

Forde House
Newton Abbot
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15 November 2019

PLANNING COMMITTEE

Dear Councillor

You are invited to a meeting of the above Committee which will take place on **Tuesday, 26th November, 2019** in the Council Chamber, Forde House, Brunel Road, Newton Abbot, TQ12 4XX at **10.00 am**

Yours sincerely

PHIL SHEARS
Managing Director

Membership: Councillors Haines (Chairman), Goodman-Bradbury (Deputy Chairman), Bradford, Bullivant, Clarence, Colclough, H Cox, Hayes, J Hook, Jeffery, Keeling, Jenks, Kerswell, MacGregor, Nuttall, Nutley, Patch, Parker, J Petherick, Phipps and Wrigley

Substitutes: Councillors Dewhirst, Jeffries, Russell, Austen, Daws and Hocking

Please Note: Filming is permitted during Committee meeting with the exception where there are confidential or exempt items, which may need to be considered in the absence of the press and public. By entering the Council Chamber you are consenting to being filmed.

If Councillors have any questions relating to predetermination or interests in items on this Agenda, please contact the Monitoring Officer in advance of the meeting

Public Access Statement

Information for the Public

Health and safety during the meeting. In the event the fire alarm sounds please evacuate the building calmly but quickly using the nearest exit available, do not stop to collect personal or other belongings and do not use the lift. Fire Wardens will assist you to safety and 'safety in case of fire instructions' are prominently displayed in the Council buildings and should be followed. Should an escape route be compromised the nearest alternative escape route should be used. Proceed quickly to the assembly point in the very far overflow car park. Please report to the person taking the roll-call at the assembly point if you have evacuated without being accounted for by a member of staff.

There is an opportunity for members of the public to speak on planning applications at this meeting. Full details are available online at www.teignbridge.gov.uk/planningcommittee.

Please email comsec@teignbridge.gov.uk or phone 01626 215112 to request to speak by **12 Noon** two working days before the meeting.

This agenda is available online at www.teignbridge.gov.uk/agendas five working days prior to the meeting. If you would like to receive an e-mail which contains a link to the website for all forthcoming meetings, please e-mail comsec@teignbridge.gov.uk

General information about Planning Committee, delegated decisions, dates of future committees, public participation in committees as well as links to agendas and minutes are available at www.teignbridge.gov.uk/planningcommittee

Any representations or information received after the preparation of the reports and by noon on the Friday before the planning committee will be included in the late updates sheet.

All documents relating to planning applications can be viewed online at www.teignbridge.gov.uk/planningonline. In the case of sensitive applications representations are not placed on the website All representations are read by the case officer and a summary of the planning matters raised is placed online instead.

AGENDA

PART I

(Open to the Public)

1. Minutes
To confirm the minutes of the last meeting.
2. Apologies for absence.
3. Matters of urgency/report especially brought forward with the permission of the Chairman.

4. Declarations of Interest.

5. Public Participation

The Chairman to advise the Committee on any requests received from members of the public to address the Committee.

6. Planning applications for consideration - to consider applications for planning permission as set out below.

- a) NEWTON ABBOT - 19/01439/FUL - Former Wolborough Hospital Development Site , Old Totnes Rd - Replacement of 5-bed residential unit 10 under 13/01497/MAJ with 2x semi-detached and 2x detached 3-bed residential units (Pages 5 - 16)
- b) IPPLEPEN - 19/01655/FUL - 15 Ledsgrove, Ipplepen - Single storey rear extension, extension to and raising of roof to garage & cladding to front and dormer gables (Pages 17 - 22)
- c) BICKINGTON - 19/01204/OUT - Land To The North Of Old Hill, Bickington - Outline application for four affordable dwellings and five market dwellings, (approval sought for access) (Pages 23 - 40)
- d) TEDBURN ST MARY - 19/01665/FUL - Springfield Holiday Park, Tedburn St Mary - Use of land for siting of 12 static caravans with decking areas and associated works for holiday use including the demolition of club house and bungalow (Pages 41 - 48)
- e) TEIGNMOUTH - 19/01479/FUL - Welim Lodge , 27 Woodway Road - Two storey side extension and replacement garage (Pages 49 - 56)
- f) TEDBURN ST MARY/WHITESTONE - 19/01473/MAJ - Fingle Glen Golf Club , Tedburn St Mary - Improvement of the existing golf facilities and remodelling of the golf course along with change of use of the existing golf course land for the siting of 25 self contained units of holiday accommodation (Pages 57 - 74)

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7. Appeal Decisions - to note appeal decisions made by the Planning Inspectorate.

PART II (Private)

Items which may be taken in the absence of the Public and Press on grounds that Exempt Information may be disclosed.

Local Government Act 1972 (Section 100 and Schedule 12A).

APPENDIX 1

THE LOCAL GOVERNMENT ACT 1972

(Local Government (Access to Information) Act 1985)

List of Background Papers relating to the various items of reports as set out in Part I of the Agenda

As relevant or appropriate:

1. Applications, Forms and Plans.
2. Correspondence/Consultation with interested parties.
3. Structure Plan Documents.
4. Local Plan Documents.
5. Local/Topic Reports.
6. Central Government Legislation.

PLANNING COMMITTEE REPORT 26 November 2019

CHAIRMAN: Cllr Mike Haines



APPLICATION FOR CONSIDERATION:	NEWTON ABBOT - 19/01439/FUL - Former Wolborough Hospital Development Site , Old Totnes Rd - Replacement of 5-bed residential unit 10 under 13/01497/MAJ with 2x semi-detached and 2x detached 3-bed residential units	
APPLICANT:	T Wild	
CASE OFFICER	Helen Murdoch	
WARD MEMBERS:	Councillor Bradford Councillor Mullone	College (02/05/2019)
VIEW PLANNING FILE:	https://www.teignbridge.gov.uk/planning/forms/planning-application-details/?Type=Application&Refval=19/01439/FUL&MN	





19/01439/FUL Former Wolborough Hospital Development Site,
Old Totnes Rd, Newton Abbot, TQ12 6AA



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1. REASON FOR REPORT

- 1.1 Cllrs Bradford and Mullone have requested that the application be presented to Committee as they are concerned that the proposals will see the over-development of a gateway site into Newton Abbot to the detriment of the character and appearance of the area in particular the adjacent Wolborough Hill Conservation Area and its associated Grade I listed St Mary's Church. They raise concerns that this application sees a reduction in the quality and design of the development.

2. RECOMMENDATION

PERMISSION BE GRANTED subject to the following conditions:

1. Standard 3 year time limit for commencement
2. Development to be carried out in accordance with the approved plans and documents
3. Submission of materials for approval including a sample panel of stone work to be constructed on site for approval.
4. Full drainage details to be submitted and agreed prior to the commencement of works on site
5. Submission and approval of hard and soft landscape proposals
6. Implementation of bat mitigation/enhancement measures
7. Parking for each plot to be provided prior to occupation and retained thereafter
8. Details of siting, design and finish/materials of all meter boxes and inspection chambers to be submitted and agreed
9. Removal of Permitted Development Rights
10. Details of all rooflights to be submitted and agreed
11. Works shall proceed in accordance with the Construction Management Plan (CMP)
12. Works shall proceed in accordance with the Contaminated Land Report
13. Prior to works commencing appropriate Slow Worm survey work shall be undertaken
14. Full details of management company responsible for on-site communal areas to be submitted

3. DESCRIPTION

The Site

- 3.1 The application site is within the Urban Residential Development Boundary of Newton Abbot as defined in the adopted Teignbridge Local Plan 2013-2033. The site is also designated as part of the NA3 allocation.
- 3.2 The subject application relates to a smaller northern section of a wider development site. The wider site is a roughly triangular parcel of land measuring approximately 1.14 hectares (gross) and rises gently from the south to the north east. The site is to the south of Newton Abbot and by road is approximately 900 metres from the town centre. The site is accessed to the south east from an existing access onto the Old Totnes Road. The whole development area is bound on its east and south east boundaries by the Old Totnes Road and the Newton Abbot Cemetery lies beyond to the south east. To the west the site is bound by the Totnes Road. Both the east and western boundaries are well screened with existing landscaping. To the north the site adjoins a paddock which falls within the ownership of the residential property known as Westlands. The boundary is defined by an existing

stone boundary wall which is largely consistent in height with Westlands but varies on the application site due to the ground levels which have been altered in the past. For clarification Westlands is sited approximately 75 metres from the site boundary. To the south the site adjoins the residential property known as Wolborough Lodge. The Conservation Area lies to the north east of the site and starts at the listed church. Topography, distance and screening limits direct views between the two.

- 3.3 The whole site is covered by an Area Tree Preservation Order which means that all of the trees on site are protected.
- 3.4 Although the site is not in use currently, it was last in use by the NHS. The site housed four substantial late Victorian/Early Edwardian detached buildings and one large single storey late 20th century building. These were very recently demolished under the 2013 planning permission.

Planning History and the Proposal

- 3.5 In 2013 planning permission (13/01497/MAJ) was granted for a scheme of 13 homes to cover the whole site. At the time of granting planning permission it was recognised that this was a slightly lower density than a site of this size would normally deliver. However, given the level of mature protected trees across the site it was considered that 13 homes was acceptable but the developers were required to make contributions such as affordable housing provision based on a scheme for 18 units.
- 3.6 In 2014 an application (14/03422/FUL) was made and later granted for an additional two dwellings and the repositioning of one other unit. This saw two additional units at the southern end of the site adjacent to the access. This took the total approved units to 15.
- 3.7 Subsequently amendments have been sought to these approvals to allow for the provision of garages and for the adjustment to a number of plots.
- 3.8 This current application concentrates on the northern end of the site. Following approvals to the position and design of plots 9 and 11 this application seeks permission to convert plot 10, previously a detached dwelling into a pair of semi-detached dwellings and to build a further two detached dwellings. This would see a net gain of 3 dwellings. This brings the total to 18 dwellings.
- 3.9 When the original 2013 application was considered by Committee, Officers reported the following:

“This site is more than 0.5 hectares and it is considered that the site could easily accommodate 15 dwellings or more if a better mix of units were being proposed. Accordingly it is considered that this site should deliver affordable housing. Given that the Applicants have expressed a strong desire not to deliver any affordable housing on this site the alternative which needs to be considered is a financial contribution to deliver off-site affordable housing.”

At the time of this initial application the applicant set out that they favoured the delivery of larger detached dwellings across the site and felt that the site was more suited to this form of development especially in light of the sylvan characteristics of the site. Permission was approved on this basis but, it was considered that given

that the site could deliver more dwellings affordable housing should be sought on the basis of a scheme of 18 units.

- 3.10 The site is now owned by a different applicant and they wish to deliver a scheme which delivers a better mix of dwellings and indeed one which delivers additional dwellings.

The Principle

- 3.11 The principle of residential development on this site has already been established by the 2013 planning permission. The site is within the settlement limits of Newton Abbot and within part of the NA3 land allocation as set out in the Local Plan. As such it is considered that the provision of residential development on this site has been established and is acceptable. The matters for consideration are whether the provision of 3 additional dwellings and a change in the housing type is acceptable. It is considered beneficial to ensure that development on brownfield sites such as this is brought forward in a way which makes best use of the site. A further 3 dwellings on this site is considered appropriate.

Design

- 3.12 The application sees the introduction of one pair of semi-detached dwellings and two detached dwellings in the north eastern corner of the site; replacing the current detached dwelling known as plot 10. The revised layout is considered acceptable. Whilst the dwellings are situated on smaller plots and benefit from smaller areas of external amenity they sit comfortably within the wide development layout. The spatial relationship with the trees has been duly considered and found acceptable. Each plot benefits from on plot parking.
- 3.13 The proposed dwellings have adopted slightly different designs, in part arising from the fact that they are semis and smaller detached units but also because they see the addition of a third level of accommodation with rooms in the roof space. Whilst this is a different design to that for the larger detached plots it is not considered that a quality scheme can only comprise one house type. As such, considered in the round, the design of the new units is considered acceptable. Materials will be conditioned so as to ensure that they tie in with the other units on the site. The new dwellings have capped pitched roofs. The reason for this is to ensure that the overall height of the units do not exceed the surrounding units despite the additional depth. The capped roof will not be readily readable from the public domain due to the orientation and location of these units.
- 3.14 Concerns were raised when the original application was received regarding the proposed design. Those concerned considered that the buildings did not sit comfortably with the character of Wolborough Hill which is predominantly Victorian villas. Concerns this time have been raised regarding the impact upon the Wolborough Hill Conservation Area and the associated Grade I listed church of St Mary's. It is considered that the development is largely self-contained and does not have a direct link with the villa development on Wolborough Hill. Concerns regarding the impact on the Conservation Area and the listed building are understood however, it is not considered that the site and dwellings proposed form part of the setting of the listed building. The development site is well screened largely by protected trees and the topography and distance from the church are such that the site does not form part of the setting. The addition of three dwellings within an established residential development site is not considered to introduce any new detriment to the Conservation Area either especially in light of the mature

screening, topography and distance. There are other residential properties between the development site and these heritage assets.

Transport and Access

- 3.15 Concerns were raised when the initial development was considered regarding additional traffic utilising the site access and associated road network. However, at that time it was considered that the proposed residential development would not see an increase in vehicular movements compared to the previous use of the site. These proposals see an additional 3 dwellings utilising the approved access and associated road network. This increase in use has been considered by the Highways Authority and they have raised no objection.

Biodiversity

- 3.16 The current permissions for are the subject of appropriate conditions to secure bat and nest bird mitigation. This current application is accompanied by an ecological appraisal addendum. The site was once again inspected by an ecologist on the 17th April 2019 to assess the biodiversity implications of amending the layout and density of dwellings within the north east corner of the site. Since the buildings have been demolished and the site somewhat cleared vegetation has established and comprises a range of grasses, herbs and wild flowers amongst others. Historic surveys highlighted use of the site along the eastern edge by a low number of slow worms. Current habitat conditions suggest that there may well still provide slow worm habitat along with part of the current application site. As such a presence or absence survey is recommended to establish if the site needs to be cleared of reptiles before ground works commence in these areas. This will be conditioned accordingly. The addendum concludes that the revised development in the north-eastern part of the site would have no greater ecological or habitat impact than the approved scheme. It notes that a bat mitigation strategy was agreed and approved as part of the wider site development. The current addendum recommends additional mitigation in relation to the proposed two pairs of semi-detached dwellings and this will be conditioned accordingly. It is considered that an external lighting condition will also be added in accordance with the rest of the site.

3.17 Residential Amenity

The units proposed see a sitting room at first floor served by windows on the rear elevation. Concerns have been raised regarding impact on neighbouring amenity. The northern boundary of the site is shared with Westlands which is located approximately 75m away. The land adjacent to the application site is a paddock which it is understood to be in the ownership of Westlands. Given the distance, orientation and the land use it is not considered that the additional units nor their floor layout will lead to unacceptable overlooking.

Landscape and Trees

- 3.18 The site is well vegetated with mature trees which are subject to an Area Tree Preservation Order. The site also has hedged and treed boundaries to the roads to the east (Old Totnes Road) and west (Totnes Road). As with the previous scheme this scheme seeks to retain all of the existing landscaped boundary treatments. The Tree Officer has considered these revised proposals and the revised spatial relationship of the units with the trees. It has been concluded that there would be no detrimental impact on the protected trees as a result of these revisions.

Summary and Conclusion

- 3.19 The site lies within the settlement limit of Newton Abbot and is part of an approved residential development site. The proposed increase in the total number of proposed dwellings to 18 across the whole site and the change in the mix of house types is considered acceptable. It is considered appropriate to ensure that this brownfield site is made best use of whilst still accepting and working with the site constraints. Given that the additional units can be achieved without detriment to the protected trees it is considered that the additional units will sit comfortably within the site without detriment to the character and appearance of the area.

4. POLICY DOCUMENTS

Teignbridge Local Plan 2013-2033

S1A (Presumption in Favour of Sustainable Development)

S1 (Sustainable Development Criteria)

S2 (Quality Development)

S14 (Newton Abbot)

S21A (Settlement Limits)

WE2 (Affordable Housing Targets)

EN2A (Landscape Protection and Enhancement)

EN5 (Heritage Assets)

EN6 (Air Quality)

EN7 (Contaminated Land)

EN8 (Biodiversity Protection and Enhancement)

EN11 (Legally Protected and Priority Species)

EN12 (Woodlands, Trees and Hedgerows)

NA3 (Wolborough)

National Planning Policy Framework

National Planning Practice Guidance

Newton Abbot Neighbourhood Plan

5. CONSULTEES

Devon County Council (Highways):

The application is to replace Unit 10 a 5 bed detached house with 2 semi-detached dwellings and 2 detached dwellings. The access to this proposal has already been approved through application 13/01497/MAJ application. The application proposes 2 parking spaces per dwelling which is acceptable. Therefore, the County Highway Authority has no objections.

