

PLANNING COMMITTEE REPORT

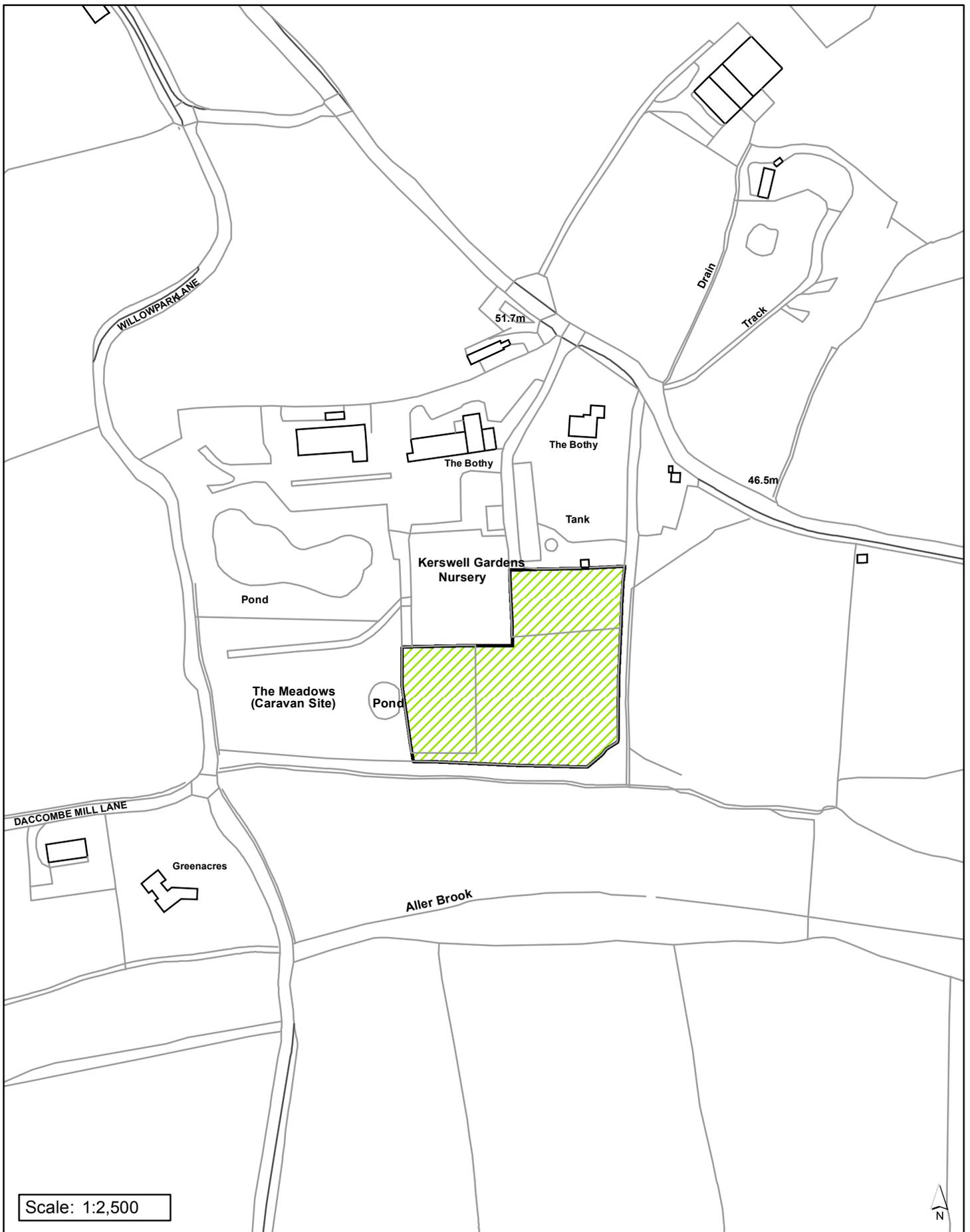
19 March 2019

CHAIRMAN: Cllr Dennis Smith



APPLICATION FOR CONSIDERATION:	COFFINSWELL - 18/02312/FUL - Pathfield, Dacombe - Use of land for Class B8 storage (caravans, trailers and motor vehicles)	
APPLICANT:	Mr & Mrs J Churchward	
CASE OFFICER	Claire Boobier	
WARD MEMBERS:	Councillor Haines Councillor Cook	Kerswell With Combe
VIEW PLANNING FILE:	https://www.teignbridge.gov.uk/planning/forms/planning-application-details/?Type=Application&Refval=18/02312/FUL&MN	





18/02312/FUL - Pathfield, Dacombe, TQ12 4ST

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1. REASON FOR REPORT

Councillor Haines has requested that this application be referred to Planning Committee for determination if the Case Officer is recommending approval. The reasons given for this request are that the planning history of the site indicates that it is agricultural land and not brownfield as suggested in the application statement (it would therefore be contrary to Local Plan Policy S22) and it is in an Area of Great Landscape Value: for the above reasons and due to the inadequate highway network in the locality, the Ward Member do not believe it to be sustainable development.

