

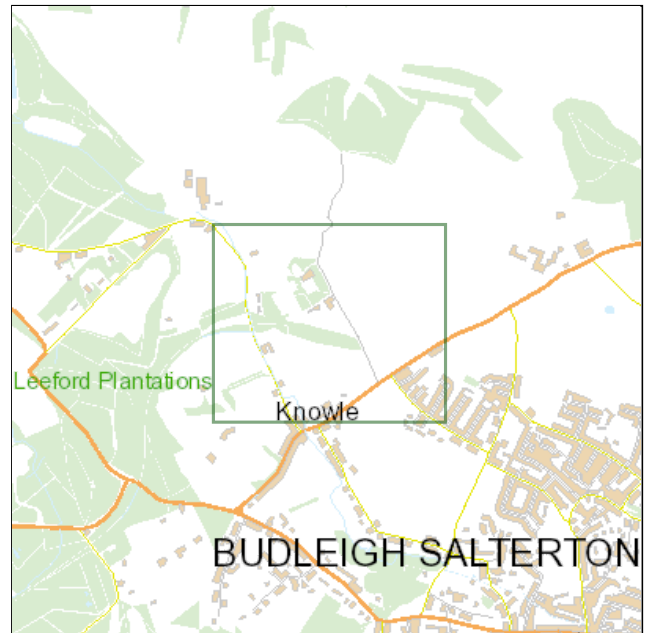
Ward Budleigh And Raleigh

Reference 20/0996/VAR

Applicant Pooh Cottage Holiday Park

Location Pooh Cottage Holiday Site Bear Lane Budleigh Salterton

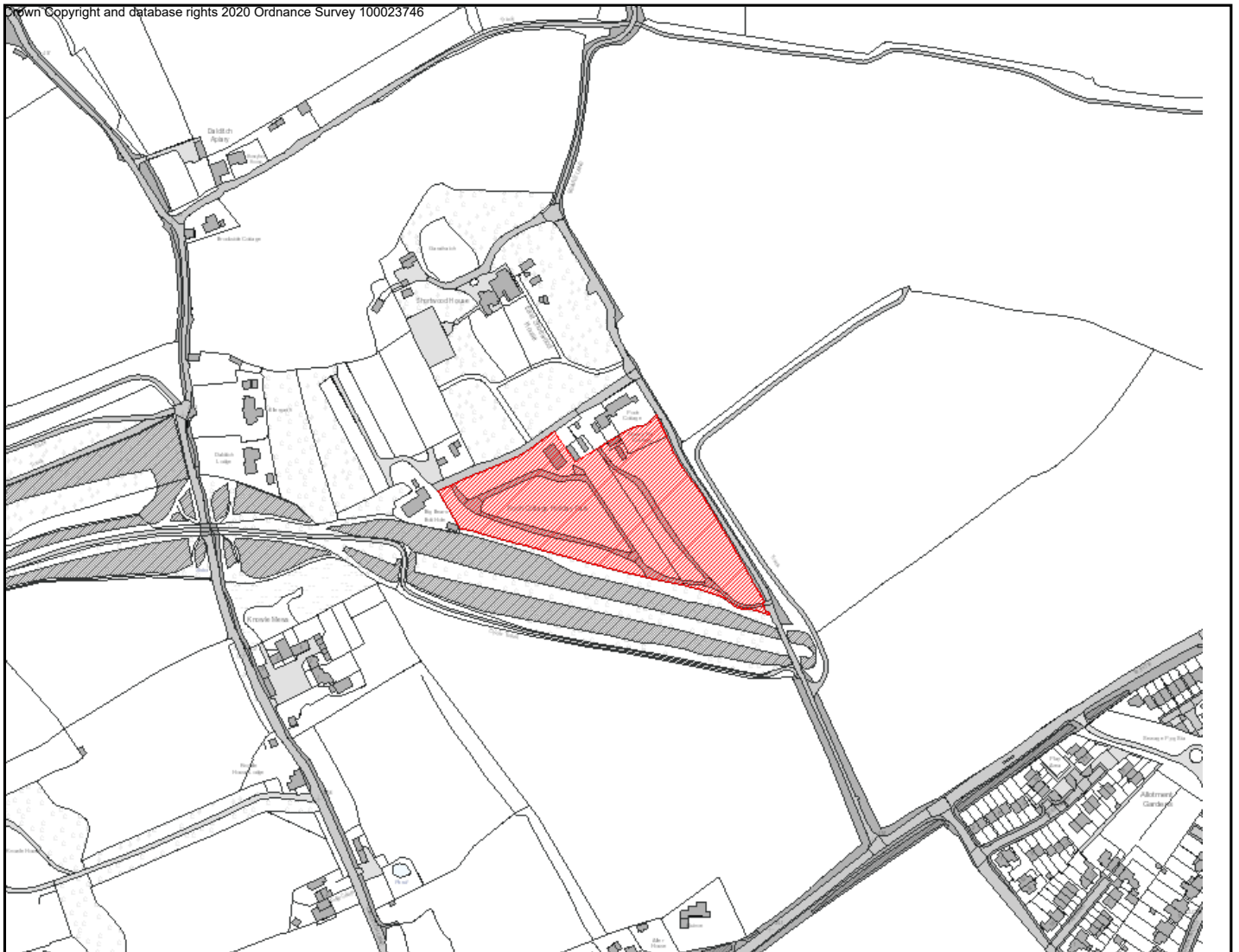
Proposal Variation of Condition 2 of planning application 10/2407/FUL to allow the occupation of 47 no. caravans the whole year round.



