

SDNPA Planning Committee – 10 December 2020

Update Sheet



Agenda Item	Page No	Para	Update	Source/Reason
7	N/A		<p>The following questions have been raised by a Member of the committee;</p> <p>Q.1 - The Planning Inspector in the 18th November 2019 decision states at para 13 that the creation of benches, tables, post and rail fences together with timber framing and bus shelters goes beyond what is ancillary to lawful forestry activities. So is this application in effect an application for extension of use from forestry to light industrial (subject to the conditions)?</p> <p>A - I would classify this as a supplementary use to the commercial forestry rather than light industrial, so a sui generis mixed use.</p> <p>Q.2 -Para 8.8 of the Report says that the applicant proposes to use the existing buildings (that were constructed under prior notification approval for forestry activities within the site) for the proposed purpose. If this application is granted, could permitted development rights subsequently apply to facilitate a change of use of the buildings from light industrial to dwelling house (Class PA)?</p> <p>A - As the use would be a sui generis mixed use of commercial forestry and supplementary timber framing, it would not be accorded such rights under PD. Also a PD change of use requires that there is little change to the external structure of the building. As the existing structures could not be converted to residential dwellings without significant alteration, I consider that this would be another reason that such a conversion would fall outside of the permitted development tolerances.</p> <p>Q.3 - With regard to Condition 2 under para 10, it says: “The development hereby permitted shall be carried out in accordance with the plans listed below...” There are no plans listed below. Has something been omitted?`</p> <p>A - This is a standard condition and we do not usually include the plans listed within the committee report.</p> <p>Q.4 - At para 4.7, last bullet point, there is reference to the application being relevant and providing extensive opportunities to achieving Outcome 2 of the SDPMP i.e. “Improve the resilience and quality and quantity of trees and woodlands in the National Park and ensure the right tree is planted in the right place.” Should this not be secured by a condition requiring the submission by the applicant of a replanting scheme for approval by the SDNP?</p>	Member questions.

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			A - I think that this could be a matter for consideration by Members but I would say that the wider site is subject to an approved Landscape and Ecological Management Plan that is ambitious in its retention and maintenance of restored Heathland within the site. This application is a minor application on the back of the commercial forestry use that is the existing permanent use of the site. The conditions in this instance seem to be reasonable and directly relatable to this small scale operation.	
7	9	N/A	The Executive Summary states that were three reasons for the 2017 refusal. This is incorrect insofar as it was the 2016 application that had three reasons for refusal and the 2017 application had one reason for refusal. The details of both applications are included within the relevant planning history section of the report.	Member comment
7	14	5.1	Additional objection received, summarise as follows; <ul style="list-style-type: none"> • Never had any problems here until applicant purchased the Dangstein Country Estate and started the slash and burn forestry work. • Terwick Common hamlet now has three new entrances from Dangstein common land on to Terwick Lane and Fyning Lane where there never were any before, the public were never given the opportunity to object which is cause for considerable concern and biased against local residents • Concern that planning enforcement will never be able to police the activities being carried out at the Dangstein Estate. The Enforcement Department has previously shown itself to be ineffective in respect of the activities being carried out on the Dangstein Estate without the required planning consent. 	Additional representation
8	N/A		The following questions have been raised by a Member of the committee; <p>Q.1 - Concerned about the traffic situation of entry and exit from the site. The grain lorries will have to cross the carriageway in the face of oncoming traffic on a 60mph road.</p> <p>A - In terms of this application I have received comments from the Highway consultee and they raise no objection following the submission of additional information.</p> <p>Q.2 - Has the impact from the grain dryers in term of noise impact on the adjacent cottages been assessed?</p> <p>A - Environmental Health have assessed the noise from the grain dryer and raise no objection.</p>	Member questions.
8	44	4.5	Updated consultee response from Environmental Health following the submission of an additional noise report: <ul style="list-style-type: none"> • Having read the noise assessment submitted by Ian Sharland Ltd, now satisfied that all the potential noise impacts have been suitably assessed. It is noted that the predicted noise impact on the nearest residential dwellings is negligible and therefore, no objections to make to the proposals. 	Updated consultee comment

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8	41 & 54	Recommendation and 10.1	That planning permission be granted subject to the conditions set out in paragraph 10.1 and the additional condition as included within the update sheet to Members.	Updated recommendation
8	59	N/A	<p>Additional condition;</p> <ul style="list-style-type: none"> • 21. The site shall operate at all times in accordance with the hereby approved Assessment of Noise Impact version. 2 submitted 30 November 2020, unless otherwise agreed in writing by the Local Planning Authority. <p>Reason: To ensure a satisfactory development and in the interests of the amenity of the area.</p>	Additional condition