, water testing, cleaning out of salt tubs and salt deliveries as well as general maintenance.

5. An enlargement of the service yard area from around 750 square metres to 1,180 square metres together with the attendant pushing back of the bank to the north east and south east (in the case of the latter to also allow for the lengthening of the western 'arm' of the storage building). The main reasons for this modification are set out in point 3. above in connection with the creation of the second vehicular access to the yard off Bay Road. In addition to these however, it is stated that the park operates an 'in and out' process with lorries accessing via the entrance off Ladram Road (which itself has been repositioned and modified in size and layout; see below) and exiting using the second entrance/exit off Bay Road. This is considered to be both more practical and safe for the larger articulated lorries that need to enter and exit the service yard and prevents potential damage to the verges, hedges and telegraph pole in Ladram Road.

6. An increase in the width of the approved entrance from Ladram Road from 4 metres to 7 metres together with further removal of the roadside hedge to either side, totalling 15 metres. The position of this access has also been modified and is closer to the junction with Bay Road. It is also splayed on its western side to allow for the smoother manoeuvring of larger vehicles into the service yard. The former field gateway that the approved scheme showed to be retained and adapted has been stopped up through the planting of a bank and hedge to match that existing alongside Ladram Road to the north east.

7. The laying of an unmade service road around the outside of the service yard and embankment to access the water purification tank and buildings referred to in point 4. above. This is required for the purposes stated above and replaces a worn track that extended from the field entrance gateway off Ladram Road. It is argued that without a fixed route for vehicular access the driving of vehicles across the top of the bank would be dangerous. Landscape planting indicated on the updated landscape proposals drawing would also act as a barrier to the bank. It is also pointed out that the crushed stone surface treatment of the road itself naturally percolates surface water and does not hydraulically load surface water as a tarmac surface would.

8. The installation of security lighting on the two internal service yard elevations and external south east elevation of the storage building. This is contrary to condition 8 of

planning permission 16/1709/FUL which states that 'No lighting or floodlighting shall be installed within or around the service yard or on the storage building hereby approved without a grant of express planning permission from the Local Planning Authority.' The reason for the condition being imposed was 'in the interests of preserving the character and appearance of the East Devon Area of Outstanding Natural Beauty.'

It consists of PIR lighting that is on dusk to dawn sensors and activates for a short period when people pass below them. Aside from temporarily lighting and providing security for the service yard, it offers a secure pathway for staff moving around the area at night. It supplements C.C.T.V. cameras that also faxed to the building.

9. The laying of a concrete surface to the service yard in place of the approved crushed stone surface treatment. It is stated that the movement of lorries lifted the stone surface that was first laid which not only created an uneven and unsafe surface but also created dust which would have carried and contaminated the surrounding area. It was therefore substituted for the present concrete finish.

10. The installation of a drainage interceptor within the service yard. In replacing the previous crushed stone surface the concrete surface was set to channel surface water. In so doing, a petrol interceptor drainage tank and grill and drains to disperse surface water to an existing culvert were installed. This reduces flooding at the adjacent entrance to the park at the Ladram Road/Bay Road junction which ponds with surface water at times of the year.

11. The creation and laying of a crushed stone surfaced car parking area to the immediate south east of the new second access road serving the service yard just off its junction with Bay Road. Measuring around 400 square metres in area, it is stated that the field housing the service yard and storage building has been used for a number of years as a staff parking area during periods of the season between March and October as well as an overflow field in the summer for touring caravans as they arrive prior to being allocated pitches. Since the relocation of the service yard it has also been used for staff attending meetings at the site before working in the park. In general terms, this provision also facilitates more parking for guests and visitors to, and eases the flow of vehicles within, the park itself; a particular benefit during the peak season when there are in excess of 100 staff working on site.

The application states that there would be a willingness to remove the present surface treatment and put down a grasscrete surface in its place to ensure a green surface finish in place of the current tarmac planings if this is considered to be preferable from a visual standpoint. From the applicants' perspective this would maintain necessary parking for staff at peak times.

