

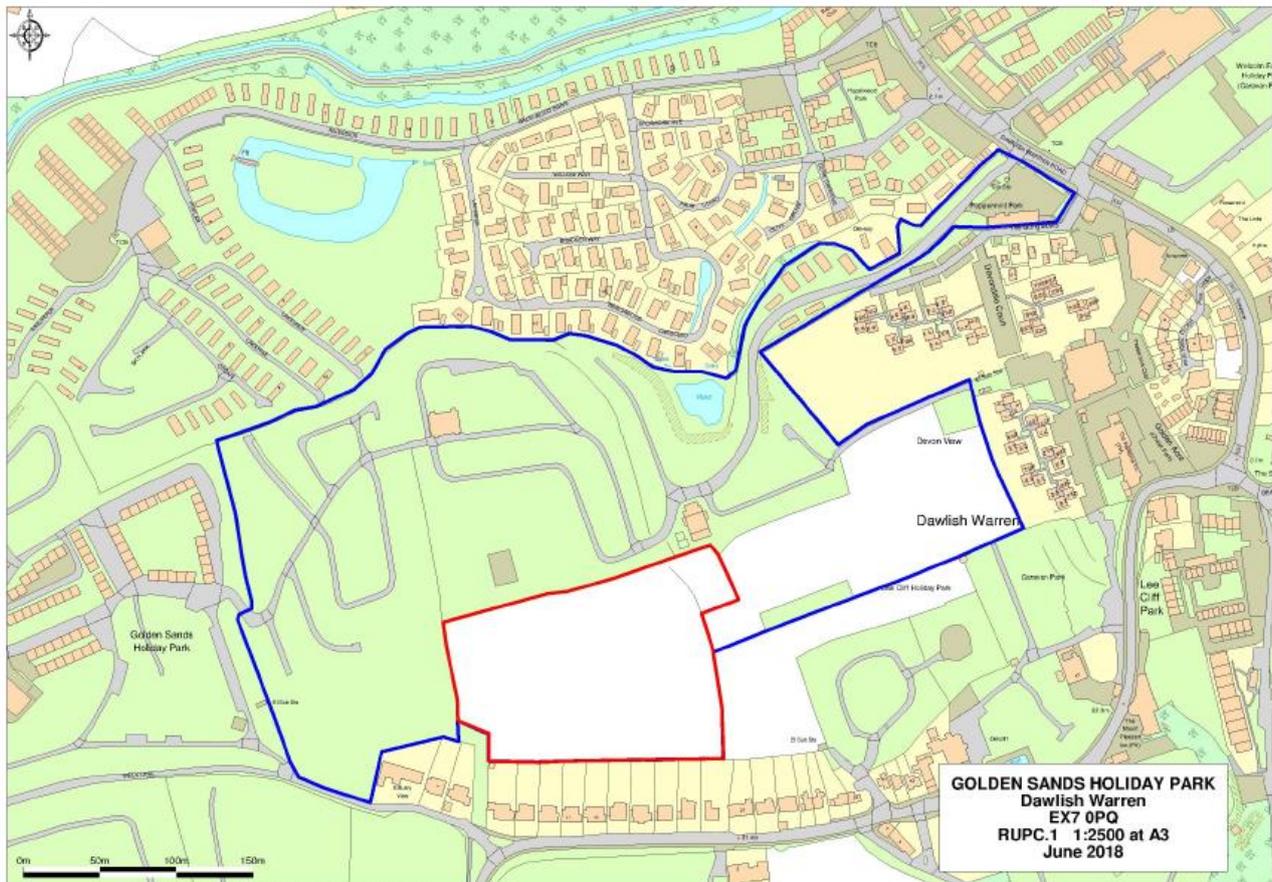
# PLANNING COMMITTEE REPORT

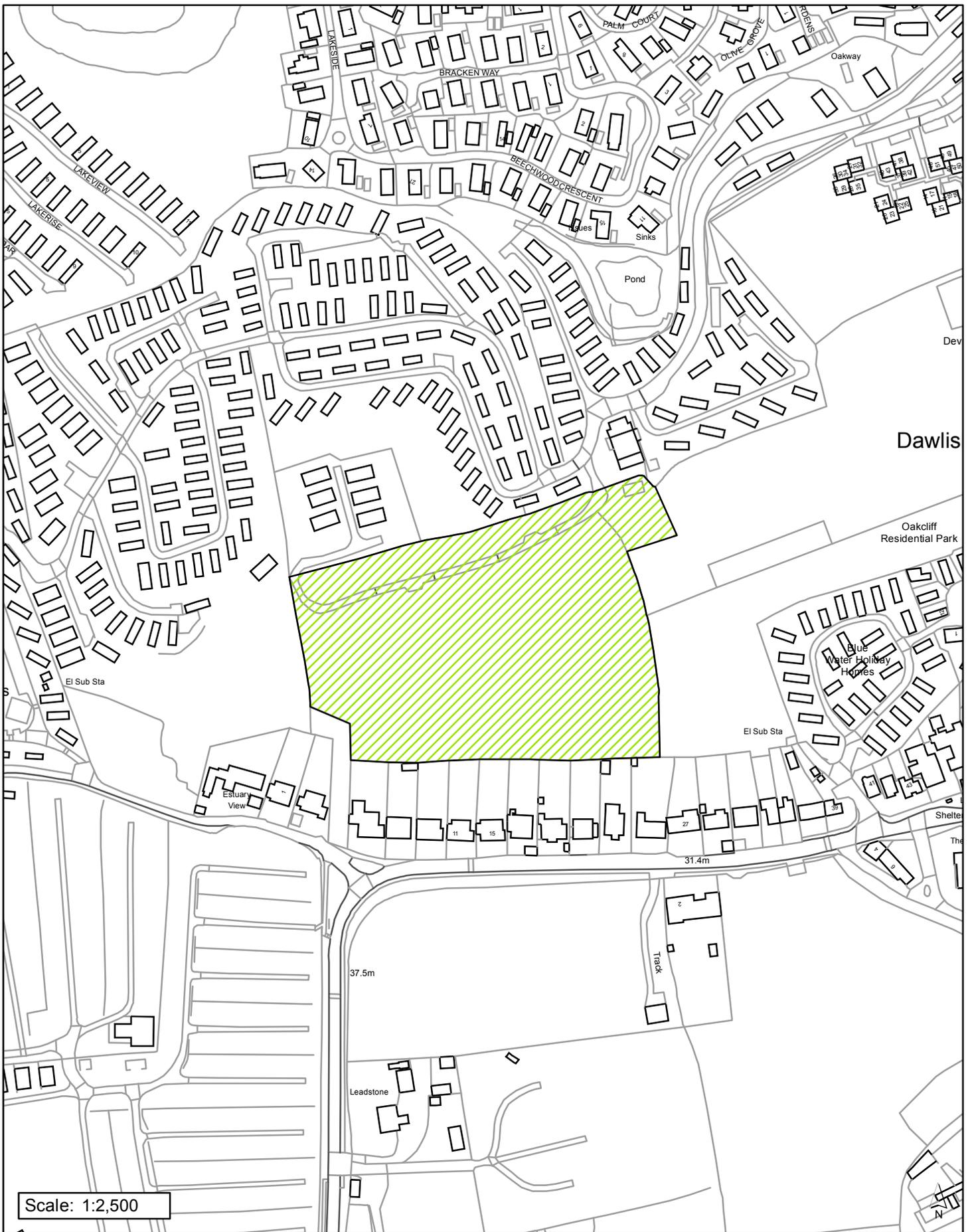
19 January 2021

CHAIRMAN: Cllr Mike Haines



<b>APPLICATION FOR CONSIDERATION:</b>	<b>DAWLISH - 18/01178/MAJ - Golden Sands And Peppermint Park, Warren Road - Use of land for the stationing of static holiday caravans, re-positioning of play equipment and associated works</b>	
<b>APPLICANT:</b>	<b>Park Holidays UK Ltd</b>	
<b>CASE OFFICER</b>	<b>Anna Holloway</b>	
<b>WARD MEMBERS:</b>	<b>Councillor Goodman-Bradbury Councillor Wrigley Councillor Petherick</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=18/01178/MAJ&amp;MN">https://www.teignbridge.gov.uk/planning/forms/planning-application-details/?Type=Application&amp;Refval=18/01178/MAJ&amp;MN</a>	





**18/01178/MAJ Golden Sands & Peppermint  
Park Warren Road Dawlish Warren EX7 0LZ**



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## 1. REASON FOR REPORT

Councillor Wrigley has requested that this application be referred to Planning Committee if the Case Officer is recommending approval. The reason given for this request is on the grounds of overdevelopment, flooding, ecology, and pollution issues not addressed.

## 2. RECOMMENDATION

PERMISSION BE GRANTED subject to no objection being received from Natural England on or before 25 January 2021 in relation to the Appropriate Assessment and:

A) The Applicant entering into a Section 106 Agreement to secure:

1. Habitat Regulations Assessment Contribution in accordance with the Joint Approach for the Exe Estuary SPA and Ramsar Site and the Dawlish Warren SAC.

B) The following conditions:

1. Standard 3 year time limit for commencement of development;
2. In accordance with approved plans;
3. Number of caravans limited to a maximum of 42;
4. Use of caravans shall be for holiday purposes only, they shall only be occupied between 1 March and 14 February (inclusive), shall not be occupied for more than six months in any calendar year by any individual occupant, group of individuals or family, and shall not be occupied as a main place of residence.
5. Pre-commencement drainage condition as recommended by the LLFA;
6. Detailed landscape works / planting plans to be submitted for approval including 20m vegetated buffer zone, retained hedgerows, retained and proposed trees and other planting and details of implementation, management and permanent retention;
7. Compliance with the Preliminary Ecological Appraisal recommendations including in relation to undertaking the works and designing the scheme for ecological enhancements;
8. Details of areas of hardstanding, access road and parking to be submitted and approved prior to construction;
9. Details of finished ground levels to be submitted for approval prior to ground works;
10. External lighting to be approved prior to installation;
11. Any decking to be dismantled and removed from the site on or before the removal of the static unit with which it is associated;
12. Provision of relocated play area.

