

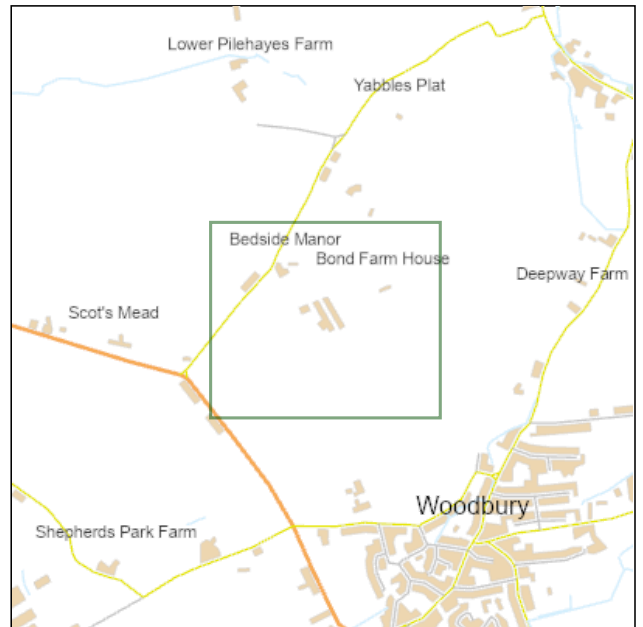
**Ward** Woodbury And Lymptone

**Reference** 22/2719/FUL

**Applicant** Misters M and C Tanton

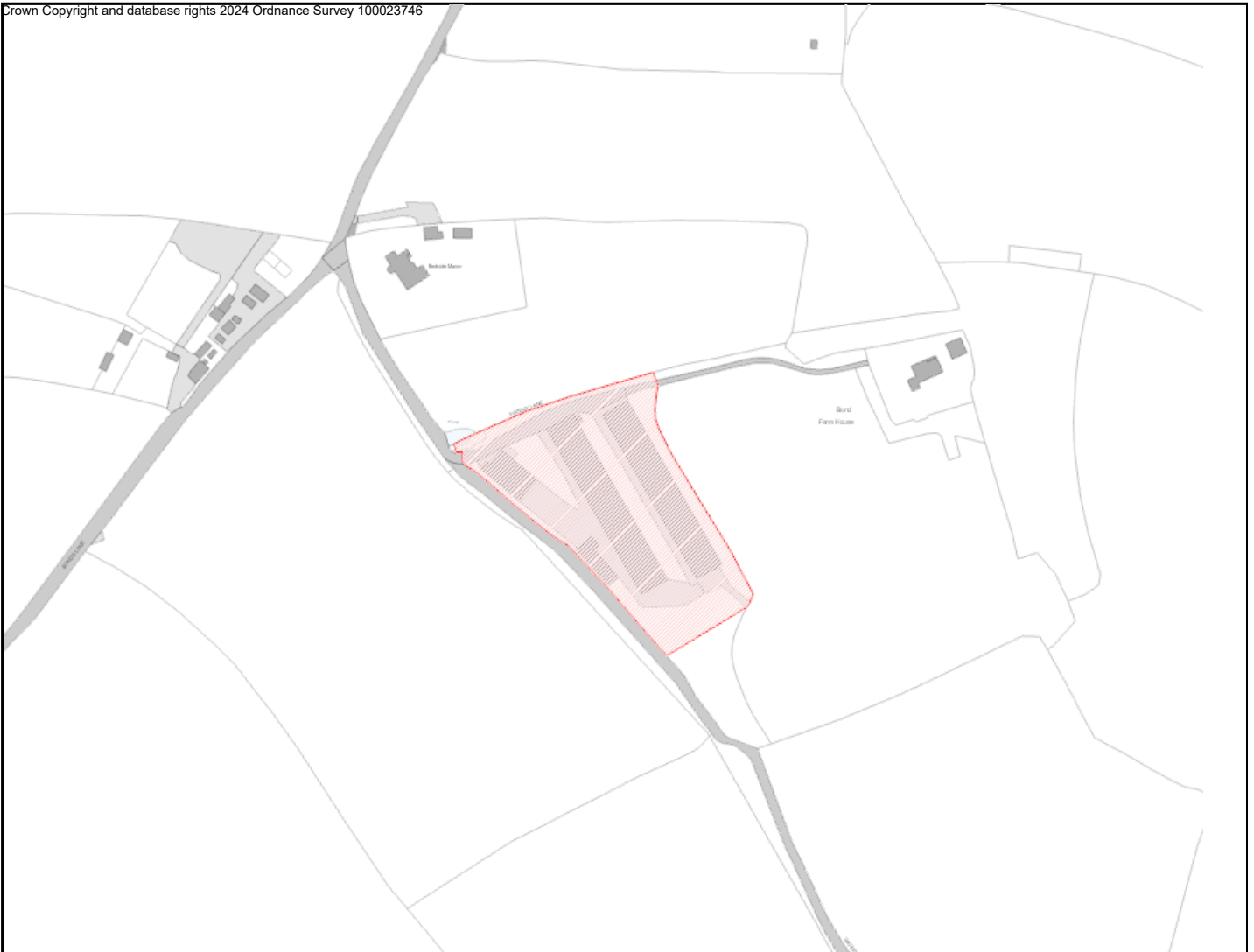
**Location** Stables And Premises Bond Lane Farm Bonds Lane Woodbury Salterton