12. Revisions to the approved landscaping proposals to show native species hedge planting alongside the outer elevations of the storage building, along the inside of the footway connecting the Ladram Road/Bay Road junction with the park, along both sides of the unmade track/service road up to the water purification plant and buildings and around the car parking area. The latest revised details also show areas of native tree and shrub planting extending from the car parking area and the track/service road up to an existing hedge that defines part of the field boundary to the north.

In addition, individual trees have been planted on the grass verge around the outer south western and south eastern elevations of the storage building as well as a smaller verge on the opposite side of Bay Road to the south west.

13. The display of a replacement entrance sign for the holiday park at the Ladram Road/Bay Road junction. This comprises individual characters, lettering and symbols in a neutral colour applied to a retaining wall constructed from a series of timber sleepers.

As stated above, since the submission of the application it has been necessary to continually seek revised details from the applicants as work has progressed in breach of the original permission (16/1709/FUL) for the service yard and storage building. The current situation, however, is that officers are satisfied that the latest drawings reflect the position on site.

18/2015/FUL

Application 18/2015/FUL, to which this report also relates, proposes the excavation of the large bank to the north east of the service yard, formed from the excavation of the land to create it, to create a compound for the installation of 12no L.P.G. storage tanks. This would replace the existing tanks located within the centre of the park itself to the rear of the complex of shops and facilities serving it.

In support of the proposals, the application states that the relocation would improve the quality of the park for residents and on-site traffic through the removal of the need for large and potentially dirty lorries to travel into the main park area. It would also keep all deliveries and services to a single location, thereby improving potential security concerns and containing noise, smell and dust impacts from service deliveries.

The proposals originally envisaged the creation of a smaller 'underground/subterranean' compound, albeit open to the sky, within a more elevated portion of the field immediately to the north east of the service yard. However, this gave rise to concerns with regard to the impact of the necessary engineering works upon the landscape. The proposals have therefore been amended so that they are more 'contained' within and integral to the service yard development and the previous site for the compound higher up the field to the north east is shown to be landscaped.

The details as amended show the compound positioned on a levelled platform to the rear of a low retaining wall that has been constructed around the north eastern perimeter of the service yard. It is intended that it would be backed by further retaining walls and 1.8 metre high perimeter fencing along the entire length of the rear of the compound. However, despite requests, no elevation details of these have been forthcoming at the time of writing.

ANALYSIS

Considerations/Assessment

The principal issue that is material to consideration of these proposals is the impact of the development, both as existing and proposed, upon the rural landscape character and natural beauty of the designated AONB and Countryside Preservation Area and the degree of weight that may be given to other material issues when balanced against any identified level of harm to it that may be considered to arise from this assessment.

The National Planning Policy Framework (NPPF), at paragraph 172, applies great weight to the conservation and enhancement of the landscape and scenic beauty of designated landscapes, including AONBs, and confers upon them the highest level of protection in relation to these. It also advises that 'the scale and extent of development within these designated areas should be limited.'

These provisions are reflected in those of Strategy 46 (Landscape Conservation and Enhancement and AONBs) of the adopted Local Plan.

With regard to the Coastal Preservation Area (CPA), Strategy 44 states that development will not be allowed if it would damage the undeveloped/open status of the area.

There can be no doubt that the development as undertaken comprises a hugely significant departure from the original approved proposals in relation to the overall scale and area of the site itself together with the range and nature of the additional operations that have taken place. Indeed, it is duly acknowledged that, in particular, the expansion of the service yard area, the increased length of the storage building, the introduction of the second vehicular entrance to the yard off Bay Road, the addition of the car parking area and the laying of the pavement connection to the park and the service road to the water purification tank and buildings have resulted in an appreciably greater incursion into the field containing the site than would have been the case had the original permission been implemented as approved.

It is also recognised that the continual and ongoing unauthorised development of the site over the past months in the absence of any grant of planning permission for the departures from the approved plans is a wholly unacceptable scenario, particularly in the light of the level and regularity of dialogue held between officers and the applicants and their agents on a regular basis during this period.

Nevertheless it does also follow, notwithstanding this situation and any frustration regarding it on the part of stakeholders in the development management process, that any decision to refuse what is now essentially a mainly retrospective application must be based upon consideration and assessment of the details now before the Authority (and therefore, by extension, the development as undertaken) having regard to the appropriate material issues, principally its impact upon the AONB and CPA and the justification offered in relation to the various departures from the original approved proposals.

