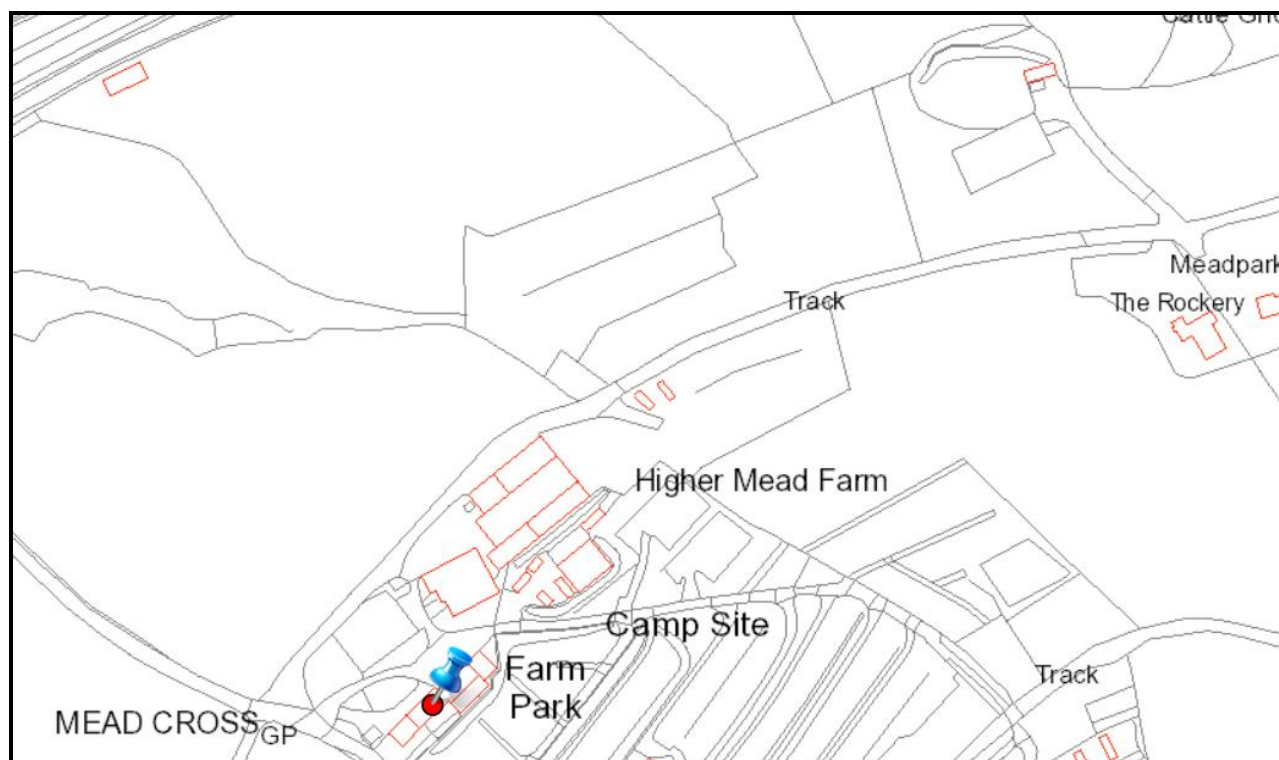


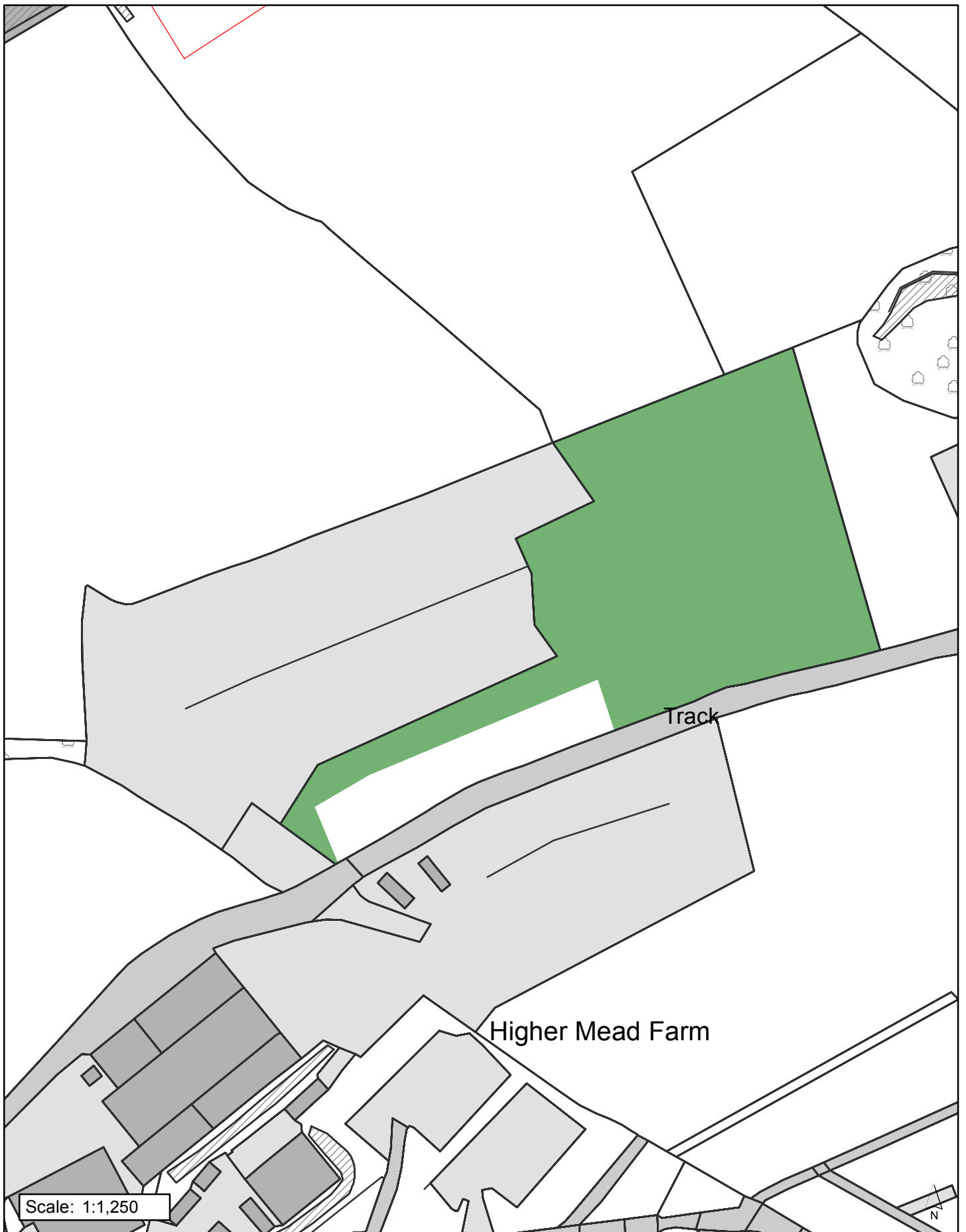
PLANNING COMMITTEE REPORT

CHAIRMAN: Cllr Mike Haines



APPLICATION FOR CONSIDERATION:	ASHBURTON - 20/00375/MAJ - Higher Mead Farm, Alston Cross - Change of use from agricultural land to Use Class B8 storage for caravans, boats and motor homes/vehicles	
APPLICANT:	Mr P Parker	
CASE OFFICER	Gary Crawford	
WARD MEMBERS:	Cllr Huw Cox Cllr John Nutley Cllr Sarah Parker-Khan	Ashburton And Buckfastleigh
VIEW PLANNING FILE:	https://www.teignbridge.gov.uk/planning/forms/planning-application-details/?Type=Application&Refval=20/00375/MAJ&MN	





**20/00375/MAJ - Higher Mead Farm, Alston Cross,
Ashburton TQ13 7LJ**

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1. REASON FOR REPORT

This application is reported to Committee because the applicant is related to a Member of the Council.

