

PLANNING APPLICATION REPORT

Case Officer: Adam Williams

Parish: Diptford **Ward:** South Brent

Application No: 4100/18/FUL

Agent/Applicant:

Mr Bill Knight
1 Belsham Court
South Street
Totnes
TQ9 5FZ

Applicant:

Ms Jane Acton
63 Park View
Truro
TR1 2BW

Site Address: Field at Gladsfield, Diptford, Devon, TQ9 7PD

Development: Erection of polytunnel, greenhouse, 2no. barns, construction of new access track, hardstanding adjacent to barns and hardstanding adjacent to site entrance, construction of pond

Reason item is being put before Committee: Cllr Pannell - In view of the objection from the Parish Council and concerns over the effect on the landscape and over traffic I would prefer this came to committee.



Recommendation: Conditional approval

Conditions

1. Time limit for commencement
2. Accord with plans
3. Agricultural use
4. Remove following cessation of use
5. Surface water drainage
6. Hedgerow
7. No flood lighting

Key issues for consideration:

Principle, landscape, amenity, highways

Site Description:

The site known as Gladsfield is situated between the villages of Diptford and Harberton and north east of Higher Larcombe. It currently comprises the rural field character of the wider landscape however tree planting was evident on site.

The site lies within landscape character type 5A 'Inland elevated undulating land' as defined in the South Hams Landscape Character Assessment

The Proposal:

The proposals are to develop a new horticultural business on the site. The following engineering works are proposed following amendments during the application process;

- Erection of a polytunnel
- Erection of a greenhouse
- Erection of one Barn
- Erection of a compost toilet
- A pond of 50m² surface area volume 25 m³ maximum depth 1m.
- hardstand

Following objections from the landscape specialist, the proposals were also amended to cluster the constituent parts to the northern end of the site.

Consultations:

- County Highways Authority – *no comments*
- Town/Parish Council – *Object as could interfere with the enjoyment of the neighbouring amenity land. This planning application was considered at short notice due to the Christmas break. It will therefore be advertised fully and ratified at the next Parish Council meeting on 12 February 2019. This was then submitted as 'Object as could interfere with the enjoyment of the neighbouring amenity land'*
- Landscape Officer – *The site lies within landscape character type 5A 'Inland elevated undulating land' as defined in the South Hams Landscape Character Assessment. Relevant extracts for this area are set out below:*

Summary:

Elevated undulating farmland which is generally open and treeless with little built development.

Key characteristics:

- *Narrow spines of elevated land with summits of up to 200m with radiating fingers, sloping gently along their outside edges. Small streams, rising from springs on the higher slopes, cut folds in the gently rolling landform.*
- *Agricultural land comprising a mixture of sheep and dairy pasture on steeper slopes with arable on the flatter upland areas.*
- *Sparsely settled with high levels of tranquillity, largely undeveloped with isolated farms and houses away from ridgelines and nestled in dips often with shelterbelts.*
- *A peaceful landscape with dark night skies and a strong sense of remoteness.*

Valued Attributes:

- *The remote and 'empty' character, sparsely settled with high levels of tranquillity and experience of dark skies.*
- *The mosaic of arable and pasture fields*

Landscape Condition:

Because much of the landscape is unsettled and remote, its structure, with gently undulating open farmland, extensive views and lack of built development, is largely intact.

Overall Landscape Strategy:

To protect and enhance the remote character of the elevated uplands, with its intricate pattern of fields enclosed by an intact network of species-rich Devon hedges and distinctive tree clumps. Manage and enhance the farmed landscape by ensuring that pastoral land is conserved and field boundaries maintained...

Landscape Guidelines:

- *Protect the sparsely settled character by carefully controlling any new development outside the existing footprints of the landscape's small settlements.*
- *Protect the landscape's far-reaching views and the open character of the undeveloped skylines, avoiding insensitively-sited development on prominent ridgelines or open slopes where it would be visible within the wider landscape.*
- *Protect the strong perceptions of tranquillity and remoteness in the landscape, with its well managed fields enclosed by an intact network of species-rich Devon hedges through the control and management of development...*

The site currently contributes to the above characteristics, forming an open, gently rolling field on elevated ground. Consequently, there is significant concern on landscape grounds in respect of the proposed development. The introduction of small, widely spread individual units of built form into an isolated rural location would be contrary to the key landscape characteristics as set out above, and would conflict with the landscape strategy and guidelines for the area. The field would notably change in character from open pasture to an engineered horticultural operation with dispersed built form across the site.