Furthermore, in this eventuality, there would also clearly be a need to resolve what level of further action is necessary in order to remedy the situation regarding the many departures from the original approved details. Such an exercise itself would in all likelihood necessitate the disaggregation of various elements of the development which, given the integral nature of many of these, might present difficulties.

In this regard, whilst the expansion of the original site area and the development as a whole further into the field is duly acknowledged, it remains the case that it is set within a saddle in the local landform where the rising topography of the land to the north east and the south west is such that from long, medium and the majority of shorter range views of and towards the site, the service yard and storage building remain screened from public view. Indeed, it is thought that the grass roof of the latter and the screening of the former that the building itself provides help towards providing some degree of assimilation into the landscape, most especially in the views available along Ladram Road when approaching the junction with Bay Road from the Otterton direction.

Critically, the nature of the local topography is such that the important views that are available across the park from the South West Coast Path to both the north and south do not include the service yard site or the storage building. There are however views available towards the site from the very summit of High Peak from which the unauthorised car park that has been introduced to the site is apparent.

Although this represents a limited single viewpoint at a time when forestry activities have cleared High Peak of woodland, when during other periods such a view might not otherwise be available, it is nevertheless a significant one at present and is likely to continue to be so for some time. It is in recognition of this particular viewpoint that the landscape planting proposals have been modified to incorporate the planting of a hedge and tree and shrub mix around the car park in order to seek to reduce its landscape impact.

The closer range views that are available are largely very localised and limited to a short length of Bay Road where it passes directly by the site before descending into the park to the south east. From here, the wide bellmouth of the second entrance to the service yard, the car parking facility and the service road up to the water purification tank and buildings are particularly prominent. Indeed, it is here that it is thought that the most apparent and damaging impact of the development, and these additional elements to the original scheme in particular, is most evident.

However, in a wider context, and in the light of the mitigation - both carried out and proposed - in the form of the landscaping measures, it is not considered that the level of localised harm to the AONB or CPA is sufficient to justify opposing the development as carried out. Although incorporating a greater site area, the service yard and the storage building remain dug into the land and both visually and physically contained within the embankments to the north east and south east. Equally, whilst located outside of this area, the landscaping carried out to date, as well as that proposed, will help to visually contain and soften the impact arising from the car park, the pavement connection to the main holiday park and the service track to the water tank and buildings. Although each of these elements has resulted in something of an urbanising effect upon this part of the AONB and CPA landscape, when considered alongside the landscaping measures and balanced against the stated justification for the various

modifications (which is considered in greater detail below) it is thought, on balance, that the proposals are just about acceptable.

Indeed, having considered the justification for the very many revisions to the original scheme proposals, the case that the development, as carried out, is actually more workable is considered persuasive. For example, the stated difficulties in manoeuvring vehicles into and out of the approved service yard entrance off of Ladram Road are recognised when taking into account the narrowness of the road and the access itself, the potential for damage to the roadside verges and hedges and the need to address differences in levels between the road and verge and the yard itself. Conversely, the benefits of taking access off the wider and less constrained Bay Road by way of an entrance that is engineered for the frequent movements of larger articulated vehicles to and from the service yard are also acknowledged.

In a similar vein, although itself representing significant incursions into the field beyond the yard and storage building there is an acceptance of the need for a means of access to the water purification tank in the form of the private track/service road that has been laid as well as a facility for the parking of vehicles in connection with the operation of the service yard. Equally, given the rural location of the site and the amount and type of equipment and materials that are kept in storage there, the need for security is accepted; as such, the enclosure of the inner elevations of the storage building is considered to be reasonable, especially given the absence of any public views available of these parts of the structure.

It is also acknowledged that the design and external finish, colour, etc. of these elevations reflect and largely match those of the storage building retained from the original service yard within the park. As such, although clearly of contrasting appearance to the approved open fronted building, it is not considered that they result in a building that is unduly harmful to the character or appearance of the AONB or CPA.

Furthermore, the widening and repositioning of the approved entrance to the yard off Ladram Road to facilitate easier access for larger vehicles has resulted in the creation of a more workable arrangement than the approved 6 metres wide entrance with no proper junction radii as approved.

