

## PLANNING APPLICATION REPORT

**Case Officer:** Matthew Barks

**Parish:** Iddesleigh **Ward:** Exbourne

**Application No:** 00600/2015

**Agent/Applicant:**

Maria Bailey Planning  
Old Post Office Chambers  
The High Street  
Bideford  
Devon  
EX39 2AA

**Applicant:**

Mr & Mrs Robert & Catherine Venn  
Red Lane Cottage  
Barnstaple Street  
Devon  
EX19 8HT

**Site Address:** Land Opposite Higher Park, Iddesleigh, Devon, Devon

**Development:** Proposed use of two roadman units as holiday accommodation.

**Reason item is being put before Committee:** At the discretion of the Head of Development Management Practice.



## **Recommendation: Refusal**

### **Reason for refusal:**

1. The proposal development would result in tourism accommodation in an unsustainable rural location with restricted access to services and amenities reliant on the private car. The proposal is therefore contrary to Policies SPT1, SPT2, TTV1, TTV2 and DEV15 of the Plymouth and South West Devon Joint Local Plan 2014-2034; and the National Planning Policy Framework (notably but not limited to paragraph 83).

### **Key issues for consideration:**

Whether the proposal represents sustainable development, the impact upon the character and appearance of the landscape, highway matters, tourism benefits, drainage.

### **Financial Implications:**

Not applicable

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### **Site Description:**

The site comprises a field of some 4.8 hectares on a hillside sloping down from north to south, stopping short of the stream at the valley floor. It is stated as being 1.5 miles from the small village of Iddesleigh. The next largest settlement is the village of Winkleigh, some three miles away and then the town of Hatherleigh, larger again and stated to be 4.5 miles away.

The site is considered to occupy a remote rural location, with the nearest community facilities well outside of reasonable walking distance, with no footways to allow for safe pedestrian movement, except once arriving in the villages themselves. Accordingly the Planning Statement acknowledges that most journeys to the site are undertaken by car.

The site is bounded on all sides by established hedgerows, which provide enclosure. One of the holiday units is partially converted and on site (being used intermittently in association with the agricultural use) and the other is also a mobile unit with the parts on site but yet to be constructed.

The site is in agricultural use but has been worked based on a sustainable permaculture ethos (accessing natural resources in a way that benefits both humans and the environment) hence since the site was purchased by the applicants in around 2004, a large number of native trees including fruit and coppice have been planted, all internal boundaries are planted with hedges which contain fruiting hedge species, bulb crops are planted below these wooded areas and the site is off-grid as examples of this practice. There are multiple enclosures within the site for various livestock (pigs, sheep, chickens) plus areas for fruit crops, cut flower crops and a polytunnels for propagation and over-wintering.

### **The Proposal:**

The units themselves do not currently benefit from planning permission. They are different in character and appearance to each other, the larger one being metal, 15 square metres with a

flat roof 3.3 metres above ground level. The smaller one is a mobile units yet to be constructed but is an arc type roof and walls on a wheel base.

Planning permission is sought to retain the two units, but for camping/holiday purposes. Both units are of a very modest, self-limiting size and the proposal seeks to allow for this use to provide an alternative income for the holding as well as providing a 'hands-on' type glamping opportunity within this environmentally improved site with its specifically environmentally based agricultural/horticultural practises.

The submitted information explains that the characteristics of the use of the wagons for tourist purposes, specified as 'glamping' (glamorous camping), are as follows: primarily for educational and health improvement visits, according to the planning appraisal. About 100 metres of dense young woodland separates the units, providing solitude for each. Each would be lit by solar panels, candles or oil lights and would accommodate two people. Showers would be heated by bottled gas and cooking the same, or using a wood burner or barbecue.

This application does not involve the creation of a curtilage around the buildings, as indicated on the submitted plans, only the buildings themselves. Therefore the use proposed is limited to the buildings themselves. Access would be derived from the current track that leads from the holding's entrance through the holding. The access point is at the northernmost part of the holding.

### **Consultations:**

- County Highways Authority: Recommend the application of standing advice in relation to the use of the existing vehicular access and the provision of on-site parking and turning facilities.
- Environmental Health Section: No objection in principle – issues such as unexpected contamination could be controlled by condition
- Iddesleigh Parish Council – Object; the units are not fit for purpose; the proposal would adversely affect wildlife and biodiversity and there is no provision for showers, power or sewage.

Commenting on the revised proposal:

As it has been clearly recommended for refusal before then the Parish Council expect that it will be refused again. The Parish Council accept that the applicants have created a lovely tranquil site, a nature haven. However by converting these roadman units into holiday lets defies the natural haven created once these are occupied by holiday families.

If these are converted to holiday lets then the applicant would be required to live on site so the mobile home will again become occupied.

- Drainage Officer – No objection subject to the imposition of conditions
- Biodiversity specialist – No comment to make on this application
- Landscape Officer – verbal comment, no objection

## **Representations**

Neighbours have been consulted about the application in accordance with council practice and a site notice posted. This has resulted in receipt of 15 letters of representation, six in support and 14 objecting.

