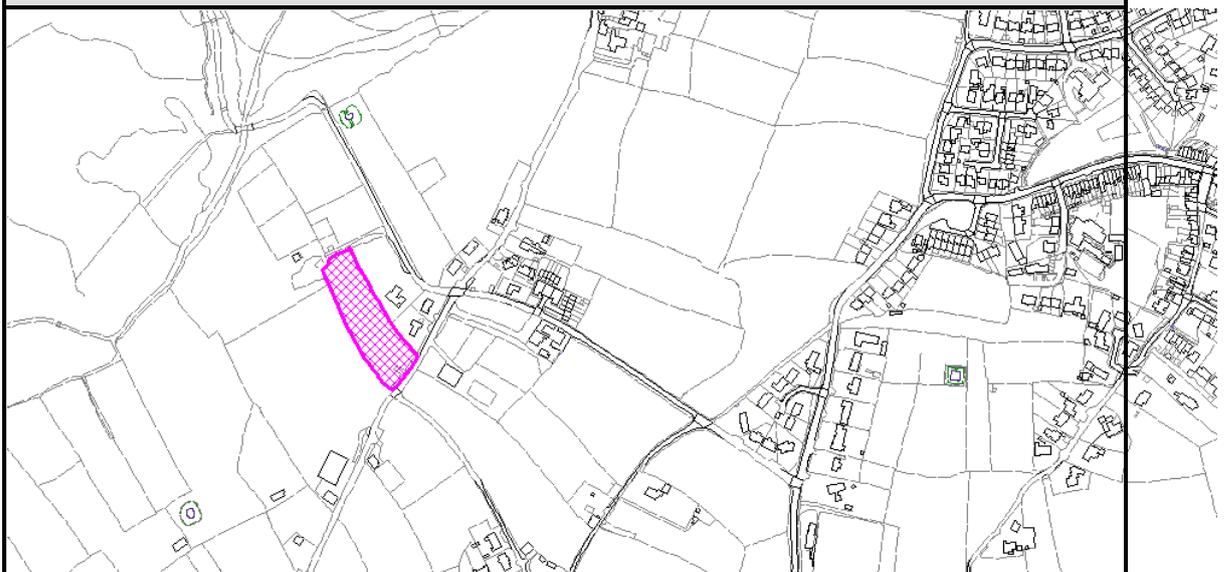


Committee Report – 4 April 2019

Application Number:	1/0024/2019/FUL
Registration date:	17 January 2019
Expiry date:	14 March 2019
Applicant:	Mr Doug Bushby
Agent:	Clayewater Planning Group
Case Officer:	James Jackson
Site Address:	Seabreeze CL Site, Long Lane, Appledore, Devon,
Proposal:	Change of use of 5 unit caravan and camping club site to all year round 30 pitch touring caravan site and provision of supervisory unit.
Recommendation:	Refuse



Reason for referral:

Councillor Davis has called the application to Plans Committee if the Planning Officer is minded to recommend that planning permission be refused, to consider whether under Policy ST13, that in order to support tourism in a more sustainable and pragmatic manner the need for a mobile home as requested by the applicant as a temporary measure would meet the criteria under Policy ST09.

Relevant History:

Application No.	Description	Status	Closed
1/0874/2012/FUL	Formation of new field access (and closure of existing)	PER	04.02.2013
1/0139/2016/FUL	Full planning permission for the permanent siting of Lodge Accommodation and Store	REF, APPEAL DISMISSED	30.03.2016
1/0551/2017/FUL	CL Store and Seasonal Supervisory Caravan	REF, APPEAL PART DISMISSED	24.08.2017

Site Description & Proposal

Site Description

The application relates to a broadly rectangular and relatively flat grassed parcel of land measuring approximately 150 x 45 metres, tapering to approximately 38 metres at its northern extent.

The site has a vehicular access at its southern boundary and is enclosed on all four sides by mature hedgebanks and vegetation.

The site is bounded by existing residential dwellings to the east, the Long Lane public highway to the south and open fields to the north and west. Further to the north, at a distance of approximately 100 metres are the Northam Burrows and the Taw and Torridge Estuary.