## 3. DESCRIPTION

### 3.1. The Site and Proposal

3.2. The application site is located within the countryside but forms part of the well-established Golden Sands Holiday Park (which includes the former Peppermint

Park Holiday Park) at Dawlish Warren, albeit including land which falls outside of the area currently permitted for the siting of static caravans.

- 3.3. The application site comprises a roughly rectangular shaped parcel of land of approx. 1.98ha. The site includes part of the existing holiday park and land used for recreation purposes including a play area. The Golden Sands Holiday Park is currently permitted to be open for use between 1 March and 14 February inclusive (which equates to 50 weeks per annum).
- 3.4. The proposal is for the change of use of the land to the stationing of static holiday caravans, with the accompanying details showing a scheme for 42 pitches, along with associated works including ground works with changes to levels, areas of hardstanding, access road, and details of landscaping and the relocation of the existing children's play area and associated equipment onto adjoining land.
- 3.5. Relevant Planning History
- 3.6. Planning permission for the wider site (formerly known as Peppermint Park) was granted in 1978 (under reference 77/01981/COU) for the change of use of the land to site for 192 touring caravans and 48 tents with associated facilities; this permission was renewed in 1983 (under reference 82/02527/COU). Following this in 2003 (under reference 00/03511/MAJ), planning permission was granted for the change of use of land from stationing of tents and touring caravans to stationing of static holiday caravans. The 2003 permission limited the occupation of the static caravans to holiday purposes only with limits on the length of occupation per year. In 2007 permission was granted (under reference 07/01625/MAJ) to expand the area of static caravans. These earlier applications for Peppermint Park included the current application site within the wider blue line but not within the red line area.
- 3.7. In 2017 permission was granted (under reference 16/02739/MAJ) for Golden Sands Holiday Park (combining both the former Peppermint Park and the adjacent Golden Sands) for use of land for the siting of static caravans, tourers and caravan and camping, including ancillary buildings, for holiday use between 1st March and 14th February (inclusive). The application was seeking to extend the seasonal occupancy period at Golden Sands to coincide with its other park operations and to allow an extended season. The permission was granted subject to a condition (Condition 3) that the holiday units shall be occupied for holiday purposes at the holiday park only and shall not be occupied as a person's sole or main place of residence. Also that the units shall be only occupied between 1 March and 14 February (inclusive) and shall not be occupied for more than six months in any calendar year by any individual occupant, group of individuals or family. The purpose of the condition was to ensure that the holiday accommodation is not used for permanent residential accommodation. The northern part of the current application site fell within the red line area for the 2017 permission with the southern part within the blue line area.
- 3.8. In 2016 planning permission was granted (under reference 16/01900/COU) for the change of use of land for the stationing of 7 static holiday caravans, relocation of children's play equipment, site road and associated facilities. This permission moved the play area to its current location.
- 3.9. The proposed location for the play area is subject to a planning permission (under reference 14/00874/FUL) for the use of the land for the stationing of touring

caravans for holiday purposes and associated facilities. This permission was subject to a condition (Condition 6) limiting the use by no more than 58 touring caravans and Condition 4, which limits the occupation of the site for holiday purposes only.

- 3.10. A separate application (under reference 18/01408/MAJ) has also been submitted for Golden Sands Holiday Park for the demolition of existing chalets and use of land for the stationing of static holiday caravans. This application is for a separate part of the site and would see the replacement of 76 chalet apartments with static caravans. The indicative layout plan for 18/01408/MAJ shows 61 caravan pitches to be provided.
- 3.11. Towards the end of 2020 an application was submitted (under reference 20/02227/MAJ) for a variation of condition 3 on planning permission 16/02739/MAJ to allow the holiday units at Golden Sands Holiday Park to be occupied for holiday purposes between 14th February and end of February 2021. This application is currently under consideration and the only period being sought is for February 2021, associated with the impact of the current Covid-19 pandemic.
- 3.12. The Written Ministerial Statement (WMS) of 14 July 2020 makes specific reference to caravan, campsites and holiday parks and sets out that the government recognises that the tourism industry will need to be able to adapt to secure its financial future and that extending the operation beyond the usual summer season for caravan, campsites and holiday parks will be invaluable to parks as the sector begins to recover. The WMS sets out that the government is aware that current planning restrictions may limit their open season and that the temporary relaxation of these planning restrictions can play a vital role in helping local businesses to get up and running again. The benefits to the local economy as it recovers from the impact of Covid-19 should be considered as part of any application to extend the open season.
- 3.13. The recent Planning Newsletter from the Ministry of Housing Communities and Local Government (No.4 of 2020, dated 18 December 2020) also refers to holiday caravan parks and winter opening and the government's Covid-19 guidance, which sets that the government is aware that there are people who for a variety of reasons do not currently have access to a permanent residence and may use holiday caravan parks for interim or main residential purposes; whilst the government does not comment on any potential breach of licensing or planning conditions, given the current situation, local planning authorities must have regard to their legal obligations and are encouraged to exercise their discretion and not seek to undertake planning enforcement action to ensure that wherever possible families and vulnerable people are not displaced at this time.
- 3.14. The government guidance does recognise that an application to vary opening conditions may be appropriate where for instance there is a risk to flooding or where parks are situated close to protected sites and the guidance references the need to consult with statutory consultees and impose conditions, if appropriate, to mitigate potential impacts.
- 3.15. Application 20/02227/MAJ is still under consideration and it is unclear what impact the current national lockdown will have; however, the 2020 application to temporarily vary the open season for the Holiday Park should be considered separately to the current proposal.

