

PLANNING COMMITTEE AGENDA - 30th November 2016

Applications of a non-delegated nature

- | <u>Item No.</u> | Description |
|-----------------|---|
| 1. | <p>16/01117/FULL - Change of use of agricultural land and buildings to form camping site, to include provision for 2 shepherds hut pitches, 2 safari tent pitches, and 6 bell tent pitches; conversion of existing stables to shower/toilets, office, meeting room, sensory room for visitors, washing facilities, and storage; erection of 2 new blocks to serve campsite; and formation of equestrian area for grazing of miniature horses at Ingleton Farm, Ashill, Cullompton.</p> <p>RECOMMENDATION
Grant permission subject to conditions.</p> |
| 2. | <p>16/01221/FULL - Change of use of part garden for the retention of shed for property letting office (Use Class A2) at Todd Lettings Office, 11 Meadow Gardens, Crediton.</p> <p>RECOMMENDATION
Grant permission subject to conditions.</p> |
| 3. | <p>16/01365/FULL - Erection of 2 dwellings for security staff; part change of use of agricultural building to form sentry office on mezzanine level and formation of an elevated walkway at Land and Buildings at NGR 285635 103526 (Trew Farm), Chilton, Devon.</p> <p>RECOMMENDATION
Grant permission subject to conditions.</p> |
| 4. | <p>16/01391/HOUSE - Erection of extension to ground floor utility and erection of first floor extension above at 38 Higher Town, Sampford Peverell, Tiverton.</p> <p>RECOMMENDATION
Grant permission subject to conditions.</p> |
| 5. | <p>16/01501/FULL - Erection of 3 dwellings following demolition of existing dwelling at Old Den, Lapford, Crediton.</p> <p>RECOMMENDATION
Grant permission subject to conditions.</p> |
| 6. | <p>16/01599/FULL - Erection of extension and alterations to layout of existing carpark at Exe Valley Leisure Centre, Bolham Road, Tiverton.</p> <p>RECOMMENDATION
Grant permission subject to conditions.</p> |

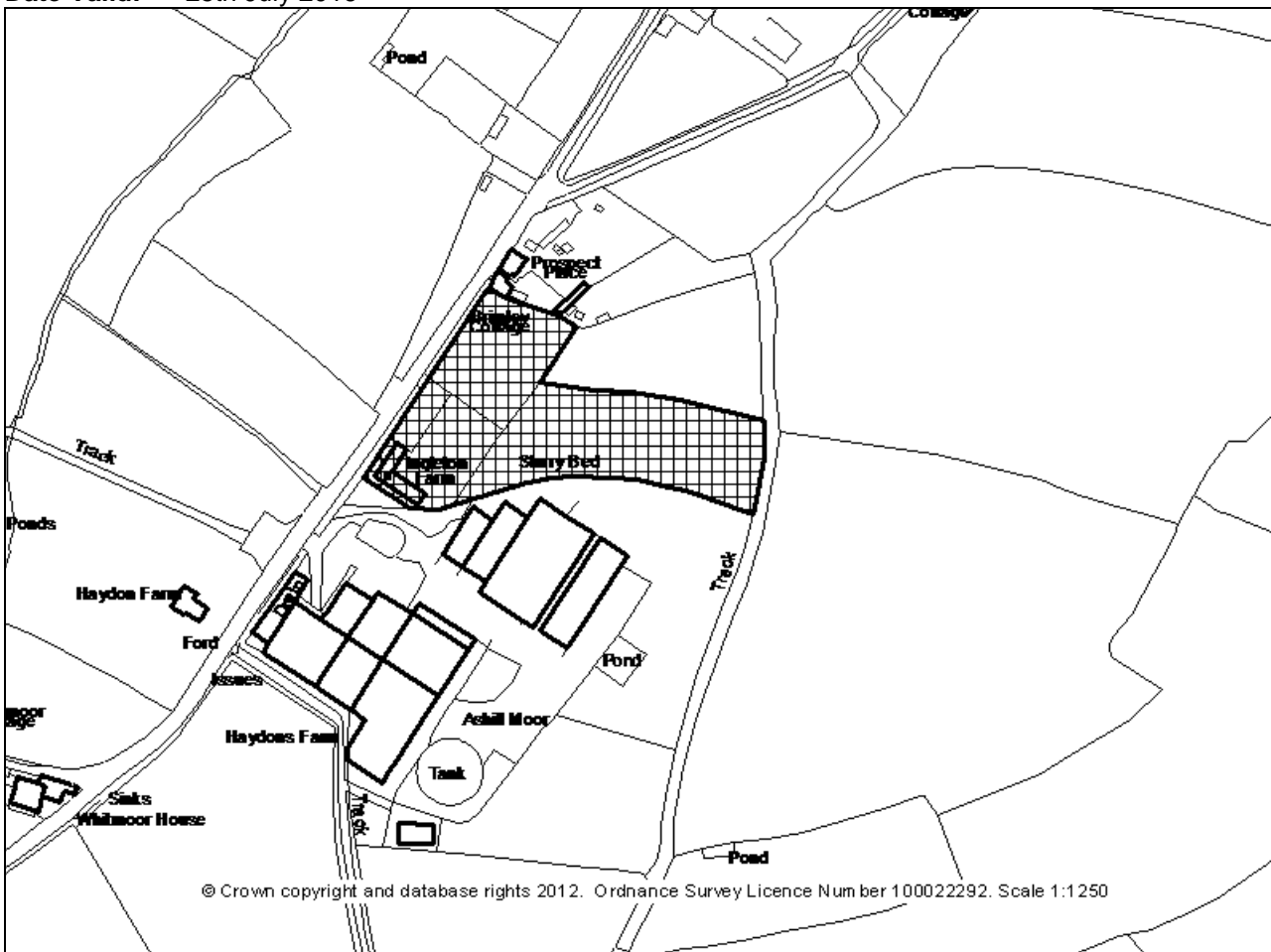
Grid Ref: 308438 : 110891

Applicant: Mr & Mrs A Sheard

Location: Ingleton Farm Ashill
Cullompton Devon

Proposal: Change of use of agricultural land and buildings to form camping site, to include provision for 2 shepherds hut pitches, 2 safari tent pitches, and 6 bell tent pitches; conversion of existing stables to shower/toilets, office, meeting room, sensory room for visitors, washing facilities, and storage; erection of 2 new blocks to serve campsite; and formation of equestrian area for grazing of miniature horses

Date Valid: 25th July 2016



Application No. 16/01117/FULL

RECOMMENDATION

Grant permission subject to conditions.

PROPOSED DEVELOPMENT

The proposal is for the change of use of agricultural land and buildings to form a camping site, to include provision for 2 shepherds hut pitches, 2 safari tent pitches, and 6 bell tent pitches; conversion of existing stables to showers/toilets, office, meeting room, sensory room for visitors, washing facilities, and storage; erection of 2 new blocks to serve campsite; and formation of equestrian area for grazing of miniature horses at Ingleton Farm, Ashill.

The description of the development as set out above summarises the proposed development. The description is considered by planning officers to be adequate. Members of the planning committee are reminded that if the application is approved, it is plans submitted in support of the application that are approved and not the description of the development itself.

Since being first submitted the application has not changed significantly. Revisions to the application include the following:

- 1) Changing the description of the development which previously noted 8 bell tents in error to 6 bell tents as shown on the plans and as written in the application form;
- 2) Revisions to the layout of the access to reflect the comments of the Highway Authority (including the widening of the access to allow two vehicles to enter and leave the site at the same time, creating a visibility splay and to allow for the hard surfacing of the first 6 metres of the access in a bound material);
- 3) The 2 new blocks have been repositioned and moved South East by approximately 2 metres to allow for the 3 metre clearance of the public water main as requested in the consultation response from South West Water;
- 4) Changes to the orientation of the proposed 2 new blocks due to their repositioning further South East (no changes in the size of the blocks are proposed in the revisions);
- 5) The applicants are now only proposing the design of Shepard Hut plan 001 with the single door so both Shepard's huts are the same;
- 6) Annotation detailing the 1 metre high proposed picket fence between the parking area and the bin storage area has been added to the proposed block plan.

The below description is therefore based on the application as currently is.

The site is located on the edge of Ashill. Ashill is not a village defined in the Mid Devon Core Strategy (Local Plan Part 1) and does not have a defined settlement limit. Ashill is a village with houses and facilities centred around a cross road. The site lies outside of the main residential area of the village but is located directly adjacent two residential properties (Brimley Cottage and Prospect Place) on one side of the site and Haydons Farm (a working dairy farm) on the other side of the site.

The site as referenced in the application form is 0.78 hectares in area. The site is accessed via an existing gated entrance from the public highway with hardstanding up to the stable block. The site is largely linear in shape and slopes up away from the access to the top of the field to the East of the site. There is an existing 'L' shaped stable block located in the South West corner of the site.

Dimensions of proposed 2 shepherds huts: 5.9 metres in length x 2.6 metres in width with an overall height of 4.4 metres (including the base). To be located in the top north east corner of the field. Timber construction.

Dimensions of proposed 2 safari tents: 11.6 metres in length x 5 metres in width with overall height to ridge level of 3.55 metres. To be located in the top south east corner of the field. Canvas tents sitting on timber bases.

Dimensions of proposed 6 bells tents: radius of 2.5 metres with an overall height of 3 metres. To be located further west of the site than the shepherds huts and safari tents. Canvas tents.

The shepherds huts and safari tents are intended to be permanent features on the site, with the safari tents erected with a timber base and veranda. The bell tents are capable of being erected on a temporary basis only.

The application also seeks permission to convert the existing 'L' shaped stable block to accommodate showers and toilets facilities, storage associated with the business (tents out of season etc), a sensory room (the applicants plan to market the business towards families with autism within them), a rainy day/ meeting room, a tool store, kitchen, utility and washing/laundry facilities. No extensions are proposed to this building. It is also proposed to erect two small detached timber buildings adjacent the stable block. Building 1 will be used as an office area/ site shop for the camping business and building 2 will be a small stable block to house the miniature ponies on the site (forming a stable with attached store).

Proposed new office/ site shop building: 13 sqm with a maximum height to ridge level of 2.6m.

Proposed new stable/ storage building: 32 sqm with a maximum height to ridge level of 3m.

APPLICANT'S SUPPORTING INFORMATION

Wildlife survey
Foul drainage assessment plan
Supporting statement
Letters/ emails of support
Business plan (held confidentially)
Photographs

PLANNING HISTORY

99/02219/FULL Change of use of agricultural land to form an extension of residential curtilage, provision of driveway and erection of double garage on that land and formation of new access - WITHDRAWN

06/01514/FULL Erection of stables - PERMIT - 07.09.06

15/00728/FULL Siting of a mobile home and erection of a single toilet/shower for an agricultural worker, shed, dog kennel, and polytunnel - REFUSE - 09.09.15

DEVELOPMENT PLAN POLICIES

Mid Devon Core Strategy (Local Plan 1)

COR2 - Local Distinctiveness
COR9 - Access
COR18 - Countryside

Mid Devon Local Plan Part 3 (Development Management Policies)

DM2 - High quality design
DM8 - Parking
DM20 - Rural employment development
DM24 - Tourism and leisure development

CONSULTATIONS

ENVIRONMENTAL HEALTH - 11th August 2016

Contaminated Land - No objections to these proposals

Air Quality - No objections to these proposals

Environmental Permitting - N/A

Drainage - No objections to these proposals

Noise & other nuisances - No objections to these proposals

Housing Standards -Not applicable

Licensing - Please contact the Licensing Team to discuss. A licence would be required for a tent site. Tel 01884 255255 or email licensing@middevon.gov.uk

Food Hygiene - Not applicable (If there is an intention to sell/provide food or drink to the public contact Environmental Health for advice on legal requirements)

Private Water Supplies INFORMATIVE NOTE:

No record is held as being a private supply. However, if a private water supply is to be used, the supply would become a commercial supply, and would be subject to the Private Water Supply Regulations 2016. As such a private water risk assessment and sampling regime will need to be undertaken by this Authority prior to any commercial use. Please contact Public Health at Mid Devon District Council to discuss on completion of the proposal.

If mains water is to be used in connection with this proposal, I would have no comment

Health and Safety - No objection to this proposal.

Informative: Ensure there are suitable and sufficient risk assessments etc. once operational, further information can be found on <http://www.hse.gov.uk/>. Should the operator wish to receive any advice or information on health & safety legal requirements please contact Environmental Health.

4th November 2016

I don't really have any comments in terms of noise as this is not the sort of thing that would generate a lot of noise other than people playing outside. If the playing of music (on radios etc.) becomes a problem it can be dealt with under the statutory nuisance legislation. Glamping sites tend to introduce their own site rules which include a quiet time after 10 or 11 pm as this is more suitable with family camping.

Air quality - if complaints were received in relation to smoke from wood burners or fires then this could also be dealt with under the statutory nuisance legislation but again not foreseen to be a problem.

Light nuisance - if there are any light nuisance issues this can be dealt with under the nuisance legislation. If there were any problems with lighting, shielding can be used to reduce the amount of light escaping onto neighbouring properties.

Drainage - foul drainage is going to be connected into SWW mains so no concerns and due to the small amount of roof areas storm water is not thought to be a problem.

NATURAL ENGLAND - 15th August 2016 - Statutory nature conservation sites - no objection

Based upon the information provided, Natural England advises the Council that the proposal is unlikely to affect any statutorily protected sites.

Protected landscapes

The proposed development is for a site within or close to a nationally designated landscape namely Blackdown Hills AONB. Natural England advises that the planning authority uses national and local policies, together with local landscape expertise and information to determine the proposal. The policy and statutory framework to guide your decision and the role of local advice are explained below.

Your decision should be guided by paragraph 115 of the National Planning Policy Framework which gives the highest status of protection for the 'landscape and scenic beauty' of AONBs and National Parks. For major development proposals paragraph 116 sets out criteria to determine whether the development should exceptionally be permitted within the designated landscape.

Alongside national policy you should also apply landscape policies set out in your development plan, or appropriate saved policies.

We also advise that you consult the relevant AONB Partnership or Conservation Board. Their knowledge of the site and its wider landscape setting, together with the aims and objectives of the AONB's statutory management plan, will be a valuable contribution to the planning decision.