Where present in the landscape, sensitive agricultural units are condensed into as few units of built form as possible, and clustered to reduce land-take. This also has the effect of reducing the spread of visual clutter, and conserves the open character across a site. The engineering works to create a levelled base for the potting shed and drying barn in the centre of the field is of further concern; a more sensitive approach would utilise the flattest area of land closest to the site entrance for built form.

On open rolling land, there are clear views of the site from the lane network to the south, in which the site and new perimeter tree planting are visible. The individual units of built form would be clearly apparent spread across the field, along with the access track, and banks formed to create the central levelled platform. As noted above, this form of development would conflict with the key landscape characteristics of the area, erode the consistently open, undeveloped, field mosaic pattern present here, and result in an unsympathetic intrusion into the landscape.

Adopted and emerging local policies DP2, CS9 and DEV24 seek to conserve and enhance landscape character and scenic and visual quality. For the reasons outlined above I don't believe that the scheme as proposed would meet these policy tests and would therefore raise an objection to the application on landscape grounds.

Following amendments the landscape specialist commented – If we accept the principle of this development here then the buildings are now much better arranged as a new 'complex' on the site.

- *Agricultural Consultant – In normal circumstance I am consulted on many rural business proposals either in terms of the design and need for rural buildings, whether that be for agricultural or other diversified enterprises but in this instance my consultation is centred on the feasibility of the proposals put forward by the applicant and whether those proposals need the development as set out*

Having studied the business plan and the requirements of the proposed business, in terms of how it will operate and the fixed equipment and facilities it will need, I am satisfied the proposals are commensurate with the business needs. I am also satisfied that the business appears to have been planned on a sound financial basis taking into consideration the projected budgets. So in conclusion, I am supportive of the application from a business proposal point of view

- *Environmental Health - The use of composting toilets should be reserved for locations where there are no other suitable means of drainage, there is adequate space for the disposal of the compostable materials, and the project still stacks up on the balance of sustainability. As long as the toilet waste is adequately composted and the applicant disposes of the waste product in accordance with EA guidance I have no further comments to provide.*
- *SHDC Drainage – no objection subject to condition*

Representations:

Two letters of representation of an undecided nature were submitted stating

This is an exciting and well-presented proposal that should on balance be a positive influence on Larcombe and the surrounding environment. My main concern however is the lack of detail on the amount of traffic generation created by 'staff and visitors'. There are significant stretches of Larcombe Lane that do not have adequate passing places and I would therefore suggest that realistic projections of forecast daily/weekly car journeys are obtained from the applicant and that they form a key part of the decision-making process.

And

Traffic generation

I would like to know if the applicant is considering a sales facility direct from this site. Any increase in traffic on this lane would be a concern.

Appearance.

I understand the need for structures such as polytunnels, but I would like assurances that it would not be visible from my property Alternative power source.

In the Planning Statement,

Overview Sec 1.4.3

There is mention that the applicant intends to use the proposed greenhouse to grow "exotic herbs" that are currently imported to this country. would this require a source of electricity from solar panels/ wind turbine ect?

This would not be welcome if it were visible from my property.

A further objection was received stating ;

I would like to object to this planning application on many grounds. Firstly access to this field beyond Larcombe is via a long narrow single track road, with few passing places so any extra traffic, especially delivery vans or lorries will make for difficult the access.

The lane comes out onto the Morley to Totnes road on an almost blind bend where the speed limit is 60mph. `Secondly the field is highly visible from the surrounding area and we have watched the trees being planted leaving the centre of the field clear, where have these trees come from considering the disease status of this area?

The barns, poly tunnels and green houses are going to be so visible in the middle of the field and go against the policy of our patchwork fields in this area. What are the drying barns to be used for, how are they to be powered, are there going to be more solar panels added in the field, what facilities are needed for staff, none of this information is put in the application. This field was once part of Thorn Farm which has been split up and sold and has now had at least 5 planning applications for barns, green houses and houses on it, all on the outskirts of Diptford, we now have so many of them that the landscape around here has changed from agricultural to amenity. Thirdly, these buildings are to be built in an area that is a feeding site for greater horse shoe bats, so more disturbance would not be beneficial.