**Proposal** Change of use from poultry farm to industrial (Use Class E(g)) and storage (B8).



**RECOMMENDATION: Approval with conditions**

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		<b>Committee Date: 21.05.2024</b>
<b>Woodbury And Lympstone (Woodbury)</b>	<b>22/2719/FUL</b>	<b>Target Date: 17.02.2023</b>
<b>Applicant:</b>	<b>Misters M and C Tanton</b>	
<b>Location:</b>	<b>Stables And Premises Bond Lane Farm</b>	
<b>Proposal:</b>	<b>Change of use from poultry farm to industrial (Use Class E(g)) and storage (B8).</b>	

**RECOMMENDATION: Approval with conditions**

### **EXECUTIVE SUMMARY**

**This application is before Members as the Officer recommendation is contrary to the views of a Ward Member and the Parish Council.**

**The site concerns a former chicken farm and stables within a rural setting in the countryside. It lies over 1km as the crow flies to the north west of the closest part of Woodbury. It is further by road and also on foot via the PRow (Watery Lane, Woodbury Footpath 5), as the PRow runs from the nearest point in Woodbury, past the site and pedestrians have to then walk up the drive. The access track rises gently from north to south, curving eastwards into the site, where the land rises gently from west to east.**

**The proposal seeks a change of use from poultry farm to industrial (Use Class E(g)) and storage (B8).**

**Building 1 Poultry Building to storage pods  
 Building 2 Retained and unused  
 Building 3 Stable Block to Storage and workshop for local builder  
 Area 4 Exterior area used for storage of plant and scaffolding  
 Building 5 Storage Barn used for various storage areas within**

**The key policies surrounding the principle of the use are Strategy 7 Development in the Countryside and D8 Re-use of Rural Buildings Outside of Settlements. The key transport policies are TC2 Accessibility of New Development, and TC7 Adequacy of Road Network and Site Access, considered in detail below. Other policies are also relevant to considerations including D1 and EN14.**

**The proposal represents the economic re-use of former buildings that are no longer required for the poultry business that occupied the site, the B8 use and**

**E(g) use would assimilate well into the surrounding without having a severe impact on the local highway network through the change in character of traffic attracted to the site.**

**Restrictive conditions would control the long term use and on site lighting and ventilation/noise mitigation inside the proposed work units.**

**Accordingly, in the absence of any detrimental impacts and compliance with local and national planning policy the proposal is recommended for approval subject to conditions.**

## **CONSULTATIONS**

### **Local Consultations**

#### **Parish/Town Council**

Woodbury Parish Council does not support this application as there is still insufficient information on which to base a judgment. It appears that the only new information is the Transport Assessment, which, although lengthy, seems to add little clarity to the application. Also, the site could potentially be bordered on two sides by a proposed multi use footpath/cycle way which needs a far more detailed traffic assessment for that specific site.