Where available, a local Landscape Character Assessment can also be a helpful guide to the landscape's sensitivity to this type of development and its capacity to accommodate the proposed development.

The statutory purpose of the AONB is to conserve and enhance the area's natural beauty. You should assess the application carefully as to whether the proposed development would have a significant impact on or harm that statutory purpose. Relevant to this is the duty on public bodies to 'have regard' for that statutory purpose in carrying out their functions (S85 of the Countryside and Rights of Way Act, 2000). The Planning Practice Guidance confirms that this duty also applies to proposals outside the designated area but impacting on its natural beauty.

Local sites

If the proposal site is on or adjacent to a local site, e.g. Local Wildlife Site, Regionally Important Geological/Geomorphological Site (RIGS) or Local Nature Reserve (LNR) the authority should ensure it has sufficient information to fully understand the impact of the proposal on the local site before it determines the application.

Sites of Special Scientific Interest Impact Risk Zones

The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires local planning authorities to consult Natural England on "Development in or likely to affect a Site of Special Scientific Interest" (Schedule 4, w). Our SSSI Impact Risk Zones are a GIS dataset designed to be used during the planning application validation process to help local planning authorities decide when to consult Natural England on developments likely to affect a SSSI. The dataset and user guidance can be accessed from the data.gov.uk website.

UFFCULME PARISH COUNCIL - 13th September 2016 - Following a large number of Parishioners making contact with concerns, the planning committee discussed the application again. Following further discussion, the Council has decided to re-iterate that concerns of local residents should be addressed, although the Parish Council has no objections to the application.

10th August 2016 - The Council feels that if permission is granted the directions to the site should be via Cullompton so not to add to the congestion in Uffculme. The Parish Council also feels that any concerns of local residents should be considered fully when considering permission. It is noted that the planning officer has had concerns for the neighbour's privacy etc - this should be fully considered.

HIGHWAY AUTHORITY - 13th September 2016 - Observations: The roads to Ashill are substandard in terms of width alignment and passing opportunities, however they are sufficient to cater for the level of traffic generated by this application to and from this site. Notwithstanding this I would require amendment to the access for vehicle use and the main point of access from the public highway to the North West should be used, with the following alterations. The Access to the west onto the private track should be used for pedestrian and cycles only. It would be preferable for the access to be widened to 5.0m to allow two vehicles to enter and leave at the same time. The visibility splay should be provided so that there is no obstruction to visibility greater than 600mm above the carriageway surface and taken from a point 2.4m back along the centre line of the access and extending to a point 43m either side of the access. Access radii should be a minimum of 4.5m or the access should be set back 4.5m and splayed at 45 degrees. The Access will be hard surfaced in a bound material (Tarmac or Concrete) for the first 6.0m and will be drained so as to prevent surface water from entering the public highway.

SOUTH WEST WATER - 16th August 2016 - Asset Protection

A plan showing the approximate location of a public water main in the vicinity. Please note that no development will be permitted within 3 metres of the water main. The water main must also be located within a public open space and ground cover should not be substantially altered.

Should the development encroach on the 3 metre easement, the water main will need to be diverted at the expense of the applicant. The applicant/agent is advised to contact the Developer Services Planning Team to discuss the matter further.

Clean Potable Water

South West Water is able to provide clean potable water services from the existing public water main for the above proposal.

Foul Sewerage Services

South West Water advises a Planning Condition to emphasise that: Foul drainage from the Development (and no other drainage) shall be connected to the public foul or combined sewer.

Reason: To ensure the discharge of drainage from the Development shall not be prejudicial to the public sewerage system and ensure there are adequate public foul sewerage facilities to receive foul water flows, in order to safeguard the public and environment.

Surface Water Services

The statutory Water and Sewerage Undertaker supports the Planning Policy Guidance for Flood Risk & Coastal Change statement. To accompany its planning application, the applicant must demonstrate how its proposed development will have separate foul and surface water drainage systems and not be detrimental to existing infrastructure, the public and environment (and that any provisions for protecting infrastructure have been agreed with SWWL as service-provider). The applicant should demonstrate to your LPA that its prospective surface run-off will discharge as high up the hierarchy of drainage options as is reasonably practicable (with evidence that the Run-off Destination Hierarchy has been addressed, and reasoning as to why any preferred disposal route is not reasonably practicable):

1. Discharge into the ground (infiltration); or where not reasonably practicable, Provide written evidence as to why Infiltration devices, including Soakaways, Swales, Infiltration Basins and Filter Drains do not meet the design standards as specified in either H3 Building Regulation standards for areas less than 100m². Soakaways serving larger areas must meet the design standard specified in BS EN 752-4 (para 3.36) or BRE Digest 365 Soakaway Design.
2. Discharge to a surface waterbody; or where not reasonably practicable, Provide written evidence for refusal of discharge consent from owner of water body (Environment Agency, Local Authority, Riparian Owner etc)
3. Discharge to a surface water sewer, highway drain, or another drainage system; or where not reasonably practicable, Provide written evidence for refusal of discharge to drainage system (Highway Authority, Environment Agency, Local Authority, Private ownership)
4. Discharge to a combined sewer. (Subject to Sewerage Undertaker carrying out capacity evaluation) South West Water will carry out a hydraulic capacity review of the combined sewerage network before permission will be granted to discharge to the combined sewer.

REPRESENTATIONS

76 letters of support received, summarised as follows:

Support for Autistic Spectrum Disorder friendly camping provision;
Glamping option better than general camping;

Additional economic benefits to the village of Ashill from passing trade associated with the proposed use of the site.

33 letters of objection received, summarised as follows:

Noise impact of the proposed use of the site on the neighbouring property;

Impact of noise coming from the neighbouring farm on users of the proposed campsite;

Light impacts from the proposed utility block on the neighbouring property and potential new lighting being introduced;

Impact of the proposed campsite on the local road network;

Fire risk to adjacent farm buildings;

The site is too small for the proposed development;

Drainage capacity issues;

No overnight presence;

Parking availability on the site;

Visual impacts on the rural character of the area;

Loss of light, privacy and outlook for the neighbouring property;

Safety and security of residential, agricultural, commercial properties and users of the site;

Concerns that MDDC have not engaged with residents;

Loss of property value;

The Parish Council support the application but the residents of the village do not.

MATERIAL CONSIDERATIONS AND OBSERVATIONS

The main issues in the determination of this application are:

- 1. The principle of development on the site**
- 2. Whether there is a business case to support the application scheme**

3. **Access and parking**
4. **Drainage and flood risk**
5. **Impact on residential amenity and the character and appearance of the area**
6. **Other matters**

1. **The principle of development on the site**

The National Planning Policy Framework states that to support a prosperous rural economy, a positive approach should be taken to sustainable new development. The framework further states that local planning authorities should promote the development and diversification of agricultural and other land-based rural businesses. Support should also be given to sustainable rural tourism and leisure developments that benefit businesses in rural area, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in rural service centres.

Policy COR18 of the Core Strategy (Local Plan Part 1) deals with development in the countryside stating that development outside of defined settlements will be strictly controlled, enhancing the character, appearance and biodiversity of the countryside while promoting sustainable diversification of the rural economy. The policy supports the principle of appropriately scaled rural tourism.

Policy DM24 of the Local Plan Part 3 further deals with tourism and leisure development proposals such as this stating that proposals for new or expanded tourism, visitor or leisure facilities will be supported within or adjacent to defined settlements. Elsewhere, the nature of the proposed development must justify a countryside location and minimise environmental impacts, avoiding an unacceptable traffic impact on the local road network. Tourism and leisure development is therefore generally welcomed and supported where possible to provide employment and means of supplementing rural incomes.

Policy DM24 stipulates 3 criteria which the development must comply with:

- a) Respect the character and appearance of the location;
- b) Where possible, involve the conversion or replacement of existing buildings; and
- c) Demonstrate that the need is not met by existing provision within nearby settlements.

Assessment of the proposal against this policy is given in the following discussion.

A summary assessment of the proposal against these criteria is set out below:

- A) The proposed development including the provision of 10 pitches which is to incorporate shepherds huts, safari tents and bell tents; the conversion of the existing stable block; erection of 2 smaller buildings and planting/ fencing is considered to respect the rural character and appearance of the location. The materials of the proposed new two small buildings are to be timber constructed to blend in with the existing timber stable on the site.
- B) The conversion of the existing stable block to allow for its use for toilet/shower facilities, an office, meeting room, sensory room for visitors, washing facilities, and storage is considered to be acceptable. The erection of the two small new blocks is considered to be more appropriate than housing miniature ponies in the stable next door to a shower room for example.

Further comments have been received by the Local Planning Authority questioning the size of the proposed new block to be used as a stable building to house the miniature ponies (suggestion it is too small to house that number of ponies). It is considered that the size of the proposed stable building (3m x 3.7m) is sufficient for its intended use.

- C) The applicants have demonstrated through reasonable means that the need for a camping/glamping facility specifically but not exclusively aimed towards families with autism within them is needed. This is evidenced by the 140+ letters/emails of support from potential users of the site (when additional letters of support sent directly to the applicant are added) which evidences the demand for facilities such as that being proposed by this application scheme. Although other camping and glamping facilities are provided within Mid Devon, it is considered that the significant financial investment which the applicants are to make in the business shows their commitment to developing the business and in providing a high quality tourism product that meets demand.

2. Whether there is a business case to support the application scheme

The applicants have submitted a business plan in support of the application. The contents of the full business plan are not publically available as it contains sensitive financial information but it indicates a significant financial investment into the business to provide the costly works associated with sewage connection, hedging, fencing and ground works. Further significant investment would be made in the purchasing of the shepherds huts and safari tents.

A redacted copy of the business plan has been received and made publically available for consultation. An update of any additional representations received as a result of this will be provided to members at Planning Committee.

The site has been operating during Summer 2016 as a tented camping site under a 28 day license period which is currently allowable under permitted development not requiring planning permission (see GPDO 2015, Part 4 Temporary Building and uses, Class B). The applicant has submitted recorded details of how the business has run over this period to the Local Planning Authority, including details of the number of visitors, the duration of their stay and written feedback from visitors. This evidence has been reviewed by the planning case officer and is considered to show a business with potential for success and further expansion, as proposed by this application.

As well as the letters of support received in relation to this application, a total of 67 emails of support have also been handed to the Local Planning Authority by the applicant which are from members of the public supporting the idea of a camping/glamping facility which is aimed at engaging with the autistic community and families with autism within them. One letter of support was received from an autism charity based in South Devon (Dimensions for Living) which supports the idea of a glamping site aimed towards a family orientated autism market stating that such facilities are not available on most sites.

Following the publication of the previous report to the planning committee (the application was deferred before the meeting), a further letter of representation was received by the Local Planning Authority questioning whether the autism friendly aspiration of the application scheme is considered material in this recommendation. It is considered that the autism friendly aspiration of the proposal is material because it is this aspect of the proposal coupled with the glamping offer which contributes to the need argument under criterion c) of policy DM24 (demonstrating that the need is not met by existing provision within nearby settlements and hence also supports the proposed camping site element of the proposal). However, it is accepted that the proposed camping site is not seeking to be run as an exclusively autism friendly camping site and would therefore be considered for the purposes of the change of use as a general campsite. It is therefore not considered that a condition should be imposed on the decision which restricts the use of the site to users with autism, nor it is considered possible or reasonable to do so. A matter may be taken into account as a material planning consideration when determining an application. However it may still not be appropriate to impose a condition to restrict it to the matter which helps justify it. This would be similar, for example, to a situation whereby a rural business justifies a new building, but the use of the building is not restricted by condition to that individual business.

Although other camping and glamping facilities are provided within Mid Devon, the significant financial investment which the applicants are to make in the business shows their commitment to developing the business and in providing a high quality tourism product that meets demand.

The business plan details how the proposal could have a positive impact upon local businesses which may be attractive for campers to visit, including the Public House in Ashill, nearby golf courses and driving ranges, Coldharbour Mill and Diggerland as well as the natural attractions of the Blackdown Hills and the South Devon coast. Holidays in rural and semi-rural areas are popular and have resulted in a rise in camping proposals such as that under consideration. Officers are of the view that the proposed development would likely result in further trade for the already popular Ashill Inn (Public House in the village) and would also bring some additional trade to other local businesses and attractions as well as being used as a base for trips to the north or south Devon coasts.

Following the publication of the previous recommendation report to the planning committee, further comments have been received by the Local Planning Authority relating to the need of the campsite. The author of one specific letter outlines that they have looked into autism friendly campsites in the area in summer months and there appear to be existing unused provision available nearby; however the representation gives no specific details of the facilities they have found.

Officers have looked into autism friendly holiday sites and glamping sites in the local area and no provision or marketing of autism friendly glamping was found; a single tourism accommodation business offering self-catering holidays was found at a site on Exmoor. Planning policy does not seek to stifle legitimate competition amongst businesses and the applicants are confident that there is a market demand for the type of business they seek to establish.

Having considered the proposal as a whole and taking into account the content of the submitted business plan and letters of support as well as those issues raised by objectors, it is concluded that a need for the type of development being proposed can be demonstrated and that it has the potential to provide a service which other tourism accommodation enterprises in the locality do not cater for. On this basis the application meets with the requirements of policy DM24 (c).

3. Access and parking

The existing vehicular site access to the site is to be utilised to facilitate the development. The applicant has ownership of the hedges on either side of the access, and provided the access arrangement and visibility splay meets the requirements as set out by the Highway Authority, the access is considered to be sufficient so as to accommodate the additional traffic arising from the proposed development. Revised plans have been submitted to show all of the access changes as required by the Highway Authority, which involves the widening of the access, provision of adequate visibility splays and hardsurfacing the access.

Concern has been raised by local residents as to the impact of the development on the local highway network. The development would lead to additional traffic movements to and from the site, over and above the existing situation. In their consultation response the Highway Authority acknowledge that the roads leading to Ashill are narrow and lack passing places, however they consider that the traffic arising from the development would not be so significant as to make the development unacceptable and on this basis they do not recommend refusal of the application. On this basis it is considered that the local road network is suitable to support any additional movements occurring as a result of the proposed use.

