

PLANNING APPLICATION REPORT

Case Officer: Tim Furmidge

Parish: Dartington

Application No: 14/1687/15/VAR

Agent/Applicant:

Ms H Ruddock-West

Lownard Mill

Week

Dartington

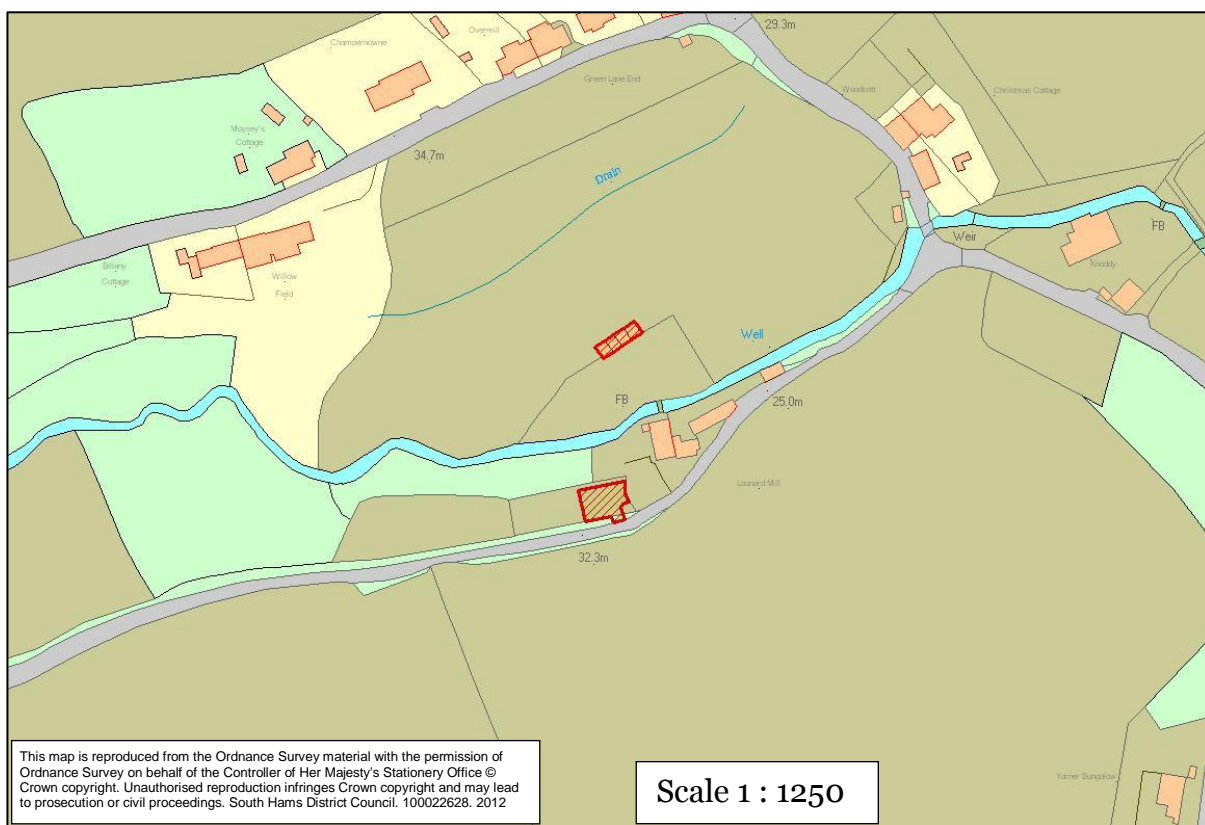
Totnes

TQ9 6JJ

Site Address: Stables, Lownard Mill, Dartington, Totnes, TQ9 6JJ

Development: Variation of condition 6 (Traffic Management Plan) and removal of condition 7 (Closure of Access) of planning consent 14/3161/14/F

Reason item is being put before Committee: This application is before Committee at the request of Councillor Hodgson, mindful of the number of objections received



Recommendation: Conditional Approval

Conditions

1. Accord with plans
2. Unsuspected Contamination
3. Holiday accommodation
4. Access and parking in accordance with approved plans
5. Details of traffic movements and construction
6. Development carried out in accordance with Preliminary Ecological Assessment

Key issues for consideration:

The impact of keeping the field access open, for the use of builders/contractors during construction phase and holiday cottage users, on Highway users and Highway safety.

Site Description:

The site is to the rear (north) of Lownard Mill, and is currently a redundant kennel block, which was given planning approval in April 2015 (14/3161/14/F) for the change of use and conversion of stables into self-contained holiday accommodation. The approved parking and access was to be from the south (the access also serves Lownard Mill).

The site is open countryside but has no statutory designation constraints.