### 3.16. Principle of Development

3.17. Policy S12 (Tourism) of the Teignbridge Local Plan 2013-2033 (TLP) states that the Council will promote a growing, sustainable tourism sector, and support proposals to lengthen the tourism season and encourage higher spending by visitors. TLP policy EC11 (Tourist Accommodation) supports the sustainable expansion of the tourism industry and states that additional tourist accommodation, including caravans, will be acceptable in principle within or adjoining settlement limits and that elsewhere, the expansion of existing tourist accommodation locations and the provision of new campsite or caravan sites will be acceptable in principle.

3.18. The accompanying text within the TLP (paragraphs 3.17 – 3.18) sets out that, whilst the tourist economy is a relatively small direct element of local employment, it provides additional visitors to local retail and other services and therefore indirectly supports a significant amount of local employment. Therefore it is important that planning policies support its sustainable expansion rather than inhibits its growth unnecessarily. In the open countryside there are a wide number of potential tourist businesses that can contribute to the area's economy and meet sustainable development requirements. The accompanying text at paragraph 3.18 of the TLP also states that at Dawlish Warren and locations close to the Exe Estuary, tourism developments are particularly likely to have negative impacts on the Dawlish Warren SAC and Exe Estuary SPA and therefore Appropriate Assessments will be required and sufficient mitigation must be secured to overcome any negative impacts identified and in some instances, where it is not possible to fully mitigate impacts, permission may be refused.

3.19. The proposed development for the expansion of an existing holiday park will need to be considered in terms of the TLP taken as a whole and in particular the potential for negative impacts on the Exe Estuary SPA and Ramsar site and Dawlish Warren SAC; however, a key material consideration will be that the principle of the proposed development is acceptable and in accordance with TLP policies S12 and EC11.

3.20. The proposal also includes the relocation of an existing on-site play area. The proposed new location is close to the existing location within the Holiday Park site and is considered acceptable in principle.

### 3.21. Impact on the Character and Appearance of the Area

3.22. The proposed extension to the static caravan area at the holiday park would be read in the context of the wider park. It is largely self-contained and would not result in a significant impact on the wider area. Locally, the development will impact on the properties that look down on the site from Mount Pleasant Road; however, the holiday lodges are set a good distance away from the properties, positioned at a lower level in the landscape, and there is a decent band of shrub planting proposed between the dwellings and the lodges.

3.23. The application is accompanied by a Landscape and Visual Impact Assessment and an Illustrative Masterplan has been submitted that indicatively shows the location of new trees to be planted, and includes a planting schedule. The Council's Senior Arboricultural Officer has reviewed this drawing and considers that it can form the basis of a landscape plan subject to appropriate conditions. The Council's Landscape Officer has also reviewed the proposed development and has concluded that appropriate details can be conditioned and they are of the

opinion that, in the long term, the design approach and planting will achieve a scheme that mitigates any adverse effects.

3.24. The site does not fall within the Undeveloped Coast nor an Area of Great Landscape Value. In addition there are no listed buildings or other designated heritage assets within the immediate area which would be affected by the proposals. Subject to appropriate landscape conditions that address the points raised by the Senior Arboricultural and Landscape Officers, the proposed extension to the existing holiday park would not result in a significant impact on the character and appearance of the area and the proposed development is considered to comply with TLP policies S1, S2 and EN2A in terms of impact on the wider landscape and the character and appearance of the area.

### 3.25. Residential Amenity Considerations

3.26. It is clear from the representations received that there are concerns regarding the potential for noise and disturbance from the holiday units and matters of existing noise and other issues have also been raised. A 20m vegetated buffer zone including new tree planting is proposed to be provided between the holiday units and the neighbouring residential properties on Mount Pleasant Road. In addition, the static caravans would be positioned at a lower level in the landscape than these properties and the site would be covered by the conditions of the site licence. In addition, consideration must be given to the existing use of the application site for recreational uses associated with the existing Holiday Park. On balance it is considered that the scale of the proposed extension to this existing Holiday Park and its relationship with neighbouring residential properties would not result in a significant detrimental impact in terms of noise and disturbance that would warrant a refusal of permission.