The submitted plans showing the widened access and visibility splay does not show significant changes to the existing hedge along the front elevation of the site. For this reason it is not considered that a front elevation plan showing the site from the road is necessary. However, given local objection and request for such information, the applicant has been asked to provide an elevation plan to show the proposed site frontage. If provided, the plan will be consulted on appropriately and an update given to the planning committee.

Policy DM8 of the Local Plan Part 3 deals with parking. The application scheme has set out an area of parking on the lower section of the site adjacent the paddock. There is also enough space on each pitch or within the empty land between pitches to accommodate sufficient parking for at least 1 vehicle per pitch. Due to the slope of the site, the applicant has indicated that the central track up to the accommodation and pitches will be finished with a plastic or concrete matting through which the grass could grow. This would ensure adequate access is available to each pitch without having a detrimental impact upon amenity. A condition has been recommended to ensure that parking provision is provided before the first use of the site for its intended use to ensure that sufficient parking is available for visitors of the site.

Having regard to all of these matters, the application is considered to be in accordance with COR9 of the Local Plan Part 1 and DM2, DM8 and DM24 of the Local Plan Part 3 in respect of highways and parking.

4. Drainage and flood risk

It is proposed that foul sewage will be disposed of via connection to the combined mains sewer which has been indicated on the submitted proposed block plan to the front of Brimley Cottage (the neighbouring residential property adjacent the site). Officers have confirmed the presence of this sewer by consulting with South West Water asset maps. The route of pipes to be laid to this sewer has been indicated on the same plan. A Foul Drainage Assessment form was submitted with the application but was not actually necessary due to the proposed mains connection and the form is only required to support applications with non-mains foul drainage connections. This has provided some confusion for interested parties as the flow rates put on the form were much lower than would be expected from a development of this size, however as mains connection is proposed, the content of the form is not considered to be of relevance.

Surface water drainage will be disposed of via an existing drainage ditch which runs along the front of the site. There will be minimal additional site coverage as a result of the proposed development and the provision of surface water run-off to this ditch is considered appropriate. The site does not lie within a Flood Zone and is not liable to surface water flooding therefore it is not considered necessary to consider any flood risk to the site.

On the basis of the above considerations, no objection to the application arises and a condition is recommended for imposition to require a mains foul connection and for surface water run-off not to be connected to the mains sewer.

5. Impact on residential amenity and the character and appearance of the area

The bell tents, safari tents and shepherds huts are to be located to the east of the site in the more sloped section of the field. The siting of the accommodation to be provided is in the linear part of the field, which slopes up away from the highway. At present, this part of the site is not highly visible from public vantage points due to the presence and height of the boundary trees and hedges. The existing mature oak and ash trees on the site are proposed to be retained. As previously discussed, some of the road frontage hedging will need to be cut back to achieve the visibility splays required by the Highway Authority and this may increase the visibility of the site. New planting between pitches has been carried out and consists of native hedging including blackthorn, hawthorn, dogrose, hazel and field maple, and new fruit trees have been planted across the site, which over time will provide further softening of the visual appearance of the proposed development.

The site is outside of the conservation area of Ashill and is also not within the Blackdown Hills Area of Outstanding Natural Beauty. Given the topography of the site and the surrounding landscape and the seasonal nature of parts of the proposal (bell tents), it is not considered that the visual impact of the proposed development will be significant and in this respect the application meets with the requirements of policies DM2 and DM24 of Local Plan Part 3. In order to further mitigate the impact of the development during winter months when leaves on trees have been dropped, a condition is recommended to remove the bell tents from the site.

Between each proposed camping pitch is a 'buffer pitch' which could be used for parking in association with each pitch but will also lesson any potential noise impacts between pitches. It is not proposed that these areas be used for the erection of further tents and a condition restricting the siting of the tents and shepherds huts to the areas shown on the approved plans is recommended.

To the north of the site, adjacent to the highway are the closest two neighbouring properties to the development. One of these properties, Brimley Cottage has its principal windows facing toward the application site.

An assessment of the impact of the proposal upon the outlook and enjoyment of the occupiers of this cottage as a result of the development has been submitted as an objection to the scheme, stating that the increase in noise and disturbance, potentially 24 hours per day will be harmful to the enjoyment of the property.

The camping pitches are proposed to be located away from the neighbouring dwellings with a paddock area immediately adjacent to them being used for the grazing of ponies and the camping pitches themselves, located further to the east of the dwellings. It is accepted that the provision of a campsite in this location will create noise which is currently not experienced by the residents and that the provision of a campsite aimed at those with autistic spectrum disorders in their family/group may further increase the likelihood of noise and disturbance being experienced by the neighbouring residents. However Environmental Health has raised no objections to the proposal on the basis of noise impacts. Whilst there is likely to be an increase in noise as a result of the proposal, it is not considered that this would be at an unacceptable level and should any nuisance arise (noise, smoke from fires etc.), this could be addressed through statutory powers available to Environmental Health. On this basis, Officers do not feel that a reason for refusal on noise and other nuisance impacts upon neighbouring residents could be justified.

Along the northern boundary adjacent to the neighbouring property a scheme of native hedging has been planted. This hedging is considered necessary to buffer some of the potential resultant noise and visual impacts.

It is considered that the hedging directly adjacent the residential property should be restricted in height through the implementation of a planning condition so as to limit the blocking of light to any principle rooms in the neighbouring property.

Noise impacts of the working farm (dairy herd) to the south on proposed users of the campsite have been noted in multiple letters of objection. Whilst it is recognised that there will be inevitable resulting noise impacts due to the nature of the use of the adjacent farm site on the users of the camping site, it is considered that the users of the camping site will only be staying for short periods of time. Consultation comments from Environmental Health regarding noise impacts also came back with no comments to report which is further evidence that the noise impacts from the farm on the campers is not considered to be unacceptable.

The applicant has made clear that no new external lighting is proposed on the site. The lighting as existing includes external lighting on the existing stable block which is proposed to be retained. Despite the applicant's assertion of no new lighting, having regard to the rural character of the area, any additional lighting proposed on the site should be first agreed with the LPA and a planning condition is recommended to that effect.

Since the publication of the previous planning committee recommendation report (deferred from the planning committee on 2nd November) which was published online and made publically available, further comments have been received by the Local Planning Authority in further letters of representation outlining residents' concerns over noise, light, air quality and drainage. Further confirmation has been subsequently sought from Environmental Health who have reiterated their lack of objection to the proposal. Environmental Health have furthered their advice by stating that if complaints were received in relation to smoke from wood burners or fires then this could be dealt with under the statutory nuisance legislation. However it is not foreseen to be a problem. If music or radios become a noise problem, they have again advised that this could be dealt with under the statutory nuisance legislation. If there are any light nuisance issues this can be dealt with under the nuisance legislation. If there were any problems with lighting, shielding could be used to reduce the amount of light escaping onto neighbouring properties.

6. Other matters

Objection has been received by the Local Planning Authority from a resident of Ashill writing that the proposed development will result in a loss of worth and value to their property; the courts have found that this is not considered to be a material planning consideration.

Some residents have expressed concerns that the Parish Council are not representing the views of parishioners in their consultation response.

This apparent disparity is not a matter for consideration and the views expressed both by consultees and contributors (objectors and supporters) of the application have been taken into account in reaching a recommendation on the application.

CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule on the decision notice.
3. Before the first use of the site for its permitted use, visibility splays shall be provided, laid out and maintained for that purpose at the site access where the visibility splays provide intervisibility between any points on the X and Y axes at a height of 0.60 metres above the adjacent carriageway level and the distance back from the nearer edge of the carriageway of the public highway (identified as X) shall be 2.40 metres and the visibility distances along the nearer edge of the carriageway of the public highway (identified as Y) shall be 43.00 metres in both directions.

4. Before the first use of the site for its permitted use, the site access road shall be hardened, surfaced and drained (so that no surface water drains onto the Highway) for a distance of not less than 6.00 metres back from its junction with the public highway, in accordance with details that have first been submitted to, and approved in writing by the Local Planning Authority. Once provided, the access shall be maintained in accordance with the approved details.
5. Before the first use of the site for its permitted use, the parking facilities as shown on the approved drawings shall be provided and thereafter kept available for the parking of users of the camping site. The grasscrete or similar should also be included in the parking facilities and therefore implemented before the first use of the site for its intended use.
6. Foul drainage from the development (and no other drainage) shall be connected to the public foul or combined sewer. Connection to the foul drainage shall be implemented before the first use of the site for its intended use.
7.
 - (i) the tents and shepherds huts shall be occupied for holiday purposes only.
 - (ii) the tents and shepherds huts shall not be occupied as a person's sole or main place of residence
 - (iii) the owners/operators shall maintain an up-to-date register of the names of all owners/occupiers of individual tents and shepherds huts on the site, their arrival and departure dates and their main home addresses, and shall make this information available at all reasonable times to the Local Planning Authority.
8. The 6 pitches shown on the approved plans as being for the erection of bell tents shall only have tents erected on them from 1st March - 31st October in any year. Outside of these months the pitches shall be kept free of any tents, caravans or other accommodation.
9. The height of the hedgerow to be planted on the northern boundary of the site and the adjacent property (Brimley Cottage) shall be allowed to grow to a height of 2 metres above adjacent ground level (measured from the application site) and thereafter maintained at a height of between 1.8 metres and 2 metres above ground level (measured from the application site).
10. No external lighting shall be installed on the site unless details of the lighting (to include details of the brightness of any light measured in Lumens) have been previously submitted to and approved in writing by the Local Planning Authority.
11. Within 9 calendar months of the commencement of development on the site the planting as indicated on the proposed block plan shall be provided. Any trees or hedges which within a period of 5 years from the substantial completion of the development, die are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species.
12. A maximum of eight tents (to include the two safari tents shown on the approved plans) shall be sited on the site at any time. The location of the tents within the site shall be limited to the pitches annotated for bell tent and safari tent use on the approved plans.
13. The area shown on the approved plans as being a 'paddock for use by horses' shall be used for equestrian or agricultural activities only and shall not be used to provide recreational or accommodation areas in association with the wider use of the site for camping purposes.

REASONS FOR CONDITIONS

1. In accordance with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt and in the interests of proper planning.
3. To provide adequate visibility from and of emerging vehicles.
4. To prevent mud and other debris being carried onto the public highway.

5. To ensure that adequate facilities are available for the traffic attracted to the site.
6. In the interests of the visual amenity of the area so as to reduce the visual impact of the development during winter months when there is less tree cover, in accordance with policy DM2 of Local Plan Part 3 (Development Management Policies).
7. To ensure the discharge of drainage from the Development shall not be prejudicial to the public sewerage system and ensure there are adequate public foul sewerage facilities to receive foul water flows, in order to safeguard the public and environment.
8. The site is outside defined settlement limits in the open countryside, where unrestricted occupation would be contrary to adopted planning policy, however the application is considered to be in accordance with policy DM24 of the Mid Devon Local Plan Part 3 (Development Management Policies) relating to tourism and leisure development proposals.
9. To limit the loss of light which may be caused by the height and density of a hedgerow on this boundary.
10. In order to protect the landscape and dark sky qualities of the rural area in accordance with policy DM2 of the Mid Devon Local Plan Part 3 (Development Management Policies).
11. To ensure that the development does not result in an unacceptably adverse impact on the privacy and amenity of the occupiers of the neighbouring property and to ensure that the development makes a positive contribution to the rural character of the area in accordance with policy DM2 and DM2 and DM24 of the Mid Devon Local Plan Part 3 (Development Management Policies).
12. To concur with the nature of the application, to preserve the character and appearance of the rural area and to protect the privacy and amenity of neighbouring properties, in accordance with COR18 of the LP1 Core Strategy and DM2 of the Mid Devon Local Plan Part 3 (Development Management Policies).
13. To protect the privacy and amenity of neighbouring properties, in accordance with policy DM2 of Local Plan Part 3 (Development Management Policies).

REASON FOR APPROVAL OF PERMISSION/GRANT OF CONSENT

The proposed change of use of agricultural land and buildings to form camping site, to include provision for 2 shepherds hut pitches, 2 safari tent pitches, and 6 bell tent pitches, conversion of existing stables to shower/toilets, office, meeting room, sensory room for visitors, washing facilities, and storage; erection of 2 new blocks to serve campsite; and formation of equestrian area for grazing of miniature horses at Ingleton Farm, Ashill is considered to be acceptable in policy terms, subject to the proposed conditions. The camping business is considered to be of an appropriate scale, be respectful of the character and appearance of the rural location and demonstrates that the need of the facility is not met by existing provision within nearby settlements. The planting and hedging is considered to be appropriate and is considered to sufficiently protect the privacy and amenity of the occupiers of the neighbouring properties Brimley Cottage and Prospect House. The accommodation to be provided is considered to be a sufficient distance from the neighbouring property so as not to cause issues in terms of noise nuisance and the neighbouring farm will not have a demonstrable impact upon the proposed use. Subject to conditions the development will provide a safe and suitable access to the public highway. Overall the proposal is considered to be in accordance with policies COR2, COR9 and COR18 of the Mid Devon Core Strategy (Local Plan Part 1), DM2, DM8, DM20 and DM24 of the Local Plan Part 3 (Development Management Policies) and the National Planning Policy Framework.

Grid Ref: 283840 : 100293

Applicant: Ms K Todd

Location: Todd Lettings Office
11 Meadow Gardens
Crediton Devon

Proposal: Change of use of part
garden for the
retention of shed for
property letting office
(Use Class A2)

Date Valid: 11th August 2016



Application No. 16/01221/FULL

RECOMMENDATION

Grant planning permission for a 2 year temporary period and for the personal benefit of the applicant whilst she is resident at no. 11 Meadow Gardens

PROPOSED DEVELOPMENT

The applicant has set out the description of development for the application as for a change of use of part garden for the retention of shed for property letting office (Use Class A2).

The application relates to a single storey log cabin/garden room which is located in the rear garden of no.11 Meadow Gardens, a residential cul-de-sac. The floor area of the building is 16 square metres, and the plans show that it is furnished with 3 work stations. The building has a shallow pitched roof standing approximately 2.8 metres to ridge and is faced with timber cladding on a brick base with double doors set within the front elevation.

The application is submitted retrospectively, and the matter was first brought to the local planning authority's attention in Autumn 2015 under case ref: 15/00115/UCU. This application was submitted for consideration on the 11th August 2106.

