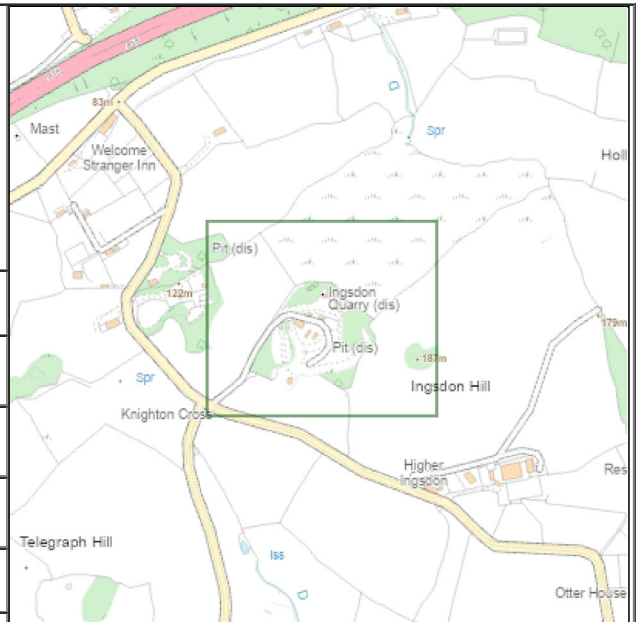


**Planning Committee Report**

**Chairman: Cllr Colin Parker**

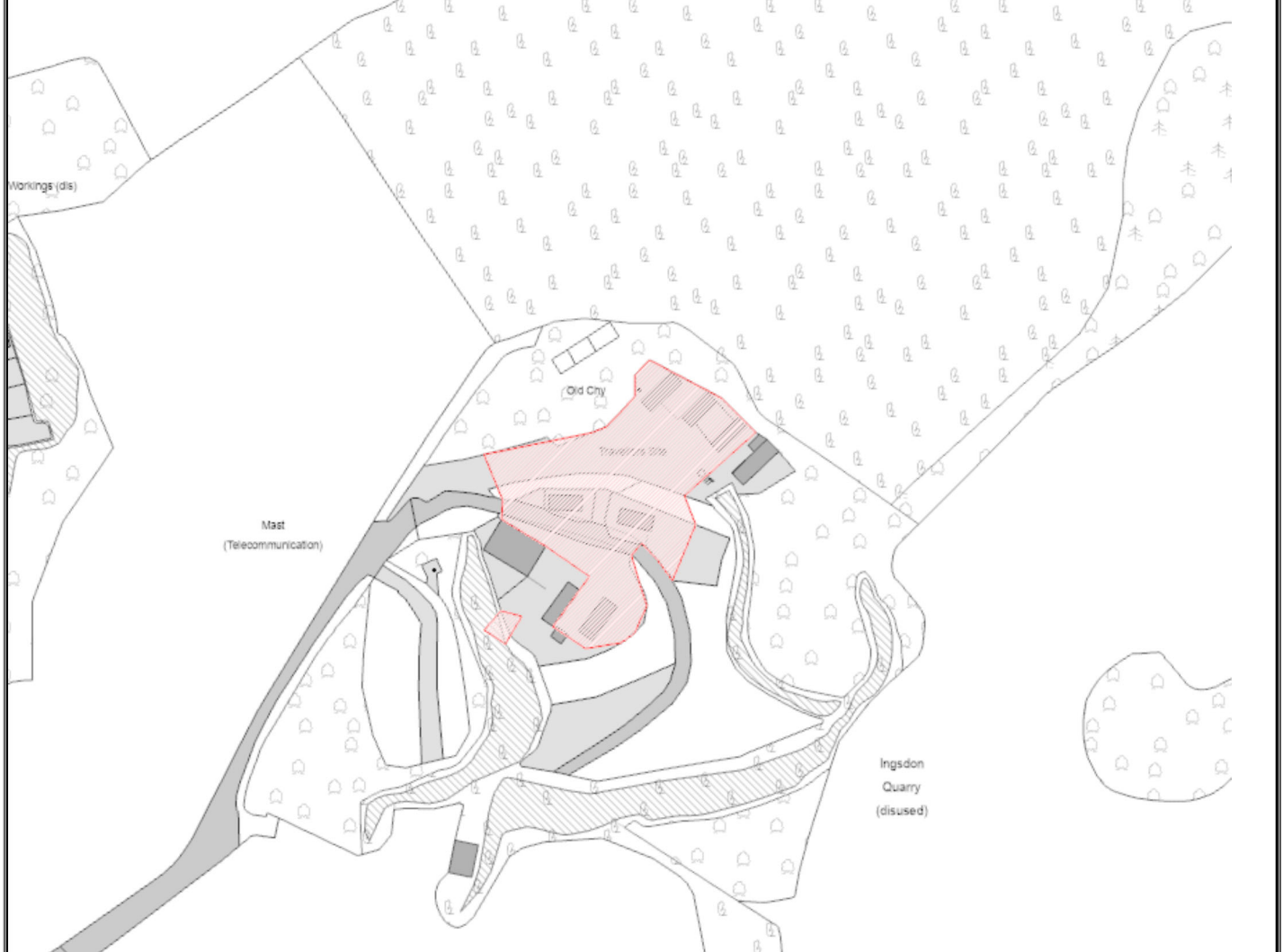
<b>Date</b>	20 August 2024
<b>Case Officer</b>	Gary Crawford
<b>Location</b>	Higher Ingsdon Quarry Knighton Cross Ingsdon Hill Newton Abbot Liverton Devon TQ12 6JA
<b>Proposal</b>	Retention of six existing caravan pitches for use by travelling community
<b>Applicant</b>	Mr P Parker
<b>Ward</b>	Haytor
<b>Member(s)</b>	Cllr Robert Steemson
<b>Reference</b>	19/01090/FUL



