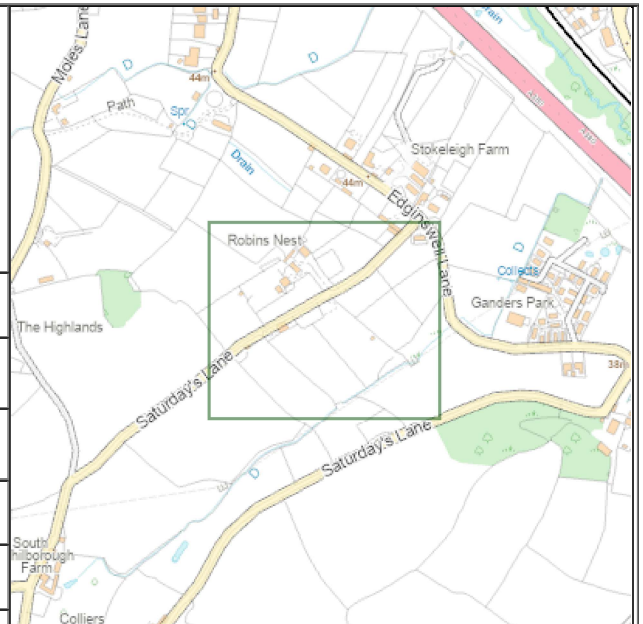


Planning Committee Report

Chair: Cllr Suzanne Sanders

Date	24 March 2026
Case Officer	Artur Gugula
Location	Stables And Sand Ring South Of Saturdays Lane Kingskerswell Devon
Proposal	Site huts for holiday use
Applicant	Mrs M Ashcroft
Ward	Kerswell-with-Combe
Member(s)	Cllr John Radford, Cllr Jane Taylor
Reference	25/01632/FUL



[Online Details and Documents](#)

RECOMMENDATION: PERMISSION GRANTED

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1. REASON FOR REPORT

This has been called in by the Parish Council for the following reasons:

- Impact on natural environment and biodiversity.

2. RECOMMENDATION

PLANNING PERMISSION be granted subject to the following conditions:

Standard conditions

1. The development hereby permitted shall be begun before the expiry of three years from the date of this permission.

REASON: In accordance with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

Date Received	Drawing/Reference Number	Description
28 Jan 2026	1652 PL3 REV F	Proposed Site Plan
28 Jan 2026	1652 S1 REV B	Location Plan
28 Jan 2026	1652 PL4 REV F	Proposed Hut Plan & Elevations
28 Jan 2026	1129/01 REV B	Landscape Plan
28 Jan 2026	1129/02 REV A	Landscape Specification
28 Jan 2026	1129/03	Landscape Sections

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

Prior to commencement conditions

3. Notwithstanding the hereby approved plans and documents, prior to commencement of the hereby approved development a Landscape Ecological Management Plan (LEMP) for the maintenance and management of on-site habitats and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. The LEMP shall be prepared with any future approved Biodiversity Gain Plan and the hereby approved landscaping details and shall include:

(a) A non-technical summary;

(b) The roles and responsibilities of the people or organisation(s) delivering the LEMP;

(c) The planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan, and the approved landscaping scheme;

(d) The management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30-years from the completion of development; and

(e) The monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority.

Works shall proceed in accordance with the approved details or in accordance with revised details which shall have first been submitted to and approved in writing by the local planning authority. The approved habitat creation and enhancement works shall be maintained for a period of 30-years.

REASON: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990, and to ensure that the new landscaping is managed appropriately for the benefit of visual amenity. The details are required to be approved prior to the commencement of development to ensure that the actions needed to create and enhance habitat onsite as well as maintain it for 30 years from the completion of development have been appropriately secured.

Prior to the sitting of hut

4. Prior to the first sitting of the hereby approved huts on the site, details including specification, material and finishes for the elevational timber cladding and the roof covering for each of the huts shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

REASON: In the interest of ensuring that the development has an acceptable landscape impact.

Prior to first use conditions

5. Prior to the first use of the hereby approved development a maintenance and management plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include the following:

- (a) Security measures that would be deployed on the site;
- (b) Procedures for checking-in and checking out of guests;
- (c) Procedures and timings for ongoing cleaning, upkeep and maintenance of the site and facilities;
- (d) Details of waste management including, the responsible body, frequency of management, recycling regimes and size of any containers required.

The development shall thereafter be carried out and operated for its lifetime in accordance with the approved maintenance and management plan

REASON: In the interest of ensuring that permanent management presence on site is not required, for the benefit residential amenity of surrounding properties, and to ensure that waste is managed on site appropriately.

6. Prior to the first use of the hereby approved development the new access gate and associated boundary treatment as defined on the Landscape Plan referenced 1129/01 REV B shall be installed, maintained, and retained for the life of the development. Notwithstanding the hereby approved plans the new access gate, and all other new non-vegetated boundary treatments shall be installed in accordance with details that shall have been first submitted to and approved in writing by the Local Planning Authority. The details shall include elevational details, materials, finish, height, and location. The development shall thereafter be carried out in accordance with the approved details.