3.27. Taking into account the change in ground level, the separation distance and the scale of the proposals, the proposed development (including the proposed landscaping works) would not result in a significant impact on neighbouring residential properties in terms of privacy, outlook or natural light. Concerns have been raised regarding the potential impact on private views; however, loss of a view from private properties is not a material planning consideration and therefore would not warrant a refusal of planning permission.

3.28. The proposed new location for the play area is close to the existing location and is not considered to give rise to any significant additional impacts in terms of noise and disturbance to neighbouring residential properties.

3.29. On balance and subject to the proposed conditions, it is considered that the proposed development would not warrant a refusal of planning permission in terms of residential amenity and is considered to comply with TLP policy S1 in this regards.

### 3.30. Highway Safety Considerations

3.31. The scheme, which would result in the creation of up to an additional 42 units at the existing Holiday Park, has been considered by the Local Highway Authority and no objections have been raised in terms of highway safety. In terms of the potential for additional traffic generation, the number of units proposed is not considered to give rise to a significant impact and is not considered to meet the requirement set out in paragraph 109 of the NPPF which states that development should only be

prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

### 3.32. Sustainability

3.33. It is clear from the policies of the Local Plan that the extension of existing Holiday Parks is considered acceptable in principle within countryside locations. Taking into account the scale and location of the proposed development and the proximity to sustainable modes of transport such as the railway, the development is considered acceptable with regards to sustainability of location and access to sustainable forms of transport.

### 3.34. Impact on Biodiversity

3.35. The application site is within 10km of the Exe Estuary Special Protection Area and Ramsar site and Dawlish Warren Special Area of Conservation and is therefore subject to the requirements of the 2017 Conservation of Habitat and Species Regulations. In the absence of bespoke mitigation, the Joint Approach provides a mechanism by which mitigation can be secured through a financial contribution from the developer and a Habitat Mitigation Regulations contribution per additional holiday unit is required to offset in-combination recreation impacts on the SPA and SAC. However, the application site is within half a kilometre of the Exe Estuary SPA and Dawlish Warren SAC. Additional tourist accommodation this close to the SPA/SAC will add to the in-combination negative effects of recreation use on the SPA/SAC. Research has shown that visit rates from holiday accommodation this close to the Warren are substantially higher than visit rates from residential accommodation. Therefore a proportionally larger contribution is required. For self-catering holiday units this is usually subject to a reduction to 52%; however, due to the close proximity to the SPA and SAC and based on an open season for the Holiday Park of 50 weeks per annum, the contribution required would be £876 per unit.

3.36. The development would therefore require the completion of an s106 agreement to pay the Habitat Mitigation Contribution of £876 per unit before development commences (which totals £36,792 for 42 units). The draft Appropriate Assessment is currently out for consultation with Natural England; however, subject to the Joint Approach Habitat Mitigation Regulations contribution being secured via an s106 agreement and no objection being received within the consultation period from Natural England, the LPA, as Competent Authority, is able to conclude that there will be no likely significant effect on the Exe Estuary SPA and Ramsar site and Dawlish Warren SAC such that this does not constitute any reason for refusal of the development. Applications are not usually brought to Planning Committee with a consultation to Natural England on an Appropriate Assessment outstanding, however as the only requirement of the AA in this instance is that the development comply with the adopted Joint Approach, which is proposed to be secured through a S106 Agreement, in this instance the recommendation as detailed above was considered acceptable. No decision would though be issued before 25 January 2021 in order to allow Natural England the full 21 day consultation period for this proposal.

3.37. It would be appropriate to condition both the maximum number of units and the number of weeks the caravans can be occupied in any one 12 month period as

any increase would likely require the payment of an additional Habitat Mitigation Regulations contribution under the Joint Approach.