[Online Details and Documents](#)

**RECOMMENDATION: PERMISSION GRANTED**

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## 1. REASON FOR REPORT

The applicant is a Council Member

## 2. RECOMMENDATION

PERMISSION BE GRANTED subject to the following conditions:

1. The works hereby permitted shall be carried out in accordance with the application form and the following approved plans/documents:

Date Received	Drawing/reference number	Description
28 Jun 2019		Foul Drainage Assessment Form (FDA)
28 Jun 2019		Block Plan
31 Jul 2019	P01	Site Location Plan

REASON: In order to ensure compliance with the approved drawings.

2. No external lighting shall be installed on, or in association with the caravan pitches hereby approved, except for low-intensity, PIR motion-activated lights on a short timer (maximum 2 minutes), sensitive to large objects only (to avoid triggering by bats or other wildlife). Any lights should be mounted at a height no greater than 1.9m from ground level, directed/cowled downwards and away from hedges and trees. The lights should produce only narrow spectrum, low-intensity light output, UV-free, with a warm colour-temperature (2,700K or less) and a wavelength of 550nm or more.

REASON: For protection of legally protected light-sensitive bats.

3. The site shall not be occupied by any persons other than gypsies and travellers as defined in paragraph 1 of Annex 1 of DLUHC Planning Policy for Traveller Sites, December 2023.

REASON: Permission for residential occupation of the site is only granted by reason of the special circumstances of gypsies/travellers.

4. The site shall accommodate no more than six gypsy and traveller pitches at any time. Any static caravan unit stationed on the site at any time must meet the definition of a caravan as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968. There shall be no more than six touring caravans parked/stored on the site, which shall all be associated with the six hereby permitted pitches.

REASON: In order to ensure compliance with the terms of the permission.

### **3. DESCRIPTION**

#### The site

- 3.1 The site is a parcel of land once quarried, surrounded by agricultural land, set back from the highway. The site lies within the designated open countryside. Due to the topography of the site, the site is stepped with the access track gently rising from south west to north east, with the northerly point being set higher.
- 3.2 At the time of the site visit, it was unclear what facilities and services were available on site. The agent has confirmed that the site benefits from services to comply with an environmental health caravan site license.
- 3.3 The nearest settlement is Liverton to the north, which benefits from some services such as a community shop, garage, public house and primary school. The primary school is approximately 20 minutes from the application site by walking.

#### The application

- 3.4 The subject application seeks permission for the retention of 6 residential caravan pitches for use by members of the gypsy or traveller communities which would each accommodate two parking spaces per pitch and additional garden space and a foul treatment system.
- 3.5 The six caravans covered by this application and on site at present are caravans as set out in the Caravan Sites Act.
- 3.6 No works to the existing access or access track form part of the proposal.

#### Main issues

The main issues for consideration are:

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

## Principle of the development

- 3.7 Policy S22 (Countryside) sets out development types that would be acceptable in the countryside, subject to fulfilling a number of appropriate criteria. The acceptable development types include provision of gypsy and traveller pitches. Therefore, providing the development meets the relevant assessment criteria contained in the Policy, the proposed development can be considered to accord with Policy S22.
- 3.8 Policy WE6 (Homes for the Travelling Community) of the Teignbridge Local Plan 2013-2033 sets out that at least 70 pitches for gypsies and travellers will be provided for between 2013–2033. Policy WE6 states that gypsy and traveller pitches and travelling showpeople plots are appropriate uses within the defined limits of settlements. Policy WE6 also details that proposals for additional gypsy and traveller pitches or travelling show people plots in the open countryside will be permitted provided that:
- a) in the case of Gypsy and Traveller pitches, there is not a five year supply of permitted or allocated pitches;
  - b) in the case of Travelling Showpeople plots, there is a proven need;
  - c) the proposed site is within approximately 30 minutes travel by means of public transport, walking or cycling of a primary school. Exceptions should be clearly justified;
  - d) occupation is limited to those meeting the definition of Gypsies and Travellers and Travelling Showpeople in the relevant national planning policy;
  - e) any business use proposed within the development does not exceed 50% of the developed area of the site, excluding storage requirements of travelling showpeople; and
  - f) it can be demonstrated that the site is in a location that will not affect the integrity of the South Hams SAC.
- 3.9 On 1 April 2024, Teignbridge District Council had a 6.5 year supply of permitted or allocated gypsy and traveller pitches. The Teignbridge Local Plan Addendum 2020-2040 was submitted to the Secretary of State for Levelling Up, Housing and Communities (now the Ministry of Housing, Communities & Local Government) for examination on 14 March 2024. The Local Plan Submission includes an allocation site at Welcome Stranger Cross, Liverton (V11) of 12 gypsy and traveller pitches. Whilst the Welcome Stranger Cross site has been submitted for allocation in the emerging Local Plan, the emerging Local Plan has not yet been adopted and there have been objections to the Welcome Stranger Cross allocation. As such, the current application at Higher Ingsdon Quarry would contribute towards the Council's five year supply of permitted or allocated gypsy and traveller pitches and offer some resilience to a supply that can be difficult to maintain, particularly if in the event that the Welcome Stranger Cross site was not included in the new Local Plan.
- 3.10 In terms of sustainability, the application site is within 30 minutes travel by walking of Blackpool Primary School. As such, the proposal would comply with criterion c of Policy WE6 of the Local Plan.
- 3.11 Policy H10 (Homes for the Travelling Community) of the emerging Local Plan sets out that proposals for Gypsy and Traveller pitches and Travelling Showpeople plots

in the countryside will be permitted provided that the existing level of local provision in the district is not sufficient to meet an evidenced increased demand for sites. Again, the issues in relation to the objections to the proposed allocation at the Welcome Stranger Cross as noted above at 3.9 apply.

- 3.12 On balance, taking the current Local Plan as a whole and the difficulty in maintaining a supply of gypsy and traveller pitches, it is considered that the principle of the development in this location is acceptable.

#### Highway safety

- 3.13 Policy S1 (Sustainable Development Criteria) of the Teignbridge Local Plan 2013-2033 specifies that proposals will be required to perform well against various sustainability criteria, one of which is accessibility by walking, cycling and public transport for main travel purposes, particularly work, shopping, leisure and education.

- 3.14 According to Google maps, the application site is located a 20 minute walk (0.9 miles) from Blackpool Primary School (see figure 1).



Figure 1: Estimated time to walk from the application site to Blackpool Primary School (Source: Google maps)



- 3.15 It is acknowledged that 0.3 miles of this walk, from the site entrance to the Welcome Stranger pub (see figure 2), is along a 60mph country lane with no footpath. However, due to the topography of the lane and the bends in the lane, it is considered likely that vehicles would travel along this lane at speeds significantly below 60mph. Furthermore, there are a number of passing places on the lane between the site entrance and the Welcome Stranger pub. As such, it is considered that, on balance, the proposal is acceptable in terms of accessibility by walking.

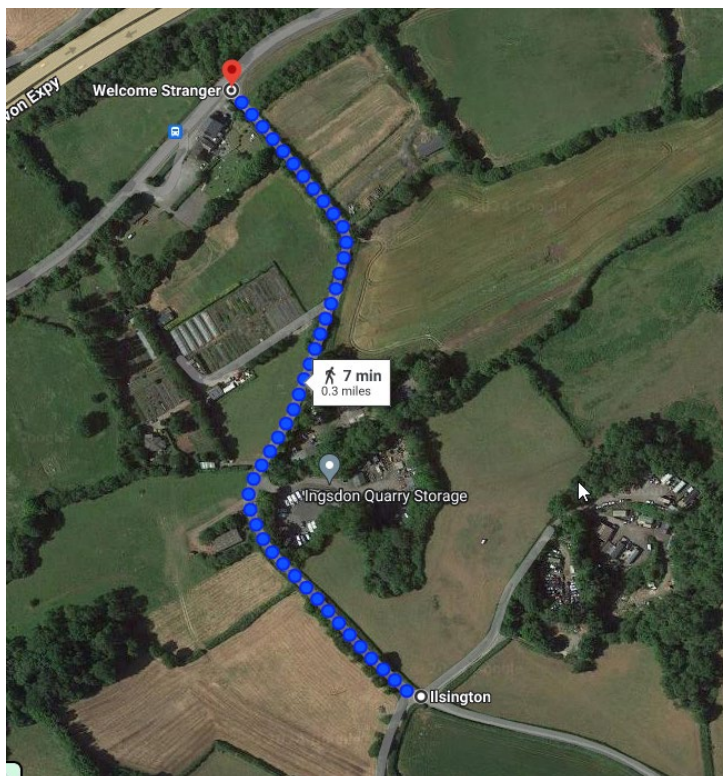


Figure 2: Estimated time to walk from the application site to the Welcome Stranger (Source: Google maps)