The TRICS output information also appears to reference an address in the West Midlands.

#### **Woodbury And Lympstone - Cllr Geoff Jung** 22/2719/FUL

I have viewed the further information documentation for 22/2719/FUL for the change of use from poultry farm to industrial (Use Class E(g)) and storage (B8) at the Stables and premises Bond Lane Farm Bonds Lane Woodbury Salterton. The information provided was a Highway Statement. Seeing the location is along a narrow Devon Lane, and the permission requires the change of use from agriculture to industrial and storage, but the tenants are as yet unknown, and therefore I cannot see how a comprehensive highway prediction can be estimated. Therefore, I cannot support this application due to the rural location which is unsuitable for industrial and storage use.

However, I reserve my final views on this application until I am in full possession of all the relevant arguments for and against.

### **Technical Consultations**

#### **County Highway Authority**

The CHA gratefully receives the Transport Assessment, and acknowledges there is no recorded collision data within the vicinity of this site, within our current rolling reference period, January 2018 - December 2022. The CHA has also reviewed the Transport Assessment trip generation data and accepts that there will be no HGV trip

generation intensification over that of the existing benchmark position of the existing permitted poultry farm.

### Environmental Health

No objections subject to conditions

### Other Representations

Three representations have been received as a result of this application raising the following issues:

- Lack of detail;
- Increase in traffic;
- Noise on residents and wildlife;
- Impact on wildlife that has only recently returned to the site;
- Roads are not suited to these uses.

### **PLANNING HISTORY**

<b>Reference</b>	<b>Description</b>	<b>Decision</b>	<b>Date</b>
20/2424/PDQ	Prior approval for proposed change of use of existing poultry building to 3 no. larger dwellinghouses and 2 no. smaller dwellinghouses (use class C3) and associated operational development under Class Q(a) and (b)	PDQB Prior Approval refused  Appeal dismissed	14.01.2021
00/P0827	Removal Of Factory Farm Buildings & Erection Of Dwellings & Alterations To Access	Refusal  Appeal dismissed	27.06.2000
10/0494/COU	Change of use of redundant agricultural building to private horse stabling	Approval with conditions	09.04.2010

### **POLICIES**

#### Adopted East Devon Local Plan 2013-2031

Strategy 3 – (Sustainable Development)  
 Strategy 5 – (Environment)  
 Strategy 5B – (Sustainable Transport)  
 Strategy 7 (Development in the Countryside)

Strategy 46 (Landscape Conservation and Enhancement and AONB's)  
Strategy 47 – (Nature Conservation and Geology)  
D1 (Design and Local Distinctiveness)  
D7 (Agricultural Buildings and Development)  
D8 (Re-use of Rural Buildings Outside of Settlements)  
D3 (Trees and Development Sites)  
E5 – (Small Scale Economic Development in Rural Areas)  
EN5 (Wildlife Habitats and Features)  
EN14 (Control of Pollution)  
TC2 (Accessibility of New Development)  
TC7 (Adequacy of Road Network and Site Access)

### Government Planning Documents

NPPF (National Planning Policy Framework 2023)  
National Planning Practice Guidance

## ANALYSIS

### **Site and Surroundings**

The site is a former chicken farm and stables within a rural setting in the countryside. It lies over 1km as the crow flies to the north west of the closest part of Woodbury. It is further by road and also on foot via the PRow (Watery Lane, Woodbury Footpath 5), as the PRow runs from the nearest point in Woodbury, past the site and pedestrians have to then walk up the drive. The access track rises gently from north to south, curving eastwards into the site, where the land rises gently from west to east.

The location is c. 4km north of the northern outskirts of Exmouth and c. 6 km south east of the south eastern edge of Exeter/ c. 10km from the centre.

The site is served off an unclassified rural lane and via a private drive, which abuts the private access to the nearest residential neighbour 'Bedside Manor'. The PRow, which runs along the western boundary of the site and site access lane, also exits onto the lane, such that the PRow, site access and residential access all converge in close proximity at the junction with the public highway.

