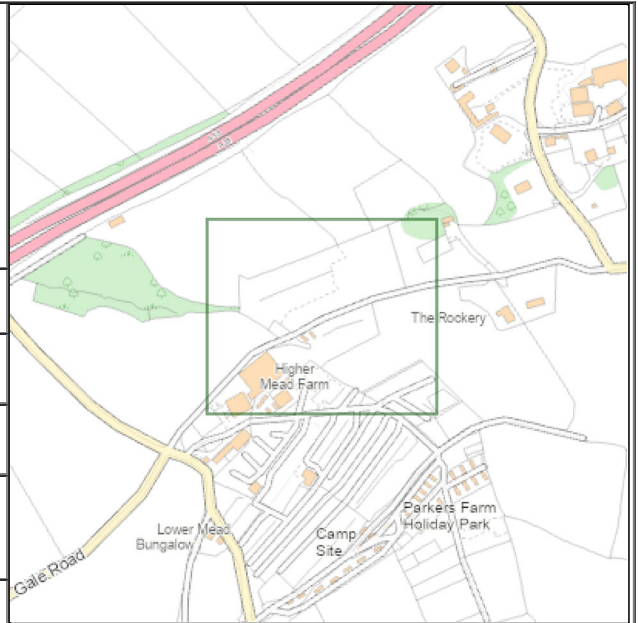


**Planning Committee Report**

**Chairman: Cllr Colin Parker**

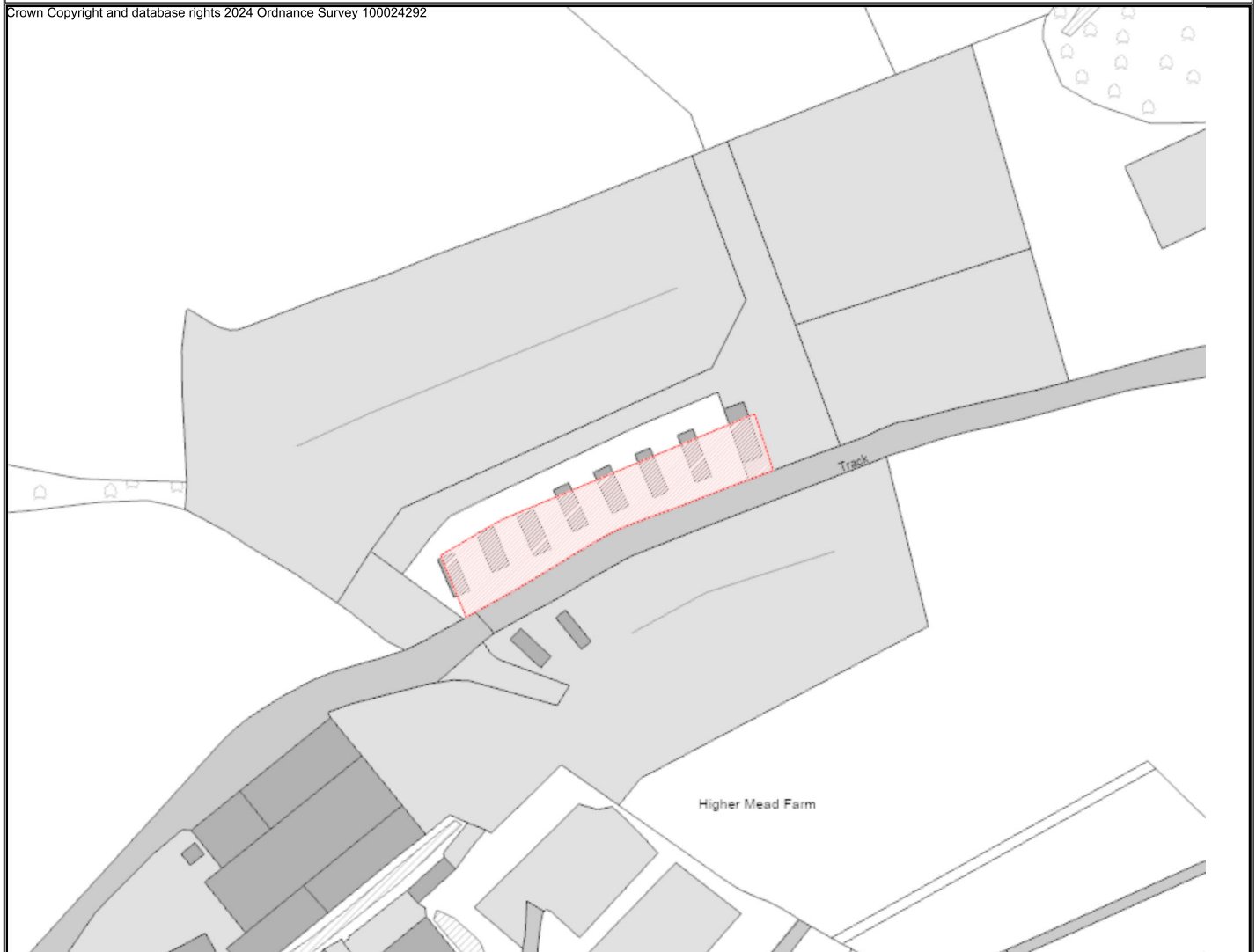
<b>Date</b>	11 June 2024
<b>Case Officer</b>	Gary Crawford
<b>Location</b>	Higher Mead Farm Alston Cross Ashburton Devon TQ13 7LJ
<b>Proposal</b>	Change of use of land to allow the siting of 8 static caravans for holiday use including associated staff accommodation
<b>Applicant</b>	Mr P Parker
<b>Ward</b>	Ashburton And Buckfastleigh
<b>Member(s)</b>	Cllr John Nutley, Councillor Stuart Rogers
<b>Reference</b>	20/00400/FUL