Relevant Planning History

None

ANALYSIS

Principle of Development/Sustainability:

The application site is located within the open countryside and well outside of a development boundary. Policy TTV26 is concerned with isolated countryside development, it states

The LPAs will protect the special characteristics and role of the countryside. The following provisions will apply to the consideration of development proposals:

1. Isolated development in the countryside will be avoided and only permitted in exceptional circumstances, such as where it would:

- i. Meet an essential need for a rural worker to live permanently at or near their place of work in the countryside and maintain that role for the development in perpetuity; or*
- ii. Secure the long term future and viable use of a significant heritage asset; or*
- iii. Secure the re-use of redundant or disused buildings and brownfield sites for an appropriate use; or*
- iv. Secure a development of truly outstanding or innovative sustainability and design, which helps to raise standards of design more generally in the rural area, significantly enhances its immediate setting, and is sensitive to the defining characteristics of the local area; or*
- v. Protect or enhance the character of historic assets and their settings.*

2. Development proposals should, where appropriate:

- i. Protect and improve public rights of way and bridleways.*
- ii. Re-use traditional buildings that are structurally sound enough for renovation without significant enhancement or alteration.*
- iii. Be complementary to and not prejudice any viable agricultural operations on a farm and other existing viable uses.*
- iv. Respond to a proven agricultural, forestry and other occupational need that requires a countryside location*
- v. Avoid the use of Best and Most Versatile Agricultural Land.*
- vi. Help enhance the immediate setting of the site and include a management plan and exit strategy that demonstrates how long term degradation of the landscape and natural environment*

The proposals therefore require adequate justification, currently the use class of the land would default to agricultural where there is no other formal use. Section 336 of the Town and Country Planning Act 1990 defines 'agriculture' as including:

- 'horticulture, fruit growing, seed growing, dairy farming;
- the breeding and keeping of livestock (including any creature kept for the production of food, wool, skins or fur, or for the purpose of its use in the farming of land);
- the use of land as grazing land, meadow land, osier land, market gardens or nursery grounds; and
- the use of land for woodlands where that use is ancillary to the farming of land for other agricultural purposes.'

The proposals seek to use the site for horticultural purposes, specifically herb growing, as such there is considered to be little material change in land use. Although from visiting the site large areas of land have been planted with new trees. The considerations relate to the buildings proposed and to ascertain if there is an essential need, the council consulted its Agricultural Consultant who was satisfied that the buildings proposed are commensurate with the businesses needs and was supportive from a business point of view.

Policy DEV15 relates to rural business and is considered relevant to these proposals, it states

Support will be given to proposals in suitable locations which seek to improve the balance of jobs within the rural areas and diversify the rural economy. The following provisions apply:

1. *Appropriate and proportionate expansion of existing employment sites in order to enable retention and growth of local employers will be supported, subject to an assessment that demonstrates no adverse residual impacts on neighbouring uses and the environment.*
2. *Business start-ups, home working, small scale employment and the development and expansion of small business in residential and rural areas will generally be supported, subject to an assessment that demonstrates no residual adverse impacts on neighbouring uses and the environment.*
3. *Proposals should explore opportunities to improve internet connectivity for rural communities where appropriate.*
4. *Support will be given to the reuse of suitable buildings for employment uses.*
5. *The creation of new, or extensions to existing, garden centres or farm shops in the open countryside and unrelated to a settlement will only be permitted if the proposed development is ancillary to, and on the site of, an existing horticultural business or existing farming operation, and provided that 75 per cent of the goods sold will be produced within the immediate and adjoining parishes.*
6. *Development will be supported which meets the essential needs of agriculture or forestry interests.*
7. *The loss of tourist or leisure development will only be permitted where there is no proven demand for the facility. Camping, caravan, chalet or similar facilities that respond to an identified local need will be supported, provided*

the proposal is compatible with the rural road network, has no adverse environmental impact and is not located within the Undeveloped Coast policy area.

8. Development proposals should:

- i. *Demonstrate safe access to the existing highway network.*
- ii. *Avoid a significant increase in the number of trips requiring the private car and facilitate the use of sustainable transport, including walking and cycling, where appropriate. Sustainable Travel Plans will be required*

to demonstrate how the traffic impacts of the development have been considered and mitigated.

iii. Demonstrate how a positive relationship with existing buildings has been achieved, including scale, design, massing and orientation.

iv. Avoid incongruous or isolated new buildings. If there are unused existing buildings within the site, applicants are required to demonstrate why these cannot be used for the uses proposed before new buildings will be considered.