The area is rural in character, with sporadic built development. On the site, the two main poultry buildings are large, long, low structures, appearing towards the end of their useful life. They and the other buildings appear in generally poor condition.

### **Proposal**

The proposal seeks a change of use from poultry farm to industrial (Use Class E(g)) and storage (B8).

The proposed site plan shows:

Even though the description of development is for the change of use from poultry farm to industrial (Use Class E(g)) and storage (B8) with no specified end user, a plan accompanying the application includes reference to:

Building 1 Poultry Building to storage pods  
Building 2 Retained and unused  
Building 3 Stable Block to Storage and workshop for local builder  
Area 4 Exterior area used for storage of plant and scaffolding  
Building 5 Storage Barn used for various storage areas within

The application has been amended during its determination as originally submitted it was proposed to demolish building 2 and replace it with open storage of boats and caravans, the visual impact of this was considered to be unjustified in policy terms and its impacts would be unacceptable visually; this building would now be retained.

## Analysis

The main issues are considered to be the principle of development having regard to sustainable development and local plan policies and national guidance surrounding protection of the countryside, character considerations, highways matters, the rural economy and amenity considerations.

## Principle of Development

The proposal is evaluated against local plan policies and national guidance.

The National Planning Policy Framework (PPF) advises that in achieving sustainable development the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives): an economic objective - to help build a strong, and competitive economy, by ensuring sufficient land is available in the right places at the right time to support growth; a social objective - to support strong, vibrant and healthy communities, by fostering well-designed, beautiful and safe places, with accessible services that reflect current and future needs and support communities' health, social and cultural well-being; and an environmental objective - to protect and enhance the natural and built environment, including making effective use of land, improving biodiversity and minimising pollution.

The key policies surrounding the principle of the use are Strategy 7 Development in the Countryside and D8 Re-use of Rural Buildings Outside of Settlements. The key transport policies are TC2 Accessibility of New Development, and TC7 Adequacy of Road Network and Site Access, considered in detail below. Other policies are also relevant to considerations including D1.

Under strategy 7 the site is within the countryside (defined as all those parts of the plan area that are outside the Built-up Area Boundaries/ site specific allocations on the Proposals Map), where development will only be permitted where it is in accordance with a specific Local or Neighbourhood Plan policy that explicitly permits such development - and where it would not harm the distinctive landscape, amenity and environmental qualities within which it is located including:

1. Land form and patterns of settlement.

2. Important natural and manmade features which contribute to the local landscape character, including topography, traditional field boundaries, areas of importance for nature conservation and rural buildings.
3. The adverse disruption of a view from a public place which forms part of the distinctive character of the area or otherwise causes significant visual intrusions.

In this instance, the relevant local plan policy is D8 - Re-use of Rural Buildings Outside of Settlements. Under policy D8, the re-use or conversion of buildings in the countryside outside of Built-up Area Boundaries will be permitted where a number of criteria are met:

1. *The new use is sympathetic to, and will enhance the rural setting and character of the building and surrounding area and is in a location which will not substantively add to the need to travel by car or lead to a dispersal of activity or uses on such a scale as to prejudice village vitality.*

### Comment

The location of the proposed development, remote from safe and convenient access by means other than the car, is not a sustainable location for new build commercial development, however, the redundant buildings offer an opportunity to be re-purposed in relatively close proximity to an existing settlement. The nature of the storage use means that a high proportion of the visits would not be applicable by means other than the private motor vehicle and the frequency of visits is predicted to be low. The existing poultry units are of a design that is unsuited to intensive commercial use other than for sectional storage purposes of items such as motor vehicles, domestic storage and commercial storage, there are no windows in the building with only one large existing opening at the eastern end of the building for access purposes.

The proposed business use under use class E(g) would be for a local carpentry business that does not use power tools such that the use would be acceptable in a residential area or tranquil countryside, the use of the building for this purpose would accord with Policy D8 being sympathetic and taking into account former traffic movements on site the intensity of uses would be comparable.