[Online Details and Documents](#)

**RECOMMENDATION: PERMISSION GRANTED**

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## 1. REASON FOR REPORT

The applicant is a Council Member.

## 2. RECOMMENDATION

PERMISSION BE GRANTED subject to conditions addressing the following matters, the precise number and form of which shall be delegated to the Head of Development Management:

1. Works shall proceed in accordance with 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. The LEMP shall ensure it details retention of the existing hedge along the southern boundary of the site; and the creation of a Devon bank and native-species hedge along the northern, western and eastern boundaries of the site. The work shall be carried out in accordance with the LEMP.
3. No external lighting shall be installed on, or in association with the caravans hereby approved, except for low-intensity, PIR motion-activated lights on a short timer (maximum 2 minutes), sensitive to large objects only (to avoid triggering by bats or other wildlife).
4. The occupation of the caravans hereby approved shall be for holiday purposes or by persons solely or mainly employed by Parkers Farm Holiday Park only. The caravans shall not be occupied as a person's sole or main place of residence. The owner shall maintain an up-to-date register of the detail of all occupiers, including their names and main home addresses, of the caravans hereby approved and shall make the register available for inspection at all reasonable times by the local planning authority.

## 3. DESCRIPTION

### The site

- 3.1 The application site relates to land located approximately 220m south of the A38 and on the opposite side of the road to Mead Storage, Mead Garage and Parkers Farm Holiday Park. Planning permission was granted under reference number 20/00375/MAJ in March 2021 for a change of use of the land immediately to the north of the application site from agricultural land to storage for caravans, boats and motor homes/vehicles (use class B8).
- 3.2 In terms of planning policy, the site is located within designated 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 application

- 3.3 This application seeks retrospective permission for a change of use of the land to allow the siting of 8 static caravans for holiday use, including associated staff accommodation.

#### Main issues

The main issues for consideration are:

- Principle of the development;
- Impact upon the character and visual amenity of the area/open countryside;
- Impact on residential amenity;
- Biodiversity impacts;
- Drainage;
- Highway safety; and,
- Minerals.

#### Principle of the development

- 3.4 Teignbridge Local Plan 2013-2033 Policy S1A (Presumption in Favour of Sustainable Development) sets the criteria against which all proposals will be expected to perform well. It advises that the Local Planning Authority should take into account whether the adverse impacts of granting permission would outweigh the benefits of the development. In this case, it is considered that the principle of the static caravans for holiday use is acceptable as the use of these caravans would be in relation with Parkers Farm Holiday Park on the opposite side of the road and Policies S22 (Countryside), EC11 (Tourist Accommodation) and S12 (Tourism) of the Local Plan allow such development.
- 3.5 With regards to the proposed associated staff accommodation, further clarification has been sought from the applicant with regards to how many of the caravans would be used to accommodate staff and the justification for staff living on the site. The applicant's agent has confirmed that 4 of the 8 statics are proposed for staff accommodation in connection with the caravan park. In addition, the applicant's agent has advised that the applicant has experienced difficulties in recruiting staff locally, particularly site wardens, as they are either on call 24 hours, or work split shifts. The agent has advised further that it would be very difficult for someone living off site to be on call for 24 hours and that the applicant has always had to advertise nationally to attract staff willing to work to those particular work patterns. Officers consider that the applicant has provided sufficient justification for the proposed staff accommodation and it is considered that the proposed staff accommodation is acceptable as it would with the continued operation of an existing Holiday Park.

