

**Planning Committee Report**

**Chairman: Cllr. Linda Goodman-Bradbury**



<b>Date</b>	27 September 2022
<b>Case Officer</b>	Gary Crawford
<b>Location</b>	The Field Warren Road Dawlish Warren Devon EX7 0NG
<b>Proposal</b>	Change of use from agricultural to a campsite (twenty-six standard sized bell tents), erection of a toilet/shower block, a reception, a communal open barn/picnic area and associated works
<b>Applicant</b>	Mr Lane
<b>Ward</b>	Dawlish North East
<b>Member(s)</b>	Cllr Linda Goodman-Bradbury, Cllr Linda Petherick, Cllr Martin Wrigley
<b>Reference</b>	21/00572/FUL

[Online Details and Documents](#)

**RECOMMENDATION: PERMISSION GRANTED - Indicative Plan**



## 1. REASON FOR REPORT

Dawlish Town Council have requested that this application is referred to the Planning Committee for determination if the case officer is recommending the application for approval for the following reasons:

- Overdevelopment
- Overbearing
- Design is likely to cause noise issues
- Surface water going to the main sewer adds to existing drainage issues
- Concerns regarding the road access, noting ambiguity of permission for the gate – further clarity required
- Loss of habitat
- Overall impact on amenity of local residents
- Lack of seasonal restrictions as per the surrounding fields

## 2. RECOMMENDATION

SUBJECT TO:

Securing adequate mitigation for impacts on the Exe Estuary and Dawlish Warren

PERMISSION BE GRANTED subject to the following conditions:

1. Time limit.
2. Works shall proceed in accordance with approved plans.
3. Details of the site noise management plan shall be provided with each booking made. The management plan and site booking terms and conditions shall specify noise minimization requirements including specifically after 11.00pm every day.
4. No external lighting shall be installed on, or in association with, the camp site, except for low-lumen, PIR motion-activated lights on a short timer (maximum 2 minutes). Any lights should be mounted at a height no greater than 1.9m from ground level, directed and shielded downward and away from the site hedges and trees. The lights should produce only narrow spectrum, low-intensity light output, UV-free, with a warm colour-temperature (3,000K or less) and a wavelength of 550nm or more.
5. A maximum of 26 bell tents shall be sited on the site, as shown on the hereby approved Block Plan.
6. The site shall be used for the purposes of camping only. This use shall only take place between 1 May and 30 September each year.
7. The camping pitches shall be occupied for holiday purposes only, for no more than three 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. The owner shall maintain an up to date register of the detail of all occupiers, including their names and main home addresses, of the camping pitches on the site and shall make it available for inspection at all reasonable times by the local planning authority.
8. The existing trees/shrubs and hedges on the southern, western and northern boundaries of the site shall be retained in perpetuity.
9. Prior to its installation, section details of the decking for the 5 luxury bell tents hereby approved shall be submitted to and approved in writing by the Local Planning Authority.

### 3. DESCRIPTION

#### The site

- 3.1 The application site relates to the western half of an agricultural field which has been divided in half and is located on the corner of Warren Road and Mount Pleasant Road, Dawlish Warren. The site features an existing vehicular access from Warren Road which was granted approval in January 2020 under reference number 19/01696/FUL. The site is bounded by a dense hedge on its northern and western boundaries, a post and wire fence on its eastern boundary and, a hedgebank and trees on its southern boundary.
- 3.2 A change of use of the site from agricultural land to an open air market and ancillary parking for 1 day per week for a maximum of 16 days in the year was granted permission on appeal in 1992. The site was used as a temporary campsite last summer with the applicant implementing his permitted development rights to use the site for camping for 56 days per year. This has continued this summer.
- 3.3 In terms of planning policy, the site is located within designated open countryside. The site is also located within a curl bunting wintering zone.

#### The application

- 3.4 This application seeks permission for a change of use of the site from agricultural to a campsite (consisting of twenty-six standard sized bell tents), erection of a toilet/shower block, a reception, a communal open barn/picnic area and associated works.