The proposals will utilise an existing access, the access leads to the nearby county highway and faces the approach road. The existing access is considered to be safe owing to low travel speeds, visibility of oncoming vehicles and provision of new hardstand. DEV15.8(ii) directs proposals to avoid 'significant' numbers of trips, this issue was raised to the agent who provided a brief travel plan to outline the details of the business operation, expected levels of staff and likely trip generation, overall the expected levels are trips are envisaged to be low and is considered to be acceptable when compared with more traditional agricultural uses

The proposal will result in isolated new buildings, however in considering what is 'incongruous' this is a matter of landscape consideration, but in the matter of principle justification has been provided, it has been ratified by agricultural consultant the and supplementary information provided in respect of business operations the proposals are considered to be acceptable in principle and

Design/Landscape:

The site currently contributes to the above characteristics, forming an open, gently rolling field on elevated ground. On open rolling land, there are clear views of the site from the lane network to the south, in which the site and new perimeter tree planting are visible

The proposal comprises two small potting sheds, a pond, poly tunnel, hardstand and compost toilet and a barn. Where present in the landscape, sensitive agricultural units are better condensed into as few units of built form as possible, and clustered to reduce land-take reduce landscape impact. This also has the effect of reducing the spread of visual clutter, and conserves the open character across a site.

These constituent elements however are, following amendment, clustered towards part of the larger field as opposed to spread throughout the field as initially proposed. It is noted that tree planting has already taken place, which was afforded a Forestry Commission Grant but this will take many years to fully realise whereas the impacts of the buildings will materialise far quicker. That said, the small scale nature of the buildings and their rationalisation in terms of their siting will present limited landscape impacts and suitable justification has been provided for them.

Neighbour Amenity:

There are no neighbouring dwellings immediately near the site, as such there are considered to be no impacts to neighbouring amenity, although one resident refers to potential loss of view, this is not a material planning consideration

Highways/Access:

DCC highways have indicated that there are to be no impacts. As stated previously, the existing access is considered to be safe owing to low travel speeds, visibility of oncoming vehicles and provision of new hardstand. DEV15.8(ii) directs proposals to avoid 'significant' numbers of trips, this issue was raised to the agent who provided a brief travel plan to outline the details of the business operation, expected levels of staff and likely trip generation, overall the expected levels are trips are envisaged to be low and is considered to be acceptable when compared with more traditional agricultural uses

Ecology:

The submitted ecology survey found; *The impacts of the proposed project at Gladsfield are found to be positive for the natural history on site now. The activities are specifically designed to increase biodiversity in the area and the annual monitoring compared to the baselines represented here will provide evidence to this effect over time.* This is in part resulting from the Forestry Commission Grant to re-wood parts of the land which has been undertaken. The Bat survey indicated that *The north boundary of this site would greatly benefit from the planting of a new hedge; there is currently a line of stock fencing standing along. A new hedge would create additional habitats, feeding opportunities, shelter and an excellent corridor across the site.* This will form a planning condition

Planning Balance

The proposals, whilst in a countryside location, are proposed with a sound justification in mind and compliant with policies TTV26 and DEV15 which seek to both ensure countryside development is proposed with a need in mind and also supportive of rural business and diversification. Whilst the proposals will have a minor impact in landscape terms and necessitate a level of transport to and from the site, the totality of harm is not considered to outweigh the benefits in this instance, those being economic, supporting rural diversification and rural business. The proposals are recommended for conditional approval

This application has been considered in accordance with Section 38 of the Planning & Compulsory Purchase Act 2004

Planning Policy

Section 70 of the 1990 Town and Country Planning Act requires that regard be had to the development plan, any local finance and any other material considerations. Section 38(6) of the 2004 Planning and Compensation Act requires that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise. For the purposes of decision making, as of March 26th 2019, the development plan for Plymouth City Council, South Hams District Council and West Devon Borough Council (other than parts South Hams and West Devon within Dartmoor National Park) comprises the Plymouth & South West Devon Joint Local Plan 2014 - 2034.

Following adoption of the Plymouth & South West Devon Joint Local Plan by all three of the component authorities, monitoring will be undertaken at a whole plan level. At the whole plan level, the combined authorities have a Housing Delivery Test percentage of 166%. This requires a 5% buffer to be applied for the purposes of calculating a 5 year land supply at a whole plan level. When applying the 5% buffer, the combined authorities can demonstrate a 5-year land supply of 6.5 years at the point of adoption.

Adopted policy names and numbers may have changed since the publication of the Main Modifications version of the JLP.

The relevant development plan policies are set out below:

The Plymouth & South West Devon Joint Local Plan was adopted by South Hams District Council on March 21st 2019 and West Devon Borough Council on March 26th 2019.

SPT1 Delivering sustainable development
PLY61 Strategic infrastructure measures.
TTV1 Prioritising growth through a hierarchy of sustainable settlements
TTV2 Delivering sustainable development in the Thriving Towns and Villages Policy Area
TTV26 Development in the Countryside
DEV15 Supporting the rural economy
DEV23 Landscape character
DEV26 Protecting and enhancing biodiversity and geological conservation
DEV28 Trees, woodlands and hedgerows
DEV29 Specific provisions relating to transport

Other material considerations include the policies of the National Planning Policy Framework (NPPF) and guidance in Planning Practice Guidance (PPG).

