

# Agenda for Development Management Committee

## Tuesday, 10 January 2017; 10.45am



### [Members of the Committee](#)

**Venue:** Council Chamber, Knowle, Sidmouth, EX10 8HL

[View directions](#)

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01395 517542, Issued 22 December 2016

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### [Speaking on planning applications](#)

In order to speak on an application being considered by the Development Management Committee you must have submitted written comments during the consultation stage of the application. Those that have commented on an application being considered by the Committee will receive a letter or email (approximately 9 working days before the meeting) detailing the date and time of the meeting and instructions on how to register to speak. The letter/email will have a reference number, which you will need to provide in order to register. Speakers will have 3 minutes to make their representation. **Please note there is no longer the ability to register to speak on the day of the meeting.**

The number of people that can speak on each application is limited to:

- Major applications – parish/town council representative, 5 supporters, 5 objectors and the applicant or agent
- Minor/Other applications – parish/town council representative, 2 supporters, 2 objectors and the applicant or agent

The day before the meeting a revised running order for the applications being considered by the Committee will be posted on the council's website (<http://eastdevon.gov.uk/council-and-democracy/committees-and-meetings/development-management-committee/development-management-committee-agendas>). Applications with registered speakers will be taken first.

**Parish and town council representatives wishing to speak on an application are also required to pre-register in advance of the meeting.** One representative can be registered to speak on behalf of the Council from 10am on Tuesday 3 January up until 12 noon on Friday 6 January December by leaving a message on 01395 517525 or emailing [planningpublicspeaking@eastdevon.gov.uk](mailto:planningpublicspeaking@eastdevon.gov.uk).

### [Speaking on non-planning application items](#)

A maximum of two speakers from the public are allowed to speak on agenda items that are not planning applications on which the Committee is making a decision (items on which you can register to speak will be highlighted on the agenda). Speakers will have 3 minutes to make their representation. You can register to speak on these items up until 12 noon, 3 working days before the meeting by emailing [planningpublicspeaking@eastdevon.gov.uk](mailto:planningpublicspeaking@eastdevon.gov.uk) or by phoning 01395 517525. A member of the Democratic Services Team will only contact you if your request to speak has been successful.

1 Minutes of the Development Management Committee meeting held on 6 December 2016 (page 4 - 10)

2 Apologies

3 [Declarations of interest](#)

4 [Matters of urgency](#)

5 To agree any items to be dealt with after the public (including press) have been excluded. There are no items that officers recommend should be dealt with in this way.

6 **Planning appeal statistics** (page 11 - 15)  
Development Manager

7 **Applications for determination**

**Please note the following applications are all scheduled to be considered in the morning, however the order may change – please see the front of the agenda for when the revised order will be published.**

**16/0835/FUL (Minor)** (page 16 - 22)

Exmouth Littleham

12 Stevenstone Road, Exmouth EX8 2EP

*Application was deferred for a site inspection on 6 December 2016 – the Committee will have carried out a site visit in advance of the meeting.*

**16/2506/OUT (Minor)** (page 23 - 31)

Newbridges

Castlewood Farm, Musbury, Axminster EX13 8SS

**16/2633/FUL (Minor)** (page 32 - 37)

Ottery St Mary Rural

20 Eastfield, West Hill, Ottery St Mary EX11 1XN

**16/1709/FUL (Minor)** (page 38 - 61)

Raleigh

Land north west of Ladram Bay Holiday Park, Ladram Bay, Otterton EX9 7BX

**16/2728/FUL (Minor)** (page 62 - 66)

Seaton

Conifers, 2 Wessiters, Seaton EX12 2PJ

**16/2526/FUL (Minor)** (page 67 - 71)

Sidmouth Sidford

The Council Yard, Manstone Avenue, Sidmouth EX10 9TN

**16/1971/FUL (Minor) (page 72 - 78)**

Sidmouth Town

Workshop at rear of 69 Temple Street, Sidmouth

**16/2551/FUL (Minor) (page 79 - 87)**

Tale Vale

Kains Park Farm, Awliscombe, Honiton EX14 3NN

**Please note:**

Planning application details, including plans and representations received, can be viewed in full on the Council's [website](#).

This meeting is being audio recorded by EDDC for subsequent publication on the Council's website.

Under the Openness of Local Government Bodies Regulations 2014, members of the public are now allowed to take photographs, film and audio record the proceedings and report on all public meetings (including on social media). No prior notification is needed but it would be helpful if you could let the democratic services team know you plan to film or record so that any necessary arrangements can be made to provide reasonable facilities for you to report on meetings. This permission does not extend to private meetings or parts of meetings which are not open to the public. You should take all recording and photography equipment with you if a public meeting moves into a session which is not open to the public.

If you are recording the meeting, you are asked to act in a reasonable manner and not disrupt the conduct of meetings for example by using intrusive lighting, flash photography or asking people to repeat statements for the benefit of the recording. You may not make an oral commentary during the meeting. The Chairman has the power to control public recording and/or reporting so it does not disrupt the meeting.

[Decision making and equalities](#)

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## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of a Meeting of the Development Management Committee held at Knowle, Sidmouth on 6 December 2016**

#### **Attendance list at end of document**

The meeting started at 10.30am and ended at 4.12pm (the Committee adjourned for lunch at 1.10pm and reconvened at 2pm).

In the absence of the Vice Chairman, Cllr Mike Howe, the Committee agreed to the appointment of Cllr Helen Parr to the position of Vice-Chairman for the morning. Cllr Howe arrived for the afternoon session and took over the position of Vice-Chairman for the remainder of the meeting.

#### **\*27 Minutes**

The minutes of the Development Management Committee meeting held on 1 November 2016 were confirmed and signed as a true record.

#### **\*28 Declarations of interest**

Cllr Susie Bond; 16/0872/MFUL; Personal Interest; East Devon District Councillor

Cllr David Barratt; 16/0872/MFUL; Personal Interest; Sidmouth Town Councillor

Cllr Matt Coppel; 16/2449/HRN; Personal Interest; Newton Poppleford and Harpford Parish Councillor

Cllr Paul Carter; 16/0872/MFUL; Personal Interest; East Devon District Councillor

Cllr Paul Carter; 16/1212/FUL; Personal Interest; Family member owned the site (left the Chamber while the item was considered)

Cllr Brian Bailey; 16/0872/MFUL; Personal Interest; East Devon District Councillor

Cllr Brian Bailey; 16/0835/FUL; Personal Interest; Exmouth Town Councillor

Mark Williamson; 16/0872/MFUL; Personal Interest; East Devon District Councillor

Cllr Mark Williamson; 16/0835/FUL; Personal Interest; Exmouth Town Councillor

Cllr Helen Parr; 16/0872/MFUL; Personal Interest; East Devon District Councillor

Cllr David Key; 16/0872/MFUL; Personal Interest; East Devon District Councillor

Cllr Steve Gazzard; 16/0835/FUL; Personal Interest; Exmouth Town Councillor

In accordance with the code of good practice for Councillors and Officers dealing with planning matters as set out in the Constitution Committee Members declared that they had been lobbied on application 16/0872/MFUL.

#### **\*29 Appeal statistics**

The Committee received and noted the report presented by the Development Manager setting out appeals recently lodged and outlining the four decisions notified – three had been dismissed and one had been allowed.

The Development Manager drew Members' attention to the appeal allowed for prior approval of an agricultural barn into a dwelling at Hogsbrook Farm in Woodbury Salterton. The Inspector had not agreed with the Council that there would be harmful effect on future occupants of the building due to the barn's location on the farm and concluded that the majority of the farming activity occurred further away to the north of the site and therefore the main sources of smell, noise and disturbance would be located a sufficient distance away to mitigate any harmful effect.

**\*30 Applications for Planning Permission and matters for determination**

**RESOLVED:**

that the applications before the Committee be determined as set out in Schedule 7 – 2016/2017.

**Attendance list**

**Present:**

Committee Members

Councillors:

David Key (Chairman)

Mike Howe (Vice Chairman ) (PM session only)

Brian Bailey

David Barratt

Susie Bond

Colin Brown

Peter Burrows

Paul Carter

Matt Coppell

Steve Gazzard (PM session only)

Simon Grundy

Ben Ingham

Helen Parr

Chris Pepper (AM session only)

Mark Williamson

Officers

Richard Cohen, Deputy Chief Executive (AM session only)

Ed Freeman, Service Lead – Strategic Planning and Development Management (AM session only)

Henry Gordon Lennon, Strategic Lead – Governance and Licensing (AM session only)

Karen Jenkins, Strategic Lead – Organisational Development and Transformation (AM session only)

Steve Pratten, Relocation Manager (AM session only)

Chris Rose, Development Manager

Shirley Shaw, Planning Barrister

Alison Stoneham, Communications and Public Affairs Manager (AM session only)

Julia Waddington, Project and Facilities Manager (AM session only)

Hannah Whitfield, Democratic Services Officer

Also present for all or part of the meeting

Councillors:

Megan Armstrong

Jenny Brown

John Dyson

Cathy Gardner

Roger Giles

Steve Hall

Geoff Jung

Bill Nash

Phil Twiss

**Apologies:**

Committee Members

Councillor Alan Dent

Non-committee Members

Councillors:

Matt Booth

Andrew Moulding

Ian Thomas

Chairman .....

Date.....

**EAST DEVON DISTRICT COUNCIL**  
**Development Management Committee**  
**Tuesday 6 December 2016; Schedule number 7 – 2016/2017**

**Applications determined by the Committee**

Committee reports, including recommendations, can be viewed at:  
<http://eastdevon.gov.uk/media/1936385/061216-combined-dmc-agenda-compressed.pdf>

AM session

Sidmouth Town  
(SIDMOUTH)

16/0872/MFUL

Applicant: Pegasus Life

Location: Council Offices Knowle

Proposal: The construction of an assisted living community for older people comprising extra care units, staff accommodation and communal facilities, including a kitchen, restaurant/bar/cafe, a well-being suite comprising gym, treatment rooms and pool, a communal lounge and storage facilities; car parking for residents, visitors and staff of the assisted living community; comprehensive landscaping comprising communal and private spaces; and associated groundworks.

**RESOLVED:** REFUSED (contrary to officer recommendation) with delegated authority given to the Development Manager to draft reasons for refusal.

Members considered that:

- the proposal represented overdevelopment of the site due to its scale and massing being out of character with the area resulting in a detrimental impact upon the amenity of surrounding residents;
- the proposal represented a C3 rather than a C2 use;
- the public benefits from the proposed development did not outweigh the harm to the heritage asset.

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Newton Poppleford 16/2449/HRN  
and Harpford

Applicant: Mrs Teresa Loynd

Location: Land At Littledown Lane, Newton Poppleford

Proposal: Remove 4.27m (14 feet) section of hedgerow

**RESOLVED:** that a Hedgerow Retention Notice not be served as per recommendation

(Cllr Chris Pepper left the meeting)

PM session

(Councillor Mike Howe and Cllr Steve Gazzard arrived)

Budleigh Salterton  
(EAST BUDLEIGH) 16/1673/OUT

Applicant: Clinton Devon Estates

Location: Land At Frogmore Road East Of Oak Hill

Proposal: Outline application for five no. dwellings (including three no. affordable units) with associated access (details of layout, scale, appearance and landscaping reserved).

**RESOLVED:** APPROVED subject to a Section 106 Agreement and conditions as per recommendation

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Exmouth Littleham  
(EXMOUTH) 16/0835/FUL

Applicant: Mr B Griffiths

Location: 12 Stevenstone Road Exmouth

Proposal: Construction of detached dwelling

**RESOLVED:** INSPECT  
Reason: Members to assess the impact upon the character of the area and amenity of adjoining residents.

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(Cllr Paul Carter left the Chamber during consideration of the item)

Raleigh  
(WOODBURY) 16/1212/FUL

Applicant: Mr John Bentley

Location: Compound 60 Greendale Business Park

Proposal: Construction of office and welfare building and compound depot for commercial vehicles, storage of bin containers, fueling bay, wash bay, outside storage, storage containers and palisade fencing.

**RESOLVED:** APPROVED with conditions as per recommendation



Trinity  
(UPLYME) 16/2101/FUL

Applicant: Mr P Stratton (Primrose 2013)Ltd

Location: Lymewood Retirement Home Lyme Road

Proposal: Change of use of nursing home (Class C2) to 3 no. dwellings  
(Class C3)

**RESOLVED:** APPROVED with conditions as per recommendation

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Woodbury and  
Lypstone  
(WOODBURY) 15/0982/VAR

Applicant: Cavanna Homes (Devon) Ltd

Location: Land To South Broadway

Proposal: Removal of Condition 6 (temporary car park) of approval  
granted under 13/1231/MOUT (20 dwellings with access)

**RESOLVED:** APPROVED with conditions as per recommendation

Woodbury and  
Lypstone  
(WOODBURY) 16/1062/V106

Applicant: The Cavanna Group

Location: Land To South Broadway

Proposal: Variation of requirement for affordable housing in Section 106  
Agreement pursuant to application 13/1231/MOUT

**RESOLVED:** Agreed that the affordable housing schedule within the original  
Section 106 agreement be amended to provide 7 Rent Plus  
units or similar affordable housing proposal

Woodbury and  
Lympstone  
(WOODBURY)

16/0582/FUL

Applicant:

Mrs M J Sangwin

Location:

Pomme D'or, 32 Summerfield, Woodbury

Proposal:

Construction of bungalow

**RESOLVED:**

REFUSED as per recommendation

**East Devon District Council  
List of Planning Appeals Lodged**

**Ref:** 16/2011/FUL                      **Date Received** 24.11.2016  
**Appellant:** Mrs Helen Marks  
**Appeal Site:** 19 King Alfred Way Newton Poppleford Sidmouth EX10  
ODG  
**Proposal:** Removal of existing conservatory and construction of two  
storey side extension.

**Planning  
Inspectorate  
Ref:**

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**Ref:** 16/0451/LBC                      **Date Received** 01.12.2016  
**Appellant:** Dr John Hems  
**Appeal Site:** 1 Laburnum Cottages Church Street Sidford Sidmouth  
EX10 9RA  
**Proposal:** Retention of first floor pvcu window in rear elevation.  
**Planning** APP/U1105/Y/16/3164406  
**Inspectorate**  
**Ref:**

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**Ref:** 16/1559/FUL                      **Date Received** 08.12.2016  
**Appellant:** Dr E Morris  
**Appeal Site:** Trenoweth Coreway Sidford Sidmouth EX10 9SE  
**Proposal:** Raising of roof of garage to create first floor storage area and  
construction of attached garden store.