2. RECOMMENDATION

PERMISSION BE GRANTED subject to conditions:

1. The development shall be retained in accordance with the approved plans;
2. Within 3 months of this decision notice, a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the local planning authority;
3. No external lighting shall be installed on, or in association with, the storage area, except for low-intensity, PIR motion-activated lights on a short timer (maximum 2 minutes), sensitive to large objects only (to avoid triggering by bats or other wildlife);
4. Storage shall be of caravans, boats and motor homes/vehicles and for no other purpose including any other use falling in Use Class B8.

3. DESCRIPTION

Site description

- 3.1 The application site relates to land located approximately 150m south of the A38 and on the opposite side of the road to Mead Storage, Mead Garage and Parkers Farm Holiday Park. In terms of planning policy, the site is located with designated open countryside. The site also lies within the South Hams Special Area of Conservation (SAC) Landscape Connectivity Zone and within a Mineral Safeguarding Area for the limestone resource.

The proposal

- 3.2 This application seeks retrospective permission for a change of use of the site from agricultural land to use class B8 for the storage of caravans, boats and motor homes/vehicles. The site has been covered in gravel and has been split into three compounds via the erection of green palisade fencing and gates. The site also features column mounted lights and CCTV cameras.

- 3.3 Five static caravans have been sited opposite the storage area, however, these are subject to a separate currently undetermined planning application (20/00400/FUL).

Planning history

- 3.4 There are a number of previous applications relating to Higher Mead Farm but the most relevant are considered to be:

- 08/03263/COU: Change of use of redundant dairy building and hardstanding to storage of twenty touring caravans outside and twenty touring caravans/boats inside and office. Approved 27/11/2014.
- 20/00400/FUL: Change of use of land to allow the siting of 8 static caravans for holiday use including associated staff accommodation. Awaiting determination.

Main issues

3.5 The main issues for consideration are:

- Principle of the development;
- Impact upon the character and visual amenity of the area/open countryside;
- Highway impacts;
- Flooding and Drainage;
- Biodiversity impacts;
- Impact on residential amenity of surrounding properties;
- Carbon reduction; and
- Other matters.

Principle of Development

- 3.6 The National Planning Policy Framework provides clear direction for Local Planning Authorities to grant planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. This is likewise, reflected in Policy S1A (Presumption in favour of Sustainable Development) in the Teignbridge Local Plan.
- 3.7 The National Planning Policy Framework seeks to support a prosperous rural economy through, as set out in paragraph 83, 'the sustainable growth and expansion of all types of business in rural areas'.
- 3.8 Planning permission was previously granted under application reference 08/03263/COU for a change of use of redundant dairy building and hardstanding to the storage of twenty touring caravans outside and twenty touring caravans/boats inside and an office at Mead Farm in November 2014.
- 3.9 The site lies beyond any defined settlement limits and within the open countryside and Policy S22 of the Teignbridge Local Plan applies to the consideration of the acceptability of the principle of this proposal in this location.
- 3.10 Policy S22 sets out that in open countryside, development will be strictly managed, and limited to uses which are necessary to meet the overall aims of this policy, which are to manage development and investment to provide attractive, accessible and biodiverse landscapes, sustainable settlements and a resilient rural economy. The policy sets out the uses that would be supported in the open countryside in the interests of ensuring a resilient rural economy, two of which are business and warehousing, subject to compliance with a number of criteria. The storage use for the site could be reasonably concluded to fall within the warehousing category given that it is similar in nature - albeit with potentially greater landscape impacts as a result of open storage rather than storage within a building - and therefore could be seen to accord with Policy S22.
- 3.11 Furthermore, Policy EC3 (Rural Employment) of the Teignbridge Local Plan supports uses with a strong functional link to local agriculture, forestry or other existing rural activity and extensions or expansions of an existing business or employment site. Given that there is an existing use on the wider site for the

storage of caravans and boats, it is considered that the proposal would comply with Policy EC3.