The application site sits in the corner of the residential garden of no.11 Meadow Close which has a generous curtilage with a garden gate to enable independent access. The property also benefits from a driveway which although narrow is approximately 20.0 metres deep to the apron of the dwelling. The site is directly adjacent to the commercial land uses along Mill Street. It is located in the corner of the landscaped garden and set approximately 20.0 metres from the host property and is approximately 26.0 metres to the side elevation of the adjacent property at no.9 Meadow Gardens.

APPLICANT'S SUPPORTING INFORMATION

The applicant has submitted the following information in support of their application.

This is an on-line sole trader business operation with a low profile. We operate only from 09.00 - 17.00 Monday to Friday.

Before moving from our High Street premises, we contacted Mid Devon District Council planning office. They assured us that there would be no objection to our proposed move.

There are very occasional short visits from tradesfolk eg., a plumber/electrician may need to collect a key from us in order to enter a property and carry out repairs. There is sufficient off-road parking on the driveway to cover this

Other tradesfolk call at the premises to carry out work for my house itself. This is nothing to do with my business. My gardener who calls once a week/fortnight, cleaners who call once a week, my builder has recently landscaped my garden and carries out works, an electrician repaired/installed lighting. Only the other day specialist gardeners came to plant some trees in the garden - they had a large van which pulled onto my drive with ease

The business employs only three people and two of those part-time This is most unlikely to change. We are housed in a small wooden structure which in no way changes the character of the main property or the area We have been operating here for more than 12 months, so that is evidence that we are quite unobtrusive as absolutely no concern has been expressed hitherto

Permission has already been granted to small businesses close by - a dog-groomer operated from her converted garage also in Meadow Gardens.

Officer Comment - This comment relates to no.2 Meadow Gardens and the scope of the planning permission which was granted at appeal and allowed for the change of use of garage to dog grooming business and widening of driveway to provide 1 additional parking space.

All their customers (and their dogs) would have had to visit those premises in order to avail themselves of this service. Their clients may even have been noisy - unlike ours

We do not operate any noisy machinery, take delivery of raw materials, send/receive parcels by way of Royal Mail

We have sufficient parking on the drive to accommodate the few visitors we receive. My employees do not park here at all or, when they do use their own vehicles, in Meadow Gardens. We have taken photos on many days of vehicles parked in Meadow Gardens partially on the pavement. All these belonged to residents/visitors further up the road. Images on Google Earth taken before we even started to use The Log Cabin, clearly show cars parked on the pavements further into the cul-de-sac and belonging to residents and/or their visitors.

From Google Maps, it is clear that this is an area of mixed industrial, retail and residential property. 11 Meadow Gardens itself backs extensively onto Morrisons and numbers 17 and 19 are adjacent to the Crediton Dairy.

Mole Avon is also close by. My discrete business in no way compares to the size, noise and occasional offensive smells of those operating around us.

Our low-key business in its discrete structure can in no way change the character of this area.

PLANNING HISTORY

86/01907/FULL Erection of a first floor extension - PERMIT - 20.01.86
04/00773/FULL Erection of single storey extensions to side and rear - PERMIT - 24.05.04
12/00747/FULL Erection of two-storey extension - PERMIT - 26.07.12

DEVELOPMENT PLAN POLICIES

Mid Devon Core Strategy (Local Plan 1)

COR1 - Sustainable Communities
COR2 - Local Distinctiveness
COR15 - Crediton

Mid Devon Local Plan Part 3 (Development Management Policies)

DM1 - Presumption in favour of sustainable development
DM2 - High quality design
DM13 - Residential extensions and ancillary development

CONSULTATIONS

HIGHWAY AUTHORITY - 22nd August 2016 - Have not made any specific comments about the application.

CREDITON TOWN COUNCIL - 22nd August 2016 - No objection

ENVIRONMENTAL HEALTH - 26th August 2016 -

Contaminated land - N/A

Air quality - N/A

Environmental permitting - N/A

Drainage - N/A

Noise and other nuisances - No comments

Housing standards - N/A

Licensing - No comments

Food hygiene - N/A

Private water supplies - N/A

Health and safety - No objection. Applicant to ensure compliance with Health and Safety at work requirements

REPRESENTATIONS

7 no. representations have been received from local stakeholders who are supportive of the planning application proposals, commenting that whenever they have visited the premises they have not witnessed any parking or congestion issues as a result of the use of the cabin as an office.

1 no. objection has been received raising the following concerns regards the application scheme as set out below.

1. Concerns regarding parking. Not enough space for staff/ customers/ home owner and tenant to park sufficiently. Our shared drive entrance can often be partially blocked due to the volume of vehicles in the drive.
2. Concerns regarding the number of vehicles entering the estate for business and the continual need for vehicles on the drive to reverse out in order to 're order' parking as there are no 'spaces'.
3. Concerns that if the business grows so will the traffic volume into the estate and add to the parking issue.

In addition a petition signed by the occupiers of 19 of the other houses on Meadow Gardens has been submitted (dated 09.09.2016) raising concerns about the parking needs associated with the use, the potential increase in business uses that may arise if the use is permitted and the impact that the proposals will have on the residential character of the cul-de-sac.

MATERIAL CONSIDERATIONS AND OBSERVATIONS

1. Impacts of the building
2. Impacts of the use of the building
3. Planning Balance

1. Impacts of the building

Policy DM13 is the relevant policy to determine applications for householder extensions and ancillary development. The criteria set out in the policy statement and copied below establishes a framework to assess the physical impacts of the garden cabin building on the environment in which it is located.

- a) Respects the character, scale, setting and design of existing dwelling
- b) Will not result in over-development of the dwelling curtilage; and
- c) Will not have a significantly adverse impact on the living conditions of occupants of neighbouring properties.

A summary assessment of the application scheme against these criteria is set out below;

- A) The proposed cabin building sits comfortably in the corner of the garden and does not compete with the host dwelling and or the neighbouring dwelling. The cabin presents as a typical garden building with a timber clad external appearance. The scale and design of the cabin is not considered to harm the character and appearance of the existing dwelling or its setting.
- B) The property has a large curtilage and it is not considered that the proposed extension would result in overdevelopment of the dwelling curtilage.
- C) Meadow Garden is an estate type environment, and no 11 enjoys a larger garden than average across the estate, and given the location of it in the corner of the plot the physical presence of the cabin would not result in any significant adverse impacts on the amenity of occupiers of neighbouring dwellings.

2. Impacts of the use of the building

As stated the use of the garden cabin as a letting agent office was first brought to your officers attention in the Autumn of 2015. The applicant has confirmed that two other persons arrive at the premises to complete administrative work tasks and as stated the cabin is furnished with 3 computer work stations. In addition the applicant has confirmed that some of the facilities in the house are used, including toilet and kitchen facilities, by those persons who come to work from it. Access can be achieved to it either via the main house or via the garden gate. Your officers have visited the premises on a number of occasions and it is not considered that the use of the cabin itself as an office room for the occupier of No.11 and two others (on a part time basis) results in a pattern of use which create a detrimental impact on the amenities of the area at present. However there are other matters and impacts that also require consideration as set out below.

The applicant has confirmed the extent to which persons arrive at the address in connection with the business activities and suggest that it is low key in terms of numbers and the scope of activity, ie tradesmen arriving to collect keys. It is not suggested that customers arrive at the address before they are taken to view premises. Notwithstanding the availability of off- street parking within the curtilage any use at the site which generates large and frequent numbers of visitors either by car and/or as a pedestrian would be considered to be at odds with the residential environment of cul-de-sac. Local residents in the street have expressed concerns about demand for parking associated with the use which causes inconvenience, and are concerned about how increase in commercial activity may affect their residential amenities.

The case to support an argument that the proposed use of cabin building results in a pattern of use of visitors arriving and departing from the site to extent that the safety and/or the residential amenity of the cul-de-sac is harmed is not strong. Whilst the matter was brought to your officers attention approximately 12 months ago as breach of planning control there is no strong evidence base which could support a case that the pattern of use of the building as an administrative office as currently used results in unacceptable levels of activity. Notwithstanding given the site location of the building, within a residential garden and within a residential street, it is not a use which should be encouraged. In addition your officer's recognise the concern of local residents in terms of how circumstances may change in the future if a commercial use is approved as proposed on a permanent basis.

3. Planning Balance

Policy COR15 refers to the aim of increasing the self-sufficiency of the town (Creddon) and expanding employment opportunities. Text at paragraph 3.14 of the Local Plan Part 3 (Development Management Policies) also refers to employment development within settlement limits as being acceptable in principle, but that it should not cause adverse impacts. Your officers recognise that the current pattern of use to support the applicant's business is low key and does not result in patterns of activity which are wholly incompatible in a residential street. In addition the economic benefits of the business activity are recognised. Following the completion of the assessment of the application your officers recommend that a temporary planning permission should be granted for the personal benefit of applicant in operating her current business (Todds Lettings) for 2 calendar years. This will enable the applicant to consider the long term future needs, whilst her business within a managed time frame, and allow its impact to be reassessed at the end of that period and enable that the business to continue to operate. The applicant should be advised that there is no guarantee that the terms of the planning permission will renewed after the allowable time period and is advised to investigate other more suitable commercial premises.

CONDITIONS

1. The use of the garden cabin as a property letting office hereby permitted shall ensure for the benefit only of Mrs Karen Todd for the purposes as set out and for no other use in Class A2 of the Town and Country Planning Use Classes Order 2015 and shall be for the period of two calendar years from the date of this Notice of Decision or when the approved use by Mrs Karen Todd ceases whichever is the sooner.
2. The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule on the decision notice.

REASONS FOR CONDITIONS

1. It is recognised by the Local Planning Authority that the current pattern of use to support the applicant's business is low key and does not currently result in patterns of activity which are wholly incompatible in a residential environment. However, there is potential for it do so. Therefore it is recommended that a temporary planning permission should be granted for the personal benefit of applicant in operating her current business (Todds Lettings) for 2 calendar years so that the impacts of the business can be considered over this period whilst also allowing it to remain operational whilst alternative premises are considered.
2. For the avoidance of doubt and in the interests of proper planning.

INFORMATIVE NOTE

1. The applicant should be advised that there is no guarantee that the terms of the planning permission will be renewed after the allowable time period and is advised to investigate other more suitable commercial premises for the operation of her business.

REASON FOR APPROVAL OF PERMISSION/GRANT OF CONSENT

The proposal is in accordance with Policy COR15 in that it contributes to employment opportunities in Crediton and subject to its impact is in accordance with the positive approach to employment development in settlement limits within the Local Plan Part 3 (Development Management Policies). It is recognised by the Local Planning Authority that the current pattern of use to support the applicant's business is low key and does not currently result in patterns of activity which are wholly incompatible in a residential environment. Therefore it is recommended that a temporary planning permission should be granted for the personal benefit of the applicant in operating her current business (Todds Lettings) for 2 calendar years so that the business can remain operational whilst its impacts are being accessed over this period and in order for alternative premises to be considered.

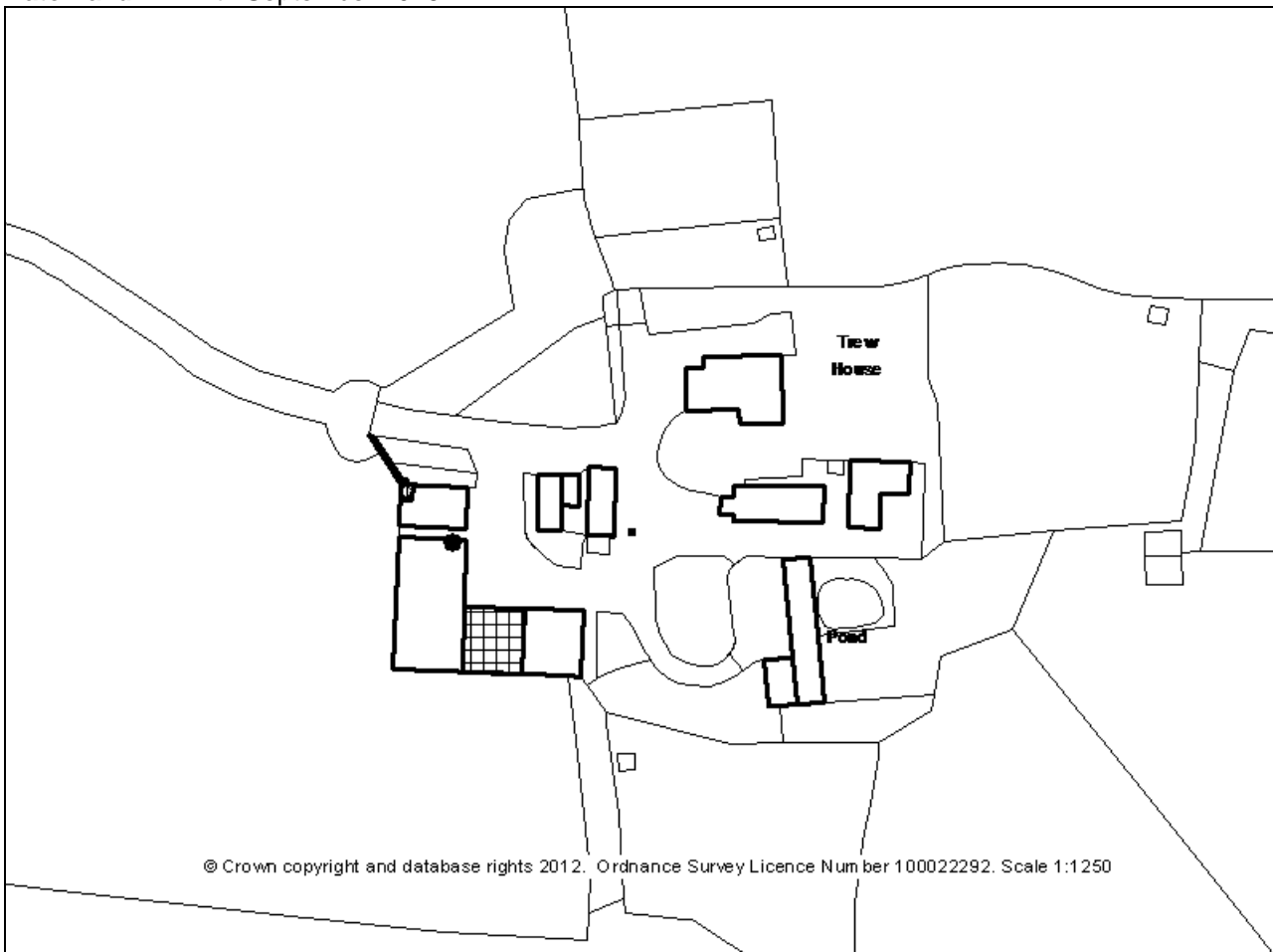
Grid Ref: 285664 : 103549

Applicant: Shaikha Noora Al Khalifa

Location: Land and Buildings at NGR 285635 103526 (Trew Farm) Chilton Devon

Proposal: Erection of 2 dwellings for security staff; part change of use of agricultural building to form sentry office on mezzanine level and formation of an elevated walkway

Date Valid: 14th September 2016



Application No. 16/01365/FULL

RECOMMENDATION

Grant permission subject to conditions.