To the east of the site is located the small hamlet of dwellings known as Watertown, whilst Appledore is approximately 400 metres to the north east, with Northam the same distance to the south.

Since 2015, the appeal site has formed part of a Certificated Location (CL) of the Caravan Club, accommodating up to five caravans.

Proposed Development

The application proposes the change of use of a 5 unit caravan and camping club site to all year round 30 pitch touring caravan site and provision of supervisory unit.

The submitted site plan shows the touring caravans arranged in rows along the eastern and western site boundaries, with the supervisory caravan shown towards the south western corner of the site. A soakaway to serve the caravan is also shown in this area. A chemical closet is shown to the western side of the site, approximately a third of the way along the boundary. A store is also shown towards the southern boundary, which was permitted previously on appeal.

Consultee representations:

Northam Parish/Town Council:

It was resolved to recommend that this application be approved.

Devon County Council (Highways):

Observations:

The likelihood is that most customers to the proposed development would access the site by one of three routes. These being along Long Lane from the Appledore direction or, more likely, on Long Lane from the Northam direction or via Broad Lane from the A386.

Realistically, given the site's proximity to an arterial road, the latter is most likely.

With regards to Long Lane, although I accept there are narrow sections that require motorists in opposing directions to 'give and take', there are a reasonable number of passing places on these routes with generally good inter-visibility between them.

Overall, observed vehicle volumes were light, albeit in the February half-term period, and the speed of traffic was within the posted limit. I believe that this was largely governed by the width and alignment of the carriageway.

As a result, I do not believe the proposed development would have an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Therefore, I raise no highway objections.

Recommendation:

THE HEAD OF PLANNING, TRANSPORTATION AND ENVIRONMENT, ON BEHALF OF DEVON COUNTY COUNCIL, AS LOCAL HIGHWAY AUTHORITY, RECOMMENDS THAT THE FOLLOWING CONDITIONS SHALL BE INCORPORATED IN ANY GRANT OF PERMISSION

1. Provision shall be made within the site for the disposal of surface water so that none drains on to any County Highway

REASON: In the interest of public safety and to prevent damage to the highway

Natural England:

We have considered the proposal against the full range of Natural England's interests in the natural environment and have the following comments¹.

Landscape – further information advised

The proposal is 150m from and within the setting of the North Devon Area of Outstanding Natural Beauty (AONB). From the information available Natural England is unable to advise on the potential significance of impacts on the AONB.

Given the location of the proposal, Natural England's advice is that more information, via a Landscape and Visual Impact Assessment (LVIA) or similar assessment, is necessary to understand the potential impacts of the proposal on the special qualities of the AONB and allow your Authority to make a properly informed decision.

Such an assessment should be based on good practice guidelines such as those produced jointly by the Landscape Institute/Institute of Environmental Assessment 2013². Landscape character assessment (LCA) provides a sound basis for guiding, informing and understanding the ability of any location to accommodate change, and to make positive proposals for conserving, enhancing or regenerating character, as detailed proposals are developed.

We would strongly advise you to seek and give weight to the advice of the AONB Partnership. Their knowledge of the location and wider landscape setting of the development further informed by an LVIA will help to confirm whether or not it would impact significantly on the purposes of the AONB designation. They will also be able to advise on whether the development accords with the aims and policies set out in the AONB management plan.

We would also draw your attention to Paragraph 172 of the National Planning Policy Framework (NPPF 2012)³.

Designated sites – no objection

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on designated sites.

Protected Species

Natural England has produced standing advice⁴ to help planning authorities understand the impact of particular developments on protected species. We advise you to refer to this advice. Natural England will only provide bespoke advice on protected species where they form part of a SSSI or in exceptional circumstances.

Biodiversity Enhancements

Development provides opportunities to secure a net gain for nature as outlined in paragraphs 170 and 174 of the revised NPPF (2018) and within the Defra 25 year Environment Plan.

We advise you first to follow the mitigation hierarchy as set out in paragraph 175 of the revised NPPF and Policy DM08 of the Joint Torridge and North Devon Local Plan (JLP) and consider what existing environmental features on and around the site can be retained or enhanced before considering what new features could be incorporated into the development proposal.

The JLP also expects all development to provide a net gain in biodiversity (note 6.4 of Policy ST14). Policy ST14.

