

Holcombe Rogus Parish Council

14th May 2018

Mid Devon District Council,
Planning Services,
Development Management
Phoenix House, Phoenix Lane
Tiverton, Devon
EX16 6PP

By email to devcon@middevon.gov.uk

cc Alison Fish

Dear Sir/Madam

Planning Applications

18/00563/FULL- Elder Farm, Greenham Reach

18/00564/FULL- Wild Geese Acres, Greenham Reach

18/00565/FULL- Steepholding, Greenham Reach

Removal of planning conditions relating to the siting of temporary agricultural workers dwellings for a period of five years under planning permissions granted on Appeal under the following references;

Elder Farm -Ref APP/Y1138/A/12/2181808

Wild Geese Acres- Ref APP/Y1138/A/12/2181821

Steepholding -Ref APP/Y1138/A/12/2181807

Dear Sir/Madam

I write on behalf of Holcombe Rogus Parish Council with the Council's comments on the above applications which are in similar form.

1. Our Council is generally supportive of the Ecological Land Co-operative's (ELC) project at Greenham Reach. Much work has clearly been done to develop this type of low impact living.
2. The planning condition which ELC seeks to have removed in these Applications is as follows;

'When the temporary dwelling hereby permitted ceases to be occupied by persons specified in condition 4 above [condition 3 for Plot C], or on the date 5 years from the date of this decision letter, whichever is the sooner, the dwelling shall be removed and the land restored to its former condition, in accordance with a scheme of work which has first been submitted to and approved in writing by the local planning authority'

Condition 4 [Condition 3 for Plot C] of the planning permissions provides as follows:

' The occupation of the temporary dwelling hereby permitted shall be limited to persons solely or mainly employed in the agricultural business operated on Plot [A/B/C as the case may be] or a widow or widower of such a person, together with their spouse or partner and any resident dependents.'

It will be noted this condition has two limbs; the first relating to the occupancy of the relevant dwelling and the second relating to the temporary period of five years from the date of the original permission. Whilst our Council does not object to the removal of the temporary five-year period (subject to what is said elsewhere in this letter) it is not considered appropriate to remove the occupancy requirement in the Condition that ELC seeks to have removed. It seems to the Council that it is a fundamental part of the carefully constructed regime established by ELC that occupancy is limited to the activities being carried on in a particular plot supported by ELC and in accordance with the specific requirements set out in the Management Plan. Once the occupancy requirements can no longer be satisfied this removes the rationale for allowing the relevant dwelling(s) at Greenham Reach.

3. The Council are concerned about the proliferation of caravans on the site. If planning permission is granted it is considered that a condition should be imposed to secure the removal of temporary caravans. Generally a condition should be imposed to secure the proper screening of buildings/structures that might have adverse visual impact.

4. The three current applications are, it is understood, made pursuant to Section 73 of the Planning Act 1990 (as amended) and as such will, if granted, lead to the grant of new planning permissions that sit alongside the original permissions. Accordingly, MDDC will, as the Council understands it, need to review all current conditions. Furthermore a new Section 106 Agreement will be required with the three tenants joining in the Agreement.

5. We note that the current Section 106 Unilateral Undertaking relates to the whole site including communal areas whereas the current applications relate only to the three tenanted plots. The Council is unclear as to how the current Applications will impact on planning position for the site as a whole and the maintenance of the carefully thought out regime established by ELC.

6. The Council has some concerns about the enforceability of condition 9 of the current planning permissions for Plots A and B and condition 8 for Plot C.

This condition provides as follows:

' If Plot (.) should be amalgamated with the Plot (.) or Plot (.) or both of them, so as to constitute one holding, only one temporary dwelling shall be permitted to remain on the amalgamated site and the other(s) shall be removed from the land within six months of the date that the amalgamation of the plots occurred, in accordance with a scheme of work which has first been submitted to and approved in writing by the local planning authority.'

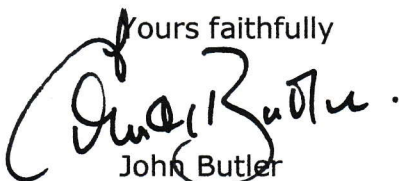
We would like the opportunity to consider this further with MDCC.

7. The Council has no information as to the viability of the three holdings at Greenham Reach and accordingly cannot comment on the sustainability of current operations.

8. In considering the current applications MDCC will no doubt consider the impact of planning permissions granted subsequent to permissions granted on Appeal.

We would welcome the opportunity to discuss any issues raised in this letter with MDCC if this is considered helpful.

Yours faithfully



John Butler
Chairman
Planning Committee
Holcombe Rogus Parish Council

[Note: Any written response to be sent to Leslie Findlay, the Clerk to Holcombe Rogus Parish Council clerk@holcomberogus-pc.gov.uk]