The footpath connection to the existing pedestrian network within the park, whilst providing a measure of convenience, is considered to be less well justified, however; more especially as it does not connect with any other pedestrian right of way or access. It simply connects with Ladram Road along which there is no footway provision thereafter until reaching Otterton village.

Overall however, the nature and extent of the modifications and the degree to which many of them seem, on further reflection, to be both reasonable and necessary to enable the service yard to function efficiently is such as to prompt queries as to why the development was not originally planned to incorporate them in the first place. Indeed, with the benefit of hindsight, it is possible that many of the difficulties that have ensued following the grant of permission for the development in 2017 could have been avoided.

This is subject, however, to the proper completion and management thereafter of the submitted landscaping scheme in order to mitigate the impacts of the development upon the AONB and CPA, and especially from the key view from High Peak.

The observations and recommendations of both Natural England and the AONB Team in respect of the development of a more extensive landscaping scheme for a larger portion of the field in which the site is located and a masterplan for the entire holiday park site are acknowledged. However, it is considered that these go beyond what can, and should, be reasonably secured through this particular application and proposal and do not reflect the scale and type of landscaping that is necessary in order to mitigate its particular impact upon the AONB and CPA.

Similarly, whilst the somewhat ostentatious nature of the replacement signage for the holiday park at the entrance is recognised, it is also noted that it has replaced a large metal sign consisting of gold, white and light blue lettering and symbols on a dark blue background in relation to which it may be seen as representing a subtle enhancement in quality. It is not thought to be sufficiently harmful to the character and appearance of the area, particularly in view of the timber walling of the storage building that forms its background. If it were displayed in isolation of any other building or structure, it is thought that an objection on amenity grounds to the wall and signage could be justified. However, in this particular context it is considered to be just about acceptable.

Turning to application 18/2015/FUL and the L.P.G. storage tanks and compound, as stated above these are now proposed to form an integral part of the enlarged service yard insofar as they would be formed and positioned on the bank beyond the north eastern edge of the yard. As such, they would be largely screened from view by the storage building and would not result in any material adverse impact upon the AONB landscape.

It is certainly considered that this revised proposal for accommodating the tanks would result in less of an interruption to the landform than the original proposal to create an 'underground/subterranean' compound and perimeter bank and would relate better to the service yard, notwithstanding the many departures from the original permission for this development. There are health and safety benefits from relocating these storage tanks from within the main holiday park car park that weigh in favour of the proposal.

However, in the absence of further details as to the design and appearance of the retaining walls and the 1.8 metre high perimeter fencing around the compound, it is recommended that the Council's position regarding this treatment be reserved pending the submission for approval of these, which can be secured by condition.

CONCLUSION

Whilst the wholly unsatisfactory nature of the manner in which the service yard and storage building development has progressed over the past two years in the absence of (until now) up to date drawings is duly acknowledged, it is necessary to consider and assess the proposal as progressed. The main impacts being upon the AONB and Coastal Preservation Area.

While there is considerable sympathy with the local frustration at the manner in which the current situation has been reached, it is not thought on balance that the development that has resulted from the various departures from the original approved details causes significant harm to the character or appearance of the AONB or the Coastal Preservation Area. The proposals do now include significant landscaping works that, subject to agreement of a longer term management plan, would go some way towards assimilating the extended service yard and the other additional elements, such as the second entrance to the yard off Bay Road, the service track to the water purification tank and the car park, into the surrounding landscape.

In relation to the L.P.G. storage tanks and compound, it is considered that their amended siting would represent less of an intrusion into the field above the service yard than the underground compound solution originally proposed. As such, this is also considered to be acceptable.

The applications are therefore both recommended for approval.

