

IDE PARISH COUNCIL

5th February 2024

To: Teignbridge District Council Planning Department

Appeal Ref: **23/00054/REF**

The planning committee of Ide Parish Council have inspected and reviewed applicant's appeal against refusal of retrospective planning permission on Round Field **22/00826/FUL**. For the formation of a yard for the storage of machinery and construction materials and the siting of 14 secure storage containers and associated landscaping on land at NGR 290810, 090383 (Round Field)

Summary for grounds of refusal where:

- It's in designated countryside
- It's in a designated **AGLV**
- Prominent position next to A30
- Fails to conserve and enhance the qualities, character and distinctiveness of the locality
- Contrary to sustainable development, quality development, landscape protection and enhancement, and rural employment in the **Local Plan 2013-2033**, and against **Ide Neighbourhood Plan IDE07** and **IGEA**

We have reviewed their appeal statement and our comments are as follows;

At various points in their appeal document they refer to Ide Lane, where this should be Ide Village Road **(2.1, 2.2, 2.3)**

2.5 - *"It should be noted that the site was, prior to its current use, used by the highway authority Devon County Council for the purposes of the storage of equipment and construction materials associated with recent improvement works to the nearby A30/A377 roundabout. "*

2.6 - *"While it is understood that this was permitted development under the provisions of Part 9, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015, it is important to the use of the site. "*

It is important to emphasise that the use of Devon CC highways vehicles was a temporary arrangement lasting for a few months. This arrangement was always intended to be temporary, serving as a convenient and expedient location to store equipment for the Alphington Junction roundabout project. All items were promptly removed upon the completion of the project.

4.1 - *"The proposal does not have an adverse impact on the rural character of the Village entrance, its approaches along the C50 (Ide Village Road) or the A30."*

It undeniably negatively affects the rural ambiance of the village, particularly impacting the historic

Crabb Lane and its noteworthy junction with Ide Village Road. This observation is evident given that the current application is retrospective, meaning the site has already been utilised in a manner that showcases its impact.

4.2 - *“The existing and proposed landscaping provisions and topography means that the development will not result in any adverse impact on the existing rural character of the area.”*

The landscaping does not nullify the commercial industrialisation of the field.

6.5 - *“Policy S1A Presumption in favour of Sustainable Development outlines that the LPA, in line with the NPPF, will take a positive approach when determining proposals, working proactively with applicants to find solutions in order to secure development which improves the economic, social and environmental conditions of the area”*

The development fails to enhance the economic, social, and environmental conditions of the area.

6.7 - *“Policy S22 Countryside confirms that the areas outside the defined settlement limits is classified as open countryside and that in such locations development will be strictly managed. The policy confirms that amongst other uses, the following will be suitable for such locations:...agricultural, forestry, equine, industry, business, warehousing, retail, leisure and tourist uses...”*

Ide Neighbourhood Plan (NP) restricts the broader provisions of Policy S22 Countryside of TDC Local Plan 2013-2033.

6.10 - *“Policy EN2A Landscape Protection and Enhancement relates to protecting and enhancing the area’s landscape, ensuring that development will be sympathetic to and help to conserve and enhance the natural and cultural landscape character of Teignbridge, in particular the designated Areas of Great Landscape Value and the setting of Dartmoor National Park. Amongst other provisions, the policy requires development to conserve and enhance the qualities, character and distinctiveness of the locality and maintain landscape quality and minimise adverse visual impacts through high quality building and landscape design”*

6.11 - *“Policy IDE07 Ide Gateway Enhancement Area advises that proposals for development within the Ide Gateway Enhancement Area (as identified on Map 6) will only be supported if they do not have an adverse impact on the rural character of the Village entrance or its approaches along the C50 (Ide Village Road)”*

The elements outlined in **Policy EN2A** are the exact ones highlighted by the planning officer in denying permission. The site has been damaged due to its unlawful use, which was initially intended to be temporary for Devon County. This contravenes the planning temporary permission, and the continued use and degradation of the site along with the negative impact on the site entrance, have intensified, contravening the Ide Gateway Enhancement Area policy **IDE07**.

7.0 - *“Amplification of the appellants grounds for appeal”*

Regarding Ide NP, they would need to submit a new application with the specified conditions for hedgerows and lighting if they are willing to make changes. The appeal process is limited to the current submission and the officer's remarks.

As for the entrance way, Ide NP does not explicitly mandate "new" entrances but focuses on the usage and character of the entrance. Since Devon CC and the current user have utilised the entrance, it has deteriorated, presenting an unwelcoming and neglected appearance. It now resembles a poorly maintained truck layby on the A14, with potholes and commercial vehicles occupying the space.

This situation goes against **IDE07** policy due to its detrimental impact on the village's rural character at the entrance. This impact is evident through the industrial use of the field, the approach along Ide Village Road, and the condition of the entrance from Ide Village Road.