PROPOSED DEVELOPMENT

The application seeks consent for the formation of 2 dwellings for security staff; part change of use of agricultural building to form sentry office on mezzanine level and formation of an elevated walkway at Trew Farm, Chilton, Crediton.

Trew Farm is located in the countryside approximately 4.5km to the north east of Crediton. The site is accessed via a private access road from the Class C highway to the west of the site which leads to a gated entrance into the yard area. The house is situated at the north of the yard, with the collection of traditional outbuildings and more modern agricultural style buildings to the south and which are set lower than the level of the house. Two of the more traditional barns, situated directly in front of the farm house, have already been converted to dwellings which the applicant's agent advises now provide accommodation for staff including the Lady in Waiting and housekeeper, as well as providing the kitchen and laundry services. A further barn at the bottom of the yard provides stabling and housing for alpacas. The modern buildings that form the south west corner of the yard are the building which are the subject of the application scheme which is summarised further below:

The proposal seeks consent for the erection of two dwellings for security staff by converting and remodelling 2 modern agricultural style sheds. The layout as shown on the plans, proposes one three-bedroomed unit for the security supervisor and his family. The second unit provides five bedrooms for the security staff in a more communal type arrangement. At the time of site visit the construction of the dwellings had commenced to the extent that windows have been installed, however the works on site have currently ceased.

In addition permission is sought for the part change of use of another agricultural building to form sentry office. This building (north west corner) is adjacent to the gated entrance to the farmyard and it is proposed to form an office at mezzanine level with a link from the driveway into the office by way of an elevated walkway adjoining the walls that flank the entrance.

APPLICANT'S SUPPORTING INFORMATION

Planning Statement prepared by the Agent.

PLANNING HISTORY

00/00973/FULL Erection of a free standing building to house staff w.c. and shower facilities - PERMIT - 29.08.00

98/01736/FULL Erection of an agricultural building - PERMIT - 11.12.98

15/00351/PNCOU Prior notification for the change of use of an agricultural building to a dwellinghouse under Class Q - This notification was not supported by the Local Authority.

DEVELOPMENT PLAN POLICIES

Mid Devon Core Strategy (Local Plan 1)

COR2 - Local Distinctiveness

COR18 - Countryside

Mid Devon Local Plan Part 3 (Development Management Policies)

DM1 - Presumption in favour of sustainable development

DM2 - High quality design

DM8 - Parking

DM11 - Conversion of rural buildings

DM14 - Design of housing

DM20 - Rural employment development

CONSULTATIONS

ENVIRONMENTAL HEALTH - 27th September 2016

Contaminated Land - No objection.

Air Quality - No objection.

Environmental - No objection.

Drainage - No objection.

Noise and Other Nuisances -

The proposed site is located amongst a number of agricultural buildings. Directly to the East and West it adjoins animal holding sheds/agricultural sheds. Due to the close proximity of these sheds, I consider that the insertion of a residential dwelling into this situation would create unsatisfactory living conditions for the prospective residents in terms of noise, smell and fly nuisance from farming activities and general disturbances from farm vehicle movements.

However, if it can be conditioned that the dwelling is purely for on-site accommodation for staff, I would have no objection to the proposals.

Housing Standards -

The shared house for guards may be a House in Multiple Occupation under Housing Act 2004. It appears to provide adequate accommodation and facilities, but would need a fire alarm system as recommended by LACORS fire safety guide.

Licensing - No comments.

Food Hygiene - N/A

Private Water Supplier - Recommend approval with conditions:

The addition of this development changes the classification of the water supply to a Regulation 10 (small supply). Under The Private Water Supply (England) Regulations 2016 a risk assessment and sampling regime will be necessary (this classification may change subject to the supply of new information).

Prior to any occupancy of the proposed development a PWS risk assessment and sampling must be undertaken by this authority.

To safeguard the public health of the occupiers of the proposed dwelling.

Health and Safety

No objection to this proposal enforced by HSE. Informative: There is a lack of information e.g. structural survey. There is a foreseeable risk of asbestos being present in these types of structure. A Refurbishment and Demolition Survey following HSG264 available at [Http://www.hse.gov.uk/pUbns/priced/hsg264.pdf](http://www.hse.gov.uk/pUbns/priced/hsg264.pdf) should be carried out before work commences to identify precautions and legal requirements enforced by Health and Safety Executive.

HIGHWAY AUTHORITY - 16th September 2016 -

No specific comment.

SHOBROOKE PARISH COUNCIL - 12th October 2016 -

No comment.

REPRESENTATIONS

No letters of representation have been received at the time of writing the report.

MATERIAL CONSIDERATIONS AND OBSERVATIONS

The main issues in determination of this application are:

1. **Policy and principle of development**
2. **Design**
3. **Other issues- public open space, access**
4. **Planning balance: Other material considerations to be weighed against policy**

1. Policy and principle of development

The site is located in the countryside where policy COR18 restricts development to enhance the character, appearance and biodiversity of the countryside. The policy does not generally support the provision of new dwellings in the countryside but allows affordable housing to meet local needs, gypsy accommodation, replacement dwellings, housing to accommodate an agricultural or forestry worker and accommodation ancillary to a dwelling. Paragraph 55 of the National Planning Policy Framework is reflective of the restrictions of policy COR18 and states that Local Planning Authorities should avoid isolated new homes in the countryside unless there are special circumstances such as:

The essential need for a rural worker to live permanently at or near their place of work in the countryside; or
Where such development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets; or
Where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting; or
The exceptional quality or innovative nature of the design of the dwelling

The site is located some 4.5km from the nearest settlement of Crediton and similar distance from Shobrooke and Stockleigh Pomeroy. There are no public transport opportunities available within close proximity of the site. Given the distance and nature of the highway network, the location of the proposed dwellings are likely to necessitate reliance upon private car to meet the everyday needs of occupiers. On this basis, the site is considered to be isolated in the context of the National Planning Policy Framework. Therefore, unless it can be demonstrated that the proposal meets one of these special circumstances, there is no policy support in principle for the provision of two new dwellings in this countryside location.

The applicant's agent draws upon policy DM10 Rural workers dwellings to support the proposal on the basis that the requirement for the security presence creates an essential need for a rural worker to live at the site. It is not considered that the proposal demonstrates the need for a full time worker to permanently reside at their place of work to ensure the proper functioning of an enterprise. The security requirements set out are personal rather than related to a business and, in any case the supporting text of DM10 clearly states that security concerns on their own will not be sufficient to justify a new dwelling.

It is not considered that the proposal meets any of the special circumstances set out by paragraph 55 of the National Planning Policy Framework or COR18 and therefore as isolated dwellings in the countryside, the proposal is contrary to development plan policy.

2. Design

The design proposes the two dwellings set side by side within a largely square foot print under a pitched roof. The dwellings are separated by a central full height atrium. The material palette comprises rendered concrete blockwork to the walling with metal profiled steel sheet to the gable ends and roof and white uPVC windows. The dwellings will appear as part of the wider collection of reasonably large, functional agricultural style buildings that are situated in front of the farm house. The roof arrangement as proposed is altered from the current construction where the roof has been attached to the adjoining agricultural buildings. The eaves will sit 0.5m higher and 1m higher than eaves of the agricultural buildings to the west and east respectively. Notwithstanding this, the overall scale of the building is considered to be in keeping with the general scope of buildings that surround it.

Policy DM2 requires new development to be of high quality design demonstrating a clear understanding of the characteristics of the site and its wider context. The design of the new dwellings reflect the functional appearance of the surrounding agricultural buildings and are comparable to other dwellings that have been permitted in the countryside through the Class Q permitted development rights. Whilst it is not considered that the design aspects of this proposal are of an exceptional quality and/or innovative, given the context in which they are found, a farm yard setting, it is not considered that the proposals would cause unacceptable harm to the character and appearance of the area.

New dwellings are required to be compliant with DCLG's Technical Housing Standards- nationally described space standards. The floor space of each unit is compliant with floor spaces that are required with these standards. However the layout of the second unit does not comply with the technical requirements of these standards which require that a dwelling with two or more bed spaces has at least one double or twin bedroom.

The layout has been designed to provide 5 single rooms to accommodate staff working on a shift basis, and therefore the provision of a double room requiring two members of staff to share would not be a suitable arrangement. The accommodation as proposed has been designed to be bespoke to the required use and therefore it is not considered that this should form a reason for refusal in this instance.

In terms of the sentry office, this will be provided internally within an existing agricultural building. The scope of the works include provision of a door and window within the north elevation to allow access from the elevated walkway. The walkway will be 2m high at its highest point and will adjoin the rear of the boundary walling which is approximately 2.5m high at its highest point with 1m iron railings above. The works to provide the sentry office and raised walkway will not be largely visible outside of the site and are not considered to have a significant impact on the character and appearance of the site or the wider area. For confirmation there are no objections to this aspect of the application scheme.

3. Other issues - Public open space and air quality, access and parking drainage and amenity

Policy AL/IN/3 of the AIDPD and the SPD on the provision and funding of open space through development require a financial contribution towards the off-site provision of public open space and play areas as demand for these facilities is likely to increase with the provision of new dwellings. The proposal would normally generate a financial contribution in accordance with these policies, however there are no identified projects with which to allocate the funding to and therefore the Local Planning Authority has not requested a contribution in this instance.

Policy AL/CRE/8 of the AIDPD provides for new residential development in Crediton and surrounding villages to contribute towards the cost of implementing the Crediton Air Quality Action Plan. The policy is supplemented by the SPD on air quality and development. The scheme has been considered against this policy, however considering the level of contribution sought, no appropriate projects have been identified and therefore no contribution has been requested.

The Environmental Health consultation raises objection to the siting of the dwellings, being sited immediately adjacent to existing large buildings for which the lawful use is agricultural. They are satisfied that if the accommodation was conditioned to be for staff accommodation only, their objection to the siting of the dwellings would be withdrawn.

The access, as set out above, is considered to be suitable to support the additional traffic associated with the provision of two dwellings as proposed. There is sufficient room within the yard to provide parking in accordance with policy DM8.

It is proposed to manage surface water drainage through an existing soakaway and foul drainage via a package treatment plant.

4. Planning balance: Other material considerations to be weighed against policy - security

The applicants agent has put forward a case that the application proposals accords with Policy DM10 which would provide policy support for a rural workers dwelling in a countryside location. However your officers do not consider that the application scheme is required to provide accommodation for a rural worker as defined at paragraph 2.2 of the Local Plan Part 3. Therefore in terms of completing the policy assessment of this application it is considered that there is no support for the application proposals given the site location in the countryside.

The other aspect of the applicants case as put forward by the agent, is that the accommodation is needed to house security staff in order to provide a 24 hour security presence which is required when the applicant permanently resides at the property. The applicant, is sister to the King of Bahrain, and therefore a member of the Royal House of Bahrain. For a number of years, she has resided at Trew House for between six and eight months of the year. However, as the planning statement states 'owing to the volatile nature of the Middle East in particular, and the current unsettled wider world picture in general, Her Royal Highness intends to take up permanent residence at Trew House in the near future'. During the periods when she has previously resided at the property, security staff have also stayed however those security arrangements are not satisfactory to accommodate her full time occupation at Trew House. 24 hour presence by the security staff (on a rota basis) is required in order to provide an effective security arrangement that can provide an immediate response in an emergency which would not be achieved if staff were living in nearby settlements.

This is considered to be a material consideration which significant weight can be attributed to it as part of the decision making process.

In addition to the above considerations whilst the works proposed will not contribute towards delivering a building of a high quality design it is not considered that the proposals will create a building that results in detriment to the visual amenities and/or rural character of the area. Furthermore as stated above the proposed conversion of the agricultural style buildings will provide residential accommodation which in terms of it's appearance and character will be very similar to a conversion under the Class Q process.

Therefore in conclusion whilst there is no policy support for the application taking into account the considerations as set out above, primarily the change in the living circumstances of Her Royal Highness and the security risk arising, represent sufficient reason to set aside the policy objection to the application and approval subject to conditions is recommended.

Finally the proposed dwellings would be eligible for counting towards the New Homes Bonus. If the New Homes Bonus is distributed across Council Tax Bands in the same way as in 2015. The award for each house would be £1,028 per year, paid for a period of 6 years. The amount of New Homes Bonus to be generated by this development would be £12,336.00.

CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule on the decision notice.
3. Notwithstanding the provisions of Article 3 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification) no development of the types referred to in Classes A, B, C or D of Part 1 of Schedule 2, relating to extensions, additions and alterations to the roof and porches shall be undertaken without the Local Planning Authority first granting planning permission.
4. The use of the two dwellings hereby permitted shall ensure for the benefit only of staff who are employed in service at Trew House and for the benefit of the applicant only, as referred to on this notice of decision.

REASONS FOR CONDITIONS

1. In accordance with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt and in the interests of proper planning.
3. To ensure the size of the dwellings remain acceptable with regard to the visual amenities of the area in accordance with Policy DM2 of the Local Plan Part 3 (Development Management Policies).
4. The conversion of two existing buildings into two residential dwellings is only acceptable because of the special circumstances of the applicant as referred to on this decision notice (and as noted in the Planning Statement and Design and Access Statement to support this application), and the Local Planning Authority wishes to have the opportunity of exercising control over any subsequent use in the event of the applicant ceasing the use hereby permitted.