REASON: In the interest of ensuring that the proposed boundary treatments are appropriate for their rural setting and to ensure that the enhancement resultant from the removal of the existing gate is delivered for the benefit of the local landscape.

7. Prior to the first use of the hereby approved development a new boundary treatment within the site shall be installed, maintained and thereafter retained in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority under Condition 5 of this permission.

REASON: In the interest of ensure that lightspill from the development is managed to an acceptable level in the interest of legally protected South Hams SAC bat species.

8. Prior to the first use of the hereby approved development the surface water management scheme and the foul water management scheme shall be installed, maintained and thereafter retained to serve the development for its lifetime in strict accordance with the hereby approved Storm Drain Report Percolation Testing & Soakaway Design referenced REV A JAN 2026 and Foul Percolation Testing Report Drawings Calculations referenced REV A JAN 2026 both received on 28th January 2026.

REASON: In the interest of ensuring that surface water from the development is appropriately managed, to ensure that floor risk does increase on site or elsewhere, and to ensure that foul water is dealt with appropriately to avoid pollution.

9. Prior to first use of the hereby approved development, an electric vehicle charging point shall be installed at the site and shall be commissioned and available for use. The charging point shall as a minimum be a 32A (7.3kW) Mode 3 unit and shall be maintained in good working order thereafter as specified by the manufacturer.

REASON: In the interest of carbon reduction.

Compliance conditions

10. The development hereby permitted shall be carried out strictly in accordance with the Biodiversity Gain Plan, which shall be prepared in accordance with the submitted BNG Metric received on 3rd February 2026, and shall be approved under the General Condition relating to Biodiversity Gain.

REASON: To ensure the development delivers biodiversity net gain in accordance with Schedule 7A of the Town and Country Planning Act 1990.

NOTE: Please refer to the Informatives attached to this decision.

11. The holiday unit hereby permitted shall only be used for holiday purposes and not for any other residential use falling within Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or any Statutory Instrument revoking and re-enacting that Order with or without modification. For the avoidance of doubt 'any other residential use' includes a person's or persons' main residence, or a permanent residential unit of accommodation.

A register of all occupiers, detailing dates, names and usual addresses shall be maintained by the site owner and shall be kept up-to-date and available for inspection by the Local Planning Authority. The register of occupiers above shall be collected by the landowner or their nominated person.

REASON: To ensure that the accommodation is not used for permanent occupation and to prevent the establishment of a permanent dwelling in the countryside contrary to local planning policy.

12. The sitting, design and appearance of the hereby approved huts shall be implemented, maintained and thereafter retained for the lifetime of the development in strict accordance with the hereby approved Proposed Site Plan referenced 1652 PL3 REV F and Proposed Hut Plan & Elevations referenced 1652 PL4 REV F.

REASON: In the interest of ensuring that the proposal has an acceptable impact on the local landscape and to ensure that the impact lightspill is appropriately managed for the benefit of legally protected South Ham SAC bat species.

13. The development hereby permitted shall be carried out in strict accordance with the hereby approved Ecology Report referenced SWE 2319 VERSION 3 and received on 2nd October 2025.

REASON: In order to secure biodiversity enhancements required that local plan policies that do not otherwise fall within the remit of Biodiversity Net Gain.

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

All internal lighting shall be designed to have low illuminance output, no UV component, maximum colour temperature of 2,700 Kelvin and minimum light wavelength of 550 nanometres. Lighting units shall be recessed ceiling mounted and directed/cowled away from windows and glazed doors.

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

15. Any contamination that is found to be present at the application site during construction of the development hereby permitted shall be reported immediately to the local planning authority. Development on the part of the site affected shall be suspended and a risk assessment carried out and submitted to and approved in writing by the local planning authority. Where any unacceptable risk is found remediation and verification schemes shall be submitted to and approved in writing

by the local planning authority. These approved schemes shall be carried out before the development or relevant phase of development is resumed or continued.

REASON: To ensure that any contamination found during site works is dealt with appropriately.

3. DESCRIPTION

Planning history

16/02853/FUL - Sand school for horses and redevelopment of stables – APPROVED.

25/00045/PE - Use of site for holiday huts as both a business and storage facility – Advice summarised as follows:

As set out above, the principle of both Options 1 (holiday use and some storage of huts) and 2 (sole storage of huts) are broadly acceptable in planning policy terms. However, further work is required to demonstrate no adverse impacts from the proposal, and there are particular concerns relating to the Landscape Visual Impact of retaining the huts on site, as well as highways impact on Saturday Lane. The applicant could explore the idea of using the site as a temporary campsite under Option 3, providing the proposal falls within the parameters as set out under Permitted Development Rights.