7.2 - *"The officers report states that the proposal is clearly visible from the A30 where it will be viewed by passers-by. However, the location of the site is on the eastern side of the approach road from Ide where the approach road joins onto the A30. "*

It's visible from both carriageways of the A30, in particular from the eastbound Exeter exit from the A30, when traffic is travelling slower.

7.3 - *" The speed limit for the A30 is 70mph, and therefore, it is considered that vehicles and passengers will only catch slight glimpses of the containers from the road. There are no pedestrian links close to the appeal site, from where the view of the appeal site would be prominent to walkers or cyclists. "*

Crabb Lane serves as a cycle and walking path for local residents, making the site prominently visible and adding to its significance in the community.

7.11 - *"It is also recognised that the site is situated within the AGLV. However, as mentioned in the previous planning statement, the LPA have recognised through the course of the ongoing review of the Local Plan (see Appendix 1 Issues Consultation Dated May to July 2018), this is an example of a 'blanket designation' that covers half of the district and is poorly supported by up-to-date evidence. "*

Half of the district is encompassed by an AGLV, showcasing our residence in one of England's most picturesque regions. The extensive coverage of the district does not diminish the value of the AGLV.

7.14 - *" It is crucial to note that the refusal of the planning application based on the location within the open countryside and adjacent to the A30 contradicts the proposed submission Local Plan's policy EE1-Markham Village."*

7.15 - *" Although only published October 2023, the document may be considered as having minimal weight, however, it shows a clear direction of travel that the LPA are taking in the appeal location."*

The Markham Village proposal is outlined in the proposed submission Local Plan 2020-2040, which is yet to be published, let alone adopted, and has not undergone public examination. Whether Markham Village will be included in the final plan remains uncertain.

If Markham Village becomes a part of the Local Plan 2020-2040, Crabb Lane is slated to become a crucial pedestrian/cycle route from Markham to Exeter, as suggested by the Exeter Local Cycling and Walking Infrastructure Plan (LCWIP). This transformation would necessitate signalling, upgrading, and protection against plant and heavy commercial traffic. In such a scenario, the use of Crabb Lane by the applicant's vehicles would be even more unsuitable than its current state.

7.16 - *"As stated in this proposed plan, Markham Village is intended to be a small new*

village situated within the green surroundings between villages of Ide and Shillingford Abbot. It will sit on the western edge of Exeter, west of Alphington and the A30. This implies that the surrounding area is designated for development and supports the creation of a new village. “

Similar to our remarks on **7.14** and **7.15**, the Markham Village proposal is detailed in the upcoming submission of the Local Plan 2020-2040, which is still awaiting publication. Notably, the proposed plan does not designate any other areas in the vicinity for development.

7.17 - *“The planning officer’s refusal, citing the open countryside and proximity to the A30, fails to acknowledge the future land use plans outlined in the proposed local plan. Therefore, this appeal should be considered in line with the local plan’s vision for Markham Village and the potential for development in the surrounding area. ”*

Once more, the proposal for Markham Village is delineated in the forthcoming submission of the Local Plan 2020-2040, currently pending publication, adoption, and public examination. The inclusion of Markham Village in the final plan remains uncertain, and thus, it cannot be employed as justification for the appeal.

The assessment and commentary on this appeal must be based solely on existing, adopted plans in effect, rather than plans that are yet to be formulated and adopted.

7.19 - *“It is important to consider the historical use of the appeal site. The site was formerly used by the highway authority, Devon County Council, for the temporary storage of equipment and construction materials whilst recent improvement works were carried out to the nearby A30/A377 roundabout. “*

The historical usage is immaterial. As outlined in sections **2.5** and **2.6**, the utilisation of Devon CC does not set a precedent for acquiring substantial planning permission. Its intent was temporary, functioning as a storage area for a precisely defined and limited duration.

7.20 - *“Therefore, continuing to use the site for storage of equipment while enhancing the screening and biodiversity is a betterment compared to allowing the site to become derelict and vacant”*

The site was not destined to remain derelict and vacant, nor is there a necessity for it to be so once the current user departs. It was initially utilised as a paddock for horses, in conjunction with the rest of the Round Field, until the arrival of Devon CC plant equipment. It can easily revert to its previous use as a paddock for horses.

7.21 - *“Moreover, the proposal is for a change of use of the existing agricultural land to commercial use to form a yard area in order to store the equipment used by the company. There is existing access, which is large enough to accommodate vehicles in and out of the site, but this will be widened to create better visibility for road users.”*

Expanding the entrance width will only exacerbate these issues. This situation is in violation of **IDE07** policy, as it adversely affects the rural character of the village entrance. The detrimental impact is evident in the industrial use of the field, the approach along Ide Village Road, and the condition of the entrance from Ide Village Road.

As stated before, this contravenes the temporary planning permission, and the ongoing utilisation and degradation of the site, along with the negative impact on the entrance, have intensified, thereby conflicting with the Ide Gateway Enhancement Area policy **IDE07**.

Ben Ervine

Chair, Ide Parish Council Planning Committee