#### Main issues

- 3.5 The main issues for consideration are:

- Principle of the development;
- Impact upon the character and visual amenity of the area/open countryside;
- Impact on residential amenity of surrounding properties;
- Biodiversity impacts;
- Highway safety;
- Flood risk/drainage; and
- Carbon reduction.

#### Principle of the development/sustainability

- 3.6 Policy EC11 (Tourist Accommodation) of the Teignbridge Local Plan details that within the open countryside, tourist accommodation will be acceptable in principle where it is one of the following:
- a) expand or improve existing tourist accommodation locations;
  - b) support expansion or improvement of an existing tourist attraction;
  - c) provide a new campsite or caravan site;
  - d) involve the appropriate conversion or change of use of a permanent and soundly constructed building which sensitively retain any historic interest and character;
  - e) part of a farm diversification scheme;
  - f) use a dwelling to provide bed and breakfast accommodation; or

g) provide innovative or unusual forms of accommodation which widen and enhance the tourist offer of the area.

- 3.7 As the proposal is for a new campsite, the principle of the proposed development is considered to be acceptable, subject to compliance with other relevant policies of the Local Plan.

Impact upon the character and visual amenity of the area/open countryside

- 3.8 The proposal involves the installation of twenty-six standard sized bell tents in addition to the erection of a toilet/shower block, a reception building, a communal open barn/picnic area and associated works which includes the formation of a hardstanding area for parking. The new structures on site would be single storey in height with the toilet/shower block and reception building featuring burnt larch timber clad walls on a plinth of blue engineering bricks with corrugated roofing. The communal barn/picnic area would be open sided with blue engineering brick columns and a corrugated roof.

- 3.9 The site is well screened by the existing trees and hedges when viewed from the south, west and north, and the applicant has detailed that he intends to plant 80 metres of native hedgerow along the eastern boundary of the site. As such, the proposal is unlikely to be particularly visible when viewed from the public realm other than from the site entrance. Given the existing campsites and holiday parks within the vicinity of the application site, it is considered that the proposed development would not appear unacceptably out of keeping with the character of the area or result in an overdevelopment of the site.

- 3.10 The proposal includes the provision for 5 luxury bell tents with decking and it is recommended that a condition is included with any permission requiring details of the decking to be submitted to and approved in writing by the Local Planning Authority prior to its installation on the site.

Impact on residential amenity of surrounding properties

- 3.11 Concerns have been raised by both neighbours and Dawlish Town Council with regards to noise from the proposal. Moreover, the Council's Environmental Health department have been consulted on this application and they initially raised concerns with regards to noise and lighting from the development and its impact upon the amenity of nearby residential properties.
- 3.12 The applicant has advised that the site operated as a temporary campsite last summer with the applicant implementing his permitted development rights to use the site as a temporary campsite for 56 days per year. To prevent any noise and disturbance impacts upon nearby properties, the applicant has stated that the temporary campsite had strict policies in place including a noise management policy and this was included within the Terms and Conditions on the campsite's website

which states that quiet hours must be respected between 11.00 pm and 7.00 am. The applicant has also advised that upon booking online, customers are required to tick a box to confirm that they have read and understood the Terms and Conditions and a copy is also emailed to them upon booking confirmation.