The site

- 3.1. The application site is located within the southern part of the District within an area of rural land between Kingskerswell and Edinswell (Torquay). The site is within the Area of Great Landscape Value and Strategic and Local Open Break as designated within the current Local Plan. It is accessed from the adjacent Saturday's Lane. The site is situated along a high point of a steeply sloping valley.
- 3.2. The site sits at the southeast corner of an area defined as Denbury and Kerswell Farmlands in the Devon Landscape Character Assessment, almost adjacent to the area defined as Torbay Hinterland. It is covered by the Landscape Character Type, Lower rolling farmed and settled valley slopes and sits adjacent to an area of Upper farmed and wooded valley slopes. These areas are rural in nature, defined by their topography and largely pastoral land use with wooded appearance and a settled nature that is more dispersed on the upper slopes. The site sits in a valley that is reflective of these features however it is also influenced by the urban area of Torquay and main transport routes to the south and east which reduce the tranquillity.
- 3.3. The site is approximately 0.4 acres in size with an existing lawful use as a sand school comprising a rectangular sand ring, and a parking/turning area. It is accessed via existing gates in the northeast corner. More recently, the site featured 6-8 huts which have been stored on the land but have since been removed. The site area is bound by various hedges on all sides, the southern hedgebank appears in poorer state and is less mature as it has been introduced at the time of the sand school development.
- 3.4. Due to the mature hedgerow along the roadside boundary the visual presence of the site along the adjacent Saturday's Lane is less obvious. The lane loops around to

the south, where localised views of the site are more obvious due to the site's prominent position on the elevated valley slope. Some more distant views of the site can be achieved from Moles Lane to the south, and Edinswell Lane and the South Devon Expressway to the west. Views from the north would be completely obscured by the ridge of the valley and vegetation.

The proposal

- 3.5. The proposal seeks permission for a holiday use unit comprising 3 shepherds huts which would include one bedroom with two bed spaces, bathroom, small sauna and a small living area. The huts would sit on a metal wheeled subframe featuring timber clad elevations, metal curved roof, and treated timber windows and doors. The huts would be stationed on the existing hardscaping. There would be no removal of hedges, and the existing access would be utilised.
- 3.6. A new Devon hedge is proposed along the southern boundary with planting of 13 new native species trees. Other soft landscaping would take place within the site and on the southern bank. A post and rail fence is proposed around the hedge. The eastern part of the site would be separated by a post and rail fence providing a gravelled parking area for at least 5 cars (some of the parking is to serve the retained stable to the west). The existing access is to be improved, removing the unsightly concrete piers and high timber clad gate, replacing them with a new post and rail fence and solid gate.
- 3.7. The proposed holiday use is intended for a single booking at any one given time.
- 3.8. During the course of the application the scheme has been revised to reduce the number of huts and change the layout, introduce further landscaping and amend the red line to include the proposed foul drainage system to the south. Initially 5 huts were proposed providing two bedrooms and other facilities. The huts were dispersed around the site. The current scheme has reduced the number to 3 clustered huts as described above.

Principle of the development

- 3.9. The site is located outside any designated settlement limit, thus development within the site is considered to be within the open countryside where policy S22 of the Teignbridge Local Plan 2013-2033 (LP) and GP3 of the emerging Teignbridge Local Plan 2020-2040 (eLP). Both of the policies are supportive of the principle of tourist uses within the open countryside subject to compliance with other relevant policies.
- 3.10. In this instance policies EC11 of the LP and EC6, EC7 of the eLP are of specific importance in respect of tourist accommodation. Both of the policies are supportive of new tourist uses subject to a number of circumstances.
- 3.11. It is considered that particular relevance should be paid to the definition of a caravan within Section 13 of the Caravan Sites Act 1968 which sets out that if a unit can be assembled from no more than two sections on site and is physically capable of being moved, as well as meets the maximum size thresholds (Length: 20m, Width 6.8m, and Internal Height: 3.05m) then such can be classed as a caravan. The proposed holiday use which would be accommodated in 3 huts which would meet the definition. The huts would be mobile due to presence of the wheels, and no permanent fixing to the ground is required. Each of the huts could be transported

onto the site in one part. Each would have a length of 5.9m, width of 2.5m and internal height of 2.5m which falls within the maximum thresholds.

- 3.12. Policy EC11 is supportive of new caravan sites in open countryside locations. As the proposed huts would meet the definition of a caravan, the scheme can be classed as a caravan site, albeit very small in its nature effectively creating a one-bedroom accommodation across 3 huts. As such, it is considered that the principal requirement of policy EC11 would be met.
- 3.13. Given that the proposal has been established to be considered as a new caravan site, it is considered that policy EC6 of the eLP does not apply, and thus the requirements of Policy EC7 apply instead. This policy does not specifically preclude the principle of caravan sites within the open countryside but rather sets out a criteria-based approach for acceptability of proposals. Criteria 1,2 and 7 will be assessed in more detail further in the report, however those remaining are addressed in turn as follows.

Is served by adequate supporting infrastructure and vehicular access;

- 3.14. The site would be served by an existing access which offers appropriate visibility in both directions. Whilst located in the open countryside and along a narrow lane it is in close proximity to Kingskerswell and Torquay where future users could gain access to local services and amenities. This requirement is also applied proportionally to the scale of the proposal which is considered to be small given that the provision of only one bedroom.