REASON FOR APPROVAL OF PERMISSION/GRANT OF CONSENT

The site is located in the countryside where policies, in particular COR18 of the Mid Devon Core Strategy (Local Plan part 1) and paragraph 55 of the National Planning Policy Framework seeks to avoid new dwellings in the countryside unless there are special circumstances. In the case the personal security concerns of the applicant are noted, and are considered in this case to override the policy objections. Therefore whilst the application scheme is considered to be contrary to policy COR18 of the Mid Devon Core Strategy (Local Plan 1), it is considered to be in accordance with Policy DM1 and DM8 of the Mid Devon Local Plan Part 3 (Development Management Policies) and general guidance in the National Planning Policy Framework.

Grid Ref: 302619 : 114191

Applicant: Mr N Sanderson

Location: 38 Higher Town
Sampford Peverell
Tiverton Devon

Proposal: Erection of extension
to ground floor utility
and erection of first
floor extension above

Date Valid: 13th September 2016



Application No. 16/01391/HOUSE

RECOMMENDATION

Grant permission subject to conditions.

PROPOSED DEVELOPMENT

38 Higher Town is located to the western extremity of Sampford Peverell within its Conservation Area. The property is a detached two storey house set back from the road and within a good sized plot.

The proposal is to provide an extension to the ground floor utility area 2.3m x 2m located to the western gable immediately adjacent to the boundary of 40 Higher Towns' garden. In association with this ground floor development there is to be a first floor extension located above both the existing ground floor element and the new measuring 5.8m x 2.3m with a ridge height to that of the existing house 6.7m. The proposal will present a full height gable to the neighbouring property directly on the boundary with the neighbours' garden; it is unlikely however to have any major negative impacts to the amenity of the neighbouring property in terms of over shadowing, or be significantly overbearing.

APPLICANT'S SUPPORTING INFORMATION

Plans
Design and Access Statement

PLANNING HISTORY

03/00453/DET Erection of porch - REC -
10/01317/CAT Notification of intention to fell 2 Poplar trees and carry out works to 1 Poplar tree within a Conservation Area - NOBJ - 12.10.2010

DEVELOPMENT PLAN POLICIES

Mid Devon Core Strategy (Local Plan 1)

COR2 - Local Distinctiveness

Mid Devon Local Plan Part 3 (Development Management Policies)

DM2 - High quality design
DM13 - Residential extensions and ancillary development
DM27 - Development affecting heritage assets

CONSULTATIONS

SAMPFORD PEVERELL PARISH COUNCIL - 3rd October 2016 - Sampford Peverell Parish Council convened a planning sub-committee to consider this application. We visited the site and discussed it with the applicant. We have no objections to the application.

HIGHWAY AUTHORITY - 16th September 2016 -

<http://www.devon.gov.uk/highways-standingadvice.pdf>

EAST AREA CONSERVATION OFFICER –

Assessment

Based on information on file and site visit.

Context

38 Higher Town is 20th century two storey detached house located towards the west end of the Sampford Peverell conservation area.

The property is in an elevated position set back from the main road. Due to the site layout, separate garage and vegetation there are limited views into the site in general and the affected part of the site in particular. The building has later extension that abuts the south west boundary. Its appearance and character is neutral in terms of its contribution to the significance of the conservation area.

Proposal

Removal of a redundant chimney stack. To remove a short length of privet hedge to enable a ground floor extension to extend the footprint of the existing extension in a south east direction and to construct a first floor gabled extension over the existing monopitch extension and the proposed extended ground floor.

The proposed extension is to have a render finish and tiled with concrete tiles to match the existing. The windows and door in the extension are proposed to be uPVC to match the existing house.

Impact upon the conservation area.

The proposed works will effectively be screened from any public vantage point inside or outside the conservation area, by existing buildings and vegetation. The materials and finishes match those of the existing building. The impact will therefore be negligible on the overall character, appearance and significance of the conservation area.

Summary

No objection

REPRESENTATIONS

One letter of representation submitted.

Error in the Design and Access Statement re the property number next door.
New window will add to the existing overlooking.

MATERIAL CONSIDERATIONS AND OBSERVATIONS

The primary material considerations in assessing this application are:-

- 1 Planning Policy**
- 2 Design and the Conservation Area and impact on the building and neighbouring properties.**

1 Planning Policy

In assessing any planning application guidance is taken from both the Local Planning Policies and National Policies. In this instance the main policies are Mid Devon Core Strategy (Local Plan 1) COR2 - Local Distinctiveness that the proposal will sustain the distinctive quality, character and diversity of the environmental assets, to reinforce the character of the built environment and create attractive places. This proposal takes these aspects into consideration and will add to the design of the dwelling and its area.

Mid Devon Local Plan Part 3 (Development Management Policies) DM2 relates to high quality design and is an overarching policy to ensure proposals and development has a clear understanding of the characteristics of the site, and the wider surrounding area. It requires proposed to represent an effective use of the site, with integrated design with surrounding buildings, without unacceptably adverse effect on the privacy and amenity of the proposed or neighbouring properties and uses.

DM27 - Protected landscapes including conservation areas need to consider the impacts proposal will have on the area and the building within the landscape.

The National Planning Policy framework (NPPF) is a national policy which the local plan must be guided by and where a local plan is silent on an issue then the NPPF must have due regard to the development in question.

2 Design and the Conservation Area and impact on the building and neighbouring properties

The property is located approximately in the middle of the large rectangular plot, with a single storey addition located to the south western gable of the property, abutting the garden of Number 40. The main dwelling is itself L shaped.

The proposal is to extend the ground floor extension to the south with the removal of a small area of hedging to run parallel with the rear (southern elevation) of the building. Above this single storey area the first floor will be erected to encompass the gable wall, thereby extending the two storey gable to the boundary of the garden curtilage with that of No 40 Higher Town. 40 Higher Town is located approximately 30m from the proposed works to north within their garden, the garden continues for a further 25m to the south running parallel with no 38's garden.

Although the proposed will be on the boundary between the two properties, the increase in height of this part of the proposal will have only minor intensification in overshadowing and this being only in the very early hours of the morning. The increase in the size of the property and the inclusion of a 6.6m high gable on the boundary of the two properties is not likely to cause undue overbearing to the garden area or the use of the garden as a whole. There will be no impact on the dwelling at number 40 due to the changes proposed and the distance the property is away from the proposed development.

The design of the proposal will blend with the existing and provide necessary additional space without compromising the design of the existing building. The inclusion of a new window to the southern elevation although affording some additional overlooking of the neighbour's garden this is at an oblique angle and the property already has windows on this elevation. It is considered that there will be no demonstrable harm to the amenity of the neighbouring property due to the proposed new window. The new window to the northern elevation will be obscure glazed and have only a small opening fanlight, thus reducing any possibility of overlooking.

The loss of the redundant chimney will unbalance the property to some degree but it is considered that this is only a minor issue and as the property is not seen in the context of a street the change is of little significance, and not considered to be sufficient to consider a refusal.

The impact to the conservation area is negligible as already commented on by the proposed works will effectively be screened from public vantage point inside or outside the conservation area, by existing buildings and vegetation. The materials and finishes match those of the existing building. The impact will therefore be negligible on the overall character, appearance and significance of the conservation area.

Having regard to these considerations the application accords with the provisions of policies COR2 of Mid Devon Core Strategy (Local Plan Part 1), DM2, DM13 and DM27 of the Local Plan Part 3 (Development Management Policies) and the National Planning Policy Framework.

CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule on the decision notice.
3. The external finishes of the development hereby permitted shall match in material, colour, style, and texture those of the existing building and be so retained.

REASONS FOR CONDITIONS

1. In accordance with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt and in the interests of proper planning.
3. To ensure the use of materials appropriate to the development in order to safeguard the character and appearance of the building and the character and appearance of the conservation area in accordance with Mid Devon Core Strategy (Local Plan Part 1) COR2 Adopted Mid Devon Local Plan Part 3 (Development Management Policies) DM2, DM13, DM27.

REASON FOR APPROVAL OF PERMISSION/GRANT OF CONSENT

The proposed single storey extension and first floor extension to the side elevation of the house is considered acceptable by virtue of its scale, massing, design and location. The proposed is not considered to harm the privacy or amenity of the occupiers of another dwelling, the future amenities and services of the dwelling to be extended or its surroundings. The proposed will not adversely impact on the setting of the building within the conservation area. As such the proposal is considered to comply with the requirements of policies COR2 of Mid Devon Core Strategy (Local Plan Part 1), DM2, DM13 and DM27 of the Local Plan Part 3 (Development Management Policies) and the National Planning Policy Framework.

Application No. 16/01501/FULL

RECOMMENDATION

Grant permission subject to conditions.

PROPOSED DEVELOPMENT

Erection of 3 dwellings following demolition of existing dwelling.

The application site comprises the land that forms the curtilage of the dwelling currently known as the Old Den off the main street running through Lapford village. The current house comprises a single storey bungalow with a steep pitched roof, standing approximately just below 6.0 metres to ridge level. The dwelling sits on a very generous plot, measuring 0.15 hectares and sloping north to south.

The proposed scheme is for 3 houses with a new means of access and with the layout arranged with a single detached unit (plot 1) towards the front of the site, with plots 2 and 3 at the rear of the site arranged as a pair of semi-detached units. Plot 1 comprises a 4 bedroom unit with accommodation over two floors comprising 161 square metres of floor space set within a plot area of 490 square metres, and standing approximately 8.5 metres above ground level. Plots 2 and 3 are both 3 bedroom units with accommodation over two floors comprising 95.5 square metres of floor space set within plot areas of 375.0 and 423.0 square metres respectively, and standing approximately 8.0 metres above ground level. Each unit has the benefit of a hardstanding area for parking (2 spaces), refuse and recycling storage facilities. Foul surface water are to be managed into the main sewers with a designated soakaway area to manage surface water run-off. All three units are designed with a natural slate roof covering, white rendered walling above a brick plinth and with timber effect upvc double glazing units.

The new access is set away from the western party boundary with the neighbouring house (Glen Tor) and is designed to be 3.6 metres in width (including kerbstone detail) and with a gradient of 1:10 to manage to change in levels across the site, with a turning area and improved visibility splay at the junction with the highway.

APPLICANT'S SUPPORTING INFORMATION

Site Location Plan

Block plan

Proposed layout plans and elevations

Planning, Design and Access statement prepared by EJT Architectural Services

Preliminary Ecological Appraisal Report prepared by DF Wills (dated 23rd September 2016)

Completed Unilateral Planning Obligations confirming financial contribution towards the provision of teen facilities with Lapford Parish, and towards community car share schemes and clubs in Crediton - dated 2 November 2016.

PLANNING HISTORY

None.

DEVELOPMENT PLAN POLICIES

Mid Devon Core Strategy (Local Plan 1)

COR2 - Local Distinctiveness

COR9 - Access

COR11 - Flooding

COR17 - Villages

Mid Devon Allocations and Infrastructure Development Plan (Local Plan 2)

AL/CRE/8 - Crediton Air Quality

AL/IN/3 - Public Open Space

Mid Devon Local Plan Part 3 (Development Management Policies)

DM1 - Presumption in favour of sustainable development
DM2 - High quality design
DM8 - Parking
DM14 - Design of housing

CONSULTATIONS

SOUTH WEST WATER - 24th October 2016 -

With reference to the planning application at the above address, the applicant/agent is advised to contact South West Water if they are unable to comply with our requirements as detailed below.

Asset Protection

Please find enclosed a plan showing the approximate location of a public sewer in the vicinity. Please note that no development will be permitted within 3 metres of the sewer, and ground cover should not be substantially altered.

Should the development encroach on the 3 metre easement, the sewer will need to be diverted at the expense of the applicant. The applicant/agent is advised to contact the Developer Services Planning Team to discuss the matter further.

Clean Potable Water

South West Water is able to provide clean potable water services from the existing public water main for the above proposal.

Foul Sewerage Services

South West Water advises a Planning Condition to emphasise that: Foul drainage from the Development (and no other drainage) shall be connected to the public foul or combined sewer.

Reason: To ensure the discharge of drainage from the Development shall not be prejudicial to the public sewerage system and ensure there are adequate public foul sewerage facilities to receive foul water flows, in order to safeguard the public and environment.

Surface Water Services

The statutory Water and Sewerage Undertaker supports the Planning Policy Guidance for Flood Risk & Coastal Change statement. To accompany its planning application, the applicant must demonstrate how its proposed development will have separate foul and surface water drainage systems and not be detrimental to existing infrastructure, the public and environment (and that any provisions for protecting infrastructure have been agreed with SWWL as service-provider). The applicant should demonstrate to your LPA that its prospective surface run-off will discharge as high up the hierarchy of drainage options as is reasonably practicable (with evidence that the Run-off Destination Hierarchy has been addressed, and reasoning as to why any preferred disposal route is not reasonably practicable):

1. Discharge into the ground (infiltration); or where not reasonably practicable, Provide written evidence as to why Infiltration devices, including Soakaways, Swales, Infiltration Basins and Filter Drains do not meet the design standards as specified in either H3 Building Regulation standards for areas less than 100m². Soakaways serving larger areas must meet the design standard specified in BS EN 752-4 (para 3.36) or BRE Digest 365 Soakaway Design.
2. Discharge to a surface waterbody; or where not reasonably practicable, Provide written evidence for refusal of discharge consent from owner of water body (Environment Agency, Local Authority, Riparian Owner etc)
3. Discharge to a surface water sewer, highway drain, or another drainage system; or where not reasonably practicable, Provide written evidence for refusal of discharge to drainage system (Highway Authority, Environment Agency, Local Authority, Private ownership)
4. Discharge to a combined sewer. (Subject to Sewerage Undertaker carrying out capacity evaluation) South West Water will carry out a hydraulic capacity review of the combined sewerage network before permission will be granted to discharge to the combined sewer.

Having reviewed the applicant's current information as to proposed surface water disposal for its development, please note that method proposed to discharge into the ground (infiltration) is acceptable and meets with the Run-off Destination Hierarchy. However, should this method be amended, SWWL will require clear evidence to demonstrate why the preferred methods listed within the Run-off Destination Hierarchy have been discounted by the applicant.