**Planning  
Inspectorate  
Ref:**

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**Ref:** 16/1956/FUL                      **Date Received** 08.12.2016  
**Appellant:** Mr Simon Fleet  
**Appeal Site:** 3 Manleys Lane Dunkeswell Honiton EX14 4XQ  
**Proposal:** Demolition of existing garage and construction of two storey  
rear extension. (Revision to withdrawn proposal  
16/1153/FUL)

**Planning  
Inspectorate  
Ref:**

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**Ref:** 16/1235/MRES      **Date Received** 13.12.2016  
**Appellant:** East Devon New Community Partners  
**Appeal Site:** Ecology Park Tillhouse Road Cranbrook Devon  
**Proposal:** Reserved matters application for approval of access, appearance, landscape, layout and scale for the construction of an Ecology Park and drainage basins (This application is made pursuant to outline permission 03/P1900) (EIA Development)  
**Planning Inspectorate Ref:** APP/U1105/W/16/3165541

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**Ref:** 16/1622/FUL      **Date Received** 19.12.2016  
**Appellant:** Mr Mark Hurford  
**Appeal Site:** Land North Of Westwater Westwater Axminster  
**Proposal:** Change of use of barn to dwelling  
**Planning Inspectorate Ref:** APP/U1105/W/16/3165619

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## East Devon District Council List of Planning Appeals Decided

**Ref:** 16/0307/FUL                      **Appeal Ref:** 16/00058/HH  
**Appellant:** Mr Paul Versey  
**Appeal Site:** Franklyn The Strand Lypstone Exmouth EX8 5EX  
**Proposal:** Alterations to dormer window to create juliet balcony  
**Decision:** **Appeal Allowed (with conditions)**                      **Date:** 22.11.2016  
**Procedure:** Written representations  
**Remarks:** Delegated refusal, amenity reasons overruled (EDLP Policy D1).  
 The Inspector accepted that the increase in the size of the glazing may result in the neighbouring occupiers having a perception of being overlooked to a greater degree than at present, however, he did not consider that the potential for overlooking would be increased as a result of the development.  
 The Inspector concluded that the privacy of the occupiers of the neighbouring properties, particularly No 10 Harefield Cottages, would not be materially diminished as a result of the proposal and therefore their living conditions would not be adversely affected.  
**BVPI 204:** **Yes**  
**Planning Inspectorate Ref:** APP/U1105/D/16/3157122

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**Ref:** 15/2395/FUL                      **Appeal Ref:** 16/00050/REF  
**Appellant:** Mr Duncan Rawlings  
**Appeal Site:** Pembroke House 109 Beer Road Seaton  
**Proposal:** Erection of 3 no. dwellings  
**Decision:** **Appeal Dismissed**                      **Date:** 15.12.2016  
**Procedure:** Written representations  
**Remarks:** Delegated refusal, countryside protection reasons upheld (EDLP Strategies 6, 7 & 25).  
**BVPI 204:** **Yes**  
**Planning Inspectorate Ref:** APP/U1105/W/16/3155322

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**Ref:** 16/1205/OUT **Appeal Ref:** 16/00052/REF  
**Appellant:** Mr Paul Gardner  
**Appeal Site:** West Hayes West Hill Road West Hill Ottery St Mary EX11 1UZ  
**Proposal:** Construction of 1 no detached dwelling (outline application including details of access and layout)  
**Decision:** **Appeal Allowed (with conditions)** **Date:** 15.12.2016  
**Procedure:** Written representations  
**Remarks:** Delegated refusal, countryside protection and sustainability reasons overruled (EDLP Strategies 5B & 7 and Policy TC2).

The Inspector acknowledged that The former BUABs may continue to serve a purpose in terms of providing an indication about where development may be most appropriately located.

He noted, however, that the BUAB for West Hill expired when the Local Plan was adopted. Although the Council may be continuing to use the BUAB for development control purposes he considered that it carried no weight of policy and BUABs will, in fact, be defined in a future East Devon Villages Plan DPD.

He considered that, in this case, the site's surroundings have changed fundamentally since the formerly adopted BUAB was put in place some years ago, such that the physical form of the village has expanded around the appeal site.

The Inspector concluded that the proposed development would not encroach harmfully into the countryside, or detract from the character and appearance of the surrounding area and the location of the site would be suitable in relation to social, community and other facilities.

**BVPI 204:** Yes  
**Planning Inspectorate Ref:** APP/U1105/W/16/3156018

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**Ref:** 16/0205/FUL **Appeal Ref:** 16/00056/REF

**Appellant:** Ashcom Developments Ltd

**Appeal Site:** 11 Silver Street Ottery St Mary EX11 1DB

**Proposal:** Construction of dwelling in rear garden.

**Decision:** **Appeal Allowed (with conditions)** **Date:** 16.12.2016

**Procedure:** Written representations

**Remarks:** Officer recommendation to approve, Committee refusal. Conservation and amenity reasons overruled (EDLP Strategies 6 & 48 and Policies D1, EN9 & EN10). The Inspector acknowledged that the proposal would clearly be a modern addition within an essentially historic environment and the form and material proposed would be inconsistent with the prevailing historic vernacular. However there are few, if any, public vantage points from which the proposal would be visible. He concluded that the proposal would be a barely perceptible element of the conservation area and would thereby preserve its character and appearance and would not have any adverse impact on the setting of nearby listed buildings.

**BVPI 204:** **Yes**

**Planning Inspectorate Ref:** APP/U1105/W/16/3156902

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**Ward** Exmouth Littleham

**Reference** 16/0835/FUL

**Applicant** Mr B Griffiths

**Location** 12 Stevenstone Road Exmouth EX8 2EP

**Proposal** Construction of detached dwelling



**RECOMMENDATION: Refusal**





		<b>Committee Date: 6<sup>th</sup> December 2016</b>
<b>Exmouth Littleham (EXMOUTH)</b>	<b>16/0835/FUL</b>	<b>Target Date: 29.08.2016</b>
<b>Applicant:</b>	<b>Mr B Griffiths</b>	
<b>Location:</b>	<b>12 Stevenstone Road Exmouth</b>	
<b>Proposal:</b>	<b>Construction of detached dwelling</b>	

**RECOMMENDATION: Refusal**

### **EXECUTIVE SUMMARY**

**This application is before Members because the officer recommendation differs from the view of the Ward Member.**

**The application seeks planning permission for the construction of a detached two storey, 4 bedroom dwelling to the rear of a dwelling forming 12 Stevenstone Road in the 'Avenues' area of Exmouth.**

**Whilst the proposal is located within the Built-up Area Boundary for Exmouth, in a sustainable location where the principle of new residential development is acceptable, it is considered that the proposal would have a harmful effect upon the character and appearance of the site and surrounding area, taking into account the pattern of existing development, relationship with surrounding properties and the size of the proposed building relative to the plot.**

**The application is therefore considered to be contrary to the provisions of Strategy 6 (Development within Built-up Area Boundaries) and Policy D1 (Design and Local Distinctiveness) of the Local Plan which seeks to ensure proposals respect the key characteristics and special qualities of the area in which the development is proposed and protects the amenity of residents. The application is therefore recommended for refusal on this basis.**

## **CONSULTATIONS**

### **Local Consultations**

#### **Parish/Town Council**

No objection but a request for EDDC's Tree Officer to give thought to a TPO for T12 Copper Beech. The removal of trees on the drive along the garage parking area by Pendeen court should be replanted for privacy screening reasons.

Further comments 08.08.16:

No Objection

#### Exmouth Littleham - Cllr M Williamson

I apologise for the late submission of this Ward Comment which is due to the unexpected volume of Ward work including the number of planning applications. As you know Littleham Ward has experienced the death of a colleague followed by a by-election and then the Summer period when many residents have been away.

However, on behalf of my Ward colleagues I can report that we support the view of the Town Council on 25 July that this application should be Approved. The plot is sufficiently large to accommodate a new dwelling and subject to tree protection and an assessment by Environmental Health of possible traffic noise, fumes etc. which have been raised by some residents of adjacent properties we have no objection to this build. In the event of any difference of view we would wish to discuss this through the Delegation to Chairman process.

In the event that this application comes to Committee I would reserve my position until I am in full possession of all the relevant facts and arguments both for and against.

#### **Technical Consultations**

County Highway Authority  
Highways Standing Advice

#### EDDC Trees

Given the quality of the trees on site the proposed scheme is considered acceptable. However the loss of so many trees in an area characterised by its tree canopy cover means that any planning approval should be subject to a condition requiring the planting of new trees to compensate for the loss of amenity and maintain the continuity of tree cover in the future.

#### Other Representations

4 letters of representation have been received, one objection, one in support and two neutral.

The letter of objection is from a resident of the block of flats to the South West, concerns include invasion of privacy, loss of light and loss of property value.

The letter of support considers that the house has been suitably designed and will not impact on the community.

The neutral letters raise concerns that the position of the garage (now removed) will impact on the boundary and will be too close to their property.

#### **POLICIES**

Adopted East Devon Local Plan 2013-2031 Policies  
Strategy 1 (Spatial Strategy for Development in East Devon)

Strategy 2 (Scale and Distribution of Residential Development)

Strategy 6 (Development within Built-up Area Boundaries)

Strategy 38 (Sustainable Design and Construction)

Strategy 50 (Infrastructure Delivery)

D1 (Design and Local Distinctiveness)

D2 (Landscape Requirements)

Design Statement The Avenues Exmouth April 2005

National Planning Policy

National Planning Policy Framework

## **ANALYSIS**

### Site Description

Stevenstone Road is a residential area in the 'Avenues' area of Exmouth, characterised by large dwellings dating from the 1930s, situated on large plots. Number 12 is one such dwelling, comprising a large two storey detached dwelling, outbuildings, and considerable gardens. The overall size of the plot is some 48 metres by 30 metres. There is a single access from Stevenstone Road to an existing garage and the site benefits from significant tree coverage,

### Proposal

It is proposed to retain the existing dwelling, but remove the garage to the front and fell a number of trees, in order to accommodate an access to the rear of the property. At the rear it is proposed to construct a two storey dwelling measuring approximately 13m by 9m. It would benefit from a dual pitched roof and be roughly rectangular in shape, with a parking and turning area at the end of the drive to accommodate two vehicles. The dwelling would be constructed of white render, hardwood doors, and grey roof tiles.

### Analysis

Principle and impact upon the character of the area:

The site lies within the built up area boundary for Exmouth. The principle of development is established as the proposed dwelling would be situated within a sustainable location within reasonable proximity to all facilities and services.

Therefore the main issues concerning the proposal are the impact on the character of the area, on the street scene and on the amenity of adjacent occupiers.

Due to the position, height of the new dwelling and its location to the rear of the plot behind number 12, it is not considered that the proposal will be highly prominent within the street scene, although the separate access will be a noticeable change and indicate the presence of a dwelling at the rear of number 12.

The new dwelling would be situated behind the existing dwelling and therefore would be considered to be 'backland development'. There are other examples of backland development within the Avenues but these are generally of longstanding origin and are predominantly on land near the corners of the roads or on plots that are larger. There are no such properties in Stevenstone Road. Furthermore, the Avenues design statement recommends that the character of the area is partly derived from large dwellings in large plots and states that development should not cover more than 25% of the plot in order to retain the spaciousness of the site; this figure would be exceeded with this proposal.

A 2-storey dwelling in this position would also be highly noticeable to the adjoining residents significantly changing the character of the area from their properties and changing their outlook, particularly given the two-storey nature of the development and loss of trees (see below). It is therefore considered that the proposal would not be in keeping with the pattern of development in the locality and could be considered to be over development of the site to the detriment of the character of the area and amenity of surrounding residents.

Impact upon amenity:

In terms of amenity, the dwelling is proposed with its main windows in the end elevations.

This results in two first floor windows serving a bedroom and bathroom directly facing number 12 at a distance of 3m to the boundary and 11m to the rear of number 12. Whilst the bathroom window could be conditioned to be obscure glazed and fixed shut, this would not be appropriate to the bedroom window and as such the proposal would result in an unacceptable level of overlooking to the garden of number 12 and to its rear elevation.

The rear elevation facing flats 1-12 The Firs (7 Sarlstown Road) is proposed with a single secondary bedroom window at first floor that could be conditioned to be obscure glazed and fixed shut to protect the amenity of residents to the rear.

The front elevation (south-east facing) is proposed with a bathroom and bedroom window facing the garden of 27 Cranford Avenue. Whilst the bathroom window could be conditioned to be obscure glazed and fixed shut, it would not be reasonable to impose such a condition on the bedroom. At a distance of approximately 8m to the boundary, this relationship is considered to be tight but just about acceptable given the retention of boundary planting and the window not being able to directly overlook the main amenity areas to the adjoining site.

The rear elevation (north-west facing) has the main windows and outlook for the property. At first floor there are two main bedroom windows, an en-suite window and large balcony serving both bedrooms. These windows and balcony are between 8

and 9.5m from the boundary with number 10 Stevenstone Road and approximately 22m to its rear elevation. Whilst there would be some boundary treatment retained, it is considered that that this represents a poor relationship with a likelihood of a loss of privacy, or at least a perceived loss of privacy, to the occupiers of numbers 10 and 12 Stevenstone Road. The balcony being only approximately 1m from the rear boundary with number 12.

Alongside the issues of overlooking, the adjoining residents will experience a change in the character of the area through the loss of trees and introduction of a two-storey dwelling fairly close to its boundaries.

Finally, the building is proposed only 1m from the boundary with number 12 and only 4m from the rear boundary with 1-12 The Firs. This leaves a very small amenity area and size of plot much smaller than that forming the character of the area. The outlook for the occupiers of the proposed dwelling will therefore be restricted with minimal usable garden areas given the retention of existing boundary treatment. This would be harmful to the amenity of future occupiers.

## Trees

A survey has been submitted with the application detailing the existing trees and any recommendations for their retention. Whilst the trees are not subject to a TPO there are many category 'C' trees (10) and category 'B' trees (2), which it is proposed to remove. The Category B trees are a Beech tree which is over 40 years old, and a younger Maple tree.

However, the Tree Officer has not raised an objection to the loss of the trees subject to replacement planting. Whilst a condition could be placed on any permission to ensure replacement tree planting, the site coverage of the access and dwelling leave little opportunity for replacement tree planting other than to the boundaries that would eventually result in significant tree cover and shading to the garden to the proposed dwelling.

Whilst a refusal of permission on the basis of the loss of the trees could not be justified given their backland position and relatively small size, the lack of space to provide replacement planting also weighs against the proposal and adds support to the concern that the proposal is out of character with the area with subsequent detrimental impact upon the amenity of surrounding residents representing over-development of the site.

## Conclusion

Whilst the principle of development is acceptable within this location, the proposal is recommended for refusal on the basis of the development representing over-development of the site out of character with the area and with a resultant detrimental impact upon the amenity of surrounding residents.

## **RECOMMENDATION**

REFUSE for the following reasons:

1. The proposal would create a form of backland development that would be alien to, and out of character with, the general pattern and layout of houses and plots along the road. The proposal would result in a cramped form of development, with the built form encroaching into the existing garden of the host property, with a consequential reduction in the spacious nature of the existing residential development. As a consequence the development would fail to respect the special verdant and largely unspoilt visual qualities and key characteristics of the local area along Stevenstone Road. In addition, the proposal will result in a detrimental loss of amenity and overlooking to surrounding residents by virtue of the scale of the building and its close relationship to the site boundaries and surrounding buildings. As such the proposal would be contrary to the provisions of Strategy 6 (Development Within Built-up Area Boundaries) and D1 (Design and Local Distinctiveness) of the East Devon Local Plan 2013-2031, and the advice and guidance contained in the both the Supplementary Planning Guidance - Design Statement for The Avenues, Exmouth and the National Planning Policy Framework relating to the inappropriate development of residential gardens, where such development would cause harm to the local area and amenity of adjoining residents.

### 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:

7324-02 REV B	Proposed Combined Plans	25.08.16
7324-03 REV B	Proposed Site Plan	25.08.16

#### List of Background Papers

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



		<b>Committee Date: 10<sup>th</sup> January 2017</b>
<b>Newbridges (MUSBURY)</b>	<b>16/2506/OUT</b>	<b>Target Date: 03.01.2017</b>
<b>Applicant:</b>	<b>Mr &amp; Mrs C H Corbett</b>	
<b>Location:</b>	<b>Castlewood Farm Musbury</b>	
<b>Proposal:</b>	<b>Construction of agricultural workers' dwelling (outline with all matters reserved)</b>	

**RECOMMENDATION: Refusal**

#### **EXECUTIVE SUMMARY**

**This application is before Members as the officer recommendation differs from the view of the Ward Member.**

**The proposal seeks planning permission for a new agricultural dwelling to meet a need relating to the existing farming enterprise and primarily the dairy herd element of this. At present the farm is run and managed from the main farmhouse but the applicant's have provided an agricultural appraisal that sets out the case for an additional dwelling, related to the need for an on-site presence at most times of day and night, by an additional full-time worker. The nature of the business and the use of 24 hour robotic milkers together with year round calving helps to substantiate this need.**

**Whilst business accounts indicate that a profit has only been realised in one of the last 3 years, it is acknowledged that this is an established holding which has shown continued investment in recent years in buildings and machinery as well as diversification into other areas, it is considered to be commercially viable with every prospect of remaining so.**

**Although it is considered that there is a case for an additional farm dwelling, there are existing dwellings immediately adjoining the farmhouse, which appear to be capable of meeting such a need and which are in the same ownership as the applicants. It is acknowledged that these dwellings do not form part of the farm and are in separate title but land registry checks identify them as being in the same ownership as the applicants and as such it is reasonable to expect them to be made available to meet an identified need in relation to the applicant's farm business. The failure to consider the use of one or other of these buildings to meet any established need would result in the unnecessary development of a new dwellinghouse in this open countryside location and resulting negative impact on the surrounding designated AONB. Where it were**



the case that there were no other existing dwellings, or buildings suitable for conversion, available to meet the agricultural need of the business then that need may be considered to outweigh any such harm, however, in this instance where it appears the need could be met without the need for new development this should be resisted and the application is therefore recommended for refusal.

