

## PLANNING APPLICATION REPORT

**Case Officer:** Rob Heard  
Fleming

**Parish:** Stoke Fleming **Ward:** Blackawton and Stoke Fleming

**Application No:** 2545/19/FUL

**Agent/Applicant:**

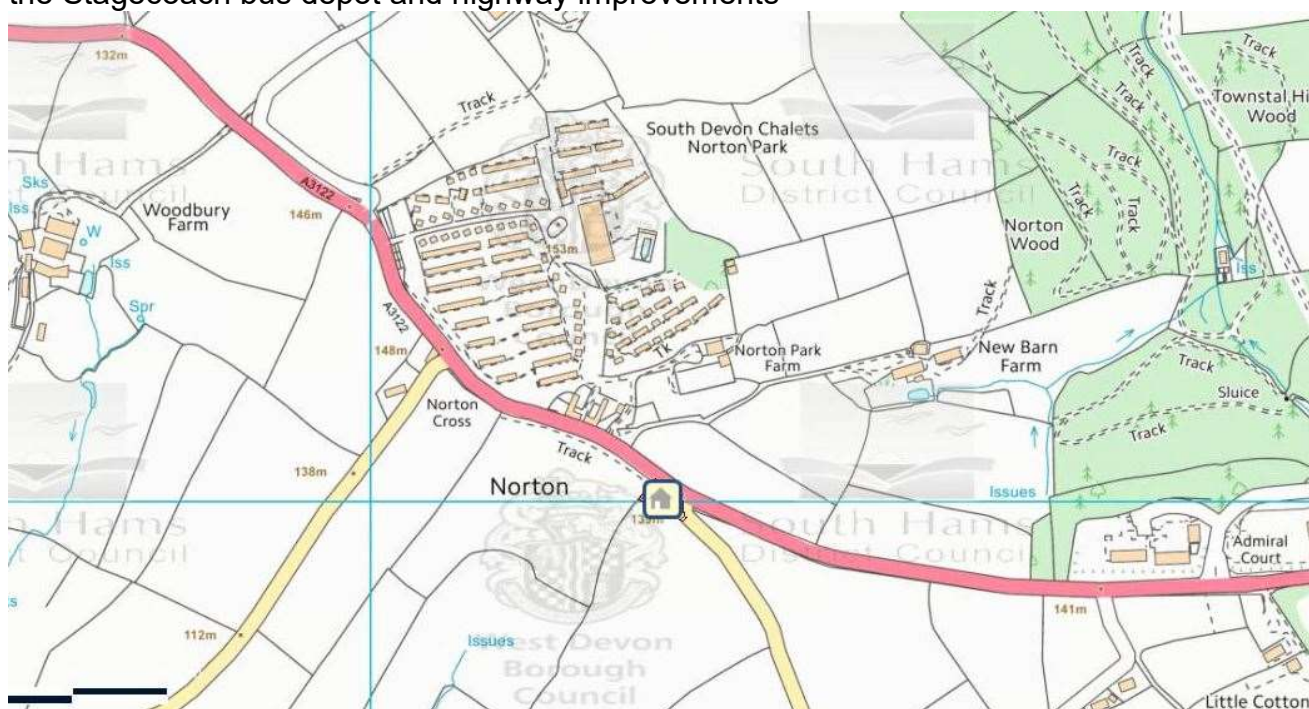
Mrs Amanda Burden - Luscombe Maye  
59 Fore Street  
Totnes  
Devon  
TQ9 5NJ

**Applicant:**

Mr & Mrs R Perry

**Site Address:** Land at Venn Lane, Norton

**Development:** Retrospective application for change of use of land to provide site for the Stagecoach bus depot and highway improvements



**Reason item is being put before Committee:**

At the request of Cllr Helen Reeve due to concerns raised by objectors with regards to the location of the proposals.

**Recommendation:** Planning Permission Granted

**Conditions:**

1. Time Limit
2. Approved Plans
3. Landscaping

- 4. Drainage
- 5. Further details of staff facilities and storage

### Key issues for consideration:

- Principle of Development
  - Landscape Impact
  - Highways Impact
- 

### Site Description:

The site comprises an area of rolled stone at the junction of Venn Lane and the A3122. It is located to the west of Dartmouth and is outside of the settlement, occupying a location which can be described as countryside, and is rural in character. Norton Park holiday park, consisting of over 260 chalets, is located to the north of the site just across the A3122.