Policy D1 design and local distinctiveness requires proposals respect the key characteristics and special qualities of the area in which they are located, and do not adversely affect the amenity of occupiers of adjoining residential properties. Due regard should also be had to measures to create a safe environment, use appropriate lighting and mitigate potential adverse impacts, such as noise, both during and after construction. No external works are proposed to the poultry building or other storage buildings to enable them to perform their storage use such that other than traffic movements there would be no impact upon the rural surroundings.

The use of landscaping to integrate the development into its surroundings and more appropriate management of the existing landscaping would lead to an enhancement to the current disused nature of the site.

- 2. The building is structurally sound and capable of conversion without the need for substantial extension, alteration or reconstruction and any alterations protect or enhance the character of the building and its setting;*

Comment

No physical works are proposed to any of the buildings on site, they have been redundant since the poultry business ceased use of the site, they are in an obvious state of being underused but are not structurally unsound either internally or externally.

- 3. The form, bulk and general design of the building and its proposed conversion are in keeping with its surroundings, local building styles and materials;*

Comment

The existing poultry buildings are relatively low in the landscape and not readily visible outside of the confines of the application site, similarly the other buildings are of an agricultural appearance that assimilate well into the rural surroundings, no changes are proposed to these buildings.

- 4. The proposed use would not harm the countryside by way of traffic, parking, storage, pollution or the erection of associated structures;*

Comment

The application is accompanied by a transport statement which seeks to explain the existing/former poultry business' traffic movements and those of the proposal, please see the highways impact section for more detail on this matter.

- 5. The proposal will not undermine the viability of an existing agricultural enterprise or require replacement buildings to fulfil a similar function.*

Comment

The site does not form part of an agricultural enterprise, the former poultry business, which was successful until legislation and the economic climate changed, has ceased and the buildings are largely redundant.

There is also support for rural employment in Policy E5 small scale economic development in rural areas and in national guidance, and the development would contribute towards the rural economy and re-use existing buildings, however, these cannot be considered to be on brownfield land or previously developed land as they were in use for agricultural purposes. However, this support is predicated upon the suitability of the local highway network, no detrimental impact upon any nearby residential properties and no harm to environmental interests.#

Accordingly, in principle, the proposal is considered acceptable in relation to Strategy 7 and Policy D8 of the EDDC Local Plan together with advice contained in the NPPF which seeks to encourage the re-use of buildings in rural areas for economic re-use.



## **Landscape Character**

The site lies within landscape character area 3B lower rolling farmed and settled valley slopes. Key characteristics of this landscape include gently rolling lower valley slopes, pastoral farmland with a wooded appearance, variable field patterns and sizes, many hedgerow trees, winding often narrow sunken lanes with very tall earth banks, some parts tranquil and intimate all year round, enclosed and sheltered landscape and wider views often restricted by vegetation.

Policies D1 and EN14 seek to protect against the impacts of noise and light pollution.

The application as originally submitted with the demolition of building 2 to provide a large area of open storage, would give rise to concerns regarding noise and disturbance and visual impact on countryside character and the wider tranquillity of the rural area. With commercial use, including open storage, lighting for security gives rise to potential impacts on rural night time character and dark skies. These concerns are now considered to have been reduced such that it is considered necessary only to seek details of any external lighting by way of a suitably worded planning condition.

The PRoW passes the site and any noisy commercial activity or extensive open storage could impact on the enjoyment of users of this countryside amenity. The proposed use for E(g) which would be a former B1 use that could be carried out in a residential area would not allow for business that undertake noisy industrial processes.

The proposal is considered to respect the key characteristics and special qualities of the area in which the development is proposed and policy D8 for any new use to be sympathetic to, and enhance the rural setting and character of the surrounding area. The proposal is supported on rural character impact grounds.

## **Highways impact considerations**

The key transport policies are TC2 - Accessibility of New Development, and TC7 - Adequacy of Road Network and Site Access. Other policies and guidance are also relevant to considerations.