## **CONSULTATIONS**

### **Local Consultations**

#### Parish/Town Council

At their meeting last night Councillors were happy to support this application.

#### Newbridges - Cllr I Chubb

I support this application for a rural workers dwelling, this will be more suitable for the farm worker to live on site and look after the dairy herd and the robotic milking parlour which operates 24/7.

The site for the dwelling would not harm the landscape and obviously tied with agricultural use only.

### **Technical Consultations**

#### County Highway Authority

Highways Standing Advice

#### Other Representations

None

## **PLANNING HISTORY**

There are a number of historical planning applications relating to the erection of agricultural buildings on the site but none are directly relevant to the current proposal.

## **POLICIES**

#### Adopted East Devon Local Plan 2013-2031 Policies

D1 (Design and Local Distinctiveness)

Strategy 7 (Development in the Countryside)

Strategy 46 (Landscape Conservation and Enhancement and AONBs)

H4 (Dwellings for Persons Employed in Rural Businesses)

TC7 (Adequacy of Road Network and Site Access)

## TC2 (Accessibility of New Development)

### Government Planning Documents

NPPF (National Planning Policy Framework 2012)

National Planning Practice Guidance

### SITE LOCATION AND DESCRIPTION

The proposed site is located to the west of the main group of farm buildings and to the immediate south of a farm track which provides accesses onto the A358, approximately 300 metres to the west of the site. To the east of the site beyond the modern livestock buildings are a series of more traditional barns and then a terrace of dwellings which includes the main farmhouse and 2 no. other residential units in use for holiday let purposes. These buildings are grade II listed. The surrounding area is open countryside, designated as an Area of Outstanding Natural Beauty and forms part of the broad Axe Valley, the surrounding land slopes down gently from east to west but on the whole the site is relatively level. The village of Musbury lies approximately 1 km to the north.

### PROPOSED DEVELOPMENT

Outline planning permission is sought for a dwelling to house a permanent agricultural worker, all matters are reserved.

### ANALYSIS

It is considered that the main issues in the determination of the application relate to:

- The principle of the proposed development and whether there is a justified agricultural need for it
- The impact on the setting of the listed building and wider landscape impact
- Other Issues

### BACKGROUND

Castlewood Farm is a dairy farm run as a limited company with Mr and Mrs Corbett (the applicants) and their 2 sons acting as co-directors. One son works on the farm and the other is not employed in agriculture. The Corbett's have owned and operated the farm since 1997 running the farm on a tenancy basis for a further 10 years prior to this date. As well as the dairy enterprise the farm runs permanent pasture and grows whole crop winter wheat, maize and has a small commercial vineyard. The holding extends to approximately 139 acres of owned land with a further 30 acres of land rented on a long term basis and the 8 acres of vineyard.

At the time the submitted agricultural appraisal was carried out the livestock enterprise consisted of 90 milking cows (expected to have risen to 120 by now), with a further 120 heifers and calves. The business rears all heifer replacements with no young stock brought in and operates a year round calving program with approximately 10 cows calving per month.

The dairy herd is housed all year round and milked using 2 no. robotic milking machines, dry cows and heifers graze outside for up to 6 months of the year.

The submitted appraisal advises that the applicants' son Robert is responsible for herd management and it is for his occupation that the dwelling is proposed. As well as the dairy herd the farm includes a vineyard producing wine that is bottled off site and then returned for labelling and boxing and some direct sales. The forward plan for the farm includes proposals to construct an additional covered yard to accommodate existing/proposed livestock (with proposals to increase numbers to 150 head) and to continue to diversify the enterprise through expansion of the winery element.

## PRINCIPLE OF DEVELOPMENT

Policy H4 of the Local Plan sets out the criteria to be satisfied in relation to dwellings for persons employed in rural businesses and is therefore the key policy test to satisfy. This reflects the guidance at para. 55 in the NPPF in relation to isolated homes in the country only being permitted in special circumstances, one of which being, '...the essential need for a rural worker to live permanently at or near their place of work in the countryside...'

Policy H4 sets out the following criteria to be satisfied:

1. There is a proven and essential agricultural or forestry or rural business need for the occupier of the proposed dwelling to be housed permanently on the unit or in the specific rural location for functional reasons and the size of the proposed dwelling is commensurate with the scale of the established functional need. Where this need is unproven or a new business is being established a temporary dwelling (such as a mobile home) may be permitted to allow time to establish that there is a genuine functional and financial need for a permanent dwelling. A temporary dwelling will normally be permitted for a period of three years, subject to meeting relevant criteria detailed below.
2. In the case of a permanent dwelling, the rural business has been operational for a minimum of three years, it is demonstrable that it is commercially viable and has clear prospects for remaining so.
3. In the case of a temporary dwelling, a financial assessment, specifically in the form of a business plan setting out projected future operations, must demonstrate future operational viability.
4. The qualifying test of occupancy must involve at least one occupant being employed full time in the relevant rural business. Two occupants in partnership can meet the condition so long as their joint weekly hours equate to a full working week
5. There are no buildings on the operational holding suitable for conversion to meet the residential need or existing dwellings available now or likely to be available within a nearby location or settlement. Sale within the last three years of any dwellings or

buildings suitable for conversion will be taken into account and will count against 'need' in the assessment carried out.

6. Any permission granted will be subject to an occupancy condition tying it to the relevant business on the proposed dwelling and where appropriate, any existing dwelling on the farm holding.

These criteria are discussed below, in relation to this application.

1. The submitted appraisal states that the farm labour requirements equate to 789 standard man days (SMDs) which in turn is the equivalent of 2.87 full-time equivalent workers, based on the assumption of 1 worker being capable of 275 SMDs a year. It is accepted that there is a functional requirement for more than one worker to allow the proper functioning of the enterprise. This labour is comprised of Colin and Robert Corbett and a casual worker employed for 6 hours a week. It is noted that the assessment does not include any labour requirement associated with the vineyard and which the appraisal advises requires, '...high labour requirements during the harvesting periods and a steady labour requirement throughout the year...'. The specific justification given for an on-site presence in the report is summarised as follows:

Calving - This takes place all year round and can require close monitoring of the dairy herd during and after calving as well as assisting with calving itself.

General husbandry and management of herd.

24 hour call out to robotic milkers

Timing of Artificial Insemination and calf rearing

The proposed dwelling would also be located between the main road and the farm buildings along the new farm access and as such would allow supervision of the access and farm buildings.

In the first regard it is accepted, given principally the year round nature of calving in the enterprise, that there is an essential need for a second worker to be readily available at most times day and night. Although it is understood that the applicant's son currently lives close to the farm (on the adjoining site) it is understood that this is on a short term tenancy and that this building is not available for sale or long term rent.

The farm business has been established for nearly 30 years with the farm being purchased by the applicants in 1997 and farmed by them on a tenancy basis for 10 years preceding that date. The applicant has provided farm business accounts covering the years 2014 - 2016. The accounts indicate a loss in years 2013/14 and again in 2015/16, however a profit was realised in the intervening years of 2014/15. The accounts do however show continuing investment in both buildings and machinery which may account for the deficit. The applicant's agent, at para. 8.1 of the statement state that, '...this is a sound business with a clear prospect of profitability and with obvious potential for continued expansion and improvement.'

Given the investment in the business and success of the diversification projects already undertaken, together with the future proposals for expansion it is considered that the proposal has every prospect of remaining commercially viable.

As the application is for a permanent dwelling in relation to an established rural business, criterion 3 to Policy H4 is not relevant.

The dwelling is proposed to serve the applicant's son who currently works on the farm but lives off-site. The information submitted with the application demonstrates that there is a functional need for nearly 3 full time workers. The applicant (Mr Corbett Snr.) fulfils one of these rolls whilst his son (Robert) the other, the only other labour assistance is casual labour on a part-time basis. Criterion 4 is therefore satisfied.

With regard to criterion 5 to Policy H4, the site location plan as originally submitted included 2 no. additional dwellings and a traditional barn that might have been suitable for conversion to residential use. This plan has subsequently been amended to exclude the 2 no. existing dwellings – immediately adjoining the farmhouse and used as holiday lets – and the traditional barn from the land indicated to be in the same ownership and which the agent has advised was included within the red line in error.

The 2 no. properties known as Castlewood Farm Cottage and Wonover Cottage are in separate legal titles to the farm but appear to be in the same ownership as the farm business i.e. the title is held by Mr and Mrs Corbett on both. Whilst it is understood that these properties may in themselves be managed as part of a separate holiday let business and do not form part of the farm, they are however closely related to it and are considered capable of meeting any essential need for a dwelling that may be established as part of the application. The applicant's agent has argued that as these properties are a separate business with separate accounts, deriving a separate income from the farm (and not forming part of the farm's accounts) that they cannot be made available to the farm for residential purposes.

However, there appears to be no planning restriction that would prevent the use of one of these buildings to meet the stated need. Although both properties appear to be registered as holiday lets for council tax purposes there does not appear to be any condition which restricts the use of the dwellings. The website advertising both properties also indicates that the buildings would be of a size suitable to meet the needs of an agricultural worker and any resident dependents. Given that there are existing dwellings in the same ownership as the applicants and immediately adjoining the farm it is not considered that these can be reasonably withheld on the basis that they do not form part of the farm business, they are under the control of the applicant and therefore could be brought within the farm business and utilised to meet any demonstrated essential need for a dwelling. Policy H4 states that to support proposals there should be no 'existing dwellings available now or likely to be available within a nearby location or settlement.' On this basis it is considered that the application fails to demonstrate that this criteria would be met.

With regard to criteria 6, if the case were accepted that there was an essential need for a full-time worker to be housed on the site and that there were no other dwellings

available to meet such a need then it would be necessary to tie the occupancy of such a dwelling to existing business.

In conclusion on this issue it is considered that there is a case for an essential need for an additional worker to live on, or within close proximity to, the site but that there are existing dwellings adjoining the farm and within the applicants control that could meet this need, as such it is not considered that the construction of a new dwelling to meet this need is justified in the circumstances, particularly given the location of the site within the AONB.

## IMPACT ON THE SETTING OF THE LISTED BUILDING AND WIDER LANDSCAPE IMPACT

The application site is located some distance (over 190 metres) to the west of the listed farmhouse, on slightly lower land and separated from it by a number of traditional and modern farm buildings. The principal views of the listed building are from the south and east and the proposal would not be visible in conjunction with the listed building from these viewpoints. It is not considered that the proposal would have any harmful impact on the setting of the listed building.

The application site lies within the East Devon Area of Outstanding Natural Beauty where, in accordance with Strategy 46 of the Local Plan, development will only be permitted where it conserves and enhances the landscape character of the area. The surrounding landscape is categorised as 'Lower Rolling Farmed and Settled Slopes' whose characteristics include: gently rolling landform, variable field sizes with pastoral land uses and settled with varied building ages and sizes. The main public views of the site would be from the A358 to the west, however longer range views may also be possible from the network of footpaths and local lanes in the surrounding area. Any views would see the proposal as an extension of the existing group of buildings that form a fairly narrow but deep building group to the rear of the farmhouse. Were an additional building considered to be necessary and adequately justified then development on the proposed site would have limited impact on the wider landscape. However, in the absence of suitable justification for an additional dwelling the proposal would represent additional development in the countryside which would have some additional unjustified landscape impact upon the AONB.

## DESIGN, SIZE, SITING AND LAYOUT

The application is in outline with all matters reserved and as such there are no details relating to the design, layout etc. of the building. If the application were to be considered acceptable in principle these matters would be covered by a subsequent reserved matters application.

## OTHER ISSUES

The site is accessed via the existing farm drive from the east and also from a farm track to the west. The proposal would not, given the nature of the application, be likely to result in any significant additional traffic movements and the visibility at both junctions is considered to be acceptable to accommodate any movements associated with the proposed dwelling.

Non-mains drainage is proposed to serve the dwelling, although what form this might take has not been established as yet. However, the appropriate non-mains drainage form has been submitted and the additionally confirmation has been provided that there is no mains drainage available in the vicinity of the site. There is no objection to the use of non-mains drainage in this instance, subject to conditioning of further details.

## **RECOMMENDATION**

REFUSE for the following reasons:

1. The application fails to demonstrate why any identified essential need for a rural worker's dwelling could not be met by existing dwellings on, or adjoining the holding, and within the applicant's control, as such the proposal would represent an unnecessary form of development resulting in visual harm through the further encroachment into the otherwise open and largely undeveloped countryside surrounding the farm and which falls within the East Devon Area of Outstanding Natural Beauty. The proposal is therefore contrary to the provisions of Strategies 7 (Development in the Countryside); Strategy 46 (Landscape Conservation and Enhancement and AONBs), and; H4 (Dwellings for Persons Employed in Rural Businesses) of the East Devon Local Plan 2013 - 2031 and guidance contained in the National Planning Policy Framework.

## NOTE FOR APPLICANT

Informative:

In accordance with the aims of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 East Devon District Council seeks to work positively with applicants to try and ensure that all relevant planning concerns have been appropriately resolved; however, in this case the development is considered to be fundamentally unacceptable such that the Council's concerns could not be overcome through negotiation.

Plans relating to this application:

LOCATION	Amended Plans	23.11.16
PLAN		

## List of Background Papers

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

**Ward** Ottery St Mary Rural

**Reference** 16/2633/FUL

**Applicant** Mr & Mrs Coppell

**Location** 20 Eastfield West Hill Ottery St Mary EX11 1XN

**Proposal** Extension to existing garage to provide car port and store and construction of porch.



**RECOMMENDATION: Approval with conditions**





		<b>Committee Date: 10 January 2017</b>
<b>Ottery St Mary Rural (OTTERY ST MARY)</b>	<b>16/2633/FUL</b>	<b>Target Date: 03.01.2017</b>
<b>Applicant:</b>	<b>Mr &amp; Mrs Coppell</b>	
<b>Location:</b>	<b>20 Eastfield West Hill</b>	
<b>Proposal:</b>	<b>Extension to existing garage to provide car port and store and construction of porch.</b>	

**RECOMMENDATION: Approval with conditions**

#### **EXECUTIVE SUMMARY**

**This application is before Members of the Development Management Committee as the applicant a close relative of a Member.**

**The proposal seeks planning permission for an extension to the existing garage and the construction of a porch at 20 Eastfield, West Hill.**

**The enlargement of the existing garage is of appropriate mass, scale and would be sufficiently screened by surrounding trees therefore mitigating any potential visual harm to the street scene of Eastfield. Furthermore the proposals would use materials that match the existing building reinforcing the areas local character and appearance.**

**The presence of the sites mature vegetation around the boundaries edge prevents any potential overlooking and therefore ensuring neighbour amenity is preserved.**

**Issues raised by East Devon District Council's Tree Officer has ensured that any works comply with the conditions set to preserve a notable Red Cedar tree that lay outside of the developments sites northern boundary.**

**This application is considered to be acceptable and therefore recommended for approval.**

## **CONSULTATIONS**

### **Local Consultations**

Clerk To Ottery St Mary Town Council  
16/2633/FUL

Town Council Comments:  
The Town Council supports this application

### **Technical Consultations**

#### EDDC Trees

'My main concern over this development is the excavation and infill within the RPA of the TPO'd Western Red Cedar. The encroachment into the RPA of clean ground is approximately 20%, the max recommended by BS5837:2012. The Letter from the Arboricultural Consultant mentions an air spade investigation and also possible ground and tree protection, I would like to see the evidence from the air spade investigation and a Tree Protection Plan including the RPA of the trees concerned prior to making a final decision'

County Highway Authority  
Does not wish to comment

Other Representations  
None

## **PLANNING HISTORY**

<b>Reference</b>	<b>Description</b>	<b>Decision</b>	<b>Date</b>
09/0954/FUL	Two storey side extension	Approval with conditions	19.08.2009

## **POLICIES**

Adopted East Devon Local Plan 2013-2031 Policies  
D1 (Design and Local Distinctiveness)

D3 (Trees and Development Sites)

Strategy 6 (Development within Built-up Area Boundaries)

Government Planning Documents  
NPPF (National Planning Policy Framework 2012)

## **ANALYSIS**

### **Site Location and Description**

The site is located at the very end of Eastfield Road in the village of West Hill. The property is a very late 20th century dwelling built in a cul-de-sac of similar aged properties all finished with red brick, render, timber framed windows and tiled roofing.