The site is relatively flat although there is a slight drop in levels and the topography falls away to the south and west. The immediate surrounding context is defined by a rural landscape of fields and country lanes, with Dartmouth being the closest settlement. However, this is likely to change in the near future as consented development is undertaken on the site immediately to the east of the site across Venn Lane, which has planning permission for a mixed use development comprising 240 dwellings, employment land and open space.

The site is outside of the AONB and not affected by any other landscape designations.

### The Proposal:

It is proposed to change the use of the land to provide a bus depot for Stagecoach, with associated highway improvements. The site will be used to store buses that are not in operation and includes some accommodation, in the form of storage containers, that will provide staff facilities and a lock up store.

### Consultations:

- County Highways Authority; no objection.
- Parish Council; object on the following grounds:
  - The development is outside the development boundary in the Joint Local Plan
  - The location is inappropriate as numbers of HGVs will be accessing the main road and Venn Lane adjacent to a major housing development
  - It adversely affects views over open countryside
  - Since taking over the franchise Stagecoach have had time to look for a more suitable site for the depot but made no sign of doing so. The current site was only a temporary solution.

- Others

## **Representations:**

### **Representations from Residents**

Seven letters of objection have been received, raising the following points (summarised):

- Having been an owner of a chalet on an adjacent site for many years the road access around this location is most problematic. This development would significantly increase the density of families using and having to cross over the road on a bend . Equally as this traffic would be most likely towing caravans then the speed and manoeuvrability of vehicular traffic would be relevant. Other considerations from a sustainability point of view is that there is no footpath access from the site onto or along the adjacent road leading to an increased reliance on none public transport.
- I appreciate that such a facility is needed, and that the land is already being used for such (apparently without formal approval). However, it is yet another traffic egress onto a busy road. Apart from the existing traffic burden, there is a major new housing development under way which will reach down to within yards of the proposed site, there is another housing development proposed across the road at New Barn, and there is a new caravan site proposed just beyond the notorious Norton Bends.
- Traffic on Venn Lane is already difficult. Within about 50 metres of the junction with the Totnes - Dartmouth road it becomes single track with limited passing spaces. It is very frequently necessary for cars and vans to reverse back towards the main road to allow other vehicles to pass. That is already a dangerous manoeuvre because the turn into Venn Lane for traffic heading towards Totnes is very acute and there is no knowing if there will be a reversing vehicle as one comes round that corner.
- Utter madness to have a bus depot with such appalling egress onto the main road into Dartmouth. I cannot think what would possess anyone to even think of putting a depot here. The Norton bend is bad enough without adding turning buses across the highway into an unsightly and unsuitable piece of land.
- The roads in the area are already congested.
- The development will appear as the beginning of an industrial estate and the roads can't cope with it.

### **Representations from Internal Consultees**

Drainage Engineer:

Landscape Officer; support subject to landscaping conditions.

## Relevant Planning History

There is no relevant planning history at the site.

### Adjacent site:

- 3627/19/ARM; Application for approval of reserved matters following outline approval 15\_51/1710/14/0 (Appeal APP/K1128/W/15/3039104) for layout, scale, appearance and landscaping for 116 dwellings, public open space, highways, landscaping and associated works and discharge of conditions 6 (LEMP), 8 (ecological mitigation strategy, 9 (tree protection measures) and 12 (details of internal roads etc)of outline approval 15\_51/1710/14/O. **Conditional Approval 7.2.2020**
- 15\_51/1710/14/O; Outline application (with details of appearance, landscaping, layout and scale reserved for subsequent approval) for a mixed-use development comprising up to 240 dwellings, employment land (up to 2.7Ha), local centre (0.4Ha), formal and informal open space, strategic landscaping, cycle path and footpath provision and associated infrastructure, served off new primary and secondary accesses at Townstal Road (A3122). **Appeal allowed 24.3.2016**

## ANALYSIS

### Principle of Development/Sustainability:

The site was formerly part of an agricultural field that has previously been cornered off and surfaced in rolled stone, providing a level surface that has at times been used informally for the parking and turning of buses that provide the Park and Ride service to Dartmouth Regatta. It has also been used by Stagecoach for parking and a pair of double gates has been installed that provide vehicular access onto Venn Lane. These alterations have not been the subject of previous planning applications.