- 3.16 The application site is served by an existing access from the public highway and it is deemed that the development does not result in a severe impact on the road network.
- 3.17 As such, it is considered that the proposal does not result in any unacceptable impacts on highway safety and, that the proposal complies with Policies S1 and WE6 of the current Local Plan.

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

- 3.18 Due to the topography of the site and given that the site is well screened when viewed from the public realm by mature trees, it is considered that the proposal does not result in any significantly harmful impacts upon the character and visual amenity of the open countryside.

### Impact on residential amenity of surrounding properties

- 3.19 Due to the distance of approximately 300m between the application site and the nearest neighbouring property and the intervening vegetation and topography, it is deemed that the proposal does not result in any adverse impacts upon the residential amenity of any surrounding properties.

### Biodiversity impacts

- 3.20 The site is within an Other Site of Wildlife Interest (OSWI). This is a non-statutory designation for sites of lesser biodiversity value than County Wildlife Sites. The Council's Biodiversity Officer has advised that as the application is retrospective and the site has been in this use for some, any damage to OSWI wildlife is likely already to have occurred. Furthermore, the application site is located within the South Hams Special Area of Conservation (SAC) Landscape Connectivity Zone. The Biodiversity Officer has advised that unless floodlighting is proposed, it is unlikely that the proposal would have a landscape-scale impact. No floodlighting is proposed, however, it is considered necessary to include an external lighting condition with any permission.

### Land drainage/flood risk

- 3.21 The site lies within Flood Zone 1 and the submitted application form details that surface water is disposed of via a soakaway. The submitted Foul Drainage Assessment Form stated that foul sewage from the development is disposed of via a package treatment plant. Given the location this is an appropriate arrangement and matters relating to drainage and flood risk are satisfied.

### Carbon reduction

- 3.22 Due to the nature of the proposal, that being the use of land for the siting of caravans, specific carbon reduction measures are not sought. Nevertheless, although the site is located within the open countryside, the sustainability of the site is considered to be acceptable for the proposed use as it provides a reasonable level of accessibility to services for a rural site, other than via the private motor car.

### Conclusion

- 3.23 In conclusion, it is considered that the proposal constitutes an acceptable form of development in this location and will help contribute to maintaining the supply of gypsy and traveller pitches within Teignbridge.

## **4. POLICY DOCUMENTS**

### Teignbridge Local Plan 2013-2033

Policy S1A (Presumption in favour of Sustainable Development)

Policy S1 (Sustainable Development Criteria)

Policy S2 (Quality Development)  
Policy S7 (Carbon Emission Targets)  
Policy S22 (Countryside)  
Policy WE6 (Homes for the Travelling Community)  
Policy EN2A (Landscape Protection and Enhancement)  
Policy EN3 (Carbon Reduction Plans)  
Policy EN4 (Flood Risk)  
Policy EN8 (Biodiversity Protection and Enhancement)  
Policy EN10 (European Wildlife Sites)  
Policy EN11 (Legally Protected and Priority Species)

#### Submission Teignbridge Local Plan 2020-2040

GP1 Sustainable Development  
GP3 Settlement Limits and the Countryside  
H10 Homes for the Travelling Community  
EN4 Landscape Protection and Enhancement  
EN6 Flood Risk and Water Quality  
EN8 Light Pollution  
EN10 Biodiversity and Geodiversity  
EN11 Important Habitats and Features  
EN12 Legally Protected and Priority Species  
EN13 European Wildlife Sites  
EN15 South Hams SAC

National Planning Policy Framework  
National Planning Practice Guidance

DLUHC Planning Policy for Traveller Sites, December 2023

## **5. CONSULTEES**

**TDC Biodiversity Officer (see application file for comments in full):** No objection.

## **6. REPRESENTATIONS**

A site notice was posted at the site.

One letter of comment has been received which has made the following point:

- Local children from South Knighton and Ingsdon have used the road past the quarry to walk to school and to catch the school bus from the Welcome Stranger pub.

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



**Ilington Parish Council:** The residents who are allocated a unit must be part of the gypsy and traveling community and must be registered via the DCC liaison officer otherwise we have no objection.

#### **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.

**Head of Development Management**