Is of a scale appropriate to the accessibility of the site by public transport, cycling or walking;

- 3.15. As with the above, this requirement is applied proportionally to the small scale of the proposal. It is noted that the site is served by narrow country lanes which are unlit and provide no pavements. It is likely that future occupiers would mostly reach this destination by car, however due to close proximity to Torquay and Kingskerswell it is considered that walking and cycling does remain an option for reaching local amenities. It is acknowledged that any walking and cycling movements would be accommodated within the narrow lanes, however due to the likely reduced vehicle speeds, and relatively low traffic such does remain an option. The public footpath located off Edginswell Lane which provides access to the wider amenities can be reached via a 13-minute walk. Given the provision of only two bed spaces, it is considered that the small scale of the development is appropriate for its countryside location and accessibility via sustainable modes of transport.

The site is capable of being managed without the need for a new dwelling and will not contain any other permanent residential homes on a year-round use;

- 3.16. Due to the provision of only two bed spaces, it is considered that the proposal would not justify the need for an onsite dwelling in order to allow the management of the site. It is considered appropriate to condition the submission of a management plan to demonstrate how the site will be managed in respect of security, check-in/check-out procedures, and the ongoing cleaning, upkeep and maintenance of the facilities. The use of the unit for holiday purposes only can be secured via an appropriate condition which would include the keeping of a register of occupiers.

Can demonstrate that it would result in benefits for the economy of Teignbridge;

- 3.17. This requirement is applied proportionally where any benefits of the proposal would likely be small scale due to the small scale of the development. The proposed development will contribute positively to the local economy by increasing visitor expenditure specifically within Kingskerswell due to close proximity. Due to its size the proposal offers an alternative lodging option to that of a traditional (likely larger) caravan park. As such, the proposal is considered to meet the above criterion.

The proposal is accompanied by a legal agreement stating that the accommodation will remain in visitor use only and will not be used for permanent residential occupation.

- 3.18. The proposal does not include a legal agreement, and the recommendation with this report does not include the requirements for such to be signed. This is due to the small scale of the proposal – it is considered that the intention of this criterion is to help manage permanent residential occupation on larger scale caravan sites. It would be disproportionate to require an S106 agreement where otherwise there is no requirement of such on this scale of proposal. Given that only one unit is proposed it is considered that holiday use can be appropriately managed and secured via a condition, where potential enforcement via condition on a site of this scale would be more effective compared to enforcement via any potential legal agreement. In this instance, the scale of the proposal offers a sufficient material planning consideration to justify deviation from the strict requirement of the policy in relation to the legal agreement.
- 3.19. Based on the assessment above, it is considered that the principle of development is acceptable subject to compliance with other relevant policies.

Impact on character and visual amenity of the area and landscape

- 3.20. Policies S1 and S2 of the adopted LP require proposals to assimilate well and draw inspiration from the surrounding rural landscape. Similarly, policies GP1, GP3 and DW2 of the emerging LP reflect this requirement specifically in relation to rural areas and taking account of the Teignbridge Landscape Character Area Assessment (LCAA).
- 3.21. The site is located within the Area of Great Landscape Value as designated by the LP. However, this designation is being discontinued within the eLP, with Policy EN4 providing protection to all of the District's landscape. The policy seeks for development proposals to be designed to conserve or enhance landscape and seascape character and to reinforce local distinctiveness. It also seeks for proposals to minimise adverse visual impacts through high quality building and design and landscaping, supported by a Landscape and Visual Impact Assessment where necessary.
- 3.22. The site is also within a strategic open break as defined by policy EN1 of the LP where it is required that development within such areas would not harm the openness or landscape character of the, would not otherwise result in significant harm to settlement in their wider landscape settings, and would not result in loss of environmental or historic assets that individual or collectively contribute to local identity. The corresponding EN1 policy within eLP (Setting of Settlements), takes a broader approach and does not provide a specifically designated area and allows for individual assessment of sites that fall within gaps between the existing larger settlements and villages. In addition to the requirements as set out in policy EN1 of the LP, the eLP also seeks the following: maintaining separate identity and avoids

coalescence; making positive contribution to the settings character; and avoids distinct hills or ridges or an undeveloped skyline.