- 3.13 In addition, the applicant has set out that upon arrival at the campsite, each guest was greeted at the main gate and given a site briefing which included the reiteration of the noise management policy. In addition, a site rule board is displayed on site which includes the quiet hours and a site warden contact number is also provided.
- 3.14 Following the submission of the additional information regarding noise management on the site, the Council's Environmental Health Officer has advised that this information has assisted with his concerns, although he has requested that vehicle movements on the site are linked to the quiet times. The vehicle movement hours have subsequently been amended in the Terms and Conditions on the campsite's website to accord with the quiet times. Subject to a condition that details of noise management for the campsite shall be provided with each booking made, it is considered that this represents an appropriate route to managing site noise.
- 3.15 The Council's Biodiversity Officer has advised that a condition which states that no external lighting shall be installed on, or in association with the campsite, except for low-intensity, passive infrared motion-activated lights on a short timer and directed downwards shall be included with any permission. Subject to this external lighting condition being included with any permission, it is considered that the proposal would not result in any unacceptable light pollution impacts upon neighbouring properties.
- 3.16 Representations regarding overlooking and loss of privacy upon nearby residential properties are noted. However, given the distance of over 25m between the proposed bell tents and the front elevations of the properties in Mount Pleasant Road, and given the existing dense hedge along the northern boundary of the site, it is deemed that the proposal would not result in any significantly harmful overlooking, loss of privacy and overbearing impacts upon the properties in Mount Pleasant Road. It is acknowledged that the proposal includes the provision of decking for 5 bell tents which would be located in the north west corner of the site. No elevation details of the decking have been provided and it is recommended that a condition is included with any permission requiring details of the decking to be submitted. Nevertheless, due to the distance between the proposed decking areas and the front elevations of the properties in Mount Pleasant Road, it is considered that the proposal would not result in any detrimentally harmful overlooking or loss of privacy impacts upon the properties in Mount Pleasant Road.

#### Biodiversity impacts

- 3.17 The Council's Biodiversity Officer has been consulted on this application and she has commented that a previous site visit showed the site to be of relatively low wildlife value, with the hedges providing the main interest and likely to support nesting birds and foraging/flyway opportunities for bats. Many species are

adversely affected by artificial lighting at night and as such, the Biodiversity Officer has requested that a lighting control condition is included with any approval.

- 3.18 The Biodiversity Officer has noted further in her consultation response that she welcomes the proposed retention of hedges and the proposed planting of a new hedge, which should be of a mix of locally appropriate, native species.
- 3.19 The application site is within 10km of the Exe Estuary SPA and Dawlish Warren SAC and is therefore subject to the requirements of the 2017 Conservation of Habitat and Species Regulations. More information about these regulations as they apply in this area can be found here <https://www.teignbridge.gov.uk/planning/biodiversity/exe-estuarydawlish-warren-habitat-mitigation/> .
- 3.20 In the absence of bespoke mitigation, a Unilateral Undertaking has been submitted and the applicant has proposed to pay a habitat mitigation contribution of £3,673.87 in order to offset the in-combination recreation impacts on the SPA and SAC from the proposed development. The Council's Biodiversity Officer has commented that the calculation of the Exe Estuary SPA/Dawlish Warren SAC is incorrect, as it was based on an assumption that a planning permission had already been granted for camping at the site, and fails to take account of the Dawlish Warren close-vicinity multiplier. The Biodiversity Officer has advised that to enable the calculations to be corrected, it is necessary to know what period the applicant intends the camp site to be open for each year. This information has been requested from the applicant and an update on the habitat mitigation contribution required will be provided at the Planning Committee meeting.

#### Highway safety

- 3.21 Representations regarding an increase in traffic from the proposed development and impacts on highway safety are noted. Devon County Council's Highways department have been consulted on this application and they have commented that the amount of traffic the site is likely to generate is unlikely to have a severe impact on the existing highway network.
- 3.22 Furthermore, the vehicular access to the site from Warren Road was approved in January 2020 under reference number 19/01696/FUL. The Highway Authority have commented that the visibility from the vehicular access is more than sufficient and as such, the Highway Authority has raised no objections to the proposal. 29 parking spaces will be provided on site to serve the proposed development, however, the site is also located in close proximity to public transport routes, including Dawlish Warren railway station.

### Flood risk/drainage

- 3.23 It is proposed that surface water from the development will be disposed of via the main sewer. South West Water have been consulted on this application and they initially commented that the proposed discharge to the public combined sewerage network is not an acceptable proposed method of disposal, in the absence of clear evidence to demonstrate why the preferred methods listed within the Run-off Destination Hierarchy have been discounted by the applicant. The Council's Drainage Engineers also commented that the applicant had not provided any information in relation to the disposal of surface water from the site.
- 3.23 Following discussions between the applicant's drainage consultant and South West Water, South West Water have confirmed that they will allow the surface water generated from the proposed shower and toilet block (roof run off) to discharge to the public combined system at the attenuated rate of 1 litre per second. The Council's Drainage Engineers have commented that following confirmation from South West Water that they are happy to allow the surface water generated from the proposed shower and toilet block to discharge to the public combined system at the attenuated rate of 1l/s, they have no further objection. As such, the proposal is deemed to be acceptable with regards to surface water drainage.