An objection from County Highways advised that while they considered access and visibility to be satisfactory and the storage would typically not produce a large trip generation, the class E aspect could potentially produce a high trip generation in a rural environment, with the potential for HGV's. Consequently the application has been supplemented by a Transport Assessment (TA).

On review of the submitted TA Devon County Highways no longer raise objections on the basis the TA acknowledges there is no recorded collision data within the vicinity of this site from January 2018 to December 2022 and having reviewed the TA trip generation data, accept that there will be no HGV trip generation intensification over that of the existing benchmark position of the existing permitted poultry farm.

The TA report assesses only the Use Class E(g) GFA of 325sqm, disregarding the traffic generated by the Use Class B8 storage comprising 1,800sqm. The reason given

for disregarding the B8 trip generation is that the highway officer confirmed that "the storage element of the application would not typically incur a great trip generation intensification, as storage sites tend not to produce a large trip generation."

The TA advises at paragraph 4.4 "On this basis the proposed storage element (Use Class B8) has been accepted and has been excluded from this trip attraction exercise". The TA disregards the storage trip generation, which the LPA considers to be a flaw of the report, and does not present a full representation of potential impacts.

The TA reviews the traffic likely to have been generated by the previous poultry farm, which reared around 40,000 chickens to an age of 49 days. It advises there was then a 10-day period when the site was cleaned in readiness for the next crop. The production cycle would continue so that each year the farm would produce  $(365/59) = 6.18$  crops per year. It estimates:

Each crop would typically attract the following vehicle movements:

- i. 1 or 2 deliveries of day-old chicks in a small HGV;
- ii. 8 deliveries of feed in either 32 tonne rigid HGV's or 44 tonne artic HGV's;
- iii. Removal of mature Chickens in 8 loads of 44 tonne artic HGV's;
- iv. 2No., deliveries of heating gas in rigid HGV's;
- v. Delivery of 1 load of bedding in a 44 tonne HGV and a forklift lorry;
- vi. 1No., removal of deadstock in rigid HGV;
- vii. Washing equipment delivered and collected once each crop on a small HGV; and
- viii. Spent litter removal at the end of the flock in 8 to 10 large tractor and trailer combination.

There would also have been a range of service providers visiting the farm on a regular basis to service equipment etc. There were 2 staff visiting the farm once per day together with 1 member of staff performing an evening inspection of the stock.

Extrapolating this data on an annual basis would be as follows:

- i. 25 HGV vehicle movements x 6.18 crops = 154 HGV vehicle movements; and
- ii. 10 large tractor and trailer movements x 6.18 crops = 62 vehicle movements.

The stable operation would involve the following:

- i. Once per month removal of manure using a tractor and trailer; and
- ii. 6No., tenant visits twice per day in cars or pickups.

In summary, the TA estimates the previous trip generation to be 44 vehicles daily and 1 HGV. This doesn't seem to correspond with the extrapolated data.

The TA estimates the proposed Class E use would generate one two-way vehicular movement during the AM peak hour and none during the PM peak hour and attract zero trips by HGV.

The LPA consider the TA over-estimates the poultry farm and stables traffic generation and under-estimates the future traffic generation.

Whilst Policy TC2 requires new development to be located so as to be accessible by pedestrians, cyclists and public transport and minimise the need to travel by car, the

nature of the B8 use means that access other than by private motor vehicle would be difficult to uphold, the site could be accessed by bicycle for the E(g) use, however, this may not be an acceptable form of transport for most users given the country lanes and that the only nearby settlements would be Woodbury and Woodbury Salterton.

Development to which the public have access, must provide adequate provision for persons with reduced mobility.

Policy TC7 advises planning permission for new development will not be granted if the proposed access, or the traffic generated by the development, would be detrimental to the safe and satisfactory operation of the local, or wider, highway network.