- 3.23. Furthermore, criteria 1 and 2 of policy EC7 of the eLP seeks for developments of this nature to demonstrate a very high standard of design of the overall site, and to conserve and enhance the character of the landscape.
- 3.24. The application submission has been accompanied by a Landscape and Visual Impact Assessment (LVIA), which identifies the most sensitive localised views of the site to be from Saturday's Lane to the south. Further afield views are possible from Mole Lane and the Expressway to the west. The evidence photographs within the LVIA do present a worst-case scenario with the unauthorised huts being still in place. The LVIA concludes that with the proposed mitigation planting established, the proposal would have a limited noticeable impact
- 3.25. In respect of views from the adjacent lane to the north, it is considered that the existing retained hedge would offer sufficient screening as to not cause significant unacceptable impact on the character and appearance of the landscape. The current access is unsightly featuring concrete piers and high timber boarded fence. The proposal has put forward a betterment to improve the access and remove the unsightly features. A new gate is proposed with simple post and wire fence each side to complete the access – no detailed plans of this have been provided and as such it would be appropriate to secure these via condition including its implementation prior to first use to ensure that the benefit is bought forward by the scheme.
- 3.26. The localised views from the south across the valley are mostly of concern – in this location Saturday's Lane features lower hedges where the southern aspect of the site would be fully exposed. It is acknowledged that the presence of the sands school would be obvious as the existing poorly established bank indicates a level area within the slope of the valley. The previously present huts, due to their grey elevational covering, the spread across the site, and the exposed southern boundary would indeed be obviously visible. The scheme proposes the use of a small cluster of 3 huts, which are to be covered in timber cladding. A new Devon hedge is proposed to enhance the southern boundary. The existing bank would also be planted with 13 new trees. The final elevational finish of the timber cladding can be secured via condition to ensure that the huts appear muted within the landscape. The landscaping implementation and management would also be appropriate to secure via condition. The clustering helps to confine the development, and the proposed hedge, when developed over time together with a significant number of trees would provide screening which would reduce impacts to an acceptable level. The introduction of the new hedges and trees, as well as improvement to the existing gate are considered to be enhancing factors for the purposes of the policies set out above. It would also be appropriate to secure the sitting and appearance of the huts to remain as presented in the submission in order to ensure that the proposed mitigation measures are effective and impacts do not change if the units were to be moved or replaced.
- 3.27. Further views, from Moles Lane and from the Expressway would also benefit from the mitigation measures. The proposed huts would have a much-reduced visibility potential compared to those presented in the LVIA due to the reduced, number, muted materials and the proposed screening.

- 3.28. The site, whilst located in a rural area, is not fully isolated from development – it is acknowledged that its location is elevated within the valley slope, however as presented in the LVIA it would always be seen within the context of other built environment in its setting.
- 3.29. Consequently, it is considered that subject to the conditions recommended above, the proposal would conserve and enhance the character of the landscaping and would not result in unacceptable impact of coalescence with the strategic open break.

Impact on residential amenities surrounding properties

- 3.30. The proposed huts will be single storey. The Council's Design Code suggests that a 20m separation distance is sufficient to provide a minimum acceptable privacy for properties. The closest dwellings to the site are located to the north across the lane (Rosies Barn and Robins Nest). These are located 60 and 80 meters away respectively separated from the site by two roadside hedges and the lane itself. It is considered that due to this distance and the single storey nature of the proposal there would be no unacceptable direct impact on privacy, overbearing, overshadowing, and loss of light.
- 3.31. Further afield, a number of properties are located along Edginswell Lane to the north and west. A number of third party contributions from the properties in those clusters have raised concerns regarding impacts on their residential amenity. These properties are located at distances between 190-400m from the site. It is considered that the significant separation distance alone mitigates any unacceptable direct impact on privacy, overbearing, overshadowing, and loss of light. In addition, a number of intervening features such as hedges, trees and existing roads would serve as further screening features. Consequently, in respect of direct impacts the proposal is considered acceptable in terms of residential amenity.
- 3.32. Furthermore, concerns by third parties have been raised in respect noise and other disturbance impacts of the proposal causing nuisance to residential properties within the area. It is considered that the intensity of use of the site would indeed increase to some degree compared to the existing use. However, bearing in mind the small scale of the development providing a single bedroom with two bed spaces, it is considered that such increase in intensity of use would not be sufficiently significant to result in unacceptable noise and disturbance impacts. The likelihood of large gatherings of people and nuisance associated with such is low given the occupation capacity of the unit. It is considered that the site can be appropriately managed in accordance with any management plan required via an appropriate condition specified earlier in the report.
- 3.33. Bearing all of the above in mind, it is considered that the proposal is acceptable in respect of residential amenity impacts.

Impact on ecology/biodiversity

- 3.34. The application submission has been accompanied by an Ecology Report and BNG Metric. There would be no loss of significant habitats, hedges, trees and bat roosts.
- 3.35. The BNG Metric demonstrates that 20.77% of area habitat gain and 100.75% of hedgerow habitat gain which meets the minimum 10% threshold. Small losses of ruderal/ephemeral habitat, modified grassland and other neutral grassland habitats

which are of medium and low definitiveness are recorded. This is to be replaced with new and additional other neutral grassland of medium distinctiveness to achieve the area habitat gain. Most of the proposal is located on existing sealed surface previously used as a sand school. There would be no loss of hedges, and it is proposed to create a new 60m species-rich native hedgerow along the southern boundary which would offer biodiversity and visual benefits. The landscaping plan also shows that 13 new native species trees are to be planted along the southern bank, and 1 tree within the site - these have not been included specifically in the BNG calculation and would be additional to the proposed statutory gains. The submission of a gain plan and an appropriate landscape management plan are recommended to be secured via condition.