### **Proposed Development**

The proposal is for an extension to the existing garage to provide a car port, larger garage and store. There would also be a new porch constructed to the main dwelling.

### **Visual Impact**

Although the proposals would be adding to the garages mass, the bulk of the new garage is effectively screened by surrounding trees. Therefore any possibility of the proposals detracting from the areas character would be mitigated. The applicant's decision to use materials that match the existing building reinforces local character and appearance.

Both the garage extension and porch will therefore match the main dwelling, remain subservient in appearance and therefore be of an acceptable appearance.

### **Neighbour Amenity**

The proposal would not adversely impact upon the neighbouring properties given the distances involved, small scale of the extension and as the proposals would be similar in appearance and effectively screened by surrounding vegetation.

### **Trees**

After some concerns raised by the Arboricultural Officer, additional evidence was requested to identify the developments potential impact on a red cedar, located just outside the sites boundary. After an air spade investigation it was concluded that the notable tree would not be significantly impacted by the proposed works.

## **RECOMMENDATION**

APPROVE with 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. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match, in type, colour and texture those of the existing building.  
(Reason - To ensure that the materials are sympathetic to the character and appearance of the existing building in accordance with Policy D1 - Design and Local Distinctiveness of the Adopted East Devon Local Plan 2013-2031.)
4. Prior to commencement of any works on site (including demolition), tree protection details and a method statement detailing how the area of cut will be undertaken and surfaced, shall be submitted to and approved in writing by the Planning Authority. These shall adhere to the principles embodied in BS 5837:2012 and shall indicate exactly how and when the trees will be protected during the site works and include a timetable for works to the cut area. Provision shall also be made for supervision of tree protection by a suitably qualified and experienced arboricultural consultant and details shall be included within the tree protection statement. The development shall be carried out strictly in accordance with the agreed details.

In any event, the following restrictions shall be strictly observed:

(a) No burning shall take place in a position where flames could extend to within 5m of any part of any tree to be retained.

(b) No trenches for services or foul/surface water drainage shall be dug within the crown spreads of any retained trees (or within half the height of the trees, whichever is the greater) unless agreed in writing by the Local Planning Authority. All such installations shall be in accordance with the advice given in Volume 4: National Joint Utilities Group (NJUG) Guidelines For The Planning, Installation And Maintenance Of Utility Apparatus In Proximity To Trees (Issue 2) 2007.

(c) No changes in ground levels or excavations shall take place within the crown spreads of retained trees (or within half the height of the trees, whichever is the greater) unless agreed in writing by the Local Planning Authority.

(Reason - To ensure retention and protection of trees on the site in the interests of amenity and to preserve and enhance the character and appearance of the area in accordance with policies D1 (Design and Local Distinctiveness), D4 (Landscape Requirements) and D5 (Trees on Development Sites) of the East Devon Local Plan.)

#### NOTE FOR APPLICANT

Informative:

In accordance with the aims of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 East Devon District Council works proactively with applicants to resolve all relevant planning concerns; however, in this case the application was deemed acceptable as submitted.

Plans relating to this application:

	Arboriculturist Report	02.11.16
P:1509:03	Proposed Combined Plans	02.11.16
P:1509:02	Existing Combined Plans	02.11.16
P:1509:04	Proposed Combined Plans	02.11.16
P:1509:01	Combined Plans	02.11.16

List of Background Papers

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

**Ward** Raleigh

**Reference** 16/1709/FUL

**Applicant** Ladram Bay Holiday Park

**Location** Land Northwest Of Ladram Bay  
Holiday Park Ladram Bay Otterton  
Budleigh Salterton EX9 7BX

**Proposal** Construction of new service yard  
and building.



**RECOMMENDATION: Approval with conditions**



		<b>Committee Date: 10<sup>th</sup> January 2017</b>	
<b>Raleigh (OTTERTON)</b>	<b>16/1709/FUL</b>	<b>Target Date:</b>	<b>20.09.2016</b>
<b>Applicant:</b>	<b>Ladram Bay Holiday Park</b>		
<b>Location:</b>	<b>Land Northwest Of Ladram Bay Holiday Park Ladram Bay</b>		
<b>Proposal:</b>	<b>Construction of new service yard and building.</b>		

**RECOMMENDATION: Approval with conditions**

### **EXECUTIVE SUMMARY**

**This application is before Members as it represents a departure from the provisions of the adopted Local Plan. It is also referred in view of the difference between the officer recommendation and the view of the ward member.**

**The proposal relates to the laying out and construction of a new service and recycling yard and single storey open fronted storage building, incorporating a security control entrance booth, to mainly replace an existing service yard and building that currently occupy a central location within the Ladram Bay holiday park complex immediately alongside its main car park. The details show an L-shaped building incorporating a monopitch roof form with a grass finish over rendered rear and side elevation walls to the south western and south eastern sides of a central yard area to be surfaced in crushed stone. The latter would in part be excavated into the slope of the field of which the site forms part. The proposals also include works to slightly widen and re-align part of Bay Road and the installation of security barriers. Access would be taken from Ladram Road using an existing field entrance gateway, slightly widened. The scheme also includes extensive landscaping proposals to screen the site and development in the form of tree, hedge and under storey wildflower seed planting.**

**The site to which it is proposed to relocate the service yard is located on the eastern side of the junction of Bay Road with Ladram Road. It is within the East Devon Area of Outstanding Natural Beauty (AONB) and the Coastal Preservation Area (CPA).**

**The proposal essentially falls to be considered having regard to an assessment as to the impact of the development upon the landscape and scenic beauty of the AONB against the stated justification for the relocation of the existing facility. In this regard, it is considered that the current position of the service yard within the complex presents both practical issues with regard to the ease of movement of larger delivery and service vehicles that need to access it and the**

potential safety conflict that this creates with both pedestrian activity and other vehicle movements. It is also argued that in visual terms it presents a negative first image for visitors upon arrival to the park. Furthermore, the provision of a second security booth and barriers at the entrance to the park would help with ensuring security and control over entry to the park during overnight periods, especially given that there currently exist two points of access to the accommodation within the park before the existing security booth is accessed.

It is considered that a cogent detailed case has been made for the need for the proposed new facility. Moreover, notwithstanding a degree of visual and physical separation from the main park area that would result from the development, it is thought that it is capable of being satisfactorily accommodated and assimilated within the surrounding landscape as the proposed planting matures to the extent that the level of harm that would be caused to the landscape and scenic beauty of the AONB would not be so significant as to justify objection on landscape impact grounds.

Whilst the concerns expressed by the parish council, ward member and third parties are acknowledged, on balance it is considered that the proposed development is acceptable.

## **CONSULTATIONS**

### **Local Consultations**

#### **Clerk to Otterton Parish Council (Original comments)**

Otterton Parish Council has the following comments on this application:

The Council is disappointed that neither it nor residents were consulted prior to the submission of the formal application which left very little time for consideration of such a major development.

While recognising the economic benefits that might flow from development at Ladram Bay, there are serious concerns about the proposal, which it is felt is not appropriate in an AONB, in particular the size of the building; the likely noise and its location on the skyline, which means it would be widely visible. The effect on traffic and the roads of moving the entry barrier towards the entrance from Ladram Road is also felt to be a significant problem, with the likelihood of traffic queues developing in Ladram Road at busy times. It is also feared that winter flooding on the road would be exacerbated by the proposal.

Further comments re. LVIA:

The Council re-considered planning application 16/1709/FUL, the proposed construction of a new service yard and building at Ladram Bay Holiday Park, which had been amended in the light of comments on the earlier plan. Although the application had been revised to take account of earlier concerns about the visual impact of the building, and it had been clarified that the new security gate at the top of the hill would be used at night, and not at times of peak activity, the Council did



not support it. There were continuing concerns about the visual impact and the spread of the park up the hill out of the bay area.

Raleigh - Cllr G Jung

I have studied the documents for the planning Application 16/1709/FUL for a development on land Northwest of Ladram Bay Holiday Park Ladram Bay Otterton Budleigh Salterton EX9 7BX for the Construction of new service yard and building.

I recognise the importance of the Holiday Park in providing quality holiday accommodation and a substantial amount of jobs for local people. However the needs of the Holiday Park Business need to be balanced with the special location which is within the AONB and on the Jurassic Coast.

One of the key landscape benefits at present is there is no hint of the Holiday Park from Ladram Lane, and the nature of the area is considerably rural. This rural aspect within the AONB will be lost if this application is permitted.

I note Natural England's comments regarding the Landscape designation and I support their view that further information on the visual impact.

"The proposal is in a prominent location within the East Devon Area of Outstanding Natural Beauty (AONB). From the information available Natural England is unable to advice on the potential significance of impacts on the AONB."

"Given the location of the proposal, Natural England's advice is that more information, via a Landscape and Visual Impact Assessment (LVIA) or similar, is necessary to understand the potential impacts of the proposal on the special qualities of the AONB and allow your Authority to make a properly informed decision."

The Parish Council are also concerned with the developments impact on the area and they are also concerned on the security gates being placed at the top of the lane, creating queues of traffic on busy change over days.

I share the concerns regarding the effect on the local landscape together with the Traffic Issues, and I would hope Devon CC Highways will consider the concerns from the Parish Council in detail.

The location is on land designated as agriculture. Therefore it requires a change of use and as the proposal is subservient to the Holiday Park it would be designated as an extension to "Holiday Accommodation Park"

The EDDC Local Plan.

The 2 policies specific to the application are:

Strategy 46 - Landscape Conservation and Enhancement and AONBs:

Development will need to be undertaken in a manner that is sympathetic to, and helps conserve and enhance the quality and local distinctiveness of, the natural and

historic landscape character of East Devon, in particular in Areas of Outstanding Natural Beauty.

Development will only be permitted where it:

1. conserves and enhances the landscape character of the area;
2. does not undermine landscape quality; and
3. is appropriate to the economic, social and wellbeing of the area.

When considering development in or affecting AONBs, great weight will be given to conserving and enhancing their natural beauty and major development will only be permitted where it can be shown that it cannot be reasonably accommodated elsewhere outside of the AONB.

The current Area of Outstanding Natural Beauty Management Plans, the East Devon and Blackdown Hills Areas of Outstanding Natural Beauty and East Devon District Landscape Character Assessment & Management Guidelines 2008 and the Devon County Council Landscape Character Areas Assessment should be used in design and management considerations.

From my perspective although substantial landscaping is proposed I do not believe this application complies with Strategy 46

Holiday Accommodation Parks and Caravan/Chalet Sites

24.29 It is recognised that Holiday Accommodation Parks are a key feature within the tourism sector. The expansion of existing sites and potential development of new sites will have a positive effect on the economy of East Devon. This should not be to the detriment of the natural environment and those in settlements close to the proposals. Criteria within policy is designed to safeguard the key concerns of such developments and identify areas of mitigation should permission be granted.

E19 - Holiday Accommodation Parks:

Outside of designated landscape areas, proposals for new sites and extensions of existing sites will be permitted where they meet the following six criteria:

1. The proposal relates sensitively in scale and siting to the surroundings and includes extensive landscaping and visual screening to mitigate against adverse impacts. They do not affect habitats or protected species.
  2. They are within, or in close proximity, to an existing settlement but would not have an adverse impact on the character or setting of that settlement or the amenities of adjoining residents.
  3. They would not use the best and most versatile agricultural land.
  4. They will be provided with adequate services and utilities
  5. Traffic generated by the proposal can be accommodated safely on the local highway network and safe highway access to the site can be achieved.
  6. The development will be subject to the provisions of plan policy in terms of sustainable construction and on site renewable energy production.
- Proposals for the extension of existing caravan and camping sites or the addition of related and ancillary facilities on existing sites, within designated landscapes, will only be permitted where they meet the above criteria in full and provide no new permanent structures or are replacement structures designed to blend into their surroundings.

As this site is within the AONB I do not consider this application complies with Policy E19 of our Local Plan

## Conclusion

Unfortunately with the present information that has been supplied I cannot support this Application within its present form. I appreciate that the surrounding area is all AONB but a less prominent location I feel would be more suitable for the Service Yard.

Please note that these are my preliminary views taking account of the information presently made available. I reserve my final views on this application until I am in full possession of all the relevant arguments for and against.

## **Technical Consultations**

County Highway Authority  
Highways Standing Advice

### Landscape Architect

Please find below the landscape consultation response to planning application 16/1709/MRES:

The submitted DAS should be accompanied by a landscape and visual appraisal indication how the siting was determined and the design was developed in response to the views from the AONB and south west coastal path and the existing local landscape character.

Currently very little information has been provided on how the scheme responds to its visual and landscape character context.

The site plan and landscape proposals are not fully coordinated. The landscape plan shows a greater extent of planting.

The provided sections should incorporate proposed landscape mitigation and enhancement measures, to better clarify the proposals.

The DAS mentions the use of soakaways, but none are shown on the site layout.

### Economic Development Officer

Response to Consultation: 16/1709/FUL

Construction of new service yard and building - Land Northwest of Ladram Bay Holiday Park Ladram Bay Otterton Budleigh Salterton EX9 7BX

We have reviewed all associated documents in relation to planning application 16/1709/FUL and make the following observations:

#### Overview

The lack of objection from the County Highways Authority in respect of this application is especially relevant.

We agree with the views offered that economic development and tourism should be supported in balance with the conservation and enhancement of the AONB. Moreover, we must agree that the level of detail provided is low in respect of what we believe are actually strong and compelling economic arguments in support of the development.

The further development and enhancement, although not fully described, within the Design and Access Statement we anticipate would refer to the existing service and recycling yard in the centre of the site. Investment to make better and more attractive use of this central aspect of the park would be a welcome from an economic perspective.

#### Design & Access Statement

The applicants have made clear why this new relocated service yard is a requirement, with existing access constraints, accidents also having been an issue and guests commenting on views of/noise from the existing service and recycling yard in the centre of the park. The principle of this being relocated is wholly supported to promote guest enjoyment of the improved park and promote the likelihood of repeat visits.

We note the acknowledgement of the visual impact of the development and the inclusion of both the grass roof and substantial landscaping to help screen the yard structure from public view.

We acknowledge the pre-application advice the applicants have received in respect of the eventual position and design of the proposed structures. Having reviewed the topography of the site, it is clear why the proposed location has been selected given an overall cross fall of just 3m.

The recent 5 Star rating awarded to Ladram Bay Holiday Park is testament to the significant investment in improved facilities that the owners have made in the park and is relevant to continued contribution to the local economy (estimated at >£9m p/a) in the district. However, despite highlighting the strong level of employment provided by the existing business, direct jobs links associated with this particular proposal (either new FTE or jobs safeguarded) are not made clear. There will be a degree of employment safeguarded by this park improvement and any new jobs associated with this proposal and the further economic and employment investment it will unlock (in the centre of the park on the existing service yard site) is especially welcome to help balance the high number of residential units being built in East Devon.

The economic role of the planning system set out in para. 7 and 17 of the National Planning Policy Framework (DCLG, 2012). Specifically, Para. 19, highlights the centrality of economic development to the planning system and the requirement that development needs of businesses responding to market opportunities be understood and accommodated by local planning authorities.

This proposal will help to unlock much needed employment and improve the capacity of East Devon as a visitor destination with popular and contemporary holiday accommodation.

