

4. Application No: **0207/12** District/Borough: **Teignbridge District**
Application Type: **Full Planning Permission** Parish: **Moretonhampstead**
Grid Ref: **SX765854** Officer: **Louise Smith**

Proposal: **Interpretation Centre, polytunnel, wheelchair-accessible compost toilet, plus hardstanding pedestrian/vehicle access and one disabled parking space, as part of 'Morefood' community garden project**

Location: **Steward Community Woodland, Moretonhampstead**

Applicant: **Affinity Woodland Workers Co-op Ltd**



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50m
Scale 1:1250 @ A4

Recommendation **That temporary permission be GRANTED**

Condition(s)

1. The development hereby permitted shall be for a limited period expiring on the 31 December 2017. Thereafter the use hereby permitted shall be discontinued, the buildings removed in accordance with details to be submitted to and approved in writing by the Local Planning Authority and the land restored to its former condition.
2. The development hereby permitted shall be implemented within 6 months from the date of this decision and all development works and site layout shall be completed by no later than 1 September 2013.
3. No tree or hedge along the south west boundary of the site shall be felled, lopped, topped, cut down or grubbed out (other than those shown to be removed in the Morefood Tree Survey and Strategy received on the 27 June 2012) without the prior written consent of the Local Planning Authority. Any tree or hedge removed without consent, or found to be dying, damaged or diseased, shall be replaced on a like for like basis unless otherwise agreed in writing by the Local Planning Authority.
4. The roof of the compost toilet hereby approved shall be covered in a dark grey coloured material. Prior to the commencement of any roofing works on the development hereby approved, samples of the proposed external roofing materials shall be submitted to the Local Planning Authority for approval; thereafter unless otherwise agreed by the Local Planning Authority in writing, only approved external roofing materials shall be used in the development.
5. Prior to the substantial completion of the development hereby permitted, and notwithstanding the plans and application forms hereby approved, details of the proposed surfacing materials for the disabled access, parking and turning space shall be submitted to the Local Planning Authority for approval; thereafter unless otherwise agreed by the Local Planning Authority in writing, only the approved surfacing materials shall be used in the development.
6. Vegetation clearance work shall only take place between November and February to a short height (less than 4cm) thereafter careful ground stripping works can be carried out in the summer months, unless otherwise agreed in writing by the Local Planning Authority. Any reptiles found during the clearance process should be carefully moved to an area of suitable habitat nearby.
7. There shall be no retail sales to the public directly from the application site.
8. Before the construction of the buildings and the use hereby approved commencing, details of the proposed garden opening times shall be submitted to and approved in writing by the Local Planning Authority. The development shall operate strictly in accordance with the approved opening times.
9. A record shall be maintained at all times, and made available to the Local Planning Authority on request, of all the courses provided for the public at the land. The details recorded shall include the duration, subject and content of each activity, the numbers attending, the place from which they have traveled to take place in the activity and the means of transport used to attend. The record shall be maintained for inspection by the Local Planning Authority for the period of the permission.

10. A plan showing the proposed detailed site layout, including all soft and hard landscaping, shall be submitted to the Local Planning Authority for approval within 2 months of the date of this decision notice and implemented in full by September 2013.
11. Full details of how the proposed car parking permit system will operate shall be submitted to the Local Planning Authority for approval. Information on the annual number of vehicle numbers visiting the site shall be submitted to the Local Planning Authority at the end of every year of operation. The permit system shall be in place and operational by the end of December 2012.
12. Full audited accounts shall be submitted to the Local Planning Authority by September each year for the previous financial year. The first account shall be submitted in September 2014.

Introduction

The application proposes the erection of a number of structures as part of the MoreFood Project, which is a local sustainable food growing and demonstration garden. It is proposed to be managed by the Affinity Woodland Workers Co-operative Ltd, a not-for-profit limited company

The site is a 1ha parcel of land on the western edge of Steward Wood, within land owned by the Steward Community Woodland Project (SCWP). It is located adjacent to, and elevated above, the newly constructed section of the Wray Valley Trail which runs past Steward Mill and Steward Cottages.