- 3.36. The site is located within the Landscape Connectivity Zone of the South Hams SAC, designated for greater horseshoe bats. This species is very light averse and navigates the landscape by following linear features such as hedges. Additional external lighting and light spill can adversely affect greater horseshoe bats, as can loss of linear flyways. Particular attention has been paid to impact of light spill onto the existing northern and eastern hedges from windows. Initially the proposed huts did not have any windows facing those hedges. However, the revised scheme, does feature some small windows on the northern and western elevation. In respect of the northern elevation the windows would be within 9m of the face of the hedge. A 5m dark zone is applied in accordance with the latest guidance. As such potential light spill from windows would be within 4m of the dark zone. There is no lighting assessment submitted with the application, which is not strictly necessary, however in the absence of such proportionally an assessment is required to be made on mitigating the small amount of light spill from the windows. As such it is appropriate to secure via condition the details of a boundary treatment such as a hedge or a fence within the site which would provide screening of for the lightspill towards the northern hedges and its dark corridor. In respect of the eastern boundary, the distance between the windows and the hedge is approximately 40m which is sufficient to provide an appropriate buffer between the lightspill source and the 5m corridor. In addition, as well as for landscape impact reasons it is appropriate to condition the exact siting and design of the hut in order to ensure that it remains in the position that it has been assessed for lightspill. There is no external lighting proposed and it is appropriate to secure the limiting of such via condition.
- 3.37. Based on the above assessment, it is concluded that the proposal would not result in loss, damage or disturbance, at a landscape scale, to a network of potential Commuting Routes, loss, damage or disturbance to a Pinch Point, and loss, damage or disturbance to an Existing Mitigation Feature. Consequently, as Competent Authority, the LPA can conclude that there is unlikely to be a likely significant effect on the integrity of the South Hams SAC, and this an Appropriate Assessment is not required.
- 3.38. The site is within a great crested newt zone, but there are no ponds nearby. The hedges and vegetated bank may provide newt habitat, however there is no loss of such proposed.
- 3.39. The site is within a cirl bunting breeding territory zone, but the proposal will have minimal negative impact on cirl bunting habitat and may result in an increase in cirl bunting foraging habitat.

- 3.40. It is noted that the Ecology Report sets out further small-scale enhancements in respect of provision of bird boxes, thus compliance with the report is recommended to be secured via condition.
- 3.41. Bearing all the above in mind, the proposal is considered acceptable in respect of impact on ecology and biodiversity.

Land drainage/flood risk

- 3.42. The application site is located within Flood Zone 1 (low risk) and is not within a Critical Drainage Area, thus no immediate concerns regarding drainage and flooding are raised.
- 3.43. The proposed drainage strategy and detailed design demonstrate that infiltration is a viable option for dealing with surface water drainage. As such a soakaway is proposed to be used to deal with surface water run-off from the roofs of the proposed huts. Hard standing areas are proposed to be gravel which is permeable. The use of the soakaway and permeable gravel confirms with the surface water drainage hierarchy and is the preferred method to deal with surface water. In consultation with the Council's Drainage Officer the proposed soakaway design has been considered to meet the minimum standards with allowance for urban creep, climate change and a 1:100 year storm event. It is therefore appropriate to secure implementation and compliance with the submitted drainage strategy via condition. With this in place the proposal would not result in flood risk increasing on site or elsewhere, and surface water has been considered to be dealt with appropriately.
- 3.44. In respect of foul drainage, it is proposed that a package treatment plant would be used to deal with foul water which will then discharge clean water into the nearby watercourse. The submitted foul drainage information confirms that there is no available public sewer for connection, thus non-mains option has been pursued. The detailed design of the foul water drainage system has been submitted, and it would be expected that the proposed plant would meet the Environment Agency's Binding Rules, or otherwise an Environmental Permit is required. For planning purposes, the details submitted are considered sufficient as it has been demonstrated that foul water would be dealt with appropriately taking account of the foul drainage solution hierarchy. In order to ensure compliance with the submitted details in accordance with such is recommended to be secured via condition.

Highways impacts

- 3.45. Policy S1 of the LP sets out sustainability criteria which all developments are expected to perform well against, and this includes impacts on road safety and congestion. This approach is mirrored in the eLP policy GP1. Policy EC7 of the eLP also seeks proposals to be served by adequate vehicular access.
- 3.46. Paragraph 115(b) of the NPPF seeks for applications for development to ensure that safe and suitable access to the site can be achieved for all users. Paragraph 116 of the NPPF sets a high bar for refusals on highway grounds where unacceptable impact on highway safety would need to be severe in order to justify such refusal.

- 3.47. The two main considerations in respect of highway impacts and safety is the adequacy of the existing access to serve the development, and impacts from potential increased traffic associated with the development on the surrounding highway network.
- 3.48. The application has been supported by a Transportation Statement, which concludes that taking into account the scale of the development, the existing access, the nature of local highway, and the lack of accidents the proposal would not have a severe impact on the highway network. This statement is based on the originally proposed two bedrooms, and it shall be noted that the scheme has now been reduced to one bedroom, thus any impact would likely be reduced compared to that set out in the statement.
- 3.49. The proposal would be served by the existing access which is set back from the edge of the highway by 3.3m, offering vehicles emerging from the site adequate space and visibility to carefully move onto the highway were due to its nature speeds are likely to be around 20mph.
- 3.50. The development would only offer one bedroom with two bed spaces; thus, the number of vehicles associated with the development would be between 1 and 2 at any given time. The eastern part of the site is dedicated as a parking area which can comfortably accommodate parking for these vehicles.
- 3.51. Concerns regarding the impact on the surrounding highway network which is very rural in nature are noted. It is acknowledged that the visibility at the Saturday's Lane is below contemporary standards, however DCC records show that between January 2020 and December 2024 no personal injury collisions have been reported in the vicinity. The traffic increase associated with the proposed development would not be significant compared to the site's current lawful use as a sand school. The Highway Authority has raised no objections to the proposal.
- 3.52. Consequently, taking all of the above into account, it is concluded that the proposal would not result in a severe impact on the existing highway in terms of safety and capacity, and would be compliant with the aforementioned local and national policies.

