

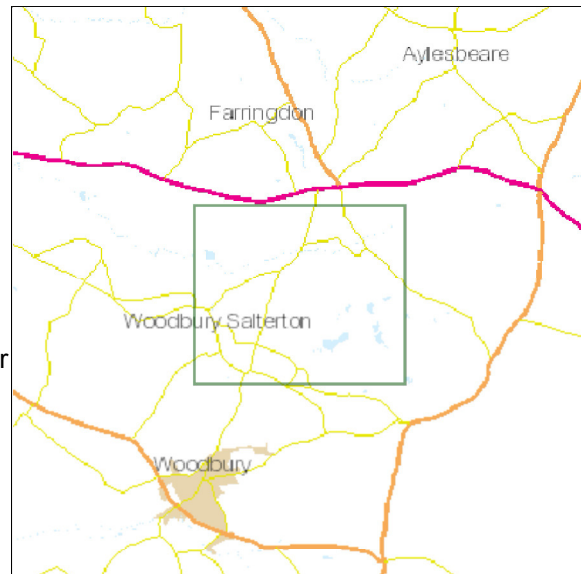
Ward Raleigh

Reference 18/2866/FUL

Applicant Mr FWS Carter & Sons Ltd

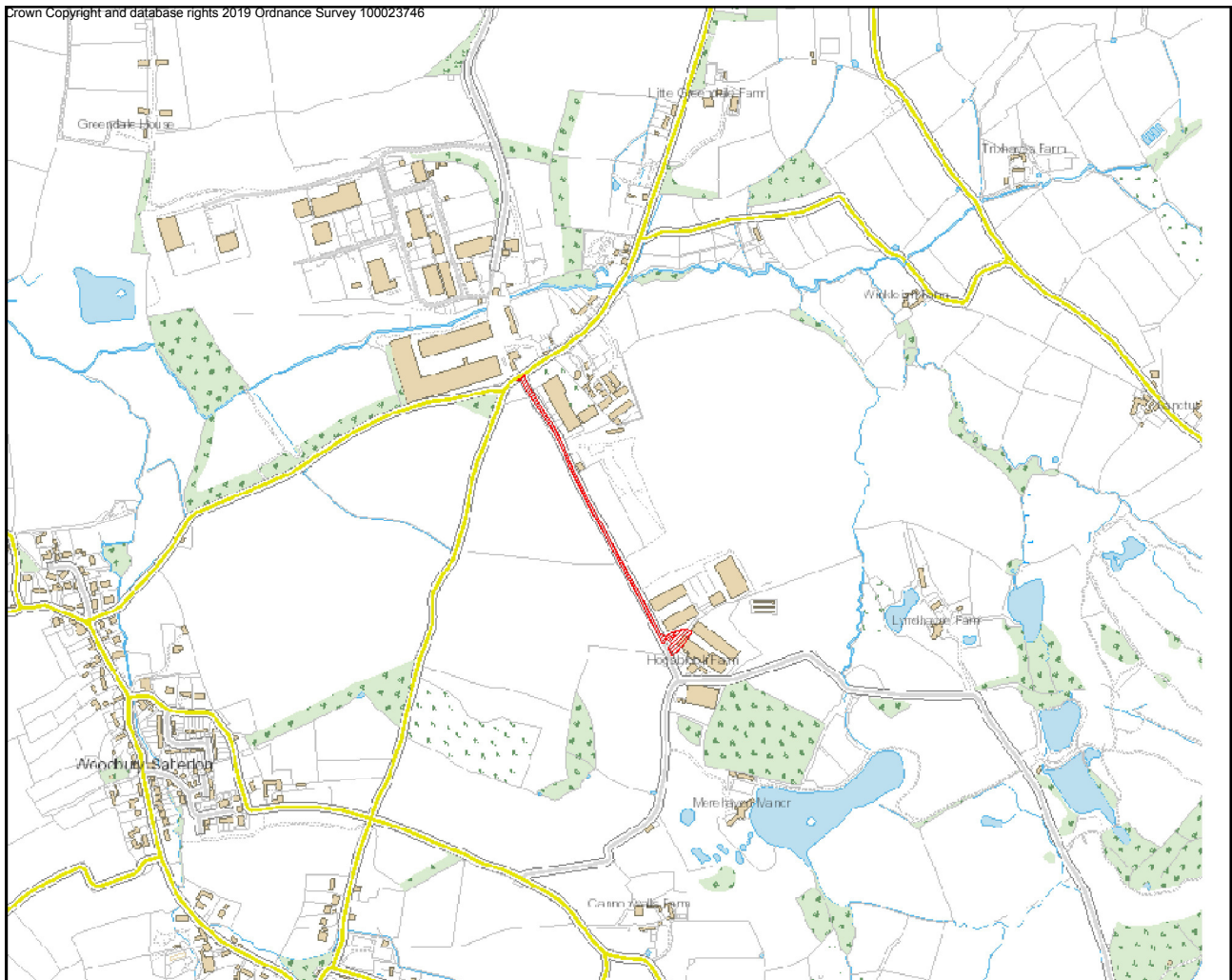
Location 11 Hogsbrook Units Woodbury Salterton Exeter
EX5 1PY