The Morefood project is proposed to operate separately from the Steward Community Woodland Project, albeit the driving force will be the Steward Wood Community and Directors.

The application is presented to Members in view of the number of letters of objection and the comments from the Parish Council, and the history of the site.

Planning History

0671/07	Low impact living development incorporating sustainable agriculture and forestry, permaculture and education for a temporary period of five years		
	Change of Use	Refused	05 November 2007
	Appeal lodged: 24 April 08	Result: Allowed	
0063/02	Polytunnel (120sqm) for horticultural use		
	Prior Approval	Refused	08 April 2002
0427/00	Low impact, sustainable development associated with agricultural/forestry enterprise incorporating educational and residential elements		
	Change of Use	Refused	14 November 2000
	Appeal lodged: 18 April 01	Result: Dismissed	

Consultations

Teignbridge District Council (TDC): Does not wish to comment

County EEC Directorate: With the benefit of the supporting information, in particular information provided on the way in which those attending the site will be managed and marshalled, no highway problem is foreseen.

The proposed disabled parking space is now acceptable with regard to access and gradient.
It is suggested that a temporary permission may be appropriate in order to monitor the affect/conflict with users of the Wray Valley Trail.
The site is accessible by modes of transport other than by private car and the intention is through advertising, publicity and the web site that such modes will be encouraged. Use of the Wray Valley Trail will provide an attractive alternative for walkers and cyclists.

South West Water: No objection
Environment Agency: No objection - flood zone 1 standing advice only
Ecology & Wildlife Conservation Section: Timing of works and careful working practices to be a condition of planning consent
Trees & Landscape Officer: No objection to temporary permission being granted

Parish/Town Council Comments

Moretonhampstead PC: COMMENTS ON ORIGINAL SUBMISSION

The Parish Council objects to the proposal as it stands due to the following points;
- inaccuracies in the size of the plot
- no detailed information on fence design
- the impact of additional parking on a long standing agreement made with all residents
- no detailed plan of disabled access and concern about the proposed location

Moretonhampstead PC: COMMENTS ON REVISED PLANS & ADDITIONAL INFORMATION

The Parish Council objects until such time as concerns of parking and access are resolved with Devon County Council and residents.

Relevant Structure Plan Policies

CO10 - Protection of Nature Conservation Sites and Species

CO2 - National Parks

Relevant Development Management and Delivery Development Plan Document Policies

COR1 - Sustainable Development Principles

COR12 - Meeting the need for local infrastructure, community facilities and public services

COR13 - Providing for high standards of accessibility and design

COR18 - Providing for sustainable economic growth

COR19 - Dealing with proposals for tourism development

COR2 - Settlement Strategies

COR21 - Dealing with development and transport issues in a sustainable way

COR4 - Design and sustainable development principles

COR7 - Providing for the conservation of Dartmoor's varied plant and animal life and geology

DMD1 - Delivering National Park purposes and protecting Dartmoor's Special Qualities

DMD14 - Biodiversity and geological conservation

DMD3 - Sustaining the quality of places in Dartmoor National Park

DMD34 - Agricultural and forestry

DMD4 - Protecting local amenity

DMD43 - New visitor attractions and development of existing enterprises

DMD5 - National Park Landscape

Representations

9 letters of objection 38 letters of support 1 other letter

LETTERS OF SUPPORT

Letters of support have been received from individuals from the local area, outside Dartmoor and from a number of organisations; LAND Permaculture Association, Dartmoor Circle, Bovey Climate Action Group, Agro-forestry Research Trust, The Dartmoor Society and Moretonhampstead Association for Youth.