RECOMMENDATION:

- 1. Adopt the appropriate assessment**
- 2. Approval with conditions**

Crown Copyright and database rights 2020 Ordnance Survey 100023746



		Committee Date: 6th January 2021
Budleigh And Raleigh (East Budleigh)	20/0996/VAR	Target Date: 06.10.2020
Applicant:	Pooh Cottage Holiday Park	
Location:	Pooh Cottage Holiday Site Bear Lane	
Proposal:	Variation of Condition 2 of planning application 10/2407/FUL to allow the occupation of 47 no. caravans the whole year round.	

RECOMMENDATION:

- 1. Adopt the Appropriate Assessment**
- 2. Approval with conditions**

EXECUTIVE SUMMARY

The application is before Members having been referred at Chair Delegation for consideration of the concerns raised by the Parish Council.

This is an application to allow year round use of holiday caravans at an existing caravan site near Budleigh Salterton, within East Budleigh Parish.

The site currently has permission for 47 caravans to be used as holiday accommodation in the Summer. The current application seeks permission for all year round use of the caravans for tourist accommodation, to cater for the increased demand for people to stay in such accommodation in the Winter.

The proposal does not introduce any new uses, but extends the period for current use. The Highway Authority is satisfied that the level of traffic will be minimal and able to use the road network safely.

Concerns have been raised about the potential for residential occupation of the caravans and of visibility from outside of the site. Conditions have therefore been suggested, one which would only allow accommodation for those on holiday, and one which proposes a landscaping scheme to be submitted which would achieve screening to the site.

Due to the site's proximity to the Pebblebed Heaths and Exe Estuary an appropriate assessment has been undertaken. It concludes that there will be an impact on the SPA and SAC in these areas as a result of further occupation of the

units, but that mitigation by way of a financial contribution is sufficient in this instance to adequately mitigate any impacts.

CONSULTATIONS

Local Consultations

Parish/Town Council

East Budleigh Parish Council Recommends that neither application be supported, for the following reasons in both cases:

Condition 2 of 10/2407/FUL states that the site is not suitable for year-round occupation (Developments in the AONB).

The proposals would effectively allow for all year permanent residential settlement to take place. This would be contrary to Neighbourhood Plan 14.12 which states that new residential development outside the Built Up Area Boundary in the countryside, would only be supported in exceptional circumstances.

The concerns put forward by the Otter Valley Association regarding highway access along Bear Lane and adverse effect on the amenity value of the AONB landscape are fully supported by the Parish Council.

Technical Consultations

Devon County Highway Authority

Observations:

The application for the touring caravan site to vary and extend the occupation times (amount of time per year that the site can be used for touring caravans) is not a variation application to change the use from touring to static caravans (which would take up more space and lead to greater off-site excursion trips).

Approval would make the site accessible throughout the year and would not lead to more traffic on the highway than that of the consented 15th March to 30th October existing use. The site layout still maintains the ability for vehicles to turn off-carriageway, park off-carriageway and re-enter the carriageway in a forward facing motion.

Therefore in summary the County Highway Authority has no objection to this planning application.

Recommendation:

THE HEAD OF PLANNING, TRANSPORTATION AND ENVIRONMENT, ON BEHALF OF DEVON COUNTY COUNCIL, AS LOCAL HIGHWAY AUTHORITY, HAS NO OBJECTION TO THE PROPOSED DEVELOPMENT

Observations:

Other Representations

One representation has been received which refers to the lack of screening between the site and nearby residential properties.

PLANNING HISTORY

Reference	Description	Decision	Date
10/2407/FUL	Formation of hardstanding for existing pitches and extension of opening period of the park	Approval with conditions	10.02.2011

POLICIES

Adopted East Devon Local Plan 2013-2031 Policies
Strategy 7 (Development in the Countryside)

Strategy 33 (Promotion of Tourism in East Devon)

Strategy 46 (Landscape Conservation and Enhancement and AONBs)

D1 (Design and Local Distinctiveness)

D2 (Landscape Requirements)

TC7 (Adequacy of Road Network and Site Access)

East Budleigh with Bicton Neighbourhood Plan (Made)

Government Planning Documents
NPPF (National Planning Policy Framework 2019)

Site Location

The application site relates to a part of the existing Pooh Cottage Holiday Site off Bear Lane. The site is currently used as a caravan holiday site in the summer and for caravan storage in the winter.

Proposed Development

This application seeks to vary the condition in 10/2407/FUL above, to allow for the stationing of 47 residential caravans to be used all year round. At present use is restricted to between the 15th March and 31st October.

ANALYSIS

The key consideration in this application is whether the application is acceptable in principle, and whether any adverse impacts have arisen in relation to highway movements and site management that would justify refusing permission.