- 3.38. With regards to biodiversity on site, a Preliminary Ecological Appraisal (PEA) has been submitted with the application. The majority of the site was found to contain managed amenity grassland with species-poor hedgerows and two silver birch trees within the central part of the amenity grassland although there were also areas of tall ruderal vegetation and scattered scrub along the southern edge of the site.
- 3.39. The PEA concluded that the site is dominated by amenity grassland with small patches of ruderals and scattered scrub none of which are habitats of principal importance and are of value within the immediate vicinity of the site only. Some habitat suitable for dormouse was found but was not considered to be impacted by the proposals. Although some habitats suitable for greater crested newts exist the eDNA sample analysis for the six ponds within 500m of the site were negative. The PEA found that whilst badgers may make use of scrub and hedgerow habitats and may occasionally use the site for foraging or when passing through, no signs of badger were observed during the habitat survey and given the lack of field evidence for this species and the small size of the site it is highly unlikely that the site forms an important part of a badger territory. Habitat suitable for breeding birds and some suitable habitat (although with low potential) to support reptiles is present on the site and the PEA sets out that precautionary measures should be taken as well as some mitigation measures. The retained habitats around the boundary of the site and in particular the proposed 20m vegetated buffer zone at the south of the site were considered by the PEA to provide a good opportunity for wildlife planting including native species and / or species of recognised wildlife value.
- 3.40. It is considered that, subject to conditions for the recommendations of the PEA to be followed as well as the submission of detailed landscape plans including planting plans which includes the creation, maintenance and retention of the 20m vegetated buffer zone at the south of the site, the management and improvement of the existing hedgerows and other areas of soft planting, that the proposed development would be acceptable with regards to biodiversity and protected species.
- 3.41. Land Drainage / Flood Risk
- 3.42. The application site is located within Flood Risk Zone 1 (low probability of flooding) although it is within a Critical Drainage Area; land to the north falls within Flood Risk Zones 2 and 3. Detailed discussions and additional information has been submitted by the applicant to address the concerns raised by Devon County Council as the Lead Local Flood Authority (LLFA).
- 3.43. The LLFA has now withdrawn its objection and has no in-principle objections. However, the LLFA would require that detailed drainage design based upon the Flood Risk Assessment and Drainage Strategy, detailed proposals for the management of surface water and silt runoff from the site during construction, proposals for the adoption and maintenance of the permanent surface water drainage system, and a plan indicating how exceedance flows will be safely managed on site are submitted and approved prior to the commencement of development.

- 3.44. Subject to the imposition of the LLFA's requested pre-commencement condition, the proposal is considered acceptable with regards to TLP policy EN4 (Flood Risk) and the provision of sustainable drainage.

### Summary and Conclusion

- 3.45. In terms of the planning balance, significant weight should be given to the in principle support that the Local Plan provides to extensions to Holiday Parks and the importance to the tourism economy. Subject to an s106 agreement to secure the required Habitat Regulations Contribution as well as the conditions as set out above including the pre-commencement surface water drainage condition and the proposed soft landscaping condition including the creation of the vegetated 20m buffer zone, the benefits of the proposed development are considered to outweigh the impacts. Therefore, the Officer recommendation is for conditional approval as set out at the start of this report.

## **4. POLICY DOCUMENTS**

### Teignbridge Local Plan 2013-2033 (TLP)

S1A Presumption in favour of Sustainable Development

S1 Sustainable Development Criteria

S2 Quality Development

S6 Resilience

S7 Carbon Emission Targets

S9 Sustainable Transport

S12 Tourism

S17 Dawlish

S22 Countryside

EC11 Tourist Accommodation

EN2A Landscape Protection and Enhancement

EN4 Flood Risk

EN8 Biodiversity Protection and Enhancement

EN9 Important Habitats and Features

EN10 European Wildlife Sites

EN11 Legally Protected and Priority Species

EN12 Woodlands, Trees and Hedgerows

### National Planning Policy Framework (NPPF)

### National Planning Practice Guidance (PPG)

## **5. CONSULTEES**

### 5.1. Devon County Council as Local Highway Authority

- 5.2. The site is accessed off a C Classified County Route which is restricted to 30 MPH. The application is for an extension to the existing caravan site. The access will use the same as the existing. There is likely to be a greater use of the access, but this is considered to be acceptable. Therefore the Highway Authority would have no objection to this application.

### 5.3. Devon County Council as Lead Local Flood Authority (LLFA)

- 5.4. A number of consultation responses have been received from the LLFA requesting additional information (see case file for full representations) regarding infiltration rates, MicroDrainage model outputs regarding proposed surface water drainage systems, and exceedance pathways and overland flow routes across the site in the event of rainfall in excess of the design standard of the surface water drainage management system.
- 5.5. Following these initial consultation responses from the LLFA, the applicant has now submitted additional information in relation to the surface water drainage aspects of the application. Due to the levels of the site and the level of the existing surface water sewer (which is understood to be located within the applicant's wider site), the applicant has proposed a surface water drainage system with a pumped outfall. The applicant has currently proposed a pumped rate of 5 litres/second. However, surface water pumps can restrict to lower rates than this. The applicant should assess reducing the pumped rate further (whilst ensuring that the pump is maintainable). The applicant has noted that some infiltration could be feasible. The applicant has noted that this will be 'indirect' infiltration. Therefore, any volume of infiltration will not be accountable within the model outputs and the system will need to be modelled based on attenuation only. At the detailed design stage, the applicant will need to clarify whether permeable liners and or perforated pipes will be used. The applicant should assess groundwater to ensure that none will enter the system.
- 5.6. The objection from the LLFA is withdrawn and they have no in-principle objections to the planning application at this stage, assuming that a pre-commencement condition is imposed for the following details:
- (a) A detailed drainage design based upon the approved Flood Risk Assessment and Drainage Strategy.
  - (b) Detailed proposals for the management of surface water and silt runoff from the site during construction of the development.
  - (c) Proposals for the adoption and maintenance of the permanent surface water drainage system.
  - (d) A plan indicating how exceedance flows will be safely managed at the site.