#### EDDC Council Plan

This application is consistent with our role in promoting economic development as articulated in East Devon Council Plan Priority two: Developing an outstanding local economy. Agreed Member Council Plan Pledges supported by this development include:

- An economy which supports existing businesses to grow to bring better paid jobs and increased wealth into East Devon
- Promotion of East Devon and the wider region to create value and enjoyment of the area
- Create opportunities through partnership and the planning process .. to attract new jobs into the district

- Secure new job opportunities in conjunction with development arising from the Local Plan for local residents (both young and disadvantaged in the labour market)
- Work closely with our rural, coastal and market town economies to encourage business resilience and growth
- Ensuring that economic impacts are considered in responding to and deciding upon the relevant planning decisions

### Conclusion

The potentially adverse landscape and visual impact of the proposed development is a common concern in relation to this proposal. A wider perspective, taking on board environmental, social and economic considerations provides evidence of a scheme which has significant merit and which has become more sustainable through reasoned mitigation and sympathetic design.

It is clear the applicant has gone to considerable effort to engage the Planning Team and maximise the degree to which the required structures can be screened from public view. In this regard, and in reference to Strategy 46, the design has taken significant strides towards helping conserve the landscape character of the area, and we believe is appropriate to the economic and social wellbeing of the area through the provision and protection of much needed local employment.

Relocating the service yard to the area proposed is an important project to improve the efficiency, visitor experience and safe operation of the business. This major local employer brings many thousands of visitors to our district each year and despite the lack of a detailed economic impact assessment, we're given no grounds to question the associated local spend resulting from this being in excess of £9m per year - a figure which can increase through the investment enabled through this development. We would argue that this economic benefit outweighs the degree of landscape impact which the applicant has already gone to considerable effort and expense to mitigate and make more sympathetic in accordance with EDDC pre-application advice.

### Natural England

Thank you for your consultation email dated and received on 27 July 2016.

We have considered the proposal against the full range of Natural England's interests in the natural environment and have the following comments(1).

#### Landscape - further information advised

The proposal is in a prominent location within the East Devon Area of Outstanding Natural Beauty (AONB). From the information available Natural England is unable to advise on the potential significance of impacts on the AONB.

Given the location of the proposal, Natural England's advice is that more information, via a Landscape and Visual Impact Assessment (LVIA) or similar, is necessary to understand the potential impacts of the proposal on the special qualities of the AONB and allow your Authority to make a properly informed decision.

Such an assessment should be based on good practice guidelines such as those produced jointly by the Landscape Institute/Institute of Environmental Assessment 20132. Landscape character assessment (LCA) provides a sound basis for guiding,

informing and understanding the ability of any location to accommodate change, and to make positive proposals for conserving, enhancing or regenerating character, as detailed proposals are developed.

We would 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 further informed by an LVIA will help to confirm whether or not it would impact significantly on the purposes of the AONB designation. They will also be able advise on whether the development accords with the aims and policies set out in the AONB management plan.

(1 This reply comprises our statutory consultation response under the provisions of Article 10 of the Town and Country Planning (General Development Procedure) Order 1995, Section 28 of the Wildlife and Countryside Act 1981 (as amended), Regulation 61 of the Conservation of Habitats and Species Regulations 2010 and the Town and Country Planning (Environmental Impact Assessment) Regulations 2011)

(2 Landscape Institute and Institute of Environmental Management and Assessment (2013, 3rd edition): Guidelines for Landscape and Visual Impact Assessment-Guidance for England and Scotland)

We would also draw you attention to Paragraph 115 and 116 of the National Planning Policy Framework (NPPF 2012) (3).

#### Designated sites

Based on the information provided, the application is not likely to result in significant impacts on statutory designated nature conservation sites.

#### Protected species

We have not assessed this application and associated documents for impacts on protected species.

Natural England has published Standing Advice on protected species. You should apply our Standing Advice to this application as it is a material consideration in the determination of applications in the same way as any individual response received from Natural England following consultation.

The Standing Advice should not be treated as giving any indication or providing any assurance in respect of European Protected Species (EPS) that the proposed development is unlikely to affect the EPS present on the site; nor should it be interpreted as meaning that Natural England has reached any views as to whether a licence is needed (which is the developer's responsibility) or may be granted.

If you have any specific questions on aspects that are not covered by our Standing Advice for European Protected Species or have difficulty in applying it to this application please contact us with details at [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

#### Biodiversity enhancements

Your authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application. This is in accordance with Paragraph 118 of the National Planning Policy Framework

(NPPF). Additionally, we would draw your attention to Section 40 of the Natural Environment and Rural Communities Act (2006) which states that 'Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'. Section 40(3) of the same Act also states that 'conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat'.

All new development should create high quality locally distinctive places where people want to live and work. Green infrastructure is increasingly recognised as an essential component of any truly sustainable development and the most effective means of providing a wide range of ecosystem services for quality of life and health benefits.

Natural England has produced guidance which is available to planners, developers and others to download at <http://publications.naturalengland.org.uk/publication/35033?category=9002>

We welcome the inclusion of a green roof, hedgerow and tree planting and wildflower meadow planting in line with The National Planning Policy Framework paragraph 9 (Any design layout for the site should work towards a net gain in biodiversity).

This application may also provide the opportunity to incorporate nesting and roosting sites. Modern buildings tend to reduce the amount of potential nesting and roosting sites. Artificial sites may therefore need to be provided for bats and birds such as swallow, house martin, swift and house sparrow. There is a range of ways in which these can be incorporated into buildings, or built in courtyard habitats. Their location should provide protection from the elements, preferably facing an easterly direction, out of the direct heat of the sun and prevailing wind and rain.

If Sustainable Drainage Systems (SuDS) are proposed they can also contribute towards green infrastructure by increasing biodiversity and amenity value. Further guidance on the design of SuDS for wildlife by the RSPB can be found at [www.rspb.org.uk/sustainabledevelopment](http://www.rspb.org.uk/sustainabledevelopment)

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/6077/2116950.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf)

#### Additional matters

In accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England expects to be consulted on any additional matters, as determined by East Devon District Council, which may arise as a result of, or are related to, the present proposal. This includes alterations to the application that could affect its impact on the natural environment. Natural England retains its statutory discretion to modify its present advice or opinion in view of any and all such additional matters or any additional information related to this consultation that may come to our attention.

## East Devon AONB

Ladram Bay Holiday Park occupies a dip in the coastal slope and combe landscape character area to the west of Sidmouth. In an otherwise sparsely developed coastline, it rises with the land to form a prominent site, dominating the location. The proposed site is physically separated from the main park, to the north, on rising ground and in a grade 3 agricultural field (pasture).

The coastal area is an important part of the AONB, designated as World Heritage Site and nationally important SSSI. The application site falls with the Blackdowns NCA, Sidmouth and Lyme Bay Coastal Plateau and the East Devon Landscape Character Type Coastal Slopes and Combes

Natural England National Character Area Assessment

NCA No: 147

NCA Name: Blackdowns

Brief description of the special qualities, landscape and historic environment character

A dynamic coastline of tall, often crumbling cliffs and open, exposed cliff-top plateaux, incised by steep, enclosed combe valleys or open estuaries and tidal marsh. Narrow sand, shingle and pebble beaches feature along the coast.

Key Statements of Environmental Opportunity relevant to this site

SEO 1: Manage the coastal and estuarine landscape with its diversity of cliffs, geology, geomorphology, palaeontology, historic features and habitats and associated wildlife, contributing to livelihoods, enjoyment and education of people.

SEO 4: Protect the relatively unsettled, rural character of this nationally important landscape, maintaining open skylines and historic settlement form. Reflect the local vernacular and geodiversity in new development and encourage provision of high-quality green infrastructure.

Conserving and enhancing the open and largely undeveloped character of the cliffs, avoiding the siting of new development and vertical structures on prominent skylines immediately above or along the coastline which is otherwise pristine.

Devon Landscape Character Area Assessment

DCA Name: Sidmouth and Lyme Bay Coastal Plateau

Brief description of the special qualities, landscape and historic environment character

The landform varies from steep cliff to horizontal estuary and from open exposed coastal plateau to incised steep combe valleys which penetrate, curve and branch inland

Area of high tranquillity away from larger settlements and A3052 coastal road, particularly in the sheltered combes

Key management guidelines relevant to this site

Protect the open and largely undeveloped character of the cliffs, avoiding the siting of new development and vertical structures on prominent skylines immediately above or along the coastline which is otherwise pristine.

Protect open emptiness of the coastal plateau and estuaries and the strong horizontal emphasis of these areas, avoiding the location of new development and vertical structures on prominent skylines.

East Devon and Blackdown Hills AONBs and East Devon District Landscape Character Area Assessment

LCT No: 2B

LCT Name: Coastal Slopes and Combes



Brief description of the special qualities, landscape and historic environment character

Individual small coastal areas of generally wooded slopes and branching valley systems. Many valleys are narrow and steep, with well wooded upper slopes and remnant orchards, and have an intimate, tranquil and enclosed character. Other valleys are more gently sloping and have an open scrubby downland character, especially along their upper boundaries. Land cover is a mix of unenclosed woodland and small to medium irregular fields, mainly in pastoral cultivation and with much wet pasture. This gives way to scrub along the upper edge of the adjoining cliffs. There is little settlement on the steeper slopes, but within the wider combes historic settlements often occur as a series of hamlets, occasionally with a strong tourism influence where there is reasonable vehicular access. The road network is generally narrow and winding, with very little vehicle access to the coast. Steep paths down to beaches and the South West Coast Path provide extensive rights of way for pedestrians and access to the high, open and exhilarating top slopes with their extensive coastal views.

Key management guidelines relevant to this site

Settlement and development: 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.

Comments

NPPF calls for valued landscapes to be protected and enhanced (NPPF 109) with the greatest weight being given to conserving landscape and scenic beauty in National Parks and Areas of Outstanding Natural Beauty (AONBs) (NPPF 115). Given this, and although this is not a major development, one might expect a very strong justification, beyond controlling site access, for locating what is essentially a site maintenance/operations area outside the existing site boundary on what is largely agricultural land.

The AONB Management Strategy (2014) recognises the significance of the coastal environment and undeveloped character in 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 LCA statements and guidelines for this area recommend maintaining the inherent pattern of sparse development, avoiding vertical structures and contributing to the unspoilt character and tranquillity of the character type. At present, users of the adjacent road and byway network to the north are currently largely unaware of the significant extent of the holiday park over the rising ground to the south and more exposed to coast path walkers. This application would draw that development into a new visual envelope.

The absence of an LVIA or photo montage does 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.

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 AONB adopted

Management Strategy (2014) A sustainable rural economy that serves to conserve and enhance the special qualities of the landscape.

East Devon AONB Management Strategy 2014-19 Policy Reference(s)

P2 - Provide advice and support on planning policy and development to enable the special qualities of the AONB to be protected, conserved and enhanced.

C 1 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.

Further Information

1. East Devon and Blackdown Hills AONBs and East Devon District Landscape Character Assessment & Management Guidelines (2008)
2. Devon Landscape Character Assessment ([www.devon.gov.uk/landscapecharacter](http://www.devon.gov.uk/landscapecharacter))
3. Natural England NCA profiles (Devon Redlands and Blackdowns)
4. East Devon AONB Management Strategy (2014)

### Other Representations

At the time of writing the report a total of 16 representations of objection had been received in relation to both the original plans and documents and the further information submitted, including the landscape visual impact assessment. These include representations from the Otter Valley Association and the East Devon branch of the CPRE.

### Summary of Grounds for Objection

1. Agricultural green field site within the AONB; the development would be visible from the sea, Pebblebed Heath, High Peak, Woodbury and all surrounding hills.
2. Resiting of security office and barriers across Bay Road is very close to Ladram Road and will cause potential queuing tailbacks of traffic into Otterton on changeover days causing further hazards to residents, walkers and visitors.
3. Existing flooding problems could be made worse by increased surface water runoff as proposed soakaway will not work when ground is saturated.
4. Landscaping will take many years to mature and become an effective screen for the development and will only partially mitigate the site from view.
5. Inappropriate for service yards to be sited on a greenfield site in an AONB as they tend to be untidy, noisy and dirty and contain hazardous material and chemicals.
6. Question the plans for the existing service yard and further development; likely that further caravans would be installed lacking any landscaping or tree planting.
7. Site is in a visually prominent location and development would be incompatible with its landscape setting outside of the natural bowl within which the holiday park is situated contrary to local plan policies which aim to conserve and enhance the landscape quality and character of the AONB and to preserve the coastal area for damage from development that would harm its openness and views to the sea.
8. Location of entrance to service yard would exacerbate existing hazards with cars where traffic does not slow down for pedestrians along Ladram Road and the existing entrance is difficult for walkers with cars turning into the park.
9. Existing yard and recycling facilities are well screened, can only be seen from within the site and are easy to access and service the park.
10. No economic benefit; it is a development for the convenience of the holiday park only and a result of previous overdevelopment.

11. Site lies within the Coastal Preservation Area and adjacent to the Jurassic Coast (a World Heritage Site) and, standing on high ground, would be visible from far and wide.
12. Design of building not in keeping with its position in the landscape and scale and intended use can only be viewed as industrial.
13. Increased noise and potential for pollution of local watercourses.
14. Will lead to further expansion and development of farm land between the current park boundary and the junction of Bay Road with Ladram Road.
15. Economic development and tourism must be accompanied by conservation and enhancement of the AONB.
16. Addition of barriers and a control box would alter the character of the entrance to the holiday park and increase in visual intrusion.
17. Loss of tranquillity through the introduction of lighting, noise and traffic movement.
18. No evidence in the application to support economic arguments for the application.
19. The site is grade 3 agricultural land and development would be contrary to Local Plan policy EN13 and paragraphs 112 and 114 of the NPPF.
20. Precedent for yet more caravans and traffic with unacceptable impact upon the villagers in Otterton.
21. Lack of consultation with local residents.

## **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)

EN19 (Adequacy of Foul Sewers and Adequacy of Sewage Treatment System)

EN22 (Surface Run-Off Implications of New Development)

TC7 (Adequacy of Road Network and Site Access)

TC9 (Parking Provision in New Development)

### Government Planning Documents

NPPF (National Planning Policy Framework 2012)

## **ANALYSIS**

### **Relevant Planning History**

Although there is an extensive history of applications relating to development proposals within the holiday park itself, none are of direct relevance to the current application proposal. Furthermore, there is no previous history relating to the application site itself.

### **Site Location and Description**

The site, which is around 0.134 hectares in area, comprises a parcel of land that currently forms part of an agricultural field on the eastern side of the entrance to Ladram Bay Holiday Park adjacent to the junction of a private access road (Bay Road) that serves it with Ladram Road, a class C highway that connects the park with Otterton. The holiday park itself is located to the east and south.

The site is within the designated East Devon Area of Outstanding Natural Beauty (AONB) and Coastal Preservation Area (CPA). Its boundary with Ladram Road to the North West is defined by an established native species hedgerow punctuated by a field gateway whilst a post and rail fence extends along the south western boundary with Bay Road from which a double gated entrance allows vehicular access. There is a gentle fall across the site from both north east to south west and south east to north west.

### **Proposed Development**

The application proposal involves the laying out and construction of a new service and recycling yard and single storey covered storage building, incorporating a security control entrance booth, to mainly replace the existing facilities within the park.

It is intended that the proposed yard, which would be surfaced in crushed stone, is accessed via the existing field gate entrance off Ladram Road which would be widened slightly to accommodate larger vehicles that would be expected to need to access it.

The submitted details show the proposed storage building positioned on the southern side of the yard area. It would be L-shaped and would exhibit a monopitch roof form with a grass finish over a painted render rear wall. Aside from supporting posts the 'front' internal yard elevations of the building would be entirely open.

Both 'arms' of the building would measure 32 metres in length with the two end walls creating a depth of 6 metres. The roof would incorporate an overhang providing for a further 2 metres of covered storage area at the front of the building. The roof would rise from an eaves height of 2.4 metres where it backs onto the Bay Road boundary to a maximum height at the front of the overhang of 5 metres.