Proposal Retention of roller shutter door and concrete pad.



RECOMMENDATION: Approval with conditions

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		Committee Date: 5 th March 2019
Raleigh (WOODBURY)	18/2866/FUL	Target Date: 11.02.2019
Applicant:	Mr FWS Carter & Sons Ltd	
Location:	11 Hogsbrook Units Woodbury Salterton	
Proposal:	Retention of roller shutter door and concrete pad.	

RECOMMENDATION: Approval with conditions

EXECUTIVE SUMMARY

This application is brought before Members because the officer recommendation is contrary to the view of the Ward Member.

The proposal is for the retention of a concrete pad which has been constructed outside of Unit 11 Hogsbrook Units, Greendale, Woodbury Salterton. The pad measures 4 x 6m and is used for the purposes of a rolling/road/brake testing unit, accessed through a roller shutter door (also for retention). It is further proposed to return an area of land outside of the building back to an agricultural use and reinstate a hedgerow that has been removed.

The Villages Plan shows that the Hogsbrook Units are surrounded by a boundary that defines the extent of the business uses. The concrete pad lying just outside of the defined boundary that runs along the rear elevation of the building.

Whilst the works have taken place outside of the defined extent for Greendale as identified in the Villages Plan, the works are minimal in extent, do not result in any visual harm and are associated by proposed works to return the surrounding land to grass and hedgerow. Provided that these elements are conditioned there is not considered to be any harm in planning terms by allowing the concrete pad. The application is therefore supported.

CONSULTATIONS

Local Consultations

Raleigh - Cllr G Jung

I have viewed the documents for planning application 18/2866/FUL for the retention of roller shutter door and concrete pad at 11 Hogsbrook Units Woodbury Salterton Exeter EX5 1PY.

The Parish Council supports the application, provided that the concrete pad is not built on designated agricultural land and would look to EDDC to confirm this.

I believe this refers to the Employment and Business park designation in the approved EDDC Villages plan (Approved 26/07/2018) and the employment land designation for Greendale Business Park.

The "Villages Development Plan" and the "East Devon Local Plan" forms part of a series of documents that set out policies and proposals for land use within in East Devon. These Documents are in line with the Government's planning policies, which are set out in the National Planning Policy Framework and taken together the documents comprise the 'development plan', which guides where development will go and how planning applications will be determined.

Village Plan Policy VP04- Greendale Business Park

"Inset maps are included in this plan that show the extent of authorised uses at the Greendale Business Park for information purposes only. Development of Greendale Business Park as indicated on the inset map will be considered in accordance with the relevant policies of the development plan, in particular Strategy 7 of the East Devon Local Plan (Development in the Countryside)."

The inset map shows that the location of 11 Hogsbrook is within the authorised uses for the Greendale Business Park, but the Western boundary wall forms the limit of the Business Park.

Therefore, the use beyond this boundary is in the open countryside and therefore should not be used for industrial or commercial activities.

This application is contrary to VP04 of the Villages Plan and contrary to Strategy 7 of the East Devon Local Plan. Although the Roller Shutter Door provides access to a concrete pad and is a relative small area, I do not believe this application should be approved as it may set a precedent for more extensive applications in the future.

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

Further comments:

Thank you for sending me the draft Committee Report for Planning application **18/2866/FUL**. I would like to highlight several points.

1. The Parish Council supported this application provided that the concrete pad is not built on designated agricultural land and would look to EDDC to confirm this.