The letter of supports make the following points:

- The tourist trade requires eco-friendly experiences, living alongside nature and the proposal would put the local area on the map.
- Living within close proximity and within full view of this site. I see no problems with this application. I encourage the council to allow this application in its entirety.
- The site is well hidden and Mr and Mrs Venn have made substantial contributions to climate change by planting many trees. It is a prime example of the sort of low impact eco friendly tourism that this area needs.
- I would encourage the Council to pass this application as both flora and fauna have on the property Improved beyond comprehension. Birds, bees all sorts of animals are now inhabiting the area. The wild flowers and young trees are adding to its diversity. These Glamping units would provide a unique eco holiday experience in a wonderful setting.
- As a life long resident of the area, I would support this application. The holding is a micro agricultural property with a range of both farm and wild life. it will support and enhance the property. it would be good for the area, with no adverse impact.
- Proposal is great rural addition to the area which can only assist in promoting West Devon tourism in a small but significant way. The roads alongside the property sustain many vehicles access to local farms, cottages and businesses without problem nor realistically cause problems. Given the location of the proposal the views would not be affected adversely and may in effect enhance the rural effect. Small businesses are essential to the area to maintain diversity, rural tourism, and offer quality enhancements to the income locally.

The letters of objection covered the following points:

- The proposal is for two shabby tool sheds
- There would be no running water, drainage or other facilities and therefore the site would be smelly
- Detrimental to wildlife and biodiversity
- Where will run-off go?
- The holiday lets would end up requiring further development such as noisy generators, acoustic hoods or screens or unsightly power lines
- This would lead to similar bizarre uses on site, spoiling the peaceful setting
- Urbanisation of the countryside
- The septic tank to be used with these units is unauthorised
- Overdevelopment of the site
- No assessment on the effect the development would have on the local lanes
- The units would require a full-time on-site manager

## **Relevant Planning History**

7630/2005/OKE – Erection of barn and two polytunnels. Withdrawn 27 July 2005.

7929/2005/OKE – Erection of storage building and two polytunnels. Approved 11 October 2005.

00602/2015 – Proposed use of mobile home as temporary agricultural dwelling. Refused 31 March 2016.

00608/2015 – Extension to agricultural building – Refused 10 March 2016.

## **ANALYSIS**

### **Principle of Development/Sustainability:**

Policy SPT1 sets out the how development and change will be planned for and managed in accordance with the principles of sustainable development. Policy SPT2 provides more guidance on achieving sustainable rural communities, indicating that these should be well served by public transport, walking and cycling opportunities; should have a safe and accessible local environment; and should have an appropriate level of services and facilities to meet local needs. The development strategy for the Thriving Town and Villages is set out in Policies TTV1 and TTV2.

Amongst other things, these policies make it clear that development in hamlets and the countryside will only be permitted where they can be shown to support the principles of sustainable development and sustainable communities. TTV2 supports in particular:

*“The delivery of sustainable rural tourism and leisure developments that benefit rural businesses, communities and visitors and respect the character of the countryside and historic settlements.”*

This proposed scheme would benefit the existing rural business of the holding by providing an alternative but compatible use providing an income plus any knock on spend from visitors in the local area. As is discussed below it is of a scale, design and location that it respects the character of the countryside. However due to its location and distance from amenities and public transport, the issue of whether it is sustainable comes into question. DEV 15 goes further on this point:

Policy DEV15 of the Plymouth and South West Devon Joint Local Plan (‘JLP’) states at point 7:

*“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.”*

It goes on to state at point 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...*"

A recent appeal decision (published since the adoption of the JLP) relating to proposed holiday accommodation within the JLP area was dismissed on the grounds the site was in an unsustainable location with poor accessibility, such that the proposed accommodation would be reliant on the private car (Appeal ref. APP/K1128/W/18/3217159). The decision notes:

*"the absence of any meaningful services or facilities in this small hamlet, coupled with the lack of convenient public rights of way in the locality, leads me to conclude that it would be highly likely that occupiers of the proposed holiday unit would have to travel by private car on a daily basis."*

Reference is also made to paragraph 83 of the National Planning Policy Framework ('NPPF'), which explains that planning policies and decisions should enable sustainable rural tourism and leisure developments.

In this context the site that is subject of this application is considered to be distant from any local services or amenities it being some 1.5 miles from the small village of Iddesleigh. The next largest settlement is the village of Winkleigh, some three miles distant and then Hatherleigh, which is larger again, at some 4.5 miles away. As a consequence the nearest facilities are well outside of easy walking distance with no footways to allow for safe pedestrian movement, except in the villages themselves. It is also acknowledged in the applicant's supporting planning statement that most journeys to the site are undertaken by car and it is considered probable that occupiers of the units would rely principally on travel by private motor vehicle in order to access these facilities and the surrounding locality. There are cycle routes nearby and some advertised walks such as the iddesleigh and warhorse valley route promoted by the ruby country initiative which passes by the site and and the nearest train station is Eggesford station, however the likely way to reach the site at the beginning and end of a stay is by private car. This is thus a remote location, however that is part of the off-grid, self-sustainable experience being proposed by the applicants with these small units. On balance it is considered this location is remote and unsustainable, however it is also acknowledged that due to the small size of the units and the number being only 2, the number of potential vehicle movements caused by such a development may not be 'significant'.