Tree Officer:

There are no arboricultural objections to the proposal as no significant trees within or adjacent to the development will be adversely affected.

Biodiversity Officer:

Comments awaited.

6. REPRESENTATIONS

6.1 6 letters of objection have been received. The two immediate neighbours have made two representations each along with Newton Abbot Civic Society and the Wolborough Hill Residents Association. These representations raise the following planning related matters:

- Concerns re gradual planning creep to the detriment of the wider area
- Detrimental impact upon neighbouring amenity
- Concerns re additional parking and whether this is encouraging sustainability
- Should be focusing on discreet and environmentally sensitive development of this site
- Concerns over the amount of previous applications across this site and the changes that have been made to the original approval
- The additional dwellings appear cramped and squeezed in
- The design is poor
- The site is within proximity of the regionally important geological site of Old Wolborough Quarry
- Detrimental impact on the biodiversity of the site particularly in relation to Greater Horseshoe bats, appropriate lighting should be secured
- This does not protect green space
- Impact on the setting of the Grade I listed St Mary's church and the Wolborough Conservation Area
- In appropriate for the lead in site for the Wolborough Hill Conservation Area presenting a clash of styles
- Distance from rear northern boundary and the adjoining land has been reduced
- Additional traffic
- Inaccuracies in the plans
- The proposals jeopardise the potential to develop adjacent land

7. TOWN / PARISH COUNCIL'S COMMENTS

The committee raised two specific queries in relation to the application;

1. Would the increase in proposed dwellings meet the threshold to require a proportionate amount of affordable/social housing to be provided; and
2. Do conditions on the development site require measures for the preservation of a rare orchid within the site?

The committee raised no objection in principle subject to confirmation of the affordable/social housing provision

8. COMMUNITY INFRASTRUCTURE LEVY

The proposed development is liable for CIL.

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

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PLANNING COMMITTEE

CHAIRMAN: Cllr M Haines

DATE:	26 November, 2019
REPORT OF:	Site Inspection Team – Councillors Haines (Chairman), Goodman-Bradbury (Vice Chairman), Nuttall, J Petherick, Bradford
DATE OF SITE INSPECTION:	6 November, 2019
Application 19/01439/FUL	Former Wolborough Hospital Development Site, Old Totnes Road, Newton Abbot, TQ12 6AA - Replacement of 5-bed residential unit 10 under 13/01497/MAJ with 2x semi-detached and 2x detached 3-bed residential units

Also present: Cllrs Mullone and Taylor, and a representative of the Town Council
Apologies: Cllrs MacGregor and Patch

Purpose of Site Inspection:

To assess the impact of the proposal on the immediate area and neighbouring dwellings.

The site visit occurred due to the revision to section 10.

Members viewed the immediate and surrounding area from the site, and in particular from the position of the proposed houses at the north east section of the site; and from a paddock adjoining the curtilage of the existing dwelling to the north east of the site. The members also noted the existing 2 metre high boundary wall that separated the site from the nearest existing dwelling.

The Planning Officer reported: on the extent of the site and boundaries, the plans showing the layout of the proposed housing, that all trees on site were subject to a Tree Preservation Order, the interior layout and design of the new houses, external materials, proposed lighting, the topography of the site which was reflected in the house designs.

The Site Inspection Team also noted the distancing between the proposed and existing houses, the potential loss of privacy for residents of the existing dwelling due to windows on the northerly elevations which would serve living rooms on the first

floors. It was noted that a mature tree in the paddock to the north was overgrowing into the site and would be in close proximity to one of the proposed dwellings.

The paddock area was located between the site and the existing dwelling to the north east. From here it was noted that the distance between the proposed dwellings and the existing neighbouring dwellings would be well in excess of the recommended 20 metres.

Members considered the impact of the proposal on the existing dwelling to the north east of the site, and the distance between this and the proposed dwellings.

Four Members considered the application acceptable subject to the conditions detailed in the report of the Business Manager. One Member considered the application unacceptable because of the impact on the neighbouring property in terms of loss of privacy.

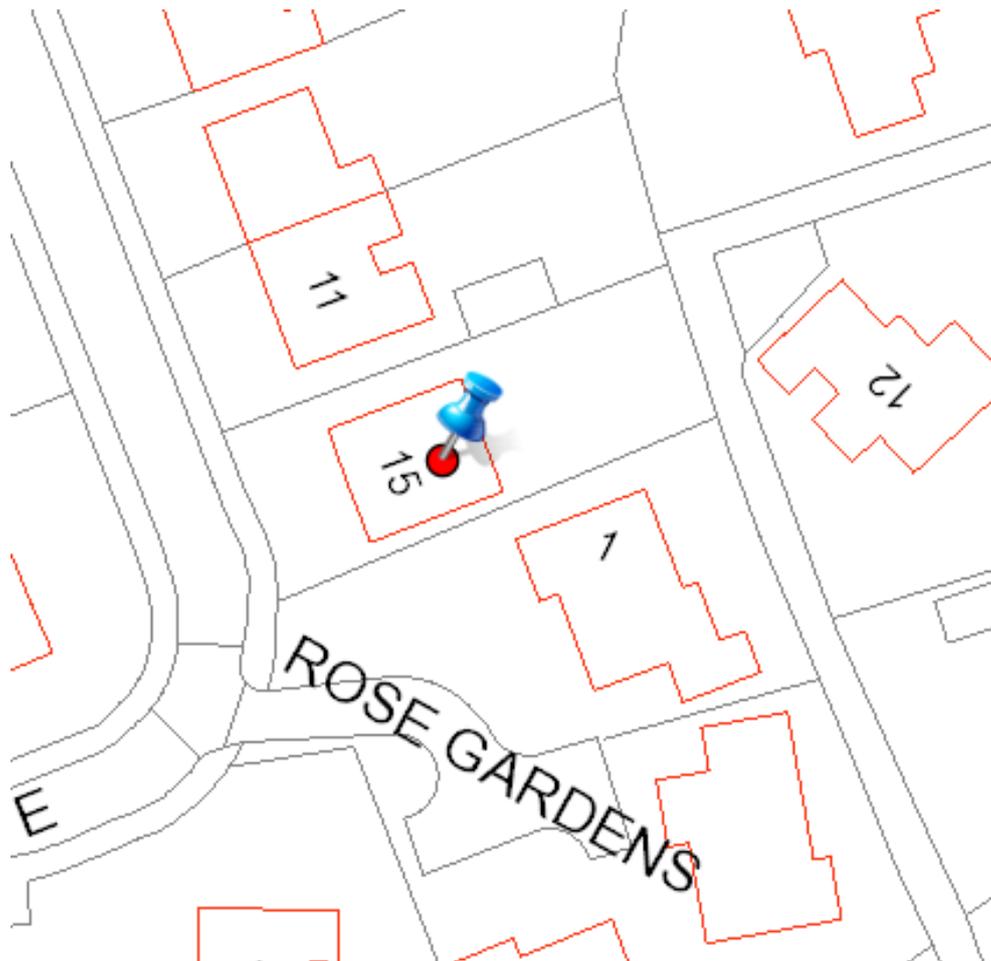
Cllr M Haines
Chairman

PLANNING COMMITTEE REPORT 26th November 2019

CHAIRMAN: Cllr Mike Haines



APPLICATION FOR CONSIDERATION:	IPPLEPEN - 19/01655/FUL - 15 Ledsgrove, Ipplepen - Single storey rear extension, extension to and raising of roof to garage & cladding to front and dormer gables	
APPLICANT:	Mrs A Spargo	
CASE OFFICER	Peter Thomas	
WARD MEMBERS:	Cllr Alastair Dewhirst	Ipplepen
VIEW PLANNING FILE:	https://www.teignbridge.gov.uk/planning/forms/planning-application-details/?Type=Application&Refval=19/01655/FUL&MN	



1. REASON FOR REPORT

The applicant is a member of TDC staff

2. RECOMMENDATION

PERMISSION BE GRANTED subject to the following conditions:

1. Standard time limit
2. Works in accordance with approved plans

3. DESCRIPTION

The Site

- 3.1 The application site is a detached bungalow which is orientated so that its gable faces onto Ledsgrove Road, Ipplepen. On the northern side of the bungalow and set back from the rear is a single garage.

The application

- 3.2 The application seeks permission to construct a single storey rear extension, extension to and raising of roof to garage & cladding to front and dormer gables

Principle of the development/sustainability

- 3.3 The application site is located within the Ipplepen settlement limit as depicted in the Teignbridge Local Plan 2013-2033. Policies S1A, S1, S21A and WE8 of the Local Plan are permissive of extensions and alterations to existing residential properties, subject to policy criteria being met. Thus, the principle of development can be acceptable, subject to compliance with policy.

Impact upon the character and visual amenity of the area

- 3.4 The main visual alteration would be the replacement of the tile hanging underneath the gable with the cladding. It is considered that the area that would be clad would be small in area and would not visually harm the appearance of the bungalow or the surrounding area.

Impact on residential amenity of surrounding properties

- 3.5 Given the single storey nature of the rear extension and its position and roof angle set away from neighbouring boundaries, it is not considered the extension would result in any harmful overbearing of neighbouring properties. The site is well screened on all sides and the proposed raising of the garage roof would help to screen any neighbouring views on the northern side of the proposed extension. Likewise, the raising of the garage roof and extension to the front given its single storey nature would not harmfully impact on neighbouring amenity. It is considered that the proposed development would not result in any significantly harmful impacts

upon the amenity of the occupiers of surrounding properties and the proposal would comply with Policy WE8.

Impact on ecology/biodiversity

- 3.6 The application has been accompanied by a Preliminary Roost and Nest Assessment by a licenced Ecologist. The survey concludes that there is some evidence of bats within the roof void, but no signs of bats were found amongst the tile hanging. The extension is small and would not affect the area which the bats have been able to access the roof. However timing of works would be important and the report recommends bat boxes on the bungalow. An informative can be added to any permission to this effect. No bird nests were recorded. In terms of its impact on bats and nesting birds the proposal is therefore acceptable.

Carbon reduction

- 3.7 Policy WE8 of the Local Plan allows for existing dwellings to be adapted to meet the occupiers' needs to enable them to remain in their dwelling, this adaption of existing properties may help to reduce the demand for the construction of new dwellings to provide the accommodation sought. It is considered that this proposal represents a sustainable development which meets the aims of EN3. The need for the new extension and garage to meet current building regulations should also improve the energy efficiency of the dwelling as a whole.

4. POLICY DOCUMENTS

Teignbridge Local Plan 2013-2033

S1A (Presumption in favour of Sustainable Development)

S2 (Quality Development)

WE8 (Domestic Extensions, Ancillary Domestic Curtilage Buildings and Boundary Treatments)

S21 (Villages)

S21A (Settlement Limits)

National Planning Policy Framework

National Planning Practice Guidance

5. CONSULTEES

No consultees

6. REPRESENTATIONS

Site notice erected. No representations have been received.

7. PARISH COUNCIL'S COMMENTS

Comment: Ipplepen Parish Council have no objections to this application

8. COMMUNITY INFRASTRUCTURE LEVY

- This development is not liable for CIL because:
- It is less than 100m² of new build that does not result in the creation of a dwelling.

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

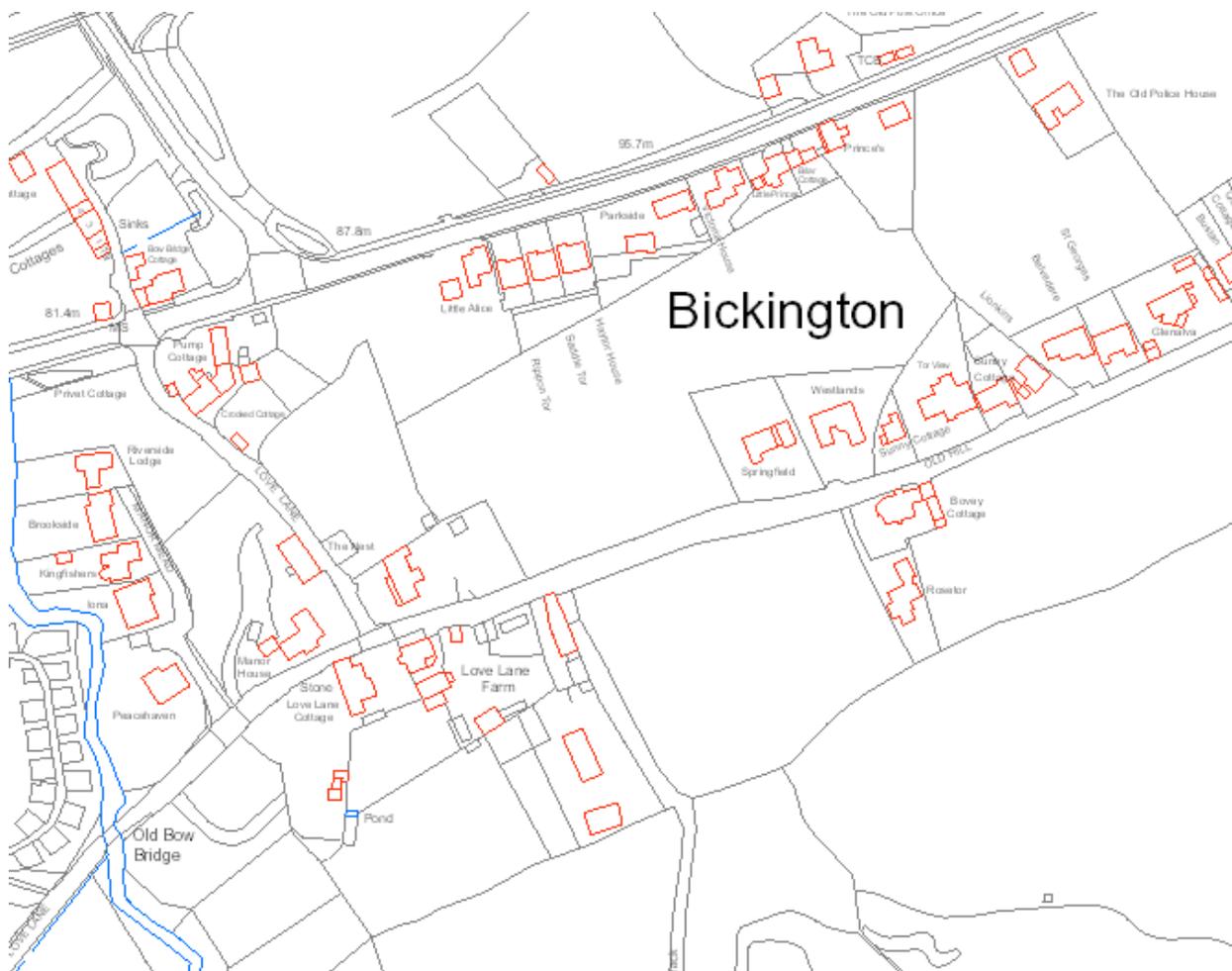
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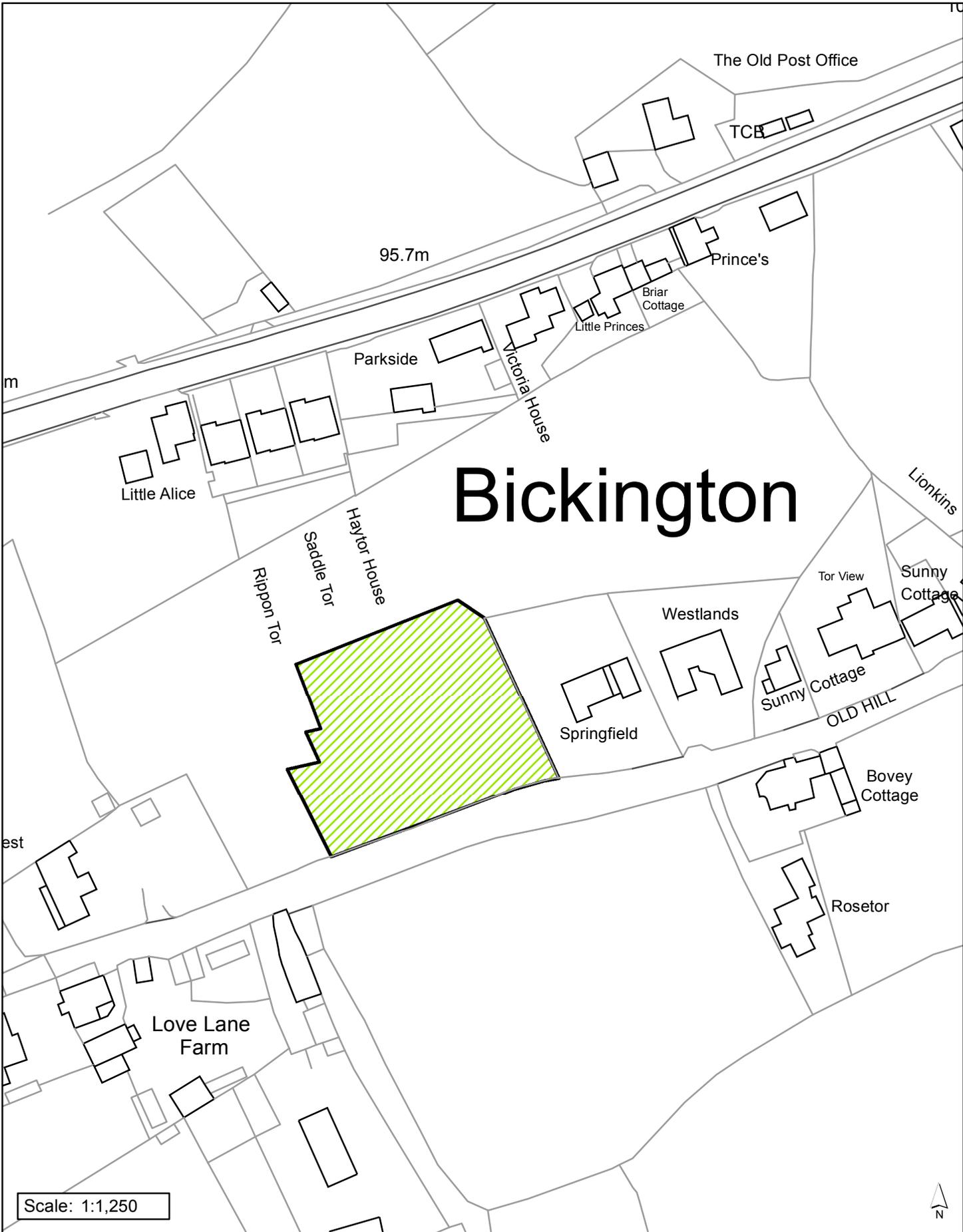
PLANNING COMMITTEE REPORT 26 November 2019