While County Highways no longer raise concerns and the TA considers the access to be suitable, observations from the site visit shows the access lane is narrow with no passing places and curves at the top, such that vehicles entering are not visible by those exiting towards the southern end of the track and vice versa. The removal of the open caravan and boat storage involving large vehicle and trailer movements, including at unpredictable hours has to a certain extent removed the majority of access concerns. At the junction, it may be possible for two cars to pass, but it is not sufficiently wide that that two large vehicles/ HGVs (of which there is likely to be only a very limited number attracted to the site) could pass. There is limited capacity to widen the junction or provide passing places within the red line site boundary, particularly without removing hedges which would be unacceptable on character and ecology grounds.

In summary, whilst the traffic movements have been overestimated for the former use but underestimated for the proposed use, the level of traffic would still remain similar to that of the former use and the nature of traffic from HGVs to light commercial vehicles or domestic vehicles is such that no objections can be raised from a traffic point of view, furthermore Devon County Highways Engineer who is a professional in this field raises no objections to the proposed development.

The proposal is considered to be acceptable in relation to Policies D8, TC2 and TC7 and advice contained in the NPPF which sets a high bar on the impact of traffic needing to be 'severe' to warrant refusal on highway grounds, that is not that case with this application.

## **Rural Economy**

The agricultural use has ceased, and therefore the employment lost. Commercial use of the site would create employment, which would assist the rural economy. Policy E5 supports small scale economic development in rural areas and there is similar support in national guidance. Employment creation would contribute towards the rural economy.

This weighs in favour in the balance of considerations. However, this support is predicated upon the suitability of the local highway network, no detrimental impact upon any nearby residential properties and no harm to the environmental interests.

## **Amenity Issues**

Local Plan policy, including Policy D1, seeks to protect the living conditions of the occupiers of residential properties from the impacts of development, the access lane abuts the entrance to residential property 'Bedside Manor'. The potential increase in traffic gives rise to considerations of the impacts of increased noise and disturbance from traffic on the amenities of neighbouring occupiers and the wider tranquillity of the rural area. Such impacts cannot reasonably be mitigated.

Noise from the commercial use within buildings could be mitigated through insulation, secured by conditions, together with reasonable hours of use and internal/external lighting.

Given that it has been concluded that the level of traffic attracted to the site would be similar to that of the former use and changed in character to less heavy goods vehicles to a more domestic scale of vehicles using the access, it is considered that there would not be a detrimental impact on the living conditions of the occupiers of 'Bedside Manor'.

The proposal is therefore considered to be acceptable in relation to Policies D1 and EN14 of the EDDC Local Plan.

## **Conclusion**

The proposal represents the economic re-use of former buildings that are no longer required for the poultry business that occupied the site, the B8 use and E(g) use would assimilate well into the surrounding without having a severe impact on the local highway network through the change in character of traffic attracted to the site.

Restrictive conditions would control the long term use and on site lighting and ventilation/noise mitigation inside the proposed work units.

Accordingly, in the absence of any detrimental impacts and compliance with local and national planning policy the proposal is recommended for approval subject to conditions.

## **RECOMMENDATION**

APPROVE subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission and shall be carried out as approved.  
(Reason - To comply with section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
2. The development hereby permitted shall be carried out in accordance with the approved plans listed at the end of this decision notice.  
(Reason - For the avoidance of doubt.)