2. RECOMMENDATION

PERMISSION BE GRANTED subject to conditions:

1. Standard 3 year time limit for commencement of development;
2. Development to be carried out in accordance with the approved plans;
3. Only the areas marked on the submitted block plan received on 31 January 2019 shall be used for the storage of touring caravans and motor homes;
4. Only the area marked on the submitted block plan received on 31 January 2019 shall be used for the storage of trailers and general farm equipment;
5. No external lighting shall be installed on the site without the prior submission and approval of an external lighting scheme;
6. No storage shall take place other than in the designated storage areas;
7. Storage shall be of caravans, trailers and motor vehicles and no other purpose including any other use falling in Use Class B8; No Permitted development to change use;
8. No more than 40 touring caravans, trailers or motor vehicles or combination of these shall be stored on site at any one time; No more than 6 motor vehicles shall be stored on the site at any time and at all times shall be stored in the designated storage area as marked on the submitted block plan received on 31 January 2019;
9. The hedge banking shown on the submitted block plan shall be retained in perpetuity in accordance with a management plan which shall be submitted to and agreed in writing by the Local Planning Authority within 3 months of the grant of consent.

3. DESCRIPTION

Site Description

- 3.1 The site is located within designated countryside and in a designated Area of Great Landscape Value in Dacombe.
- 3.2 The site is located adjacent to a Certified Caravan Site and the applicant has prior to the submission of this application, without the benefit of planning consent, been using the site for storage of contracting vehicles and equipment (which he has retained from a former landscape contracting business), for caravan/motor home storage (largely reported to have been generated from users of the adjacent caravan site) and as overspill motor vehicle storage in connection with an adjacent commercial unit to the north of the site. The applicant has also planted the hedgerows shown on the submitted block plan.

Proposal

- 3.3 To regularise the use of the site; this application seeks planning consent for a change of use of the land for Class B8 storage, specifically caravans, trailers and motor vehicles.
- 3.4 This application is submitted following the refusal by the Local Planning Authority in July 2017 of a Certificate of Lawfulness application for the same use (Reference: 17/01397/CLDE). The Certificate application was refused on the basis that the evidence submitted, in addition to that obtained by the Local Planning Authority, was insufficient to prove that the site had been used for storage (Use Class B8) across the whole site, consistently, for the required period of time to issue a certificate of lawful use for the use of land for the storage of vehicles, machinery and caravans/mobile homes for up to 40 units (Use Class B8).

Principle of Development

- 3.5 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.
- 3.6 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'.
- 3.7 The applicant reports that the site has previously been used in connection with the applicant's landscape contracting business from 1997 to 2012 which he formerly operated from the site the subject of this application and prior to this was used as a commercial plant nursery.
- 3.9 Dacombe is not a settlement within the settlement hierarchy as set out in the Teignbridge Local Plan and is classed as a Countryside location. 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 of the Teignbridge Local Plan 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. The proposed 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) 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.
- 3.12 Whilst there is not an established business on the site which benefits from planning consent, the proposed storage of landscape contracting equipment could be seen as having a link to an existing business and the use of the site for caravan/motor home storage could be considered as an expansion of the existing caravan site business on adjacent land. Furthermore, the use of the site for limited overspill motor vehicle storage could be seen to support the existing commercial business adjacent to the site.
- 3.13 In principle, therefore Local and National Planning Policy could support the proposed use in this location provided that there are no adverse impacts of granting permission which would significantly and demonstrably outweigh the benefits to adjacent businesses of allowing this proposed development, when assessed against the policies in the National Planning Policy Framework and Teignbridge Local Plan taken as a whole.

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

- 3.14 The site is located in an Area of Great Landscape Value: it is therefore important that any proposal would not adversely affect this designation.
- 3.15 The site has already been modified from the existing landscaping works that have been undertaken including hard surfaced areas and erection of hedge banks to such an extent that the magnitude of change that would result to the landscape from the change of use would be small. Furthermore, the use of the site would be read against the adjacent commercial activities operating in this area of Dacombe. For instance, the caravans/motor homes would be read against the adjacent Certified Caravan Site and would not significantly therefore alter the character of the area. In addition, the additional hedge banks provided and proposal to retain established hedgebanks on and adjacent to the site as shown on the submitted block plan would ensure that over time the development would be screened from the wider landscape and adjacent public right of way.
- 3.16 It is recommended that a condition be applied to secure a management plan for the ongoing maintenance of the hedge planting planted to ensure that they become fully established and are maintained in perpetuity in the interests of securing a suitable screen for the development.
- 3.17 It is also considered that this application provides the opportunity to restrict the numbers of units to minimise landscape impact and retain control over the site. It is therefore recommended that conditions be imposed to limit the areas in which caravans/motor homes, motor vehicles and trailers can be stored on the site and to ensure that no storage is undertaken outside of these areas. It is also recommended that conditions be used to limit the number of units to a maximum of 40 to be stored across the site to minimise landscape impact and it is recommended that the number of motor vehicles to be stored on site for overspill storage for the adjacent commercial unit be limited to 6 vehicles to ensure that this does not become the dominant use of the site.