The proposed security booth/control room would be designed as an attachment to the western corner of the storage building where it would face Bay Road at the nearest point of the building to its junction with Ladram Road. It is designed with a simple monopitch roof over a mainly glazed wall of triangular profile on a rendered plinth wall.

It is also proposed to widen a section of the private access road alongside the south western 'arm' of the building and form a security control barrier/gate alongside the entrance booth.

The laying out of the proposed yard would necessitate engineering operations in order to create an appropriately levelled area. The scheme proposals also show structured landscape tree and hedge planting around the development to screen and assimilate it into the surrounding landscape.

Subsequent to the initial application submission, further information in the form of a landscape visual impact assessment (LVIA) report and additional justification for the development has been forthcoming.

### **Considerations/Assessment**

The principal issue in the consideration of the proposal in this case centres around the stated justification for the development when balanced against its impact upon the AONB in which the site is located (and for which there is no specific policy support), particularly in the light of the highest status of protection that it enjoys in relation to landscape and scenic beauty and the great weight that should be given to its conservation required by policy as set out within the National Planning Policy Framework (NPPF).

The next section of the report therefore summarises the key points that are made by the agents to justify the scheme. This is then followed by an assessment of its landscape impact and an evaluation of the overall planning balance having regard also to other considerations that are material to the proposal in this case.

#### Justification

The existing service yard occupies a relatively central position within the park at the rear of both its main car park area and a complex of shops. It houses site maintenance machinery alongside materials used for the repair and restoration of the park. Owing to the presence of only one modest storage building and the need to maintain vehicular access, much of this is necessarily stored both externally and where it is open to the adjacent car park. As such it presents a potential safety risk to children that may be tempted to play or climb on the material stock piles or parked maintenance vehicles.

Clearance of the service yard and storage building would free up space within this area and allow for safer pedestrian access and circulation around the car park. This would also in turn facilitate easier and safer manoeuvring of delivery and other vehicles as they would no longer need to turn around within the car park itself, endangering holiday makers and the general public in so doing.

It would also create extra parking spaces, tidy up the central hub of the park and generally improve the appearance of a prominent part of the site that forms the first and last impressions for visitors on arrival/departure to/from the park. At the same time the development would enable more efficient management of waste disposal as

all clamps and recycling containers/banks would be consolidated within one location in the service yard where it would be partially under cover and easy to access. Furthermore, the relocation of waste management and recycling processes would also result in the reduction in noise impacts. Equally, whilst this would to some extent be transferred to the proposed new service yard site, the intended layout and siting and orientation of the storage building and yard coupled with the screen planting would mitigate any such impacts arising from the operation of the site.

In addition, responses that have been received from a number of holiday makers through feedback questionnaires have cited the unsightly appearance of the yard upon arrival and concerns of danger to young children as negative experiences of the park. The proposed relocation of the service yard is therefore seen as both a direct response to these issues and as a key objective in maintaining the five star site rating that the park holds.

It is also anticipated that the location of the proposed security control entrance booth and barriers alongside the service yard and storage building would help in addressing a particular issue with regard to control over access. There are entrances to two fields that house part of the main accommodation within the park located halfway along the existing driveway before the existing security hut and barrier which are just before the entrance to the car park. As a consequence, there are no checks or controls from dusk to dawn periods for these areas of the park. Conversely the proposed new security booth, which would be an addition to the existing which is to be retained for general day to day use and as an information centre for access, would offer greater security and control on entry to the park during this night time period. It is also envisaged that it would enable touring vans and arrivals to be managed more efficiently.

It is argued that the cumulative effect of these improvements would be to the overall betterment of the park for both the business itself and holiday makers with continual development and enhancement seen as being important for the tourism industry and wider economy of East Devon given the extent to which the park forms such an important and integral part of both.

### Landscape Impact

The principal conclusions set out in the LVIA report may be summarised as follows:

1. The site occupies part of an area that falls within Landscape Character Type 2B (Coastal scarp slopes and combes) as defined in the Council's Landscape Character Assessment. Among its key characteristics are small to medium irregular fields, mainly in pastoral cultivation and with much wet pasture.
2. The site is well screened from the north via landform, principally a steep knoll to the east, and vegetation with limited views from the east and west. Although occupying the southern face of a ridge at the northern edge of the holiday park the site is located within a depression along this ridge line.
3. Very close range views of the development from the northern end of Bay Road would result in a moderate adverse change in visual amenity upon completion. However, as planting matures over 7-10 years this would reduce to a medium scale producing a moderate to slight effect.

4. Views from Ladram Road vary owing to the extent of the site that is visible along its length and are restricted by hedgerows along both sides. As a consequence, the overall change in visual amenity would be moderate adverse reducing to a moderate to slight effect by planting as it matures.
5. The development would have a minimal-neutral effect upon the visual amenity of the South West Coast Path.
6. The development would have a minimal-neutral effect upon the visual amenity of the public footpath at Monks Wall.
7. The overall effects on the landscape character of the area as a result of the development would be slight adverse. However, the proposals include extensive mitigation measures that seek to include features that will tie the site in with the surrounding landscape. Moreover, the development is small in scale, would not significantly affect the key characteristics of the landscape character type and would be enhanced by appropriate planting. In particular, the introduction of a new hedge along the side of Bay Road would mirror the hedge on the opposite side of the road and improve this boundary.

Overall, it is considered that the site is capable of accommodating the proposed development without significant adverse effects to either the character or visual amenity of the surrounding area and embraces opportunities where potential beneficial effects are possible. The proposal seeks to meet key policy criteria set out in Local Plan, East Devon AONB and Heritage Coast strategies by implementing a design strategy which ensures that the proposal is of an appropriate quality and is enhanced by an effective planting scheme.

### Evaluation

Although at the functional entrance to the park where Bay Road joins Ladram Road, the site essentially occupies a location where it is both physically and, more significantly in the context of its landscape impact, visually separated from the remainder of it. Topographically, the entirety of the complex lies on a steep south east-facing coastal slope that largely contains it such that the great majority of it is absent from wider inland views. Equally, although there clearly exist closer and medium range views of the park from the coastal footpath, the immediate topography helps to restrict these to a comparatively short length given its appreciable size.

By contrast, the introduction of the proposed service yard would have an obvious and clear impact upon the AONB landscape at a point where it is not apparent that the holiday park lies beyond the crest of the nearby slope to the south east. It would not therefore read well visually in the context of the development that it would serve and the two would not be read together as being functionally related. Moreover, it would be readily apparent in views along Ladram Road upon approach from the Otterton direction from which almost all traffic that is generated by the park would be travelling.

In this regard, the concerns raised by the parish council, ward member and third party objectors are entirely understood.

However, this needs to be balanced against consideration of two main issues, namely the strength of the arguments put forward to justify the proposal and the extent of its landscape impact more widely.

In this regard, the practical and operational difficulties and potential risks and dangers associated with the present service yard are acknowledged and it is understood why it is considered both desirable and necessary to relocate it. Its location immediately alongside the main car park within the holiday park, and more especially the necessity of negotiating this area in order to gain access to it, does appear awkward, particularly for larger vehicles. As an area where there is much activity, it is accepted that the relocation of the yard would facilitate the safe turning of delivery and other service vehicles outside of areas that are used by the general public, thereby also avoiding any potential conflict with holiday makers and the general public.

In addition, being located at the heart of the park in close proximity of not only the car park but also the complex of shops and site facilities, as a working environment it is acknowledged that it fails to provide an appropriate image for visitors to the park upon arrival, the great majority of whom park alongside it. The desire to maintain the high standards that the park has set in terms of its tourism offer and the wider benefits that this provides to the wider local economy are of particular importance to the operators and, with this in mind, the objective and need to relocate the service yard are understood and acknowledged. Moreover, it is accepted that by its very nature a service yard in this location would to an extent always appear unsightly regardless of how tidy, clean and well ordered it is maintained.

Equally, with the recent expansion of the park, the current security booth and barrier entrance is positioned where there is less control over vehicle movement, arrivals, etc. than is desirable and, from an operational perspective, the practical benefits of relocating it are understood. It is presently located adjacent to the entrance to the car park at a point past two entrances to other parts of the site where there is no control or supervision over access which is less than ideal from a wider security viewpoint, especially during less busy periods and/or during the night. This lack of 'dusk to dawn' supervision is duly recognised and acknowledged as an issue of concern.

Taking all of the above in combination, there is an acceptance of the practical and visual arguments in favour of the proposed relocation of the existing service yard facility and the security booth and barrier (or, as proposed in the case of the latter, an additional booth/barrier).

Turning to the proposed location for these, whilst its slightly divorced nature in relation to the main park complex is recognised it is equally understood that there is a desirability for it to be located where the practical issues and difficulties of larger service and maintenance vehicles moving around the site are avoided and this activity kept as separate as is possible from the day to day operational requirements that it generates. The concept of combining it with a new security booth and barrier is also acknowledged. As such, there is empathy with the need for them to be located at what is the only public vehicular entrance to the park.



Furthermore, whilst the localised impact of the development has already been highlighted, it is considered that its wider landscape impact would not be so significant as to be likely to result in greater harm to the landscape or scenic beauty of this part of the AONB more widely when the requirement to balance it alongside the stated justification for the proposal set out above is taken into account.

Both medium and longer distance views towards and of the site have been considered, both within an LVIA (that has been submitted during the course of the application following the consultee comments), and by officers, and it is thought, having regard to these, that the level of harm to the wider AONB setting of the site would not be significant or unduly detrimental to its landscape character or appearance or beauty.

The site lies within a saddle in the local landform between a pair of low hills on a south-facing downslope of the northern of these. Whilst there are wider views towards these, they are principally from more distant vantage points such as Muttersmoor and the top of Peak Hill towards Sidmouth, the summit of High Peak and the more elevated Monks Wall footpath to the south of the holiday park. Although the site is visible from the latter two of these viewpoints, it would only be so at some distance and to the extent that the level of intrusion upon the landscape from these would not be harmful or detrimental to the extent that objection on landscape impact grounds could be strongly supported, particularly as the proposed landscape screening of the development takes effect. From the first of these viewpoints, the development would not be readily visible at all owing to the screening effect of the northern hill beyond which it would sit.

Coupled with the single storey height, narrow L-shaped form and grass roof of the covered storage building, it is thought that the landscaping proposals would help to satisfactorily assimilate the impact of this element, as well as the yard more widely, upon the immediate surrounding landscape.

As such, in the circumstances and balancing it alongside the supporting arguments set out above, it is considered that an adequate case has been made to justify the development in the location proposed and that, with the mitigation offered in the form of the landscape planting scheme that forms such an integral element of the development, it can be made acceptable. Although the level of weight that should be given to the conservation of landscape and scenic beauty of AONBs is duly acknowledged, in the particular circumstances of this case it is thought that the planning balance weighs in favour of the development.

### Other Issues

Much objection to the proposal is focused upon problems that it is anticipated would be generated by the queuing of vehicles at the proposed entrance barriers and their backing up along Ladram Road which is narrow in places between the park entrance at the Bay Road junction and Otterton village.

However, these are not supported by the views of the County Highway Authority which raises no objection to the proposals subject to Standing Advice. Furthermore, it has been advised by the agents representing the applicants that any such

problems would be managed insofar as it is not envisaged that the new barriers would be operated during busy check-in days. These would mainly be a control point for the less busy periods and at night so that access to the park can be monitored for security reasons. The present security booth and barrier would be operational during the busier periods. It is obviously not in the interest of the applicant for visitors to experience queuing at the entrance and obstructing the road.

It is also advised that the park has increased the number of available check-in days from one to three in order to help in spreading the traffic load and avoid problems with the backing up of vehicles.

Taken together therefore it is not considered that the concerns that have been raised, whilst entirely legitimate and material to consideration of the proposal, can reasonably form the basis for opposing the proposed development in this instance.

The detailed landscaping proposals show the formation of a native species hedge bank along the roadside boundary of the site as far south east as a row of prominent evergreen trees that form a visual edge to the park. Planting would be laid out in the form of a double staggered row at 450mm centres. Further native species planting would also be introduced on the existing bank that partially defines the northern boundary of the site with Ladram Road. The remaining proposals involve, in addition to the creation of a wildflower turfed roof to the storage building, under storey planting of various wildflower and grass species with structured tree planting forming a substantial screen around the south eastern and north eastern sides of the building and yard area.

It is considered that these proposals, when read in tandem with the submitted LVIA, are acceptable from a landscape design perspective and satisfactorily demonstrate that the development can be accommodated without any significant adverse effects upon the local landscape character and visual amenity of the AONB.

It is also thought that the overall scale, massing, height and design of the proposed storage building would be largely acceptable from a visual standpoint. Its form has been very consciously kept as simple as possible to reflect both its intended purpose and the rural context of the site whilst allowing for the laying out of a suitably-sized service yard with appropriate turning provision.

It is also worth highlighting that the value of the holiday park to the operators in terms of its contribution towards the tourism economy of the area is derived significantly from the manner in which it is managed. It will therefore be of importance to them to ensure that the development, being located at the entrance to the park where it will form the first impression for holiday makers and visitors, is carried out sensitively and that it is properly assimilated into the landscape so as not to detract from both the wider appeal of the park to tourists and the designated AONB. It is therefore as much in the applicants' interests to ensure that this objective is achieved as those of the Local Planning Authority in allowing the proposed development within such a sensitive open countryside setting.

## **RECOMMENDATION**

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. The landscaping scheme shown on drawing no. 377/01 Rev. D (Planting Plan) dated 9th May 2016 prepared by Redbay Design Landscape Consultants shall be carried out in the first planting season after commencement of the development, unless otherwise agreed in writing by the Local Planning Authority, and shall be maintained for a period of 5 years. Any trees 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. 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.  
(Reason - To ensure that the materials are considered at an early stage and are sympathetic to 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.)
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. Development shall be carried out in accordance with the approved details.  
(Reason - To ensure that the details of the entrance gates/barriers are sympathetic to 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.)

6. 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.)
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.  
(Reason - To avoid pollution of the environment and/or flooding during and after development in accordance with the requirements of Policy EN14 - Control of Pollution of the adopted East Devon Local Plan 2013-2031.)
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.  
(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.)

#### 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 – LP	Location Plan	19.07.16
7237 – 04D	Combined Plan	26.07.16
7237 – 03C	Site Plan	19.07.16
7237 – 05	Combined Plan	19.07.16

377/01D          Landscaping          23.11.16

List of Background Papers

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

**Ward** Seaton

**Reference** 16/2728/FUL

**Applicant** Mrs R Davey

**Location** Conifers 2 Wessiters Seaton EX12 2PJ

**Proposal** Single storey side extension and alterations



**RECOMMENDATION: Approval - standard time limit**



		<b>Committee Date: 10<sup>th</sup> January 2016</b>
<b>Seaton (SEATON)</b>	<b>16/2728/FUL</b>	<b>Target Date: 12.01.2017</b>
<b>Applicant:</b>	<b>Mrs R Davey</b>	
<b>Location:</b>	<b>Conifers 2 Wessiters</b>	
<b>Proposal:</b>	<b>Single storey side extension and alterations</b>	

**RECOMMENDATION: Approval - standard time limit**

### **EXECUTIVE SUMMARY**

This application is reported to the Development Management Committee as the applicant is an officer of the Council.

The application seeks planning permission for a single storey side extension to replace an existing slightly smaller extension. This proposal would replace a proposal for a balcony granted in May 2015.

With matching materials, windows of a similar format, and proposed appearance similar to the existing dwellinghouse, it is considered there would not be any significant harm from the proposal either to neighbouring amenity or the character of the area.

The application is recommended for approval.

### **CONSULTATIONS**

#### **Local Consultations**

No comments received

#### **Technical Consultations**

##### County Highway Authority

Does not wish to comment

#### **Other Representations**

No third party comments have been received

## **PLANNING HISTORY**

<b>Reference</b>	<b>Description</b>	<b>Decision</b>	<b>Date</b>
15/0585/FUL	Construction of first floor balcony to front and side	APPROVED	12.05.2016

## **POLICIES**

D1 – Design and Local Distinctiveness

### Site Location and Description

2 Wessiters known as 'Conifers' is a contemporary styled dwellinghouse located in the western residential part of Seaton. The home is set out on two levels with a good sized garden extending to the south and the boundary with Beer Road. The front of the dwellinghouse faces south west toward Wessiters from which access is obtained. Neighbouring properties are located on all sides.