CHAIRMAN: Cllr Mike Haines



APPLICATION FOR CONSIDERATION:	BICKINGTON - 19/01204/OUT - Land To The North Of Old Hill, Bickington - Outline application for four affordable dwellings and five market dwellings, (approval sought for access)		
APPLICANT:	Mr Palmer		
CASE OFFICER	Peter Thomas		
WARD MEMBERS:	Cllr Huw Cox Cllr John Nutley Cllr Sarah Parker-Khan	Ashburton Buckfastleigh	And
VIEW PLANNING FILE:	https://www.teignbridge.gov.uk/planning/forms/planning-application-details/?Type=Application&Refval=19/01204/OUT&MN		





19/01204/OUT Land To The North of Old Hill, Bickington



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1. REASON FOR REPORT

- 1.1 The application has been called to the Planning Committee by Councillor Cox and Councillor Nutley because they consider this small development will allow members of families' living in Bickington to stay within the village and allow those that have had to move away due to lack of housing being able to return to the village.

2. RECOMMENDATION

Refusal for the following reasons:

1. The proposed development would constitute the provision of open market housing within the open countryside which is contrary to Policy S22. Whilst an element of affordable housing is proposed, the application is not accompanied by a viability assessment which evidences the requirement for the open market housing to cross subsidise the delivery of affordable homes on a rural exception site. The application is therefore contrary to Policies S21, S22 and WE5 of the Teignbridge Local Plan.
2. Insufficient information has been supplied to demonstrate that the proposal would not have a harmful impact on protected species contrary to policies EN8 (Biodiversity, Protection and Enhancement) and EN10 (European Wildlife Sites) of the Teignbridge Local Plan.

3. DESCRIPTION

The Application Site

- 3.1 The site relates to a plot of land within the middle of the two settlement boundaries for the village. For clarification, the site therefore falls within the open countryside as defined by the Teignbridge Local Plan 2013-2033.
- 3.2 The site is part of a much larger field, but it should be noted that the application site only relates to a small part of the field which lies adjacent to the property of Springfield. This property is divided from the site by a hedgerow which forms the eastern boundary. The western boundary constitutes the remainder of the field with further residential properties lying beyond.
- 3.3 The application is made in outline, with all matters reserved. Access however is most likely achievable from the 'Old Hill' access road to the south, as shown on the Illustrative Site Layout.

The Application

- 3.4 The application is for the construction of 9 dwellings – 5 market and four affordable. The proposal is made in outline with all matters reserved except for access.

Planning History

- 3.5 This application is the same that was refused last year under delegated powers under planning reference 18/00591/OUT for the following reason:

“The proposed development would constitute the provision of open market housing within the open countryside which is contrary to Policy S22. Whilst an element of affordable housing is proposed, the application is not accompanied by a viability assessment which evidences the requirement for the open market housing to cross subsidise the delivery of affordable homes on a rural exception site. The application is therefore contrary to Policies S21, S22 and WE5 of the Teignbridge Local Plan”.

Key Considerations

3.6 The application seeks outline planning permission for the residential development of land at Old Hill, Bickington.

The key considerations in the determination of the application include:

- Principle of the development
- Impact upon setting of listed buildings and the character and appearance of the Conservation Area
- Impact upon the character and visual amenity of the area/open countryside
- Impact on residential amenity of surrounding properties
- Impact on ecology/biodiversity
- Land drainage/flood risk
- Highway safety

Principle of the development

3.7 The application site lies outside of the settlement limit of Bickington and is therefore, for planning policy purposes, within open countryside where Policy S22 (Countryside) of the Local Plan would apply. Policy S22 states that, in open countryside, development will be strictly managed and limited to uses which are necessary to meet the overall aim, in this case affordable housing for local needs. The policy does not make the provision for market housing.

3.8 The applicant has stated that given that the site lies between built up parts of Bickington which fall within the village envelope that the full force of policy S22 should not apply, and that at the same time the permissive aspects of S21 should be applied.

3.9 In respect to Bickington being a village, Policy S21 sets out the policy criteria in respect to this and outlines that defined villages will be appropriate locations for limited development which meets their social and economic needs, and protects their rural character. *Emphasis is therefore on the provision of affordable housing, employment and small scale development brought through the Neighbourhood Planning Process.*

3.10 However, for planning policy purposes, the site lies outside of the settlement boundary, and the Plan is explicit that in such areas these are considered to be open countryside. Policy S22 is therefore the applicable policy, which amongst its criteria limits residential uses to affordable housing for local needs.

3.11 Policy WE5 (Rural Exceptions) of the Local Plan is permissive of housing in the countryside, however, these sites must provide 100% affordable housing. The policy states:

The development of a site for 100% affordable housing will be permitted where:

1. There is a proven need for affordable housing from households who have a strong connection with the parish or adjoining parish;
2. The site adjoins a settlement and does not have a disproportionate impact on local environmental or historical assets;
3. The type of affordable housing and the scale of provision are limited to meeting the proven local need;
4. A planning obligation is enforced ensuring the affordable dwellings are retained as affordable in perpetuity;
5. The price paid by the registered provider is limited;
6. Where there is a proven need according to (1) but no available public grant to fund the affordable dwellings, the incorporation of open market housing on the site may be permitted, at the minimum amount required to fund the affordable housing provision if in accordance with the parish/neighbourhood plan (if any);
7. It can be demonstrated the proposals are in a location or of a type that will not affect the integrity of a European site.

3.12 In accordance with criteria (1), the Council's Housing Enabling Officer has provided comments and undertaken some initial research to suggest there is a need for 4 affordable homes however more evidence in this respect is required as set out below. The site also adjoins a settlement and is not considered to have a disproportionate impact on local environmental or historical assets. However, when it comes to criteria (3) and (6) and (7) the application falls far short of the Policy requirements.

3.13 The application proposes residential development of the site, with only 44% of the dwellings proposed as affordable. Despite a request to the applicant to provide viability evidence as to why the market units are required, no viability evidence has been submitted. The application is therefore clearly not compliant with policy.

3.14 The applicant has drawn attention to other developments that have not been required to submit a viability assessment that they consider to be comparable to this application:

Application **17/00618 Outline (Western House)** - erection of 32 dwellings including incidental open space, landscaping and an area of strategic green infrastructure (all matters reserved for future consideration).

Comment: The section 106 agreement states that 20 % of the dwellings are to be affordable dwellings. This proposal was on an allocated site within the Local Plan where it is specified the requirement is 20%.

Application **12/00301/MAJ (Hele Park)** Demolition of existing club buildings and development of a mixed use scheme comprising up to 650 dwellings (Use Class C3), local centre (Use Classes A1/B1/D1/D2), employment use (Use Class B1), public open space, landscaping and highways access onto the A383 - (Approval sought for means of access).

Comment: This was approved on an emerging allocation at a time when the Council could not demonstrate a 5 year housing land supply. Teignbridge's Adopted Supplementary Planning Document at the time required 25% Affordable housing. The section 106 agreement provides for 25% affordable housing and would have provided significant infrastructure.

- 3.15 These other proposals were therefore policy compliant. It is where development does not accord with the required amount of affordable housing as set out in Policy that a viability assessment is required, to demonstrate that the amount of market housing to be provided would be at the minimum amount required to facilitate the development. This applies to all sites with varying policy requirements for affordable housing but in this instance as a site in the countryside, the policy starting point is 100% affordable housing. The developer needs to demonstrate that the site is subject to significant costs which are exceptional to the site and reduce the viability, and has therefore been requested to supply a viability assessment, however none has been supplied.
- 3.17 The National Planning Policy Guidance states that “*Where up-to-date policies have set out the contributions expected from development, planning applications that fully comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. Policy compliant in decision making means that the development fully complies with up to date plan policies*”. In this case the amount of affordable housing provided is not policy compliant
- 3.18 The need for affordable housing is found throughout the District and it is fully accepted that the proposal does offer 4 affordable dwellings which add to the affordable housing stock.
- 3.19 However, this scheme is considered to be a market housing led development. It is considered that, if this development were to be allowed with the lack of any evidence as to why it cannot conform to Local Plan Policy, it would make any site that comes forward which does not demonstrate policy compliance acceptable, and effectively policy WE5 would be rendered ineffective. It is acknowledge that the NPPG states that people living in rural areas can face particular challenges in terms of housing supply and affordability. However without any evidence that the proposal would not be able to provide more affordable housing, it is not considered that given the evidence that the application could be supported.
- 3.20 The NPPG states that the nature of rural housing needs can be reflected in the spatial strategy set out in relevant policies, including in the housing requirement figures for any designated rural areas. A wide range of settlements can play a role in delivering sustainable development in rural areas, so blanket policies restricting housing development in some types of settlement will need to be supported by robust evidence of their appropriateness. A neighbourhood plan can allocate additional sites to those identified in an adopted plan so long as the neighbourhood plan meets the basic conditions. Local planning authorities can support opportunities to bring forward rural exception sites by working proactively with landowners and potential delivery partners such as parish councils and community land trusts. The Local Plan Review process may provide an alternative avenue to the applicant but at this time, there is no policy support for the proposal.

Neighbourhood Development Orders

3.21 In late 2017/early 2018 Enablers worked with the Parish Council and the Neighbourhood Plan Officer to explore options for delivering a wider mix of tenures 3 on this site. An options paper setting out how this could be achieved through a NDO was presented to the Parish Council and the community consulted on this option on Sat 03 Feb 2018. This would have enabled a site to have been 'allocated' and a masterplan for the site drawn up in consultation with the community to ensure a sustainable development. This option was not supported. NDOs are drawn up in consultation with the community and subject to a local referendum which means that, in enablers' view, this is the most viable and democratic route for the community to achieve its objective.

History of Community Engagement in Bickington

3.22 In 2016 TDC Housing Enabling team worked with the neighbouring parishes of Ilsington and Bickington to look at housing need and identify possible exception sites for affordable led housing projects. At that time the need for rented affordable housing in Bickington was low and the focus was on a small scale, affordable custom and self-build project that could meet needs in both Bickington and Liverton (located in the Parish of Ilsington) as there was an active self-build group in Liverton. In Bickington this process identified the land west of Springfield, Old Hill, Bickington as a possible exception site. This was followed by extensive community consultation on affordable housing provision and views on the potential exception site. 2 events were held in July 2017 and a further event on 03 February 2018.

Housing Need

3.21 A Housing Needs Survey Report for Bickington was published in May 2014. As this is now more than 5 years old a new survey would be required. Since the previous application 18/00591/OUT was submitted the need for affordable, rented housing in Bickington has risen from 1 to 3 on Devon Home Choice. In June 2019 the Devon Home Choice Register showed a need for a 1@1Bed, 1@2Bed and 1 @ 3Bed.

3.22 This means there is a relatively low level of need for rented affordable homes but a need does exist. This need may increase should a scheme come forward as people often do not register when they believe there is no realistic prospectus of being housed. Experience in other rural communities show that if community drop-in and consultations are held registration of need can increase. The need for low cost home ownership or entry level home ownership is unknown. However it is known from wider research there is a district wide need for low cost home ownership – although this is not considered an appropriate location to meet this wider need.

Affordability and Low Cost Home Ownership Need

3.23 Affordability research carried out by Teignbridge Enablers in 2018 and reported to TDC Overview and Scrutiny Committee in March 19 shows that when comparing local housing costs to local average incomes, there are affordability problems for most housing tenures in Teignbridge, because of the differential between low wage levels and housing costs.

3.29 The National Planning Policy Framework states that "In rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs. Local planning authorities should

support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs, and consider whether allowing some market housing on these sites would help to facilitate this.” A Rural Exception Site is defined in the glossary of the NPPF as small sites used for affordable housing in perpetuity that would not normally be used for housing. Rural exception sites seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection. A proportion of market homes may be allowed on the site at the local planning authority’s discretion, for example where essential to enable the delivery of affordable units without grant funding. This approach is entirely consistent with our Policy.

3.30 As specified within the Housing Officers response grant funding is available. There would not therefore appear to be any material reason why market housing would need to be provided on this site.

3.31 The applicant has drawn attention to entry level exception sites and that these allow for market housing. However it should be noted that the NPPF still requires Entry Level Sites to consist of 100% affordable homes albeit they allow for a greater proportion of low cost home ownership tenures such as shared ownership or discounted open market housing. The National Planning Policy Framework states that:

*71. Local planning authorities should support the development of entry-level exception sites, suitable for first time buyers (or those looking to rent their first home), **unless the need for such homes is already being met within the authority’s area**. These sites should be on land which is not already allocated for housing and should:*

*a) comprise of entry-level homes **that offer one or more types of affordable housing as defined in Annex 2 of this Framework**; and*

b) be adjacent to existing settlements, proportionate in size to them³³, not compromise the protection given to areas or assets of particular importance in this Framework³⁴, and comply with any local design policies and standards.

3.32 Annex 2 of the NPPF says that affordable housing would fall within affordable housing for rent, starter homes, discounted market sales housing or other affordable routes to home ownership.

3.38 The applicant has drawn attention to the strategic Housing Land Availability Assessment (SHLAA) from 2009 and that this found the site to be suitable achievable and available. However it is made clear within the assessment, that “the inclusion of a site in the SHLAA does not guarantee allocation in the Teignbridge Local Plan or indicate that planning permission will be granted for development”. Many sites are considered during the SHLAA process, but only the most favourable sites are allocated for development, based on sustainability appraisal and strategic environmental assessment.

3.39 It is accepted that the NPPF states that *To support the Government’s objective of significantly boost the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed [and] that the needs of groups with specific housing requirements are Addressed, and small and medium sized sites can make an important contribution to meeting the housing requirement of an area”.*

- 3.40 However, the NPPF must be read as a whole, and it is considered that there is no evidence that a higher proportion of affordable housing could not be provided, entry level housing sites are 100% affordable sites, the Council can demonstrate a 5 year housing supply and therefore the policies within the Plan carry full weight. The site is outside the settlement boundary of Bickington where Local Plan Policies within the countryside apply, that this site is clearly distinguishable from the applications that have been cited by the applicant, this application is contrary to both National and Local Plan Policies and is therefore unacceptable in this regard.
- 3.41 It is not therefore considered that as it stands and with the lack of viability evidence that the application accords with both National and Local Plan Policies.

Highway safety

- 3.42 The application is an outline application with all matters reserved except for access. The Highways Officer responded under the previous application (18/00591/OUT). Their response advises that although there are no footways or street lighting that there would not be any objection for an access from this point. Whilst the concerns regarding the speed and narrowness of the surrounding lanes are noted, it is not considered reasonable to raise an objection in this regard.

