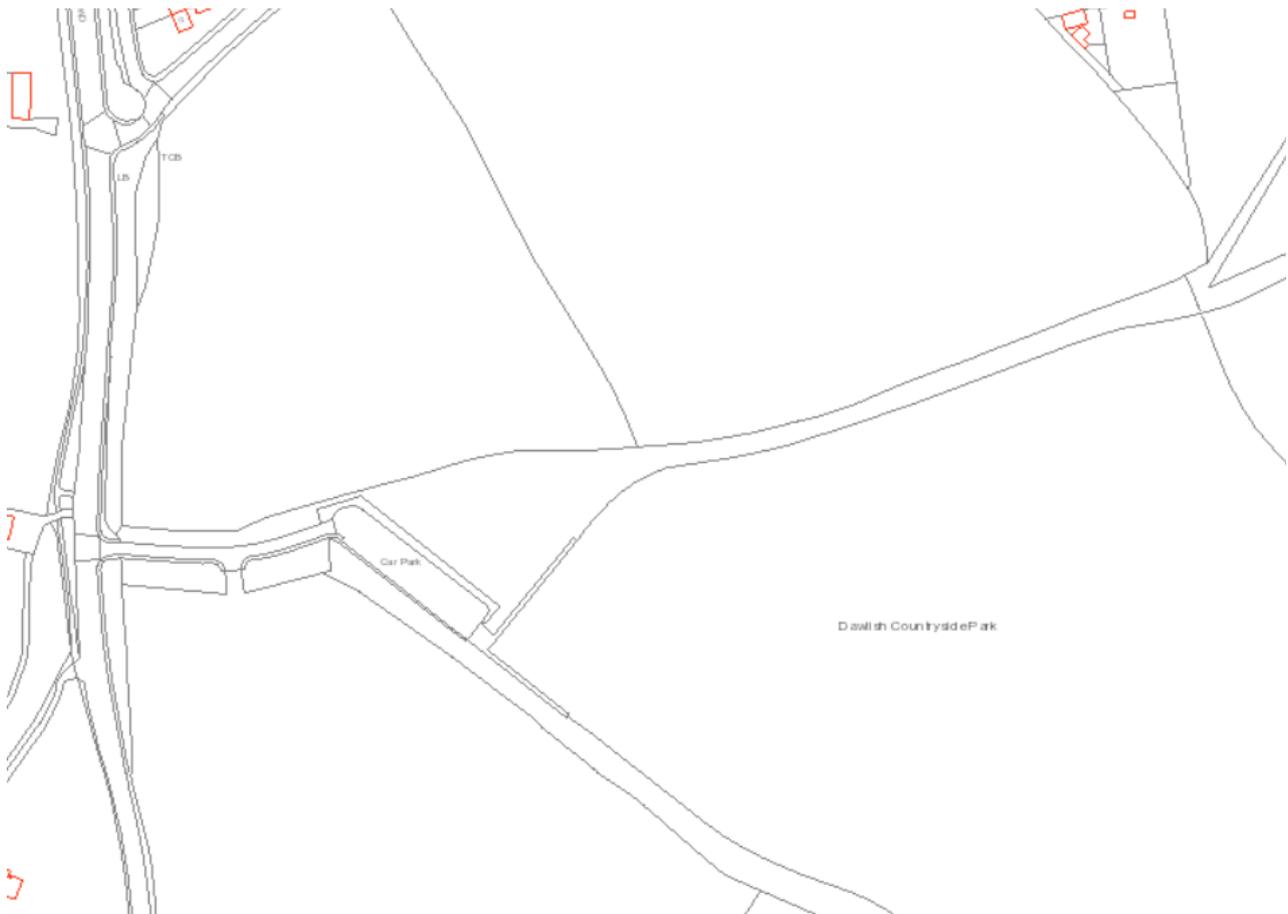


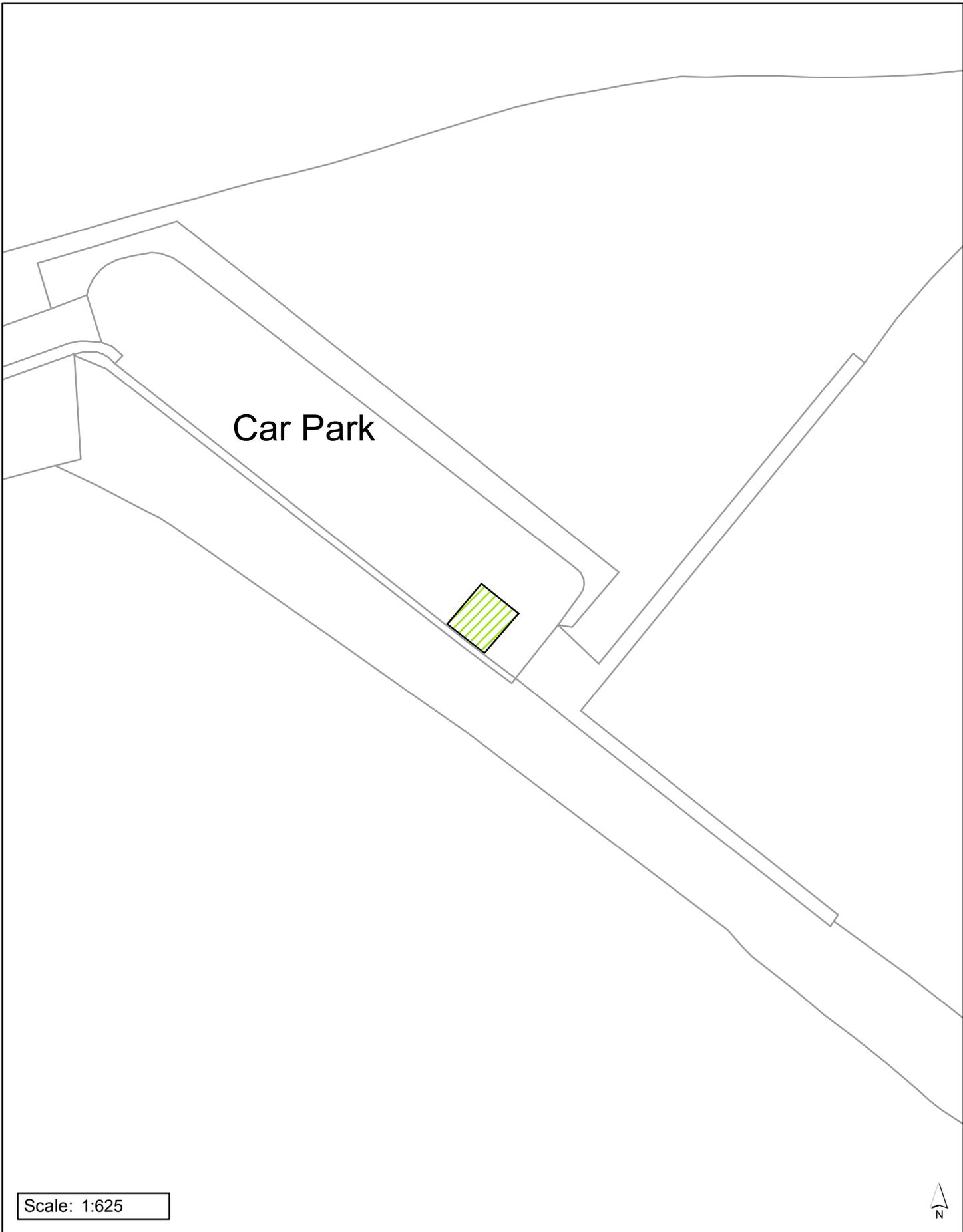
# PLANNING COMMITTEE REPORT

CHAIRMAN: Cllr Mike Haines



<b>APPLICATION FOR CONSIDERATION:</b>	<b>DAWLISH - 20/01432/FUL - Car Park Within Dawlish Countryside Park, Dawlish - Change of use of area within car park for siting of a concession unit</b>	
<b>APPLICANT:</b>	<b>Teignbridge District Council</b>	
<b>CASE OFFICER</b>	<b>Gary Crawford</b>	
<b>WARD MEMBERS:</b>	<b>Cllr Linda Goodman-Bradbury Cllr Linda Petherick Cllr Martin Wrigley</b>	<b>Dawlish North East</b>
<b>VIEW PLANNING FILE:</b>	<a href="https://www.teignbridge.gov.uk/planning/forms/planning-application-details/?Type=Application&amp;Refval=20/01432/FUL&amp;MN">https://www.teignbridge.gov.uk/planning/forms/planning-application-details/?Type=Application&amp;Refval=20/01432/FUL&amp;MN</a>	





Scale: 1:625



**20/01432/FUL - Car Park Within Dawlish  
Countryside Park, Dawlish**



© Crown copyright and database rights 2019 Ordnance Survey 100024292.  
You are permitted to use this data solely to enable you to respond to, or interact with, the organisation that provided you with the data.  
You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.

## 1. REASON FOR REPORT

This application is brought to the Planning Committee because the site is operated by Teignbridge District Council and on balance officers consider the proposal merits committee consideration.