They support the proposal to educate people in growing their own food on Dartmoor through the community garden and its promotion of sustainable land management. It is stated that the project will bring social, economic and health benefits as well as bringing visitors to the area and providing accessibility for all. They explain that the structures will be integrated within this wooded environment and that the project will be well connected to the Wray Valley Trail.

One supporter recognises the need to carefully consider the proposed parking arrangements.

LETTERS OF OBJECTION

Strong objections have been raised by residents living in close proximity to the application site.

They state that there is no public access to the site and that the proposal will conflict with the safety of users of the Wray Valley Trail and create nuisance for adjacent property owners. They explain that the proposal will conflict with safety audit arrangements drawn up by Devon Country Council, local residents and Steward Community Woodland Project (SCWP). One of the objectors proposes an alternative route to access the site. It is claimed that the SCWP do not presently operate in accordance with the agreement and that consideration should be given to cycle parking rather than vehicle parking. They state that SCWP have not demonstrated that they live in a sustainable manner from the land and that they have not implemented previous plans for developing this garden space. Concerns are also expressed about the development being an attempt to legitimise the future of the Steward Wood community. They state that a community garden scheme should be better located to Moretonhampstead and that no lottery funding representative has visited the land to assess the specifics of the site.

Observations

PLANNING HISTORY

The application site is on land owned by the Steward Community Woodland Project and part of the land that is the subject of previous planning consents associated with this project.

There is a longstanding planning history on this site.

Members will be familiar with the most recent permission which was granted at appeal in 2009 for a temporary permission for mixed use of the land to allow for low impact living development incorporating sustainable agriculture and forestry, permaculture and education. This is a five year permission expiring on the 1 June 2014 and allows for a forestry school providing courses, retreats and activities for the public to attend.

PROPOSAL

The MoreFood Project is supported by a business plan, grant funding proposal and community questionnaire. There are a number of local partners.

The garden is proposed to incorporate demonstration areas principally in forest gardening, orchards, composting, traditional hedging, soil management, water management and biodiversity. It is also proposed to incorporate seven community allotments within the site.

The garden is proposed as a visitor and community space, as well as a venue for providing a series of educational programs. It is proposed to contribute to small scale local food production, retailing to the community.

Three structures are proposed on the land; these include an interpretation centre, wheelchair accessible composting toilet and polytunnel. With the exception of the polytunnel, these are timber structures which are proposed to be sourced from the woodland. The interpretation centre is proposed to incorporate information boards, a place for shelter, tool and produce storage. Revised plans for the composting toilet have been received to address concerns raised by a representative of Dartmoor For All.

A disabled vehicular access is also proposed along an existing steep access from the Wray Valley Trail to the western boundary of the site, providing a parking and turning area on the more level land above.

The applicants have applied for and been successful in achieving lottery funding for the project.

PRINCIPLE OF DEVELOPMENT / USE

The National Planning Policy Framework establishes a presumption in favour of sustainable development and promotes the diversification of agriculture and land based rural enterprises.

Policies COR18, COR19 and DMD43 support sustainable rural enterprises and recreation facilities based on the intrinsic qualities of the Park. Policy DMD43 requires such development to be satisfactorily accessed from the road networks or other sustainable modes of transport and not detract from the quality of life of local residents.

Policies COR1, COR12, DMD1 and DMD19 promote the social and economic well-being of Dartmoor's communities.

It is a material consideration that the activities proposed to be carried out on the land are within the remit of the 2009 permission. This is a temporary permission, however, which expires on the 1 June 2014.

The Inspector's reasons, at that time, for issuing a temporary permission were that whilst the community woodland project provided significant wider benefit as a demonstration of sustainable permaculture principles, the development would harm the character and appearance of the woodland.

VISUAL IMPACT AND LANDSCAPE CHARACTER

Policies COR1, COR4, DMD1, DMD3 and DMD5 set out objectives for conserving and enhancing the character and appearance of the Dartmoor National Park.

The site is located at the base of a wooded valley. Part of the land comprises a small conifer plantation and part of the land has been cultivated for growing food.