### Carbon reduction

- 3.24 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. Due regard must be given to Local Plan policies S7 and EN3 when determining planning applications. As the proposal is not considered 'major' development, a carbon reduction plan is therefore not required.
- 3.25 It is though considered that the proposal would contribute to achieving a reduction in carbon emissions as it supports domestic tourism and is therefore likely to result in less international air travel. The submitted plans detail that solar panels will be installed on the south facing roof slopes of the reception building and the communal barn/picnic area. The applicant has also detailed that his intention is to use solar thermal for the shower/toilet block and the reason for pre-erected bell tents is to discourage guests from travelling to the site own their own vehicles, especially with public transport routes nearby.

### Conclusion

- 3.26 The proposal would provide a new campsite in the open countryside and it is not considered that there are any adverse impacts of granting permission that would

significantly or demonstrably outweigh the benefits that this consent would bring to the local rural economy. Officer recommendation is therefore to grant conditional approval.

#### **4. POLICY DOCUMENTS**

##### Teignbridge Local Plan 2013-2033

S1A Presumption in favour of Sustainable Development

S1 Sustainable Development Criteria

S2 Quality Development

S7 Carbon Emission Targets

S12 Tourism

S22 Countryside

EC11 Tourist Accommodation

EN2A Landscape Protection and Enhancement

EN3 Carbon Reduction Plans

EN8 Biodiversity Protection and Enhancement

EN10 European Wildlife Sites

EN11 Legally Protected and Priority Species

EN12 Woodlands, Trees and Hedgerows

##### National Planning Policy Framework

##### National Planning Practice Guidance

#### **5. CONSULTEES**

##### **TDC Biodiversity Officer:**

Unfortunately, the calculation of the Exe Estuary SPA/Dawlish Warren SAC is incorrect, as it was based on an assumption that a planning permission had already been granted for camping at the site, and fails to take account of the Dawlish Warren village close-vicinity multiplier. To enable the calculations to be corrected it is necessary to know what period the applicant intends the camp site to be open for each year. Please re-consult me when this information is available.

A previous site visit showed it to be of relatively low wildlife value, with the hedges providing the main interest and likely to support nesting birds and foraging/flyway opportunities for bats. Many species are adversely affected by artificial lighting at night, so please attach a lighting control condition.

I welcome the proposed retention of hedges and the proposed planting of a new hedge, which should be of a mix of locally appropriate, native species.

##### **TDC Environmental Health:**

Comments received 13 September 2021

There are two principle concerns regarding this application that I will deal with in turn. Firstly, noise levels. A development of this nature will increase general noise levels compared to an open agricultural field. There is an adjacent road which increases background noise levels. Tents have very little sound insulation capacity and the control of noise would be limited to the management policies and enforcement by the site operators. The applicant should provide details of these policies which then could be conditional if permission is granted.

A note that block C is described as a communal bar/picnic area. If this area is used late at night it will create noise disturbance to neighbours. The building is open sided which will not afford any sound insulation. I recommend that the use of this area is restricted to 9pm and a condition is specifically included preventing both live or recorded music being played in this structure or alcohol being served.

Regarding lighting this has the potential to both cause disturbance to local neighbours and increase the likelihood of increased noise levels if the area is illuminated into the late evening. I recommend that if you are minded to grant permission a lighting scheme is submitted and approved by the LPA to minimise the impact on the neighbourhood. This would involve low level, motion sensed lighting which is timer controlled.

#### Comments received 22 September 2021 following the submission of additional information from the applicant in response to concerns with regards to noise

These would assist with my concerns but I would ask that the vehicle movements are linked to the quiet times. At present the site quiet hours are 11pm – 7am but vehicle movement between 11 p.m. and 5 a.m.