3. Buildings 1 and 4 as identified on Drawing Number 3731/02A shall be used for B8 Storage and Distribution and for no other purpose (including any other purpose in Class B of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).  
(Reason - To protect adjoining occupiers from noise, disturbance in accordance with the requirements of Policy EN14 - Control of Pollution of the Adopted East Devon Local Plan 2013-2031.)
4. Buildings 3 and 5 as identified on Drawing Number 3731/02A shall be used for E(g iii) Light Industry and for no other purpose (including any other purpose in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).  
(Reason - To protect adjoining occupiers from noise, disturbance in accordance with the requirements of Policy EN14 - Control of Pollution of the Adopted East Devon Local Plan 2013-2031.)
5. Prior to occupation of Buildings 3 and 5 hereby approved details of noise insulation measures sufficient to provide effective resistance to the transmission of airborne and impact sound between the uses hereby permitted and neighbouring properties shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be completed before the uses of the building the mitigation measures effect begins.  
Reason: To protect the amenity of local residents from noise in accordance with Policy EN14 (Control of Pollution) of the East Devon Local Plan.
6. Prior to occupation of Buildings 3 and 5 hereby approved a suitable and sufficient means of extract ventilation and/or air conditioning shall be provided within the buildings. All windows and door are to remain shut when the building is in operation. The specific noise level of any fixed plant or equipment installed and operated on the site must be designed as part of a sound mitigation scheme to operate at a level of 5dB below daytime (07:00 - 23:00 expressed as LA90 (1hr)) and night-time (23:00 - 07:00 expressed as LA90 (15min)) background sound levels when measured or predicted at the boundary of any noise sensitive property. Any measurements and calculations shall be carried out in accordance with 'BS4142+2014 Methods for Rating and Assessing Industrial and Commercial Sound'.  
Reason: To protect the amenity of local residents from noise in accordance with Policy EN14 (Control of Pollution) of the East Devon Local Plan.
7. Construction working hours shall be 8am to 6pm Monday to Friday and 8am to 1pm on Saturdays, with no working on Sundays or Bank Holidays. There shall be no burning on site. We would request the applicant to consult and follow the council's Construction Sites Code of Practice prepared by Environmental Health and adopted by the council in order to ensure that any impacts are kept to a minimum. This is available on the council's website.

Reason: To protect the tranquillity of the open countryside and residential amenity of nearby residents in accordance with Policy EN14 (Control of Pollution) of the East Devon Local Plan.

8. Prior to the instillation of any lighting on site, a lighting scheme shall be provided for the site which complies with the requirements of the Institute of Light Engineers guidance on the avoidance of light pollution. The lamps used shall not be capable of reflecting light laterally, upwards or off the ground surface in such a way that light pollution is caused. No area lighting shall be operated outside the agreed working hours of the site, although low height, low level, local security lighting may be acceptable. The development shall thereafter be carried out on accordance with the agreed details

Reason: For the avoidance of light pollution in the open countryside to comply with Policy EN14 (Control of Pollution) of the East Devon Local Plan.

9. Deliveries of goods to or from the application site, including to and from each storage unit, shall only take place between the hours of 8am to 6pm Monday to Friday and 8am to 1pm on Saturdays, with no access on Sundays or Bank Holidays.

Reason: To protect the tranquillity of the open countryside and residential amenity of nearby residents in accordance with Policy EN14 (Control of Pollution) of the East Devon Local Plan

10. The hours of use of the light industrial units shall be limited to between the hours of 8am to 6pm Monday to Friday and 8am to 1pm on Saturdays, with no use permitted on Sundays or Bank Holidays

Reason: To protect the tranquillity of the open countryside and residential amenity of nearby residents in accordance with Policy EN14 (Control of Pollution) of the East Devon Local Plan

11. Building number 1 shall be used for compartmentalised storage pods only and not as a single use storage, prior to building 1 being converted floorplans of the proposed internal arrangement of the building shall be submitted to and approved in writing by the Local Planning Authority. The building thereafter shall only be laid out as approved unless varied by a further grant of planning permission.

Reason: The transport statement assesses the use of the building for storage pods only by smaller vehicles and not HGVs, use as single storage has the potential to change the character of traffic which may have a severe impact on highway safety in accordance with Policy TC7 (Adequacy or Road Network and Site Access) of the East Devon Local Plan.

#### NOTE FOR APPLICANT

Informative: Confirmation - No CIL Liability. This Informative confirms that this development is not liable to a CIL charge.

Plans relating to this application:

3731/02 A	Proposed Site Plan	25.01.24
	Location Plan	30.12.22

### List of Background Papers

Application file, consultations and policy documents referred to in the report.

## **Statement on Human Rights and Equality Issues**

### Human Rights Act:

The development has been assessed against the provisions of the Human Rights Act 1998, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

### Equality Act:

In arriving at this recommendation, due regard has been given to the provisions of the Equality Act 2010, particularly the Public Sector Equality Duty and Section 149. The Equality Act 2010 requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities. Protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race/ethnicity, religion or belief (or lack of), sex and sexual orientation.