Impact upon setting of listed buildings and the character and appearance of the Conservation Area

- 3.43 The site is not located within a Conservation Area; however there is a listed building located approximately 130m to the west of the site. Given the sloping topography of the area, this listed building cannot be seen from the site, and any development could include screening which would further screen the application site from view.

This is also the situation for the listed building to the north of the site, which again, cannot be seen from the site.

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

- 3.44 The application site does not fall within any particular landscape designation, and is fairly flat in terms of topography. The proposed residential development of the site would not move away from the general character of the area, provided that the layout and material palette reflected the local context of the village. Reserved matters would also look at landscaping, and ensure that a suitable scheme was delivered which helped screen the development where necessary, as well as enhance the character and appearance of the area.

Impact on residential amenity of surrounding properties

- 3.46 The nearest properties to the site include the property of 'Springfield' located immediately adjacent to the eastern border, a number of properties also lie to the west of the site as well as to the north.
- 3.47 A development of 4 affordable homes which front on to Old Hill Road, would follow the existing building line and would not be considered to cause an impact on these properties subject to window placement and boundary treatment. However, in this instance, any reserved matters application (were the development proposed

considered to be acceptable), would need to consider layout and orientation to ensure that the amenity of existing and future occupiers was acceptable and protected.

Impact on ecology/biodiversity

3.48 The site falls within the following Council designated areas:

- Cirl bunting winter zone;
- Great Crested Newt Consultation Zone
- Bat corridor

3.49 Policy EN8 (Biodiversity and Enhancement) of the Local Plan states that the Council will work to protect, enhance and restore the biodiversity of the area and EN11 that development which would be likely to directly or indirectly harm such a species will not be permitted unless certain criteria are met, including sufficient up to date information being available to base a decision, and the public benefits of the development outweighing the harm.

3.50 It is acknowledged that a consultation with the Biodiversity Officer was not carried out previously on this site. However, given the environmental designations, and new guidance, the Officer has been consulted and commented that:

3.51 The site falls within a junction of 2 x Strategic Flyways from Natural England's planning guidance for the South Hams SAC 2010. The 2010 guidance is in the process of being superseded; under the imminent new guidance, the site would fall within the Landscape Connectivity Zone: the scale of development is just below the threshold for 'MAJOR' development, would not be anticipated to cause landscape scale impacts, and would not be located in or cause a pinch point. In relation to SAC bats, Likely Significant Impacts on the Landscape Connectivity Zone may be screened out.

3.52 There are currently no follow-up targeted species surveys. These are required to show no adverse impacts on protected species and avoidance of net loss of biodiversity. The following information is needed:

1. Bat survey for non-SAC bats, in accordance with BCT Good Practice guidelines. For this site the survey effort might be anticipated to be that for moderate habitat suitability (for which survey comprises a number of walked transects and use of static detectors)
2. Habitat suitable for reptiles is identified (tussocky grassland on most or all of the site). There ought then to be standard reptile surveys carried out to ascertain population level, and in due course a translocation programme to remove animals from the development site. Details are also needed on enhancements that will be carried out to off site recipient land (which may be blue line land in this case) to accommodate the displaced population
3. A means of assessing biodiversity net loss and gain. For this, one of the biodiversity offsetting calculators might be used
4. When biodiversity loss and gain has been suitably calculated, further details on the types of mitigation and landscaping enhancement measures which would be carried out, and long term management schemes (such as through a Landscape Ecological Management Plan LEMP), to give adequate certainty that net biodiversity

loss would be avoided and net gain achieved. There may be scope to deliver mitigation and enhancements on off-site (blue line) land

In addition to these 4 points, please note:

- Hedges: please verify with Highways as to whether there would be visibility splay requirements for the access point, necessitating additional hedge loss and height restriction. At present there appears to be a net loss (8m of hedge loss for 4m replacement), and a breach to hedge connectivity
- Dormice are widespread in Devon and presence of breeding or resting places could not be ruled out in this location. Direct hedge removal extent may be of small scale (depending on if visibility splays are needed), though there would be disturbance aspects to be accounted for from development being brought adjacent to hedges. Once visibility splay requirements are confirmed, please let me know so I may advise further regarding dormice
- Noting that the application is Outline for access only at the current time, it must be recognised that for any future layout, scale and landscaping, retained hedges must not form domestic curtilage boundaries but instead there must be a sufficient stand off zone / buffer between retained hedges and development. The width of this buffer may partly depend on levels of light spill; in due course it may be necessary for a lighting modelling assessment to be carried out. For light averse bats, a guideline used at other sites has been that there is no light spill exceeding 0.5 Lux at a distance of 5m from the face of bat commuting features (such as hedges)

3.53 Without this information the Council Biodiversity Officer has advised that it would not be possible fully to assess impacts on biodiversity, protected species or any “species licensing requirements” as we are required to do at this stage.

3.54 The applicant has been advised of these concerns, however no further information in this regard has been provided. The Council has a duty to protect and conserve European Wildlife Sites and species. It is therefore considered that sufficient up to date information is not available on which to base a decision. The proposal would conflict with policies EN8 and EN11 of the Local Plan which seeks to protect, enhance and restore biodiversity of the area, and is unacceptable in this regard.

Drainage

3.55 Concerns have been raised relating to the drainage of the site. The drainage officer has raised concerns regarding how surface water would be addressed and the adoption and maintenance of the proposed surface water drainage management system in order to demonstrate that all components will remain fully operational throughout the lifetime of the development. It is considered that in the event the application is approved that matters of drainage can be dealt with by way of an appropriately pre-commencement condition if the development were to be found acceptable.

Climate change

3.56 Policy S7 (Carbon Emission Targets) seeks to reduce carbon emissions per person arising within Teignbridge of about 42% from 2009 levels by 2030. The strategy in the Local Plan seeks to direct development to the most sustainable locations where there are existing facilities. This is part of the reason why restrictions are placed on open market housing in the countryside as this is likely to generate high levels of trips by private car. Whilst not a major development and therefore not required to

submit a Carbon Reduction Statement, there is nothing within the submission identifying how the proposal would seek to minimize its carbon footprint.

Minerals impact

3.57 The site lies within a Mineral Consultation Area defined to protect an important limestone deposit. In commenting on applications, the DSF considers whether the proposals are consistent with Policy M2 of the Devon Minerals Plan, which seeks to prevent mineral resources from being sterilised by incompatible surface development. In this case there is already more sensitive development closer to the deposit than the proposal would be and therefore it would not cause additional sterilisation than has already occurred. No objections are therefore raised.

DCC Education

3.58 The DCC County Education has Officer has requested money towards education provision. However this would be covered by the Community Infrastructure Levy Regime.

Other Matters

3.59 Concerns have been raised due to impact on property values, but this is not considered to be a planning matter.

4. POLICY DOCUMENTS

Teignbridge Local Plan 2013-2033

STRATEGY POLICIES

S1A Presumption in favour of Sustainable Development

S1 Sustainable Development Criteria

S2 Quality Development

S4 Land for New Homes

S5 Infrastructure

S6 Resilience

STRATEGY PLACES

S21 Villages

S22 Countryside

WELLBEING - HOUSING

WE5 Rural Exceptions

QUALITY ENVIRONMENT

EN2A Landscape Protection and Enhancement

EN3 Carbon Reduction Plans

EN5 Heritage Assets

EN8 Biodiversity Protection and Enhancement

EN11 Legally Protected and Priority Species

EN12 Woodlands, Trees and Hedgerows

National Planning Policy Framework

National Planning Practice Guidance

5. **CONSULTEES**

Full comments are available online and are also reported above in the body of the report

Spatial Planning

... The emphasis of this proposal on market housing means that it does not therefore satisfy the requirements of S21.

... The proposal does not therefore satisfy the requirements of S21A.

... The proposal does not therefore satisfy the requirements of S22.

... The proposal does not therefore satisfy the requirements of WE5.

Conclusion

Based on the above there is an objection from the Spatial Planning and Delivery Team on the basis that the proposal does not conform with the policies of the Local Plan. If the applicant wishes to progress the site for development then we would recommend that the application is pursued as either a rural exception site with a significantly higher proportion of affordable housing than is currently being offered or through a neighbourhood plan for the parish of Bickington.

Housing Services

Housing Enabling comments:

Conclusions

1. The planning status of this application in terms of exception site is unclear.
2. The application does not meet exception site policy WE5 requirements and such enablers would object to the proposal.
3. If the site is being promoted an Entry Level Exception site the principal of this outline application is also contrary to the adopted development plan and not in line with national policy. This is a further reason for a holding objection to this application subject to further discussions with the applicant on affordable tenures.
4. Whatever the planning route taken Enablers would strongly suggest further engagement with the community to ensure support for the design detail, affordable tenure mix and provision for need other than just Bickington and surrounding parishes.

Drainage

...

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/land-drainage-consent/>

In accordance with the hierarchy of drainage solutions, infiltration must first be explored as a means of surface water drainage management. Discharging the surface water runoff from this site to a sewer or watercourse will only be permitted once the applicant has submitted evidence which adequately demonstrates that infiltration is not a viable means of surface water management on this site (e.g. results of percolation testing conducted in accordance with BRE Digest 365 Soakaway Design (2016)).

If the above tests demonstrate that infiltration is not viable, the applicant will be required to submit details of an attenuation-based surface water drainage management system, with an off-site discharge point. This system must attenuate all of the surface water runoff generated up to, and including, the 1 in 100 year (+40% allowance for climate change) rainfall event, before discharging it off-site at rates and volumes equal to the site's greenfield performance.

Any surface water runoff discharged to the sewer system must first be attenuated to the 1 in 100 year (+40% allowance for climate change) rainfall event and flows from such systems should be limited to a discharge no greater than the site's greenfield runoff rate.

Written confirmation must then be obtained by the applicant from South West Water Ltd. to confirm that this method of surface water disposal is acceptable.

The applicant must submit details of the 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.

The applicant must submit information regarding the adoption and maintenance of the proposed surface water drainage management system in order to demonstrate that all components will remain fully operational throughout the lifetime of the development.

Biodiversity

SUMMARY

More information required

Non-allocated countryside outside built settlement

The site is outside built settlement from the TDC Local Plan; developments in countryside are subject to Policy S22 under which there must be no net biodiversity loss and a biodiversity gain should be sought. There would be loss of 0.26ha of grassland, hedgerow loss, and also a level of disturbance impacts to field boundary hedges, where built development is brought immediately adjacent.

South Hams SAC

The site falls within a junction of 2 x Strategic Flyways from Natural England's planning guidance for the South Hams SAC 2010. The 2010 guidance is in the process of being superseded; under the imminent new guidance, the site would fall within the Landscape Connectivity Zone: the scale of development is just below the threshold for 'MAJOR' development, would not be anticipated to cause landscape scale impacts, and would not be located in or cause a pinch point. In relation to

SAC bats, Likely Significant Impacts on the Landscape Connectivity Zone may be screened out.

Follow up ecological surveys and assessments

There are currently no follow-up targeted species surveys. These are required to show no adverse impacts on protected species and avoidance of net loss of biodiversity. ...

When the further information is available, please let me know so I may advise further.

Without this information I believe it would not be possible fully to assess impacts on biodiversity, protected species or any species licensing requirements, so that in the meantime there would be a **holding objection** due to conflict with Policies EN8 and EN11, and some doubt that current information would meet the terms of Policies EN9, EN12 and S22.

Devon County Education

Regarding the above planning application, Devon County Council has identified that the proposed increase of 9 family type dwellings would generate an additional 2.25 primary pupils and 1.35 secondary pupils which would have a direct impact on Blackpool Primary school and South Dartmoor College.....

It is anticipated that any education infrastructure contributions would be provided for through CIL.

South West Water

Provides comments regarding drainage, asset protection and capacity for SWW drains to accommodate discharge

Devon Stone Federation

I am writing as Secretary of the Devon Stone Federation, which is the trade association representing aggregate minerals operators in Devon. The site lies within a Mineral Consultation Area defined to protect an important limestone deposit. In commenting on applications, the DSF considers whether the proposals are consistent with Policy M2 of the Devon Minerals Plan, which seeks to prevent mineral resources from being sterilised by incompatible surface development. In this case there is already more sensitive development closer to the deposit than the proposal would be and therefore it would not cause additional sterilisation than has already occurred. The DSF does not wish to raise an objection to the proposal.

Natural England

Natural England has **no comments** to make on this application.

Natural England has not assessed this application for impacts on protected species. Natural England has published [Standing Advice](#) which you can use to assess impacts on protected species or you may wish to consult your own ecology services for advice.

6. REPRESENTATIONS

34 letters of representation have been received raising issues of:

- Support as would improve the quality and choice of homes in this declining village
- New homes will re-invigorate Bickington
- Young people are forced to leave, this can be reversed with sympathetic development
- Bickington lacks critical mass which has led to the closure of the pub, post office and a garage. It needs more people and a balance between medium and affordable properties.
- Would be compliant with policy S21 of the Teignbridge Plan.
- Will enhance social and economic needs of the village
- Benefits outweigh policy S22
- Would complement the existing housing stock
- Will provide affordable homes
- Village needs to expand
- Site is served with water and sewerage
- The topside site has been tastefully developed
- Transport links are excellent
- School access is good
- Access has visibility
- Would keep the village vibrant
- Enable those to return to the village
- Will give employment to a developer
- Good access to A38
- Good mix of housing
- Will only be a small increase in traffic
- Small developments should be encouraged
- Sensible infill development
- Within the boundaries of the village and village envelope
- Supported by the NPPF as small housing sites can make a contribution to meeting housing requirements
- Supports entry level housing sites
- Not a sustainable location
- Lies outside the settlement boundary
- Would not uphold the key objectives of the Local Plan
- At a time of climate change we must protect the open country trees and environment
- The percentage of affordable housing is less than half of the houses planned
- Whilst it may be argued by the applicant that some open market is required to support the economic development of the affordable housing, this ratio is far greater than which is necessary
- Any development must be aimed both affordable and aimed at providing homes none of the market houses are protected means the development is failing on all fronts
- The land is outside the settlement boundary and contrary to policy
- Was included in the review of boundaries by Teignbridge DC for good reason
- Teignbridge has a 5 year land supply and no additional properties are required

- Area known to be flight foraging area for Greater Horseshoe Bats. Not addressed by applicant
- The village has no shop, post office, pub or anything, the pub which was the toby jug is derelict and is a eye sore and this should be addressed before considering more houses
- Old Hill is a small lane with no street lighting or pavements, the proposed access therefore would create numerous problems for existing residents
- There is a lack of parking on Old Hill at the moment and further properties would create even more need for on road parking
- The access from Bickington onto the A383 (a road which has seen many road traffic accidents in recent years) is difficult at the best of times and increased traffic will be a danger to all road users.
- Value of our property would be affected
- Will lead to erosion of character
- 9 homes will not revitalize the village
- More suitable locations for development
- Hard to see any genuine need
- Previous application turned down
- Concerns regarding drainage
- Nowhere for children to play
- If turns into phases 2 and 3 have serious concerns regarding flooding
- Bickington has no amenities whatsoever, no shop, post office, play park or similar and this is unlikely to change. There are thousands of houses being built in Newton Abbot
- The affordable new housing in Newton Abbot has many amenities, a cycle path to town, direct bus routes to Newton Abbot, Exeter and Plymouth via Ashburton. Whilst we accept that affordable housing is necessary for the younger generation
- Lanes have bottlenecks and will create a rat-run
- There is ample affordable housing being provided.
- Affordable housing is not needed in Bickington
- Would be better for people to be close to shops, schools and medical facilities
- Would cause noise, traffic and disruption
- Housing packed into a tight plot

7. PARISH COUNCIL'S COMMENTS

At the meeting of Bickington Parish Council on 5th August 2019 it was resolved that I write to you to advise the following

The Council RESOLVED that it **SUPPORTS** the above application

However, the Parish Councils wishes to highlight the concerns raised in the Public Forum at the meeting when this application was discussed

- Some members of the Public confirmed that a small controlled amount of development would be welcomed in Bickington - whilst others considered the status quo was preferable

- A long term resident commented that this would give the Village a real boost - as no development had taken place over the last 50 years

Various areas of concern were voiced

- Worries that this would be the start of widespread expansion of housing
- Concerns that the existing sewerage system might not be able to cope
- That the access for the scheme should be from the Old A38 rather than Old Hill
- That any development might lead to the implementation of street lighting
- That there was no need for additional housing
- That the Outline scheme appeared to incorporate open ended roads – potentially indicating future planned expansion

8. COMMUNITY INFRASTRUCTURE LEVY

- This is an outline application. CIL liability will be calculated when the reserved matters application is submitted.