Your report states that the concrete pad is in designated agricultural land.

2. Your report does not mention the retrospective issue of the roller shutter door that now accesses the rear of the building.

Previously the rear of the building appeared similar Agricultural Buildings at the farm location with a solid metal wall. The introduction of the door now introduces a substantial industrial element.

3. The summary in paragraph 2 states "It is further proposed to return the area of land outside of the pad to an agricultural use and reinstate a hedgerow that has been removed" The final paragraph states "Provided that these elements are conditioned there is not considered to be any harm....."

If this application is approved I fully support your condition 1, which encompasses this work. However, if this application fails I would like a similar worded enforcement notice.

4. If this application is approved the area permitted for Industrial Commercial use will be required to be added to VP04 of the villages plan for clarity.
5. Your report states that a Planning Inspector considered previously that the industrial development location of "these industrial units and their separation from Greendale Business Park did not detract from the rural landscape character and the appearance....."

The Inspector ruled that the Hogsbrook Units separation from the Greendale Business Park therefore categorised this development as "small-scale economic development" and therefore approved the application.

However, the area now is described as "Greendale Hogsbrook" by the applicant and these units were last year included in the Greendale Employment Area and are now therefore covered by the Villages Plan VP04. The location cannot be described as "small-scale economic development".

6. There are several other retrospective applications awaiting and a number being consulted on right now.

I do agree that this is a very small addition and it will not have much effect on the visual impact of the area. However, if this application is approved it may well provide a precedent for more extensive retrospective applications to be approved soon.

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

Parish Council

SUPPORTED. Provided that the concrete pad is not built on designated agricultural land. Would look to EDDC to confirm this.

Technical Consultations

Environmental Health

I have considered the application and do not anticipate any environmental health concerns.

Other Representations

No letters of representation have been received.

POLICIES

Adopted East Devon Local Plan 2013-2031 Policies

D1 (Design and Local Distinctiveness)

E5 – Small Scale Economic Development in Rural Areas

E7 (Extensions to Existing Employment Sites)

Strategy 7 (Development in the Countryside)

Strategy 27 (Development at the Small Towns and Larger Villages)

East Devon Villages Plan Policy VP04

Site Location and Description

The application site comprises part of two parallel, former agricultural buildings which are situated within a cluster of buildings at Hogsbrook Farm.

The units have the appearance of modern industrial buildings and have been subdivided into a number of individual units. The site is accessed via a private road from White Cross Road which leads to the units.

At the rear of unit 11 an opening has been created which has been finished with a roller shutter door. A concrete pad (6m by 4m) has been installed in the location of the new roller shutter door for equipment to be fitted to for the use of a HGV brake test.

An access has been constructed and an area of agricultural land laid to crushed stone. It is further proposed to return this to agricultural use and close the opening. An area adjacent to the unit has been created to provide storage or plant or vehicles whilst they are being repaired.

ANALYSIS

The main issues relate to principle of development, visual impact and neighbouring impact.

Principle

The applicants have stated that the business within the unit deals with plant and commercial vehicle repair and servicing. In order to satisfy Vehicle and Operator Services agency (VOSA) accreditation requirements, the applicants state it was necessary for a rolling road/brake testing unit to be installed. VOSA accreditation is

required to carry out commercial vehicle MOT tests and six weekly inspections which form a key part of the business activities.

The applicants state that the most cost effective solution for this was to site the rolling road unit externally to the rear of the workshop with a new roller shutter door being installed to provide access for commercial vehicles.

In terms of the principle of development, Greendale is identified within the Villages Plan. Policy VP04 – Greendale Business Park states:

‘Inset maps are included in this plan that show the extent of authorised uses at the Greendale Business Park for information purposes only. Development of Greendale Business Park as indicated on the inset map will be considered in accordance with the relevant policies of the development plan, in particular Strategy 7 of the East Devon Local Plan (Development in the Countryside).’

Whilst the proposed development falls outside of extent of Greendale Business Park as identified in the Villages Plan, and is therefore within the open countryside, there is support for small scale economic development in the local plan and NPPF. In addition, the proposal will have a very limited visual impact, there are economic benefits in supporting the business, and the application is proposing to grass and landscape an adjoining piece of land to which there are visual benefits. It should be noted however that this area should already be in agricultural use (as opposed to employment with crushed stone surface) and as such this part of the proposal should be given limited weight.