#### **TDC Drainage Engineers:**

##### Comments received 2 June 2021

The applicant has not provided any information in relation to the disposal of surface water from the site to enable me to make observations on the proposal. The applicant must therefore submit a surface water drainage management plan which demonstrates how surface water from the development will be disposed of in a manner that does not increase flood risk elsewhere, in accordance with the principles of Sustainable Drainage Systems. The applicant is therefore advised to refer to Devon County Council's Sustainable Drainage Design Guidance, which can be found at the following address:  
<https://new.devon.gov.uk/floodriskmanagement/sustainable-drainage/>

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 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.

### Comments received 27 July 2022

Further to confirmation from South West Water that they are happy to allow the surface water generated from the proposed shower and toilet block (roof run off) to discharge to the public combined system at the attenuated rate of 1l/s, I have no further objection.

### **DCC Highways:**

The proposed site is accessed off Warren Road, which is a C class local distributor road, restricted to 20 mph.

There have been no collisions reported to/ by the police between 01/01/20105 and 31/12/2019.

The proposal is for 26 pitches and has 29 car parking spaces. The amount of traffic the site is likely to generate is unlikely to have a severe impact on the existing Highway network.

The existing gateway is 6.5m wide which is adequate to allow 2 vehicles to pass. If it is intended that the gate is to be shut, then it would need to be moved further back to be 6m from the back of the footway. It is currently 6m back from the carriageway but that includes the 2m footway.

For speeds of 20 mph a 25m visibility splay is required in either direction. On visiting the site, over 50m was measured in each direction, so the visibility is more than sufficient.

The Highway Authority has no objections to the proposal.

### **South West Water:**

#### Comments received 6 May 2022

Having reviewed the applicant's current information as to proposed surface water disposal for its development, please note that discharge to the public combined sewerage network is **not** an acceptable proposed method of disposal, in the absence of clear evidence to demonstrate why the preferred methods listed within the Run-off Destination Hierarchy have been discounted by the applicant.

The applicant should demonstrate to your LPA that its prospective surface run-off will discharge as high up the hierarchy of drainage options as is reasonably practicable (with evidence that the Run-off Destination Hierarchy has been addressed, and reasoning as to why any preferred disposal route is not reasonably practicable):

1. Discharge into the ground (infiltration); or where not reasonably practicable,
2. Discharge to a surface waterbody; or where not reasonably practicable,
3. Discharge to a surface water sewer, highway drain, or another drainage system; or where not reasonably practicable,
4. Discharge to a combined sewer.( Subject to Sewerage Undertaker carrying out capacity evaluation)

## Comments received 24 June 2022

I can confirm that South West Water will allow the surface water generated from the proposed shower and toilet block (roof run off) to discharge to the public combined system at the attenuated rate of 1l/s.

We require the onsite surface water and foul sewers to be laid separately to the public combined sewer in accordance with Part H of Building Regs.

We would encourage the use of water butts or similar for water harvesting on site where possible.

## **6. REPRESENTATIONS**

A site notice was erected and neighbouring properties were consulted via letter.

12 letters of objection have been received which raised the following concerns:

- Overdevelopment.
- Noise pollution.
- Loss of privacy/overlooking.
- The toilet block on the land is unsightly.
- Increase in traffic.
- Highway safety.
- Light pollution.
- Impact on wildlife.
- Air pollution.
- Increase in litter.
- Proposed bell tents will look tired and unsightly without a vigorous maintenance schedule.
- Impact on sewer.

8 letters of support have been received which made the following comments:

- More holiday accommodation is required.
- Will support the local economy.
- Low impact on the local area.
- Would attract families.
- Environmentally friendly.

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

### **Dawlish Town Council:**

RESOLVED by majority of Members present and voting that this Council recommends REFUSAL of this application for the following reasons:

- Overdevelopment
- Overbearing
- Design is likely to cause noise issues
- Surface water going to the main sewer adds to existing drainage issues
- Concerns regarding the road access, noting ambiguity of permission for the gate – further clarity required
- Loss of habitat
- Overall impact on amenity of local residents
- Lack of seasonal restrictions as per the surrounding fields

It was further RESOLVED to request the application be considered by Teignbridge District Council Planning Committee should the officer be minded to approve.

## **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**