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

PLANNING COMMITTEE REPORT 26 November 2019

CHAIRMAN: Cllr Mike Haines



APPLICATION FOR CONSIDERATION:	TEDBURN ST MARY - 19/01665/FUL - Springfield Holiday Park, Tedburn St Mary - Use of land for siting of 12 static caravans with decking areas and associated works for holiday use including the demolition of club house and bungalow	
APPLICANT:	Mr & Mrs Lloyd-Jones	
CASE OFFICER	Claire Boobier	
WARD MEMBERS:	Cllr Stephen Purser Cllr Terry Tume	Teign Valley
VIEW PLANNING FILE:	https://www.teignbridge.gov.uk/planning/forms/planning-application-details/?Type=Application&Refval=19/01665/FUL&MN	





19/01665/FUL Springfield Holiday Park, Tedburn St Mary, EX6 6EW



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1. REASON FOR REPORT

Cllr Tume has requested that this case be referred to Planning Committee if Officer recommendation is one of approval. The reason for the request is on the grounds set out in the Parish Council comments which requested this case be referred to Planning Committee.

The parish comments raised concern about turning a touring park into a residential park and the strain this puts on local amenities.

2. RECOMMENDATION

PERMISSION BE GRANTED subject to the following conditions:

1. Time limit for commencement (3 years);
2. In accordance with the approved plans including levels and engineering works;
3. The static caravan pitches hereby permitted shall be occupied for holiday purposes only, shall not be occupied as a person's sole or main place of residence or for more than three months in any calendar year by an individual occupant, group of individuals or family;
4. Prior to first occupation of any caravan on the land and prior to the installation of soakaway(s) on the site, results of infiltration testing, conducted in strict accordance with BRE Digest 365 Soakaway Design, drainage calculations for the sizing of the proposed infiltration system(s) designed to cater for the full range of storms up to 1 in 100 year event plus an additional 40% allowance for climate change, details of the exceedance pathways and overland flow routes across the site in the event of rainfall in excess of the design standard for surface water drainage management system and information regarding the adoption and maintenance of the proposed surface water drainage management system shall be submitted to and approved in writing by the Local Planning Authority to ensure all the components will remain fully operational throughout the lifetime of the development;
5. A maximum of 12 static caravans shall be sited as shown on the hereby approved proposed site plan (drawing no. 001 Rev A);
6. Any areas of decking shall be constructed of materials that are recessive in colour and shall be dismantled and removed from the site on or before the removal of the static unit to which they are associated.

3. DESCRIPTION

Site and Proposal

- 3.1 Springfield Holiday Park is located just off the A30 Woodleigh Junction, on the north side of Goldcross Hill. It is approximately 1.4 miles west of Tedburn St Mary and 1 mile north east of Cheriton Bishop.
- 3.2 The existing holiday park is a long established tourism business comprising seasonal pitches, caravan accommodation, heated swimming pool, games room, children's playground and laundry, toilet and shower blocks.
- 3.3 Planning permission is sought for the use of the application land for the siting of 12 static caravans with decking areas and associated works for holiday use including

the demolition of the club house and bungalow to facilitate the siting of the caravans.

Principle of Development

- 3.4 This is a long established site and the principle of holiday use has already been established through the holiday park being located on this site. Nonetheless, policy EC11 (Tourist Accommodation) of the Teignbridge Local Plan 2013-2033 does accept in principle the expansion or improvement of existing tourist accommodation locations in this location and therefore there would be in principle support for the use of the land for 12 additional static caravans at this site.
- 3.5 Furthermore, the demolition of the existing clubhouse and bungalow, which are of little architectural merit, to facilitate the use of the land for additional tourist accommodation units would be acceptable in principle.
- 3.6 A condition is however recommended to be applied to restrict the caravans for holiday use only and to ensure that the holiday accommodation is not used for permanent residential accommodation. This condition is already in place for the other units on the site and would alleviate the concerns raised by the Parish Council and Ward Member in their representations.

Impact on Conservation Area and Listed Buildings

- 3.7 The site is not in a Conservation Area and there are no listed buildings in the vicinity of the site that would be adversely impacted by the proposed development.

Impact on residential amenity

- 3.8 Given the nature of the site and separation distance to the nearest residential properties it is not considered that the proposal would have any adverse impact on neighbouring amenity including the provision of the decking areas to the static units. Whilst, existing pitch owners have queried the need for additional units this is not a material planning consideration in the determination of the application.

Impact on the character and visual amenity of the area

- 3.9 The application seeks to provide 12 additional static caravan pitches to a site that already has caravans stationed year round.
- 3.10 The site lies within an Area of Great Landscape Value, and area for which a high level of protection is afforded in the local plan under policy EN2A which seeks to protect and enhance the area's landscape and seascape and sets out that development proposals should conserve and enhance the qualities, character and distinctiveness of the locality and contribute to the local character and quality.
- 3.11 The site lies within the Yeo Uplands and Slopes Landscape Character Area, which has strategic guidelines as set out in the Landscape Character Assessment that recommend that development proposals conserve and enhance the predominantly rural character and strong sense of tranquility through sensitive siting of new build development.

- 3.12 The Council's Landscape Officer has raised some concern that the new units particularly unit 5 and 6 could be visible from the public lane to the north of the site and whilst identifying that the existing hedgerow trees on the boundary provide a good screen has raised concern that during the winter the trees will not provide such a satisfactory visual screen and therefore in his consultation response suggests consideration be given to a planted bund with evergreens running parallel to the northern boundary to address this concern.
- 3.13 The above request has been discussed with the applicant's agent and they have advised that they do not propose to provide any additional screening.
- 3.14 Having visited the site, and the lane referred to in the landscape officer comments, the existing holiday park is clearly visible from this lane and given the location of the existing units are far more visible than the site proposed for the new units. Given that the static caravan park is an established part of the landscape character, it is not concluded that the caravans will have a significant material impact on the character and appearance of the area to justify a refusal of planning consent on the grounds of the lack of additional planting on the site to screen the development.
- 3.15 The proposal is therefore deemed to have an acceptable visual amenity impact and is not considered to adversely impact the character and appearance of this part of the designated Area of Great Landscape Value that the site fits within.

Flood Risk/Drainage Considerations

- 3.16 The site is located in flood zone 1, at lowest risk of flooding, and therefore in flood control terms is an appropriate site for development to be located.
- 3.17 It is proposed that surface water would be disposed of by means of soakaway.
- 3.18 The Council's Drainage Engineer has been consulted on this method of surface water disposal and whilst they do not object to the use of soakaway in principle. They recommend a condition be applied if minded to approve to secure the results of infiltration testing, sizing of the proposed infiltration system, details of the 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 and information regarding the adoption and maintenance of the proposed surface water drainage management system in order to demonstrate that all components will remain fully operational throughout the lifetime of the development. It is recommended that this be secured as a prior to first occupation of any caravan on the land if Members are minded to approve the application.

Impact on Trees

- 3.19 The Council's Arboricultural Officer has been consulted and advises that there are no arboricultural objections as no significant trees within or adjacent to the site will be adversely affected by the proposed development.

Highway Safety Considerations

- 3.20 The site is accessed off a County Road which is restricted to 40 MPH.

- 3.21 There are no footways in this area which would result in people using their vehicles to enter/exit the site.
- 3.22 The proposal makes no alterations to the existing access to the site which provides adequate visibility splays ensuring good visibility on access/egress from the site.
- 3.23 The proposal is for 12 static caravans, DCC Highways have been consulted on the provision of the additional units on this site and have advised that the proposal would not have a severe impact on the highway network, the County Highway Authority therefore raises no objection on highway safety grounds to the proposed development.

Carbon Reduction

- 3.24 The provision of static caravans on site rather than touring caravans would reduce the amount of large vehicle movements required on the road network to tow the caravans and therefore could have an impact on reducing carbon emissions. Furthermore, the provision of additional tourist accommodation on this established site has the potential to encourage more sustainable staycations rather than holidaymakers travelling abroad for their holidays cutting down on the carbon footprint created through air travel.

Conclusion

- 3.25 Officer recommendation is one of approval subject to the recommended conditions.

4. POLICY DOCUMENTS

Teignbridge Local Plan 2013-2033

S1A Presumption in favour of Sustainable Development

S1 Sustainable Development Criteria

S2 Quality Development

S12 Tourism

S22 Countryside

EC11 Tourist Accommodation

EN2A Landscape Protection and Enhancement

National Planning Policy Framework

National Planning Practice Guidance

5. CONSULTEES

Teignbridge District Council Tree Officer:

There are no arboricultural objections as no significant trees within or adjacent to the site will be adversely affected.

Teignbridge District Council Drainage Engineer:

The following will be required:

- Results of infiltration testing, conducted in strict accordance with BRE Digest 365 Soakaway Design (2016);

- Drainage calculations for the sizing of the proposed infiltration System(s), designed to cater for the full range of storms up to the 1 in 100 year event plus an additional 40% allowance for climate change;
- Details of the 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;
- Information regarding the adoption and maintenance of the proposed surface water drainage management system in order to demonstrate that all components will remain fully operational throughout the lifetime of the development.

Devon County Council Highways:

The proposal is accessed off a County Road which is restricted to 40 MPH, there are no footways in this area. The proposal of 12 static caravans would not have a severe impact on the highway network, therefore the County Highway Authority has no objection.

Teignbridge District Council Environmental Health:

No objections to this proposal.

If the application is approved the applicant will need to apply for a site licence variation under the Caravan Sites and Control of Development Act 1960.

Teignbridge District Council Landscape Officer:

The site lies within an Area of Great Landscape Value (AGLV), an area for which a high level of protection is afforded in the local Plan (policy EN2A).

The plan states that consideration of development proposals will have regard to the strategic guidelines set out in the Landscape Character Assessment. The site lies within the Yeo Uplands and Slopes Landscape Character Area, which has strategic guidelines that recommend that development proposals conserve and enhance the predominantly rural character and strong sense of tranquillity through sensitive siting of new built development...

With the above in mind, I have the following concerns:

- It would be reassuring to know that the planting along the boundaries that abut the development area and help screen it, are under the control of the applicant. Please could this be affirmed?
- Units 5 and 6 are positioned close to the northern boundary and their elevations could be visible from viewpoint 2 in the visual impact assessment on the public lane. The lane is an attractive place to take a walk and enjoy the countryside, as well as a place that will be experienced by motorists and passengers that use the lane regularly and can easily spot change. The holiday park is already visible from this position, however further erosion of the rural, tranquil character of the area should be minimised.

I am aware that the mound will be removed and that the existing hedgerow trees on the boundary provide a good screen but I am concerned that during the winter the trees will not provide such a satisfactory visual screen. Also that encouraging more vegetation within the tree canopies is not easy.

I would be reassured if the effect on the perception of the Holiday Park, as experienced from the north (viewpoint 2), in the winter months, could be reconsidered and hopefully addressed with solutions that are effective in all seasons and in the long term. A planted bund (with a good amount of evergreens), positioned running parallel to the northern boundary, would resolve this, however there may be other ways.

6. REPRESENTATIONS

Two letters of objection have been received. The objections/comments are summarised below (see case file for full representations):

- It is not justified wanting land to place a further 12 static caravans on the site when there is already 9 empty static caravan bases, with at least 4 having been empty for over 12 months and at present the hire fleet of 4 static caravans are very rarely occupied;
- The increase use by holiday makers will be less of a boost than the 20+seasonal touring pitches being cleared for further expansion of the statics;
- Modernisation could be done within the site as is without the additional 12 caravans being added.

7. TOWN / PARISH COUNCIL'S COMMENTS

Tedburn St Mary did not support the application because of concern about turning a touring park into a residential park and the strain this puts on local amenities. The Council request that the application is escalated to Category B.

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.