Waste and Minerals

- 3.53. There are no details on how waste from the site would be managed at this stage – this would either be subject to the site being register for Council Tax or otherwise as a business where commercial waste collection would be required. In any case waste generated from this scale of development would not result in any unacceptable impacts, subject to a condition securing the submission of details of waste management. A simple timber bin store is proposed within the site out of views.
- 3.54. The site is located within the Mineral Consultation Area for Aggregates. Upon consultation with the Mineral Authority and the Devon Stone Federation, it is concluded that the proposal would not sterilise the mineral resource due to other sensitive receptors being present in the vicinity which already present a constraint on future extractions. As such, the proposal is considered to comply with the provisions of the Devon Minerals Plan.

Other matters raised in third party comments

- 3.55. A number of submitted objections have raised additional issues which have not strictly been covered in the above analysis and thus these are addressed here.
- 3.56. Concerns have been raised regarding non-compliance with previous landscaping conditions, disregard for the planning system given that huts have been placed on the land, the proposal setting precedent for the area, and the fact that other residential and leisure proposals have been refused in the area. In respect it should be noted that each planning application is determined on its own merits against the relevant policies. There is no lawful reason which prevents retrospective applications from coming forward and these are assessed in the same way as if the development has not yet taken place. There has been no evidence presented to demonstrate how the site does not comply with previous conditions relating to the stable and the sands school – in any case this would not necessarily be definitive in whether permission should be granted or not.
- 3.57. Third parties have stated that there is already a sufficient supply for holiday accommodation – this would not constitute a reason for refusal as planning the local planning policies do not deploy a restrictive approach which would prevent such development in case of oversupply.
- 3.58. Concerns have been raised regarding the storage of waste, rubbish and vehicles on the site and potential implications for contamination. The issues of waste storage and untidy land could be pursued via the enforcement regime if required. Otherwise, the concerns regarding potential contamination are considered to be justified due to the storage of waste, as well as the site being previously developed which could result in unsuspected contamination. As such it is appropriate to impose an appropriate condition to deal with this.
- 3.59. Finally, concerns have been raised regarding lack of water supply to the site – the submitted foul drainage details confirm that a water supply is present at the site.

Conclusions

- 3.60. In conclusion, it is considered that the proposal is compliant with the relevant provisions of the LP, eLP and NPPF. There are no known other material planning considerations that would indicate that the application should be determined other than in accordance with the provision of the development plan. Consequently, conditional approval is recommended.

4. POLICY DOCUMENTS

Teignbridge Local Plan 2013-2033

S1A Presumption in favour of Sustainable Development
S1 Sustainable Development Criteria
S2 Quality Development
S22 Countryside
EC11 Tourist Accommodation
EN1 Strategic Open Breaks
EN2A Landscape Protection and Enhancement
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

Emerging Local Plan

The examination hearings for the emerging Teignbridge Local Plan 2020-2040) have been concluded. The post examination letter from the Planning Inspectorate dated 18th December 2024 has stated that the plan is likely to be found sound subject to the modifications agreed at the hearings and in the letter. The Council is currently consulting on Main Modifications version of the plan. There are a number of policies within the emerging plan which did not attract modifications. As such, due to the advanced stage of the plan and in accordance with the requirements of paragraph 49 of the NPPF considerable weight is given to relevant emerging local plan policies unless otherwise stated.

The following emerging policies are considered relevant to the proposed development:

GP1: Sustainable Development
GP2: Development in Teignbridge
GP3: Settlement Limits and the Countryside
DW1: Quality Development
DW2: Development Principles
DW3: Design Standards
EC6: New Tourist Accommodation and Attractions
EC7: Static and Touring Caravan Sites
H12: Residential Amenity
EN1: Setting of Settlements
EN4: Landscape Protection and Enhancement
EN6: Flood Risk and Water Quality
EN10: Biodiversity and Geodiversity
EN11: Important Habitats and Features
EN12: Legally Protected and Priority Species
EN13: European Wildlife Sites
EN15: South Hams SAC
EN16: Trees, Hedges and Woodlands

National Planning Policy Framework

National Planning Practice Guidance

5. CONSULTEES

TDC Biodiversity Officer

- Condition requested to limit external lighting due to site's location in the South Hams SAC Landscape Connectivity Zone.
- No impact from light spill on northern and eastern hedges as no windows proposed.