The adjacent site to the east, across Venn Lane, has been allocated under Policy TTV4 (Land at Cotton) of the JLP for a residential led mixed-use development for in the order of 450 new homes and 10,800 m of employment floorspace (Use Classes B1). Part of this site also benefits from planning permission for 240 new dwellings and new employment land. The existing base for Stagecoach was located on the site that is now proposed for new housing and employment land and the agent has stated within the application documents that Stagecoach now need to find an alternative base. This application will allow Stagecoach to remain in the area and this site is the closest available with regards to proximity to Dartmouth, thus reducing travel time and traffic movements.

Whilst Policy TTV26 (Development in the Countryside) would normally apply to sites that are outside of settlements, the local plan allocation and existing planning permission on the adjacent site will ensure that in the future, when considering the immediate context, the site will not appear as rural, and when the extant permission has been fully implemented, the site will be considered as edge of settlement, with good pedestrian links to Dartmouth through the JLP allocation and new development. For these reasons, no conflict with policy TTV26 is identified.

### Design/Landscape:

The site is located in the corner of an existing field and the roadside boundaries (eastern boundary on Venn Lane and northern boundary on the A3122) are defined by existing mature Devon Hedges, only broken by the existing field gate that provides vehicular access to the site. There is also a mature Devon Hedge that separates the site from the adjacent field to the west, with the southern boundary at present open with no boundary separating the site from the field to the south.

The site is not particularly prominent, although the land falls away to the south and if any significant structures were proposed as part of the development they would be visible from some of the areas to the south. The application proposes a security fence along the southern boundary to separate the site from the adjacent field and details of this will be required by condition. It is also considered that to protect views of the site from the south, new planting will be required along the southern boundary to ensure that the rural character is retained.

The application states that staff facilities and storage are proposed and that these will be provided on the site through the provision of storage containers. Whilst it can be argued that such containers do not constitute development as they are not fixed to the ground, it is considered that the location, size and appearance of these facilities could have a significant impact upon the landscape in this location, and therefore a condition is proposed to ensure that the location, design and appearance of these facilities is agreed in writing with the LPA, so that the LPA retains control of any structures that are required at the site.

There is already a rolled stone surface at the site and this is proposed to be enlarged slightly around the perimeter of the site. This will not have a significant impact upon the landscape and is an appropriate hard surfacing material given the rural location.

Landscaping conditions are proposed to ensure that the application is compliant with policy DEV23 (Landscape Character) of the JLP, to secure new planting in appropriate locations and to ensure that any impact upon the landscape is mitigated.

### Neighbour Amenity:

There are no nearby residential properties and the existing holiday park (Norton Park) is located across a busy A road and is not in close enough proximity to the site to be affected by the proposals. No conflict with Policy DEV1 (Protecting Health and Amenity is identified).

### Highways/Access:

The site is accessed directly from Venn Lane through existing double gates. The application proposes improvements to the highway through the provision of splayed kerbs and the applicant has provided Swept Path Analysis to confirm the site is suitable to accommodate the vehicles proposed.

The County Highways Officer has provided the following comments:

*The Highway Authority has re-visited the site and whilst it initially raised concerns over the forward visibility at the access, it also notes the Baker Estates site is now progressing and that*

*there are proposals included as part of the Baker Estates proposals to address the visibility issue at the location of concern. The Highway Authority has also checked the accident statistics reported to the Police over the last few years, which reveals there have been no accidents. On reflection noting the above and the low speeds present at the access location on Venn Lane the Highway Authority is retracting its concerns.*

The proposals are not considered to raise any significant highways concerns and the application is in accordance with the aims and objectives of Policy DEV29 (Specific Provisions relating to Transport) of the JLP.