No evidence of need for tourism accommodation has been provided within the application and whilst the associated employment benefits for the applicant are noted, this is attributed limited weight in the planning balance due to its small scale. Moreover, any evidence of need would likely not overcome concerns regarding the sustainability of the location having regard to the above policy framework and recent appeal decision. The proposal therefore raises an in principle policy objection.

It is also pertinent to note that since the submission of the application the NPPF has been revised and the previous development plan framework for West Devon has been replaced by the Plymouth and South West Devon Joint Local Plan. However, the key principle of providing for and supporting sustainable development and, by implication, resisting unsustainable development has not altered with these changes to national guidance and the local development plan framework. That is to say, even if the application been considered under previous guidance and policies, the same conclusion would have been reached in respect of the unsustainable nature of the development due to its rurality.

## **Design/Landscape**

Whilst not specifically stated, the supporting statement suggests that the proposal would be operated on an all year round basis rather than seasonally. In this regard there would be the potential opportunity for harm to the local landscape by virtue of the presence of the activity and the likely associated elements, however, given the small scale nature of the proposal, the intended locations of the units within highly landscaped/screened areas (and which could be conditioned appropriately), allied with the overall appearance of the site, the overall impact in landscape terms is likely to be minimal if at all. A recent officer site visit took place in the winter with few leaves left on the trees and both proposed unit locations were still extremely well-screened within the site by the density of trees and vegetation. This needs to be weighed in the planning balance.

## **Neighbour Amenity:**

There are no near neighbours to either of the units, both of which are set well into the site in relation to dwellings outside the site. The scale and nature of the use is not considered likely to give rise to noise concerns and if this were to be the case appropriate measures could be undertaken through environmental health legislation. Similarly, appropriate planning conditions relating to amplified music, generators (noting that the applicant proposes a single back-up generator for emergency purposes) and other such matters could be adequately controlled by planning condition.

## **Highways/Access:**

An access track is already in place serving the holding and the additional traffic generated by the proposed use of the units is likely to be both very limited and confined to bicycle/car movements. While the road network in the vicinity is dominated by agricultural traffic in narrow lanes, the scale of the development is not considered to lead to any harm to highway safety for all road users. The precise level of parking has not been specified on the site plan, but the application forms note that 4 existing spaces would be utilised and these are shown as on hardstanding at the end of the access track. It is considered that this level of parking would be more than adequate to serve the proposal.

## **Other matters:**

In respect of drainage matters, further consultation has been carried out with the Council's Drainage Engineer and they confirm there to be no objection to the proposal based upon the imposition of appropriate conditions.

With regard to the points raised by third parties, the matters contained in those representations have either been considered as part of the analysis of the proposal, could be controlled/mitigated by appropriate planning conditions or represent concerns on the basis of something that may happen or occur, which if such matters did occur or happen would be considered on their own merits at that time.

Due to the dense vegetation and tree planting on the site and the proposed scale and location of the units, it is not considered that the proposal would have an impact upon the setting of the listed building some distance to the SE.

## **The Planning Balance:**

The proposed site is in an unsustainable and isolated rural location with limited access to services and facilities likely to result in additional trips by private vehicle contrary to the policies of the Development Plan. It is acknowledged that the scale of the proposal is very small and that the type of tourism experience being offered requires this rurality and off-grid location and that the proposal is to allow for a diversified income for the holding whilst having a unique selling point regarding its particular environmental ethos. However it is remote and no evidence of a particular need has been provided, thus there are no overriding reasons to deviate from the policy position relating to an unsustainable location, noting that the landscape impact and other impacts would be limited. The application is therefore recommended for refusal. Additional concerns raised by third parties are not considered to raise further grounds for refusal.

***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

SPT2 Sustainable linked neighbourhoods and sustainable rural communities

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

DEV1 Protecting health and amenity

DEV2 Air, water, soil, noise, land and light

DEV15 Supporting the rural economy

DEV20 Place shaping and the quality of the built environment



DEV23 Landscape character  
DEV26 Protecting and enhancing biodiversity and geological conservation  
DEV28 Trees, woodlands and hedgerows  
DEV29 Specific provisions relating to transport  
DEV35 Managing flood risk and Water Quality Impacts

Other material considerations include the policies of the National Planning Policy Framework (NPPF) including but not limited to paragraphs 8, 11, 83 and guidance in Planning Practice Guidance (PPG).

**Neighbourhood Plan:**

The site does not lie within a Neighbourhood Plan area.

**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.

**Reason for refusal:**

1. The proposal development would result in tourism accommodation in an unsustainable rural location with restricted access to services and amenities reliant on the private car. The proposal is therefore contrary to Policies SPT1, SPT2, TTV1, TTV2 and DEV15 of the Plymouth and South West Devon Joint Local Plan 2014-2034; and the National Planning Policy Framework (notably but not limited to paragraph 83).