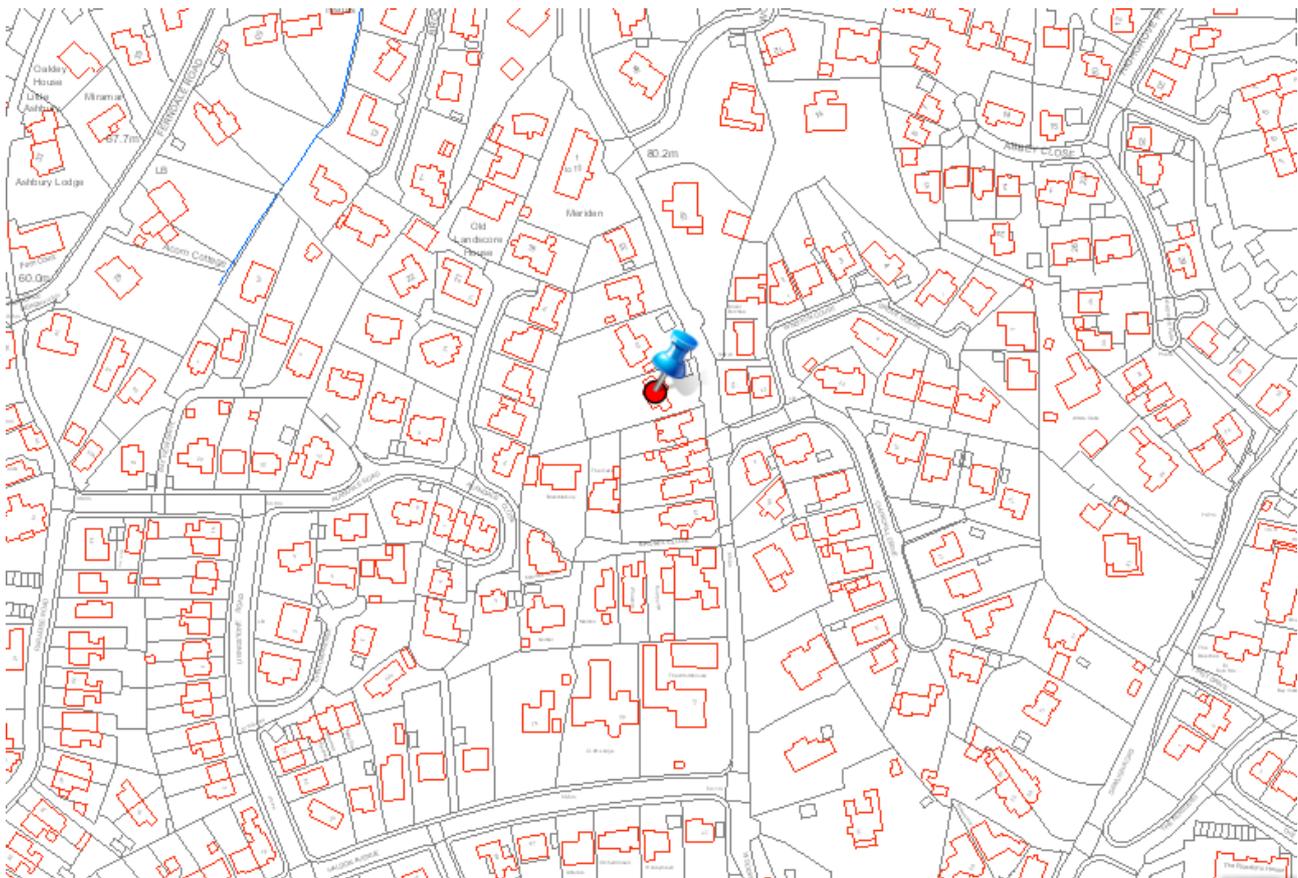
Business Manager – Strategic Place

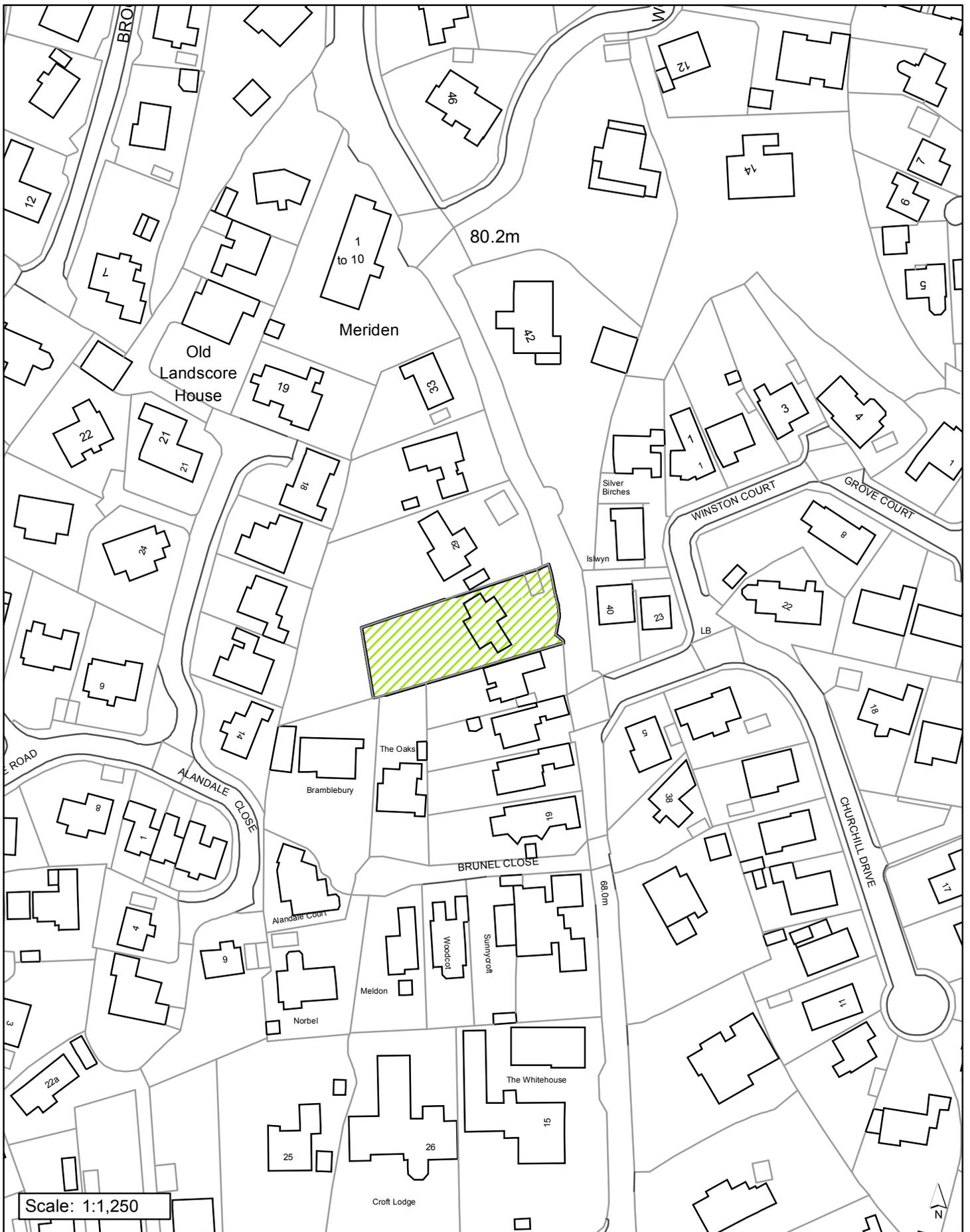
PLANNING COMMITTEE REPORT 26 November 2019

CHAIRMAN: Cllr Mike Haines



APPLICATION FOR CONSIDERATION:	TEIGNMOUTH - 19/01479/FUL - Welim Lodge , 27 Woodway Road - Two storey side extension and replacement garage	
APPLICANT:	Mr M Baldwin	
CASE OFFICER	Claire Boobier	
WARD MEMBERS:	Cllr Robert Phipps Cllr Sylvia Russell	Teignmouth East
VIEW PLANNING FILE:	https://www.teignbridge.gov.uk/planning/forms/planning-application-details/?Type=Application&Refval=19/01479/FUL&MN	





Scale: 1:1,250

**19/01479/FUL Welim Lodge, 27 Woodway Road,
Teignmouth, TQ14 8QB**



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1. REASON FOR REPORT

Cllr Phipps has requested that this application be referred to Planning Committee for determination if officer recommendation is one of approval. The reason given for this request is that Cllr Phipps considers the application to be overbearing and intrusive.

2. RECOMMENDATION

PERMISSION BE GRANTED subject to the following conditions:

1. Time limit for implementation (3 years);
2. To be built in accordance with approved plans;
3. Garage to be constructed using pile and beam foundation, details of which shall be submitted and agreed before constructing the garage;

3. DESCRIPTION

Site and proposal

- 3.1 27 Woodway Road is a detached two-storey residential property set back from the highway located within the settlement limit of Teignmouth. The property benefits from a detached garage to its frontage.
- 3.2 The area is residential in character with properties of varying design and scales along Woodway Road.
- 3.3 Planning permission is sought for a two-storey side extension in place of the existing single-storey side extension and a replacement garage.

Principle of the development/sustainability

- 3.4 The application site is located within the Teignmouth settlement limit as depicted in the Teignbridge Local Plan 2013-2033. Policies S1A, S1 and S21A of the Local Plan are permission of development within settlement limits, subject to policy criteria being met and policy WE8 sets out the criteria against which new house extensions and ancillary domestic curtilage buildings should be considered against.
- 3.5 The principle of a first floor extension to the side of the application property has previously been established through the grant of consent 16/01530/FUL. The current application seeks to demolish the existing single-storey building to the side of the property and erect a two-storey extension in its place. A two storey feature in largely the same location therefore already benefits from planning permission.
- 3.6 The difference between the current application and the previous approval (16/01530/FUL) is that this proposal seeks to demolish the existing single-storey extension and build a two-storey extension in its place, projecting approximately 1m further forward on the principal elevation than the previous approval. The new application also proposes a replacement garage that was not previously applied for.

Impact upon setting of listed buildings and Conservation Area

- 3.7 The site is not in a Conservation Area. The nearest listed building is Old Landscore House which is some 90m north west of the site. It is considered that the siting of the proposed is not deemed to represent harm to this legally protected building given the scale, design, and distance of the proposed works to this property.

Impact of the proposal on the character and visual amenity of the area

- 3.8 The design of the proposed side extension is considered to be compatible with the host property and would not adversely impact on the character and visual amenity of the area.
- 3.9 The property has an existing garage to its frontage, it is not considered that replacing the garage with another garage to its frontage would adversely impact the character and appearance of the street scene which has other examples of garages adjacent to the road frontage. The materials proposed for the garage are also assessed to be compatible with the host property.

Impact of the proposal on residential amenity

- 3.10 Planning permission has been granted at this property for a first floor extension over the existing single-storey side extension (Consent reference: 16/01530/FUL). The difference between the current application and the previous application is that the proposal now plans to demolish the existing single-storey extension and replace with a two-storey extension which would project 1m further forward of the principal elevation than the current single-storey extension and the extension granted consent under 16/01530/FUL.
- 3.11 It is not considered that a refusal on the grounds of the overbearing and intrusive concerns raised in relation to the side extension could be justified on the basis of the additional 1m projection proposed in this application compared with the approved scheme (which could still be implemented). Furthermore, it is not considered that this additional 1m projection would have a significant impact on outlook from 25 Woodway Road to justify a refusal on this ground.
- 3.12 The siting of the garage and its scale and massing will ensure that this replacement building would not adversely impact neighbouring amenity in terms of being overbearing or resulting in unacceptable loss of light to neighbours.

Impact on Trees

- 3.13 Concern has been raised in one of the representations received with regard to the impact of the proposed garage on Cypress Trees located on the boundary between the application property and 29 Woodway Road.
- 3.14 The Council's Tree Officer has visited the site and advised that the garage should be constructed using an agreed pile and beam foundation to safeguard the roots of these trees.
- 3.15 The applicant's agent has advised via email that they would be happy to accept a condition for pile and beam foundation to be used if minded to approve.

- 3.16 It is recommended that if Members are minded to approve a condition be applied for the garage to be constructed using a pile and beam foundation the details of which should be submitted and agreed prior to the construction of the garage. With this condition in place the Council's Tree Officer is satisfied that the proposal would not attract an Arboricultural objection.

Flood Risk/Drainage Considerations

- 3.17 The site is not located in a high risk flood zone (i.e. flood zone 2 or 3) and therefore in flood control terms is an appropriate site for development.
- 3.18 It is proposed that the new extension and garage will connect into the existing surface and foul water systems at the site. The surface water would be dealt with by soakaway in the garden of the property and the foul water would connect into the public sewer located in the main road.

Highway Safety Considerations

- 3.19 The proposal makes no alterations to access arrangements to the site from Woodway Road.
- 3.20 It is considered that there is adequate space on site to access the garage and turn around on site to enter and exit the site in a forward gear. In any event, in light of the existing use of the site and the relatively lightly trafficked nature of the road, occasional reversing manoeuvres are unlikely to cause any highway safety issues.
- 3.21 No highway concerns are therefore raised.

Impact on Ecology

- 3.22 An assessment for Bats and Nesting Birds has been submitted with this application this found no evidence of bat use in association with the roof or eaves of the property and concluded that the proposed works are unlikely to impact on bats. The survey also found no evidence of nesting bird activity in association with the roof or eaves of the property.
- 3.23 No ecological concerns are therefore raised with regard to the proposed works.

Carbon reduction

- 3.24 Policy WE8 of the Local Plan allows for existing dwellings to be adapted to meet the occupiers' needs to enable them to remain in their dwelling, this adaption of existing properties may help to reduce the demand for the construction of new dwellings to provide the accommodation sought. It is considered that this proposal represents a sustainable development which meets the aims of EN3. The need for the new extension and garage to meet current building regulations should also improve the energy efficiency of the dwelling as a whole.

Conclusion

- 3.25 Officer recommendation is one of approval

4. POLICY DOCUMENTS

Teignbridge Local Plan 2013-2033

S1A Presumption in favour of Sustainable Development

S1 Sustainable Development Criteria

S2 Quality Development

S21A Settlement Limits

WE8 Domestic Extensions, Ancillary Domestic Curtilage Buildings and Boundary Treatments

EN3 Carbon Reduction Plans

EN8 Biodiversity protection and enhancement

EN9 Important habitats and features

EN11 Legally Protected and Priority Species

EN12 Woodlands, Trees and Hedgerows

National Planning Policy Framework

National Planning Practice Guidance

5. CONSULTEES

Teignbridge District Council Tree Officer:

There appears to have been a degree of excavation undertaken within and adjacent to the proposed garage site. Provided no more excavation is undertaken and the garage is constructed on an agreed pile and beam foundation, the proposal would not attract an Arboricultural objection.

6. REPRESENTATIONS

Three letters of objection have been received, two from Highclere, 25 Woodway Road, Teignmouth occupant and one from The Gables, 29 Woodway Road, Teignmouth. Their objections/concerns are summarised below (see case file for full representations):

- Overlooking concern to Highclere, 25 Woodway Road;
- Concern with regard to the probability of water runoff onto the pathway at Highclere, 25 Woodway Road, garden and house foundations of this property;
- Concern with regard to change of outlook from Highclere, 25 Woodway Road;
- Believe this is not at all in keeping with the period and visual nature of the area;
- I feel this extension would be very intrusive on Highclere, 25 Woodway Road and overbearing, being higher than and very close to the border fence of this property;
- There is a row of 4 mature and well established Cypress trees along my boundary with the property, one of which sits directly behind the proposed garage. I am concerned that no arboricultural information has been provided to confirm that the proposals will not affect the roots or how these will be protected. This is of particular alarm considering the floor level of the garage is to be lowered to match the excavations which have already taken place in levelling the drive area of the applicant's property;
- The plans do not show the difference in levels between the proposed garage and The Gables, 29 Woodway Road, Teignmouth;

- I would question whether the garage sited 472mm from the boundary with The Gables, 29 Woodway Road, Teignmouth provides enough space for any retaining wall and associated footings without crossing over the boundary and without detrimentally effecting the Cypress trees.

7. TOWN / PARISH COUNCIL'S COMMENTS

Teignmouth Town Council consider the application to be overbearing and intrusive. For these reasons the committee recommends that the Ward Member representing Teignmouth East Ware recommends Cat 'B'. Unanimous Decision.

8. COMMUNITY INFRASTRUCTURE LEVY

This development is not liable for CIL because:

- It is less than 100m² of new build that does not result in the creation of a dwelling.

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

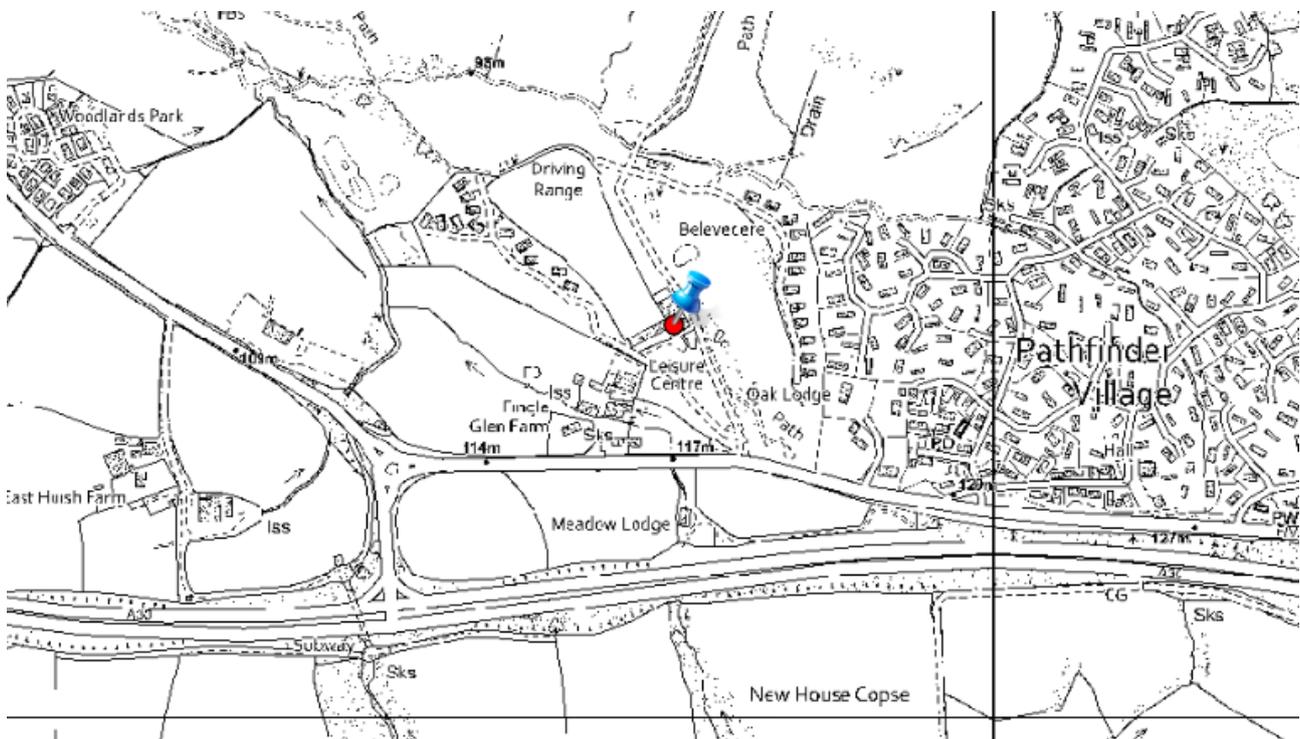
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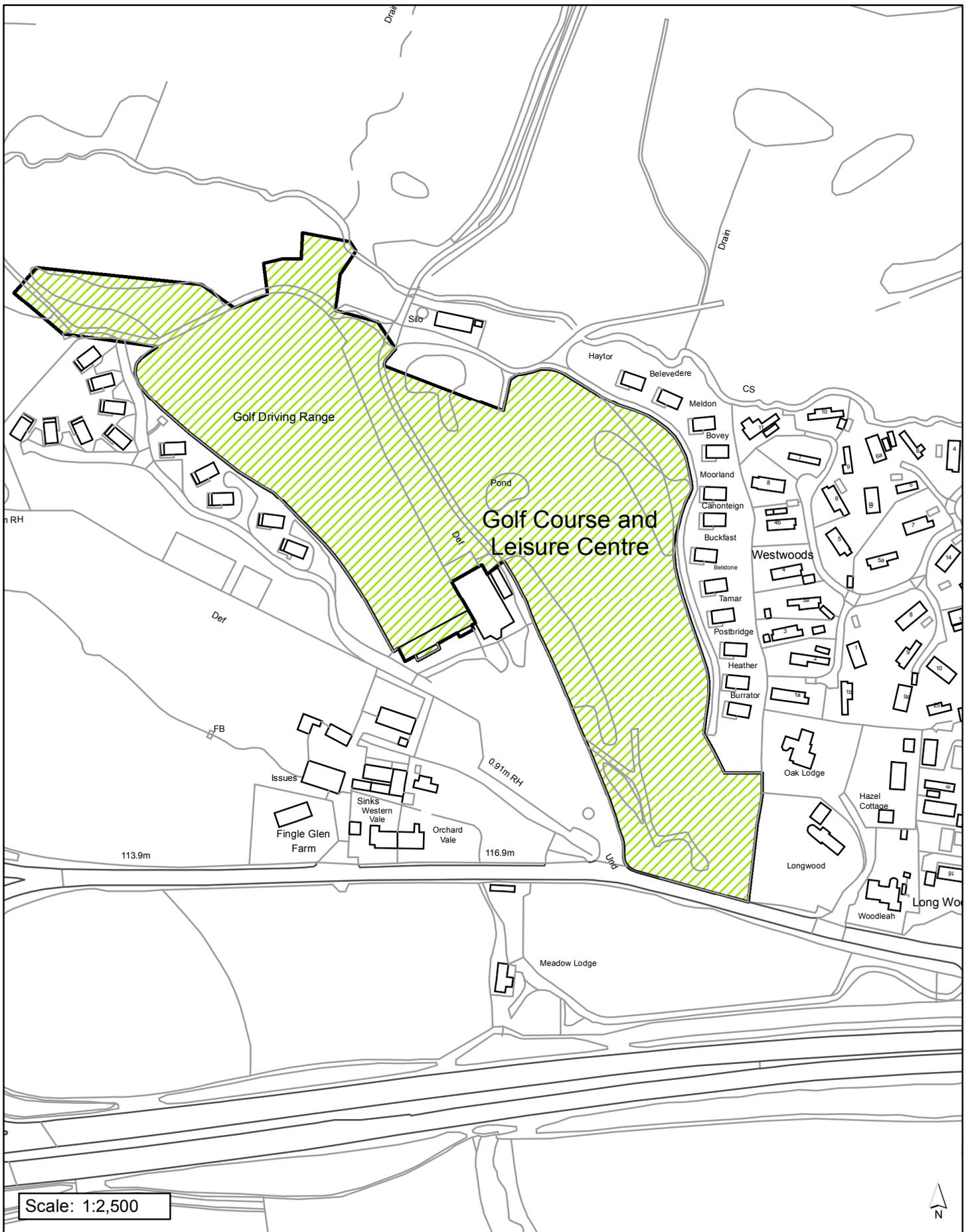
PLANNING COMMITTEE REPORT 26 November 2019

