

		Committee Date: 10.02.2015 (Site Inspection Date: 20.02.2015)
Raleigh (COLATON RALEIGH)	14/2310/FUL	Target Date: 20.11.2014
Applicant:	RSPB	
Location:	R S P B Hawkerland Brake Barn	
Proposal:	Siting of a log cabin for residential education and training for volunteers (Class C2) with office and meeting room and associated parking, sewage treatment plant and biomass boiler	

RECOMMENDATION: Refusal

UPDATE REPORT

This report forms an update to the report prepared for and originally considered at the Development Management Committee Meeting on the 10 February 2015. The report addresses revisions to the Habitat Regulations Assessment and the resulting recommendations previously published following a confirmed offer by the applicant of proposed mitigation for the impact on the European designated environments.

REVISED HABITATS REGULATIONS ASSESSMENT

Introduction

The site is located in the countryside close to the East Devon Pebblebed Heaths Special Area of Conservation, the East Devon Heaths Special Protection Area and the Exe Estuary Special Protection Area and Ramsar site, which are European Wildlife Sites. The sites are also notified at the national level as Sites of Special Scientific Interest.

Potential Impacts on Heathland

Although the volunteers would be actively involved in the management of the Pebblebed Heaths, that role would not prevent or discourage them from using the Pebblebed Heaths for recreational purposes and having adverse effects on wildlife by, for example, disturbance or trampling. Even though they would be aware of the effects of recreational use, it is unlikely that they would avoid such activity at the site or that their recreational use would completely avoid the adverse impacts.

In addition the development would also make available existing accommodation for use by others resulting in a net gain of available accommodation affecting the Heathland.

Potential impacts on the Exe Estuary

The main way in which the Exe Estuary could be affected by the proposed development is through disturbance of wildlife caused by activities such as walking, cycling, activities on the mudflats, bait digging, kitesurfing and canoeing. The volunteers would be as likely to take advantage of the Exe Estuary as any resident of a new dwelling in the catchment area and therefore the development would be likely to result in disturbance to wildlife.

In a similar way to the Heathland it is also recognised that the net gain in accommodation as a result of the proposal would also lead to increased pressures on the environment.

Potential for Mitigation

In recognition of the effects of broader housing and tourism growth around the Pebblebed Heaths and the Exe Estuary, East Devon District Council, Exeter City Council and Teignbridge District Council, in partnership with Natural England, have adopted a Joint Approach to avoid and mitigate recreational impacts. This is based on the South East Devon European Site Mitigation Strategy (SEDEMS).

Funding for the measures set out in the report is secured by seeking financial contributions from every new qualifying development in accordance with the charging schedule in the report. For the development proposed at Hawkerland Brake Barn the contribution would be a one-off payment of £749.

Conclusion

The applicants have agreed to make the identified one off payment of £749 and therefore address the mitigation measures identified within the SEDEMS report. As a result and in accordance with the previously adopted position of this Council it can therefore be concluded that the proposed development would be unlikely to give rise to any significant effects on the Pebblebed Heaths or the Exe Estuary.

As a consequence recommendation 1 of the original report is no longer required and recommendation 2 is varied to remove the fourth reason for refusal. For clarity the resulting revised recommendation is set out below:

RECOMMENDATION

REFUSE planning permission for the following reasons:

1. In the absence of an essential need for volunteers to live at the site, the proposed living accommodation would represent unjustified development in the countryside which is located away from necessary services and facilities. The proposal would therefore be contrary to guidance in the National Planning Policy Framework, policies S5 (Countryside Protection) and H8 (Dwellings for

Persons Employed in Agriculture or Forestry) of the adopted East Devon Local Plan and Strategy 7 (Development in the Countryside) and policy H4 (Dwellings for Persons Employed in Rural Businesses) of the submitted New East Devon Local Plan.

2. The increased use of the access onto the Public Highway resulting from the proposed development would, by reason of the limited visibility from and of vehicles using the access, be likely to result in additional dangers to all users of the road contrary to paragraph 32 of the National Planning Policy Framework, policy TA7 (Adequacy of Road Network and Site Access) of the adopted East Devon Local Plan and policy TC7 (Adequacy of Road Network and Site Access) of the submitted New East Devon Local Plan.
3. The proposed development would be likely to result in an increase in the volume of traffic turning right into the site at a point where inadequate forward visibility from and of such vehicles is available with consequent risk of additional danger to all users of the road contrary to paragraph 32 of the National Planning Policy Framework, policy TA7 (Adequacy of Road Network and Site Access) of the adopted East Devon Local Plan and policy TC7 (Adequacy of Road Network and Site Access) of the submitted New East Devon Local Plan.