Biodiversity metrics⁵ are available to assist developers and local authorities in securing net gain. Local Authorities can set their own net gain thresholds but Natural England would currently expect a minimum of 5% net gain and LPAs should aim to negotiate upwards where possible.

Opportunities for enhancement might include:

- Planting trees characteristic to the local area to make a positive contribution to the local landscape.
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- Designing lighting to avoid disturbing wildlife. The Bat Conservation Trust (BCT) and the Institute of lighting professionals have recently produced new guidance on bats and lighting http://www.bats.org.uk/news.php/406/new_guidance_on_bats_and_lighting
- Sowing wild flower strips.
- Restoring a neglected hedgerow.
- Creating a new pond as an attractive feature on the site.
- Incorporating nest sites for swallow, house martin, house sparrow, swift boxes or bat boxes into the design of new buildings.
- Incorporating bee bricks into buildings <https://greenandblue.co.uk/product/bee-brick/>
- Adding a green roof to new buildings.

AONB Team:

I am writing on behalf of the North Devon Coast AONB Partnership with regard to the above named planning application.

The application site lies on the edge of the designated AONB area and forms part of the setting of the AONB, especially in relation to the Northam Burrows landscape. It is also located within the curtilage of the former RAF Radar Station at Northam (1941-44) which is of national significance, although there would appear to be no listed buildings on site.

In our opinion, the proposal will lead to an increased area of development and an increase in the period of use for the existing site, it therefore could represent a further erosion of the undeveloped setting of the designated AONB. From the information provided, it is not clear if the effects of development on the special qualities or landscape character of the AONB have been fully considered. We would echo Natural England's request for a landscape and visual assessment to explore these issues further. The assessment need only be proportionate to the scale of the development proposed - but should include an assessment of development on the setting of the AONB in the local area and an assessment of the sensitivity of local landscape character and the magnitude of change as a result of the development.

In addition, we would expect to see recommendations for mitigating any adverse effects on landscape and for these to be carried through into the proposal drawings.

Representations:

Number of neighbours consulted:	3
Number of representations received:	8
Number of objection letters:	4

Number of letters of support:	4
Number of neutral representations:	0

Eight representations have been received in respect of the application. Four are in support of the proposed development, whilst four object to it.

The comments in support raise the following issues:

- Proposal would relieve pressure on local car parks
- Expansion of range of tourist accommodation
- Benefits to local economy
- Benefits to local employment

The comments objecting raise the following issues:

- Dwelling is not required
- No demand for 30 pitches
- Insufficient capacity on highway network
- Adverse impact on highway safety
- No facilities on site
- Adverse impact on character and appearance
- Does not address local, social or economic needs
- Could result in further development
- Adverse impact on privacy
- Insufficient waste facilities
- Access not in accordance with permission
- Site susceptible to flooding
- Potential for coalescence
- Detract from character and appearance on AONB and its setting
- Prejudicial to highway safety
- Site is too small

Policy Context:

North Devon and Torridge Local Plan 2011-2031:

ST07 (Spatial Development Strategy for Northern Devon's Rural Area); ST09 (Coast and Estuary Strategy); DM18 (Tourism Accommodation); DM28 (Rural Worker Accommodation); ST13 (Sustainable Tourism); ST11 (Delivering Employment and Economic Development); DM14 (Rural Economy); ST04 (Improving the Quality of Development); DM04 (Design Principles); DM08A (Landscape and Seascape Character); DM01 (Amenity Considerations); ST10 (Transport Strategy); DM05 (Highways); DM06 (Parking Provision); DM08 (Biodiversity and Geodiversity); ST03 (Adapting to Climate Change and Strengthening Resilience); DM02 (Environmental Protection);

Government Guidance:

NPPF (National Planning Policy Framework); NPPG (National Planning Practice Guidance); NERC (Natural Environment & Rural Communities); WACA (Wildlife & Countryside Act 1981);

Planning Considerations

The main considerations with this application are:

- Principle of Development
- Rural Economy
- Visual Impact and Landscape Character

- Residential Amenity
- Highways
- Biodiversity
- Surface and Foul Water Drainage

1. Principle of Development

Policy ST07 of the NDTLP sets out the spatial development strategy for northern Devon's rural area, and clarifies that in the countryside, beyond Local Centres, Villages and Rural Settlements, development will be limited to that which is enabled to meet local economic and social needs, rural building reuse and development which is necessarily restricted to a Countryside location.