RECOMMENDATION 1 - 17/1584/FUL

APPROVE subject to the following conditions:

1. Notwithstanding the time limit to implement planning permission as prescribed by Sections 91 and 92 of the Town and Country Planning Act 1990 (as amended), this permission being retrospective as prescribed by Section 63 of the Act shall have been deemed to have been implemented on 5th July 2017.
(Reason - To comply with Section 63 of the Act.)
2. The development hereby permitted shall be carried out in accordance with the approved plans listed at the end of this decision notice.
(Reason - For the avoidance of doubt.)
3. The landscaping scheme shown on drawing no. 377/01 Rev. J (Planting Plan) prepared by Redbay Design Landscape Consultants received by East Devon District Council on 18th March 2019 shall be completed during the first planting season after the date of the permission hereby granted, unless otherwise agreed in writing by the Local Planning Authority, and shall be maintained for a period of 5 years. Any trees, shrubs or other plants which die during this period shall be replaced during the next planting season with specimens of the same size and species unless otherwise agreed in writing by the Local Planning Authority.
(Reason - To preserve and enhance the character and appearance of the development and the wider designated Area of Outstanding Natural Beauty in which the site is located in accordance with Strategy 46 - Landscape Conservation and Enhancement and AONBs and Policies D1 - Design and Local Distinctiveness and D2 - Landscape Requirements of the adopted East Devon Local Plan 2013 - 2031.)
4. The development hereby permitted shall be used solely in conjunction with the operation of the Ladram Bay Holiday Park as such and for no other purpose.
(Reason - The development is only justified by the operational requirements of the holiday park and in order to prevent unnecessary development within the

open countryside which is designated as an Area of Outstanding Natural Beauty contrary to the provisions of Strategies 7 - Development in the Countryside and 46 - Landscape Conservation and Enhancement and AONBs of the adopted East Devon Local Plan 2013 - 2031.)

5. No lighting or floodlighting, other than that shown on the approved plans, shall be installed within or around the service yard or on the storage building hereby approved without a grant of express planning permission from the Local Planning Authority.

(Reason - In the interests of preserving the character and appearance of the East Devon Area of Outstanding Natural Beauty in accordance with Strategy 46 (Landscape Conservation and Enhancement and AONBs) and Policy D1 (Design and Local Distinctiveness) of the adopted East Devon Local Plan 2013 - 2031.)

6. Within six months of the date of the permission hereby granted the surface treatment of the car parking area hereby permitted shall be replaced with an alternative surface in accordance with details that shall previously have been submitted to and approved in writing by the Local Planning Authority.

(Reason - In the interests of the character and appearance of the development and the wider designated Area of Outstanding Natural Beauty in which the site is located in accordance with Strategy 46 - Landscape Conservation and Enhancement and AONBs and Policies D1 - Design and Local Distinctiveness and D2 - Landscape Requirements of the adopted East Devon Local Plan 2013 - 2031.)

NOTE FOR APPLICANT

Informative:

In accordance with the requirements of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 in determining this application, East Devon District Council has worked positively with the applicant to ensure that all relevant planning concerns have been appropriately resolved.

Plans relating to this application:

7237-03 Rev H	Proposed Site Plan	15.03.18
Calshot	Specifications technical data	or 15.03.18
7237-04 Rev G	Proposed Plans	Combined 18.04.18
7237-21	Other Plans	05.07.17
7237-LPA	Location Plan	05.07.17
Planting Plan	Other Plans	18.03.19

List of Background Papers

Application file, consultations and policy documents referred to in the report.

RECOMMENDATION 2 - 18/2015/FUL

APPROVE subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission and shall be carried out as approved.
(Reason - To comply with section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
2. The development hereby permitted shall be carried out in accordance with the approved plans listed at the end of this decision notice.
(Reason - For the avoidance of doubt.)
3. Notwithstanding the submitted details, no development shall take place until satisfactory details as to the design and appearance of the perimeter boundary treatment to the compound hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
(Reason - To enable the Local Planning Authority to consider details of the boundary treatment to the compound in the interests of the character and appearance of the development and the surrounding designated Area of Outstanding Natural Beauty in which it is located in accordance with Strategy 46 (Landscape Conservation and Enhancement and AONBs) and Policy D1 (Design and Local Distinctiveness) of the adopted East Devon Local Plan 2013 - 2031.)

NOTE FOR APPLICANT

Informative:

In accordance with the requirements of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 in determining this application, East Devon District Council has worked positively with the applicant to ensure that all relevant planning concerns have been appropriately resolved.

Plans relating to this application:

19563	Construction Details or Drawings	05.09.18
7237-103 Rev D	Proposed Combined Plans	13.03.19

List of Background Papers

Application file, consultations and policy documents referred to in the report.