Principle

The issue with regard to the principle of use, is that this will involve the intensification of holiday uses within the countryside. Pooh Cottage is an established caravan site with facilities including a reception, toilets and shower block, and manager's accommodation.

Policy E19 of the Local Plan is the most relevant policy as it relate to, and permits, permits the extension of existing caravan sites within designated landscapes, provided a number of criteria are met. Whilst the application is not seeking to extend the site, it is seeking to extend the holiday use and on this basis Policy E19 is considered to be the most relevant policy against which to consider the proposal.

These criteria are addressed below but the principle of extending existing holiday parks is acceptable in principle.

Whilst the comments from the Parish Council with regard to Conditions on the 2010 application are appreciated and understood, when the original planning consent in 2010 restricted the holiday occupation to between March and October, this was done under a different planning policy regime with it now being accepted that holiday accommodation can be occupied all year round due to the associated tourist benefits. This is of course subject to the use being restricted to holiday use only.

Location, visual impact and highway safety

With regard to the 6 criteria to Policy E19, the application is considered as follows:

1. The proposal relates sensitively in scale and siting to the surroundings as the units will be placed on existing concrete hard standings. No permanent structures will be installed. The site is at a higher level than Dalditch Lane below it, and whilst there is an area of woodland which separates the site from the lane, it is acknowledged that there are gaps within the trees which make some of the caravans visible, particularly in the winter months. A condition can be imposed to ensure that these gaps are planted.
2. The site is 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. It does not use the best and most versatile agricultural land;
4. Adequate services and facilities are provided on site;
5. Criterion 5 of E19 states that 'traffic generated by the proposal can be accommodated safely on the local highway network and safe highway access to the site can be achieved.' Whilst the intention of the proposal is to allow visitors to the site all year round, the Highway Authority have rightly identified that traffic levels in the winter are likely to be lower than the numbers visiting the site in the most popular Summer months. On the basis that the greater number

of movements in the summer have been found to be acceptable, it is difficult to justify refusal of this application where traffic movements are likely to be less.

It is for this reason that the Highway Authority has not objected.

6. This requires sustainable construction where possible but this is not relevant in this instance as no construction works are proposed or required;

In light of the above, it is considered that the proposal meets the criteria of Policy E19, subject to a landscaping condition which would result in caravans being shielded from view from properties on Dalditch Lane.

As there are therefore no policy objections to the proposal and, subject to the units being restricted to occupation by tourists on a short term basis only so that they cannot become permanent residential dwellings, it is considered that the proposal will benefit the year round economy whilst not impacting on the local area in terms of traffic or amenity.

Appropriate Assessment

The nature of the application and its location close to the Exe Estuary and Pebblebed Heaths and their European Habitat designations is such that the proposal requires a Habitat Regulations Assessment. The Appropriate Assessment is required as a result of the Habitat Regulations Assessment and Likely Significant Effects from the proposal. In partnership with Natural England, the council and its neighbouring authorities of Exeter City Council and Teignbridge District Council have determined that housing and tourist accommodation developments in their areas will in combination have a detrimental impact on the Pebblebed Heaths through impacts from recreational use. The impacts are highest from developments within 10 kilometres of the designation. It is therefore essential that mitigation is secured to make such developments permissible. This mitigation is secured via a combination of funding secured via the Community Infrastructure Levy and contributions collected from residential and tourist developments within 10km of the designations. In this instance an additional financial contribution for tourist accommodation has been secured. On this basis, and as the joint authorities are working in partnership to deliver the required mitigation in accordance with the South-East Devon European Site Mitigation Strategy, this proposal will not give rise to likely significant effects.

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 47 caravans hereby permitted shall be used as holiday accommodation only and shall not be occupied as a person's sole or main place of residence. The owners/operator shall maintain an up-to-date register of the names of all owners/occupiers of the units on the site, and of their main home address, and shall make this information available at all reasonable time to the Local Planning Authority.

(Reason: To accord with development plan policies under which permanent residential accommodation would not normally be permitted on the site in accordance with Strategy 7 of the East Devon Local Plan 2013-2031 and the National Planning Policy Framework.)'

4. Prior to the commencement of development, a plan shall be submitted to and approved by the local planning authority showing additional planting on the Western boundary of the site. The approved scheme shall be carried out within the next available planting season following approval of the details by the Local planning Authority. Any trees, shrubs or hedges removed consent, or which die or become severely damaged or seriously diseased within five years from the first planting shall be replaced with trees, shrubs or hedge plants of similar size and species unless the Local Planning Authority gives written consent to any variation

(Reason: In order to screen the development from nearby residential properties and to comply with Strategy 46 (Landscape Conservation and Enhancement and AONBs) and Policy D1 (Design and Local Distinctiveness) of the East Devon Local Plan 2013-2031 and Policy N1 (Protecting and enhancing the landscape, biodiversity and local countryside character) of the East Budleigh with Bicton Neighbourhood Plan.)

Plans relating to this application:

8049-LP1 rev A Location Plan 15.05.20

List of Background Papers

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