## 2. RECOMMENDATION

PERMISSION BE GRANTED subject to the following conditions:

1. Development to begin before the expiry of three years from the date of this permission;
2. Development to be carried out in accordance with approved plans;
3. The use hereby approved shall not operate other than between the hours of 08:00 to 20:00 Mondays to Sundays.
4. The use hereby approved shall not operate until details of storage and collection of waste have been submitted to and approved in writing by the Local Planning Authority.

## 3. DESCRIPTION

### The Application Site

- 3.1 The application site relates to the car park of Dawlish Countryside Park. Dawlish Countryside Park was opened in 2017 as the first Suitable Alternative Natural Greenspace (SANGS) in Greater Exeter. The site is located approximately 500m to the north of the Dawlish settlement limit and is accessed off the A379 (Exeter Road).
- 3.2 The site is located within open countryside and lies within a locally designated Area of Great Landscape Value.

### The Application

- 3.3 The application seeks planning permission for the change of use of an area within the car park of Dawlish Countryside Park for the siting of a concession unit. The submitted site location plan shows that the proposed concession unit would take up the two existing parking spaces closest to the existing pedestrian entrance to the Countryside Park, with a dimensioned plan area of approximately 4.8m x 4.8m. The Supporting Statement submitted with the application details that no outside seating or other ancillary features (other than waste and recycling facilities) are to be provided.

### Planning History

- 3.4 Relevant site history:
  - 16/02485/MAJ: Change of use of land to Suitable Alternative Natural Green Space (SANGS) (Use Class D2) including new junction, access road and car park area. Approved 24/11/2016.

- 16/02485/AMD1: Non material amendment (alter size and shape of car park to reduce steepness) to planning permission 16/02485/MAJ. Approved 28/2/2017.
- 16/02485/AMD2: Non material amendment (amend car parking surface to tarmac) to planning permission 16/02485/MAJ. Approved 22/2/2017.

### Main issues

3.5 The main issues for consideration are:

- The principle of the development/sustainability;
- Impact of the development upon the character and visual amenity of the area;
- Impact on ecology/biodiversity;
- Highway safety.

### The principle of the development/sustainability

3.6 Policy S5 (Infrastructure) of the Teignbridge Local Plan details that the provision of new and improved infrastructure, such as education, health, transport, recreational facilities and green infrastructure will form a key issue in planning for the growth of sustainable communities. Policy S14 (Newton Abbot) states that the Plan will seek to protect Dawlish Warren/Exe Estuary international wildlife sites.