CHAIRMAN: Cllr Mike Haines



APPLICATION FOR CONSIDERATION:	TEDBURN ST MARY/WHITESTONE - 19/01473/MAJ - Fingle Glen Golf Club , Tedburn St Mary - Improvement of the existing golf facilities and remodelling of the golf course along with change of use of the existing golf course land for the siting of 25 self contained units of holiday accommodation	
APPLICANT:	Mr Bishop	
CASE OFFICER	Helen Addison	
WARD MEMBERS:	Cllr Alison Foden Cllr Charles Nuttall Cllr Andrew Swain	Kenn Valley
VIEW PLANNING FILE:	https://www.teignbridge.gov.uk/planning/forms/planning-application-details/?Type=Application&Refval=19/01473/MAJ&MN	





Scale: 1:2,500



19/01473/MAJ Fingle Glen Golf Club, Tedburn St Mary, EX6 6AF



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1. REASON FOR REPORT

The Parish Council has requested that the application should be determined by planning committee due to the scale of the development.

2. RECOMMENDATION

Subject to the receipt of satisfactory further information relating to provision of sustainable transport PERMISSION BE GRANTED subject to conditions addressing the following matters with final drafting of conditions, their content and triggers to be delegated to the Business Manager – Strategic Place:

1. The development hereby permitted shall be begun before the expiry of three years from the date of this permission.
2. The works hereby permitted shall be carried out accordance with the application form and approved plans.
3. Implementation of landscaping scheme in first planting season following completion of development.
4. Lodges (within definition of caravan) to be occupied for holiday purposes only and not as a main residence. A register of occupiers to be maintained.
5. Limit to number of lodges (within definition of caravan) and engineering works to those identified.
6. No loudspeakers or amplified music shall be played or installed other than within the units hereby approved.
7. CEMP to include pollution control measures, tree protection, controls on lighting and responsibilities for delivery.
8. LEMP to include long term management of new and retained habitats
9. Submission of a travel plan to accord with the Transport Statement
10. Lighting on the lodges to be motion activated on a short timer (max. 2 minutes)
11. Only outdoor lighting approved by the LPA to be installed on the site
12. Submission of detailed design of permanent surface water drainage management system
13. Submission of detailed design of surface water drainage management system which will serve the development site for the full period of its construction
14. Submission of details of the exceedance pathways and overland flow routes across the site in the event of rainfall in excess of the design standard of the proposed surface water drainage management system
15. Submission of schedule of external materials
16. Any areas of decking shall be constructed of materials that are recessive in colour and shall be dismantled and removed from the site on or before the removal of the lodge/ caravan to which they are associated.

3. DESCRIPTION

The site and proposal

- 3.01 The application relates to part of the existing Golf Club situated to the east of Tedburn St Mary, on the north side of the road from Fingle Glen to Five Mile Hill Cross. On the site there is an eighteen hole golf course, a club house, hotel accommodation above the club house, a driving range and 24 timber holiday lodges. 12 of these lodges are located to the west of the clubhouse and the

remaining 12 are to the east of the clubhouse and car park adjacent to the boundary with Pathfinder Village. The southern part of the application site is visible from the road. The ground levels on the site initially slope downwards in a northerly direction and then extend to a rolling land form further north.

- 3.02 To the east of the site there are dwelling houses and the Pathfinder village, which is a large park home site with facilities including a post office. There is a farm and three dwelling houses to the west of the site.
- 3.03 The site is outside any settlement limits and within the Area of Great Landscape Value. It is within flood zone 1.
- 3.04 The application is for the following;
- a) Adaption of the existing driving range building to provide enclosed space to accommodate four driving range simulators
 - b) Formation of a new golf course hole on part of land associated with the existing driving range
 - c) Siting of 25 log cabins on land currently used as the 1st hole of the golf course.
 - d) Extension of the external terrace of the club house
- 3.05 The proposed change to the existing driving range building which is an open sided covered building would provide enclosed space to accommodate four driving range simulators. A new entrance would be formed to the electronic driving range which would incorporate new glazed door with a canopy over. Existing sheds adjacent to the entrance would be timber clad to enhance their appearance. The northern side of the driving area which is currently open fronted would be enclosed with timber clad walls and glazed doors. The new doors would lead out onto an extension of the outside terrace which would connect the new driving range with the existing club house terrace. The change to the driving range would enable approx. 250m of tall safety fencing to be removed as the land currently used as part of the driving range would be used to form a new 18th hole for the golf course. In addition the high power sodium flood lights would be removed. Minimal regrading of the land is proposed to form new bunkers on the 18th hole. Two new ponds would be formed to provide a water features on the 18th hole.
- 3.06 The twenty five new holiday lodges with 25 car parking spaces would be sited on the eastern side of the site adjacent to 12 existing lodges. The proposed lodges would be laid out in an informal pattern based around a number of short spurs off the access road. There would be two different types of cabin which would have be finished with timber walls and a shallow pitched roof over. Nine three bedroom cabins and 16 two bedroom cabins are proposed. All of the cabins would have a small external verandah. An existing pond at the northern end of the cabin area which would be used as a swale as part of the proposed sustainable drainage system.
- 3.07 The proposed development includes improvements to the way in which the golf course operates. Currently the both the 1st and 18 holes do not relate well to the clubhouse. The alterations to the course would mean that the 18th hole would finish adjacent to the southern side of the club house and the 1st tee would be moved to the front (north) of the clubhouse.

- 3.08 New tree and shrub planting is proposed on the site to integrate the proposed development into the landscape.

Principle of the development/sustainability

- 3.09 As the site is located within the open countryside Teignbridge Local Plan 2013-33 Policy S22 (Countryside) is relevant. This requires development in the countryside to be strictly managed, and limited to uses which are necessary to meet the objective of providing attractive, accessible and biodiverse landscapes, sustainable settlements and a resilient rural economy. The Policy supports leisure and tourist uses in the countryside subject to taking account of (a) the distinctive characteristics and qualities of the Landscape Character Area, (b) the integrity of green infrastructure and biodiversity networks and (c) the impact on overall travel patterns arising from the development. Therefore in principle Policy S22 is supportive of the proposed development subject to compliance with relevant policies in the plan that may apply limitations to the proposed use.
- 3.10 Policy EC11 (Tourist Accommodation) supports provision of additional tourist accommodation where it expands or improves existing tourist accommodation locations and supports the expansion or improvement of an existing tourist attraction. Policy EC3 (Rural Employment) supports extensions or expansions of an existing business subject to complying with a number of criteria. Policy S12 (Tourism) promotes a growing sustainable tourism sector through supporting enhancement of existing tourist accommodation. The principle of the proposed improvements to the golf club would be consistent with these three policies.
- 3.11 Para. 83 in the NPPF advises that to support a prosperous rural economy planning decisions should enable sustainable rural tourism and leisure developments which respect the character of the countryside.
- 3.12 In summary, the Teignbridge Local Plan 2013-33 recognises the significant role of tourism in the local economy and is therefore supportive of appropriate and sustainable growth in tourism and the resulting local economy. Similarly the NPPF also supports the principle of rural tourism and leisure developments. It is concluded that the proposed improvements to the golf course and provision of additional self-contained accommodation would in principle be consistent with both the Teignbridge Local Plan and NPPF subject to compliance with other relevant policies in the plan.

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

- 3.13 The application site is within an Area of Great Landscape Value (AGLV). In the Teignbridge Local Plan 2013-33 Policy EN2A (Landscape Protection and Enhancement) requires development to be sympathetic to and help conserve and enhance the natural character of Teignbridge. In the policy it advises that development proposals should conserve and enhance the qualities, character and distinctiveness of the locality and maintain landscape quality, and minimise adverse visual impacts through high quality building and landscape design.
- 3.14 In the Teignbridge Landscape Character Assessment 2014, the site is within the Yeo Uplands and Slopes Landscape Character Area, and identified to as being within Landscape character type 5A 'Inland elevated undulating land'.

- 3.15 The Yeo Uplands and Slopes Landscape Character Area is described as a rolling upland landscape with spectacular and extensive views across surrounding landscapes. It is recognised that the sense of tranquility and remoteness is strong though locally reduced close to the A30. Overall it is concluded that it has high landscape character sensitivity. One of the identified current and landscape pressures is “potential new leisure and recreation developments (associated with the A30 road corridor) which would affect the predominantly rural character of this landscape and overall strong sense of tranquility”. The recommendations include ‘conserve and enhance the predominantly rural character and overall strong sense of tranquility through sensitive siting of new built development and enhancement of hedgerows and woodlands’.
- 3.16 When considering the impact of the proposed development on the character of the area it is relevant to consider that the site comprises an existing golf club with a number of holiday lodges. The appearance of the site is materially different to surrounding agricultural land in terms of the well maintained appearance of the golf course which includes actively managed areas of tree and shrub planting and the presence of the club house building, car park, sections of tall nettings and two groups of holiday lodges. It is also relevant to consider that Pathfinder village is adjacent to the eastern boundary of the site which comprises a developed area in residential use. Given the developed nature of the site and the character of surrounding area it is considered that that the site has the ability to assimilate the proposed scale of development without causing harm to the landscape character of the area. By siting the proposed lodges close to existing buildings the visual impact of the development would be minimised.
- 3.17 The alterations to the driving range would only be visible from privately owned land to the north and would have limited impact in terms of effect on landscape as it would comprise enclosing an existing building with timber walls. The use of timber would be sensitive to the landscape setting of the building and would minimise visual impact in views towards the building. The alterations to the driving range would be a positive enhancement to the site as the existing high netted fence and floodlights would be removed. It is possible that some fencing may be needed to protect existing lodges from golf balls. Clarification on this point has been requested from the agent. The proposed extension to the terrace would be at a low level and therefore would have no impact on the visual amenity of the area.
- 3.18 The part of the application that has the potential to have the greatest visual impact is the twenty five new holiday lodges. The proposal includes areas of new tree and shrub planting particularly at the entrance to the site to soften their visual impact, and to assimilate the development into the landscape dominated setting. The proposed planting would be a mix of native species which is appropriate within an AGLV. Currently the site is open to views from the road. A substantial area of tree planting on the southern boundary of the site and a new native hedge adjacent to the site entrance is proposed. This considerable area of new landscaping would provide a good screen to the site and would enhance the appearance when viewed from the road. Three belts of shrub planting are proposed between the lodges which would break up their visual impact and soften the views of the lodges when seen from the sloping ground to the north (which is private land with no public views).
- 3.19 The design of the proposed lodges is similar to the existing lodges on the site, and would be finished in timber on the walls. This combined with the low pitch of the

roof that would be finished with bitumen shingles would minimise their visual impact and would be sympathetic to the setting.

- 3.20 The provision of 25 additional lodges with associated parking spaces would inevitably have an impact on the character of the site by reason of the scale of development. They would be situated adjacent to a linear group of 12 lodges resulting in a larger area of the site being in holiday use. By reason of the location adjacent to the existing lodges and Pathfinder Village and close to the club house and car park this is considered to be the least intrusive part of the site for development.
- 3.21 Three appeals were determined for three separate applications for developments of respectively 12, 6 and 4 holiday lodges on the site by Inspector's letter dated 1st December 2010. Two of the appeals were dismissed because the proposed lodges would have been sited to the north of the Lilly Brook where the golf course is more open and undeveloped. In addition the ground levels in this area were in part elevated which would make the development more conspicuous. The Inspector concluded that development on these areas of the site would unacceptably detract from the character and appearance of the countryside and the AGLV. The third appeal was to the south of the Lilly Brook on an area that overlaps with the current application. In this appeal the Inspector concluded the proposed lodges would not appear unduly detached from the club house building and they would not be unduly conspicuous in views from within the course or outside the course. Consequently the appeal was allowed.
- 3.22 When considering the two dismissed appeals the Inspector noted the proposed layout of lodges arranged around a cul-de-sac as being typical of a more suburban area. In the current application the proposed layout of lodges is more informal and less road dominated than those considered at appeal. The submitted block plan shows that the proposed layout would have some similarity to the layout of buildings in the nearby Pathfinder Village. Although a layout of buildings around a cul de sac is not a typical rural layout, the way in which the lodges are laid out in low density informal clusters rather than a regimented linear layout would allow new landscaping to be integrated into the layout. The informal layout would be a softer and more appropriate approach than a regimented linear layout commonly found in holiday parks. By being low density and allowing integration planted belts it would respect the strong landscape setting of the site in the AGLV and would be appropriate for this location.
- 3.23 The proposal also includes provision of bollard lighting throughout the area of the new lodges. The bollards would be constructed from wood, which would be an appropriate material in this location. They would be 1 metre high, with downward directional light. In addition a wall light would be provided on each lodge. The proposed luminaires would have upward light ratios of 0%, and would be 3000K warm white LED light sources and light spill that would not exceed 5.5m from the light source. This would ensure that there would be no light spill on to surrounding habitats. The introduction of lighting would inevitably have some impact on this part of the site at night time. As the site is close to Pathfinder Village and the clubhouse there is currently illumination on both sides of the proposed lodges. In distance views of the site the proposed development would be seen against the background of these adjoining uses and it is considered that the additional low level illumination would not have a significant or harmful effect on the landscape character of this part of the site. It is also noted that the much higher flood lights on

the driving range are proposed to be removed, which would be a notable benefit to reduce the intrusion of illumination from the site.

- 3.24 Both the Council's Landscape officer and Arboricultural officer have advised that they have no objection to the proposals. It is concluded that for the reasons set out above the proposal would not materially detract from the character and appearance of the countryside and the AGLV and would therefore accord with Policy EN2A of the Teignbridge Local Plan 2013-33.