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

- 3.6 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 located adjacent to the storage use approved

under application 20/00375/MAJ and it is set against a backdrop of existing buildings and caravans which form Mead Garage and Parkers Farm Holiday Park. As such, it is considered that the proposal does not appear unacceptably out of keeping with the character of the area.

#### Impact on residential amenity

- 3.7 Whilst there may be some noise and disturbance impacts upon the occupiers of the static caravans from the adjacent storage use, it is considered that any noise and disturbance impacts would not be significantly harmful enough to warrant a refusal of this application. It is not considered that the caravans themselves would lead to unacceptable levels of noise.

#### Biodiversity impacts

- 3.8 The application site is located within the South Hams Special Area of Conservation (SAC) Landscape Connectivity Zone. The Biodiversity Officer has been consulted on this application and they consider 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 or pollution should be avoided.
- 3.9 To minimise impacts on SAC bats, the Biodiversity Officer has requested that an external lighting condition is included with any permission. 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 which requires the retention of the existing hedge along the southern boundary of the site; and creation of a Devon bank and native-species hedge along the northern, western and eastern boundaries of the site. The recommendations of the Biodiversity Officer are considered reasonable and necessary for the proposal to be acceptable. The lighting condition will be included if Members are minded to approve and the other matters will be requested via the submission of a Landscape and Ecological Management Plan.

#### Drainage

- 3.10 It is proposed that surface water from the caravans would be drained into the existing gravel on the site, as already approved for the adjacent storage use under planning permission 20/00375/MAJ. Devon County Council's Flood and Coastal Risk Officer has advised that the applicant must ensure that the caravans do not cause an obstruction to maintenance access for the ordinary watercourse and it is recommended that this is included as an informative with any approval.

#### Highway safety

- 3.11 Devon County Council's Highways department have 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. As such, the Highway Authority have raised no objections to the proposal. The Planning Case Officer has considered this response and has no objection to the proposal in this respect.

3.12 Although the 8 static caravans proposed under the current application are located on the opposite side of the road from Parkers Farm Holiday Park and are subsequently detached from the main site, given that the 8 static caravans are located an approximate 200m walk from the Holiday Park, it is considered that, on balance, the separation between the application site and the Holiday Park is acceptable.

#### Minerals

3.13 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 as the development would not materially increase the degree of constraint. Officers consider, on balance, that there are no objections to the scheme on mineral working grounds.

#### Conclusion

3.14 The proposal would support an existing Holiday Park 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. The 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 S12 (Tourism)

Policy S22 (Countryside)

Policy EC11 (Tourist Accommodation)

Policy EN2A (Landscape Protection and Enhancement)

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 Biodiversity Officer (see application file for comments in full):**

No objections, subject to conditions with regards to external lighting and the retention of existing/creation of new hedges.

**TDC Landscape Officer:** No objection.

**TDC Drainage Engineers (see application file for comments in full):**

In order to determine the viability of infiltration on this site, the applicant must submit the results of infiltration testing.

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 management and maintenance of the proposed surface water drainage system in order to demonstrate that all components will remain fully operational throughout the lifetime of the development.

**DCC Highways (see application file for comments in full):**

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.

**DCC Flood and Coastal Risk Officer (see application file for comments in full):**

It is understood that the caravans will be able to drain into the gravel as proposed within planning application 20/00375/MAJ.

The applicant must ensure that the caravans do not cause an obstruction to maintenance access for the Ordinary Watercourse.

**DCC Minerals:**

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:**

The site lies within the Mineral Safeguarding Area defined to protect an important limestone aggregate deposit. 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.

No representations have been received.

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

**Ashburton Town Council:** Record 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.

**Head of Place and Commercial Services**