Considerations under Human Rights Act 1998 and Equalities Act 2010

The provisions of the Human Rights Act 1998 and Equalities Act 2010 have been taken into account in reaching the recommendation contained in this report

Conditions;

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason: To comply with Section 91 of the Town and Country Planning Act, 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall in all respects accord strictly with drawing number(s)
Revised Landscape Plan AG-LPP-20190307 - received by the Local Planning Authority on 08/03/2019
Revised Location Plan AG-LP-20190307 - received by the Local Planning Authority on 08/03/2019
Revised Block Plan AG-BP-20190307 - received by the Local Planning Authority on 08/03/2019
Revised Floor & Roof Plans AG-FPP-20190307 - received by the Local Planning Authority on 08/03/2019

Revised Elevations AG-PEP-20190307 - received by the Local Planning Authority on 08/03/2019
Compost Toilet Plans AG-CT-20181008 - received by the Local Planning Authority on 18/12/2018
Polytunnel Plan and Elevations Proposed AG-PTEP-20181002 - received by the Local Planning Authority on 18/12/2018

Greenhouse Plan and Elevations Proposed AG-GHEP-20181002 - received by the Local Planning Authority on 18/12/2018

Reason: To ensure that the proposed development is carried out in accordance with the drawings forming part of the application to which this approval relates.

3. The buildings hereby permitted shall be used only for Horticultural/agricultural purposes as defined in Section 336 of the Town and Country Planning Act 1990.

Reason: To ensure that the site is only used for agricultural purposes to protect the amenities of the rural area where there is a policy of restraint.

4. Where the development hereby permitted ceases to be used for horticultural/agricultural purposes within ten years from the date of this permission and planning permission has not been granted authorising development for purposes other than those set out under the above condition within three years of the permanent cessation of the agricultural use, and there is no outstanding appeal, the development must be removed unless the Local Planning Authority has otherwise previously agreed in writing.

Reason: For strict control of development in the countryside and the Local Planning Authority wishes to ensure that the development is used solely for the purposes hereby permitted.

5. Notwithstanding the submitted details, Prior to the installation of any part of the surface water management scheme full details of drainage scheme for the surface water must be submitted to and approved in writing by the LPA. The drainage scheme should follow the drainage hierarchy with soakaways as the first choice. Only if soakaways are not feasible will an alternative scheme be considered. Design steps as below

a. Further soakaway testing to DG 365 to confirm the use of soakaways or to support an alternative option. Three full tests must be carried out and the depth must be representative of the proposed soakaway. Test results and the infiltration rate to be included in the report. b. If infiltration is suitable then the soakaway should be designed for a 1:100 year return period plus an allowance for Climate change (currently 40%).

- c. If infiltration is not suitable then an offsite discharge can be considered. Attenuation should be designed for a 1:100 year return period plus an allowance for Climate change (currently 40%).
- d. The offsite discharge will need to be limited to the Greenfield runoff rate. This must be calculated in accordance with CIRIA C753. The discharge must meet each of the critical return periods. Full details of the flow control device will be required.
- e. The drainage details of the car park and access road will be required. If it is proposed to be permeable then it should be designed in accordance with CIRIA C753. Full design details and sectional drawing showing the specification and make up will be required.
- f. A scaled plan showing full drainage scheme, including design dimensions and invert/cover levels of the soakaways/attenuation features, within the private ownership.
- g. The drainage scheme shall be installed in strict accordance with the approved plans, maintained and retained in accordance with the agreed details for the life of the development.

Reason: To ensure surface water runoff does not increase to the detriment of the public highway or other local properties as a result of the development.

6. Notwithstanding the approved layout, no existing boundary vegetation shall be cut, managed or removed from the site. A plan for the management of the existing boundary vegetation, including the planting of additional hedgerow plants reflecting page 9 and 10 of the Preliminary Ecological Appraisal including Phase 1 Habitat Survey 2018 is submitted to and approved in writing by the Local Planning Authority. The hedgerows shall thereafter be maintained in accordance with a maintenance schedule covering a minimum period of 10 years, to be submitted and approved in writing by the Local Planning Authority.

Reason: In the interest of the retention of characteristic landscape and Biodiversity features, the conservation of landscape character and visual amenity.

7. No floodlighting/ other external lighting shall be erected/ installed unless details have first been submitted to and agreed in writing by the Local Planning Authority.

Reason: In the interests of the character and visual amenities of the area, especially night time character and the protection of dark skies, and the interests of ecology and biodiversity