The site is also located within the defined Coast and Estuary Zone. Policy ST09 of the NDTLP therefore applies, which seeks to guide development towards appropriate locations within the coastal and estuary areas of northern Devon whilst at the same time ensuring that their positive characteristics and features are suitably protected. This report demonstrates that the proposal would fail to protect the positive characteristics and features of the area, with the result that it is considered to be contrary to Policy ST09.

Policy DM18 of the NDTLP sets out the local planning policy context in relation to the provision of tourism accommodation. The policy provides that:

Outside the Sub-regional, Strategic, Main and Local Centres, the development of new and the expansion or rationalisation of existing tourism accommodation will be supported where it:

- (a) is related directly to and compatible in scale with an existing tourism, visitor or leisure attraction; or*
- (b) reuses or converts existing buildings; or*
- (c) improves facilities for or diversifies the range or improves the quality of existing tourism accommodation;*

It is clear that the proposal does not meet either (a) or (b) above.

In relation to (c); the submitted Planning and Economic Statement accepts at paragraph 6.6 that the development would not result in the diversification of offering at Seabreeze, but suggests that it would diversify the offering in terms of the wider Appledore / Northam area. This is considered to be an incorrect interpretation of the policy, as part (c) of the policy is intended to relate to existing tourism accommodation on the site itself.

Taking account of the above, it is considered that the principle of development is unacceptable in the context of Policy DM18.

The proposed supervisory caravan on the site must be assessed as a rural worker's dwelling against the requirements of Policy DM28 of the NDTLP, given the site's location in the countryside. The policy states (in part):

(1) Proposals for the provision of accommodation in the countryside for a rural worker will be supported where:

- (a) it can be demonstrated that there is an essential operational need for a full time worker to be resident at or near the place of work;*
- (b) the size and nature of the dwelling should be such that it can be sustained by the scale of the operation, reflective of the location and setting and proportionate to the needs of the intended occupants;*

- (c) *the accommodation needs cannot be met by any other means including:*
- (i) *accommodation in a nearby settlement; or*
 - (ii) *by an existing dwelling at or near the site; or*
 - (iii) *through the conversion of a suitable redundant or disused building on site; and*
- (d) *appropriate highway access can be provided.*

(2) Where the enterprise is well established, of a sufficient size to support a full-time worker, economically viable and has clear prospects of remaining so, support will be given to the provision of a permanent new dwelling.

A proposal for a supervisory dwelling was previously considered by the Local Planning Authority and was refused planning permission. The subsequent appeal was dismissed, with the Inspector finding at paragraph 18 of the decision that there was no particular and proven need for a residential dwelling to be located on the site. Whilst it is noted that the current proposal relates to a supervisory caravan, it would similarly be located on the site all year round.

The submitted Planning and Economic Statement suggests, at paragraph 6.16, that this application differs insofar that 30 pitches are proposed, rather than 5. The application also suggests that the residential occupation of the site would enable the owners to control noise at the site and ensure the safety and security of guests. However, given that there is no in principle support for the provision of 30 pitches, it follows that this cannot be used as justification for the residential occupation of the site in this countryside location.

It is accepted that there are no other buildings on the site that could be converted to a residential dwelling. In addition, the application notes that there are no other properties within close proximity to the site and that they are not affordable to the applicant. However, it is not clear why the applicant needs to reside so close to the site. Many campsites operate successfully without an on site presence.

Taking account of the above, it is concluded that there is no essential operational need for a full time worker, or any worker, to be resident at the site.

Part (2) of Policy DM28 requires the proposed enterprise to be well established and economically viable. No details have been provided in this regard, with the result that it cannot be concluded that this part of the policy has been met.

The policy includes provision for temporary accommodation for a period of three years; however the supporting text to the policy clarifies that the operational need must still exceed, and there must be evidence that the enterprise has been planned on a sound financial basis. Neither of these criteria has been met, with the result that temporary accommodation is also considered to be inappropriate.