The proposed developments are light weight structures to be constructed of traditional materials, except for the polytunnel. The proposed developments will require the removal of a small number of trees but this will have a minimal impact on the character of the area. Whilst the proposed developments will change the character of the land, the visual impact will be low due to their proposed siting and the vegetation enclosing the site. The visual impact will be contained within the site with some glimpsed views from the proposed new access point into the site. This does depend however on retaining tree cover over the longer term. A suitable surfacing material would need to be considered for the proposed disabled access drive and it would be important to retain the boundary vegetation along the perimeter of the site. The Inspector in the previous appeal commented that a permanent presence on site would undoubtedly alter the character and appearance of the National Park and would be contrary to policy.

HIGHWAY SAFETY & NEIGHBOUR AMENITY

The proposed development is approximately 0.5km from the edge of the defined settlement boundary of Moretonhampstead (1.3km from the centre of this Local Centre). It is connected by the A382 and the newly completed section of the Wray Valley Trail and will enable sustainable modes of travel to, and from, the site in line with the objectives of policies COR21 and COR1.

It is acknowledged that some persons will travel by private car and there is existing parking provision within the ownership of the SCWP which allows for this.

Local residents are concerned that the proposal will conflict with the Safety Audit Agreement drawn up by Devon County Council. This agreement is understood to be independent of the planning conditions imposed by the Planning Inspector and was drawn up on completion of the Wray Valley Trail. This agreement requires marshals of SCWP to guide vehicles at the start and end of training event days to help reduce vehicle and cycle conflict.

This agreement does not limit the number or frequency of visitors to the site. This is controlled by the size of the parking area, which was agreed by planning condition. The Planning Inspector did not restrict visitor numbers or frequency, he imposed a condition requiring the layout parking area (for a maximum of 20 vehicles) to be submitted for approval and timetable for implementation. He acknowledged that the public would attend activities with or without

payment. No management agreement of this area is controlled through the planning permission.

The projected visitor numbers to the site are in excess of visitor numbers over the past year, although it is difficult to quantify exact numbers. The applicants state that persons visiting by vehicle will be by agreement only and that they will operate a permit system. Details of how such a permit scheme can be operated and enforced would need to be submitted.

There are local concerns raised about potential conflict with users of the Wray Valley Trail and impact on residential amenity. The Wray Valley Trail was not constructed at the time of the Inspectors decision; he was not aware of a detailed route or implementation programme. The first section of the trail has now been completed from Moretonhampstead to Steward Cottages.

This section of the Wray Valley Trail is now in operation and is material to the consideration of this application. Policies TF6 and DMD42 do not permit development which would increase vehicular traffic on footpaths to the detriment of their enjoyment by walkers unless there are over-riding social, economic or conservation benefits arising from the proposal. The existing activities of SCWT and associated traffic movements are permitted until 1 June 2014. The proposed development is likely to lead to an increase in traffic and therefore it is considered that a temporary permission, in tandem with the duration of the existing permission, would enable the Authority to monitor the impact of the development and any potential conflict with users of the Wray Valley and nuisance to neighbours in line with policies TF6, DMD42 and DMD4. Whilst it would not be normal to impose a temporary condition on building which are intended to have a longer life span, in this case the structures are light weight. In addition there is uncertainty regarding the project and the future of the community living on the site.

Furthermore, the applicants presently reside at Steward Wood and this adds to the sustainability justification for the Moorfood project being in this countryside location outside any settlement. If the applicants move off the land in June 2014 then there will be increased traffic of those persons running the project and courses traveling to and from the site with potentially more impact on Wray Valley Trail users and residential amenity.

The scale and nature of the developments proposed are such that a condition requiring their removal after a specified time, should a permanent permission not be forthcoming in the future, is not considered to be unreasonable. When asked about the potential for the main community being denied planning permission post 2014, the applicants have explicitly stated the Moorfood project would not be affected as there would be no need for a permanent on-site residential presence. This could however change should the project prove successful and no doubt the applicants may put such a case forward at a future date. A grant of approval should not be seen as supporting the continuance of the community beyond 2014.