It is considered that these material considerations outweigh the location of the small pad in the countryside and that as such a refusal of planning permission would be very difficult to justify.

Character and Appearance

Despite the countryside location of these industrial units and their separation from Greendale Business Park, it has previously been accepted by a Planning Inspector that the industrial development did not detract from the rural landscape character and appearance of the area noting that the units were set well away from the public highway being accessed by a long private road, of a nature, form and design and in close proximity to other large retained farm buildings so as not to appear out of place within the wider landscape.

The concrete pad is considered to be of a small scale, and further, it is considered questionable how much use this piece of land would have as agriculture given its relationship to the industrial units. Nevertheless along with the restoration of the site to create a separation between the road and the units in what is essentially countryside, it is considered that no harm would be caused to the character of the area from the concrete pad or roller shutter door (which is coloured green to match the colour of the wider units).

Residential Amenity

The small scale nature of the industrial use is unlikely to cause levels of noise, disturbance and activity that would cause a nuisance subject to controlling the hours of operation and the nature of vehicle reversing alarms so as to prevent high frequency audible alarms which would have the potential to be heard over a long distance. The building are controlled through working hours conditions (06.00-18.00 Monday and 06.00-13 Saturdays and not at all on Sundays or Bank Holidays) and subject to similar conditions it is not considered an objection is raised in this regard.

CONCLUSION

The application proposes the retention of a small concrete pad to the rear of an existing employment building along with an associated roller-shutter door. In addition it is proposed at an adjoining piece of land be grassed and returned to countryside.

Whilst the proposed development falls outside of extent of Greendale Business Park as identified in the Villages Plan, and is therefore within the open countryside, there is support for small scale economic development in the local plan and NPPF. In addition, the proposal will have a very limited visual impact, there are economic benefits in supporting the business, and the application is proposing to grass and landscape an adjoining piece of land to which there are visual benefits.

It is considered that these material considerations outweigh the location of the small pad in the countryside and that as such a refusal of planning permission would be very difficult to justify.

RECOMMENDATION

Approve subject to conditions:

1. Notwithstanding the submitted information, within 2 months of the date of this permission full details and specification of the works to permanently close the access to reinstate the boundary hedgerow and revert the land back to agriculture as shown on drawing number 7756-01 rev A, shall have been submitted to and approved in writing by the Local Planning Authority. The works shall have been carried out within 3 months of the date of the agreement of details to the satisfaction of the Local Planning Authority.
(Reason - In the interests of the appearance of the site and surrounding area in accordance with policy D1 (Design and Local Distinctiveness) and D2 (Landscape Requirements) of the East Devon Local Plan).
2. No high frequency audible reversing alarms shall be permitted on any site vehicle or vehicle based at the site (white noise alarms are permitted).
(Reason - To protect the amenities of local residents from high frequency alarm noise which is audible over considerable distances in accordance with Policy EN14 (Control of Pollution) of the East Devon Local Plan 2013-2031)
3. No machinery shall be operated, no processes carried out and no deliveries accepted or dispatched except between the hours of 6am and 6pm Monday to

Friday, or 6am and 1pm on Saturdays, and not at all on Sundays or Bank Holidays.

(Reason - To protect the amenities of local residents from noise in accordance with Policy EN14 (Control of Pollution) of the East Devon Local Plan 2013-2031)

4. All site lighting shall be turned off between 7pm and 6am and any low level security lighting shall be selected so that there is no upwards or lateral light overspill. Temporary lighting required during the occasional out of hours activity shall be operated by movement sensors.

(Reason - To protect the local environment from light pollution and in accordance with Policy EN14 (Control of Pollution) of the East Devon Local Plan 2013-2031 and the provisions of the National Planning Policy Framework.)

NOTE FOR APPLICANT

Informative:

In accordance with the aims of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 East Devon District Council works proactively with applicants to resolve all relevant planning concerns; however, in this case the application was deemed acceptable as submitted.

Informative: Confirmation - No CIL Liability

This Informative confirms that this development is not liable to a CIL charge.

Any queries regarding CIL, please telephone 01395 571585 or email cil@eastdevon.gov.uk.

Plans relating to this application:

& FRA	Design and Access Statement	17.12.18
7756-02 Elevations/floor plan	Combined Plans	17.12.18
7756-04	Location Plan	17.12.18

List of Background Papers

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