In conclusion, it is considered that the proposed development would fail to protect the positive characteristics and features of the coastal and estuary area. It is therefore contrary to Policy ST09 of the NDTLP. In addition, there is no justification for tourism accommodation in this location, contrary to Policy DM18. Lastly, the application fails to demonstrate that there is an operational need for a residential use at the site or that the any enterprise at the site is economically viable, contrary to Policy DM28.

Policy ST13 establishes that tourism growth should be sustainable and should not damage the natural or historic assets of northern Devon. Given the harm identified to natural assets above and later in

this report it is considered that the proposal does not represent sustainable tourism growth and is therefore contrary to Policy ST13.

Policy ST07 restricts development to that which is *enabled* [my emphasis] to meet local economic and social needs, rural building reuse and development which is necessarily restricted to a Countryside location. The above assessment, and that which follows in this report, demonstrates that the proposed development is not enabled by other policies in the NDTLP. Consequently the proposal is also contrary to Policy ST07.

Taking account of all of the above, it is considered that the principle of development is unacceptable.

2. Impact on Rural Economy

Policy ST11 of the NDTLP is of relevance as the proposal represents economic development in the area. In addition, Policy DM14 provides support for small scale economic development in rural areas subject to a number of criteria.

The application suggests that the proposal would generate approximately GBP315,000 per annum in revenue, on the basis that Britons spend GBP162 per person per week on a camping / caravanning holiday and using an average of 15 caravans per week on the site and 2.5 people per caravan. It is unclear if 15 caravans per week is realistic, as no figures have been provided to indicate that this level of demand would be forthcoming. However, it is agreed that the proposal would have a positive benefit for the local area in economic terms.

Notwithstanding the above, both ST11 and DM14 make reference to the need for proposals to accord with other local plan policies and for landscape impacts to be acceptable. As discussed later in this report it is considered that the proposal would fail to protect the positive characteristics and features of the coastal and estuary area, as well as the setting of the AONB. In addition, it is considered that the proposal does not provide justification for a rural worker's dwelling, contrary to Policy DM28. Therefore, whilst the proposal would deliver economic benefits to the area, the conflict with other NDTLP policies means that it is also contrary to policies ST11 and DM14.

3. Visual Impact and Landscape Character

Policies ST04 and DM04 of the NDTLP all have a strong design focus and establish the need for development to be appropriate in, and have respect for, its context and setting. In addition, Policy DM08A establishes that development must respect landscape character of both designated and undesignated landscapes. Policy DM18(2)(f) requires development to respect and enhance key characteristics of relevant landscape character types, whilst DM18(2)(h) seeks to protect the setting and special qualities of the AONB and its setting.

In this instance the landscape is undesignated, however the North Devon Coast Area of Outstanding Natural Beauty (AONB) is located within close proximity to the north, and the impact of the proposal on the setting of this sensitive area must therefore be considered.

As discussed earlier, the site is also located within the Undeveloped Coast. Policy ST09(7) states that *'development within the Undeveloped Coast and estuary will be supported where it does not detract from the unspoilt character, appearance and tranquillity of the area, nor the undeveloped character of the Heritage Coasts, and it is required because it cannot reasonably be located outside the Undeveloped Coast and estuary.'* In this regard the comments of the Planning Inspector in relation to the previously dismissed appeal relating to 1/0139/2016/FUL, for a residential lodge and store located at the southern end of the site, are considered to be of relevance. At paragraph 7 of the appeal decision, the Inspector held that *'The introduction of a permanent lodge building in this*

location would be a prominent addition and would detract significantly from the undeveloped nature of the site. As a result, it is considered that the proposal would fail to protect the natural beauty and rural character of its setting.' The appeal decision is considered to be a material consideration to be afforded significant weight that indicates that the current proposal for 30 all year round touring caravan pitches and a supervisory caravan, which would be a far more intensive form of development than that previously dismissed at appeal, would also fail to protect the natural beauty and rural character of its setting, which would be contrary to Policy ST09 of the NDTLP.