- 3.12 As such, it is considered that the principle of development is acceptable, subject to compliance with other relevant policies of the Local Plan.

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

- 3.13 It is acknowledged that the proposal does have an impact upon the character and appearance of the open countryside. However, the site is set down from the A38 and it is well screened when viewed from the A38 by a mature belt of trees and hedges. Furthermore, the site is set against a backdrop of existing buildings and caravans which form Mead Garage and Parkers Farm Holiday Park and as such, it is considered that the proposal does not appear unacceptably out of keeping with the character of the area. In addition, the Council's Landscape Officer has been consulted on this application and he has raised no objections to the development.

Highway impacts

- 3.14 There is access to the site from Alston Cross on the A38 via the C227 and although the site is accessed off an unclassified County Road which is restricted to 60 mph, due to the width of the carriageway, speeds are considered to be much lower. Furthermore, due to the location of the site there is likely to be little through traffic past the site to the east due to the nature of the unclassified road from this point.
- 3.15 Devon County Council's Highways department has been consulted on this application and they have commented that they do not consider that the number of vehicles that the site is likely to generate will have a severe impact on the existing Highway network and as such the Highway Authority has raised no objections to the proposal.

Flooding and Drainage

- 3.16 The submitted Drainage Report details that during the construction of the compounds, the existing topsoil and subsoil were excavated and replaced with 600mm of crushed rock and gravel. As such, the applicant has proposed that surface water from the development will be disposed of via infiltration through the crushed rock and gravel which have been installed on the surface of the site. Devon County Council's Flood and Coastal Risk Management Team initially objected to this application in their role as Lead Local Flood Authority as they considered that insufficient information had been submitted to demonstrate that all aspects of the surface water drainage management plan had been considered.
- 3.17 Following the submission of additional drainage information during the course of the application, Devon County Council's Flood and Coastal Risk Management Team withdrew their objection to the proposal as the applicant submitted infiltration test results which demonstrated that infiltration through the crushed rock and gravel which have been installed on the surface of the site is viable.

Biodiversity impacts

- 3.18 The application site is located within the South Hams Special Area of Conservation (SAC) Landscape Connectivity Zone. TDC's Biodiversity Officer has been consulted on this application and she has commented that for the benefit of the SAC's greater horseshoe bats, connectivity of bat flyways along linear landscape features should be retained and light spill/pollution should be avoided.

- 3.19 The site features existing column mounted lighting and the Biodiversity Officer has requested that a condition is included with any permission which states that these lights and any other lights, existing or proposed on site, should must be motion-activated rather than on all night and should have bat/wildlife-friendly light output. In addition, as there will still be some light spill, to help maintain a choice of dark flyways for SAC bats, the Biodiversity Officer has recommended that a further condition is included with any permission which requires the retention of the existing hedge along the northern and eastern site boundaries; and creation of a Devon bank and native-species hedge along the eastern site boundary. These details will be requested via the submission of a Landscape and Ecological Management Plan.

Impact on residential amenity of surrounding properties

- 3.20 Due to the distance between the nearest residential property and the application site, it is deemed that the proposal does not result in any adverse impacts upon the residential amenity of any surrounding properties.

Carbon reduction

- 3.21 Policy S7 (Carbon Emission Targets) of the Local Plan states that the council will work proactively with partners and through public and private investment and the management of development, will seek to achieve reductions in carbon emissions per person arising within Teignbridge of about 48% from 2017 levels by 2050. Policy EN3 (Carbon Reduction Plans) of the Local Plan details that development proposals should seek to minimise their carbon footprint both during construction and in use, to achieve the carbon emissions target in Policy S7. As the proposal does not involve built development, it has not been subject to the carbon calculator
- 3.22 However, it is considered that the proposal would contribute to achieving a reduction in carbon emissions as it supports domestic tourism and is therefore likely to result in less international air travel. Furthermore, the proposal is also likely to minimise the number of long distance trips towing caravans as it provides caravan owners with a storage site in the south west of England.