Your LPA will be mindful of Local Plan policy to limit the adverse (including cumulative) effect of proposed development such that sustainability is paramount and flooding risk is not increased elsewhere, together with Paragraphs 162 of the NPPF, and Paragraphs 109 and 120 of PPG (Conserving and enhancing the natural environment).

Please quote reference number MPP241016 EX17 6PZ in all communications and correspondence.

HIGHWAY AUTHORITY - 11th October 2016 -
<http://www.devon.gov.uk/highways-standingadvice.pdf>

ENVIRONMENTAL HEALTH - 10th October 2016
Contaminated Land -No objection.
Air Quality - No objection.
Environmental Permitting- No objection.
Drainage - No objection.

Noise and Other Nuisances:

No work shall be carried out on the site on any Sunday, Christmas Day or Bank Holiday or other than between the hours of 0730 and 1900 hours on Monday to Fridays and 0730 and 1300 on Saturdays.

Reason: To ensure that the proposed development does not prejudice the amenities of neighbouring properties.

Housing Standards - No comments.
Licensing - No comments.
Food Hygiene - N/A

Private Water Supplies:
Informative Note

No record is held for the proposal address. However, if a private supply is to be used by more than one property it would be classed as a Regulation 10 small supply, unless a commercial element is involved when it would be classed as a Regulation 9 supply under The Private Water Supply (England) Regulations 2016. In either circumstance a risk assessment and sampling regime will be necessary. The supply must not be used until the Local Authority (Mid Devon District Council) is satisfied that the supply does not constitute a potential danger to human health.

Please contact Public Health at Mid Devon District Council on completion of proposal.

If single domestic use of a private supply is proposed or if mains water is to be used I would have no comment.

Health and Safety - No objection.

NATURAL ENGLAND - 10th October 2016
No comments.

REPRESENTATIONS

Two objections have been received generally raising concerns about the scheme for the following reasons:

1. Concern about building over current garden areas, and impact neighbouring properties in terms of loss of light and overlooking.

MATERIAL CONSIDERATIONS AND OBSERVATIONS

COR17 of the Mid Devon Core Strategy identifies Lapford as a village within the settlement hierarchy where minor developments are supported, including new housing.

Therefore the application scheme is supportable in policy terms subject to consideration of the relevant matters as discussed below. The development is below the threshold in terms of affordable housing provision.

1. Layout, design, amenity and visual impact

2. Highway and Parking Issues

3. Other matters- flooding, air quality, open space, bin storage

1. Layout, design, amenity and visual impact

The houses have been designed as a group of 3 of units in a courtyard style environment with the design style reflecting the local palette.

In terms of completing this part of the assessment of the application, local distinctiveness is sought in Policy COR2 through high quality sustainable design reinforcing the character and legibility of the built environment and creating attractive places.

Policy DM2 of the Local Plan Part 3 Development Management Policies sets out criteria in relation to the design of the proposed building which must be of high quality, based upon and demonstrating the following principles.

- a) Clear understanding of the characteristics of the site, its wider context and the surrounding area;
- b) Efficient and effective use of the site, having regard to criterion (a);
- c) Positive contribution to local character including any heritage or biodiversity assets and the setting of heritage assets;
- d) Creation of safe and accessible places that also encourage sustainable modes of travel such as walking and cycling;
- e) Visually attractive places that are well integrated with surrounding buildings, streets and landscapes, and do not have an unacceptably adverse effect on the privacy and amenity of the proposed or neighbouring properties and uses, taking account of:
 - i) Architecture
 - ii) Siting, layout, scale and massing
 - iii) Orientation and fenestration
 - iv) Materials, landscaping and green infrastructure

Policy DM14 of Mid Devon Local Plan Part 3 (Development Management Policies) reflects these criteria in terms of proposals for new housing development with additional considerations in terms of the quality of the housing for the future occupiers

In terms of how the proposed scheme will sit within its context an overview of the considerations as required by policy framework as set out above, is set out below:

The site has a strong visual screen at the boundary with the public realm beyond in the form of a privet hedge, and which is replicated across the northern, eastern and western boundaries. The footprint of the house block on plot is set back approximately 8 metres from the public highway.

As set out above the site slopes down to the boundary with the highway and the development areas are created by carrying out excavation across the middle part to lower the ground levels and create flat plot areas. As a result of the excavation works and even with the frontage plot closer to the highway the height of the block on plot 1 is considered to present comfortably in visual terms from the public realm. The layout is designed so that the separation distance between the back of the building on plot 1 and the frontage of the block across plot 2 and 3 is 20.0 metres window to window over private garden areas and the shared access arrangements. The layout achieves density per hectare (dph) of just over 21 houses per hectare which is below the densities for village locations as promoted by policy COR2.

The materials palette is considered to be respectful to the local palette used in Lapford, with slate roofs and white walls.

In terms of the relationship with the neighbouring plots, there is a minimum of a 6.0 metre buffer between the new buildings and the party boundaries with no side windows at the upper floor level on any of the proposed units. Plots 2 and 3 are located so that the main elevation is 14.0 metres away from the party boundary with the property on Orchard Way directly to the rear of it, and with a 20 metre separation distance between the back of the new houses and the back of the Orchard Way properties. Furthermore the screening afforded by the hedge row on the boundary means that there would only be pinched window to window glimpses at the upper floor area. There is a first floor window within the gable of end of the neighbouring property to the west which currently overlooks the front garden and access to the existing property. The layout has been designed so this window will directly overlook the garden areas of the new houses, and therefore not significantly different to the existing situation. Finally given the orientation of the new buildings in relation to the neighbouring properties and the separation distances to the house immediately due north and east, it is not considered that the development would result in an oppressive environment for the occupiers of the neighbouring properties.

In terms of the formation of the new access route adjacent on the western boundary, there will be a landscaped buffer with additional planting to enhance the screening provided by the existing hedgerow.

It is recognised that the units will stand taller than the neighbouring units to the east and west which are designed as traditional chalet bungalows with the upper floors set within the roof space. However overall it is considered the application scheme proposes an efficient and effective use of the site, with a positive architectural approach to maximise the development opportunity the site provides and reflective of the wider street scene. The layout will provide a comfortable living arrangement for the residents of the new houses without adversely affecting the amenities enjoyed by the occupiers of the neighbouring plots. On this basis the proposals are considered to accord with policies DM2 and DM14 in terms of how scheme will sit within its context.

In addition to considering context and, street scene issues Policy DM14 also requires a review of the quality of the new housing for future occupiers. The space standards set out at policy DM15 have now been superseded by the Technical housing standards - nationally described space standard issued in March 2015 and which set a minimum size of 124sqm for a 2 storey 4 bed units, and 84sqm for a 2 storey 3bed unit. The proposed dwellings all provide floor space that exceeds these minimum requirements, with flexible living spaces, and adequate private amenity space for the future occupiers, whilst recognising that there will be certain amount of inter-visibility between the units. On this basis it is considered that the proposals will deliver an acceptable environment for future occupiers in accordance with the requirements of policy DM14.

2. Highway and parking issues

As stated the site is accessed from the main route through Lapford village, and given its position on the network traffic speeds tend to be relatively slow, so although the scheme will result in an increase in the number of traffic movements onto and off of the highway there are no concerns in terms of managing the limited increase from a capacity point of view.

The internal layout in terms of the width of the new access (approximately 3.6 metres wide with kerb stones), turning area and gradient (1 in 10) is acceptable, with dedicated parking for each unit to accommodate 2 vehicles. The drainage arrangements as shown on drawing 1405-03 revA will ensure that no surface water drains onto the highway. A condition is to be recommended that the area coloured yellow drawing 1405-03 revA is to be maintained free of obstruction and be available for use by all residential units at all times.

In summary the Highway Authority have confirmed that they raise no objection to the scheme, and following a review of the scheme details it is considered that the application scheme is considered to be in accordance with policy DM8 and COR9.

3. Other matters- drainage/ flooding, air quality, open space, bin storage

A cellular system SUDs system is proposed to capture the surface water runoff for each property in accordance with standard established by Devon County Council. These are to be located within the defined plots areas with the ongoing maintenance falling with the each future occupier. On this basis the proposed are considered to be in accordance with policy COR11.

Section 106 issues: The applicant has completed two separate deeds under section 106 of the Planning Acts in order to make 2 off site contributions as follows. A contribution of £2500.00 which will be spent on equipment for teen facilities within Lapford in order to respond to the requirements of policy AL/IN/3, and the supporting SPD on open space (adopted in May 2008, providing guidance on the provision of open space in association with developments). A contribution of £8868.00 which will be spent on a project to provide a community car share scheme and clubs for the Crediton Area to respond to the requirements of policy AL/CRE/8 and the supporting SPD on Air Quality (adopted in May 2008 providing additional guidance on planning issues concerning air quality in Mid Devon)

Each of the properties has a large curtilage area and sufficient hardstanding area for bin storage. See also condition as recommended.

The proposed dwellings would be eligible for counting towards the New Homes Bonus. If the New Homes Bonus is distributed across Council Tax Bands in the same way as in 2015, the award for each house would be £1,028 per year, paid for a period 6 years. The amount of New Homes Bonus to be generated by this development would be £18,504.00.

CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule on the decision notice.
3. Notwithstanding the provisions of Article 3 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification) no development of the types referred to in Classes A, B, C or D of Part 1 of Schedule 2, relating to extensions, additions and alterations to the roof and porches shall be undertaken without the Local Planning Authority first granting planning permission.
4. Prior to their first use samples of the materials to be used for all the external surfaces of the building shall be submitted to and approved in writing by the Local Planning Authority. No other external materials shall be used.
5. None of the dwellings hereby approved shall be occupied until the refuse storage, and area/facilities allocated for storing of recyclable materials on have been provided in accordance with the detail as shown on the approved plans. Thereafter, all refuse and recyclable materials associated with the development shall either be stored within this dedicated store/area, as shown on the approved plans, or internally within the building(s) that form part of the application site.
6. None of the dwellings hereby approved shall be occupied until the access, turning area and parking spaces as shown on approved drawing 11405-03 (revA) has been completed in accordance with the approved details. The section of the new access coloured yellow on drawing 1405-03 (revA) is to be maintained free of obstruction and be available for use at all times.
7. Prior to the commencement of any work relating to the construction of the dwellings hereby approved, the site access shall be hardened and surfaced for a distance of not less than 6.0 metres back from it's junction with the public highway and drained and so retained, in accordance with details as shown on the approved plans.
8. No work shall be carried out on the site on any Sunday, Christmas Day or Bank Holiday or other than between the hours of 0730 and 1900 hours on Monday to Fridays and 0730 and 1300 on Saturdays.

REASONS FOR CONDITIONS

1. In accordance with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt and in the interests of proper planning.
3. To ensure the size of the dwellings in the future are controlled to ensure that they continue to make a positive contribution to the visual amenities of the area in accordance with Policy DM2 of the Local Plan Part 3 (Development Management Policies).
4. To ensure the new building is of an acceptable standard and makes a positive contribution to the visual qualities of the area in accordance with policy DM2.
5. To safeguard the amenity of the occupiers of adjoining premises, protect the general environment, and prevent obstruction to pedestrian movement, and to ensure that there are adequate facilities for the storage and recycling of recoverable materials, and in accordance with policy DM2.
6. To ensure the layout and construction of the access is safe in accordance with paragraph 32 of National Planning Policy Framework.
7. To prevent mud and other debris being carried onto the public highway.
8. To protect the amenity of occupiers of the neighbouring property in accordance with policy DM2 and DM13 of Mid Devon Local Plan Part 3 (Development Management Policies).

REASON FOR APPROVAL OF PERMISSION/GRANT OF CONSENT

The application for the erection of three dwellings within the settlement boundary of Lapford on an existing residential curtilage which accommodates a single unit set in generous grounds, and is considered to be supportable in policy terms. The dwellings are proposed as two storey units and are designed to reflect the local style. Notwithstanding the increase in height and number of units, the scheme is considered acceptable in this case given the street scene and local context. The layout is considered acceptable in terms of the relationship with the surrounding properties with no significant harm to amenity arising. The new access is acceptable in design terms, and will not result in highway safety and or capacity issues. The proposal includes sufficient parking and infrastructure to manage surface water run-off. The applicant has made satisfactory provisions in terms of off- site contributions to provide new open and air quality improvements. The proposal is considered to be compliant with the requirement of relevant policies: CO1, COR2, COR9, COR11 and COR17 of the Mid Devon Core Strategy (Local Plan Part 1), DM1, DM2, DM8, DM14 of the Local Plan Part 3 (Development Management Policies), AL/IN/3 and AL/CRE/8 of the Allocations and Infrastructure Plan Document (Local Plan Part 2) and government guidance in the National Planning Policy Framework.