- 3.18 With these conditions in place it will mean that, whilst there would be some ancillary storage for motor vehicles in connection with the adjacent commercial unit and for trailers and general farm equipment kept by the owner from their former landscape contracting business, the dominant use of the site would be for caravan/motor home storage which would not be out of character in landscape terms with the adjacent Caravan Site.
- 3.19 Overall, therefore subject to appropriately worded conditions to restrict the type of storage on site, number of units to be stored and to secure appropriate landscaping it is considered that the development can be accommodated on this site without having a detrimental impact on the visual amenity of the area or designated Area of Great Landscape Value.

Residential Amenity Considerations

- 3.20 The nearest neighbour to the site is the applicants' property 'The Bothy:' it is considered that the site is adequately screened from this property to ensure that the proposal would not adversely impact on the residential amenity of this property. Furthermore, given the distance to other residential properties from the site it is not considered that the proposal would have an unacceptable impact on the residential amenity of neighbours.

Highway Considerations

- 3.21 Concern has been raised in the representation received from the Parish Council about the surrounding road infrastructure not being suitable to support the proposed use.
- 3.22 Devon County Council Highways have been consulted on the acceptability of the use in this location on highway safety grounds and they have advised that the general use of the site for B8 could generate a considerable higher number of trips than the previous use of the site, with the size of the land the subject of this application. If the use proposed could be restricted to 40 units this would not exceed the number of trips previously attracted to the site and the Highway Authority as a result would have no objection to the proposed development. This has been discussed with the applicant and a condition is recommended if minded to approve to restrict the number of units to a maximum of 40. If this condition is placed on any consent granted then it is considered the development would be acceptable on highway safety grounds and with such a restriction in place it is not considered that a refusal on the grounds of impact on local road infrastructure could be justified.

Lighting Considerations

- 3.23 The plans submitted do not include any details of lighting.
- 3.24 Given the rural nature of the site, in order to retain control over any future lighting that may be desired at the premises it is recommended that a condition be applied to state that no lighting shall be installed on the site unless an external lighting scheme has first been submitted to and approved in writing by the Local Planning Authority. This will enable the Local Planning Authority to judge the acceptability of any lighting that may be desired and allow the Local Planning Authority to retain control over the type of lighting that could be installed on the site in the interests of

retaining the rural character of the area and protecting biodiversity from unnecessary light spill.

Flooding and Drainage

- 3.25 The site is located in Flood Zone 1 and therefore is a suitable site in flood control terms for development. Furthermore, as no new buildings are proposed and hard surfacing introduced is permeable, the proposal does not raise surface water flooding risk concerns.

Summary and Conclusion

- 3.26 The proposal is considered to support existing commercial rural business in this 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 S22 (Countryside)

Policy EC3 (Rural Employment)

Policy EN2A (Landscape Protection and Enhancement)

Policy EN12 (Woodlands, Trees and Hedgerows)

National Planning Policy Framework

National Planning Practice Guidance

5. CONSULTEES

Teignbridge Landscape Officer - I able to provide comments based on the application and a desk based assessment.

- The site would already seem to be modified such that the magnitude of change resulting from the change of use will be small.
- I am content that the proposed additional hedge banks will further screen the development from the wider landscape and the public right of way.
- Content that landscape details can be conditioned.

DCC Highways - The Highway Authority has visited this site when this application was submitted, I also visited this site when the applicants' agent contacted me in November 2017 about some pre-application advice.

The site is accessed off a C Classified County Route which is restricted to 60 m.p.h although observed traffic speeds are considerably lower.

The information given at Pre-application is the same information given in the Planning Statement section 8.20. This shows the previous use of Landscaping and

Commercial Plant Nursery could generate a high number of trips per day, with the amount of staff and car, van and trailer movements. They have stated this number could be in the region of 30-40 vehicles per day.

The applicant has also shown the predicted number of units stored.

With general use of B8 this could generate a considerable higher number of trips than the previous use with the size of land. However, if the use proposed could be restricted to 40 units then this would not exceed the number of trips previously attracted to the site, therefore would recommend an appropriate condition to restrict the number of units to 40.

The Local Highway Authority has no objection to the proposed development.

6. REPRESENTATIONS

None

7. PARISH COUNCIL'S COMMENTS

Coffinswell Parish Council recommends refusal based on the following points:

- The site is within an Area of Great Landscape Value and is not in keeping with its surroundings
- Surrounding road infrastructure is not suitable for such large-scale industrial use and increased traffic
- The Parish Council do not support the change of use of land from agricultural to its current use, which remains green field and not brown field as stated in the application
- The application states that there is no water course within 20 metres, which is not the case

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.

Business Manager – Strategic Place