In addition to the above, the Planning and Economic Statement accompanying the planning application suggests at paragraph 4.2 that no areas of hard standing would be introduced and that the caravan pitches would remain as grassed areas. This is considered to be unrealistic given the intention to operate the site on a year round basis. Caravans are structures of significant weight that would require stable pitches and it is therefore considered that some operational development would be required. In addition, it would not be possible, or reasonable, to effectively control ancillary paraphernalia associated with the proposed use, such as cars, bicycles, toys, chairs, tables, etc. This would further detract from the undeveloped nature of the site and would represent additional harm to that previously identified by the Planning Inspector.

In terms of the impact on the setting of the AONB; the AONB Team has commented that the proposal could represent a further erosion of the undeveloped setting of the designated AONB, and that from the information provided, it is not clear if the effects of development on the special qualities or landscape character of the AONB have been fully considered. Natural England has also commented that a Landscape and Visual Impact Assessment (LVIA) or similar assessment is necessary to understand the potential impacts of the proposal on the special qualities of the AONB.

No such assessment has been provided as part of the application. The submitted Planning and Economic Statement suggests that the supervisory caravan is not a permanent structure and can be easily moved; however the application proposes a year round residential presence on the site, which would have an adverse impact. The application also suggests that there would be caravans on the site all year round and that the supervisory caravan would therefore be in keeping with these caravans; however this ignores the impact of the touring caravans themselves. The application states in this regard that there would be fewer caravans for much of the year and therefore the impact would be no greater than the existing 5 caravans, however it is not agreed that this would be the case. In any case, the Inspector, in dismissing the previous appeal, held that a proposal for a much less intensive form of development would be harmful.

Taking account of the above, it is concluded that the proposal would detract from the unspoilt character, appearance and tranquillity of the Undeveloped Coast, and would not conserve the landscape and scenic beauty of the setting of the AONB. The proposal is therefore contrary to Policy ST09, DM08A, DM18, ST04 and DM04.

4. Residential Amenity

Policy DM01 of the NDTLP confirms that development will be supported where it would not significantly harm the amenities of neighbouring occupiers or uses, or result in harm to the future occupiers of the development from existing or allocated uses.

It is noted that there are three residential properties within close proximity to the site, to the east. Two of these properties share a boundary with the site. There are concerns in respect of the potential for the proposal to cause a significant noise nuisance to the occupiers of the two properties that border the site, given the level of activity on the site that would result from 30 touring caravan pitches.

The submitted Planning and Economic Statement suggests that the applicant would be happy to implement a site curfew to ensure that nearby neighbours would be disturbed. However; having regard for the proposed use it is considered unreasonable to restrict holidaymakers to quiet times that would sufficiently protect the amenities of nearby residents. The site is located within a quiet area where residents could reasonably expect low noise levels after 8pm; however this is unlikely to be considered reasonable to guests of the site during summer months. As such, it is considered that the proposed use is likely to result in complaints from both tourists and residents alike and it is therefore considered that the adjoining uses would not be compatible. It is noted that the site currently accommodates up to 5 caravans; however it is considered that the proposal for 30 caravans would result in a significantly greater level of disturbance.

It is noted that objections have been received in relation to this issue.

Taking account of the above, it is concluded that the proposal is contrary to Policy DM01 of the NDTLP.

5. Highways

Policies ST10 and DM05 of the NDTLP seek, inter alia, to ensure that development does not adversely affect the local or strategic highway network and that vehicular accesses are safe and well designed. In addition, DM06 of the NDTLP seeks to ensure that appropriate parking provision is delivered as part of development.

The Highways Authority has been consulted in respect of the application and has confirmed that there is no objection to the proposal, noting that there are a reasonable number of passing places on the routes that would most likely be used to access the site and that vehicle volumes were light at the time of the Highway Officer's site visit.

Taking account of the above, it is concluded that the proposal accords with the above-mentioned policies, as well as paragraph 109 of the NPPF.

6. Biodiversity

Local Planning Authorities have a statutory duty to ensure that the impact of development on wildlife is fully considered during the determination of a planning application under the Wildlife and Countryside Act 1981 (as amended), Natural Environment and Rural Communities Act 2006, The Conservation of Habitats and Species Regulations 2010 (Habitats Regulations 2010). This is also supported by Policy DM08 of the NDTLP.