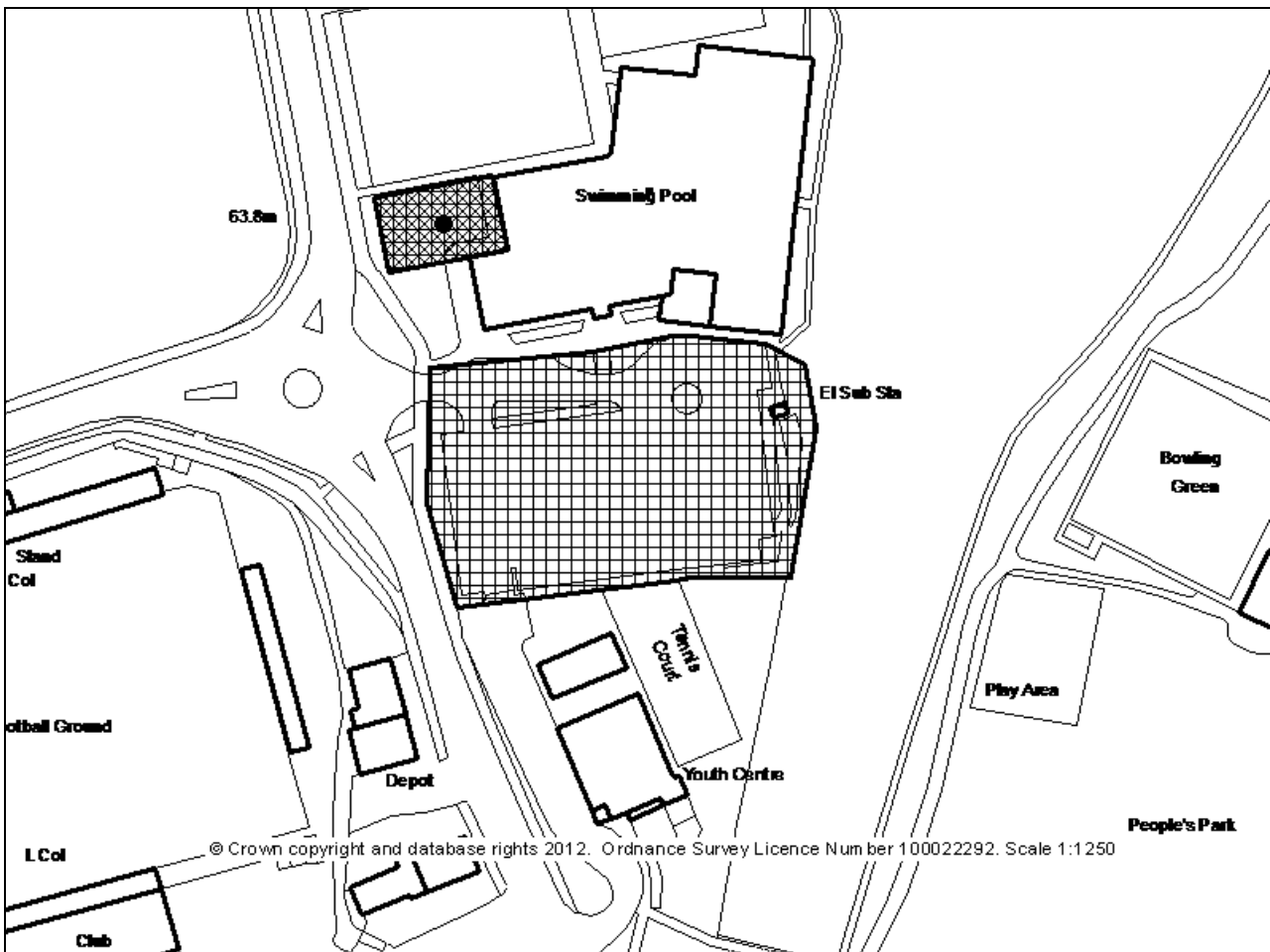
Grid Ref: 295459 : 113368

Applicant: Mid Devon District Council

Location: Exe Valley Leisure Centre Bolham Road Tiverton Devon

Proposal: Erection of extension and alterations to layout of existing carpark

Date Valid: 14th October 2016



Application No. 16/01599/FULL

RECOMMENDATION

Grant permission subject to conditions.

PROPOSED DEVELOPMENT

The application seeks planning permission for the erection of an extension to the fitness suite and a revised car parking layout at Exe Valley Leisure Centre, Tiverton.

The extension would be physically attached to the west elevation of the leisure centre (toward Bolham Road). It measures: 21m long, 15.5m wide and has a height of 7.2m (leisure centre is 9.2m high). The extension is therefore lower than the ridge height of the existing leisure centre building and the external appearance would reflect that of the leisure centre. It has a monopitched roof and the external material include a standing seam roof to match the existing, rendered walls, white powder coated aluminium windows and a blue engineering brick plinth to match the leisure centre.

The revised car park layout would result in the provision of 4 disabled car parking spaces close to the front door of the leisure centre as well as a coach parking space. The existing small roundabout at the eastern end of the carpark would be removed and replaced with 20 additional parking spaces. Coaches/larger vehicles would have to follow the internal traffic signs in order to exit the carpark without being required to turn around.

APPLICANT'S SUPPORTING INFORMATION

Design and Access Statement
Flood Risk Assessment

PLANNING HISTORY

00/01147/FULL Erection of new swimming pool (existing to be demolished), fitness suite and outdoor changing facilities and formation of new access off existing roundabout - PERMIT - 03.04.01
00/01165/FULL Formation of temporary car park on tennis courts and contractors site access for use during construction of proposed new leisure facilities - DWD - 23.04.02
01/01036/FULL Erection of flood lighting - PERMIT - 19.12.01
85/01271/FULL DEEMED CONSENT for the construction of car park and access road - DEMCON - 16.10.85
88/02680/FULL DEEMED CONSENT for the renewal of temporary permission for car park and access road - DEMCON - 23.12.88
90/01622/OUT DEEMED CONSENT for outline for leisure complex - DEMCON - 06.02.91
92/00115/FULL DEEMED CONSENT for use of land for temporary car park and access road - DEMCON - 31.03.92
94/02089/OUT Outline for the erection of Exe Valley Centre which will include demolishing the existing swimming pool, construction of new round-a-bout and the access road from the new round-a-bout - PERMIT - 27.02.95
95/00413/FULL Renewal of planning permission 4/52/92/115 for the use of land for temporary car park and access road - PERMIT - 17.05.95
97/00553/FULL Renewal of planning permission 4/52/95/413/R for the use of land as temporary car park and access road - PERMIT - 11.07.97
99/02796/FULL Renewal of temporary planning permission no. 4/52/97/0553/R for the use of land as temporary car park and access road - PERMIT - 01.09.99
06/02280/FULL Formation of additional car parking spaces - PERMIT - 06/02280/FULL
11/01718/FULL Installation of 768 solar photovoltaic panels on part roof - PERMIT - 24.01.12
13/01469/FULL Formation of additional car parking, including the change of use of 1 tennis court, and improvements to access - PERMIT - 05.12.13

DEVELOPMENT PLAN POLICIES

Mid Devon Core Strategy (Local Plan 1)

COR1 - Sustainable Communities
COR2 - Local Distinctiveness
COR9 - Access
COR11 - Flooding

Mid Devon Local Plan Part 3 (Development Management Policies)

DM1 - Presumption in favour of sustainable development
DM2 - High quality design
DM24 - Tourism and leisure development
DM25 - Community facilities

CONSULTATIONS

DEVON, CORNWALL & DORSET POLICE - 21st October 2016 -
No comments.

HIGHWAY AUTHORITY - 24th October 2016 -
No comments.

ENVIRONMENT AGENCY - 15th November 2016
No comments received by 15 November 2016.

TIVERTON TOWN COUNCIL - 9 November 2016 -
Support.

ENVIRONMENTAL HEALTH - 2nd November 2016-

Contaminated Land - No Objection.
Air Quality - No Objection.
Environmental Permitting- No Objection.
Drainage - No Objection.
Noise and Other Nuisances - No Objection.
Housing Standards - No Comments.
Licensing -No Comments.
Food Hygiene - N/A
Private Water Supplies - N/A
Health and Safety - No Objections.

SPORT ENGLAND - 18th October 2016 -

The proposed development is not considered to fall either within our statutory remit (Statutory Instrument 2015/595), or non-statutory remit (National Planning Policy Guidance Par. 003 Ref. ID: 37-003-20140306) upon which we would wish to comment, therefore Sport England has not provided a detailed response.

General guidance and advice can however be found on our website:
<http://sportengland.org/facilities-planning/planning-for-sport/development-management/planning-applications/>

If the proposal involves the loss of any sports facility then full consideration should be given to whether the proposal meets Par. 74 of National Planning Policy Framework, is in accordance with local policies to protect social infrastructure and any approved Playing Pitch Strategy or Built Sports Facility Strategy that the local authority has in place.

If the proposal involves the provision of a new sports facility then consideration should be given to the recommendations and priorities set out in any approved Playing Pitch Strategy or Built Sports Facility Strategy that the local authority may have in place. In addition such facilities, to ensure they are fit for purpose, should be designed in accordance with Sport England, or the relevant National Governing Body, design guidance notes:

<http://sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/>

If the proposal involves the provision of additional housing (<300 units) then, if existing sports facilities do not have the capacity to absorb that additional demand, new sports facilities should be secured and delivered in accordance with any approved local policy for social infrastructure, local standards and/or priorities set out in any Playing Pitch Strategy or Built Sports Facility Strategy that the local authority has in place.

Please note: this response relates to Sport England's planning function only. It is not associated with our funding role or any grant application/award that may relate to the site.

REPRESENTATIONS

None received by the 11th November 2016.

MATERIAL CONSIDERATIONS AND OBSERVATIONS

The main considerations in the assessment of this application are:

1 Policy support for community facilities

2 Design of the extension;

2 Revised car park arrangements;

3 Visual impact

4 Flooding

1. Policy

Policy COR1 encourages development that brings positive benefits and supports the diverse needs of communities while providing vibrant, safe, healthy and inclusive places and indicates that development should enhance the vitality of communities. The provision of the extension to the leisure centre would expand an existing and popular community facility. This is supported by policies DM24 and DM25 Local Plan Part 3 (Development Management Policies) that actively encourage proposals for new leisure facilities and community facilities that are of benefit to the local community. The extension to the leisure centre and the re-arrangements to the car park are therefore in accordance with the requirements of the above policies.

2. Design and visual impact of the extension

The extension would provide an additional fitness suite which would be attached to the west elevation of the leisure centre and internally connected to the existing fitness suite. The extension would result in the leisure centre being physically closer to Bolham Road to the west. The development would not interfere with the pedestrian footpath adjacent to Bolham Road.

The extension has a modern appearance that is in accordance with the style and design of the existing leisure centre. The extension has a monopitched roof with the south elevation containing a 6.8m high rendered wall façade with two sets of glazing approximately 4.6m high and 2.5m wide. The west elevation has a very similar design although the rendered wall decreases in height from 6.8m to 3.4m. The north elevation has a more traditional single storey appearance as the standing seam roof is visible and the wall is only 3.4m high. The pattern of fenestration reflects that shown on both the west and south elevations.

The siting, size and external appearance of the extension are considered to minimise the impact on the leisure centre both in terms of visual change and internal layout. The proposed extension would sit comfortably alongside the existing building. The application form states that the external materials proposed to be used would match those used in the construction of the existing leisure centre building.

Policy DM2 requires new development to demonstrate a clear understanding of the characteristics of the site, its wider context and surrounding area as well as creating a development that is well integrated with the existing buildings and surrounding street scene. The proposed extension meets these criteria and therefore in accordance with the requirements of policy DM2.

3. Revised car park arrangements

The proposals include the partial remodelling of the car park that serves the leisure centre. Four parking spaces are proposed adjacent to the main entrance to the leisure centre as well as the provision of a coach parking space. The existing mini roundabout at the eastern end of the car park is proposed to be removed and replaced with an additional 20 parking spaces. Coaches/larger vehicles will be required to follow the internal one way system to exit the car park. The car park rearrangements will provide more spaces, better placed disabled parking spaces and a relocated coach parking/drop off space. The parking provision is considered to be in accordance with policy DM8 Local Plan Part 3 (Development Management Policies).

4. Visual Impact

The extension to the leisure centre will be visible from Bolham Road, Park Hill and Kennedy Way to the west, however it would be read in conjunction with the existing building due to the similarity in appearance between the extension and the original building. As stated below it would be lower than the leisure centre and would not therefore compete with the scale of the current building. The line of trees along the western boundary of the site, close to Bolham Road will be retained. This will assist in softening views of the extension from the surrounding public highways.

The visual impact of the extension is considered to be limited and will not have a detrimental impact on the character or appearance of the surrounding area. In this regard the application is in accordance with policy COR2 Mid Devon Core Strategy and policy DM2 Local Plan Part 3 (Development Management) Policies.

5. Flooding

The application site is within flood zone 3, as is the existing leisure centre. Surface water will be discharged to the existing drainage system, and a SUD system using over sized pipes will be incorporated into the overall design to attenuate the surface water from the additional roof area. To prevent the extension having an impact on the displacement of flood waters, a deep trench is proposed to be constructed to the rear of the existing carpark, to offset any flood waters and to ensure the displacement of any flood waters to the existing attenuation trench. It is proposed to provide either a crated underground system that will accommodate this volume of flood water or a grill over an open trench. The flood risk assessment concludes that the extension would have a neutral impact on the flood zone. The proposal is therefore in accordance with policy COR11 Mid Devon Local Plan (Local Plan Part 1).

CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule on the decision notice.
3. Prior to the extension to the leisure centre first being brought into use the re-arrangements to the car park as shown on plan 7159-11, received 14/10/2016 shall be implemented in full and the additional parking spaces made available for use.
4. Prior to the extension to the leisure centre first being brought into use the flood prevention measures detailed in the flood risk assessment received 14/10/2016 shall be implemented in full.

REASONS FOR CONDITIONS

1. In accordance with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt and in the interests of proper planning.
3. To ensure the provision of the additional and re-arranged parking facilities in accordance with Policy DM8 of Local Plan Part 3 (Development Management Policies) and Policy COR9 of the Mid Devon Core Strategy (Local Plan Part 1).
4. To ensure the provision of the flood prevention measures in accordance with Policy COR11 of the Mid Devon Local Plan (Local Plan Part 1) and Policy DM2 of Local Plan Part 3 (Development Management Policies).

REASON FOR APPROVAL OF PERMISSION/GRANT OF CONSENT

The application seeks planning permission for the erection of a single storey extension to the west elevation of the existing leisure centre. This would expand an existing leisure and community facility in accordance with policy COR1 Mid Devon Core Strategy (Local Plan Part 1) and policies DM24 and DM25 Local Plan Part 3 (Development Management Policies). The extension would provide an additional fitness suite. In addition to the extension it is proposed to rearrange the publicly accessible car park by placing 4 disabled spaces adjacent to the main entrance, relocating a coach parking/drop off space and the provision of an additional 20 spaces as a result of the removal of the mini roundabout within the car park. The design of the extension will sit comfortably alongside the existing building and will not detract from the character or appearance of this building. Neither will the extension or the car park changes have a detrimental impact on the visual amenity of the area or the street scene. The proposals are therefore in accordance with policies COR2, COR9 Mid Devon Core Strategy (Local Plan Part 1) and policies DM2, DM8 Local Plan Part 3 (Development Management Policies). Due to the provision of a SUD system and appropriate strategies to accommodate flood waters in the event of a flood the application is considered to be in accordance with policy COR11 Mid Devon Local Plan (Local Plan Part 1). The application has therefore been recommended for approval.

Mrs Jenny Clifford
Head of Planning and Regeneration