Other matters

- 3.23 Although the application site is located within a Mineral Safeguarding Area for the limestone resource, given that this area of resource is already constrained by existing development, both Devon County Council's Minerals department and the Devon Stone Federation have raised no objections and as the development would not materially increase the degree of constraint.

Conclusion

- 3.24 The proposal is considered to support an existing business in this rural area and it is not considered that there are any adverse impacts of granting permission that would significantly or demonstrably outweigh the benefits that this consent would bring to the local rural economy. Officer recommendation is therefore to grant conditional approval.

4. POLICY DOCUMENTS

Teignbridge Local Plan 2013-2033

Policy S1A (Presumption in favour of Sustainable Development)
Policy S1 (Sustainable Development Criteria)
Policy S2 (Quality Development)

Policy S7 (Carbon Emission Targets)
Policy S22 (Countryside)
Policy EC3 (Rural Employment)
Policy EN2A (Landscape Protection and Enhancement)
Policy EN3 (Carbon Reduction Plans)
Policy EN4 (Flood Risk)
Policy EN8 (Biodiversity Protection and Enhancement)
Policy EN10 (European Wildlife Sites)
Policy EN11 (Legally Protected and Priority Species)

National Planning Policy Framework
National Planning Practice Guidance

5. CONSULTEES

TDC Landscape Officer: No objection.

TDC Biodiversity Officer:

The site is within the South Hams Special Area of Conservation (SAC) Landscape Connectivity Zone. For the benefit of the SAC's greater horseshoe bats, connectivity of bat flyways along linear landscape features should be retained and light spill/pollution should be avoided.

To minimise impacts on SAC bats, please attach a lighting condition. The Planning Statement says here is currently 'discreet lighting at the entrance'. This is in the form of column mounted lighting. These lights and any other lights existing or proposed on site should must be motion-activated rather than on all night and should have bat/wildlife-friendly light output – please impose a condition.

As there will still be some light spill, to help maintain a choice of dark flyways for SAC bats, please require: retention of the existing hedge along the northern and eastern site boundaries; and creation of a Devon bank and native-species hedge along the eastern site boundary. Please require management of the existing and new hedges to achieve dense screens at a height of at least 3m.

DCC Highways:

Observations

The site is accessed off an unclassified County Road restricted to 60 mph although, due to the width of the carriageway, speeds are considered to be much lower. Where the site is situated there is likely to be little through traffic due to the nature of the unclassified road from this point. Vehicles are unlikely to turn left from the site but rather turn right towards Mead Cross. There is good access from the A38 via the C227. This is a typical rural road with no footways or street lighting. There has been one "slight" collision, at Mead Cross, reported to/by the police between 01/01/2015 and 31/12/2019. The Highway Authority does not consider the number of vehicles the site is likely to generate will have a severe impact on the existing Highway network and as such has no objections to the proposal.

Recommendation

No objection.

DCC Flood and Coastal Risk Management Team:

Comments dated 24 November 2020

Recommendation:

At this stage, we object to the above planning application because the applicant has not submitted sufficient information in order to demonstrate that all aspects of the surface water drainage management plan have been considered. In order to overcome our objection, the applicant will be required to submit some additional information, as outlined below.

Observations:

It is understood that this site is already constructed and this planning application is seeking retrospective planning permission. It is noted within the Surface Water Drainage Assessment (Ref. 534/FRA2; dated 24th August 2020) that western field has been covered with 500mm thickness of gravel with a soakaway beneath. It is also noted within the Surface Water Drainage Assessment that plans for the soakaway do not exist. The applicant must confirm how the location and size of the soakaway is known. The applicant must provide further details of the ordinary watercourse which is noted to flow along the southern boundary of the site. The applicant must submit photographs of this watercourse to demonstrate its condition. The applicant must also submit details to confirm the size of the watercourse. The watercourse has been depicted on the topographic survey (drawing No. FRA1; dated August 2020), however, further details are needed. The applicant must complete soakaway tests, in accordance with BRE Digest 365 Soakaway Design (2016), to demonstrate the suitability of infiltration at this site. If infiltration is viable, then the applicant will need to submit MicroDrainage model outputs (or similar) to demonstrate that the pore spaces within the gravel meets the surface water drainage volume.