The above details are required to ensure that the proposed surface water drainage system will operate effectively and will not cause an increase in flood risk either on the site, adjacent land or downstream in line with SuDS for Devon Guidance and national policies, including NPPF and PPG.

5.7. Teignbridge District Council – Drainage and Coastal Manager

- 5.8. Devon County Council as the LLFA should be consulted on the acceptability of the proposed strategy. In addition to the points which may be raised by DCC, I can advise that the applicant has not provided any information in relation to the disposal of surface water disposal. The site will introduce additional impermeable areas compared to the existing situation and the assumptions of infiltration drainage should be clarified with appropriate testing and appropriate designs of any proposed infiltration devices and permeable surfaces. The site falls within the Dawlish Critical Drainage Area, as defined by the Environment Agency, which means that this catchment needs to be protected from development pressures.

However, the Critical Drainage Area classification and its associated stringent standards are not reflected in the proposed surface water drainage management system. The applicant must note that all surface water runoff from the development must be discharged off-site at rates and volumes no greater than the greenfield performance in the 1 in 10 year rainfall event. Furthermore, all surface water runoff must be managed safely on-site up to, and including, the 1 in 100 year (+40% allowance for climate change) rainfall event.

5.9. Teignbridge District Council – Biodiversity Officer

5.10. The application site is within half a kilometre of the Exe Estuary Special Protection Area and Dawlish Warren Special Area of Conservation. Additional tourist accommodation this close to the SPA/SAC will add to the in-combination negative effects of recreation use on the SPA/SAC, for which mitigation must be secured to satisfy R63 of the Conservation of Habitats and Species Regulations 2017. The Joint Approach provides a mechanism by which mitigation can be secured through a financial contribution from the developer. Research has shown that visit rates from holiday accommodation this close to the Warren are substantially higher than visit rates from residential accommodation. Therefore a proportionally larger contribution is required. The contribution may be secured by S106 Agreement or Unilateral Undertaking and an Appropriate Assessment is needed.

5.11. The Biodiversity Officer also referred to the need for further bat surveys as the Ecological Survey Report identified potential to support roosting bats in buildings to be demolished. However, the report submitted covered the developments for this application (18/01178/MAJ) as well as application 18/01408/MAJ and it is this second separate application which included the demolition of existing buildings. The required bat survey was submitted for application 18/01408/MAJ and in response the Biodiversity Officer withdrew their objection as the survey found no sign of bats and that the buildings were unlikely to support bats.

5.12. Teignbridge District Council – Senior Arboricultural Officer

5.13. Subject to the following, there are no arboricultural objections.

5.14. There are two mature silver birch trees located centrally within the site. The trees have an attractive form and contribute to the immediate visual amenity of the area. While an argument could be made that the trees could be protected by a tree preservation order, it is accepted that the trees are only visible by a relatively small number of people when viewed from residential properties to the south, and also users of Golden Sands / Peppermint Park. Owing to the above, the trees do not contribute significantly to the wider public visual amenity of Dawlish Warren. In addition to the above the trees have a limited life expectancy of perhaps 15-20 years. If the trees are removed there is potential to undertake a substantial landscape scheme utilising and establishing a significant number of high quality trees. While the Council's Landscape Officer will be able to give advice regarding the requirements of such a scheme I make the following comments.

5.15. An Illustrative Masterplan has been submitted that indicatively shows the location of new trees to be planted, and includes a planting schedule. This drawing can form the basis of a landscape plan. A landscape plan is required showing the location, number and species of trees to be planted. All trees 8-10cm girth and above should be shown as container grown stock and trees should not be planted until approval has been provided that the Council's Arboricultural Officer is satisfied

with the condition and form of the trees to be planted. Any trees should comply with the British Standard Trees: from nursery to independence in the landscape.

5.16. Teignbridge District Council – Landscape Officer

- 5.17. The proposed development is largely self-contained and will have no impact on the wider area.
- 5.18. Locally, the development will impact on the properties that look down on the site from Mount Pleasant Road; however, the holiday lodges are set a good distance away from the properties, positioned at a lower level in the landscape, and there is a decent band of shrub planting proposed between the dwellings and the lodges. I am of the opinion that, in the long term, the design approach and planting will achieve a scheme that mitigates any adverse effects.
- 5.19. The proposed planting species and sizes are acceptable; however, I can see no indication as to the numbers / spacing of shrub species, this should be addressed, however, I am happy for it to be conditioned. Although the scheme is acceptable, I think it would be better if the following were adopted: replace the 30 standard size trees with 50 smaller, feathered trees (these will establish more successfully, look more natural and should cost about the same); and, incorporate some additional, small, decorative tree species, planted in close association with the lodges (this would create a softer, more decorative appearance).