3.7 Dawlish Countryside Park is a Suitable Alternative Natural Greenspace (SANGS) which was granted planning permission in November 2016 in order to provide a high quality recreation space with the intention of attracting recreational use away from nearby internationally important wildlife sites including the Dawlish Warren Special Area of Conservation (SAC) and Exe Estuary Special Protection Area (SPA). Given that the proposed concession unit would provide an additional recreational facility and is likely to attract recreational use away from nearby internationally important wildlife sites including the Dawlish Warren SAC and Exe Estuary SPA, the principle of the development is deemed to be acceptable. The suitability of the principle is underpinned by the support given to the proposal by the South East Devon Habitats Regulations Executive Committee in July 2020. The report they considered noted in particular:

#### *“2. The principle of SANGS refreshment facilities*

*2.1 SANGS are focussed on providing a quiet countryside experience that is attractive to walkers, dog walkers and potentially families. It is recognised that these qualities may not sit comfortably with significant urbanising features such as new buildings and commercial attractions.*

*2.2 The SANGS guidance therefore limits the scope of refreshment facilities that can be provided but does not prevent something modest. Upton Countryside Park in Dorset is amongst examples of SANGS sites where there are refreshment facilities. Please see the following link: <https://pooleprojects.net/upton>*

*2.3 If refreshment facilities are to be provided at the park, they should be very modest and impacts carefully reviewed. It must be recognised that the purpose of the SANGS as habitat mitigation should not be allowed to be compromised by additional uses of the countryside park. The introduction of refreshments is not a*

*precursor to other activities like firework events, running events, mountain biking or horse riding.”*

<https://democracy.eastdevon.gov.uk/ieListDocuments.aspx?CId=156&MId=1429&Ver=4>

#### Impact upon the character and visual amenity of the area

- 3.8 This application seeks permission for the change of use of an area within the car park for the siting of a concession unit only and no detailed information of the proposed unit has been provided. However, the unit would be sited within the location of two existing parking spaces, with a dimensioned plan area of approximately 4.8m x 4.8m.
- 3.9 It is acknowledged that the installation of a concession unit at Dawlish Countryside Park would have an impact upon the character and visual amenity of the open countryside and Area of Great Landscape Value. However, given the modest area of the site of approximately 23.04 square metres which would restrict the size of the unit and given that the unit would be sited within the existing car park of the Countryside Park, it is considered that the proposal is unlikely to result in any significantly adverse impacts upon the character and visual amenity of the open countryside or AGLV. In addition, the submitted Supporting Statement sets out that no outside seating or other ancillary features (other than waste and recycling facilities) are to be provided in order to preserve the character of Dawlish Countryside Park.

#### Impact on ecology/biodiversity

- 3.10 Teignbridge District Council's Biodiversity Officer has been consulted on this application and she has commented that she welcomes the proposal as it may attract more people to visit the Countryside Park rather than more sensitive areas at Dawlish Warren or the Exe Estuary. As such, it is deemed that the proposal would help protect the Dawlish Warren/Exe Estuary international wildlife sites.

#### Highway Safety

- 3.11 It is acknowledged that the proposal would result in the loss of two existing parking spaces within the car park of Dawlish Countryside Park in order to accommodate the proposed concession unit and the proposal is likely to result in an increase in the number of people visiting Countryside Park. However, the Supporting Statement submitted with this application notes that no outside seating or other ancillary features are to be provided in order to try and ensure that the refreshment facility is incidental to a visit to the Countryside Park. Furthermore, Devon County Council's Highways department have been consulted on this application and they have raised no objections to the proposal. As such, it is considered that the proposal would not result in an unacceptable loss of parking spaces or result in a significantly worse impact upon highway safety than the existing situation.

#### Carbon reduction

- 3.12 Policy S7 (Carbon Emission Targets) of the Local Plan states that the council will work proactively with partners and through public and private investment and the management of development, will seek to achieve reductions in carbon emissions

per person arising within Teignbridge of about 48% from 2017 levels by 2050. Policy EN3 (Carbon Reduction Plans) of the Local Plan details that development proposals should seek to minimise their carbon footprint both during construction and in use, to achieve the carbon emissions target in Policy S7.

- 3.13 Although the proposed concession unit would be sited within the existing car park at the Countryside Park, the site is accessible on foot as there are three pedestrian accesses to the park and the site is also accessible by bus as there is a bus stop nearby on the A379.