Natural England has been consulted in respect of the proposal and has confirmed that the proposed development will not have significant adverse impacts on designated sites. The need for biodiversity enhancement has also been highlighted. The application proposes a substantial planting area to the northern end of the site, and, whilst detailed proposals in this regard have not been submitted, it is considered that this could be brought forward via a condition to deliver biodiversity net gain.

It is therefore concluded that the proposal accords with the relevant policies and legislation set out above.

7. Surface and Foul Water Drainage

Policy DM02 clarifies that proposals will be supported where they would not result in unacceptable impacts in respect of the pollution of ground water. In addition, Policy ST03 of the NDTLP seeks to

manage flood risk and DM04 establishes that water management must be addressed by development.

It is proposed that foul water associated with the supervisory dwelling would be drained to the mains sewer, whilst caravans would use the proposed chemical closet. These proposed arrangements are considered to be acceptable.

Surface water associated with the supervisory dwelling would be drained to a soakaway. This is again considered to be acceptable.

Taking account of the above it is concluded that the proposal accords with Policies DM02, ST03 and DM04 of the NDTLP.

8. Conclusion

The principle of tourist accommodation and a residential use at the site is considered unacceptable for the reasons set out above.

In addition, it is considered that the proposal would detract from the unspoilt character, appearance and tranquillity of this part of the Undeveloped Coast, and would fail to conserve landscape character and the scenic beauty of the setting of the AONB.

Further, it is considered that the proposal would result in significant harm being caused to the amenities of the occupiers of the adjacent dwellings to the east of the site, by reason of noise disturbance.

Lastly, whilst the economic benefits of the proposal are noted, the conflict with other NDTLP policies is such that the proposal fails to accord with the economic development based policies.

A number of representations have been received both in support of, and in objection to, the proposed development. The issues raised have been given due consideration in the assessment of the application.

Taking account of the above, it is recommended that planning permission be refused for the reasons set out below.

Human rights

Consideration has been given to the Human Rights Act 1998.

Recommendation

REFUSE for the following reasons:

- 1 The proposed development, by reason of the introduction of a tourism use with associated significant human activity into a site located within the Undeveloped Coast characterised by its undeveloped nature, unspoilt character and tranquillity, would fail to protect the positive characteristics and features of the coastal and estuary area, and the setting of the North Devon Coast Area of Outstanding Natural Beauty (AONB). The proposal is therefore contrary to Policies ST07, ST09, ST13, ST14, DM18 and DM08A of the adopted North Devon and Torridge Local Plan 2011-2031.
- 2 The proposed residential use at the site in this countryside location is not justified through a demonstrated operational need, nor has it been evidenced that the tourism related enterprise is economically viable and has clear prospects of remaining so. The proposal is therefore

contrary to Policies ST07 and DM28 of the adopted North Devon and Torridge Local Plan 2011-2031.

- 3 The proposed development, by reason of its proximity to the existing residential dwellings adjoining the eastern boundary of the site, would cause significant harm to the existing and future occupiers of the same dwellings through noise nuisance. The proposal is therefore contrary to Policy DM01 of the adopted North Devon and Torridge Local Plan 2011-2031.
- 4 The economic benefits associated with the proposed development cannot be realised without conflict with other policies of the adopted North Devon and Torridge Local Plan 2011-2031, these being ST07, ST09, ST13, ST14, DM08A, DM28 and DM01. The proposal is therefore contrary to Policies ST11 and DM14 of the adopted North Devon and Torridge Local Plan 2011-2031.

Plans Schedule

Reference	Received
857.2018.001	14.01.2019
857.2018.002 Rev. A	17.01.2019

Statement of Engagement

In accordance with paragraph 38 of the National Planning Policy Framework (NPPF) in dealing with this application, the Council has worked with the applicant in the following and positive and proactive manner. We have made available detailed advice in the form of our statutory policies in the Development Plan, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably. In such ways the Council has demonstrated a positive and proactive manner in seeking solution to problems arising in relation to the planning application.

The applicant entered into pre-application discussions where key issues were identified. The documents submitted have failed to address the issues raised at a pre-application stage therefore no further discussion was deemed necessary at application stage, as these issues have not been adequately addressed.