#### Drainage:

The proposals include an on-site below ground crated soakaway to disperse surface water at a controlled rate. A full retention class 1 oil separator is also proposed due to the site being used by commercial vehicles, in order to separate contaminants from surface water. This is considered acceptable in principle, with further information required by condition in order to satisfy the requirements of policy DEV35 (Managing flood risk and Water Quality Impacts) of the JLP.

#### Letters of Representation:

Seven letters of objection have been received, the points raised are listed above in the representation section of this report. The main points raised refer to highways impact and impact upon Norton Holiday Park. The County Highways Officer has been consulted and raised no objections and the facility is not new to the area, having been run previously from a site just to the east of the proposed site, across Venn Lane. Due to the application being a relocation, there will not be significant additional trips in the area as the operation has been run from a nearby site.

The amenities of the occupiers of chalets at Norton Holiday Park will not be significantly affected due to the separation distance between the site and the park, the self-containment of the park and existing boundary treatments and the fact that the sites are separated by a busy road.

#### Parish Council Comments:

The PC have objected to the application, the grounds are listed above in the Consultee section of this report. These issues are analysed in the main section of the report

#### Other Matters:

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

### **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

of 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  
TTV4 Land at Cotton  
DEV1 Protecting health and amenity  
DEV2 Air, water, soil, noise, land and light  
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

### **Neighbourhood Plan**

The site is on the very edge of the Stoke Fleming Parish boundary. The proposals do not conflict with any of the policies in the NP. Section 10.4.3 states that discussion with Devon Highways is required for proposals on Venn Lane, and as stated above, this has been undertaken with regards to the proposals, which have support from DCC Highways.

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.

### Conclusion:

The proposals are part retrospective and seek to regularise use of a site at the junction of Venn Lane and the A3122, for use as a depot for Stagecoach. It is within the Stoke Fleming Parish and adjacent to the boundary with Dartmouth. Other than the use of the land, the application proposes to slightly increase the area of land that has been surfaced in rolled stone, to provide

improved surface water drainage, to install new boundary treatment to the southern boundary and to erect storage containers to provide staff facilities.

The use (regularisation) of the site for a depot is considered acceptable and the impacts arising from the installation of staff and storage facilities can be managed through use of planning conditions requiring additional landscaping at the site, which will ensure that any landscape impacts are appropriately mitigated. The application is therefore recommended for approval subject to conditions.

### **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); Site Location Plan, Vehicle Swept Path Analysis (0701/P1), Impermeable Area Plan and Drainage Strategy (0500/P2), Highway Layout (0700/P1), Survey (LUS1019\_500\_LS/0), Site Layout received by the Local Planning Authority on 6.8.2020 and 17.1.2020.

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. Within 3 months of the date of this planning permission, a landscaping scheme shall be submitted to and approved by the Local Planning Authority, also indicating the boundary treatment at the site.

The scheme submitted shall be fully implemented in the planting season following approval of the landscaping scheme and the plants shall be protected, maintained and replaced as necessary for a minimum period of five years following the date of the completion of the planting.

Reason: In the interest of visual amenity in order to protect and enhance the amenities of the site and locality.

### **4. PRIOR TO COMMENCEMENT**

Prior to the commencement of the development, details of the surface water design including percolation test results and supporting calculations shall be submitted to and approved in writing by the local planning authority. Details of maintenance and management responsibility for the drainage system must be submitted to and approved in writing by the local planning authority prior to commencement on site. Such approved drainage details shall be completed and become fully operational before the development first brought into use. Following its installation the approved scheme shall be permanently retained and maintained thereafter. Surface water drainage systems design and installation shall be in accordance with CIRIA C697 The SuDS Manual and CIRIA C698 Site Handbook for the Construction of SuDS.



Reason: To safeguard the amenities of the locality and environment and to ensure that the development is adequately drained. A pre- commencement condition is considered necessary to safeguard the environment in the interests of the amenities of the area.

5. Details of any containers required to provide staff facilities and storage at the site shall be submitted to and approved in writing by the Local Planning Authority. Details shall include the scale, massing and appearance of any container and its location at the site. Development shall be undertaken in accordance with the approved details.

Reason: To ensure appropriate facilities are provided at the site and to protect visual amenity.