OTHER ISSUES

There is potential for reptiles, breeding birds and dormice within the site. In order to limit disturbance to these protected species, and to comply with the objectives of policies COR7 and DMD14, vegetation clearance works need to be carried out between November and February and with a specific methodology for ground stripping works.

Objectors have expressed concerns about the proposed developments justifying the continuation of on-site residence into the future. This however is not a matter for consideration under this application, which needs to be assessed on it's own merits at a later date.

CONCLUSIONS

The proposal meets with some of the social, economic and sustainability objectives of planning policy and is well connected with the Wray Valley Trail to offer sustainable modes of travel and accessibility.

Officers consider that a temporary permission would be appropriate in terms of sustainability considerations and to enable the Authority to monitor the impact on the Wray Valley Trail and neighbour amenity. The proposed structures will have some impact on landscape character but the visual impact will essentially be contained within the site. There will also be a need to properly test the business by imposing strict limits on the length of the planning permission both in terms of implementation, end dates, and submission of properly audited accounts on an annual basis. When, and if, a future application is then made to make the use permanent the Authority will be in a better position to judge the success or otherwise of the project.

Reason for Recommendation

The development is consistent with the provisions of the Development Plan and government advice (and material considerations do not indicate otherwise) in particular;

Policies CO2 and CO10 of the Devon Structure Plan 2001 to 2016
Policies COR1, COR2, COR4, COR7, COR12, COR13, COR18 and COR19 of the Dartmoor National Park Authority Core Strategy Development Plan Document
Policies DMD1, DMD3, DMD4, DMD5, DMD34 and DMD43 of the Dartmoor National Park Authority Development Management and Delivery Development Plan Document Publication Version
English National Parks and the Broads UK Government Vision and Circular 2010
National Planning Policy Framework 2012

The development complies with the adopted Dartmoor National Park Authority Core Strategy Development Plan Document for the following reasons;

COR1 – It will promote the health, social and economic well-being of the community. It will have some impact on landscape character but this will not harm the quality of the wider landscape. It will be accessible to the public via cycle and foot.
COR2 – It is a rural diversification initiative related to the existing Steward Wood Project.
COR4 – It demonstrates a scale and layout appropriate to the site and surroundings and will not have a detrimental impact on local landscape character. External materials are appropriate to the local environment and are to be locally sourced. It will provide an accessible development.
COR7 – It will maintain biodiversity interests.
COR12 – It will help to improve the range of community facilities essential to the vitality of Dartmoor's communities.
COR13 – It will meet high standards of accessibility design.
COR18 – It is the small scale development of an existing rural initiative which will provide a recreation enterprise based on the intrinsic qualities of the Dartmoor National Park.
COR19 – It is a tourism project that will respect the special qualities of the National Park

The development complies with the emerging policies of the Policy DMD8 of the Dartmoor National Park Authority Development Management and Delivery Development Plan Document Publication Version for the following reasons;

DMD1 - It will promote the understanding and enjoyment of special qualities of the National

Park and foster the social and economic well being of the community.

DMD3 – It reflects the principles set out in the Design Guide.

DMD4 – A temporary permission is proposed to enable the Authority to monitor the impact on the residential amenities of neighbouring occupiers.

DMD5 – It will conserve the character of this part of the Dartmoor National Park landscape and will not harm the wider landscape.

DMD34 – It will not harm biodiversity interests, demonstrates a scale well related to its function and is located to reduce visually intrusive effects.

DMD43 – It will promote the enjoyment and understanding of the special qualities of the National Park. It will be satisfactorily accessed from the road network and sustainable travel modes and a temporary permission is proposed to monitor traffic levels, safety and impact on residential amenity.