The Proposal:

The proposal is for the variation of Condition 6 (Traffic Management Plan) and removal of Condition 7 (Closure of Access) of planning consent 14/3161/14/F.

Consultations:

- County Highways Authority: No objection.
- Dartington Parish Council: They object to the proposal for the following reason:
 - a) Unsafe highway access/highway safety implications
- Others: None received

Representations:

The proposal has received 15 letters of objection from local residents, they object for the following reasons:

- Unsafe highway access / poor visibility / highway safety implications;
- Impact from building contractor movements.

Relevant Planning History

14/3161/14/F - change of use and conversion of stables into self-contained holiday accommodation – Conditional Approval 24/04/15.

ANALYSIS

The existing approval is for the change of use and conversion of stables into self-contained holiday accommodation. The applicants are now seeking to variation of Condition 6 (Traffic Management Plan) and removal of Condition 7 (Closure of Access) of planning consent 14/3161/14/F.

Principle of Development

Planning officers have no objection in principle with the use of this small building for self-contained holiday accommodation. The applicant's have now applied to vary the condition to allow the use of the eastern field access for builders during construction and for users of the approved holiday accommodation, and to remove the amount of detail required for the Traffic Management Plan. On balance, it is considered by Officers to be acceptable and would be supported by Officers due to the comments received from the County Highways Authority, in which they have no objection to this application.

Highways

The original point of access and egress to the site was revised during the course of the previous planning application (14/3161/14/F), and it was agreed that the access, egress and parking for users of the holiday accommodation would be from the public highway to the south that currently serves Lownard Mill. The submitted drawing titled 'Application Site in Context' (dated February 2015) clearly identifies this as the approved access and parking in relation to the holiday accommodation.

The previous application (14/3161/14/F) was approved on the basis that the eastern field access would be closed due to poor visibility and highway safety implications and that the southern shared access would be used for the approved holiday accommodation. This ensured that objections received from statutory consultees and interested parties on highway grounds were either withdrawn or that it was stated that there would be no objection. This was subject to being in accordance with Highways Standing Advice, which with the revised access, it was considered to accord with.

Conditions were attached to the approved application (14/3161/14/F) requiring the submission of details identifying the point of access, egress and parking for construction workers, as well as a planning condition stating that the point of access to the east of the site should not be used for vehicular access and egress for holiday residents to the facility (in that it should only be used for the maintenance of the surrounding land for agricultural purposes only). The Applicant has submitted this application to allow the use of the eastern access for construction traffic and access to the approved converted stables/kennels with the removal of condition 7 and the reduction of required information for traffic and construction in condition 6. The Applicant states that condition 6 is over onerous in its requirement for details of construction traffic and vehicle movements for this type of development and a simplification of Condition 6, especially with the use of the eastern access, would be more reasonable. They have submitted details regarding construction traffic, location of parking and normal working hours on site (construction between hours 08.00 to 17.00 Monday to Friday and 08.00 to 12.00 Saturdays). They state that the use of the eastern access will not cause delays on the local highway network and construction traffic would be small and for a short period of time due to minor size of the approved development; and the use of the track would allow safer and easier use of the approved holiday unit, without this it would be more difficult with people of limited movement or are disabled; and that the Highway authority did not object to the use of the eastern access.

Officers have taken a visit to the site and have viewed the proposed eastern entrance, access and the surrounding connecting highway network. It is appreciated that the country lane, in which the eastern track would be accessed from, is narrow with little visibility splays available for egress of vehicles from the site. Due to this, Devon County Highways Authority were consulted and they commented that they had no objection to the variation and simplification of Condition 6 and the removal of Condition 7 for allowing the use of the eastern field access for the development (due to low volume of traffic anticipated). In the light of these Highways comments, officers consider that they would be unlikely to maintain a Refusal on Highway Safety grounds, if the application was to be taken to Appeal, without the backing of the County Highway Authority.

Conclusion:

Although there are concerns regarding highway safety, and objections received from the Parish Council and from 15 local residents also on highway safety grounds, however, in view of the above comments from the Highway Authority, the proposed variation of Condition 6 and removal of Condition 7 is therefore considered to be acceptable and does accord with the relevant Local and National Planning Policies. It is therefore recommended for Approval subject to relevant conditions.

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

Planning Policy

All standard policies listed (delete where not relevant, add others as relevant, including NPPF):

South Hams LDF Core Strategy

CS1 Location of Development
CS7 Design

Development Policies DPD

DP1 High Quality Design
DP2 Landscape Character
DP3 Residential Amenity
DP5 Conservation and Wildlife
DP7 Transport, Access & Parking
DP15 Development in the Countryside
DP12 Tourism and Leisure
DP16 Conversion and Reuse of Existing Buildings in the Countryside

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.