## 6. REPRESENTATIONS

- 6.1. 47 representations of objection received to the application, raising the following summarised concerns / objections (see case file for full representations):
1. The application is for a change of use but in recent years the field has been used 6 weeks a year for tents only and in the last two years nothing except for re-sited play equipment and a new service road for seven caravans in the adjacent field.
  2. The application site acts as a recreational area for both tourists and locals plus a natural barrier to the holiday park.
  3. Good design requires the field to act as a natural demarcation between the holiday accommodation and residential properties.
  4. Dawlish Warren is severely overdeveloped in terms of holiday homes, what about the locals that live here.
  5. Impact on the local infrastructure and services.
  6. People visit to see the countryside and beaches; this is getting ruined by holiday sites over developing. Dawlish and Dawlish Warren are losing too many fields and free land.
  7. Visual impact on the landscape. Dawlish Warren is filled with holiday parks, caravans and mobile homes, which is an eyesore.
  8. Breaching of the undeveloped coast.
  9. Impact on wildlife and loss of a valuable green space.
  10. The Preliminary Ecology Report submitted is insufficient.
  11. There are badgers in the field.
  12. Contravenes the Development Plan and NPPF as there is a requirement to protect the natural environment and biodiversity.
  13. Proximity to Exe Estuary SPA and Ramsar Site and Dawlish Warren SAC and impact of increased visitor numbers.
  14. A lot of trees have already been felled.
  15. Evergreen planting should be provided for the whole site.
  16. Impact on views from residential properties on Mount Pleasant Road. Trees won't hide caravans from residential properties, particularly in winter.

17. Concern that tall trees could block views.
18. Overbearing impact on residential properties on Mount Pleasant Road and surrounding area.
19. Loss of privacy.
20. Increased noise and disturbance from music, vehicles and people in general and late night activity.
21. Increased light pollution on wildlife and residential neighbours.
22. Rubbish being left makes its way into residential gardens with an increased risk of vermin and seagulls being attracted to the site.
23. Human Rights Act with regards to right to peaceful enjoyment of the home and other land.
24. Increased fumes from fires and barbecues.
25. Increased odour. Existing sewage works on Dawlish Warren regularly smell.
26. Not enough fire points.
27. Increased traffic, highway safety and parking issues.
28. Speed limit is 20mph and not 30mph.
29. Poor access to the site.
30. Train services are already unable to cope.
31. Critical Drainage Area.
32. Rainwater runoff has not be dealt with and concrete bases will only add to this problem.
33. Risk of flooding.
34. Concerns regarding soakaway testing report submitted.
35. Sewage provision.
36. Impact on fresh water supplies in the summer.
37. The caravans are lived in permanently; concern regarding increased pressures on local services.
38. Judging by the number of these units currently for sale in Dawlish Warren there is already an oversupply in the area.
39. The park homes have a limited life span and deteriorate at a much faster rate than traditional buildings. They are less energy efficient and have a higher carbon footprint. Fuel sources are limited to bulk supplied or electricity. Electrical heating systems are significantly less efficient than other heating systems and have a higher carbon footprint.
40. Concerns regarding permitted sheds, outbuildings, decking and BBQs.
41. Concerns regarding sales practices of company.
42. Poor management of site.
43. Part of the site has been used as a dumping ground.
44. Antisocial behaviour.
45. Static caravans instead of touring caravan and camping sites reduce choices and the provision of camping has been significantly reduced in Dawlish Warren.
46. New location of play equipment is not detailed within the application but states somewhere within the same site. The existing play area creates a lot of noise, especially in the evenings. The relocation of the play area next to the gas works is not appropriate.
47. Impact on property values.
48. The representations in support are not from local residents.

6.2. The representations received include a number of issues such as the impact on property values and the practices of the company operating the site; however, these are not material planning considerations and could not therefore warrant a refusal of planning permission for the current proposal. Matters such as good site

housekeeping, fire safety, drinking water supplies, provision of sanitary facilities and refuse disposal are usually covered by the model conditions applied to the static caravan site licence.

- 6.3. Three representations of support received to the application, raising the following summarised points (see case file for full representations):
1. The application will help to expand the holiday accommodation on offer in Dawlish Warren.
  2. Further investment in the south Devon holiday and tourism sector, creating more jobs and opportunities.

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

- 7.1. Dawlish Town Council resolved unanimously by Members present and voting that the Town Council recommends refusal of this application due to the environmental impact on habitats (which have not been assessed), the visual impact on the surrounding area, pressure on existing drainage and sewage systems, access concerns, possible noise and light pollution for neighbouring residents and reduction of facilities / amenities for people to stay in the area. The proposed playpark is sited next to the gas storage area and has been reduced in size for more people. The current field provides a buffer area for residents so should stay as an area of open countryside.

## **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**