- Site is within great crested newt zone but there are no ponds nearby the proposal would not negatively impact the surrounding hedges which maybe used by newts as habitat.
- Site is within cirl bunting breeding territory zone but the proposal would have a minimal negative impact and may result in an increase in cirl bunting foraging habitat.
- Recommended compliance with the ecology report.
- BNG proposals are appropriate and should be secured via appropriate conditions.

Officer comment:

Following amendment of the red line site location plan and updated BNG Metric has been submitted in order to demonstrate that the baseline and net gain has been sufficiently uplifted to account for additional area covered by the red line (to include foul water drainage system).

Given the change in layout and appearance of the units a verbal discussion has taken place with the Biodiversity Officer in respect of light spill from windows and the assessment has been made as set out in the relevant section of the report above.

TDC Drainage Officer

- Surface water drainage to serve the proposal shall proceed in accordance with the submitted information.
- The applicant should note that any non-mains foul drainage system associated with the development should meet the EA's General Binding Rules or otherwise an EA Environmental Permit may be required.

DCC Highways

- No objection – the Highway Authority is satisfied that the proposal does not represent a severe impact on existing Highway either in terms of safety or capacity.
- Whilst the lane serving the site has a limit of 60mph due to its narrow nature speeds are likely to be around 20mph.
- Below contemporary standard visibility at Saturdays Lane and Edginswell Lane junction are noted, however no personal injury collisions have been recorded between 01/01/2020 and 21/12/2024.
- The proposal would only likely attract a single vehicle due to a single letting a week.

DCC Minerals

- No objection.

Devon Stone Federation

- No objection.

6. REPRESENTATIONS

6.1. 12 letters of objection have been received which have raised the following planning related concerns (as summarised):

- Proposal is inappropriate development in the countryside and AGLV inconsistent with the agricultural character of the site.
- Proposal would be harmful to landscape and visual amenities due to its prominent position.
- Access via Saturdays Lane is unsuitable due to narrowness, lack of lighting and footways.
- Edginswell Lane close to the A380 has poor visibility – increase in traffic from the proposal would heighten highway hazards.
- There is lack of water supply to the site thus catering and washing facilities would be unhygienic and unsafe.
- Concerns over contaminated land due to potential infill material, rubbish and storage of scrap and waste on site.
- Noncompliance with previous landscaping conditions.
- Proposal would set a precedent to other similar developments and would contribute to cumulative impact on tranquillity and amenity.
- The proposal has disregard for planning control as it is retrospective.
- The proposed visual mitigation is ineffective.
- Loss of farmland and impact on strategic open break.
- There is already ample supply for holiday accommodation.
- Proposal would create overlooking and noise disturbance.
- Wildlife and livestock would be impacted.
- Concerns over how wastewater would be treated.
- Concerns over lack of onsite management or supervision.
- Lack of services and amenities in the area.
- Other proposals for residential and leisure uses have been refused planning permission in the area.
- Proposed screening would be ineffective.
- Concern over current use of the site with waste storage occurring.

7. TOWN / PARISH COUNCIL'S COMMENTS

Comments dated 25th November 2025

- 7.1. Kingskerswell Parish Council Planning Committee supported the objection submitted by South Wolborough Farm, in particular the impact to the environment and biodiversity and requested that the application be called in for a committee decision if an officer was recommending it for approval. We would also request that a site visit be undertaken to fully ascertain the impact on the environment.

Comments dated 17th February 2026 following readvertisement of application

- 7.2. No further comments.

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. BIODIVERSITY NET GAIN (BNG)

Biodiversity net gain is a legal requirement for planning permissions. Planning applications are required to either provide detailed information proving there will be a biodiversity increase of 10% or explain why they are exempt from doing so. Unless exempt, planning permission is subject to the general Biodiversity Gain Condition (as set out in Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 (as amended)).

This development is subject to the general Biodiversity Gain Condition and prior to commencement of the development the Biodiversity Gain Plan will need to be submitted to and approved by the Local Planning Authority.

The submitted Biodiversity Gain Plan will demonstrate at least 10% BNG above the baseline conditions (as set out within the submitted Statutory Biodiversity Metric / Small Sites Metric) to be delivered in accordance with the biodiversity gain hierarchy.

This development is expected to deliver at least 10% BNG via the following:

- Non-significant on-site delivery by creating and enhancing on-site habitats, see in particular proposed planning conditions 3 and 10.

11. CARBON/CLIMATE IMPACT

- 11.1. The application submission has been accompanied by an Energy and Carbon statement which set out the following key points:

- Construction traffic significantly reduced as the huts are delivered complete onto the site.

- High levels of insulation and efficiency performance to be deployed.
- Limited works required due to the site being already developed – works would most likely involve delivery and associated landscaping.
- Due to modular construction and limited on site works required the embodied carbon likely to be reduced.

11.2. Bearing in mind the small scale of the proposal the above headline measures are considered acceptable the proposal would have an acceptable impact in respect of carbon emissions and climate change.

11.3. In order to ensure further compliance with local policies in respect of low carbon transport it is considered appropriate to condition the installation of an EV charging point on site.

12. 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.

Ian Perry

Head of Development Management