Impact on residential amenity of surrounding properties

- 3.25 The proposed holiday lodges would be sited over 30 metres away from existing properties in Pathfinder Village and adjacent to the eastern boundary of the site. The majority of the lodges would have a greater separation distance than 30 metres. Apart from the southern end of the lodge development, the new lodges would be located on the western side of the 12 existing lodges, which effectively provide a buffer between the proposed lodges and nearby residential properties. Due to the distance between the proposed lodges and existing residential properties, and the scale and form of the development there would be no adverse impact on residential amenity in terms of overlooking or overbearing relationship.
- 3.26 A number of representations have been received that refer to noise and disturbance from occupants of the lodges in terms of late night noise, movement of vehicles on gravel paths and use of hot tubs which are provided for some of the existing lodges.
- 3.27 No consultation response has been received from the Environmental Health Officer. In the absence of this, it is considered that by reason of the distance between the lodges and the existing properties it would be difficult to substantiate refusing the application on the grounds of noise nuisance. The nearby properties are within a residential area where there is already noise and activity including vehicle movements. Properties near the southern boundary also experience noise from vehicular movements on the road. There is therefore an expectation in the area that some noise and disturbance already occurs. The use of the lodges for holiday purposes would generate a similar domestic activity. The main concern appears to be the behaviour of the occupants, rather than the every day occupation of the lodges.
- 3.28 One possible way of addressing noise from the holiday lodges is for a code of occupation on the site to be provided in each lodge which includes a time after which noise on the site should be kept to a minimum and confirmation from the site owner that they will work to ensure this is adhered to. Whilst this would be a voluntary arrangement and not enforceable through the planning system it could be a positive initiative to prevent undue noise and disturbance. In this case it would be inappropriate to address noise nuisance through the planning system as statutory noise nuisance powers under the Environmental Protection Act 1990 exist to protect residential amenity, and this would be the appropriate legislation to use to address any complaints.
- 3.29 Local residents have also made reference to disturbance from events held in the club house. The proposed extension to the club house terrace would result in a larger area of outdoor space associated with the club house. It is noted that the new terrace area would be on the south and western side of the existing terrace. Given that the club house and southern terrace already exists it is considered

difficult to argue that the extension to the terrace would result in such an increase in noise nuisance that would harm the amenity of nearby occupants. The new terrace would be screened from residents to the south west by the driving range building. It would be largely screened from residents in Pathfinder Village by the existing two storey club house building and would be in excess of 150m from the nearest properties.

- 3.30 Policy S1 (Sustainable Development Criteria) requires new development proposals to perform well against (d) health, safety and environmental effects of noise, smell, dust, light, vibration, fumes of other forms of pollution or nuisance arising from the proposed development. For the reasons set out above it is considered that the proposal accords with this Policy.

Impact on ecology/biodiversity

- 3.31 In support of the application an Ecological Impact Assessment (ECIA) has been submitted. This report states that the site has limited opportunities for protected and notable species. The report concludes that no effects on designated sites are predicted. It acknowledges that there would be loss / modification of amenity grassland, bare ground, introduced shrub and marginal vegetation habitat within the footprint of the development. However this loss would be mitigated by new habitat creation. New planting would comprise native trees and approx. 50 metres of species-rich native hedgerow. This will provide foraging and commuting habitat for a wide range of species. In addition, screens comprising native shrubs will create a visual buffer between groups of holiday cabins. Wildflower grass and marginal plant seeding around the pond margins and seasonally wet swale will enhance these habitats for a range of species.
- 3.32 Removal of the existing floodlights on the driving range would be a minor long-term positive effect. With the provision of suitable mitigation, it is considered in the ECIA that all other residual effects would be neutral and not significant. Lighting has been designed to minimise impacts on bats and to ensure that there would be no light spill on to surrounding habitats. Overall, it is suggested in the submission that the development would provide biodiversity gain and avoid significant harm.
- 3.33 It is advised in the ECIA that ecological mitigation measures during construction, including pollution control measures, tree protection and controls on lighting, would be specified in a Construction Environmental Management Plan (CEMP), which would also detail responsibilities for delivery. Long-term management of new and retained habitats would be specified in a landscape management plan, to be implemented by the golf course. These documents, and any detailed lighting and landscape proposals, should be secured by planning condition.
- 3.34 The relevant policies in the Teignbridge Local Plan 2013-33 are EN8 (Biodiversity Protection and Enhancement), EN9 Important Habitat Features, EN10 European Wildlife Sites, EN11 Legally Protected and Priority Species and EN12 Woodland, Trees and Hedgerows. These policies seek to ensure that biodiversity is protected and enhanced. Para. 170 of the NPPF requires planning decisions to contribute to enhance the natural and local environment by (d) minimising impacts on and providing net gains for biodiversity.
- 3.35 The Council's Biodiversity Officer has advised that she has no objection to the application and welcomes the removal of the driving range floodlights, the additional

planting and ponds. Subject to securing implementation of the proposed planting and securing protection of existing landscape features during construction by condition it is considered that the proposed development would accord with the above referenced policies in the Teignbridge Local Plan.

Land drainage/flood risk

- 3.36 A flood risk assessment was submitted in support of the application. The site is located within flood zone 1 which has the lowest category of flood risk.
- 3.37 The proposed surface water management plan seeks to provide surface water attenuation and long-term storage through the use of Sustainable Drainage Systems (SuDS) to ensure downstream flood risks are not increased, whilst also promoting biodiversity, ecology and water quality enhancement. The surface water drainage strategy for the scheme will comprise a network of private underground pipework, attenuation ponds, conveyance swales, hydraulic swales and overland exceedance measures. The drainage strategy accounts for runoff in up to the 100 year return period and safeguards against the upper end allowances for climate change (40%). All access and parking bays will be formed of loose gravel. It is proposed to connect foul drainage to the SWW public sewer.
- 3.38 The SWW consultation response confirms that foul drainage capacity has been assessed and is available to support the proposal. DCC as Lead Local Flood Authority (LLFA) initially requested submission of additional information relating to surface water drainage, specifically carrying out infiltration tests to demonstrate whether infiltration is a viable means of surface water drainage management. Following submission of additional information the LLFA has confirmed that they have no objection to the application subject to imposition of conditions to include submission of detailed design of the surface water drainage management system.
- 3.39 Policy EN4 (Flood Risk) in the Teignbridge Local Plan requires consideration of development proposals to have regard to (e) adequacy of drainage, disposal arrangements, sewerage and sewage treatment facilities, (f) the need for surface water systems separate from foul drainage systems and (g) the use of sustainable drainage systems where ground conditions are appropriate. The application as submitted accords with this policy subject to the conditions recommended by the LLFA.

Highway safety

- 3.40 A Transport Assessment has been submitted in support of the application, which includes a framework travel plan that sets out the strategy to promote sustainable transport choices for journeys to/from the development.
- 3.41 It notes that the Golf Club has a number of facilities on site that guests may take advantage of, including a restaurant and bar area, and beauty / therapy treatment area. Pathfinder Village, adjacent to the golf club, has a number of local facilities which include a post office, general store, surgery, church, social hall and bus stops.
- 3.42 Access to the golf club site would not be changed. Access to the lodges would be taken from existing internal roads in the site. One parking space per lodge would be provided, clustered in a courtyard of up to six parking spaces which the lodges

will sit around. Turning space for vehicles would be provided within each parking cluster. The main car park would remain as existing with no additional car parking proposed. The redevelopment of the driving range is not expected to result in additional trips to the site which would require additional parking space to be created.

- 3.43 The proposed development is anticipated to generate up to between 33 and 99 movements per day during an average week for the holiday lodges. This equates to up to one trip every 3-4 minutes during the busiest peak hours of traffic generation, which would not be considered to have a severe impact on the local highway network, and is expected to be well within the day to day variation on Five Mile Hill and the A30(T) Fingle Glen junction. The redesign of the driving range to convert it from a 'traditional' open driving range to a more modern simulator driving range would be unlikely to result in an increase in trips to the site.
- 3.44 The NPPF highlights that a key tool to achieve its stated objectives on sustainable transport will be a Travel Plan, and the Framework requires that all developments which generate significant amounts of traffic should be requested to provide a Travel Plan. Whilst the proposed development is not expected to generate a significant amount of traffic, in line with best practice the Transport Statement sets out a proposed framework for a Travel Plan. This provides a strategy for the introduction of a package of measures aimed at managing multi-modal access to the proposed development. Submission of a travel plan based on the measures set out in the Transport Statement can be addressed by means of a condition.
- 3.45 The DCC Highways officer has advised that the site is accessed off a C Classified County Route which is restricted to 30 MPH. There are no personal injury collisions which have been reported to the police in this area between 01/01/2014 and 31/12/2018. The submitted Transport Assessment shows the number of trips which this proposal could generate which would not make a severe impact on the highway network. The access off the C50 has the suitable visibility splays for the speed limit in this area. It is concluded that the Highway Authority has no objections to this proposal.
- 3.46 Policy S9 in the Teignbridge Local Plan 2013-33 sets out the sustainable transport strategy for Teignbridge. The Plan does not specify parking requirements for new developments. Section D of Policy S9 states that new developments should provide "appropriate parking for bicycles, cars and other vehicles". Opportunities to promote sustainable transport modes is also supported in para. 32 of the NPPF. The submitted application includes new car parking provision but there is no information about provision of cycle parking. Further detail on this has been requested from the agent.
- 3.47 Subject to the receipt of satisfactory information relating to provision of cycle parking it is considered that the proposal accords with Policy S9 in the Teignbridge Local Plan.

Carbon Reduction

- 3.48 The applicant has provided the following information on the sustainable features of the proposed development;

- (a) The proposed new self-contained lodges and conversion of the driving range will be designed to meet the conservation of fuel and power requirements of the Building Regulations.
 - (b) The proposals include for the removal of the existing roof mounted high power flood lights to the driving range that will reduce associated power consumption and also the associated potential for light pollution within the immediate surroundings.
 - (c) The surface water and foul drainage strategies have been developed to include attenuation basins and swales proposed to deal with surface water
- 3.49 It is noted that points (a) and (c) identify compliance with existing regulations. Policy EN3 (Carbon Reduction Plans) in the Teignbridge Local Plan 2013-33 promotes taking a proactive approach to incorporating carbon reduction measures into the development. There are opportunities in this development such as provision of shared car charging points, specifying appliances with high energy efficiency to be provided in the lodges. Other measures discussed in this report such as provision of a travel plan and provision of cycle parking would contribute to improving the sustainability of the development.
- 3.50 The agent has been requested to provide further information on how the proposed development will contribute to carbon reduction and this information will be included in the update sheet.
- 3.51 The development of UK based holiday accommodation has the potential to reduce the amount of air travel undertaken for leisure trips.

Summary and conclusion

- 3.52 In conclusion, the proposed development would provide improvements to the operation of an existing business through changes to the golf course layout and through upgrading the driving range to an electronic system. The expansion of the holiday accommodation on the site would provide diversification which would further support the business. Policies S22, EC3, and EC11 in the Teignbridge Local Plan 2013-33 support investment in existing tourist accommodation locations and businesses outside settlement limits. In addition the proposal would accord with para. 83 of the NPPF which supports the sustainable growth and expansion of all types of businesses in rural areas through well designed new buildings.
- 3.53 The application site is within the AGLV. The proposal incorporates provision of new landscaped areas to mitigate the impact of the development into the landscape dominated site. There are gains from the development in the form of removal of the high netted fence around the driving range and the sodium flood lights. The proposed new lodges would be sited on the least sensitive part of the site in terms of landscape impact and it is concluded that the proposal would not harm the landscape character of the area.
- 3.54 Local concern has been raised about potential noise and disturbance. By reason of the distance between the proposed development and nearby properties it is considered that the relationship would be acceptable and the proposal would not result in level of harm to residential amenity that would justify refusing the application. The proposal is therefore considered acceptable in this location subject to imposition of relevant planning conditions.

4. POLICY DOCUMENTS

Teignbridge Local Plan 2013-2033
S1A Presumption in favour of Sustainable Development
S1 Sustainable Development Criteria
S2 Quality Development
S12 Tourism
S22 Countryside
EC3 Rural Employment
EC11 Tourist Accommodation
EC12 Tourist Attractions
EN2A Landscape Protection and Enhancement
EN3 Carbon Reduction Plans
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

Devon Waste Plan (for all major applications)

National Planning Policy Framework

National Planning Practice Guidance

5. CONSULTEES

South West Water

South West Water has no objection and would confirm in light of local concerns that foul drainage capacity has been assessed and is available to support the proposal.

Police Architectural Officer

No objection. Comments made on security provisions for windows and doors, provision of an alarm and on CCTV.

Devon County Council Lead Local Flood Authority Response

Original objection is withdrawn, no in principle objections subject to imposition of pre commencement conditions relating to;

- Detailed design of permanent surface water drainage management
- Detailed design of permanent surface water drainage management for the full period of its construction
- Submission of details of the exceedance pathways and overland flow routes across the site in the event of rainfall in excess of the design standard of the proposed surface water drainage management system

Devon County Council Highways

The application has included a Transport Assessment which shows the number of trips which this proposal could generate which would not make a severe impact on the highway network.

The access off the C50 has the suitable visibility splays for the speed limit in this area.

Therefore the Highway Authority has no objections to this proposal.

TDC Senior Arboricultural Officer

There are no arboricultural objections to the application as no significant trees within or adjacent to the proposal will be adversely affected.

TDC Landscape Officer

No objections. The lighting proposals show bollard lights positioned beside the pathways and bulkhead lights fixed to the cabins, both with downward facing lamp fitting. It is also proposed to remove the existing floodlighting.

I am of the opinion that this will be produce an attractive outcome, result in less light spill and consequently benefit tranquillity. It would be of further benefit if the light colour could be less than 3000K.

TDC Biodiversity Officer

I have no objection to the proposals. I welcome the removal of the driving range floodlights, the additional planting and proposed ponds.

6. REPRESENTATIONS

13 letters of objection and one comment have been received. The following issues are raised;

- Concerned about noise pollution. Frequently experience noise until 3am and 4am.
- Noise comes from guests staying in the lodges and the band or discos in the clubhouse
- Security
- Water/sewerage issues
- Loss of privacy
- Application is adjacent to a retirement village with nearly 300 homes
- Road layout will mean congestion of vehicle movements in and out of the area, threatening potential accidents/collision events
- Relocate proposed lodges to the other side of the course
- Development could become permanent and change the golf course/hotel complex into a holiday park
- Only one parking space per cabin
- Noise disturbance from gravel road
- Extra demands on an already fluctuating water supply
- Potential for golf club holiday complex to be changed to a holiday park and then to a housing estate

7. TOWN / PARISH COUNCIL'S COMMENTS

Whitestone Parish Council- oppose this application.

- It was confirmed that this Parish oppose the application with the reservation that this is in an area of great landscape value which is totally in opposition to the Teignbridge District Council Policy.

8. COMMUNITY INFRASTRUCTURE LEVY

The proposed log cabins are classified as mobile homes and fall within the statutory definition of a caravan as defined in Section 13 of the Caravan Sites Act 1968. The stationing of the log cabins is a change of use and not Operations Development constituting additional floor space. Therefore, 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

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PLANNING COMMITTEE

CHAIRMAN: Cllr M Haines

DATE:	26 November, 2019
REPORT OF:	Site Inspection Team – Councillors Haines (Chairman), Goodman-Bradbury (Vice Chairman), Nuttall, J Petherick
DATE OF SITE INSPECTION:	6 November, 2019
Application 19/01473/MAJ	Fingle Glen Golf Club, Tedburn St Mary, EX6 6AF- Improvement of the existing golf facilities and remodelling of the golf course along with change of use of the existing golf course land for the siting of 25 self-contained units of holiday accommodation

Also present: Cllr Taylor and a representative of the Parish Council
Apologies: Cllrs MacGregor and Patch

Purpose of Site Inspection:

In accordance with the procedure relating to major applications, the application below was the subject of a site inspection prior to being considered by the Committee. All members of the Committee were invited to attend the site inspection. The purpose of the inspection was to enable Members to familiarise themselves with the site. Members were unable to form an opinion on the applications without having first considered the detailed report of the Business Manager which will be included in the Committee agenda for the next or a future meeting.

Members viewed the existing Driving Range, the area for the new 18 Hole Green, the area for the proposed 25 holiday units, existing lodges adjacent to Pathfinder Village, and to the rear of existing lodges to assess the proximity to dwellings at Pathfinder Village. Members also viewed the area for the proposed improvements to the facilities which included an extended terrace to the Club House.

The Planning Officer reported: on the plans detailing all proposals: the proposed additions to the Golf Course including the lodges, alterations to the Driving Range, and the Golf Course; the introduction of new lights for the lodges, which would focus light in a downward direction with minimal impact on the immediate area, and bollard lights in the vicinity of the new lodges. Members noted the proximity of the site to the nearby Pathfinder Village and gave consideration to potential impact of noise from the proposals, particularly from the new lodges and Club House terrace given the proximity to Pathfinder village, the potential impact on the existing wider landscape of

TEIGNBRIDGE DISTRICT COUNCIL

the additional lodges and proposed lighting scheme; additional landscaping to be planted to screen the proposed lodges, and along the roadside to screen the site; the proposed parking spaces of the new lodges of one per lodge; external materials for the lodges to match existing; and areas of existing safety netting and sodium lights on the driving range that would be removed.

The Site Inspection Team also noted the boundary and topography of the site, the surrounding area, and that the site is within an Area of Great Landscape Value. .

The plans did not indicate safety netting between the existing lodges and the area proposed for the new 18 Hole Green. The Planning Officer advised she would give an update on this, and the hours of operation for the proposed lights, at Committee.

Cllr M Haines
Chairman