Comments dated 1 February 2021

Recommendation:

Our objection is withdrawn and we have no in-principle objections to the above planning application at this stage.

Observations:

Following my previous consultation response (FRM/TE/00375/2020; dated 24th November 2020), the applicant has submitted additional information in relation to the surface water drainage aspects of the above planning application, for which I am grateful. The applicant has submitted infiltration test results to demonstrate that infiltration is viable.

Police Designing Out Crime Officer:

Whilst I have no objection to the proposal, I would like to make the following comments and recommendations for consideration.

Such storage compounds can be at significant risk of crimes such as theft, damage and arson etc. Therefore, the security of such a site must be effective and robust enough to reduce the potential for such offences. The recommendations below are aimed at negating such a risk.

- I note that 'the site is secure, with a combination of mature hedgerow and 1.8m high chain link fence around the perimeter and access gates' This is supported and it is recommended that security fencing is of an anti-climb design is certified to LPS 1175 SR 1/2. The hedgerow must be robust and sufficient enough to prevent access all year around.

- Gates within the perimeter fencing should match the design, height and construction of the adjoining fence and not compromise security. They should be hung on anti-lift hinges which together with any lock should be protected to deter attacks using burning and/or cutting tools.

- I note and support that the site is covered by CCTV. The following advice is given in relation to CCTV:

- Entry and exit points should be covered as well as the storage area.
- A Passport for Compliance Document, including an Operational Requirement (OR) should be drawn up prior to any installation.
- Cameras, wiring and recording or monitoring equipment should be secured.
- CCTV should be designed in co-ordination with external lighting and landscaping.
- The CCTV must have a recording format that is acceptable to the Police. Recorded images must be of evidential quality if intended for prosecution.
- Any CCTV is advised to be installed to BS EN 50132-7: CCTV surveillance systems for use in security applications.
- CCTV systems may have to be registered with the Information Commissioners Office (IOC) and be compliant with guidelines in respect to Data Protection and Human Rights legislation. Further information is available via www.ico.gov.uk
- For guidance on the use of CCTV images as legal evidence see also BS 7958:2005 CCTV Management and Operation Code of Practice.
- In order to be effective, the system should incorporate an element of monitoring in order to respond to live incidents.

- A monitored perimeter intruder detection system can be considered as they can be used to support perimeter fencing or to create 'virtual' secure compounds within an area. This would provide some guardianship to the site

DCC Minerals (in response to adjacent application 20/00400/FUL):

The application site is within a Mineral Safeguarding Area for the limestone resource, with Policy M2 of the Devon Minerals Plan seeking to protect such resources from sterilisation or constraint by non-mineral development.

In this case, this area of resource is already constrained by existing development, and the proposals would not materially increase the degree of constraint. Devon County Council therefore has no objection in its role of mineral planning authority.

Devon Stone Federation (in response to adjacent application 20/00400/FUL):

The DSF represents aggregate mineral operators in Devon and is a consultee for planning proposals within Mineral Safeguarding Areas and Mineral Consultation Areas defined in the adopted Devon Minerals Plan. In this case, the site lies within the Mineral Safeguarding Area defined to protect an important limestone aggregate 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, including aggregate deposits, from being constrained by incompatible surface development. In this case there is already more sensitive development closer to the ongoing and future quarrying of the deposit than the proposal would be and therefore it would not cause additional constraint than exists at present. Therefore the DSF does not wish to raise an objection to the proposal.

6. REPRESENTATIONS

A site notice was erected.

One letter of support has been received.

7. TOWN / PARISH COUNCIL'S COMMENTS

Ashburton Town Council have commented that they have a neutral opinion on the application.

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