There are no particular designations covering the site which is within the built-up area boundary of the town. The dwellinghouse is finished in natural stone walls with smaller elements of render, a tiled roof and timber windows.

## **ANALYSIS**

### Relevant Planning History

Permission was granted in 2015 for a similar development albeit including a wrap around balcony on the south eastern elevation at the upper ground level.

### Proposed Development

The application seeks permission for a single storey side extension with alterations to this side of the dwellinghouse. The scheme applied for would replace the previously approved scheme which the applicant has decided not to go ahead with.

The proposals amount to demolishing an existing small conservatory of no particular architectural or historic merit at the lower ground level and replacing it with a more solidly constructed extension to the south east corner of the building to link with an existing staircase to the upper ground level on the rear (north east elevation) of the dwellinghouse; internally an additional bedroom would be created alongside at the lower ground level but this would not require planning permission itself.

### Considerations

The matters to consider are the policy environment; the amenity of neighbouring properties; the proposed design, materials and any impact to the character of the area; Highways and any other matters arising.



## **ASSESSMENT**

Extensions to dwellinghouses are considered in the New East Devon Local Plan at Policy D1; this requires in general terms development that respects the characteristics of the area through use of an appropriate design and materials and where it would not impact significantly on the amenity of neighbouring properties.

### Neighbouring Amenity

The development proposed is confined mostly to the lower ground level; whilst 2 windows are proposed on the rear elevation given the distance to neighbouring properties as well as a 2m high close boarded fence on this north east side of the garden, it is not considered any significant harm would arise from the proposal either of an overbearing nature or from overlooking to neighbouring homes.

### Design, materials and surrounding character

With the exception of the flat roof which would utilise a fibreglass or similar man made material it is considered the format and use of similar natural stone for the walling of the extension as well as the similar format windows would complement the appearance of the existing dwellinghouse. Given the extensive garden, the proposal would be imperceptible within the surrounding area and as such it is considered it would have little impact on the character of the area. As such it is considered the proposal would accord with the requirements of Policy D1 of the East Devon Local Plan.

### Highways and other matters

County Highways do not wish to comment on the application; no other matters have arisen.

## **RECOMMENDATION**

APPROVE subject to 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.)

### NOTE FOR APPLICANT

Informative:

In accordance with the aims of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 East Devon District

Council works proactively with applicants to resolve all relevant planning concerns; however, in this case the application was deemed acceptable as submitted.

Plans relating to this application:

1:1250	Location Plan	16.11.16
1:200	Block Plan	15.11.16
C0520-P1	Proposed Floor Plans	15.11.16
C0520-P2	Proposed Elevation	15.11.16
C0520-P3	Proposed Elevation	15.11.16

List of Background Papers

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

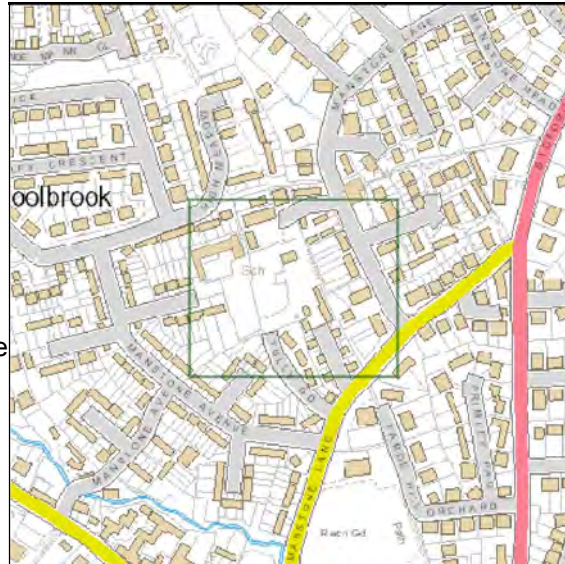
**Ward** Sidmouth Sidford

**Reference** 16/2526/FUL

**Applicant** East Devon District Council

**Location** The Council Yard Manstone Avenue  
Sidmouth EX10 9TN

**Proposal** Construction of single storey office building.



**RECOMMENDATION: Approval with conditions**



		<b>Committee Date: 10th January 2017</b>
<b>Sidmouth Sidford (SIDMOUTH)</b>	<b>16/2526/FUL</b>	<b>Target Date: 20.12.2016</b>
<b>Applicant:</b>	<b>East Devon District Council</b>	
<b>Location:</b>	<b>The Council Yard Manstone Avenue</b>	
<b>Proposal:</b>	<b>Construction of single storey office building.</b>	

**RECOMMENDATION: Approval with conditions**

### **EXECUTIVE SUMMARY**

This proposal is before Members as it is a departure from the adopted Local Plan.

The application seeks permission for the construction of a new office building on the existing Council owned Depot on Manstone Avenue in Sidmouth. The office building would act a hub for operations that already largely take place from the depot. The site is now allocated for the delivery of 20 houses under the now adopted East Devon Local Plan resulting in the proposal being considered as a departure.

However, the development as proposed is located within one section of the site and is so located that it would not prejudice the delivery of housing on the remainder of the site. In addition, the proposal will not prejudice a residential development coming forward in the future and it is not considered that the development would cause any harmful impact on the character of the area, neighbour amenity or boundary trees.

As a result of the lack of harm and recognising that the proposed building only perpetuates the current use (rather than introducing a new use) as well as the potential for the site to still come forward for some form of residential use, it is considered that the proposal should be supported in this instance.

### **CONSULTATIONS**

#### **Local Consultations**

Parish/Town Council  
Support

## **Technical Consultations**

### Wales And West Utilities

No objections to the proposal but draw attention to the location of apparatus that may be affected during the construction work

### County Highway Authority

The Local Highway Authority does not wish to comment on this application.

### Other Representations

None received

## **PLANNING HISTORY**

<b>Reference</b>	<b>Description</b>	<b>Decision</b>	<b>Date</b>
85/P0725	Construction Of Civic Amenities Compound	Deemed consent	24.07.1985

## **POLICIES**

### Adopted East Devon Local Plan 2013-2031 Policies

D1 (Design and Local Distinctiveness)  
D3 (Trees and Development Sites)  
TC7 (Adequacy of Road Network and Site Access)  
Strategy 26 (Development at Sidmouth)

### Government Planning Documents

NPPF (National Planning Policy Framework 2012)  
National Planning Practice Guidance

## **Site Location and Description**

Manstone Depot is an existing service yard and storage compound that provides an important base for the Council's functions around the local area. It is accessed from a residential road in the centre of Sidmouth and while set across two terraces has residential properties largely surrounding it. Boundary treatment is varied with some sections appearing of a fairly open character while others are enclosed either by chain link or close board fencing - others have mature conifer trees providing screening

### Proposed Development

The application seeks permission for the construction of a new office building to act as a central hub for the operations that take place from the depot as well as those that take place currently from the Knowle depot. The building would be situated in one corner of the upper terrace and would be formed as a flat roofed single storey building clad in softwood timber weather boarding.

The main issues with the application concern the principle for the development of the building and the impact that it would have on the surrounding area including amenity and access.

### Principle

In terms of the principle it is recognised within the adopted local plan that the depot area is designed for the delivery of 20 houses. As such the development of a permanent albeit modest building on site which perpetuates the current use is contrary to policy and represents a departure from the adopted plan.

However, it is considered that the building is of a limited scale and located such that it would not prejudice the delivery of housing on the remainder of the site. This arises due to its positioning on the upper terrace allowing that part of the site to be subdivided from the remainder of the site. It is noted that the lower terrace can be accessed by means of a driveway that passes through that area. In addition, the grant of permission does not prevent residential development coming forward in the future and it is noted that the building is not seeking to introduce a new use into the site but merely looks to formalise and enhance activities that already occurs within it.

Overall, and unless the building is considered to cause neighbour impact or harm the amenity of the area, its departure from the Local Plan would not in itself be sufficient grounds to resist the proposal.

### Impact

It is considered that the building as proposed would not fundamentally change the uses that occur. It is set at a sufficient distance from the boundary and while in a slightly elevated position is so designed that it would not exacerbate any amenity impact beyond the current use. The building would use the existing access and on-site turning provision which is considered adequate for it and would not affect the boundary screening or trees which would remain unaffected.

### Conclusion

In recognising the direct lack of impact it is considered that the proposal is acceptable as it would continue to facilitate the existing use and would ultimately not significantly prejudice the delivery of housing on the site for which the site is allocated.

## **RECOMMENDATION**

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.)

#### NOTE FOR APPLICANT

##### Informative:

In accordance with the aims of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 East Devon District Council works proactively with applicants to resolve all relevant planning concerns; however, in this case the application was deemed acceptable as submitted.

##### Plans relating to this application:

	Location Plan	20.10.16
C/39/09/16/01	Proposed Floor Plans	20.10.16
C/39/09/16/02	Proposed Elevation	20.10.16
C/39/09/16/03	Proposed Site Plan	20.10.16

##### List of Background Papers

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

**Ward** Sidmouth Town

**Reference** 16/1971/FUL

**Applicant** Mrs Caroline Harrison

**Location** Workshop At Rear Of 69 Temple Street Sidmouth

**Proposal** Conversion of workshop to dwelling



**RECOMMENDATION: Approval with conditions**





		<b>Committee Date: 10<sup>th</sup> January 2017</b>
<b>Sidmouth Town (SIDMOUTH)</b>	<b>16/1971/FUL</b>	<b>Target Date: 01.11.2016</b>
<b>Applicant:</b>	<b>Mrs Caroline Harrison</b>	
<b>Location:</b>	<b>Workshop At Rear Of 69 Temple Street</b>	
<b>Proposal:</b>	<b>Conversion of workshop to dwelling</b>	

**RECOMMENDATION: Approval with conditions**

### **EXECUTIVE SUMMARY**

**This application is before Members as the officer recommendation differs from the view of the Ward Member.**

**Planning permission is sought to convert a two storey workshop building to a two bedroom dwelling. The building is located immediately behind and adjacent to a number of residential properties and continued use as a workshop has the potential to give rise significant noise and disruption to the neighbours. The proposed residential use would be compatible with the surrounding area and would create a dwelling in a sustainable location where it would not be necessary to own a car.**

**A number of alterations to the building are proposed, including the addition of windows in the north and south elevations. Following negotiation these have been amended to avoid adverse amenity impacts on the neighbours.**

**In conclusion, the conversion would reinforce the character of the area, provide a dwelling in a sustainable location where it would not be necessary to own a car, and result in an improved amenity relationship with neighbouring properties.**

### **CONSULTATIONS**

#### **Local Consultations**

**Sidmouth Town - Cllr M Booth**

**I have reviewed this application and do not support it because of overlooking of neighbouring properties particularly of number 71.**

I appreciate that dwellings are now being built in confined spaces on Temple Street however I question the necessity for this development.

I do not think it should be approved at least without considerable consideration given to the privacy of the neighbours.

Which I know you will do.

*Further comments received on 11.10.16:*

I personally cannot see how any approval can be given for this new development. The footprint is incredibly confined and the level of inconvenience on the occupant of 71 will be immeasurable.

Aside of the overlooking from the proposed windows at the east elevation, there will obviously be an issue with noise, plus they will be having to deal with a brick wall right up against their property and cutting out current light and space.

There is no parking there either.

#### Parish/Town Council

Members were unable to support the application for the following reasons:

- The proposal would adversely affect the neighbouring properties by reason of overlooking.
- The proposal was considered overdevelopment as the site was considered too small to accommodate an additional dwelling.
- Members were concerned about the lack of parking proposed.

*Further comments received on 17.11.16:*

Members were unable to support the application for the following reasons:

The amendments to the proposal were not considered sufficient enough to alter the Committee's previous views:

- The proposal would adversely affect the neighbouring properties by reason of overlooking.
- The proposal was considered overdevelopment as the site was considered too small to accommodate an additional dwelling.
- Members were concerned about the lack of parking proposed.

#### Other Representations

One neighbour has commented raising the following concerns:

- The northern gable window is too large and will create overlooking of a balcony garden area.
- There would be noise from the proposed kitchen area especially when the window is open.
- There may be further pressure for car parking space in an already crowded Ascerton Road area.

## **Technical Consultations**

County Highway Authority  
Highways Standing Advice

## **PLANNING HISTORY**

None relevant.

## **POLICIES**

Adopted East Devon Local Plan 2013-2031 Policies  
Strategy 6 (Development within Built-up Area Boundaries)

Strategy 26 (Development at Sidmouth)

Strategy 32 (Resisting Loss of Employment, Retail and Community Sites and Buildings)

D1 (Design and Local Distinctiveness)

TC2 (Accessibility of New Development)

TC9 (Parking Provision in New Development)

Government Planning Documents  
NPPF (National Planning Policy Framework 2012)

## **Site Location and Description**

The building is situated at the rear of 67 and 69 Temple Street, both of which are divided into flats. Access to the building is along a path from Ascerton Road which passes behind 71 and 73 Temple Street. The path descends from Ascerton Road and winds around the building to a door on the east side of the lower ground floor. Leading off the path there are doors to access flats in 69, 70 and 71 Temple Street. There is also a right to enter the upper floor of the building ('ground floor') by crossing the neighbouring yard on the west side.

The building is two storeys and of composite construction, being a mix of brick, stone, render and slate. The main windows are on the east elevation but there is also a lower ground floor window on the north elevation. Internally the building is divided into a number of rooms which have been used as workshops and storerooms on both levels, although each floor is currently accessed independently as there is no internal staircase.

## **Proposal**

Planning permission is sought to convert a two storey workshop building to a single dwelling. No extensions are proposed but a number of alterations are necessary to achieve the conversion. These include the addition of upper floor windows on the

north and south elevations, the blocking up of glazed doors on the east elevation and the addition of rooflights on the east and west elevations. In addition, parts of the upper walls would be clad with grey-green weatherboard.

The conversion would create a two bedroom dwelling with the bedrooms and entrance hall on the lower ground floor and the kitchen, living room and lobby above. Bins would be stored in the area adjacent to the ground floor access and wheeled across the neighbouring yard to the pavement on collection day. Cycle storage has not been indicated on the drawings but there is adequate space in the lobby at ground floor level. There would be no car parking provision on site.

## **ANALYSIS**

The main issues to consider are the principle of the development and its impact on the amenity of the occupiers of neighbouring properties.

### **Principle**

The proposal would result in the loss of an employment use in a central location which can easily be accessed by sustainable modes of transport. However, the established use is as workshops which, without the need for further permission, has the potential to be used for noisy and disruptive activities. Given the very close proximity to neighbouring living accommodation and outdoor amenity areas, such activity is not sustainable in the long term. The alternative use as living accommodation would be compatible with the surrounding area and would be less disruptive than continued workshop use.

Strategy 32 seeks to resist loss of employment uses but allows for the loss where the existing use would 'significantly harm the quality of a locality whether through traffic, amenity, environmental or other associated problems. While no concerns have been raised locally about the existing use or its continuation, the potential for amenity harm remains and this application provides an opportunity to remove a potentially 'bad neighbour' use, which is welcomed.

### **Impact upon amenity**

Notwithstanding the welcome removal of a light industrial use from this tight-knit residential area, the amenity impacts of the proposed use need to be considered. Currently the main outlook from the building is to the east, which faces the rear of the properties on Temple Street. While there are some close window-to-window distances, this proposal would not introduce any new windows and would therefore maintain the established relationships. The existing ground floor window in the East Elevation directly faces a neighbouring garden and as such this window should remain obscure glazed to protect privacy.

On the north elevation a new kitchen window is introduced to the ground floor (street level) in the form of a large gable window with a sill height which would be above eye level in the room. This proposal was arrived at through negotiation after the original proposal for two conventional height windows was found to have an unacceptable amenity impact on the occupant of 71 Temple Street. By raising the sill so that it is

above eye level the revised scheme prevents views between the kitchen and the sun terrace at the rear of no. 71.