#### Other matters

- 3.14 Representations have been received with regards to litter from the proposed concession unit. The Supporting Statement submitted with this application details that one of the parameters of the concession unit is that waste and recycling facilities will be provided and it is recommended that a condition is included with any permission which states that the use shall not operate until details of storage and collection of waste have been submitted to and approved in writing by the Local Planning Authority. Another representation has been received with regards to noise from the proposed unit. Whilst no details of the proposed unit which would be operating from the site have been provided, given the significant distance between the application site and the nearest residential property, it is deemed that the proposal would not result in any significantly harmful impacts in terms of noise and disturbance upon any residential properties.

#### Conclusions

- 3.15 Whilst the proposal would have an impact upon the character and appearance of the open countryside and AGLV, and the proposal is also likely to result in an increase in the number of people visiting Countryside Park, given that the proposal is likely to attract more people to visit the Countryside Park rather than the more sensitive areas at Dawlish Warren or the Exe Estuary, it is considered that, on balance, the proposal is acceptable. It is therefore recommended that planning permission be granted subject to conditions.

## **4. POLICY DOCUMENTS**

### Teignbridge Local Plan 2013-2033

S1A Presumption in favour of Sustainable Development

S1 Sustainable Development Criteria

S2 Quality Development

S5 Infrastructure

S7 Carbon Emission Targets

S17 Dawlish

S22 Countryside

S23 Neighbourhood Plans

WE11 Green Infrastructure

EN2A Landscape Protection and Enhancement

EN3 Carbon Reduction Plans

EN8 Biodiversity Protection and Enhancement

EN9 Important Habitats and Features

EN11 European Wildlife Site

DA2 North West Secmaton Lane

DA6 Dawlish Green Infrastructure

National Planning Policy Framework

National Planning Practice Guidance

## 5. **CONSULTEES**

**TDC Biodiversity Officer:** I welcome the proposal, as it may attract more people to visit the Countryside Park rather than more sensitive areas at Dawlish Warren or the Exe Estuary.

There is a small stream and wildflower area immediately south of the car park and it is important that there is no pollution of this area, e.g. by waste liquids from the concession unit, or by customers disposing of dregs there. A clause in the concession agreement, and informative signage for site may help, but other measures may also be needed.

**TDC Environmental Health:** No objections.

Agree with the Parish Council's comments in regards to litter. Signage to take litter with customers should be clear and situated near concession unit. Appropriate waste facilities should also be available. Also agree that revision of the lease should be considered if litter becomes an issue.

## 6. **REPRESENTATIONS**

A site notice was erected. Five letters of objection and two letters of comment have been received.

The letters of objection raised the following planning issues:

1. Loss of parking.
2. Suburbanisation of the countryside.
3. The park does not have public conveniences.
4. Litter.
5. Highway safety.
6. Impact on wildlife.
7. Noise.

The letters of comment made the following representations:

1. The location of the concession unit would inconvenience lots of people.
2. It is unclear whether the concession would be there continually or on certain days only.
3. The concession unit should not result in the loss of parking spaces to accommodate it.
4. Parking spaces may be taken by people only using the refreshment facility and those wishing to walk/exercise their dogs may be unable to park.

## **7. TOWN / PARISH COUNCIL'S COMMENTS**

Dawlish Town Council recommends no objection to this application with the following strong suggestions:

- That there is appropriate clear signage regarding litter.
- Any increase in litter is monitored and addressed with the concession by Park Wardens.
- If an issue with increased litter becomes apparent that Teignbridge has the right to give notice and reduce the lease to 28 days.

## **8. COMMUNITY INFRASTRUCTURE LEVY**

The CIL liability for this development is Nil as the CIL rate for this type of development is Nil and therefore no CIL is payable.

## **9. ENVIRONMENTAL IMPACT ASSESSMENT**

Due to its scale, nature and location this development will not have significant effects on the environment and therefore is not considered to be EIA Development.

## **10. HUMAN RIGHTS ACT**

The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

**Business Manager – Strategic Place**