On the south elevation another gable window is introduced, this time serving the living room. This window is principally to provide southern light to the room rather than an outlook and is therefore restricted to a position high in the gable. Although this elevation is on the boundary with the garden of 65 Temple Street the window would be at a high level whereby it would be impractical for the occupants of the new dwelling to see out or for the neighbours to see in.

The two existing windows in the east facing elevation at first floor directly face windows in the rear of 67-71 Temple Street. Given that these windows are to serve a kitchen and lounge, it is considered that these windows should be conditioned to be obscure glazed with the details of the glazing submitted for approval given the very close relationships. Roof lights are also proposed but again these are located above head-height to prevent any overlooking.

In conclusion, the conversion would reinforce the character of the area, provide a dwelling in a sustainable location where it would not be necessary to own a car, and result in an improved amenity relationship with neighbouring properties.

## **RECOMMENDATION**

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 approved plans, before the dwelling hereby permitted is occupied, the living room window on the south elevation shall be fixed shut and thereafter maintained as such at all times.  
(Reason - To protect the privacy of adjoining occupiers in accordance with Policy D1 (Design and Local Distinctiveness) of the East Devon Local Plan 2013-2031.)
4. Notwithstanding the approved plans, before the dwelling hereby permitted is occupied, the window in the east elevation serving bedroom 2 on the lower ground floor and the first floor lounge and kitchen window shall be glazed with obscure glass in accordance with details submitted to and approved in writing by the Local Planning Authority. Thereafter the obscure glazing shall be carried out in accordance with the approved details and maintained as such at all times.

(Reason - To protect the privacy of adjoining occupiers in accordance with Policy D1 (Design and Local Distinctiveness) of the East Devon Local Plan 2013-2031.)

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows/dormer windows or other openings, other than those expressly authorised by this permission, shall be constructed.

(Reason - To protect the privacy of adjoining occupiers in accordance with Policy D1 (Design and Local Distinctiveness) of the 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:

1036-L01B	Location Plan	06.09.16
1039-S01A	Existing Floor Plans	02.09.16
1039-S02A	Existing Combined Plans	02.09.16
1039-PL01C	Proposed Floor Plans	28.10.16
1039-PL02B	Proposed Combined Plans	28.10.16

##### List of Background Papers

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

**Ward** Tale Vale

**Reference** 16/2551/FUL

**Applicant** Mr & Mrs M Summers

**Location** Kains Park Farm Awliscombe  
Honiton EX14 3NN

**Proposal** Expansion of existing storage and distribution site including revisions to planning permission 07/1903/COU to allow storage of caravans, boats, trailers, machinery and vehicles ; caravan wash bay; 25no storage containers for self store use; and associated works including re-cladding of existing storage building.



**RECOMMENDATION: Approval with conditions**



		<b>Committee Date: 10 January 2017</b>
<b>Tale Vale (AWLISCOMBE)</b>	<b>16/2551/FUL</b>	<b>Target Date: 19.12.2016</b>
<b>Applicant:</b>	<b>Mr &amp; Mrs M Summers</b>	
<b>Location:</b>	<b>Kains Park Farm Awliscombe</b>	
<b>Proposal:</b>	<b>Expansion of existing storage and distribution site including revisions to planning permission 07/1903/COU to allow storage of caravans, boats, trailers, machinery and vehicles ; caravan wash bay; 25no storage containers for self store use; and associated works including re-cladding of existing storage building.</b>	

**RECOMMENDATION: Approval with conditions**

#### **EXECUTIVE SUMMARY**

**This proposal is before Members as the applicant is a member of staff.**

**The proposal seeks the reuse and modest extension of an existing storage facility at a farm north of Weston. The majority of the premises have for some time been use to store farm machinery as part of a sales and distribution business. Through relocation and expansion of the parent business the storage at the application site is likely to cease and therefore this proposal seeks a means of maintaining a business on the site and diversifying into other forms of storage. In this respect the current application proposes the storage of boats and caravans as well as the provision of a number of containers for self storage. The use would take place in an extended and formalised yard and also reuse buildings on site.**

**There is no in principle objection to the storage of caravans, boats, trailers, machinery or vehicles on the site or to the wash bay or storage containers. The main issues relates to the modest increase in site area although this is offset by the likely reduction in the nature and volume of total traffic movements, the continued lack of impact on neighbour amenity, the lack of landscape harm and fact that the wider area has historically used for storage of agricultural machinery. The site is generally well contained within mature hedgerows and the applicant will maintain both a grass buffer between the storage use and hedgerow as well as provide protective fencing (post and rail) around the crown spread of mature trees. It is noted that these trees help provide an important context for the development. In light of this assessment it is considered that the proposal should be supported.**



## **CONSULTATIONS**

### **Local Consultations**

#### Parish/Town Council

The Parish Council supports this application

### **Technical Consultations**

#### County Highway Authority

##### Observations:

The proposed development is likely to lead to a decrease in number of trips to and from the site. Also the type of traffic attracted to the development is likely to reduce the number of HGV movements that currently occurs.

The CHA has had concerns that HGV's currently attracted to the site could have an adverse impact on Cherry Bridge, a weight restricted (17.5T) and narrow bridge on a bend in the West Lane some 100m south of the application site on Weston Lane.

Discussions with the applicant and the LPA officer has informed me that whilst the applicant assures us that HGV's do not currently use the southerly route to and from Heathpark Industrial Estate and the town of Honiton. There is currently no mechanism in place to deter visiting HGV's or other traffic from doing so, even though there is clear road signage both south and north of Cherry Bridge. Therefore reported strikes on the Cherry Bridge parapet wall and road surface damage from low loader touch-downs, cannot be fully attributed to non site traffic.

As part of discussions, the applicant has offered to inform potential users of the storage facilities proposed via any advertising media used. That access to the site for storage should be via the A373 / West Lane junction at Shoelay, Awliscombe to the north of the site only and not via Heathpark Industrial Estate to the south. Also an on site leaving direction sign leading traffic to the A373 north from the site was proposed.

Traffic directions to and from application sites is very difficult to enforce as part of any planning condition, because the highway is by definition open to all traffic to pass and re-pass, unless otherwise directed. However because of this site's proximity to Cherry Bridge and recorded accounts of vehicle strikes on that bridge, I feel that an attempt at control of the route of all traffic attracted to the proposed development should be made in this case. I would however leave the method of that control and its wording up to the LPA.

As part of the development proposal, the first 6 metres of the access road to the property from the public highway will be resurfaced. I would also require that appropriate surface water drainage is installed/renewed so that no surface water drains onto the highway.

##### Recommendation:

THE HEAD OF PLANNING, TRANSPORTATION AND ENVIRONMENT, ON BEHALF OF DEVON COUNTY COUNCIL, AS LOCAL HIGHWAY AUTHORITY, RECOMMENDS THAT THE FOLLOWING CONDITIONS SHALL BE INCORPORATED IN ANY GRANT OF PERMISSION

1. In accordance with details that shall previously have been submitted to, and approved by, the Local Planning Authority, provision shall be made within the site for the disposal of surface water so that none drains on to any County Highway  
 REASON: In the interest of public safety and to prevent damage to the highway

Other Representations

14 letters of support have been received raising the following comments:

- Site would provide secure storage that is well placed for access to the M5 and coastal locations in East Devon Self storage is necessary for the local area and not a facility that is currently available
- Proposal provides a good reuse of underused buildings
- Useful for local businesses needing storage facilities
- Discreet location with no landscape impact
- Proposal would see a reduction in traffic

**PLANNING HISTORY**

Reference	Description	Decision	Date
07/1903/COU	Change of use of buildings to storage of agricultural machinery	Approval retrospective (conditions)	08.11.2007

**POLICIES**

Adopted East Devon Local Plan 2013-2031 Policies

- D1 (Design and Local Distinctiveness)
- D2 (Landscape Requirements)
- D3 (Trees and Development Sites)
- D8 (Re-use of Rural Buildings Outside of Settlements)
- E5 (Small Scale Economic Development in Rural Areas)
- E7 (Extensions to Existing Employment Sites)
- TC7 (Adequacy of Road Network and Site Access)

- Strategy 7 (Development in the Countryside)
- Strategy 46 (Landscape Conservation and Enhancement and AONBs)

Government Planning Documents

- NPPF (National Planning Policy Framework 2012)
- National Planning Practice Guidance

## Site Location and Description

Kains Park Farm has had a range of related uses in recent years developing originally as a haulage enterprise alongside the dairy operation, before diversifying into agricultural contracting and then from 2003 focussing on the storage of agricultural machinery for a local farm machinery dealer. The site itself is located around 500 metres north of Weston and while access can be taken from Weston and over Cherry Bridge, an easier route exists up the A373 with good links back to Honiton and north towards Cullompton.

While part of the site was authorised for such storage in 2007 this subsequently has continued to grow and spill over onto the adjoining paddock although remained well contained within a defined hedge boundary of the site with no enforcement complaints having been received. As such it is currently a successful storage business with the focus still around agricultural farm machinery.

## Proposed Development

Due to changes and a relocation of the agricultural farm machinery business, a significant part of the site is likely to become vacant in the near future resulting in a wish by the applicant to diversify the range and nature of the storage proposed. At this stage the applicant seeks consent for the storage of caravans, boats and trailers, machinery and vehicles and the location of 25 storage containers for self storage use on the enlarged site.

## **ANALYSIS**

In this instance the main issues with the proposal focus on the policy position in respect of expansion of existing rural business, the highway access and trip generation and the likely impact on such aspects as neighbour amenity, the landscape and wildlife.

## Policy

Provided a range of criteria are met, Local Plan Policies E4 (Rural Diversification), E5 (Small Scale Economic Development in Rural Areas) and E7 (Extensions to Existing Employment Sites) gives significant support to the provision of rural diversification proposals, small scale economic development, and small scale expansion in rural areas. In this instance these components are met by this diverse site and proposal. However a small part of the site is also technically Greenfield land although it appears to have been used for unauthorised storage for a number of years.

Planning Policy states that the use proposed should ideally take place where it is well related in scale and form with suitable access. Despite the current unauthorised use of part of the site, it is considered that its inclusion within this application is well related in scale and form to the existing business and surrounding area. While in sustainability terms the site location is not particularly well related to a settlement, the history of the site and benefits from continued use outweigh any concerns regarding the location of the site, particularly given the highway benefits from the

proposal (see below). As such it is not considered that on its own this failing is significant to justify refusal of planning permission.

Building on this assessment Policy further requires the provision of a safe highway access, a demonstration that the local highway network is capable of accommodating the likely movement of traffic, and that the development is not detrimental to the amenity of neighbouring properties wildlife, landscape or historic interests. These will be addressed in turn in the following sections.

#### Safe highway access and suitability of surrounding network

As an important consideration for the proposed development is the likely impact on the access and surrounding road network. The use has the potential to generate a range of traffic movements and it is acknowledged that the route through Weston and over Cherry Bridge is constrained and awkward. As evidence for this it is noted that the Highway Authority has reported a significant number of groundings over the bridge as well as regular damage to the parapets of the bridge. The applicant has indicated that he considers that much of this damage has occurred by vehicles unrelated to this business. However in any event it is evidenced and has been agreed by the Local Highway Authority that the proposed storage would substantially reduce the likely vehicle movement over an annual period owing to the substantially greater of time and fewer journeys to and from the site that each boat/caravan would make. In comparison there is evidence of a significant turnover over of the ca 250 items of farm machinery that has been stored on site to date and been brought to and from site by a range of vehicles including lorries of over 7.5 ton.

In discussing routes with the applicant on site it is apparent that most of the journeys already use Weston Lane to the north which links with the A373 and it is envisaged that this would continue. This is important as the inadequacies of the route to the south have already been recognised. However ensuring traffic management on an ongoing basis associated with a permanent business is difficult - particularly in respect of the enforceability of any conditions imposed when this affects private individuals travelling to a business. However the applicant has indicated his willingness to ensure that all published literature and means of advertising only identifies the route to the north, as well as providing a directional arrow on his land and at the exit to the site, to direct traffic to the north. Coupled with the reduced volume and likely reduction in the size of vehicles accessing the site, this overall package is considered acceptable and weighs in favour of the proposal.

#### Residential amenity

While the access route to the north passes a number of neighbouring properties, there are no immediate neighbours close to the site who are likely to be affected in terms of amenity through noise or general disruption. While the access route does pass neighbours they already experience a volume of traffic associated with the site. As this volume is likely to decrease, there are no amenity issues that would prejudice the delivery of the proposal.

## Wildlife

The proposal largely reuses a yard and compound area that either through a previous permission or through long use has established the character of a storage environment. While the site is likely to be tidied up and the barn would be reclad to improve its appearance and prolong its life, the works are unlikely to substantially change the degree of support that the site offers to wildlife. The provision of a grassed buffer around the perimeter of the site and providing relief between the storage area and existing hedge is also a net gain. Overall the wildlife assessment is considered as having a neutral impact as a result of this proposal.

## Landscape and historic interest

With any outside storage, there is the potential for substantial landscape impact which can adversely affect the character and appearance of the area. However in this instance the site sits fairly well within a dip within the landscape. Coupled with a mature boundary hedging providing substantial enclosure and maintaining a number of mature trees around the perimeter of the area provides good context for the storage that currently takes place. While caravans have the potential to appear more stark as a result of their more uniform shape and bright/lighter colour than farm machinery, the principle for landscape screening that has been previously established holds true. In this regard there is no additional harm from regularising the site area as this continues to use mature hedgerows. In addition and through discussion on site, the applicants have agreed to make minor revisions to their layout and put in place protective post and rail fencing to ensure that the trees that are found around the boundary of the site are suitably protected. In the event of approval this element could be controlled by condition.

## Overall Assessment

Recognising the benefits to the rural economy of a successful and established site and recognising the need to diversify the type of storage that is facilitated to maintain this, is considered appropriate within the scope of adopted policy. While there is some question over the extent to which the size of the site now proposed either has established planning permission or could reasonably demonstrate a lawful use, the likely increase is modest. Coupled with the recognition that the overall site stays within the well defined hedgerow boundaries, the reduction in the scale and type of vehicle movements and the lack of landscape harm it is considered that this proposal should be supported.

## **RECOMMENDATION**

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. Prior to the first storage of any caravan on site, the grass buffer strip and post and rail fence shown on plan 2A shall have been provided in accordance with the agreed details. The landscaping shall be retained and maintained in accordance with the details set out on the approved plan.  
Reason: To ensure that to minimise the impact on the character of the area suitable protection for the hedgerow and retained trees is provided in accordance with Policy D1 (Design and Local Distinctiveness) and Strategy 46 (Landscape Conservation and Enhancement and AONBs) of the adopted East Devon Local Plan.
  
4. For the duration of the operation of the diversified and expanded business hereby permitted, the site operator shall ensure that all promotional literature and means of advertisement shall only advertise an access route that accords with Plan 7 submitted and received by the Local Planning Authority on the 6th December and which part of the approved plans for this permission. In addition the site operator shall ensure that a directional sign is also clearly displayed at the junction with Weston Lane but located on land within the applicants control and positioned to ensure that it does not obstruct visibility that directs all users of the site to exit to the north and again follow the approved route shown on plan 7.  
Reason: To ensure the minimum number of vehicle movements occur to the south and access the site using both Cherry Bridge and the road through the village of Weston which owing to its narrow width, awkward alignment and limited passing provision is unsuitable to carry to a significant volume of traffic - in accordance with Policy TC7 (Adequacy of road network and site access) of the adopted East Devon Local Plan.
  
5. Prior to the first use of the site for the storage of caravans and boats, a scheme to ensure that no surface water drains onto the adjoining highway shall have been installed and implemented. The scheme shall thereafter be maintained in perpetuity.  
Reason: In the interest of public safety and to prevent damage to the highway in accordance with Policy TC7 (Adequacy of Road Network and Site Access) of the adopted East Devon Local Plan

**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:

7	Other Plans	06.12.16
2A	Proposed Site Plan	06.12.16

1	Location Plan	24.10.16
5	Combined Plans	24.10.16
3	Combined Plans	24.10.16

List of Background Papers

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